

# PLANNING COMMISSION

## AGENDA

### JULY 14, 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**

**July 14, 2016**

**5:30 PM**

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

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10. **Roll Call**
20. **Consent Calendar/Written Communications (voice vote)**
- 20.1 **LDS-16-053** Final Order for a tentative plat for Westridge Village at Vista Pointe Phase 7, a 12-lot residential subdivision on approximately 6.18 acres located on the westerly side of East McAndrews Road at Chablis Terrace within the SFR-4/PD (Single Family Residential, 4 dwelling units per gross acre/Planned Development Overlay) zoning district (Tax Lot 371W22AD291). (Michael T. Mahar Retirement Plan & Trust, Applicant; Neathamer Surveying, Inc., Agent)
- 20.2 **LDS-16-051 / E-16-052** Final Order for Silky Oaks Phase 5, a 14-lot residential subdivision along with an Exception requesting relief from the width requirement for the creation of a flag lot on approximately 2.26 gross acres located along the north side of Maple Park Drive and 353 feet east of Ross Lane N within the SFR-00 (Single Family Residential, one dwelling unit per existing lot) zoning district (372W23DD TL 600 & 601) (Horton Homes, LLC., Applicant; Scott Sinner Consulting, Inc., Agent)
30. **Minutes**
- 30.1 Consideration for approval of minutes from the June 23, 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.**
- Old Business**
- 50.1 **PUD-16-024** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD) (see list below). The request for PUD Revision primarily applies to the portion of Cedar Landing located on the NORTH side of Cedar Links Drive. There is one PUD Modification request that is applicable to the entire development.  
Proposed PUD revision applicable to the NORTH & SOUTH SIDES of the development:
1. Allow a 55% lot coverage maximum for single-family residential units under 25 feet in height; units more than 25 feet in height will remain subject to zoning provision maximum lot coverage of 40%.

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

2. Reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space.
3. Allow for optional land use for a scaled-down congregate Care Facility or single-family cottage units.
4. Serve a portion of the property with a private street.
5. Increased maximum building height for multi-family structures within "The Village" sub-area to provide more architecturally appealing rooflines on three story units.
6. Allow a 10-foot front yard setback exclusive of garages for "The Cottages" sub-area.
7. Allow a 75-foot lot depth and minimum lot size of 3,800 square feet within "The Cottages" sub-area.
8. Allow up to 75% lot coverage for single family units under 25 feet in height within the "The Cottages" sub area.
9. Permit a minimum lot size of 5,800 square feet for lots within "Sky Lakes at The Village, Phases I & II". (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-025** Consideration of a request for a revision to the Cedar Landing tentative plat for "*Cascade Terrace at Cedar Landing Phases 1 through 5*"). The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilkshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to *Cascade Terrace at Cedar Landing, Phase 1 through 5*. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138). (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-026** Consideration of a request to authorize a replat of Lots 91 and 94 of the "Sky Lakes Village at Cedar Landing Phase 7A – A Planned Community". (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-027** Consideration of a request for approval of the tentative plat for "Sky Lakes at Cedar Landing Phases 1 through 4", "The Village at Cedar Landing", and "The Cottages at Cedar Landing" within an area previously identified as "The Village at Cedar Landing Phases 2 and 3", consisting of 54 lots on approximately 34.24 acres. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

#### **New Business**

50.2 **ZC-16-067** Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to SFR-6 (Single Family Residential, six dwelling units per gross acre) on approximately 0.70 acres

located on the east side of Cherry Street, approximately 370 feet north of Key Drive. (Joseph & Carole Eselin, Applicant/Agent)

50.3 **CUP-16-059** Consideration of a request for a Conditional Use Permit to allow the construction of a park on two parcels totaling approximately 3.08 acres located at the southwest corner of Lone Oak Drive and Shamrock Drive, within the MFR-20/SE (Multiple-Family Residential – 20 dwelling units per gross acre/Southeast Overlay) zoning district. (Mahar Homes, Inc., Applicant; Galbraith & Associates, Agent)

50.4 **PUD-16-060** Consideration of plans for a revision of a Final Planned Unit Development (PUD) Plan to add both temporary and permanent recreational vehicle (RV) storage to the existing mini storage facility on 6.7 acres located at 2012 Kingswood Drive within the SFR-6 (6 dwelling units per gross acre) zoning district (372W23AC6000, 372W23AC6001, 372W14D8000, 372WAB14601, 372WAB14600) (Climate Control Mini Storage, LLC., Applicant; Scott Sinner Consulting, 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**

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
WESTRIDGE VILLAGE AT VISTA POINTE PHASE 7 ) ORDER  
[LDS-16-053]

ORDER granting approval of a request for tentative plat approval for Westridge Village at Vista Pointe Phase 7.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of a tentative plat for Westridge Village at Vista Pointe Phase 7, a 12-lot residential subdivision on approximately 6.18 acres located on the westerly side of East McAndrews Road at Chablis Terrace within the SFR-4/PD (Single Family Residential, 4 dwelling units per gross acre/Planned Development Overlay) zoning district (Tax Lot 371W22AD291), with the public hearing a matter of record of the Planning Commission on June 23, 2016.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for Westridge Village at Vista Pointe Phase 7 stands approved per the Planning Commission Report dated June 23, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated June 23, 2016.

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

Accepted and approved this 14th day of July, 2016.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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



## PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: Land Division

Project Westridge Village at Vista Pointe Phase 7  
 Applicants: Michael T. Mahar Retirement Plan & Trust and Silver Oak Ridge, LLC; Agent: Neathamer Surveying, Inc.

File no. LDS-16-053

Date June 23, 2016

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### BACKGROUND

#### Proposal

Consideration of a tentative plat for Westridge Village at Vista Pointe Phase 7, a 12-lot residential subdivision on approximately 6.18 net acres located on the westerly side of East McAndrews Road at Chablis Terrace within the SFR-4/PD (Single Family Residential, 4 dwelling units per gross acre/Planned Development Overlay) zoning district (Tax Lots 371W22AD291 and 371W22CA4101).

#### Subject Site Characteristics

Zoning	SFR-4/PD	Single-family residential, four dwelling units per gross acre/Planned Development Overlay
GLUP Use	UR	Urban Residential Vacant

#### Surrounding Site Characteristics

North	SFR-4/PD	East McAndrews Village at Vista Pointe Vacant
South	SFR-2	Single Family Residential, two dwelling units per gross acre Greyson Heights Subdivision
East	SFR-4/PD	Vista Pointe PUD Single family residential and some commercial uses
West	EFU	Jackson County Exclusive Farm Use Hillcrest Orchards and Hillcrest Vineyards

#### Related Projects

GF-01-20 Master Plan, Vista Pointe Planned Unit Development

PUD-03-124 Vista Pointe Planned Unit Development  
LDS-04-037 Tentative Plat Westridge Village at Vista Pointe  
LDP-06-093 Key West Partition  
AC-06-312 Westridge Office and Commercial  
LDS-10-003 East McAndrews Village at Vista Pointe

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.

Corporate Names

The Oregon Secretary of State website lists Sydnee Dreyer as the Registered Agent and Michael T. Mahar as a Member of Silver Oak Ridge, LLC.

## ISSUES AND ANALYSIS

### Background

The Vista Pointe Planned Unit Development was approved by the Planning Commission and modified by the City Council in 2003. The PUD covers approximately 165 acres and consists of four sub-project areas, each divided into multiple phases. The project is comprised of a mixture of single family dwellings, commercial uses, a congregate care facility, a church, and condominiums.

The Planning Commission approved revisions to the PUD in 2004, 2005 and 2010, with two additional minor revisions in 2007. The Planning Director approved a de minimis revision in 2006.

The Site Plan and Architectural Commission (SPAC) approved site, architectural, and landscape plans for the commercial portion of Westridge Village (now E McAndrews Village) on April 6, 2007. As a condition of the Preliminary PUD Plan approval, a Master Sign Plan was also reviewed and approved with that application. As put forth in Section 10.235(G) of the Medford Land Development Code (MLDC), the Final Order for the SPAC approval has been appended to the Preliminary PUD approval, and both are valid approvals at this time.

Partition Plat LDP-06-093 was tentatively approved by the Planning Commission June 22, 2006, and served to delineate the exterior boundary of Phases 4 through 9 of Westridge Village. An internal phase line between Phases 5 and 6 of Westridge Village was shifted to the west by the plat, removing approximately 10 single family residential lots from Phase 5. These ten lots are the subject of this application.

The plat for East McAndrews Village, a 58-lot subdivision located immediately north of the subject site, was approved by the Planning Commission on November 28, 2010.

### Project Overview

The subject property is generally located in the westernmost portion of Vista Pointe, bounded by E McAndrews Road, Lazy Creek and Hillcrest Orchard. This area, along with the commercial strip on the east side of E McAndrews Road, was identified as Westridge Village in the original approval and included a mixture of dwelling types, commercial uses and a congregate care facility. The 2005 PUD revision changed the original pad lot configuration to standard residential lots and removed some of the attached senior housing units in favor of the 10 standard residential lots that are the subject of this proposal. The 2010 PUD revision and tentative plat changed the name of the entire area west of E McAndrews except the subject site to *East McAndrews Village at Vista Pointe*.

The subject 11.56 gross acres are located between Chablis Terrace, E McAndrews Road, Lazy Creek and Sonoma Court. The applicant proposes to create 12 lots, 10 for single family residences and two reserve acreage lots. The reserve acreage lots were identified as senior housing and congregate care uses in the original PUD approval. The

southernmost portion of the project site, identified as "Remainder of Reserve Acreage Tract K" is the area of Lazy Creek.

#### Consistency with Vista Pointe PUD

As noted above, the 2005 approved PUD revision, which is the most current for this area, established the subject 10 single family lots. The only notable difference between the approved PUD and the proposal is that a small portion of the Reserve Acreage Tract "K" has been included in Lot 68 on the south end of the development.

#### Consistency with Land Development Code Standards

The proposed lots meet the Land Development Code standards for lot configuration contained in MLDC 10.710, and block length contained in MLDC 10.426.

#### Density

Residential density within the SFR-4 zone was calculated for the Vista Pointe project as a whole with the original PUD application, approved September 11, 2003. The 20 percent density increase permitted by the MLDC for PUDs larger than five acres allowed the applicant a total of 692 possible units. The Vista Pointe PUD was approved with a total of 657 units for a 13.8 percent increase in density. The first revision to the PUD reduced the number of residential lots by six, lowering the calculation to 12.8 percent. The second PUD revision added four lots to the total, for a 13.5 percent bonus. The 2010 revision proposal again reduced the total by four lots for an overall total of 651, or 12.8 percent bonus. This proposal does not change the overall project density.

#### Access

The subject single family lots front on Sonoma Court, which is a private street developed with East McAndrews Village Phase 2. Chablis Terrace is a private street between Sonoma Court and Merlot Court, and then becomes a public street between Merlot Court and E McAndrews Road. Chianti Way is also a private street.

Merlot Court is a public street. The original PUD approval required the extension of Merlot Court across Lazy Creek with the development of the commercial portion of East McAndrews Village. That condition has been carried forward; the development of these 10 lots does not trigger the bridge construction.

#### Pedestrian Path

The 2005 PUD revision identifies a pedestrian path along Lazy Creek from the westerly project boundary to E McAndrews Road. A portion of the path was installed with East McAndrews Village Phase 2. As this project abuts the path, a condition has been included for its construction along Lot 68. The remainder of the path abuts the Reserve Acreage parcels and can be constructed at that time.

### Committee Comments

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

No other issues were identified by staff.

### **FINDINGS AND CONCLUSIONS**

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

### **ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-16-053 per the Planning Commission Report dated June 23, 2016, including Exhibits A-1 through N.

### **EXHIBITS**

- A-1 Conditions of Approval, dated June 23, 2016
- B Tentative Plat received May 18, 2016
- C Applicant's Findings of Fact, received May 18, 2016
- D Applicant's letter addressing drainage and grading, received April 25, 2016
- E-1 Public Works Department Staff Report, received June 22, 2016
- F Medford Water Commission Staff Memo, received June 1, 2016
- G Medford Fire Department Land Development Report, received May 26, 2016
- H Medford Building Department Memo, received June 1, 2016
- I Jackson County Roads letter, received May 27, 2016
- J Oregon Department of Aviation e-mail, received May 24, 2016
- K Conditions of Approval for Vista Pointe PUD (PUD-03-124), dated September 11, 2003, and modified by the City Council November 20, 2003
- L Conditions of Approval for Vista Pointe PUD (PUD-03-124) dated October 14, 2004
- M Conditions of Approval for Vista Pointe PUD (PUD-03-124) dated December 8, 2005
- N Approved Preliminary Vista Pointe PUD Plan dated September 16, 2005  
Vicinity map

### **MEDFORD PLANNING COMMISSION**

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Patrick Miranda, Chair

**PLANNING COMMISSION AGENDA:**

**JUNE 23, 2016  
JULY 14, 2016**

**EXHIBIT A-1**  
**Westridge Village at Vista Pointe, Phase 7**  
**LDS-16-053**  
**Conditions of Approval**  
**June 23, 2016**

The previous approvals and revisions to PUD-03-124 remain in effect unless specifically amended. The applicant shall satisfy all applicable conditions incorporated within the prior approvals.

**CODE-REQUIRED CONDITIONS**

1. The applicant shall satisfy all applicable conditions for the Vista Pointe PUD incorporated within the September 11, 2003 Planning Commission Report (as modified); within the October 14, 2004 Planning Commission Report (1st revision); and within the December 8, 2005 Planning Commission Report (2nd revision) approving the Preliminary Plan for the Vista Pointe PUD and associated tentative plats (Exhibits L, M and N).
2. The applicant must receive Final PUD Plan approval prior to approval of the Final Plat.
3. Prior to Final Plat approval, the applicant shall:
  - a. Comply with the report from the Public Works Department, received June 22, 2016 (Exhibit E-1).
  - b. Comply with the memorandum from the Medford Water Commission, received June 1, 2016 (Exhibit F).
  - c. Comply with the Medford Fire Department Land Development Report received May 26, 2016 (Exhibit G).
  - d. Construct the pedestrian path along the frontage of Lot 68.

CITY OF MEDFORD  
EXHIBIT # A-1  
File # LDS-16-053

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Continuous Improvement Customer Service

RECEIVED

JUN 22 2016

PLANNING DEPT.

CITY OF MEDFORD

Revised Date: 6/22/2016  
File Number: LDS-16-053

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Westridge Village at Vista Pointe Subdivision – Phase 7**

**Project:** Consideration of a tentative plat for Westridge Village at Vista Pointe Phase 7, a 12-lot residential subdivision on approximately 6.18 acres.

**Location:** Located on the westerly side of East McAndrews Road at Chablis Terrace within the SFR-4/PD (Single Family Residential, 4 dwelling units per gross acre/Planned Development Overlay) zoning district (Tax Lot 371W22AD291).

**Applicant:** Michael T. Mahar Retirement Plan & Trust, Applicant (Neathamer Surveying, Inc., Agent). Kelly Akin, Planner.

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

**Applicability:** The Medford Public Works Department’s conditions of Approval for Vista Pointe PUD were adopted by Order of the Medford Planning Commission (PUD-03-124 and also LDS-10-003). The adopted conditions of these actions and other related actions shall remain in full force as originally adopted except as amended or added to below.

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

**East McAndrews Road** is classified as a Major Arterial Street within the Medford Land Development Code (MLDC), Section 10.428. The section of East McAndrews Road that fronts this development was developed through a special area plan, and is currently improved with four 12-foot travel lanes, a 10-foot concrete median and a 5.5-foot planter strip on each side of the street, a 5-foot sidewalk along the southwesterly side, and a combined 10-foot wide asphalt bicycle/pedestrian pathway along the northeasterly side, with 12-foot left turn channels at intersecting streets. The right-of-way width currently varies from approximately 88 feet to 106 feet. The Public Works Department is recommending that no additional right-of-way be dedicated for East McAndrews Road along the frontage of this development, as it was approved through a special area plan consistent with MMC 10.427. A 10-foot wide public utility easement (PUE) adjacent to the right-of-way line along the southwesterly side of the East McAndrews Road already exists. The existing easement shall be shown on the final plat.

**Chablis Terrace** from Sonoma Court to Merlot Court, **Sonoma Court** from Merlot Court to its south terminus, and **Chianti Way** are all proposed to be private streets, and shall be designated as such on the final plats. The Developer shall provide a 10-foot wide PUE adjacent to these private streets. The proposed width of the public access for these private streets varies from 29 to 30 feet, based on the typical sections shown on the Tentative Plat.

**Merlot Court** is classified as a Minor Residential Street with a right-of-way width of 55 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The developer shall dedicate a 55-foot wide strip of right-of-way, to the public, along the entire length of the street within the subdivision as shown on the Tentative Plat. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the new right-of-way line along both sides of the street.

**Chablis Terrace**, from E. McAndrews Road to Merlot Court, is classified as a standard residential street with a required right of-way width of 63-feet. The developer shall dedicate a 63-foot wide strip of land to the public for right-of-way. The developer shall also provide a 10-foot wide PUE adjacent to the new south right-of-way line of Chablis Terrace.

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

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

## **2. Public Improvements**

### **a. Public Streets**

Note: Portions of the street improvements and have already been completed per the Public Improvement Plans for East McAndrews Village Civil Improvements, Project No. P1553D.

As indicated above, street improvements on **East McAndrews Road** are complete, and no further improvements are required at this time.

**Chablis Terrace** from E. McAndrews Road to Merlot Court shall be improved to Standard Residential Street Standards in accordance with MLDC 10.430.

**Merlot Court**, from Chablis Terrace to the northerly extension of Merlot Court that was improved in Greyson Heights Subdivision, shall be improved to Minor Residential Street Standards in accordance with MLDC 10.430. See Final Order for LDS-10-003 for timing.

“Private Roads” within this development shall be privately maintained and constructed in accordance with applicable Building and Medford Municipal Codes.

### **b. Street Lights and Signing**

No additional street lights appear to be required at this time. Street lights have already been installed as part of P1553D. 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.

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

### **c. Pavement Moratoriums**

There is a pavement cutting moratorium currently in effect along the frontage to Merlot Court and Chablis Terrace.

### **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**

East McAndrews Road is classified at a Major Arterial Street. Therefore, no additional access shall be taken directly from East McAndrews Road in accordance with MLDC 10.550.

**3. Section 10.668 Analysis**

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

**10.668 Limitation of Exactions**

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

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

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

**Nexus to a legitimate government purpose**

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

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

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

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

In determining rough proportionality, the City averaged the expected square footage of right-of-way dedicated per trip generated. This development will create an additional 119 residential lots and 3 commercial lots. Using the ITE Trip Generation manual it was determined that this development will generate approximately 2,134 average daily trips (ADT). The approximate square footage of right-of-way dedication is 218,690, which includes the area of the private streets to be more representative of the actual improvements the Developer is providing. The approximate area of dedication per new trip is 101 square feet. The square footage of dedication included the sections of Merlot Court all the way to Hemlock Drive. For the residential portion of this development, the area dedicated per Lot is 1619 square feet per Lot.

Typically, new residential subdivisions with SFR-4 zoning dedicate between 2500 and 3800 square feet of street right-of-way per Lot. This development is well below that number primarily due to the narrower private streets, but even if these street were public with standard right-of-way widths, the overall dedication for the residential section is still only 2250 square feet per Lot, well below the norm.

East McAndrews Village has approximately 4,240 lineal feet of public and private street improvements, including improvements to the south to connect to Hemlock Drive. East McAndrews Village will improve approximately 1.99 lineal feet per new trip. Again, when considering just the residential portion of this development, which contains 4960 lineal feet of streets (public and private), the length of street required per Lot is approximately 42 feet. Typically, new residential subdivisions with SFR-4 zoning construct between 45 and 70 lineal feet of street per Lot. This development is below the average for the amount of street to be improved with the Development.

- a. Right-of-way dedication and street improvements will ensure that new development and density intensification provides the current level of urban services for all modes of travels. Each Lot in this development will have frontage and access to a street. The public streets will have sufficient space for vehicle travel, parking, bicycles, and sidewalks for pedestrians. The private streets will provide all the above with the exception for parking.
- b. Dedication and connection of Merlot Court to Hemlock Drive and Chablis Terrace, and Vista Point Drive to East McAndrews Road will ensure adequate street circulation is maintained. The 119 residential lots and 3 commercial lots created in East McAndrews Village will potentially add another 2,134 daily trips to this neighborhood. The extension of Merlot Court will provide alternate route choices and spread the increase over a larger area and reduce the miles traveled by vehicles, pedestrians, and bicyclists.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connection of Merlot Court to Hemlock Drive will enhance the connectivity in this neighborhood, which will encourage other modes of travel including walking and cycling. When miles traveled are reduced to reach destinations, walking and cycling are then encouraged.

- d. Dedication and improvement will decrease emergency response times by reducing the miles traveled as indicated above.
- e. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.
- f. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above the area required to be dedicated for this development is necessary and roughly proportional to the impacts caused by the proposed development and will help provide a transportation system that meets the needs for urban levels of service.

The proposed street connection of Merlot Court to Hemlock Drive was planned and approved within the Oregon Hills Development, (which included Greyson Heights Subdivision) and the Vista Pointe PUD plans. This attempt to parcel this requirement down to being a requirement only for the East McAndrews Village portion of the Vista Pointe PUD is incorrect and misleading. This street connection was originally approved for the benefit of the entire Vista Pointe PUD development, as well as the Oregon Hills (Greyson Heights) development. Based on this, there should be no need to justify this crossing specifically for the East McAndrews Village Development, which is only 16% of the overall development. The City should not be required to justify this connection for each new developer who purchases a small portion of a large already approved development plan. All of the street connections for the formerly approved Vista Point PUD are still valid, and the applicant was, or should have been aware of these requirements. The connection comes with his purchase of this parcel, which was part of an already approved preliminary PUD plan.

The Pedestrian and Bike path requested by the Parks Department is also an approved condition for the Vista Pointe PUD, and is for the benefit of the entire Vista Pointe PUD.

## **B. SANITARY SEWERS**

The proposed development is situated within the Medford sewer service area. The Developer shall provide one service lateral to each platted lot prior to approval of the Final Plat. A 12-foot wide paved access shall be provided to any public sanitary sewer manhole which is not constructed within the street section. Any laterals that will be abandoned shall be cut and plugged at the sewer main.

## **C. STORM DRAINAGE**

### **1. Hydrology**

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

## **2. Stormwater Detention and Water Quality Treatment**

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

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

The developer is providing detention for several phases of Forest Ridge Subdivision in trade for not providing detention in the area being subdivided under this application. Plans for the detention pond have been approved. The pond has been constructed. The developer shall provide vegetation for the pond consistent with MMC 10.486 and 10.729.

## **3. Grading**

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

## **4. Mains and Laterals**

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

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

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

## **5. Erosion Control**

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, as required, 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**

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

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

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

#### **5. Permits**

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

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

#### **6. System Development Charges (SDC)**

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

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

#### **7. Construction and Inspection**

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

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

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

Prepared by: Doug Burroughs

**SUMMARY CONDITIONS OF APPROVAL**  
**Westridge Village at Vista Pointe Subdivision – Phase 7**  
**LDS-16-053**

**A. Streets**

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

- Dedicate right-of-way on Merlot Court.
- Dedicate right-of-way on public portion of Chablis Terrace.
- Plat private streets.
- Dedicate 10-foot public utility easements (PUE) unless otherwise approved through an exception.

**2. Improvements:**

**Public Streets**

- Complete improvements to Merlot Court.
- Complete improvements to public portion of Chablis Terrace.
- Complete improvements to private streets.

**Lighting and Signing**

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

**Other**

- Provide soil testing.

**B. Sanitary Sewer:**

- Provide private laterals to each lot.

**C. Storm Drainage:**

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

**D. Survey Monumentation**

- Provide all survey monumentation.

**E. General Conditions**

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

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

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
 )  
SILKY OAKS PHASE 5 ) ORDER  
 [LDS-16-051] )

ORDER granting approval of a request for tentative plat approval for Silky Oaks Phase 5.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of Silky Oaks Phase 5, a 14-lot residential subdivision along with an Exception requesting relief from the width requirement for the creation of a flag lot on approximately 2.26 gross acres located along the north side of Maple Park Drive and 353 feet east of Ross Lane N within the SFR-00 (Single Family Residential, one dwelling unit per existing lot) zoning district (372W23DD TL 600 & 601), with the public hearing a matter of record of the Planning Commission on June 23, 2016.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for Silky Oaks Phase 5 stands approved per the Planning Commission Report dated June 23, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated June 23, 2016.

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

Accepted and approved this 14th day of July, 2016.

CITY OF MEDFORD PLANNING COMMISSION

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

ATTEST:

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





City of Medford

# Planning Department

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

## PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: Land Division

PROJECT Silky Oaks Phase 5  
Applicant: Horton Homes, LLC; Agent: Scott Sinner Consulting, Inc.

FILE NO. LDS-16-051 / E-16-052

DATE June 23, 2016

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### BACKGROUND

#### Proposal

Consideration of Silky Oaks Phase 5, a 14-lot residential subdivision along with an Exception requesting relief from the width requirement for the creation of a flag lot on approximately 2.18 gross acres located along the north side of Maple Park Drive and 353 feet east of Ross Lane N, within the SFR-10 (Single Family Residential, 10 dwelling units per gross acre) zoning district (372W23DD TL 600 & 601).

#### Subject Site Characteristics

Zoning: SFR-10 Single Family Residential, 10 dwelling units per gross acre  
GLUP: UR Urban Residential  
Use: Single family residences

#### Surrounding Site Characteristics

North SFR-10 Single family homes  
South SFR-10 Single family homes  
East SFR-10 Single family homes  
West SFR-00 Single Family Residential, one dwelling unit per existing lot  
SFR-4 Single Family Residential, four dwelling units per gross acre  
Single family homes

#### Related Projects

A-03-094 Annexation  
ZC-13-117 West Main Zone Change  
ZC-16-035 Horton Zone Change

Applicable Criteria

Medford Land Development Code §10.270 – Land Division Criteria

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

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

Medford Municipal Code §10.253 – Criteria for an Exception

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

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent

natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

#### Corporate Names

The Oregon Secretary of State website lists Robert Horton and Thaddeus Pauck as the registered agent and manager of R Horton Homes, LLC.

### ISSUES AND ANALYSIS

#### Background

The subject property is owned by the applicant, Horton Homes LLC, and is composed of two contiguous tax lots totaling 2.18 gross acres, with each tax lot containing a single-family home. The single-family home identified on Lot 47 will remain with the development, while the trailer identified on lots 45 and 46 will be removed.

Both tax lots were annexed in 1994 (A-03-094), and were later rezoned to the SFR-00 zoning classification in 2013 as part of the West Main Zone Change, which was a Class A Major Legislative Amendment involving over 150 properties transitioning from County zoning to City zoning (ZC-13-117). The subject site was approved to be rezoned from SFR-00 to SFR-10 on June 8, 2016 (ZC-16-035).

The proposed development will be the fifth addition to Silky Oaks, which is a residential subdivision owned and developed over the last ten years by the applicant. Silky Oaks is located north of Maple Park Drive which abuts the subject property to the east, and is currently composed of 27 lots. Phases 1 and 2 were approved as a 19 lot subdivision in 2005 (LDS-05-171), and Phase 3 was approved in 2014 as an eight lot subdivision. A tentative plat for a Phase 4 was approved in 2015 (LDS-15-067), and a Final Plat has recently been submitted for approval. The applicant's submitted plans for tentative plat approval for the proposed Phase 5 of Silky Oaks is now requesting approval for the development of an additional 14 lots.

Proposed Streets

Two public streets are proposed with the development; Christine Way, which will be a new street, and Katie Mae Drive, which is an existing street proposed to be extended from the east to serve the subject development.

Christine Way will run north/south along the westerly side of the subject site extending from Maple Park Drive, which is classified as a Standard Residential Street. Christine Way is proposed as a Minor Residential Street from Maple Park Drive to Katie Mae Drive, and as a residential lane north of Katie Mae Drive. The extension of Christine Way will provide access to the property to the north.

Katie Mae Drive is an existing road classified as a Minor Residential Street, which was constructed to serve both current and future phases of Silky Oaks. Katie Mae Drive currently terminates at the easterly property line of the subject site, serving Phases 1-4. As identified on the submitted tentative plat plan, Katie Mae Drive is proposed to be extended to serve Phase 5 and will terminate at the westerly lot line of the subject site.

Exception request

	REQUIRED	PROPOSED
MINIMUM LOT WIDTH (SFR-10)	40 feet	13.5 feet

The applicant is requesting an Exception for relief from the minimum lot width requirement in order to create the proposed Lot 41 as a flag lot. The applicant is proposing the creation of two flag lots, lots 41 and 44. While the proposed Lot 44 conforms to all dimensional standards, Lot 41 does not meet the minimum 40 foot width requirement for the SFR-10 zoning district.

Per MLDC Section 10.012, lot width is defined as follows:

*The perpendicular bisect of the lot depth measurement.*

The buildable area of the subject lot measures at a width of 48.5 feet, which exceeds the minimum width requirement. However, consistent with the lot depth definition, the perpendicular bisect point of the subject lot's depth is within the flag pole portion of the parcel.

In the Findings of Fact submitted by the applicant's agent (Exhibit D), Scott Sinner Consulting, Mr. Sinner concludes that an exceptional circumstance exists in subdividing the subject site due to the historic development patterns of the area. Mr. Sinner contends that the methodology used to calculate lot width is peculiar and disproportionate when applied to a flag lot, as the effective buildable width of the subject parcel easily conforms to the 40 foot minimum width of the SFR-10 zoning district.

Staff agrees that unique or exceptional circumstances exist with the subject site, and that a strict application of the lot width standards for the proposed flag lot would result in a peculiar and undue hardship on the property owner. Further, it is staff's view that approval of the Exception request can be granted in keeping with the general purpose and intent of the MLDC in regards to minimum lot width requirements, and that the creation of the lot would be consistent with the residential character of the surrounding area.

**Decision:** During the presentation of the staff report at the public hearing, staff made a correction to the staff report, explaining that in addition to requesting relief from the minimum width requirement for proposed Lot 41, the applicant also requested relief from the minimum flag pole width of 20 feet. The submitted staff report only identified the width request, and omitted the second request. The request for relief from the lot width standard is contingent on the Commission's decision regarding the flag pole width requirement. Staff recommended approval of both requests.

	REQUIRED	PROPOSED
MINIMUM LOT WIDTH (SFR-10)	40 feet	13.5 feet
MINIMUM FLAG POLE WIDTH	20 feet	13.5 feet

#### Street Name

In their submitted memo, the Address Technician identified that the proposed street name, Christine Way, will need to be changed, as the name has been proposed for another development (Exhibit I).

#### Agency Comments

Per the agency comments submitted to staff (Exhibits E-G), it can be found that there are adequate facilities to serve proposed development.

#### Committee Comments

No comments were received from committees such as BPAC.

### FINDINGS AND CONCLUSIONS

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

- The applicant shall submit revised plans showing the proposed street running north/south along the westerly lot line of the proposed development bearing an approved name consistent with MLDC Section 10.270(3), prior to the issuance of a development permit.

**ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare Final Orders for approval of LDS-16-051 and E-16-052 per the Planning Commission Report dated June 23, 2016, including Exhibits A through K.

**EXHIBITS**

- A Conditions of Approval dated June 16, 2016
- B Tentative Subdivision Plat received May 24, 2016
- C Conceptual Grading and Drainage Plan received May 16, 2016
- D Applicant's Findings of Fact received April 18, 2016
- E Public Works Department Staff Report dated June 15, 2016
- F Medford Water Department Staff Memo dated June 8, 2016
- G Medford Fire Department Report received June 8, 2016
- H Oregon Department of Aviation email received June 7, 2016
- I Medford Addressing Technician Memo dated June 8, 2016
- J Medford Building Department Memo received June 8, 2016
- K Jackson County Assessor's Plat received April 18, 2016  
Vicinity map

**MEDFORD PLANNING COMMISSION**

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**Patrick Miranda, Chair**

**PLANNING COMMISSION AGENDA:**

**JUNE 23, 2016  
JULY 14, 2016**



# Minutes

From Public Hearing on June 23, 2016

The regular meeting of the Planning Commission was called to order at 5:36 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  
Tim D'Alessandro  
Bill Mansfield  
Mark McKechnie  
Jared Pulver

**Staff Present**

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
Kevin McConnell, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Tanner Fairrington, Fire Inspector  
Terri Rozzana, Recording Secretary  
Dustin Severs, Planner II  
Desmond McGeough, Planner III

**Commissioners Absent**

Joe Foley, Excused Absence

10. **Roll Call**

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

**20.1 LDP-16-015** Final Order for 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)

**20.2 PUD-16-037** Final Order for 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)

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

**Moved by:** Vice Chair McFadden

**Seconded by:** Commissioner Culbertson

**Voice Vote:** Motion passed, 7–0.

30. Minutes

30.1. The minutes for June 9, 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 LDP-16-055** Consideration of a request to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district. (LBG Medford LLC, Applicant; Neathamer Surveying, Inc., Agent). **The applicant requests a continuance of this application to the Thursday, August 25, 2016, Planning Commission meeting.**

Chair Miranda reported that if there are members in the audience that have come to testify on this agenda item and cannot attend the Thursday, August 25, 2016, Planning Commission hearing, please come forward and the Planning Commission will hear their testimony at this time. Please keep in mind that it is possible that their questions may be answered when staff presents their staff report on Thursday, August 25, 2016. There will be no decisions made this evening on this agenda item.

The public hearing was opened and there being no testimony the public hearing was closed.

Motion: The Planning Commission accepts the applicant's request to continue LDP-16-055 to the Thursday, August 25, 2016, Planning Commission meeting.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 7-0.

**50.2 LDS-16-053** Consideration of a tentative plat for Westridge Village at Vista Pointe Phase 7, a 12-lot residential subdivision on approximately 6.18 acres located on the westerly side of East McAndrews Road at Chablis Terrace within the SFR-4/PD (Single Family Residential, 4 dwelling units per gross acre/Planned Development Overlay) zoning district (Tax Lot 371W22AD291). (Michael T. Mahar Retirement Plan & Trust, 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 land division criteria and gave a staff report. Ms. Akin reported that the Public Works Department submitted a revised staff report and it would be entered into the record replacing Exhibit E as Exhibit E-1.

Commissioner McKechnie asked if the only difference between this and the original approval is that small section of lot 66 that extended and everything else is the same as before? Ms. Akin replied that is the only distinction between the two.

Commissioner McKechnie stated that it is his understanding that Merlot Court will connect to another street. Ms. Akin reported that Merlot will connect to Hemlock to the south. There is a long understanding condition to make that connection between the two streets.

Commissioner McKechnie asked if the wait was due to getting a bridge over Lazy Creek. Ms. Akin replied no. Again, there is a long understanding. There was an agreement and an appeal from the 2003 decision that resulted in a four party agreement that included the City, property owner and adjoiners. The crossing was to be constructed with the commercial development.

Vice Chair McFadden stated that Ms. Akin made a comment about two lots. Could she elaborate more? Ms. Akin stated that there are two lots that have frontage on Hemlock through the Grayson Heights Subdivision. Tract K incorporates the two lots.

Vice Chair McFadden asked if the wetlands in that area were covered and that those lots are not being considered as part of the Planned Unit Development? Ms. Akin reported that they are part of the reserved acreage tract so it is still part of the preliminary plan. At any point in time there could be a partition or a subdivision to create those two lots but that is not on the table this evening.

Commissioner Pulver asked what is the distinction between private drive versus other various classifications of public streets? Ms. Akin stated that the distinction between a private street and a varying classification of public streets are that a private street is owned and maintained by the property owners. They are constructed to a City approved section that goes through a plan review process and designed to a City standard. They are not dedicated right-of-way and the City has no maintenance responsibility for private streets. That is why they are distinguished on the plat as private.

Commissioner Pulver stated that the applicant would be required to build a certain level of standards for streets and sidewalks. What is the benefit? Ms. Akin replied that the right-of-way is 30 feet wide that serves at least 20 lots. In the Code, the smallest public street, a residential lane, is 33 foot right-of-way that can only serve a maximum of 8 units. The private street is a narrower street that does not meet City standards.

The public hearing was opened.

a. Bob Neathamer, Neathamer Surveying, Inc., 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer reported that Ms. Akin did a good job with the staff report and presentation. He does not have anything to add and made himself available for questions.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-16-053 per the staff report dated June 16, 2016, including Exhibits A through N and replacing Exhibit E with Exhibit E-1.

Moved by: Vice Chair McFadden

Seconded by: Commissioner D'Alessandro

Voice Vote: Motion passed, 7-0.

**50.3 LDS-16-051 / E-16-052** Consideration of Silky Oaks Phase 5, a 14-lot residential subdivision along with an Exception requesting relief from the width requirement for the creation of a flag lot on approximately 2.26 gross acres located along the north side of Maple Park Drive and 353 feet east of Ross Lane N within the SFR-00 (Single Family Residential, one dwelling unit per existing lot) zoning district (372W23DD TL 600 & 601) (Horton Homes, LLC., Applicant; 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 reported that Mr. Sinner 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, stated that the land division criteria were read in the previous application and read the exception criteria into the record. Mr. Severs gave a staff report. Mr. Severs stated that omitted from the staff report was the exception request being contingent on another exception request. That request is to be granted relief from meeting the minimum flag lot (pole) width for the proposed flag lot.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Medford, Oregon, 97504-9343. Mr. Sinner reported that he thought he heard in Mr. Sever's presentation that Katie Mae Drive terminated at the end of the developed portion of Silky Oaks. Currently the applicant has final plat on Silky Oaks Phase 3. It is extended to the property line of the subject property.

Vice Chair McFadden asked if the applicant moved the street to the west does the applicant have enough lot depth to have houses on both sides of a new street and does that value and the increased value of that property layout exceed the value that would be lost removing the house that has been there for a long time? Mr. Sinner stated that the applicant did not have all of the properties at one time. Now they do and Phases 3 and 4 are built. They would have significant problems with the approval criteria for the land division. He does not know how the properties west of theirs would develop with access. They looked at a lot of options.

Commissioner McKechnie asked if the interior lot on Phase 4 was one big lot? Mr. Sinner replied yes.

Tanner Fairrington, Fire Inspector, commented that the length of Lot 41 is approximately 170 feet with a reduced length of 13.5 feet. The Fire Code requires a minimum width of 20 feet. 13.5 feet is the absolute minimum for firefighting access. If the dwelling is not 150 feet from the right-of-way there may be a requirement for a home sprinkler system.

Mr. Sinner stated that he was aware of Mr. Fairrington's comment. The minimum access for Silky Oaks Phase 4 is across the fence. There is access. There is a fence between Phases 4 and 5. The applicant is supporting the condition that was just mentioned.

The public hearing was closed.

Commissioner Pulver asked what is the exception process? It seems to him that there were alternative ways this project could be designed that an exception would not have been required. Mr. Severs replied that he based his evaluation on the plat that the applicant submitted. He feels the exception was warranted based on the plat provided.

Mr. Sinner reported that when they develop a property like this they work closely with staff of the Planning Department and Public Works to come up with all kinds of solutions. They had at least six meetings of what they could do. On infill properties, which this is, they are dealing with historic development.

Motion: The Planning Commission adopts the findings with the proposed modifications as recommended by staff and directs staff to prepare Final Orders for approval of LDS-16-051 and E-16-052 per the staff report dated June 16, 2016, including Exhibits A through K.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Culbertson

Commissioner McKechnie reported that he was going to vote against the exception. He is continually disturbed about the lots that are tucked back inside the middle of the blocks. He agrees with Vice Chair McFadden that it is not the Planning Commission's

responsibility to redesign the subdivision. It looks like there are other ways to make this work without doing an exception. It is needless and there are other alternatives that they do not have to accept this.

Commissioner Pulver asked if the exception is not approved how does the subdivision get approved? Mr. McConnell reported that the Planning Commission could approve the subdivision and not approve the exception unless staff has another opinion.

Ms. Akin stated that the subdivision layout relies on the exception. If the Planning Commission is not able to make positive findings for the four exception criteria then the land division would also have to fail.

When looking at designing a project, which staff does not do, we are obliged to look at connectivity which is one of the approval criteria for land divisions that includes the creation of streets that do not prevent the development of adjacent land. Staff is also obliged to look at block length. There is more to design than the looks of a project.

Commissioner McKechnie is basing his comments on not that he does not like the subdivision but he does not believe it meets criteria one or four. It is injurious to the health, safety and general welfare of the public. It is an unusual design problem that requires an unusual design solution. The design solution the applicant selected is not the best that is available.

Voice Vote: Motion passed, 5-2, with Commissioner Pulver and Commissioner McKechnie voting no.

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

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

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

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

2. Reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space.
3. Allow for optional land use for a scaled-down congregate Care Facility or single-family cottage units.
4. Serve a portion of the property with a private street.

5. Increased maximum building height for multi-family structures within “The Village” sub-area to provide more architecturally appealing rooflines on three story units.
6. Allow a 10-foot front yard setback exclusive of garages for “The Cottages” sub-area.
7. Allow a 75-foot lot depth and minimum lot size of 3,800 square feet within “The Cottages” sub-area.
8. Allow up to 75% lot coverage for single family units under 25 feet in height within the “The Cottages” sub area.
9. Permit a minimum lot size of 5,800 square feet for lots within “Sky Lakes at The Village, Phases I & II”. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-025** Consideration of a request for a revision to the Cedar Landing tentative plat for “*Cascade Terrace at Cedar Landing Phases 1 through 5*”). The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilkshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to *Cascade Terrace at Cedar Landing, Phase 1 through 5*. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138). (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-026** Consideration of a request to authorize a replat of Lots 91 and 94 of the “Sky Lakes Village at Cedar Landing Phase 7A – A Planned Community”. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

**LDS-16-027** Consideration of a request for approval of the tentative plat for “Sky Lakes at Cedar Landing Phases 1 through 4”, “The Village at Cedar Landing”, and “The Cottages” at Cedar Landing” within an area previously identified as “The Village at Cedar Landing Phases 2 and 3”, consisting of 54 lots on approximately 34.24 acres. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Craig Stone, Agent)

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

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

Desmond McGeough, Planner III, stated that the land division criteria were read in the previous application and read the Planned Unit Development and Planned Unit Development revision criteria into the record. Mr. McGeough gave a staff report.

Vice Chair McFadden asked if "The Cottages" were single story or mini four-plex rentals? Mr. McGeough reported that he could not speak to whether they were rentals versus owner occupied. They are individual single family lots that each unit will be divided by a lot line. There will be one and two story units. The applicant has not submitted architectural renderings. They would be required for a final Planned Unit Development.

Mr. McGeough continued with his staff report.

Vice Chair McFadden asked how much commercial was planned south of Cedar Links? Mr. McGeough deferred the question to the applicant but he guessed around 24,000 square feet of commercial.

Mr. McGeough continued with the applicant's requested modifications.

Commissioner McKechnie stated that the Medford Land Development Code speaks to but does not allow shared parking. If there are two uses it has to provide 100% for each of the uses. The 1.4 versus the 1.5 parking spaces per unit is unusual because the Medford Land Development Code only speaks to apartments and not bedrooms. Most land development codes that he is familiar with around the country usually ties parking spaces to the number of bedrooms in a unit. It is his opinion that in this case it would be better to tie the number of parking spaces to the number of bedrooms.

Commissioner McKechnie stated that some of the modifications presented tonight are new. He did not see them in the staff report. He requested to go through each one. Mr. McGeough reported that some of the modifications were discussed after the Land Division meeting. There were design issues that required the applicant to relook at the site plan and with that, some additional modifications, came from that process.

Commissioner McKechnie understands why the applicant does not want to do the multi-use commercial buildings with apartments above and commercial below. With small units it is hard to do and expensive.

Commissioner McKechnie can see that it makes more sense to construct "The Cottages" versus the congregate care facility because there are a lot of those in town.

Commissioner McKechnie asked if the streets in the cottage area intended to be City public streets or private? Mr. McGeough stated that those are private streets.

Commissioner McKechnie asked depending on the height of the building is there a 4 foot side yard setback, a 10 foot rear setback and a 15 or 20 depending on the area? Mr. McGeough replied that is correct.

The public hearing was opened.

a. Mike Savage, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Savage reported that he provided materials to staff earlier today and had them distributed to the Planning Commissioners this evening. The material covers some of the topics that the Commission had questions about. He does not know if the Planning Commissioners would like to review that before his presentation.

The Planning Commission took a 15-minute recess and reconvened at 7:43 p.m.

Mr. Savage will highlight the reasons for the overall revision and concerns and questions that staff had. The original Planned Unit Development was 120 acres in size. It is 116 acres now. Five and a half acres went to the City Parks Department for park purposes. In total the project is providing 26 acres of open space. The open space is intermixed with park area, trails and paths. This is a unique property for the City of Medford.

The next element of the project that has been discussed is the commercial component. This is a neighborhood environment. The demand for commercial in a neighborhood environment where the nearest other commercial is 3 to 5 miles away is difficult to ascertain. The original plan called for 48,000 square feet of commercial. The applicant has tried to correlate the likely demand for commercial and provide that in a condensed area within the central portion of the project, in a manner that is more amenable to the surrounding neighborhood, yet still has the most viable options of being successful.

Implementing the option between "The Cottages" plan and the congregate care facility is that if "The Cottages" plan moves forward the applicant will plat that the same as any subdivision. If there is a demand for the congregate care facility in the next couple of years the applicant would like to do that. It is within its own phase and they would not carry out the subdivision phase for "The Cottages". This is not the only step in the process. Right now the applicant is at the preliminary Planned Unit Development step. The City's Code requires the applicant to file a final Planned Unit Development plan. Uses for congregate care facilities, multi-family and commercial are required to go through Site Plan and Architectural review. At this stage the applicant is asking for a little flexibility so they can respond to market demand without having to come back before the Planning Commission.

The Public Works Department requested the applicant to build the private road providing primary access to "The Cottages" and the multi-family area to City commercial standard. This road does not meet the public roads standard because of the parking requirements. Staff stated they would support an exception to allow this road to be a commercial road as shown in the applicant's designs which would require a subsequent application. The applicant would come back requesting that the private road be converted to a public commercial public right-of-way.

Back to "The Cottages" versus the congregate care facility the applicant does prefer "The Cottages". The smaller lots are a unique opportunity. There are regional policies

and City wide policies to increase density throughout the City. This is an excellent opportunity where they can go out their back door and have access to twenty-plus acres of open space and trails.

Staff supports the applicant's position to not require an access way off the cul-de-sac between Farmington and Callaway.

Staff is in support of the applicant's request to vary the building height from 35 feet to 40 feet for the multi-family improvements within "The Village". The reason is subjective. It is the applicant's opinion that providing a slightly steeper roof pitch is more attractive and appealing. The technical reasons were outlined in the supplemental material provided this evening. It is basically to hide the HVAC systems and provide shade with the overhang.

For the building square footage and parking ratio instead of the 1.5 to 1.4 reduction the applicant is requesting a 5% reduction in parking, if they need it. The odds are they will not need it. The odds are the 199 spaces are going to be sufficient to accommodate 100 units and 10,500 square feet of commercial. The question of shared parking came up and the Code does allow utilizing shared parking. It does not state what percentage can or cannot be shared. It does say you can share parking if you demonstrate the two types of uses do not overlap. Section 10.744 Shared Parking. "The off-street parking requirements of two or more uses, structures, or parcels of land may be satisfied by the same parking or loading space used jointly to the extent that it can be shown by the owners or operators of the uses, structures, or parcels that their operations and parking needs do not overlap in point of time...". In the alternative if this is something the Planning Commission is not comfortable with the applicant can meet the additional 10 parking spaces by eliminating the 10 foot vegetative buffer strip and provide 10 to 12 parallel parking spaces.

Commissioner McKechnie asked if the plan the Planning Commission was looking at this evening is different than the one submitted in the agenda packet in regards to the private street? Mr. Savage reported that he was unsure of the plan that they were provided but since their original submittal that have gone through 3 or 4 reiterations due to some excellent ideas and concerns from staff have dictated some design changes. One was the parking strip. The one showing on the ELMO is the correct plan.

Commissioner McKechnie asked if there were any plans if the applicant does not get any interest in the commercial to convert to multi-family residential or hold fast having 10,000 square feet of commercial? Mr. Savage stated that technical request is to allow down to 8,000 square feet of commercial.

Commissioner McKechnie asked if the request of the 40 feet in height opposed to the 35 feet in height is predicated on doing three story buildings? Mr. Savage replied yes.

Commissioner McKechnie stated that the shared parking was hypothetical at this point. The applicant does not know how many commercial spaces they are going to do and even if they did they do not know the use is. They are not able to provide the parking until they have the use. That is an argument more appropriate for the Site Plan and Architectural Commission level.

Mr. Savage addressed Vice Chair McFadden's question that within "The Cottages" what type of development would occur? He is assured the applicant would not be doing duplex units with zero lot lines. They will be single family units.

b. Tom Michaels, 1070 Callaway, Medford, Oregon, 97504. Mr. Michaels is the former chair person for the Northeast Medford Neighborhood Coalition which fought the original Planned Unit Development for some time. He disagrees with Mr. McGeough calling the congregate care facility three story of the original Planned Unit Development. It was originally a four story building. Mr. Michael objects to the height. He is asking to keep the restriction of 35 square feet height.

c. James Greathouse, 2868 Wilkshire Drive, Medford, Oregon, 97504. Mr. Greathouse has a number of issues he would like to address. The first issue is whether or not the Planning Commission, City Council and City staff can effectively deal with a proposal that is either/or. Particularly with the either/or in this case cottages versus congregate care facility, are presented without site plans, blueprints, elevations, any supporting documentation that would allow the Planning staff, Planning Commission and the neighbors to make an intelligent decision as to whether or not this should go a or b. If those documents have been received today, which none of the public has seen or the Commission time to review, any decision should be put off until such time as the Commission can review them, presented to staff and neighbors have the opportunity to review the concepts with specificity as opposed to a or b and a concept. Mr. Greathouse requested that if there were any new proposals put forth today that they have not had an opportunity to review he would like the opportunity to submit a written response.

d. Deanna Copeland, 1070 St. Francis Drive, Medford, Oregon, 97504. Ms. Copeland and neighbors are pro congregate care facility. The congregate care facility was approved with the original Planned Unit Development. A lot of the concepts of "The Cottages" are not worked out.

e. Mark Gustafson, 3111 Westminster Drive, Medford, Oregon, 97504. Mr. Gustafson is concerned with the traffic patterns. With the apartment change there will be more people and traffic. It looks like the traffic will access on Cedar Links Drive.

Vice Chair McFadden in addressing Ms. Copeland's testimony stated that he thinks a larger congregate care facility stands out more than lower cottages. Ms. Copeland stated these are not lower cottages. It is zoned for 35 feet high and right up to the

street. Calling them cottages makes it sound small and cozy. The congregate care facility is farther back with landscaping around it.

Ms. Akin addressed Commissioner McKechnie's statement about calculating parking using bedrooms versus the number of units which is how the Code is structured. The Planned Unit Development ordinance gives the Planning Commission the authority to modify the parking. The Code states: "Limitations restrictions, and design standards pertaining to off-street vehicle and bicycle parking and loading, and standards related to pedestrian access." What it does not say is that you can use a different calculation method. Moving away from units is far from how the Code is structured. Staff would not be supportive of that concept at this point.

Commissioner McKechnie asked if the apartment concept was in the original Planned Unit Development or is it new? Ms. Akin reported that is new. The original Planned Unit Development had units over the commercial in that area. Apartments were not part of the original Planned Unit Development. There were some townhouses on the south side.

Commissioner McKechnie asked if it was a fair statement that traffic would be less generated coming from an apartment complex versus the same amount of commercial? Ms. Akin deferred the question to the City Engineer.

Commissioner Pulver asked what classification is Cedar Links Drive? Ms. Akin stated that it is a major collector.

Commissioner Pulver asked what is the process of a Planned Unit Development? Ms. Akin replied that a Planned Unit Development is a two-step process. The Code states that a preliminary Planned Unit Development plan is valid for three years. A final Planned Unit Development plan has to be filed within that time. Phased Planned Unit Developments have five years between the final Planned Unit Development plans. This application is not in jeopardy of expiring.

Commissioner Mansfield asked if staff had the power to change from the congregate care facility to "The Cottages" or vice-a-versa? Ms. Akin replied that depends on the Planning Commission's decision on this application. Mr. Savage had indicated their preference is for "The Cottages". If that was the Planning Commission's decision then the congregate care facility is off the table and there would be no follow up Site Plan and Architectural Commission application. In order for that to happen they would have to come back and revise the Planned Unit Development.

Commissioner Mansfield asked if the Planning Commission had the power to make the decision at this point to say it is flexible that staff could go either way? Ms. Akin stated that there is a certain amount of certainty with either. It is either 22 cottages or a congregate care facility.

Commissioner Mansfield asked if it was a fair statement for the Planning Commission to specify what they intend to be built. Ms. Akin replied that was a fair statement.

Commissioner McKechnie stated that one of the modifications the applicant requested was to allow 8,000 to 10,000 square feet for commercial. Is it fixed where they cannot have any more than 10,000 square feet of commercial? Ms. Akin reported that her understanding is that the applicant requested the ability to double the area to two floors. Some range from 8,000 up to 21,000 square feet of commercial area with the option of office or storage. Commissioner McKechnie stated that maybe Mr. McGeough can talk about if there is a mechanism to do that or not.

Commissioner McKechnie stated that several of the items that the applicant is requesting are already approved by the Code and he is not sure why the Planning Commission would need to do that. One of those is for the commercial area to allow a driveway onto Cedar Links Drive. Would not they be allowed to do that unless Public Works came up with something that would not allow a driveway on a major collector? Ms. Akin deferred the question to Public Works.

Commissioner McKechnie asked if there was a reason that the Planning Commission needs to provide the flexibility to allow for a mix of covered and uncovered parking for the multi-family units? Ms. Akin stated that the Code does not require covered parking for multi-family uses. Staff has managed other Planned Unit Developments that have come in behind the Planning Commission decision and allowed carports or garages over approved parking as long as the number of parking spaces did not change. It has been done administratively.

Commissioner McKechnie asked if the tree relief over the Medford Water Commission water line has flexibility? Ms. Akin reported that the landscape ordinance speaks to that there is legislative flexibility.

Commissioner McKechnie asked about the driveway onto Cedar Links Drive. Alex Georgevitch, City Engineer, reported that the Public Works staff report was silent on the issue. He believes the applicant is trying to have that guaranteed with their Planned Unit Development. Public Works likes to see the design of the driveway and the uses before they would want to support it. Public Works was silent because Cedar Links Drive is a major collector that is a mix between higher order streets, arterials and local streets as far as access. Public Works wants to provide mobility with a mix of access even to the point where there could be direct residential access. The applicant is asking for a driveway that will serve an area of commercial and residential. That would be an acceptable access looking at the spacing standards from the Code Section 10.550 table 3. It shows that on a 35 mile per hour facility the driveway spacing should be a minimum of 250 feet and at 40 miles per hour a minimum of 315 feet. Without a scale the driveway appears to be approximately 300 feet center to center. Generally speaking Public Works would not have an issue. They met with the applicant about this and had

the same comment with them. Public Works does not have an issue because it meets the standards. Later, if there are problems with the access Public Works would have to put a median to control the access at that location for safety.

Commissioner McKechnie asked in this case if Public Works would have the applicant put the median in? Mr. Georgevitch stated that Public Works would want a traffic analysis. If this came before the Site Plan and Architectural Commission and they wanted full movement depending on the use, Public Works would request a localized traffic analysis, to see what the traffic would look like at that location. Depending on the outcome Public Works would condition the applicant to either put in a median or not put in a median.

Mr. Georgevitch addressed the trip generation between commercial and apartments stating that apartments per unit are one of the lowest trip generations in the residential category. Commercial has a broad range.

Mr. Michaels again testified that earlier he requested that to keep the buildings two story. Now he is suggesting a two story apartment complex.

Mr. Savage reported that there were concerns regarding the initial application and the large congregate care facility that was originally approved and is on the current plan. The applicant's primary reason for this revision is to move impacting uses towards the interior portion of the project. Their design serves to do that.

In regard to the height of 40 feet is well within the interior of this project further removed from the congregate care facility.

The issue of whether or not the applicant has provided any design drawings, architectural graphics and illustrations is something they struggled with. The applicant has had a wide variety of illustrations and designs that they are considering. Mr. Savage has seen it backfire where a situation the applicant has provided the material at the preliminary Planned Unit Development stage. The problem is that there is no guarantee that the applicant would be doing that. He would hate to show particular illustrations or drawings when ultimately that decision is before the Site Plan and Architectural Commission. The applicant would be happy to meet again with the neighbors and go over different concepts.

The linear waterway open space between "The Cottages" and residences will be enhanced with full vegetation that will provide additional buffering.

Mr. Savage reiterated that the second story residential of the commercial building has been taken off the table. The applicant is no longer requesting that. They have provided a stipulation that the second story of the commercial, if a second story of finished space is provided, that it would be limited to office or storage.

Vice Chair McFadden had asked about the Medford Water Commission easement line that extends further up Farmington and based on Mr. Savage's discussion with the Medford Water Commission they are not completely eliminating trees within this wide easement. They have specified 5 feet maybe 10 feet from the centerline of where this easement is located they are precluding vegetation from. It does not conflict with the street tree requirements.

Mr. Savage agreed with Commissioner McKechnie about the covered parking as a modification is not actually a modification.

The applicant's request for 5 to 7 foot meandering sidewalks follows along with the approved 7 foot meandering sidewalks on the north side of the Planned Unit Development.

Mr. Savage turned over several questions to Jay Harland.

Jay Harland, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Harland suggested that the shared parking and dealing with the flexibility issue in respect to the process of the final Planned Unit Development and Site Plan and Architectural Commission getting more specificity about the uses.

Mr. Harland addressed the height of "The Cottages" stating that it would be hard pressed to get a 35 foot height with the lot dimensions.

Vice Chair McFadden asked what was the square feet of "The Cottages"? Mr. Savage stated that he did not have that information. The lots vary but most of them are a little larger than 3,800 square feet with 75% lot coverage. The applicant has not requested modifications of the setbacks. As the building gets taller they have to get further setbacks.

The public hearing was closed.

Ms. Akin reported that she thought she heard Mr. Greathouse request the record remain opened.

Chair Miranda asked Mr. Greathouse to approach the podium in order to get clarification.

Ms. Akin stated that Chair Miranda closed the public hearing. She does not know if the Planning Commission needs to vote to reopen the public hearing to hear from Mr. Greathouse or if this is just a procedural question.

Mr. McConnell reported that it was procedural to get clarification.

Chair Miranda asked Mr. Greathouse whether or not he was requesting that the record remain open on this item for further consideration. Mr. Greathouse replied he was

based on the basis that there had been no site design, elevations or planning presented to the Planning Commission, staff or the neighbors which lead him into his second concern. At the required neighborhood meeting the applicant presented the plan that he wished to have the apartment complex and "The Cottages". There was no mention at that time or a presentation to the neighbors of a congregate care facility.

Jim Huber, Planning Director, stated that if the Planning Commission was going to do this they needed to open the public hearing again. Other people may have comments in response to Mr. Greathouse's comments.

Mr. McConnell reported that ORS 197.763(6) states that "...any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application." Is that what Mr. Greathouse is requesting or that there is insufficient information for this Commission to render a decision tonight?

Mr. Greathouse stated that he was requesting the opportunity to respond to what was stated, but has not seen, was presented to the Planning Commission tonight as to the modifications that are being requested. To the best of his knowledge the modifications requested have never been accompanied by site plans, elevations, etc. that would allow everybody make an intelligent decision as to what alternative to take. He also thinks he made reference that at the neighborhood hearing the concept was presented in terms of what modifications were going to be sought was the apartment complex, which has not before been on the table, and the small cottage development in the back which also has not been on the table. There was no mention at that time of the inclusion of a second option i.e. the congregate care facility. If that is going to be on the table and the Planning Commission is going to make a decision on that then he believes they should have an opportunity to respond in writing.

Mr. McConnell asked if Mr. Greathouse was asking to come back and give oral testimony or would he rather have the opportunity to give written testimony argument or submit evidence?

Mr. Greathouse responded that he would prefer to give a written response to all of the documentation and information presented to the Planning Commission which he, staff or the Planning Commission has not seen with regard to all of these issues.

Mr. McConnell clarified that what Mr. Greathouse was requesting was the opportunity to present written evidence testimony and argument. Mr. Greathouse confirmed.

Commissioner Pulver appreciated what Mr. Greathouse is asking to do but he does not think the materials that Mr. Greathouse is requesting will be provided or has to be provided.

Vice Chair McFadden agreed with Commissioner Pulver and stated that he opened a Pandora's box that was not there by his comments regarding plans. The Commission

has no plans on any of the homes in this entire development. Therefore, "The Cottages" as homes also do not require plans to be brought to the Planning Commission for review. He was in error of that. Also, in his comments he made an error in terms of not realizing ahead of time that the congregate care facility, multi-family residences and commercial places all go before the Site Plan and Architectural Commission review. That will be a separate hearing. He apologizes because he should not have mentioned that.

Ms. Akin stated that there was additional evidence that was placed at the Commissioner's places this evening that the public has not had the opportunity to review. It was not published with the staff report.

Mr. McConnell reported that Mr. Greathouse requested to present evidence, arguments, or testimony in written form. The appropriate mechanism under ORS 197.763 is to leave the record open. Mr. Greathouse made the request before the public hearing was closed. The Planning Commission would have to reopen the public hearing and leave it open to allow that to happen. Mr. Greathouse and interested parties would have at least 7 days to present additional written evidence from today's date. The Planning Commission needs to ask the applicant if he agrees to the extension. If the applicant does not agree it would be subject to the 120 day rule.

Mr. Savage stated that his understanding of the statute is that if someone requests the record remain open at the initial hearing it has to be granted. It is not left up to whether or not the applicant wants to do it.

Mr. McConnell stated that if the applicant agrees to leave the record open the 120 day rule would not apply. If they do not agree then they are still subject to that rule.

Mr. Savage reported that he does not have a position on that matter at this time.

Mr. McConnell stated that for the record it appears that the applicant's agent does not agree to the extension. It will still happen because it was requested by Mr. Greathouse.

Motion: Re-open the public hearing for a period of 7 days for additional written testimony.

Moved by: Commissioner Pulver

Seconded by: Commissioner McKechnie

Vice Chair McFadden asked does this issue automatically continue to the next Planning Commission meeting for a decision?

Ms. Akin reported that she understood that the record was to remain open and not the hearing. Those are two different things. Her understanding of the statute is that someone can request that the record remain opened for no less than 7 days. The applicant has equal time to respond (7 days). By law staff is required to publish an

agenda 7 days before the hearing. That pushes out two meetings. That Planning Commission meeting date is Thursday, July 28, 2016.

Mr. McConnell reported that what he is reading when he read the statute that if the Planning Commission leaves the record open for additional written evidence, arguments or testimony, the record shall be left open for at least 7 days. Any participant may file a written request with the local government for an opportunity to respond to new evidence submitted during the period the record was left open. If such a request is filed, the Planning Commission shall reopen the record.

Ms. Akin asked if the record was opened or is the public hearing opened? They are not the same thing. When the record is open that is only written evidence.

Chair Miranda closed the public hearing and left the record open for 7 days.

Commissioner McKechnie asked what does that do to the 120 day rule of this application. Mr. Huber reported that when the record is kept opened it does not put time back on the clock as does when the applicant voluntarily requests a continuance. Ms. Akin reported that the 120<sup>th</sup> day is September 1, 2016.

Motion for PUD-16-024: The Planning Commission continued PUD-16-024 to the July 28, 2016, Planning Commission meeting.

Moved by: Vice Chair McFadden

Seconded by: Commissioner McKechnie

Voice Vote: Motion passed, 7-0.

Motion for LDS-16-025: The Planning Commission adopts the modified findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-16-025 per the staff report dated June 16, 2016, including Exhibits A through M.

Moved by: Vice Chair McFadden

Seconded by: Commissioner D'Alessandro

Ms. Akin stated that these items are all tied together. She is not certain how the Planning Commission can decide the three land divisions without the planned unit development.

Mr. McConnell reported that the crux of the matter is what is considered an application. Is this agenda item one application or is it divided into several applications?

Ms. Akin replied that they are four separate applications. The land divisions are closely tied to the planned unit development.

Mr. McConnell stated that the relevant ORS 197.763(6)(a) states: "Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application...".

What is an application? If these are separate application the Planning Commission can go on if not then they are done.

Chair Miranda asked for validation that these are considered separate application. Ms. Akin replied they are separate applications. LDS-16-027 addresses "The Village" area that relies on the planned unit development application.

Chair Miranda asked does that mean the Planning Commission can vote on LDS-16-025 and LDS-16-026 but PUD-16-024 and LDS-16-027 needs to be continued? Ms. Akin stated that from her perspective that it would be best to keep all the applications as a package. They were presented as a package. These are four separate application numbers but staff did a single presentation for the overall.

Chair Miranda asked the Commissioner's if anyone had an objection to keeping these four applications as a package. There were no objections.

The Planning Commission took a 5-minute recess and reconvened at 9:29.

Motion: Delete the previous motion and continue this application with all four phases to the Thursday, July 14, 2016, Planning Commission meeting.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Mansfield

Commissioner Mansfield commented that the Planning Commission needed to listen to Ms. Akin who indicated that it would be tidier to do it the way the motion reads.

Friendly amendment made by Commissioner Pulver: To continue the agenda item 50.4 not the application because there are four separate applications.

Voice Vote: Motion passed, 7-0.

## 60. Reports

### 60.1 Site Plan and Architectural Commission.

Commissioner D'Alessandro reported that the Site Plan and Architectural Commission met on Friday, June 17, 2016. They approved a place called Boingos a 9,990 square foot building to be used as children's recreational facility and adult athletic center on the north side of Parsons Drive. They also approved a 5,287 square foot ambulatory surgery center located on the north side of Bennett Avenue. They heard another application for JDT Trucking a 3,750 square foot addition to an existing metal industrial building that was continued based on disagreements about right-of-way and dedication improvements.

**60.2 Report of the Joint Transportation Subcommittee.**

Commissioner Pulver reported that the Joint Transportation Subcommittee is still updating the Transportation System Plan. There is a draft document that is a work in progress. They discussed cross street sections that will be continued to their next meeting. They are at a cross-road regarding decisions to continue to have complete streets that service well and follow where the traffic volumes are or whether they try to influence change by the size of the streets and force people to use other means of transportation. He asked the Planning Commission that if they had any thoughts that Commissioner D'Alessandro and himself would like to hear them. They are meeting monthly, the fourth Wednesday of the month at 3:30 p.m.

Chair Miranda stated that they are still one member down for the Joint Transportation Subcommittee and asked for a volunteer. There were no volunteers. Chair Miranda appointed himself as the third member to the Joint Transportation Subcommittee.

**60.3 Planning Department**

Kelly Akin, Principal Planner, reported that the Planning Commission's study session scheduled for Monday, June 27, 2016, has been cancelled.

There is business scheduled for the Planning Commission on Thursday, July 14, 2016 and Thursday, July 28, 2016.

There was no Planning business before the City Council last week.

The Planning Department received the appeal on the Planning Commission's decision on the exception for the 2 White Oak partition. That goes before the City Council on Thursday, July 7, 2016.

Today, staff received the findings back from the attorney on the Urban Growth Boundary expansion.

Commissioner Pulver asked if there was still an open seat on the Planning Commission? Ms. Akin replied yes but she has not heard anything from the City Manager's office on a new appointment.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission.

**90.1** Commissioner McFadden asked Mr. Huber, Ms. Akin and Ms. Rozzana to relay the Commission's thanks to Mr. McGeough for his excellent presentation dealing with the last topic. The depth of his knowledge was outstanding and he really helped the Planning Commission through it by his presentation and ability to answer questions.

100. Adjournment

The meeting was adjourned at 9:40 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: July 14, 2016



**REVISED STAFF REPORT**

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

PROJECT Cedar Landing  
Applicant: Cedar Investment Group LLC; Agent: CSA Planning Ltd.

FILE NO. PUD-16-024

TO Planning Commission *for 07/14/2016 hearing*

FROM Desmond McGeough, Planner III *DM*

REVIEWER Kelly Akin, Principal Planner

DATE July 7, 2016

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**BACKGROUND**

Proposal

Consideration of a request for Revision to the Cedar Landing Planned Unit Development (PUD). The request for PUD Revision primarily applies to the portion of Cedar Landing located on the NORTH side of Cedar Links Drive. One PUD Modification request is pertains to the entire development PUD project. The Cedar Landing PUD is located on approximately 116 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre / Planned Development) zoning district.

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

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

Proposed PUD revisions applicable to the NORTH portion of the development:

- 1) Reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space
- 2) Allow for optional land use for a scaled-down congregate Care Facility in lieu of single-family cottage units;
- 3) Serve a portion of the property with a private street;
- 4) Increased maximum building height for multi-family structures within "The Village" sub-area to provide more architecturally appealing rooflines on three story units;
- 5) Allow a 10-foot front yard setback exclusive of garages for "The Cottages" sub-area;

- 6) Allow a 75-foot lot depth and minimum lot size of 3,800 square feet within “The Cottages” sub-area;
- 7) Allow up to 75% lot coverage for single family units under 25 feet in height within the “The Cottages” sub area;
- 8) Permit a minimum lot size of 5,800 square feet for lots within “Sky Lakes at The Village, Phase I & II”.
- 9) Allow a minimum of 1.4 parking spaces for multi-family units rather than 1.5
- 10) Allow flexibility between multi-family unit counts and commercial square footages in a manner commensurate with the total parking provided on site.
- 11) Allow option of mixed residential and comical within the commercial buildings subject of final design review, as required by the MLDC.
- 12) Allow meandering sidewalk design
- 13) Eliminated requirement for public pedestrian access from Cul-De-Sac to Callaway Drive.
- 14) Permit driveway access from Cedar Links Drive to Commercial area of the “Villages”
- 15) Allow mix of uncovered and covered parking for multi-family units.
- 16) Allow street tree landscaping requirement relief in location affected by the MWC water line easement.

#### Subject Site Characteristics

Zoning	SFR-4
GLUP	UR (Urban Residential)
Use	Vacant Golf Course

#### Surrounding Site Characteristics

North	SFR-4	Single Family Dwellings
South	SFR-4	Single Family Dwellings
East	SFR-4	Single Family Dwellings
West	SFR-4	Single Family Dwellings

#### Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication
PUD-14-136	PUD Revision
LDS-14-137	Sky Lakes Village Phase 1 Tentative Plat

- LDS-14-138 The Village at Cedar Landing Phase 1 Tentative Plat  
PUD-15-043 South portion of Cedar Landing PUD Revision for reconfiguring area into the High Cedars subarea, phases 1 through 5 and modifying land use.  
LDS-15-044 Tentative plat for High Cedars Subdivision Phases 1 through 5 (176 lots).

Applicable Criteria

Medford Municipal Code

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

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.

### Corporate Names

The application lists Cedar Investment Group, LLC as the owner of the subject property. As per the State of Oregon Business Registry, Eric Artner is listed as the registered agent.

## **ISSUES AND ANALYSIS**

### Project History

On April 27, 2006, the Planning Commission approved Cedar Landing Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project was organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43.0 ± acres) consists of five (5) phases including single-family lots, 55 and older, pad lots and common area/open space.
2. The Village at Cedar Landing (21.42 ± acres) is made up of five (5) phases of single-family lots, condominiums, retirement facilities and common area/open space.
3. Cascade Terrace (15.4 ± acres) is comprised of two (2) phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.
4. Sky Lakes Village (41.6 ± acres) consists of single-family residential lots and common area/open space.

Three phases of the original project have final plan and plat approvals. Sky Lakes Village Phases 5, 6, and 7A have received final plat and plan approvals. In addition, a request was approved to allow the termination of portions of Cascade Terrace and Sky Lakes Village. The 5.47 acre terminated portion of the project was sold to the City for use as a public park.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. An important item discussed in the Public Works Report at that time was the realignment of Cedar Links Drive at Foothills Road. A traffic signal and the realigned intersection have recently been completed.

In January 2015, an exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modifications to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015, the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1. The changes to the PUD on the north side of Cedar Links Drive are similar to those presented in this application and specifically addressed street design, number of lots, the relocation of paths, a reduction in the front yard setback, and an increase in maximum lot coverage.

In May of 2015, the applicant received approval to revise the portion of the PUD south of Cedar Links Drive (PUD-15-043). Specifically, major revisions to the plan consisted of reconfiguring the entire area into 5 phases; changing all commercial, multi-family, and condominium uses to single-family detached residential; removing the below grade pedestrian crossing at Cedar Links Drive; creating a single access point to Foothill Road at Normil Terrace and eliminating the second access point at Tree Top Drive. Concurrently, with the PUD amendment, the applicant received approval of a 176-lot tentative plat (LDS-165-044) extending over the entire project area south of Cedar Links Drive.

#### Current Proposal

The applicant is now requesting a subsequent PUD revision along with three corresponding land division applications. The requested revisions for the PUD have been listed above on the first and second pages of this report. Staff will provide comment to each revision and modification further below. The three land divisions directly correspond to the proposed revisions identified in the PUD revision and to address project phasing. Specifically, the three land divisions address the following:

LDS-16-025: *Revision to "Cascade Terrace Phase 1 through 5".*

This area was previously platted as "*Sky Lakes Village at Cedar Landing – Phase I*" and "*The Village – Phase I*". The applicant seeks to amend the phasing boundaries of each of the subject plats previously approved. Thus, the revised phasing boundaries are identified. Additionally, the applicant has combined the two plat areas into one tentative plat and has renamed both plats. The platted area will be known as "*Cascade Terrace - Phases 1 through 5*". In providing this new tentative plat, there have been no changes made to the lot configuration, lot count, circulation or infrastructure when compared to the Planning Commission approval of two previously approved plats. This plat is completely consistent with earlier approved plats.

LDS-16-026: *Replat of "Sky Lakes Village – Phase 7A".*

This is a proposed Replat of Lot 91 and 94 of the Sky Lakes Village 7A plat to revise the underlying reserve lots to be consistent with the proposed PUD revisions provided within this application. The Replat also creates revises the lot lines so that the

underlying reserve acreage lots are consistent with the proposed changes of the phasing plan provided on the plat for “Sky Lakes Village at Cedar Landing – Phase I” (LDS-16-026)

*LDS-15-027: Tentative Plat for “Sky Lake Village at Cedar Landing , Phase 1 through 4, The Village at Cedar Landing and the Cottages at Cedar Landing”*

This plat relates to “Sky Lakes Village – Phases 1 through 4” the plat area previously identified as “The Village – Phases 2 and 3”. The purpose of this plat is to create 23 standard single family lots, 22 cottage unit residential lots and open space tract for the development of cottage units. Additionally, this plat provides 7 pad lots within a common open space lot for the development of the apartment complex and commercial buildings.

***PUD Revisions and Proposed PUD Modification Requests***

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

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

Staff supports the applicant’s request for modification. A higher percentage of permitted for residential units under 25 feet may result in the development of more single level homes in the project. With a larger percentage, a home owner can opt for a larger square footage home without the need to build a two story unit. Incentive for building larger one story units may have the effect of preserving some view sheds toward Roxy Ann Peak and to the mountains surrounding the Valley. This modification request applies to the entire Cedar Landing development. Units greater than 25 feet in height will be required to comply with the MLDC standard of 40% maximum lot coverage.

**Proposed PUD revisions applicable to the NORTH portion of the development:**

2. *Reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space*

***Revised Land Use Area Changes (North of Cedar Links Drive) – Cottage Option***

<b>Land Use/Housing Type</b>	<b>Currently Approved PUD</b>	<b>Proposed Revision (PUD-16-024)</b>
Commercial square footage	24,213 sq ft	8,000 -21,000 sq ft
Single-Family Dwellings	0	23
Condominium Units (Over Commercial)	24	0
Cottage Units	0	22
Apartment Units	0	75-100
Congregate Care Units	150 (66,600 sq ft)	0

*Revised Land Use Area Changes (North of Cedar Links Drive) – Congregate Care Option*

Land Use/Housing Type	Currently Approved PUD	Proposed Revision (PUD-16-024)
Commercial square footage	24,213 sq ft	8,000 -21,000 sq ft
Single-Family Dwellings	0	23
Condominium Units (Over Commercial)	24	0
Cottage Units	0	0
Apartment Units	0	75-100
Congregate Care Units	150 (66,600 sq ft)	64 (24,000 sq ft)

Staff will provide specific recommendations in the sections below regarding the proposed land uses. These proposed revisions to the PUD do not result in a significant change in density. The approximate 116 acres included in the PUD with the underlying zoning of SFR-4, results in an allowable residential density range of roughly 290 units up to about 556 units with a 20 percent density bonus due to the large nature of the PUD. In this portion of the PUD, although the housing types of the area to be amended to be a mix of single family, apartment, cottage homes or congregate care, the total number of units decrease from 174 total units to 145 under the “Cottage Option” and increases slightly to 187 total units under the “Congregate Care Option”. Together with the northern portion of the PUD, the total number of proposed housing units is 462 to 487 depending on the proposed option, which falls well within the allowable range.

3. *Allow for optional land use for a scaled-down congregate Care Facility in lieu of single-family cottage units;*

Staff supports the applicant’s proposal to opt for either 22 units of small lot single family “cottage” units or provide a scaled down 24,000 square foot congregate care facility. The applicant’s findings provide, with high specificity, the configuration of streets and lots associated with the cottage units (Exhibit 11) and the general configuration of the 24,000 square foot congregate care facility (Exhibit 14).

Under either scenario, the cottage unit development, or reduced congregate care facility, presents a much smaller building mass and less intensity than the currently approved 66,600 square foot- three story congregate care facility. Either proposal would provide a transitional land use that is more appropriate in scale with relation to the surrounding single family development. Should the developer opt to develop the smaller congregate care facility, the project will need to have a subsequent public hearing before the Site Plan and Architectural Commission to approve a site plan, building elevations and landscape.

4. *Serve a portion of the property with a private street;*

The approved plan contains a public street that separates the existing congregate care site on the north from the commercial development to the south. In this

proposed amendment, the Applicant proposes to utilize a private street, having a paved section of 24 feet in width that will separate the apartment complex site from the cottage unit/congregate care site. Parking would not be permitted on this street. No dwelling unit takes direct access from this alignment.

5. *Increased maximum building height for multi-family structures within “The Village” sub-area to provide more architecturally appealing rooflines on three story units;*

The current maximum height established for the PUD is 35 feet. The applicant is proposing a modification to the PUD that would allow a 40 foot height for the three apartment buildings. The purpose stated in the applicant’s findings is that the 40-foot height allowance would provide more attractive roof architecture for the proposed three story structures. Staff concurs with the applicant that a three story structure would be more attractive with the allowed increase of 5 feet as it would yield a greater pitch to the roof structure. A three story structure with a 35 foot high limitation would be limited to a flat roof with parapet wall or perhaps a pitched roof with relatively minor slope.

Staff has received written public correspondence from area residents Tom Michaels and Jim Greathouse raising concern about the proposed 40 foot maximum height (Exhibit H). The communication identifies that the Planning Commission had previously considered an increased maximum height for the PUD and concluded that all development of the PUD should meet the standard maximum height for the SFR-4 zoning district of 35 feet. The second issue raised by the letter is that there is neither a specific, nor general exhibit that demonstrates the elevations and how the five-foot change would positively impact building appearance of a three story structure. The letter indicates that the Commission could not knowingly evaluate the requested modification request without such documentation. While staff supports the request and believes that it would improve the building architecturally, the residents make a strong point that there currently is no evidence for the Commission to weigh as to consider the applicant’s request.

6. *Allow a 10-foot front yard setback exclusive of garages for “The Cottages” sub-area;*

Staff supports the applicant’s request. The 75 foot deep cottage unit lots are not intended to have significant yard space. The housing type provides a good option for home buyers not seeking to maintain large areas of outdoor space. If the cottage unit configuration is approved with the 75-foot depth it would be important to allow a shallower setback to the living space of the unit to maximize lot efficiency and perhaps allow design option that would place more space to the rear of the structure. The Land Development Code was recently amended to allow

for a 15-foot setback to living space for these purposes. However, with a 75-foot depth, the 10 foot setback is more appropriate.

7. *Allow a 75-foot lot depth and minimum lot size of 3,800 square feet within “The Cottages” sub-area;*

As noted above, these smaller cottage units present an alternative housing choice, which providing a single family unit with little outdoor space to maintain. Staff supports the applicant’s request.

8. *Allow up to 75% lot coverage for single family units under 25 feet in height within the “The Cottages” sub area;*

Staff supports the applicant’s request as it would allow a home builder to offer a single story unit within the cottages that would be reasonably sized.

9. *Permit a minimum lot size of 5,800 square feet for lots within “Sky Lakes at The Village, Phase I & II”.*

Staff supports the subject modification.

10. *Allow a minimum of 1.4 parking spaces for multi-family units rather than 1.5*

Given the range presented by the applicant of 75 to 100 apartment units, dependent on the size of the commercial structures and parking needs, this would result in 8 to 10 less parking spaces for the apartment complex. The preliminary development plan shows a total of 199 parking spaces for both commercial development and the apartment complex. Staff acknowledges that there are existing conditions associated with the general area such as the Butte Springs Water Line Easement and existing wetlands that cause some inefficiencies in site development. There are alternatives, such as reducing the number of apartment units or decreasing commercial square footage that would bring the development into compliance with the standard. It is feasible that a lot fronting Yamsey Drive could also be utilized for additional parking space. **As such, staff does not support the requested modification as presented. Staff recommends that the approval of a 5% reduction in overall parking be permitted as a possible consideration of SPAC in a site plan application submittal once specific building square footages and uses are determined.**

11. *Allow flexibility between multi-family unit counts and commercial square footages in a manner commensurate with the total parking provided on site.*

Staff believes that flexibility is good for minor adjustments depending on end user or market demand needs. However the zoning also needs provide a certain level of assurance to both the developer and community regarding future development. Staff supports the notion of a degree of flexibility as to limit processes that may be unwarranted based on the magnitude of a small change. However, the range provided for the commercial development and apartments seem too significant in staff's opinion. The preliminary development plan shows a total of 10,500 square feet of neighborhood commercial space, and calls out a range of square Commercial Square in the findings of 8,000 to 21,000 square feet the top end being twice as much, or a 100% increase as what is shown in plan. It is difficult to conceive how the parking would be met, while hitting the target ranges. As noted above, staff does not recommend the range presented but believes a certain level of flexibility would be beneficial.

12. Allow option of mixed residential and commercial within the commercial buildings subject of final design review, as required by the MLDC.

Staff supports mixed use residential development. However, the number of units is not identified. Staff does not have sufficient information to provide a recommendation. Additionally, it is unclear how parking requirements would be met if these are additional units to the apartment complex.

13. *Allow meandering sidewalk design*

Staff supports this request.

14. *Eliminated requirement for public pedestrian access from cul-de-sac to Callaway Drive.*

Block length requirements are easily met by the surrounding streets. Staff does not see a substantial benefit to requiring pedestrian access between the homes from Callaway Drive to the cul-de-sac.

15. *Permit driveway access from Cedar Links Drive to Commercial area of the "Villages"*

The Planning Department understands that the Public Works has no objection to the southerly driveway access.

16. *Allow mix of uncovered and covered parking for multi-family units.*

The MLDC does not provide any requirement for covered parking for multi-family units. Staff believes that a mix of covered and uncovered parking is appropriate.

Staff recommends that the Commission consider a minimum percentage of covered parking.

17. *Allow street tree landscaping requirement relief in location affected by the MWC water line easement.*

Relief to landscaping requirements for specific conflicts is permitted by the Medford Land Development Code. The Medford Water Commission does have concern regarding large trees being placed with or near the easement. Staff recommends that a certain level of flexibility regarding the number of street trees be provided as it relates to the water line easement.

#### **ADDITIONAL DOCUMENTATION SUBMITTED FOR THE RECORD, JUNE 23, 2016**

At the June 23, Public Hearing, the Applicant provided a memorandum (Exhibit I) regarding the concerns raised within the June 16, 2016 staff report and staff's recommended amendments to the modifications within the application findings. The letter provided by the Applicant included additional rationale in support of the requested modifications, along with a project description for the architectural character of the proposed apartment complex component.

At the public hearing of June 23, 2016, a resident of the area requested that the record be held open so that the public could review and provide response to the new information presented to the Planning Commission. The Planning Commission continued the public hearing of the subject application to the July 14, Planning Commission meeting. Listed below are staff's initial recommendations to the proposed modifications and responses to the June 23 memo submitted by the Applicant.

Staff's recommendation in June 16, 2016 staff report included the following:

1. Adhere to the code required 1.5 spaces per multi-family unit rather than the modified 1.4 spaces. (# 10).
  - The applicant has referenced the allowance for shared parking as provided in section 10.744. The applicant notes that the significant portion of the commercial space is likely to be office space and that peak demand for office space does not overlay in time with peak demand for residential parking.

Staff agrees that if the three commercial buildings were occupied with office uses, the peak parking demand of the commercial buildings would be different than the multi-family apartment complex. A 1.4 parking space per dwelling unit with a shared parking agreement with

the commercial development would likely satisfy parking needs. However, under the present submission, there is nothing that establishes all three buildings will be office use, or a percentage of office use.

If a restaurant were to be included, it would have a higher peak parking need. That need would likely be during evening hours, when spaces would also be needed for the dwelling units. If the buildings were initially constructed and initially utilized as office, it is also feasible that the use could change after the initial development.

As staff understands the current modification, should the commercial square footage rise, the number of multi-family units would decrease. This can be easily administered by staff if specific uses were conditioned and the multi-family and commercial uses were constructed at or near the same time. However, it may be difficult to administer in the future if the uses were to change.

Unless particular commercial uses and square footages are conditioned in a final plan it there is some ambiguity to the overall parking needs at the present time. As such, staff would recommend maintaining the 1.5 spaces per apartment unit, or defer the decision to SPAC when additional specificity is provided regarding number of apartments, commercial uses and square footages. Furthermore, staff notes that the subject site is currently not located near a transit line and located far from any significant commercial node. This further compels staff to recommend that the code standard of 1.5 spaces per dwelling unit is the appropriate ratio.

Staff agrees that it is not an out-right code requirement that a type "A" buffer yard (10 feet) is placed between the apartment complex and the proposed single family development front Yamsey Street as it is within the same zoning district. However, the rationale for requiring bufferyards that separate multi-family and single family development remains. As the multi-family is a modified land use within the SFR-4 zoning district, the Commission has authority to require the application of a bufferyard to mitigate conflict.

Staff recommends the bufferyard remain, regardless of the parking ratio. As such, staff has included a discretionary condition, though it is currently shown on the site plan that a type "A" bufferyard be provided along west edge of the apartment complex site.

**2. Reduce the variation in the amount of commercial square footage and multi-family units (#11).**

- The applicant notes that they would not be opposed to a limitation of 15,750 square foot of commercial area (50% increase). Staff has some guidance and precedence as established by the Medford Land Development Code and development agreements that established flexibility on commercial square footage inventory.

Section 10.031 allows for building alterations of less than 20 percent or 2,500 square feet to be handled as an administrative review through a building permit application. Such alternations are not required to go a public hearing. Another example precipitates from an approved development agreement for a large shopping center complex. In that circumstance, the agreement established that minor changes in square footage would be permitted, as long as it did not increase the gross floor area by 20%, or violate trip cap conditions.

Given the commercial square footage for this project is relatively small, staff would recommend flexibility be provided to increase the commercial square footage up to 35 percent, subject to meeting the required parking that is established. As noted earlier, if a maximum of 15,750 (50%) was permitted the need for additional parking for the commercial development would affect the parking provided for the apartments, and thus lower the total yield of apartment units.

**3. Recommend applicant provide further detail regarding mixed use buildings, or remove as a modification (# 12).**

- Staff has included as a condition of approval than any second story on a commercial be limited to office or storage use.

**4. Establish minimum percentage of covered parking for apartment complex (# 16).**

- This item was not addressed in the Applicant's response.

**Roof height**

The Applicant's June 23, 2016, correspondence also included an attachment containing a design narrative regarding the intent and primary design objectives with the aim of adding value to the multifamily project and supporting the modification for a 40 foot building height. The description included information regarding project amenities, scale and proportion, floor to floor and ceiling height, exterior base-middle-top exterior building articulation, roof architecture, and landscaping.

Staff finds the project narrative beneficial in understanding the design intent for the future apartment complex and further finds that it supports the applicant's position that the building would benefit aesthetically by permitting a 40 foot height.

#### **Public Comment**

In response to the letter submitted by the Applicant on June 23, 2016 (Exhibit I), Jim Greathouse submitted a letter, dated June 29, 2016 (Exhibit J), addressed to the Planning Commission. In summary, Mr. Greathouse requests the design narrative and concepts be adopted as multi-family standards if the modifications sought by the applicant are approved.

The Applicant met with Mr. Greathouse and Tommy Michaels on July 6, 2016, to discuss some minor edits to the design narrative sought by the applicant for the inclusion of the narrative as the design concept that will be followed for the multi-family component for the development.

Staff received a revised design narrative on July 7, 2016, from Kistler + Small + White Architects dated July 6, 2016, with cover letter signed by Jim Greathouse, Tommy Michaels and the Applicant, Eric Artner (Exhibit K). The cover letter notes the following agreement:

The applicant agrees to allow the July 6, 2016 letter from Kistler + Small + White Architects letter be entered into the record as the design concept to be followed for the multi-family component.

NEMEC supports the request for the modification for the 40 foot building height, 5% parking reduction and all other items identified in the application and June 23, 2016, memorandum from Mike Savage of CSA. Staff has included, as a discretionary condition of approval, that the July 6, 2016, design narrative by Kistler + Small + White Architects be entered into the record as the multi-family design concept to be followed and applied by the Site Plan and Architectural Commission in the future review of a site plan for the multi-family component.

#### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the findings, subject to the following amendments:

- Adhere to the code required 1.5 spaces per multi-family unit (# 10), or allow a 5% overall reduction to the overall required parking of the commercial and multi-family component to be only considered and determined by SPAC when a site plan application with specific commercial uses and square footages are determined.

- Reduce the variation in the amount of commercial square footage and multi-family units (#11) by allowing a 35% increase in commercial building square footage (14,175 square feet), subject to meeting the commercial code standards for parking.
- Approve modification allowing for multi-family structures to have a 40 foot maximum height, subject to the inclusion of the design concept narrative, dated July 6, 2016, prepared by Kistler + Small + White Architects, as the design concept to be followed and applied by the Site Plan and Architectural Commission in the future review of a site plan for the multifamily component.
- Restrict any second story of commercial buildings to office or storage use.

#### **RECOMMENDED ACTION**

Adopt the modified findings as recommended by staff and direct staff to prepare a Final Order for approval per the revised staff report dated July 7, 2016, including Exhibits A-1 through L.

#### **EXHIBITS**

A-1 Conditions of Approval

B Applicant's Findings of Fact and Conclusions of Law, Received June 10, 2016, with the following exhibits:

- Jackson County Assessor Map depicting property
- City of Medford Zoning depicted on Aerial Map
- City of Medford General Land Use Plan Map
- 2014 Aerial Photo Map
- Proposed preliminary PUD
- Proposed Replat of Lots 91 and 94 of Sky Lakes at Cedar Landin Phase 7A
- Proposed Tentative Plat for Sky Lakes Village Phase 1-4, The Village and the Cottages
- Proposed tentative plat map for Cascade Terrace Phases 1-5
- Proposed landscape plan for Sky Lakes Village Phase 1-4, the cottage's and the Village
- Preliminary Grading and Stormwater Detention Plan for sky lakes Village, phase 1- 4, the Cottages and the Village
- Covenants, Conditions and Restriction's (CCR's)
- Congregate Care Option Exhibit within the "Cottages" subarea
- Pedestrian path detail
- Wetlands Plan
- Proposed lot Coverage exhibit Map

- Open Space plan for overall project
- Copy of latest PUD plan approved prior his application submittal
- Approved phasing plan south portion of PUD below Cedar Links Drive.

- C Public Works Staff Report, dated May 25, 2016
- D Medford Water Commission Memo, dated May 25, 2016
- E Fire Department Report, prepared May 20, 2016
- F Address Technician Memo, received May 25, 2016
- G E-mail correspondence from Oregon Department of Aviation, received May 20, 2016
- H Public Testimony - Letter from Mr. Tom Michaels and Jim Greathouse, received June 15, 2016
- I **CSA Memorandum, dated June 23, 2016, including multi-family design narrative**
- J **Public Testimony - Letter from Jim Greathouse, received June 29, 2016, in response to June 23, 2016 CSA Memorandum**
- K **Agreement between Northeast Medford Neighborhood Coalition and Cedar Investment Group L.L.C., received July 7, 2016; including revised multi-family project description by Kistler + Small + White Architects dated July 6, 2016.**
- L **CSA Memorandum dated and received July 7, 2016.**  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**JUNE 23, 2016  
JULY 14, 2016**

**EXHIBIT A-1**

Cedar Landing PUD Revision – June 2016  
Conditions of Approval  
July 7, 2016

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

**CODE CONDITIONS**

1. Comply with the Public Works Staff Report received dated May 25, 2016 (Exhibit C);
2. Comply with the Medford Water Commission Memorandum dated May 25, 2016 (Exhibit D);
3. Comply with the Medford Fire Department Report prepared May 20, 2016 (Exhibit E);
4. Comply with the Address Technician Memorandum received May 25, 2016 (Exhibit F).

**DISCRETIONARY CONDITIONS**

5. Allow 5% overall reduction to the overall required parking of the commercial and multi-family component to be only considered and determined by SPAC when a site plan application with specific commercial uses and square footages have been determined.
6. Permit a 35% increase in commercial building square footage (14,175 square feet), subject to meeting the commercial code standards for parking.
7. The design concept narrative, prepared by Kistler, + Small + White Architects, , dated July 6, 2016, shall serve as the design concept to be followed and applied by the Site Plan and Architectural Commission in consideration and review of a site plan submittal for the multifamily component.
8. The second story of any commercial buildings shall be limited to office or storage use.

CITY OF MEDFORD  
EXHIBIT # A-1  
File # PUD-16-024  
1 of 1

CITY OF MEDFORD  
EXHIBIT # B  
File # PUD-16-024

BEFORE THE PLANNING COMMISSION  
FOR THE CITY OF MEDFORD  
JACKSON COUNTY, OREGON

RECEIVED  
JUN 10 2016  
PLANNING DEPT.

IN THE MATTER OF APPLICATIONS )  
CONTEMPORANEOUSLY FILED )  
WHICH INVOLVE CHANGES TO THE )  
APPROVED CEDAR LANDING PLANNED )  
UNIT DEVELOPMENT AND ASSOCIATED )  
LAND DIVISION AMENDMENTS IN THE )  
CITY OF MEDFORD, OREGON )

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW  
Applicant's Exhibit 1

Applicant: Cedar Investment Group, LLC )  
Agent: CSA Planning, Ltd. )  
)

I

NATURE AND SCOPE OF APPLICATIONS

This matter involves separate applications related to various amendments to the Cedar Landing Planned Unit Development (PUD) located off Cedar Links Drive in Medford. The changes largely relate to approximately 43 acres within the central portion of the project site in areas called the *Sky Lakes Village* Phases 1-4, *The Village* and *The Cottages*. There are however, additional changes requested that relate to phasing, building heights and lot coverage for other lands within the PUD.

The portion of the PUD referred to herein as *The Cottages* includes two options or alternatives being sought in order to respond to varying market demands. Applicant seeks authorization to utilize either The Cottages PUD layout as the preferred design or the optional Congregate Care PUD layout design. Should this request be approved, Applicant will either carry out final platting within the Cottages subarea Phase as approved or simply not divide that area and execute the Congregate Care facilities.

The portion of the PUD referred to herein as *The Village* includes a combination of multi-family residential, commercial and common area / open space. Applicant seeks authorization to vary the multi-family unit counts and commercial square footage in order to respond to varying market demands.

Applicant is continuing to work with City of Medford Parks Department regarding the potential donation of all open space areas and pathways to the City upon completion of required open space improvements and amenities. While the discussion is on-going and the exchange has not been finalized, this application, if approved, will further the ability of the exchange to occur.

Applicant has worked diligently with City staff to develop a functional plan that is well designed and responsive to the intent of the PUD ordinance by providing significant open



## Findings of Fact and Conclusions of Law

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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space, a variety of housing types and a mixture of neighborhood type commercial uses in a manner that is responsive to City needs, neighborhood concerns of compatibility and the market.

Applicant has requested some minor flexibility in unit counts and square footages in hopes that this request will finalize the amendments to the Cedar Landing PUD and allow for the project to begin construction and delivery of all plan elements, without the need to come back to the City in the future to accommodate minor variations in market demand.

There are in fact four applications which have been contemporaneously filed concerning these matters, the nature of which are summarized as follows:

### 1. Preliminary PUD Plan Revision<sup>1</sup>

- Reconfigure Multi-Family, Commercial, Congregate Care and Open Space areas to a mixture of Single Family, Multi-Family, Commercial and Open Space, with an optional scaled-down<sup>2</sup> Congregate Care Facility.
- To serve a portion of the property with private streets.
- Maintain the same north-side block length for *The Cottages* as the current and prior approvals.
- To increase Maximum Building Heights for multi-family structures within *The Village* subarea from 35 to 40 feet to accommodate three story buildings with slightly steeper and more architecturally appealing rooflines.
- To establish a 10-foot front yard setback exclusive of garages for *The Cottages* subarea.
- To establish a 75-foot minimum lot depth for lots within *The Cottages* subarea.
- To permit minimum lot size of 3,800 square feet within *The Cottages* subarea.
- To allow single story dwellings limited to 25 feet in height with a 75% lot coverage as an option to 55% lot coverage and the standard limitation of 35 feet (regardless of number of floors) within *The Cottages* subarea.
- To permit a minimum lot size of 5,800 square feet for lots within *Sky Lakes at The Village* Phases 1 and 2.
- To allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet (regardless of number of floors) and standard 40% lot coverage for *Cascade Terrace* phases 3, 4 and 5; *Sky Lakes Village* phases 1, 2, 3, 4 and 7B; and *High Cedars* Phases 1 through 7B;
- Maintain the 55% lot coverage as approved under PUD-14-136 & LDS-14-138 for *Cascade Terrace* Phases 1 & 2

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<sup>1</sup> City of Medford No's. PUD-05-35; PUD-13-119; PUD-14-136; PUD-15-043

<sup>2</sup> Site is currently approved for a 68,872 square foot, 150 unit Congregate Care facility. Proposed Congregate Care option includes a 24,000 square-foot 64 unit complex.



**Findings of Fact and Conclusions of Law**

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- To allow parking ratio of 1.4 spaces per multi-family unit instead of 1.5 - in order to allow approximately 10 spaces otherwise required for multi-family to be used for neighborhood commercial uses that require slightly more parking than the standard, such as coffee shop or café.
- To allow flexibility between multi-family unit counts and commercial square footages, in a manner commensurate with the provided parking.
  - Total provided parking within The Village subarea is 199 spaces. Request is to allow a combination of multi-family units and commercial square footage in a manner that is consistent with the provision of 199 spaces.
    - In order to exceed the 10,500 square feet of commercial square footage, the multi-family buildings would require a reduction in units, commensurate with the total 199 parking spaces.
  - Multi-Family Units will remain within the identified multi-family building envelopes
  - Commercial buildings and uses will remain with the identified commercial building envelopes
  - Minimum number of multi-family units requested is 75
  - Maximum number of multi-family units requested is 100
  - Minimum number of commercial square footage requested is 8000
  - Maximum commercial square footage requested is 21,000
    - Plan Illustrate 10,500 square feet of single story commercial. In order to provide more than 10,500 square feet, the buildings are to be 2-story instead of 1 and would remain within the standard 35-foot max height.
- To allow the option of mixed residential and commercial within the commercial buildings subject to final design review, as required by the MLDC.
- To Allow Meandering Sidewalks
- To Allow the use of a Cul-De-Sac off Farmington as public access to Sky Lakes Village Phase 3 without the provision of an accessway through Sky Lakes Village Phase 4 to Callaway Drive.
  - To direct pedestrians to pathways, sidewalks and crossings that provide a safe environment and manner in which to move throughout the area.
- To allow access to a higher order street, when access to a lower order street is provided.
  - To allow a driveway access to the Commercial area directly from Cedar Links Drive (a Collector) in the location and manner reflected on the plan, in order to maximize functionality and use of the Commercial areas and potentially offset potential traffic queuing at Farmington (a local street).
- To allow a mix of uncovered and covered parking for the multi-family units, subject to final design review.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

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- To allow street trees and landscaping relief in the locations affected by the Big Butte Springs Waterline easement, in order to accommodate the vegetative planting types and locations allowable within the easement and acceptable with MWC.
2. **Replat of *The Sky Lakes Village Phase 7B*.** This application is to Replat Lots 91 and 94 of the *Sky Lakes Village (Phase 7a)* which will:
- Create Underlying Reserve Lots consistent with the Proposed PUD Revisions
  - Create Underlying Reserve Lots consistent with the Proposed Phasing Plan
3. **Tentative Plat Land Division.** This relates to *Sky Lakes Village* Phases 1 through 4, *The Village* and *The Cottages* (within the area previously identified as *The Village* Phases 2 and 3 which will
- Create 4 Lots within *Sky Lakes Village* Phase 1 — Lots 1-4
  - Create 4 Lots within *Sky Lakes Village* Phase 2 — Lots 5-8
  - Create 8 Lots within *Sky Lakes Village* Phase 3 — Lots 9-16
  - Create 7 Lots within *Sky Lakes Village* Phase 4 — Lots 17-23
  - Create 8 Pad Lots (Lots 1-8) within a common area comprising *The Village*
  - Create 22 Lots plus Open Space within *The Cottages* (Formerly submitted as 23)
  - Rename from *The Village* Phases 2 and 3 to *The Cottages* and *Sky Lakes Village* Phases 1 Through 4
  - Requires partial vacation of a small portion of Yamsay Drive and Farmington Avenue
4. **Revision to Cascade Terrace Phases 1 through 5,** previously approved as *Sky Lakes Village* Phase 1 and *The Village* Phase 1. No changes to lot count, lot configuration or infrastructure are proposed. The revisions seek:
- Phasing boundary changes;
  - Renamed from *Sky Lakes Village At Cedar Landing* Phase 1 and *The Village* Phase 1 to *Cascade Terrace* Phases 1 through 5.

These Findings of Fact and Conclusions of Law are submitted as Applicant's Exhibit 1. Its purpose is to present facts relevant to the applications and show how these support final affirmative decision. Applicant urges that this document and the evidence therein referenced be adopted by the Planning Commission in support of any affirmative decisions it may reach on these applications.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (*Updated Submittal June 9, 2016*)  
Cedar Investment Group, LLC: Applicant

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II

**EVIDENCE SUBMITTED WITH APPLICATION**

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Applicant herewith submits the following evidence in support of its applications seeking approval for Preliminary PUD Plan and Tentative Land Division Plat:

- Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how these modified Preliminary PUD Plans and Land Division applications comply with the applicable substantive criteria of the MLDC
- Exhibit 2.** Jackson County Assessor plat maps T37S-R1W-Sections 16, 16BC and 16BD which depict the subject properties.
- Exhibit 3.** City of Medford Zoning depicted on an Aerial Map
- Exhibit 4.** City of Medford General Land Use Plan (GLUP) Map
- Exhibit 5.** 2014 Aerial Photo Map
- Exhibit 6.** Proposed Preliminary PUD Plan – *Revised / Updated June 6, 2016 in response to staff concerns and comments raised at LD Meeting*
- Exhibit 7.** Proposed Replat of Lots 91 & 94 of Sky Lakes At Cedar Landing Phase 7A (A Planned Community)
- Exhibit 8.** Proposed Tentative Plat Map For Sky Lakes Village Phases 1-4, The Village and The Cottages – Revised June 6, 2016
- Exhibit 9.** Proposed Tentative Plat Map for Cascade Terrace Phases 1-5
- Exhibit 10.** Proposed Landscape Plan - For Sky Lakes Village Phases 1-4, The Village and The Cottages. (*Exhibit 10 of record does not reflect most recent layout changes in response to concerns raised at LD Meeting. See Exhibit 11 for proposed preliminary landscape plan for most recent layout changes*)
- Exhibit 11.** Proposed Detail Plan - For Sky Lakes Village Phases 1-4, The Village and The Cottages- *Revised / Updated June 6, 2016 in response to staff concerns and comments raised at LD Meeting; This plan reflects all lot layouts, parking, drive isles, pedestrian paths, building footprints and preliminary landscaping for The Village, The Cottages and Sky Lakes Villages Phases 1-4.*
- Exhibit 12.** Preliminary Grading and Stormwater Detention Plan - For Sky Lakes Village Phases 1-4, The Village and The Cottages. (*Exhibit 12 of record does not reflect most recent parking, access and circulation layout changes in response to concerns raised at LD Meeting. However, with regard to grading and stormwater plans, the original Exhibit 12 is response to the project needs and is sufficient for preliminary plan purposes*)
- Exhibit 13.** Covenants, Conditions and Restrictions (CCR's) ;



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**

Cedar Investment Group, LLC: Applicant

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- Exhibit 14.** Congregate Care Option within *The Cottages* subarea<sup>3</sup> - *Revised / Updated June 6, 2016 in response to staff concerns and comments raised at LD Meeting*
- Exhibit 15.** Pedestrian Path Detail For Easement Areas Crossing Lots.
- Exhibit 16.** Public Notice Area Map, Labels & Neighborhood Meeting Sign-In Sheets
- Exhibit 17.** Wetlands Plan
- Exhibit 18.** Narrative Rationale for PUD pursuant to MLDC 10.235(B)(3) (*Revised June 08, 2016*)
- Exhibit 19.** Completed application forms for Preliminary PUD and Tentative Subdivision Plat and powers of attorney from the record owner of the subject property which permits CSA Planning, Ltd. to act procedurally in its name
- Exhibit 20.** Proposed Lot Coverage Exhibit Map
- Exhibit 21.** Open Space Plan
- Exhibit 22.** Copy of latest PUD Plan approved prior to this application (PUD-15-043, as modified by LDS 15-120)

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<sup>3</sup> The Congregate Care Option as proposed with the original application submittal for this amendment was subsequently removed from the request by the Applicant in response to neighbor opposition that arose during the neighborhood meeting. According to more recent correspondence with members of the neighborhood, the neighbors have since more closely examined the revised Congregate Care option and have achieved a greater understanding of the proposal and are now in support of this option. Thus, the congregate care option is again being requested as part of this application. The plan was most recently revised to accommodate changes to the private road access in response to staff concerns.



**III**

**RELEVANT SUBSTANTIVE APPROVAL CRITERIA**

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The criteria under which the applications for Preliminary PUD Plan and Tentative Plat for land division must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

**A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)**

**10.245 Revision or Termination of a PUD**

- A. Revision of a Preliminary or Final PUD Plan: The expansion or modification of a PUD approved under earlier PUD ordinances of the City 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.
  2. Consolidated Procedure: At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.
  3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in 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.

**B. APPROVAL OF A (NEW) PRELIMINARY PUD PLAN**

**10.235 Preliminary PUD Plan - Application Procedures.**

- D. Approval Criteria for Preliminary PUD Plan: The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:
1. The proposed PUD
    - a. preserves an important natural feature of the land, or
    - b. includes a mixture of residential and commercial land uses, or
    - c. includes a mixture of housing types in residential areas, or
    - d. includes open space, common areas, or other elements intended for common 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 circulations system or the development as a whole.



## Findings of Fact and Conclusions of Law

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Cedar Investment Group, LLC: Applicant

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3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
  - 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 or less than for one or more permitted use 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.

Determination of compliance with this criterion shall be based on 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 permit 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.

### **C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT**

#### **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, 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) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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) Has streets that are proposed to be held for private use, that they are distinguished from the public street on the tentative plat, and reservations or restrictions relating to the private streets 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 of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

**IV**

**FINDINGS OF FACT**

The Planning Commission herewith establishes the following facts and finds them to be true with respect to these matters:

- 1. Subject Property Ownership and Details:** According to the records of the Jackson County Assessor and Medford Planning Department, the parcels affected by the proposed PUD amendments are reported in below Table 1. The subject property includes lands within the northerly portion of the Cedar Landing PUD, which are located north of Cedar Links Drive. The subject portions are identified in the records of the Jackson County Assessor as plat map as Township 37 South, Range 1 West, Section 16BC, Tax Lots 200, 201, 202, and 203; Township 37 South, Range 1 West, Section 16BD, Tax Lots 200 and 238 having an aggregate 42.99 acres.

**Table 1**

**PUD Ownership and Value within Areas of Prosed Changes**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Map & Tax Lot	Acreage	Ownership of Record	Assessed Improvements	Assessed Land
37-1W-16BC-200	8.22	Cedar Investment Group LLC	0	285,350
37-1W-16BC-201	15.50	Galpin, CA		538,072
37-1W-16BC-202	6.12	Galpin, CA	256,720	228,191
37-1W-16BC-203	1.72	Cedar Investment Group LLC	0	59,710
37-1W-16BD-200	5.16	Cedar Investment Group LLC		179,124
37-1W-16BD-238	4.41	Cedar Investment Group LLC	0	153,087
Farmington Ave. Yamsay Drive R.O.W.	0.86			
	1.0			
	42.99			

Galpin, CA is the owner of the majority of the Assessed Improvements within the subject properties and Cedar Investment Group, LLC (CIG) is the majority owner of the Assessed Land and total land acreage. CIG is the Applicant and C.A. Galpin has provided written consent for these applications.

Tables 2 through 4 below are an inventory of all real property within the original Cedar Landing PUD boundary as sourced from Jackson County GIS and Jackson County Assessment data.

As evidenced by Table 1 above and Tables 2 through 4 below, the two entities authorizing this request have sufficient authority to permit this PUD amendment.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
 Cedar Investment Group, LLC: Applicant

**Table 2**

**Lands Terminated From the Original PUD Boundary**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Map & Tax Lot	Fee Owner	Status	Property Class	Year Built	Assessed Improvements	Assessed Land	Acreage
37-1W-16BC-300	MEDFORD CITY OF	Vacant	940	0	0	0	5.42
37-1W-16BD-235	MEDFORD CITY OF	Vacant	940	0	0	0	0.01
37-1W-16BD-236	MEDFORD CITY OF	Vacant	940	0	0	0	0.01
							5.44

**Table 3**

**Vacant Lands within Original PUD Boundary**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Map & Tax Lot	Fee Owner	Status	Property Class	Year Built	Assessed Improvements	Assessed Land	Acreage
37-1W-16BD-217	BUILT BY LEE LLC	Vacant	100	0	0	76150	0.15
37-1W-16CA-2201	CEDAR INVESTMENT GROUP LLC	Vacant	25	0	0	533691	14.48
37-1W-16CA-2202	CEDAR INVESTMENT GROUP LLC	Vacant	25	0	0	360095	9.77
37-1W-16D-7001	CEDAR INVESTMENT GROUP LLC	Vacant	25	0	0	294488	7.99
37-1W-16BC-200	CEDAR INVESTMENT GROUP LLC	Vacant	190	0	0	285350	8.22
37-1W-16D-7000	CEDAR INVESTMENT GROUP LLC	Vacant	25	0	0	265739	7.21
37-1W-16CA-2200	CEDAR INVESTMENT GROUP LLC	Vacant	25	0	0	259476	7.04
37-1W-16BD-200	CEDAR INVESTMENT GROUP LLC	Vacant	190	0	0	179124	5.16
37-1W-16BD-238	CEDAR INVESTMENT GROUP LLC	Vacant	190	0	0	153087	4.41
37-1W-16BD-237	CEDAR INVESTMENT GROUP LLC	Vacant	190	0	0	148227	4.27
37-1W-16BC-203	CEDAR INVESTMENT GROUP LLC	Vacant	190	0	0	59710	1.72
37-1W-16BD-221	F B OWEN INC	Vacant	100	0	0	76590	0.18
37-1W-16BC-201	GALPIN CA	Vacant	190	0	0	538072	15.50
37-1W-16BC-100	JANTZER MONTY R/THERESA	Vacant	25	0	0	0	1.25
37-1W-16BD-211	JANTZER MONTY R/THERESA	Vacant	102	0	0	0	0.55
37-1W-16BD-214	JANTZER MONTY R/THERESA	Vacant	102	0	0	0	0.40
							88.3

**Table 4**

**Non-Vacant Lands within Original PUD Boundary**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Map & Tax Lot	Feeowner	Status	Property Class	Year Built	Assessed Improvements	Assessed Land	Acreage
37-1W-16BD-400	JANTZER MONTY RAY/THERESA L	Not Vacant	191	1967	89750	119890	2.73
37-1W-16BD-223	BOLIEN LINDA M	Not Vacant	101	2009	159410	108180	0.20
37-1W-16BD-204	DIRNBERGER MARK/LINDA	Not Vacant	101	2010	157740	105230	0.20



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
 Cedar Investment Group, LLC: Applicant

37-1W-168D-231	WEYERS CHRIS/MAKENNA	Not Vacant	101	2010	130730	104740	0.15
37-1W-168D-215	WOLBER DARWIN L/JANICE O	Not Vacant	101	2013	178510	104520	0.25
37-1W-168D-225	HOOTS ERIC A/EMILY S	Not Vacant	101	2013	167770	104520	0.22
37-1W-168D-232	SODERLUND KIRK R/MELODEE A	Not Vacant	101	2013	164550	104090	0.15
37-1W-168D-222	SCHWADA TRUST ET AL	Not Vacant	101	2012	162480	103630	0.15
37-1W-168D-227	IMADA GUY S ET AL	Not Vacant	101	2011	156970	103570	0.23
37-1W-168D-228	SHARP RICHARD L/CLAIRE A	Not Vacant	101	2011	155830	103570	0.22
37-1W-168D-234	ALLEN FAMILY TRUST ET AL	Not Vacant	101	2011	162960	103540	0.16
37-1W-168D-208	HAYES GARY L/TRICIA L	Not Vacant	101	2012	151420	101870	0.16
37-1W-168D-213	CLARIDGE REX C AND SUSAN Y	Not Vacant	101	2008	116630	99940	0.18
37-1W-168D-201	WRIGHT ROBERT R/DONNA L	Not Vacant	101	2009	133540	88730	0.20
37-1W-168D-203	TRIGG WALTER LEE TRUSTEE ET	Not Vacant	101	2010	148520	88350	0.18
37-1W-168D-229	HUNT HOWARD E/ALICE E	Not Vacant	101	2010	164500	86670	0.22
37-1W-168D-233	MCELROY GLENN E TRUSTEE ET	Not Vacant	101	2009	139230	86530	0.15
37-1W-168D-202	WRIGHT MATTHEW P ET AL	Not Vacant	101	2009	140150	86190	0.18
37-1W-168D-207	HAMMOND ELEANOR TRUSTEE ET	Not Vacant	101	2009	147430	84920	0.17
37-1W-168D-226	SHEAFFER CARSON C/LAKIESHA	Not Vacant	101	2009	125660	108190	0.26
37-1W-168D-220	ANDERSON VALERIE J	Not Vacant	101	2012	189400	103630	0.15
37-1W-168D-209	BEATON TREESA L	Not Vacant	101	2008	146750	102750	0.18
37-1W-168D-218	LONG JENNIFER A	Not Vacant	101	2010	162050	91610	0.19
37-1W-168D-210	BALES JEFFREY D/KRISTINE K	Not Vacant	101	2010	168230	88730	0.20
37-1W-168D-219	FLANSBURG JASON R ET AL	Not Vacant	101	2013	188490	106710	0.18
37-1W-168D-206	MOILANEN YVONNE Y	Not Vacant	101	2013	208400	104520	0.16
37-1W-168D-212	THOMPSON CARLETON/LINDA C	Not Vacant	101	2012	211460	103700	0.24
37-1W-168D-224	HAWKINS ELVIN/NANCY	Not Vacant	101	2012	215120	103670	0.19
37-1W-168D-107	DANN ALAN TRUSTEE ET AL	Not Vacant	101	2013	210390	99080	0.24
37-1W-168D-106	GALPIN GLENDA	Not Vacant	101	2014	248600	95780	0.27
37-1W-168D-230	HILL BARRY G/PATRICIA E	Not Vacant	101	2012	181860	83440	0.20
37-1W-168D-216	COPELAND DEANNA TRUST ET AL	Not Vacant	101	2014	256130	109050	0.20
37-1W-168C-202	GALPIN C A	Not Vacant	191	1967	256720	228191	6.12
37-1W-168D-300	JANTZER MONTY R	Not Vacant	191	0	770	128980	3.32
							<b>18.2</b>

**2. Property Location:** The Cedar Landing PUD property is located on both sides (north and south) of Cedar Links Drive, approximately 1,000 feet of west of its intersection with North Phoenix Road, comprising what was formerly the Cedar Links Golf Course. The majority portion<sup>4</sup> proposed to be amended (and which are subject to these applications) are the portions located north of Cedar Links Drive which lie west and outside the boundaries of *Sky Lakes Village* Phases 5, 6 7B and 8. The property is within the corporate limits of Medford and its urban growth boundary (UGB). The location of the subject property in relation to the present corporate limits of the City and to other land in the surrounding area is depicted on Exhibit 4.

<sup>4</sup> Requested amendments for the portions of the PUD lying outside this 43-acre area are limited to phasing revisions, minor partial road vacation, and a request for optional higher lot coverage for single family dwellings limited to 25 feet in height.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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3. **Comprehensive Plan and Zoning:** The property has a General Land Use Plan (GLUP)<sup>5</sup> designation of Urban Residential (UR) and is zoned SFR-4. See, Exhibits 3 and 4
4. **Background; Relevant Prior City Approvals:** This project was originally approved in 2006, preceding the economic downturn which began by most accounts a couple of years later. Applicant has contended that the housing and commercial markets have changed somewhat since the downturn and has required changes to the PUD to properly respond. Beginning with the Project's initial approval, the City of Medford has taken several land use actions concerning this property and others are pending as reported below:
- A. **PUD-05-35:** On April 27, 2006, the Planning Commission approved PUD-05-35 is a planned unit development (PUD) named Cedar Landing with four sub-areas, each with their own phasing plan, covering approximately 122 acres. The four subareas were as follows:
- *The Village* with 5 Phases including retirement facilities; mixed use commercial and residential; single family residential and common area and open space
  - *Cascade Terrace* with Phases devoted to single family residential and open space
  - *Sky Lakes Village* with Phases devoted to single family residential and open space
  - *High Cedars* with Phases that included residential lots to accommodate people 55 and older, duplexes, townhomes, single family lots, common areas and open space.
- Of the original Cedar Landing PUD, two phases — Phases 5 and 6 of *Sky Lakes Village* have received final plat approval and have been developed.
- B. **Termination of 5.47 acres of the PUD to accommodate a City of Medford Park:** On April 14, 2011 the Planning Commission approved the PUD termination of 5.47 acres within Phase 1 of *Sky Lakes Village* and Phases 1 and 2 of the *Cascade Terrace*. The same 5.47 acre was acquired and is held by the City of Medford for a future Neighborhood Park.
- C. **PUD-13-119.** On February 27, 2014 the Planning Commission approved an amendment to PUD-05-35 which had the effect of dissolving remaining portions of *Cascade Terrace* (following the termination noted herein above) into *The Village* subarea and renumbered its phases accordingly. The portion formerly within *Cascade Terrace* became Phase 1 of *The Village*.
- D. **Property Line Adjustments:** Property line adjustments were approved to reconfigure Tax Lot 37-1W-16BD-400 and 300 to their present configuration.
- E. **LDS-13-121:** Final Plat approval for *Sky Lakes* Phase 7 creating 16 lots from 4.33 acres along with the creation of 9 reserve acreage lots throughout the PUD coincident with subarea and phase boundaries. The portion of the Project lying south of Cedar

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<sup>5</sup> Also known as a Comprehensive Plan Map Designation.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD:** Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (*Updated Submittal June 9, 2016*)  
Cedar Investment Group, LLC: Applicant

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Links Drive was renamed *Sky Lakes Village Phase 7A* which created Lots 96 through 99 thereof.

- F. E-14-136:** The Planning Commission approved an Exception to right-of-way width for a portion of the project lying north of Cedar Links Drive.
- G. PUD-14-136, LDS-14-137 and LDS-14-138:** The Planning Commission approved revisions to the westerly half of Cedar Landing PUD lying north of Cedar Links Drive. The revisions also included minor revisions to streets and lot configurations within Phase 1 of *Sky Lakes* (Formerly Phases 1-4) creating 60 lots; Revision to Phase 1 of *The Village* (formerly part of *Cascade Terrace*) and creating 38 lots.
- H. PUD-15-043 and LDS-15-044:** Approved Preliminary PUD Plan and Tentative Plat approving the *High Cedars* Subdivision Phases 1 through 5, comprising the entire portion of the Cedar Landing PUD lying south of Cedar Links Drive.
- I. LDS-15-044 and LDS 15-120:** Approved Replat of *Sky Lakes Village Phase 7A* and Tentative Plat Revisions to the *High Cedars* Subarea, for the purpose of accommodating the minor street right of way modifications approved and conditioned under PUD-15-043 and LDS-15-044 and establish new a new phasing plan on the south side of Cedar Links Drive. These two applications were in significant part sought in order to comply with conditions of approval for PUD-15-043 and LDS-15-044 as follows:
- The underlying reserve lots that were created through the *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* were required (by conditions of files LDS-15-044 and PUD-15-043) to be adjusted to match the approved phasing boundaries. In response to this condition, a series of Property Line Adjustments were filed with the City of Medford. Because a replat can accomplish the same objective in a cleaner fashion, the property line adjustments were withdrawn, in favor of the replat.
  - The Farmington Avenue and Normil Terrace rights of way created through *Sky Lakes Village at Cedar Landing Phase 7A (A Planned Community)* for purposes of providing access to underlying reserve lots are to be adjusted or otherwise modified to match the reserve lot configurations approved under PUD-15-043 and LDS-15-044. An adjustment of right of way requires both a street vacation<sup>6</sup> and a new dedication. In response to this condition, requests for vacating the relevant portions of Farmington Avenue and Normil Terrace were filed with the City of Medford and ultimately approved by Ordinance SV-15-101. The requests for new dedication were originally requested via legal description. However, because a replat can dedicate right of way in a more straightforward fashion, the separate request for dedications were withdrawn, in favor of accomplishing the same through the currently pending replat.

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<sup>6</sup> Pursuant to ORS 92 a replat cannot be used to vacate public rights of way.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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- J. **SV-15-101:** On November 19, 2015 The City of Medford Council approved Ordinance 2015-122 for the vacation of Farmington Avenue and Normil Terrace — segments of unimproved rights-of-way within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road.
5. **Surrounding Land Uses:** All surrounding lands are zoned SFR-4 as shown on Exhibit 3. With exception of Tax Lot 37-1W-16BC-300 (acquired by the City of Medford for a neighborhood park)<sup>7</sup> all surrounding lands are developed single family residential lots and dwellings.
6. **Topography:** Most of the property is gently sloped and drains to the northwest with slopes of approximately 2 to 3 percent. See, Applicant’s Exhibit 12.
7. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property, however portions of the property contain wetlands as shown on Exhibit 17. As mentioned, drainage is generally to the northwest and Applicant has submitted a drainage plan as Exhibit 12. Wetlands within the property have been properly delineated and preservation/mitigation plans have been reviewed by the required State and Federal agencies as a part of the approval of Cedar Landing PUD. The proposed PUD plans are consistent with the approved wetland mitigation plans. Applicant has elected to maintain and enhance several on-site wetlands as open space amenities and features in lieu of mitigation. While the open space amenities provide significant benefit to the project and surrounding area, they do provide a constraint and limit areas of development.
8. **Hillside:** None of the subject property exceeds 15% slope and most of the property is less than 4% slope (ie generally level).
9. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford’s Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.
10. **Proposed PUD Revisions:** The area subject to the revisions now before the Planning Commission includes the westerly portion of the Cedar Landing PUD lying north of Cedar Links Drive that is:
- Exclusive of the 5.47 park-land acres that was terminated from the PUD and is now owned by the City of Medford and;
  - Exclusive of *Sky Lakes Village* Phases 5, 6, 7B<sup>8</sup> and 8 (all of which have received final plat approval).

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<sup>7</sup> See, “Termination of 5.47 acres for City of Medford Park” herein above. Tax Lot 300 was originally part of the subject PUD and was acquired by the City for park purposes.

<sup>8</sup> This application seeks an optional higher percentage lot coverage for the *Sky Lakes* phase 7B, as described under Section 1, Item 1 on Page 2 of this Exhibit 1.

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**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD:** Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
 Cedar Investment Group, LLC: Applicant

With exception of minor changes to phasing boundaries and naming, and a minor realignments of Yamsay Parkway and Farmington Avenue in the form of minor partial vacations, and the optional lot coverage percentage as described in Section 1, Item 1 on page 2 of this Exhibit 1, the lands otherwise approved under the LDS-14-137 and LDS-14-138 (Currently proposed as *Cascade Terrace* Phases 1-5) there are no proposed modifications as to lot count, lot configuration or infrastructure therein.

Unless otherwise specified, the following information is limited to lands within the Proposed Tentative Plat for *Sky Lakes Village* Phases 1-4, *The Cottages* and *The Village*. The following Table 6 is a comparison of what was previously approved for this subject area to that which is now proposed.

**Table 6**

**Summary of 2005 Plan Improvements  
 For Lands within the Proposed Amendment Area  
 (Prior to the Amendments Proposed Herein)**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Description / Use	Building Square Feet	NC/CSP Square Feet	Residential Square Feet	Residential Units
Mixed Res & NC/CSP	4620	2310	2310	4
Mixed Res & NC/CSP	4620	2310	2310	4
Mixed Res & NC/CSP	4620	2310	2310	4
Mixed Res & NC/CSP	5754	2877	2877	4
Mixed Res & NC/CSP	4620	2310	2310	4
Mixed Res & NC/CSP	3444	1722	1722	4
NC/CSP	5754	5754	0	0
NC/CSP	4620	4620	0	0
<i>Subtotal</i>	<i>38,052</i>	<i>24,213</i>	<i>13,839</i>	<i>24</i>
Congregate Care	66,660		66,660	150
<b>Totals</b>	<b>104,712</b>	<b>24,213</b>	<b>80,499</b>	<b>174</b>



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
 Cedar Investment Group, LLC: Applicant

**Table 7**

**Summary of Proposed Improvements  
 (Cottages Option in Lieu of Congregate Care Option Below)**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Building / Lot #	Description / Use	Minimum Building Square Feet	Maximum Building Square Feet	Other Square Feet	Example Illustrated on Plan	Residential Square Feet	Minimum Residential Units	Ave Unit Size	Maximum Residential Units	Ave Unit Size	Example Units Illustrated on Plan
2	3 story Multi-Family	35,700	35,700		35,700	35,700	30	1,190	40	893	40
3	3 story Multi-Family	28,200	28,200		28,200	28,200	24	1,175	32	881	32
4	3 story Multi-Family	22,800	22,800		22,800	22,800	21	1,086	28	814	28
<i>Subtotal Multi-Family</i>						86,700	75	1,156	100	867	100
8	Community Bldg.			1,000	1,000						
5	NC/CSP	1,280	3,400		1,700						
6	NC/CSP	4,220	11,200		5,600						
7	NC/CSP	2,200	5,800		2,900						
9	NC/CSP	300	600		300						
<i>Subtotal NC/CSP</i>		8,000	21,000		10,500						
Lots 1 - 22	The Cottages (sfd)						22		22		22
Lots 1 - 23	Sky Lakes Village Ph 1, 2, 3 & 4 (sfd)						23		23		23
<i>Totals</i>		8,000	21,000	1,000	10,500	86,700	120		145		145

**Table 8**

**Summary of Proposed Improvements  
 (Congregate Care Option in Lieu of Cottages Option Above)**

Sources: Jackson County Assessor; CSA Planning, Ltd.

Building / Lot #	Description / Use	Minimum Building Square Feet	Maximum Building Square Feet	Other Square Feet	Example Illustrated on Plan	Residential Square Feet	Minimum Residential Units	Ave Unit Size	Maximum Residential Units*	Ave Unit Size	Example Units Illustrated on Plan
2	3 story Multi-Family	35,700	35,700		35,700	35,700	30	1,190	40	893	40
3	3 story Multi-Family	28,200	28,200		28,200	28,200	24	1,175	32	881	32
4	3 story Multi-Family	22,800	22,800		22,800	22,800	21	1,086	28	814	28
<i>Subtotal Multi-Family</i>						86,700	75	1,156	100	867	100
8	Community Bldg.			1,000	1,000						
5	NC/CSP	1,280	3,400		1,700						
6	NC/CSP	4,220	11,200		5,600						
7	NC/CSP	2,200	5,800		2,900						
9	NC/CSP	300	600		300						
<i>Subtotal NC/CSP</i>		8,000	21,000		10,500						
1	Congregate Care			24,000	24,000		64		64		64
Lots 1 - 23	Sky Lakes Village Ph 1, 2, 3 & 4 (sfd)						23		23		23
<i>Totals</i>		8,000	21,000	25,000	34,500	86,700	162		187		187

**11. Applicant’s Testimony Relative to the Proposed Reduction in Commercial Land and Square Footage.** The following comes by way of Applicant’s testimony with respect to why lesser amounts of commercial acreage/space are now required in comparison to the amounts originally approved in 2006.

Applicant and other authorizing property owners have several years of experience



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

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developing and leasing commercial land in the City of Medford and elsewhere, particularly in the Rogue Valley. They are familiar with and possess a thorough understanding of local market conditions and demand. Similarly, Applicant's Agents have many years of land-use and development-related experience with a competent understanding of the local market.

Applicant believes and asserts that because of market demand and the costs and liabilities associated with mixing residential and commercial uses within the same buildings, the mixed-use elements of the original plan are not likely feasible, if they ever were. Here's why. Buildings designed for both commercial and residential occupancy typically must be built to commercial occupancy standards and are therefore often more expensive than buildings that house only residential. The mixed occupancy buildings are typically required to be financed, taxed and insured at the higher commercial rates. While higher commercial tenant rents associated with commercial leases may support the higher costs of construction, the residential rents do not, except in areas where there is significantly higher demand for housing of this type (which are typically reserved for downtown settings within large metropolitan areas like Portland's "Pearl District.") We know of no information or evidence to suggest that this Project could support higher than average rents. The same economics simply do not apply here because of the fundamental costs and costly complications arising with construction, financing, maintenance, tax and insurance. Applicant further believes and asserts that the concept of vertical mixed use development as originally envisioned and approved is problematic in that the market demand for this type of development at the Project site is anticipated to be very low.

Further, the originally approved 24,000 square feet of commercial space likely exceeds the reasonable demand for leasable commercial space at this location. Therefore, the total square footage of commercial-related space is proposed to be reduced from approximately 24,000 square feet. Nevertheless, until commercial space is made available to the market, a prediction or forecast of actual market demand is merely an educated and experienced assumption. Applicant's plans reflect a total square footage of 10,500 square feet, which is most likely representative of what the area will support. However, in the event that there is a demand for slightly less or significantly more commercial space than anticipated, Applicant seeks the flexibility to provide between 8,000 square feet (single story) and 21,000 square feet (two story), to be confined with the same building envelopes identified on the proposed plans. Applicant anticipates that the proposed configurations and flexibility in sizes for commercial space will be significantly more likely to meet the area's present and foreseeable market demands.

As noted herein above, provision of vertical mixed use commercial and residential buildings at this location is likely cost prohibitive. However, in the event that Applicant is able to successfully construct vertical mixed use buildings and attract respective tenants at a price that is financially positive, Applicant seeks the flexibility to provide for said vertical mixed-use commercial and residential within the buildings noted as commercial on the proposed plans. Conceptually, the idea of mixed use buildings provides advantages in the form of potentially reduced trips and efficiencies in provision of housing. While the mere concept of mixed use residential and commercial appears positive, Applicant requests the mixed use elements within the proposed commercial areas not be mandatory.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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Important to note is that commercial uses are not typically permitted within the underlying SFR-4 zone (except when approved through a PUD). The larger area surrounding the subject property is entirely comprised of single family residential. Cedar Links Drive is a collector serving the immediately surrounding residential neighborhoods. Presently (and likely in the future) there is very little pass-by traffic beyond that which serves the local residents. The proposed commercial designs are intended to be compatible with the surrounding neighborhood and sized appropriately for its needs which were either appropriate for market conditions in 2006 and no longer are, or were based upon an overly-optimistic estimation of market conditions as when earlier proposed.

Applicant further asserts that the proposed changes will better comport with the permitted uses and intent of the underlying SFR-4 zone (because this proposal contains fewer deviations from the base standards of the MLDC) and the overall design will maintain better compatibility with the surrounding residential neighborhood than the currently approved plan. Meetings with neighborhood residents also affirm a desire for the Project to have less space devoted to commercial.

- 12. Neighborhood Meeting:** On March 22, 2016, a neighborhood meeting was held to present and discuss the changes proposed in this application. Based primarily on response from the neighborhood, the Applicant agreed to move forward with *The Cottages* plan with cottage-style single family dwellings and forego the *Congregate Care* option. It is the Applicant's understanding that once the proposed plans were provided and explained, the significant majority of the neighborhood was in favor of the proposed changes. There was specific appreciation for requesting the conversion of mixed-use multi-family/commercial situated near the perimeter of the project to single family residential lots and the continued use of open space between the project and nearby residences.

As a follow-up to the initial neighborhood meeting, certain members of the neighborhood reviewed the revised Congregate Care option as reflected on Exhibit 14 and came to a better understanding that the proposed option is a significant down-sizing from the currently approved Congregate Care facilities. Based on this further understanding, the neighbors approached the Applicant with the request that the Congregate Care option continue to be sought. Due in significant part on this understanding and request by the neighbors, the Applicant has agreed to and does herein request the optional Congregate Care facilities (See, Exhibit 14) be allowed as an alternative to the Cottages Plan (See, Exhibit 11).

The Cottages Plan is the Applicant's preferred alternative because the design allows for variety in housing type and creativity in design that meshes well with the remainder of the PUD while accommodating single family dwellings on individual lots that more closely conforms with the underlying SFR zone. Applicant also contends that this type of housing will likely be absorbed quickly into the market.

The Applicant contends that the Congregate Care option design also allows for a variety in housing type and creativity in design that meshes will with the remainder of the PUD, however the market demand for the Congregate Care facilities is more difficult to



ascertain.

It is because of the uncertainty in demand for the Congregate Care facilities that the Applicant requests the alternative options. In short, if there is found to be an actual demand for the Congregate Care facility, the Applicant requests the ability to execute the Congregate Care option as illustrated on Exhibit 14. If however, an actual demand for the Congregate Care facilities is not established, the Applicant seeks the ability to establish the single family lots as illustrated on Exhibit 11.

Also raised during discussions with neighbors is a request for Applicant to preserve a particular cedar tree located on the Applicant's property at the west side of St Francis, just north of *The Cottages* area and somewhat near the right of way. While there are no requirements to protect this particular tree, Applicant's plans do not appear to require its removal and to that extent Applicant has agreed to not intentionally harm said tree and make efforts to protect it.

**13. Impacts to Essential (Category "A") Public Facilities:** Due to the reduction in commercial uses, this amendment is not expected to have an appreciable effect on the demand for Category A public facilities when compared to the current and valid PUD approval. Further, the utilization of an interior private street further serves to reduce the demand on public transportation facilities. An analysis of adequacy of public facilities and services, including those denoted as Category A, are not required as part of the instant applications unless there are "proposed uses not allowed in the underlying zone pursuant to MLDC 10.230(D)(7)(c)." In this instance, no new uses of that category are proposed and in fact the same are being reduced over the amounts earlier approved by the City. The reductions come by way of exchanging commercial land/uses for multi-family attached and single family detached housing. It is well established that single family dwellings on average produce less traffic than that which is generated by the kinds of shopping, offices and other commercial uses that this project originally contemplated.

The proposed PUD changes comply or can feasibly comply with all municipal standards which govern the adequacy of essential public facilities. The proposed plans were developed in coordination with Medford Water Commission (MWC), Medford Fire and Public Works. All agencies have determined that all required public facilities can feasibly be accommodated and the same is reflected in their respective correspondence provided at and following the LD meeting.

Applicant seeks the ability to utilize a direct driveway connection off Cedar Links Drive to better serve and enhance the viability and circulation of the commercial use area. The driveway meets or exceeds the minimum spacing standards from both Farmington Avenue and Yamsay Drive. Correspondence with City of Medford Public Works Department established that the connection will likely be acceptable. In response to initial concerns by Public Works the interior parking off this access was modified to ensure adequate and safe space for queuing within the project site. The access will make the Commercial area more accessible by those traveling to the area along Cedar Links Drive and has the potential to take pressure off vehicular turning movements between the access on Farmington and the



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (*Updated Submittal June 9, 2016*)  
Cedar Investment Group, LLC: Applicant

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Farmington / Cedar Links intersection.

**14. Nature and Extent of the Project in Relation to the Proposed Changes sought.**

- A. Land Division; Lot Layout:** The proposed land division for the subareas described as *The Cottages*, *The Village*, and *Sky Lakes Village* Phases 1 – 4, is depicted on the Exhibit 8 Tentative Plat Map. The plan for land division proposes the creation of:
- a. 45 single family residential lots with *The Cottages* option and 22 single family residential lots with *The Congregate Care* option.
    - i. *Sky Lakes Village* Phase 1 includes 4 lots (Lots 1-4);
    - ii. *Sky Lakes Village* Phase 2 includes 4 lots (Lots 5-8);
    - iii. *Sky Lakes Village* Phase 3 includes 8 lots (Lots 9-16);
    - iv. *Sky Lakes Village* Phase 4 includes 7 lots (Lots 17-23); and
    - v. *The Cottages* includes 22 lots (Lots 1-22)
  - b. *The Village* at Cedar Landing subarea includes 8 Pad Lots totaling 70,884 square feet within a Common Area totaling approximately 3.02 acres. The Common Area includes a mixture of amenities including courtyard / open space, fountain, entrance monument, sidewalks, landscaping and parking.
  - c. *The Cottages* at Cedar Landing and Reserve Area/Open Space Lot 128 include 7.4 acres of common area open space consisting of walking paths, park features, garden and storm drainage facilities. Reserve Area Lot 128 includes approximately 4.77 of the 7.4 acres and the remaining 2.63 acres is intermixed throughout, with the bulk being situated between Farmington Avenue and the proposed cottage development. The trails/paths are interconnected with street-side sidewalks and provide enhanced pedestrian opportunities. The large open space is intended to provide passive recreation opportunities for residents of the neighborhood.
  - d. **Setbacks and Lot Coverage:** This application includes a request to reduce the minimum front yard structural setback for lots within *The Cottages* subarea to 10 feet for improvements exclusive of garages and a minimum lot size of 3800 square feet with a minimum depth of 75 feet. This application also seeks the option for either single story dwellings with maximum lot coverage of 75% and a maximum height limitation of 25 feet for single family dwellings (regardless of number of floors) with a maximum lot coverage of 55% and standard height limitation of 35 feet. Garages will conform to the minimum 20-foot setback in order to allow for adequate driveway parking between the garage and sidewalk. The 10-foot front yard setback, smaller lot and increased lot coverage will allow for greater flexibility in house size and help accommodate smaller lots that in-turn allow for greater open space areas. Being served by relatively short segments of private street that only serve *The Cottages* subarea, all lots within *The Cottages* will experience low volumes of traffic with no anticipated through traffic thereby reducing the need for greater setbacks.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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Within the *Sky Lakes Village* Phases 1-4, the applications seek to allow for minimum lot size of 5,800 square feet. The applications also seek the option to allow 55% lot coverage for single story dwellings with a height limitation of 25 feet for single family dwellings (regardless of number of floors) with a standard maximum height of 35 feet and standard lot coverage of 40%. The changes are requested in order to maximize overall open space while allowing some flexibility in house size.

- e. **Block Lengths:** All lots and streets are laid out in a manner that conforms to the maximum required block lengths. The north side of subarea *The Cottages* maintains the same previously approved separation from St Francis Drive that creates a block length in excess of the minimum.

To the extent that said separation may be construed as a flexing of the block standard, the same was already approved and is herein requested to be allowed to continue. Based on the curved nature of St. Francis Drive and the location of the drainage facilities, there is no practicable way to connect to St. Francis Drive to the north thereby necessitating the existing/proposed block design. The site is well circulated for both automobiles and pedestrians with access to the west from Yamsay Drive and Farmington Avenue to the east.

Applicant proposes a private street<sup>9</sup> with an easement for public use, to connect between Yamsay Drive and Farmington Avenue providing a neighborhood benefit with east-west connectivity for pedestrians and vehicles. Plans initially submitted with this application called for perpendicular parking along the private street, wherein the private street functioned primarily as an accessway in a parking lot. However, staff appropriately clarified that since the street was being used in part to meet block length standards that perpendicular parking would not be allowed. In response to these concerns, the plans and design of this private street was reconfigured in the manner proposed. The street includes a full 24-wide improved section with two lanes. All parking has been separated from the private street and a 20-foot wide meandering path is to be provided along the north side of the street, enhancing pedestrian mobility throughout the PUD and providing a gradual vegetative buffer between the single family units to the north and the multi-family and commercial uses to the south. Staff also requested the private street be constructed to a commercial base standard and the same has been agreed to and will be stipulated as a condition of approval.

- f. **Double Frontage/Through-Lots:** See Item 9(D)(c) herein below. Proposed Lots 9, 10 and 11 of *Sky Lakes Village* Phase 3 are considered double frontage / through lots. Said lots are or will be restricted from utilizing Cedar Links Drive for direct access.

**B. Residential Density Calculations (Overall PUD):** The following constitutes facts which relate to the entire Cedar Landing PUD:

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<sup>9</sup> While proposed here as a private street, Applicant may later seek exception relief from some of the design standards for "Commercial Streets" for the purpose of dedicating the same as a city street.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

---

**a. Residential Density Facts**

- i. Total PUD acreage: 116.58 acres (*Original 122.05 – 5.47 Park Termination = 116.58*)
- ii. SFR-4 Allowable Density Range: 292 to 466 units not considering the PUD Density Bonus
- iii. 20% Allowable PUD Density Bonus: 93 units
- iv. Maximum allowed units including Density Bonus: 560 units
- v. Optional Congregate Care residential unit factor: 70%

**b. Residential Densities with Proposed Revisions**

- i. Total of 462 - 487 units being 387 single family units and 75 to 100 multi-family units comprised of the following:
  - 1. Previously Approved or Final Platted:
    - a. 176 units: *High Cedars Phases (South Side)*;
    - b. 32 units: *Sky Lakes Village Phases 5 & 6*;
    - c. 20 units: *Sky Lakes Village Phase 8*;
    - d. 17 units: *Sky Lakes Village Phase 7B*;
    - e. 97 units: *Cascade Phases 1-5 (Formerly Sky Lakes Village Phase 1 and The Village Phase 1)*
    - f. 150 unit Congregate Care, which equates to 105 units considering the 70% factor.
  - 2. Proposed
    - a. 75 to 100 multi-family units: *The Village*;
    - b. 4 units: *Sky Lakes Village Phase 1*;
    - c. 4 units: *Sky Lakes Village Phase 2*
    - d. 8 units: *Sky Lakes Village Phase 3*
    - e. 7 units: *Sky Lakes Village Phase 4*
    - f. 22 units: *The Cottages* option OR *Congregate Care* option includes 64 units, which equates to 45 units considering the 70% factor.
- ii. Open Space Acres Current Entire 116.58 acre PUD: 26.5 acres
- iii. Open Space / Common Area Percent of Current Project: 22.7% (21.1 acres of the 116.58 acres).
- iv. Open Space Acres Original PUD – Including Terminated 5.47 Acre Area:

Land Terminated from the original PUD need not be considered in overall densities. However, the following is offered strictly for the purpose of explaining overall benefits of open space to the area. The original 122.05 acre



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD:** Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
 Cedar Investment Group, LLC: Applicant

PUD included the 5.47 acres of land that was conveyed to the City of Medford for park use. Considering said park-lands combined with the current proposal, the original PUD project area, with current open space plans, includes approximately 26.5 acres of open space lands out of the 122.05 acres for a total open space percentage of approximately 21.73%.

See, Exhibit 21 and tables below.

**Table 9a**

Open Space Lots			
	Lot / Area	Sq Ft	Acres
North	Lot 128 North of The Cottages	207277	4.8
	The Cottages Open Space	113283	2.6
	Lots 100, 211, 214 Open Space Area	95310	2.2
	Northwest Corner of Cascade Terrace Ph 3	38517	0.9
	Connection Between Lot 128 and Cascade Terrace Ph 3	4003	0.1
<i>subtotal</i>			10.5
South	South-Side Open Space areas	170447	3.9
<b>Total</b>			<b>14.4</b>

**Table 9b**

Open Space Easements			
	Lot / Area	Sq Ft	Acres
North	Open Space Easements / Trails Across Lots	9533	0.2
South	Open Space Easements / Trails Across Lots	146651	3.4
<b>Total</b>			<b>3.6</b>

**Table 9c**

Portion Terminated For City Park			
	Lot / Area	Sq Ft	Acres
North	Terminated For City Park (PUD-05-035)	238273.2	5.47
<b>Total</b>			<b>5.47</b>



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

**Table 9d**

Additional Mixture Open Space Common Area			
	Lot / Area	Sq Ft	Acres
North	The Village Common Area	131748	3.0
		Total	3.0

**c. Residential Density Results:**

- i. *The Cottages Plan:* If approved, the overall PUD with *The Cottages* plan will include 462-487 units within 116.58 acres at a density between 4.0 and 4.2 units per gross acre. See Section 9(B)(a) and (b) herein above explaining minimum and maximum densities. Considering the allowable 20% PUD Density bonus, the project is allowed up to 560 units. Thus, the proposal is between 83 and 87% of the total allowable dwelling unit count (462-487 of 560) with *The Cottages Plan* option.

The minimum number of units at the minimum density would be 296 units.

- ii. *The Congregate Care* option: If approved, the overall PUD with *The Congregate Care* will include 510 units<sup>10</sup> within 116.58 acres at a density of 4.38 units per gross acre. See Section IV Items 9(B)(a) and (b) herein above explaining minimum and maximum densities. Considering the allowable 20% PUD Density bonus, the project is allowed up to 560 units. Thus, the proposal is at 91% of the total allowable dwelling unit count (510 of 560) with *The Congregate Care Plan* option .

**C. Paths:** The previous plan contemplated meandering paths throughout the northerly Open Space portions of the PUD. Applicant proposes the same meandering paths in the form of 5 to 6 foot wide sidewalks throughout the same areas. The original plans included paths meandering through fairly large open space areas situated along the frontage of Cedar Links Drive. In order to better accommodate the proposed commercial development and offer as much commercial square footage as the area will likely support, the frontage open space area was reduced yet the frontage paths remain.

**D. Streets and Transportation**

**a. General Layout / Frontage**

The project area is well served with a street network that utilizes existing public rights of ways including Yamsay Drive to the west, Cedar Links Drive to the south, Farmington Avenue that extends through the project southeasterly portion and St. Francis Drive to the northeast. By combining the aforementioned street network with a proposed east/west and interior private street connection at

<sup>10</sup> Utilizing the 70% residential unit factor allowed for Congregate Care facilities the 66 Congregate Care units equates to 46 units for purposes of measuring density.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

---

proposed *Cedar Landing* all proposed lots will be adequately served by public and private streets which meet or exceed the minimum lot frontage requirements.

The design allows for five connections into the multi-family and commercial areas, one from the west off Yamsay Drive, two from the north from the proposed private street (*Cedar Landing*), one from the east off Farmington Avenue and one from the south directly to Cedar Links Drive where it is separated from other intersections by appropriate distances (more than 230 feet). By providing connections in the manner proposed, all commercial related traffic should be afforded sufficient methods of ingress and egress in a manner that meets spacing standards while minimizing potential conflict with traffic from nearby single and multi-family residential.

Applicant has discussed the private streets and drive isles with Fire Department representatives with respect to adequacy of width, spacing and turnaround and they have determined the plan can feasibly meet all Fire Department access requirements. One minor adjustment in the eastern-most parking lot will be required at time of final plan in order to meet building separation distances, but said adjustment is feasible and will be stipulated to as a condition of approval.

**b. Rights-of-Way to Be Vacated**

A small portion of Yamsay Drive situated between *Sky Lakes* Phase 1 Lot 4 and *Sky Lakes* Phase 2 Lot 5, at the westerly entrance to the proposed multi-family area within *The Village* includes right-of-way and PUE that requires vacation to comport with the design now before the Commission. Similarly, a small portion of Farmington Avenue situated along the easterly boundary of *The Village* includes right-of-way and PUE that requires vacation to comport with the design now before the Commission.

As a condition of approval, Applicant has agreed to stipulate to undertake the partial vacation of portions of the right-of-way and PUE as illustrated on the Tentative Partition Plat. Commensurate with the vacations will be requests for portions of rights-of-way as shown on the attached plans to be accepted by the City to assure appropriate frontage for and access to each lot. Exhibit 8 illustrates the existing right-of-way and PUE to be vacated and the new rights-of-way and PUE to be dedicated as part of the Final Plat for this land division.

**c. Access Restrictions; Double Frontage/Through Lots**

Proposed Lot 8 of *Sky Lakes Village* Phase 2 has frontage on both Yamsay Drive and Cedar Links Drive. Proposed Lot 9 of *Sky Lakes Village* Phase 3 has frontage on the proposed cul-de-sac (*Village Circle*) from Farmington Avenue, Farmington Avenue and Cedar Links Drive. Proposed Lots 10 and 11 of *Sky Lakes Village* Phase 3 have frontage on both *Village Circle* from Farmington and Cedar Links Drive. Proposed Lot 15 of *Sky Lakes Village* Phase 3 has frontage on the proposed *Village Circle* from Farmington Avenue and from Farmington Avenue itself. Proposed Lot 17 of *Sky Lakes Village* Phase 3 has frontage on both Farmington and Calloway Drive. Proposed Lot 23 of *Sky Lakes* Phase 3 has frontage on both Calloway Drive and Cedar Links Drive.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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As a condition of approval, Applicant has agreed to stipulate to restrict access for Lot 8 to Yamsay Drive; Lots 9, 10, 11, and 15 to Village Circle cul-de-sac access from Farmington Avenue; and Lots 17 and 23 to Calloway Drive.

The agreed to stipulations are summarized in Section VI.

**d. Cul-de-sacs**

The development includes one small cul-de-sac situated in *Sky Lakes Village* Phase 3 off of Farmington Avenue, a proposed local city street requested to be called Village Circle. The configuration and dimensions of the cul-de-sac are illustrated on the attached plans. The cul-de-sac is needed to provide access to a portion of the property otherwise bound on three sides by existing public streets that meet at an oblique angle which makes access otherwise difficult to serve. See, Exhibit 8. Lot frontages within the cul-de-sac range from 31 feet to 43 feet and the paved cul-de-sac curve radii is 45 feet, consistent with MLDC 10.450(2).

Pursuant to MLDC 10.450 cul-de-sacs are only permitted under certain circumstances. These include circumstances where it is not possible to create a street pattern which meets the design requirements for streets (MLDC 10.450(1)(b)). In this instance the cul-de-sac here proposed is arguably needed because to extend a street connection between Farmington and Calloway would use roughly one third of the total useable area, making for an inefficient use of the land in a manner that provides no meaningful benefit.

Given the configuration of the surrounding above-described street network, there is adequate north-south and east west connections around and to all lots within and surrounding proposed *Sky Lakes Village* Phase 3. The current block length around *Sky Lakes Village* Phase 3 is approximately 460 feet north/south and 340 feet east/west, well within the maximum block standards of the MLDC.

For these reasons, Applicant has elected to place a cul-de-sac in the location specified and asserts that through the findings of fact offered above, that this Proposal complies with the requirements in MLDC 10.450 to enable the use of a cul-de-sac. Early staff communications mentioned the desirability of an accessway provided between the cul-de-sac and Calloway Drive to the east. While provision of an accessway is one option under MLDC 10.450(1)(a) to allow for cul-de-sacs, it is not a requirement. As noted herein above, Applicant proposes and the evidence supports the conclusion that this site qualifies for a cul-de-sac without need for an accessway pursuant to MLDC 10.450(1)(b).

However, if the proposed cul-de-sac is found not to strictly comply with MLDC 10.450(2)(b), Applicant herewith requests the same to be approved as a minor modification of the code pursuant to MLDC 10.235 and that an accessway not be required because such a connection would provide no net benefit and may in-fact create an unsafe condition for pedestrians. The block including the cul-de-sac is shorter than the standard block length making traversing around the block by pedestrians a simple and convenient proposition. The plans call for an enhanced widened and landscaped pedestrian path that goes around the south side of the block making for a safer and more enjoyable walking experience than cutting



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

---

through the block in the manner of an accessway.. Further and most importantly, should an accessway be provided, the pedestrians moving east and west would approach cross streets mid-block, which would entice pedestrians to cross in a less safe location without a crosswalk and where cars are turning in multiple directions. Alternatively, pedestrians would simply go to the end of the block to tie into the same path that is already being provided, thereby negating any benefit provided by a 'short cut' through the block.

**e. Intersection of Cedar Links Drive and Foothill Road**

A condition of approval for PUD-05-035 required a new signalized intersection with Cedar Links Drive and Foothill Road. Said offsite improvement has been completed and has been accepted by the City.

**f. Transportation General**

The original Cedar Landing PUD included a Traffic Impact Analysis (TIA) applicable to the entire Cedar Landing PUD project. As described herein above, this proposal results in a reduction in areas to be devoted to commercial uses and a reduction in residential units with the change from 66,000 square-foot congregate care facility to either a 23 unit single family /cottage style development or smaller 24,000 square-foot congregate care facility; and access to Cedar Links Drive remains substantially the same for either option.

However, the reduction in area devoted to commercial and congregate care in turn reduces the number and types of vehicular trips at the intersections studied. Accordingly, this Proposal reduces potential traffic loading in comparison to the PUD plans already approved. Based upon the foregoing, there is no need for additional analysis of transportation impacts because the amounts of traffic under the plans now proposed is less than that produced by the PUD plans already approved.

**E. Landscaping**

See, Applicant's Exhibit 14. Should *The Congregate Care* option be approved and executed, all landscape elements outside *The Cottages* subarea will remain as illustrated on Exhibit 10, as modified by updated Exhibit 11 and as described herein below. The landscaping associated with optional *Congregate Care* plan will be as depicted on the Exhibit 14 – should *the Congregate Care* option be approved and utilized.

Applicant's Exhibit 10 is a landscape plan that includes *The Cottages* and *The Village* subareas and depicts all proposed vegetative planting and other landscape elements which are summarized below. Since the original submittal and development of Exhibit 10, the designs for parking and circulation areas were modified as reflected on Exhibits 11 and 14. Both Exhibits 11 and 14 reflect a conceptual landscape plan without the benefit of detailed vegetative plantings by species, as identified in Exhibit 10. Applicant proposes that the Exhibits 11 and 14 satisfy general conformance with preliminary landscape plans and recognize that a final landscape plan will ultimately be required. With exception of specific vegetative requirements for landscaping within the Big Butte Springs waterline easement, Applicant proposes that the planting



details identified in the originally provided Exhibit 10 be used as a basis for the final landscape plan.

**a. General Design and Street Landscaping**

Parking areas within and which encompass the commercial and multi-family areas contain an aggregate 199 parking stalls. Per MLDC 10.746-3.f, the site must have a total of approximately 4,165 square feet of planter area(s) and 25 total trees. The submitted Exhibits 11 and 14 landscape plan elements illustrate approximately 12,000 square feet of landscaping. Approximately 5,460 square-feet of which is to be within a planter area along the west property line. Additionally, the design also provides 25 designated parking lot trees with additional trees which separate the westerly parking lot from planned single family residential lots.

**b. Interior Landscaped Areas**

All interior landscaped spaces shown throughout and encompassing the commercial and multi-family residential areas are conceptual at this time and in general indicate the atmosphere of what the site would eventually be. Applicant desires to create attractive spaces that will accommodate safe and convenient multi-modal access by future residents, customers and employees.

**c. Buffer Areas**

The MLDC requires a landscape buffer between Commercial zones and Residential zones. Under the strict implementation of the code, landscape buffers are not required for the proposed development because the entire project is within an SFR-4 zone. However, the Applicant felt it is prudent to provide landscape buffering between the proposed multi-family improvements in *The Village* and the single family lots in *Sky Lakes Village* Phases 1 and 2 in order to increase livability and minimize potential conflicts. The conceptual Landscape Plan, (See, attached Exhibit 10) illustrates the proposed and aforementioned buffering landscaping and the same is included in the descriptions herein above under subsection b - Street Frontage Landscaping.

**d. Big Butte Springs Waterline Easement**

Based upon correspondence with the MWC, large trees with root systems that could interfere with the mainline waterline are not to be allowed within the easement. MWC representatives have agreed to provide a list of acceptable tree species and a description of where trees should not be permitted. Applicant has agreed to stipulate to comply with the vegetative restrictions recommended by the MWC, as a condition of approval. MWC has reviewed the plans and has determined that the design is acceptable and that all of their concerns and standards can feasibly be met. The latest plan re-designs were in large-part responsive to recommendations made by MWC representatives to make future maintenance of the waterline an easier proposition.

**F. Parking**



Applicant's Exhibits 6 and 11 depict all proposed parking and the following summarizes the parking requirements for *The Cottages* option.

- a. Applicant's Exhibits 6 and 11 depict all proposed parking and the following summarizes the parking requirements for *The Village* subarea under *The Cottages* option.
  - i. The standard parking ratio for multi-family is 1.5 spaces per unit. Applicant has requested a ratio of 1.4 spaces per unit in order to provide some flexibility in parking for the adjacent and intermingled Commercial uses.
  - ii. The parking ratio for Commercial is 4.5 spaces per each one thousand square feet. For certain uses such as café, bakery or restaurant, the ratio is 9 spaces per thousand square feet.
  - iii. The proposed plan (exclusive of the Congregate Care option) delivers 199 off-street parking spaces in total.
- b. As noted in Section I, Applicant requests the flexibility to vary the multi-family unit count and total commercial square footage in a manner commensurate with the provision of 199 parking spaces. All improvements will remain within the same building envelopes and all parking will remain as illustrated on the attached plans, unless less parking is ultimately needed then the difference in parking will be converted to landscaping, as agreed by Applicant.. By varying the unit counts and commercial building square footages, Applicant can better respond to variations in market demand.
  - i. The minimum multi-family unit count proposed is 75 units and the maximum is 100 units.

At 75 units, with a ratio of 1.4 spaces per unit, a total of 105 spaces would be required.

At 100 units, with a ratio of 1.4 spaces per unit, a total 140 spaces would be required.
  - ii. The minimum commercial square footage proposed is 8000 square feet and the maximum is 21000.

At a ratio of 4.5 per 1k square feet, the 8000 square feet would require 36 spaces.

At a ratio of 4.5 per 1k square feet, the 21,000 square feet would require 95 spaces.

Applicant contends that a use such as a neighborhood café, bakery, or small restaurant may be a great amenity for the neighborhood and the same is likely to be developed. The parking standard for these types of uses is double of those noted above.

  - iii. The minimum parking for such uses is 9 spaces per each one thousand square feet.



Applicant's Exhibits 6, 11 and 14 depict all proposed parking and the following summarizes the parking requirements for *The Congregate Care* option.

- c. Applicant's Exhibits 6 and 14 depict all proposed parking and the following summarizes the parking requirements for *The Congregate Care* option.

With the Congregate Care option, all parking for multi-family and commercial uses are as described under subsection (b) herein above. The following pertain specifically to parking facilities directly related to the Congregate Care option should the same be implemented in lieu of the single family plan reflected on *The Cottages* plan.

- i. The congregate care plans include 24000 square feet of building with 64 units. A conservative estimate of employees is 29.

At a ratio of .45 spaces per unit plus 1.1 space per estimated staff, the proposed facility would require approximately 61 spaces. ( $0.45 * 64 = 28.8$ ); ( $1.1 * 29 = 31.9$ ); ( $28.8 + 31.9 = 60.8$  rounded up to 61)

- d. Covered parking: Applicant requests that covered parking be allowed for the multi-family and congregate care facilities at Applicant's discretion subject to final plan review by the City.

## G. Phasing

### **Tentative Plat for *Sky Lakes Village* Phases 1-4, *The Village*, and *The Cottages***

- a. The plan proposes four single family development phases within the Sky Lakes Village subarea as illustrated on Exhibits 6 and 8. The improvements associated with each phase are identified on the Phasing Plan, Exhibit 12.
- b. The multi-family and commercial area includes a single phase within The Village at Cedar Landing.
- c. The single family cottage development within The Cottages at Cedar Landing is comprised of a single phase.

### **Tentative Plat for *Cascade Terrace* Phases 1-4**

As indicated on the proposed Tentative Plat, *Cascade Terrace* (Phases 1 through 5) was previously approved as *Sky Lakes* Phase 1 and *The Village* Phase 1. This proposal does not change the number of lots nor does it change the lot configurations previously approved through LDS-14-137 and LDS-14-138. This proposal only seeks to:

- a. Change the name to Cascade Terrace; and
- b. Establish a revised phasing plan

## H. Summary of Comparative PUD Modifications

The proposed PUD request includes modifications of the MLDC. See, Section IV(10)(B) herein above.

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**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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- a. Tables 6, 7 and 8 herein above summarize the comparative proposed changes to the subject portion of the Cedar Landing PUD.
- b. Section IV, Items 9(B)(a) and (b) herein above describe the minor requests for modifications of the Code related to:
  - Reconfigure Multi-Family, Commercial, Congregate Care and Open Space areas to a mixture of Single Family, Multi-Family, Commercial and Open Space, with an optional scaled-down<sup>11</sup> Congregate Care Facility.
  - To serve a portion of the property with private streets.
  - Maintain the same north-side block length for *The Cottages* as the current and prior approvals.
  - To increase Maximum Building Heights for multi-family structures within *The Village* subarea from 35 to 40 feet to accommodate three story buildings with slightly steeper and more architecturally appealing rooflines.
  - To establish a 10-foot front yard setback exclusive of garages for *The Cottages* subarea.
  - To establish a 75-foot minimum lot depth for lots within *The Cottages* subarea.
  - To permit minimum lot size of 3,800 square feet within *The Cottages* subarea.
  - To allow single story dwellings limited to 25 feet in height with a 75% lot coverage as an option to 55% lot coverage and the standard limitation of 35 feet (regardless of number of floors) within *The Cottages* subarea.
  - To permit a minimum lot size of 5,800 square feet for lots within *Sky Lakes at The Village* Phases 1 and 2.
  - To allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet (regardless of number of floors) and standard 40% lot coverage for *Cascade Terrace* phases 3, 4 and 5; *Sky Lakes Village* phases 1, 2, 3, 4 and 7B; and *High Cedars* Phases 1 through 7B;
  - Maintain the 55% lot coverage as approved under PUD-14-136 & LDS-14-138 for *Cascade Terrace* Phases 1 & 2
  - To allow parking ratio of 1.4 spaces per multi-family unit instead of 1.5 - in order to allow approximately 10 spaces otherwise required for multi-family to be used for neighborhood commercial uses that require slightly more parking than the standard, such as coffee shop or café.
    - To allow flexibility between multi-family unit counts and commercial square footages, in a manner commensurate with the provided parking.

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<sup>11</sup> Site is currently approved for a 68,872 square foot, 150 unit Congregate Care facility. Proposed Congregate Care option includes a 24,000 square-foot 64 unit complex.



## Findings of Fact and Conclusions of Law

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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- Total provided parking within The Village subarea is 199 spaces. Request is to allow a combination of multi-family units and commercial square footage in a manner that is consistent with the provision of 199 spaces.
- In order to exceed the 10,500 square feet of commercial square footage, the multi-family buildings would require a reduction in units, commensurate with the total 199 parking spaces.
- Multi-Family Units will remain within the identified multi-family building envelopes
- Commercial buildings and uses will remain with the identified commercial building envelopes
- Minimum number of multi-family units requested is 75
- Maximum number of multi-family units requested is 100
- Minimum number of commercial square footage requested is 8000
- Maximum commercial square footage requested is 21,000
- Plan Illustrate 10,500 square feet of single story commercial. In order to provide more than 10,500 square feet, the buildings are to be 2-story instead of 1 and would remain within the standard 35-foot max height.
- To allow the option of mixed residential and commercial within the commercial buildings subject to final design review, as required by the MLDC.
- To Allow 5 to 6 foot wide Meandering Sidewalks
- To Allow the use of a Cul-De-Sac off Farmington as public access to Sky Lakes Village Phase 3 without the provision of an accessway through Sky Lakes Village Phase 4 to Callaway Drive.
  - To direct pedestrians to pathways, sidewalks and crossings that provide a safe environment and manner in which to move throughout the area.
- To allow access to a higher order street, when access to a lower order street is provided.
  - To allow a driveway access to the Commercial area directly from Cedar Links Drive (a Collector) in the location and manner reflected on the plan, in order to maximize functionality and use of the Commercial areas and potentially offset potential traffic queuing at Farmington (a local street).
- To allow a mix of uncovered and covered parking for the multi-family units, subject to final design review.
- To allow street trees and landscaping relief in the locations affected by the Big Butte Springs Waterline easement, in order to accommodate the vegetative planting types and locations allowable within the easement and acceptable with MWC.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (*Updated Submittal June 9, 2016*)  
Cedar Investment Group, LLC: Applicant

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The City’s block length standards are in MLDC 10.426. Maximum building height, minimum and maximum lot size and maximum lot coverage standards are in MLDC 10.710. Parking standards are at MLDC 10.741. Cul-de-sac standard are at 10.450. Authority to flex and modify the above standards is found under MLDC 10.230(D)(1)-(5)

**15. Big Butte Springs Waterline:** The Big Butte Springs waterline crosses a portion of the project within The Village subarea. The waterline is protected by an easement as reflected on attached plans. The waterline requires occasional maintenance and is managed by the City of Medford Water Commission (MWC). According to the MWC, no vertical construction is allowed within the easement area and vegetation is limited in a manner that will not impact the waterline or impede maintenance. Parking is generally allowed with the recognition that pavement may require disturbance in order to conduct maintenance should the same be necessary.

**V**

**CONCLUSIONS OF LAW**

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The following conclusions of law are based upon the evidence enumerated in Section II and the findings of fact contained in Section IV and which relate to the approval criteria for a Preliminary PUD Plan and Tentative Subdivision Plat Approval. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission.

The Conclusions of Law are separated and addressed in four parts which seek the following approvals:

- A. Approval for Revision of an Approved PUD.** Here the Commission concludes with respect to threshold standards as to whether this PUD can be revised.
- B. Approval of the Preliminary PUD Plan.** In this portion of the Conclusions of Law the Commission reaches its conclusions with respect to the changes now sought for the PUD with respect to the standards and criteria for Preliminary PUD Plan approval.
- C. Approval of the Tentative Plat for Land Division.** Here the Commission concludes with respect to the standards and criteria in the MLDC prerequisite to approving the first step of a land division.<sup>12</sup>

**A. PLANNED UNIT DEVELOPMENT (Revision of an Already Approved PUD)**

***PUD Revision Criterion 1***

**10.245 Revision or Termination of a PUD**

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<sup>12</sup> Subdivisions (land divisions) are a two-step process involving a Preliminary (also called a Tentative) Plat and Final Plat.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

- 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.

**Conclusions of Law:** Based upon the facts found in Item 5 of the Findings of Fact in Section IV above, the Planning Commission concludes that Cedar Investment Group, LLC and Galpin, CA are two entities (or persons) that own more than 50 percent of the vacant land covered by the approved PUD and also own more than 50 percent of the total assessed value of the of the vacant portion of the PUD. Based upon the record, the Planning Commission further concludes that Applicant has provided all the requisite materials for the nature and scope of the PUD revision. Based upon the balance of the conclusions of law provided herein (which are herewith incorporated and adopted) the Planning Commission further concludes that this PUD revision has followed the same procedures used for the initial approval. As such, the Commission concludes that this application is consistent with PUD Revision Criterion 1.

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***PUD Revision Criterion 2***

- 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.

**Conclusions of Law:** The Planning Commission concludes that Applicant in this instance has not requested a consolidated review for both Preliminary and Final PUD Plan. Accordingly, the Planning Commission holds this standard to be inapplicable.

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***PUD Revision Criterion 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.

**Conclusions of Law:** The Planning Commission concludes that its review has properly been limited to the specific nature and magnitude of the proposed revision and the revision has properly relied upon the design and development aspects of the whole PUD in its consideration of this matter.

The developed portion of the PUD includes single family residential development within *Sky*



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

*Lakes Village* Phases 5 and 6, situated to the north and east of The Cottages subarea.

The proposed revisions nearest the developed portion of the PUD converts an area previously dedicated to a 66,660 square foot congregate living facility with 150 units and open space to either a scaled-down 24,000 square foot congregate living facility with 64 units or 22 single family cottage style units and open space. Single family housing adjacent to other single family is held to be compatible and a 64% reduction in congregate care facility size is held to be as or more compatible with the remainder of the PUD and surrounding lands than the currently approved facilities.

The proposed multi-family and commercial areas have been reduced in size. The perimeter of areas previously dedicated for multi-family and commercial uses are now proposed to include single family residential lots. The existing developed single family residential area noted above is well separated from the proposed commercial and multi-family uses.

The Planning Commission further concludes that the increase in maximum building height for the proposed multi-family units within *The Village* from 35 feet to 40 feet will have no appreciable effect upon the developed single family residential area to the northeast based in large part upon the spatial separation of approximately 400 feet. The Planning Commission also concludes that the proposed single family units are compatible with the developed single family portions nearby and there is nothing that suggests the same will be incompatible.

The Planning Commission further concludes that the areas proposed for the optional increase in lot coverage of 55% with a reduced building height to 25 feet as an option to the standard 35-foot building heights and standard 40% lot coverage for the bulk of the residential lots throughout the PUD are not near the existing developed portions of the PUD. They are however, in some locations, near adjacent single family development and the Planning Commission further concludes the option provides for market flexibility in a manner that establishes additional compatibility. For these reasons, the Commission concludes that this application is consistent with PUD Revision Criterion 3.

**Summary Conclusions of Law:** Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that it is lawfully possible (and desirable) to permit the revision of the Cedar Landing PUD because the revisions are within the clearly established eligibility standards which have been cited and addressed above as PUD Revision Criterion 1 through 3. Therefore, the Planning Commission concludes that this proposed PUD revision is appropriate and can proceed.

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**B. APPROVAL OF A PRELIMINARY PUD PLAN**  
**(Approval of a New Preliminary PUD Plan to Replace the Plan Already Approved)**

**MLDC 10.235 - Preliminary PUD Plan - Application Procedures.**

**D. Approval Criteria for Preliminary PUD Plan:** The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:<sup>13</sup>

<sup>13</sup> The Applicant observes that the Planning Commission is under the same obligation to apply the criteria to a revision as it was the original application and that retention of previously imposed conditions that are not necessary to satisfy the relevant substantive criteria is no more proper than imposition of such conditions on the original approval.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

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***PUD Criterion 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 ownership, or
- e. is otherwise required by the Medford Land Development Code.

**Conclusions of Law:** Based upon the evidence, the Planning Commission concludes that the existing PUD includes a mixture of residential housing types, commercial uses and planned open spaces and the proposed (revised) PUD will also contain mixtures of residential housing types, commercial land uses and common trails and open spaces. The PUD will also continue to preserve important natural features (such as the large pond) which once functioned as a “golf hazard” for the previous Cedar Links Golf Course which once occupied the subject property. While the pond might have been developed, Applicant elected instead to preserve the area as perpetual open space. For the reasons stated, the Commission concludes that this application to revise the PUD with this new Preliminary PUD Plan is consistent with PUD Criterion 1.

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***PUD Criterion 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.

**Conclusions of Law:** The Planning Commission concludes that this criterion has three subparts and each is addressed as follows:

**PUD Criterion 2, Subpart ‘a’:** With respect to Subpart ‘a’ the Commission concludes that the Proposed Modified Applications of the Code (“the deviations”) have been carefully set forth in the findings of fact in Section IV and consist of the following:

- To serve a portion of the property with private streets.
- Maintain the same north-side block length for *The Cottages* as the current and prior approvals.
- To increase Maximum Building Heights for multi-family structures within *The Village* subarea from 35 to 40 feet to accommodate three story buildings with slightly steeper and more architecturally appealing rooflines.
- To establish a 10-foot front yard setback exclusive of garages for *The Cottages* subarea.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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- To establish a 75-foot minimum lot depth for lots within *The Cottages* subarea.
- To permit minimum lot size of 3,800 square feet within *The Cottages* subarea.
- To allow single story dwellings limited to 25 feet in height with a 75% lot coverage as an option to 55% lot coverage and the standard limitation of 35 feet (regardless of number of floors) within *The Cottages* subarea.
- To permit a minimum lot size of 5,800 square feet for lots within *Sky Lakes at The Village* Phases 1 and 2.
- To allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet (regardless of number of floors) and standard 40% lot coverage for *Cascade Terrace* phases 3, 4 and 5; *Sky Lakes Village* phases 1, 2, 3, 4 and 7B; and *High Cedars* Phases 1 through 7B;
- Maintain the 55% lot coverage as approved under PUD-14-136 & LDS-14-138 for *Cascade Terrace* Phases 1 & 2
- To allow parking ratio of 1.4 spaces per multi-family unit instead of 1.5 - in order to allow approximately 10 spaces otherwise required for multi-family to be used for neighborhood commercial uses that require slightly more parking than the standard, such as coffee shop or café.
- To allow flexibility between multi-family unit counts and commercial square footages, in a manner commensurate with the provided parking.
  - Total provided parking within The Village subarea is 199 spaces. Request is to allow a combination of multi-family units and commercial square footage in a manner that is consistent with the provision of 199 spaces.
    - In order to exceed the 10,500 square feet of commercial square footage, the multi-family buildings would require a reduction in units, commensurate with the total 199 parking spaces.
  - Multi-Family Units will remain within the identified multi-family building envelopes
  - Commercial buildings and uses will remain with the identified commercial building envelopes
  - Minimum number of multi-family units requested is 75
  - Maximum number of multi-family units requested is 100
  - Minimum number of commercial square footage requested is 8000
  - Maximum commercial square footage requested is 21,000
    - Plan Illustrate 10,500 square feet of single story commercial. In order to provide more than 10,500 square feet, the buildings are to be 2-story instead of 1 and would remain within the standard 35-foot max height.
- To allow the option of mixed residential and commercial within the commercial buildings subject to final design review, as required by the MLDC.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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- To Allow 5 to 6 foot wide meandering sidewalks
- To Allow the use of a Cul-De-Sac off Farmington as public access to Sky Lakes Village Phase 3 without the provision of an accessway through Sky Lakes Village Phase 4 to Callaway Drive.
  - To direct pedestrians to pathways, sidewalks and crossings that provide a safe environment and manner in which to move throughout the area.
- To allow access to a higher order street, when access to a lower order street is provided.
  - To allow a driveway access to the Commercial area directly from Cedar Links Drive (a Collector) in the location and manner reflected on the plan, in order to maximize functionality and use of the Commercial areas and potentially offset potential traffic queuing at Farmington (a local street).
- To allow a mix of uncovered and covered parking for the multi-family units, subject to final design review.

To allow street trees and landscaping relief in the locations affected by the Big Butte Springs Waterline easement, in order to accommodate the vegetative planting types and locations allowable within the easement and acceptable with MWC.

Moreover, Applicant has explained the rationale for the PUD as required in MLDC 10.235(B)(3) and the same is included in Exhibit 18. The proposed modifications are consistent with and deemed to specifically relate to the implementation of stated rationale.

**PUD Criterion 2, Subpart ‘b’:** With respect to Subpart ‘b’ the Commission concludes that the Proposed Modified Applications of the Code (“the deviations”) enhance the development as a whole resulting in a more desirable project with a significant emphasis on providing open space for the project and enjoyment of the surrounding neighborhood. Said amenities enhance the development as a whole.

**PUD Criterion 2, Subpart ‘c’:** With respect to Subpart ‘c’ the Commission concludes that the Proposed Modified Applications of the Code (“the deviations”) will in no way impair the function, safety, or efficiency of the circulation system or the development as a whole and no party has contended otherwise. The entirety of lands surrounding the proposed site, are comprised of fully-built residential neighborhoods without any street connections into the subject property, thereby making it impossible to create local street connections in a manner that can accommodate the maximum required block lengths. The proposed street connections with Cedar Links Drive were previously evaluated and deemed both safe and adequate in prior approvals. Nothing in the proposal will materially impair the safety, efficiency or functionality of the circulation system or development as a whole.

Based upon the evidence in Section II , the Section IV Findings of Fact and discussion herein above, the Planning Commission concludes that overall, there is nothing in the proposed PUD revisions that changes the rationale and basis for the Code modifications under the PUD ordinance already approved. With respect to the specific request for modifications to the block length, limited option to increase certain building heights and reduction to minimum lot size commensurate with the SFR-10 zone, the Planning Commission relies upon the



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

evidence provided in Section II and Findings of Fact Section IV and concludes the proposed modifications are consistent with all subsections a, b and c herein.

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**PUD Criterion 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.

**Conclusions of Law:** The Planning Commission concludes that the existing approved PUD was not found to be subject to any of the above named limitations and there is nothing in this PUD revision application that would cause it to become subject to any of the above. Prior approvals required the installation and completion of a traffic signal at the intersection of Cedar Links Drive and Foothill Road which has since been completed. However, the earlier condition which required that public facility improvement did not (and does not now) constitute a moratorium, public facilities strategy nor limited service area. Therefore, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 3.

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**PUD Criterion 4**

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

**Discussion; Conclusions of Law:** The Planning Commission concludes that the common elements in this PUD consist of the open spaces, including its trails interconnected with sidewalks, large and small open space nodes as shown on Applicant’s plans in Exhibits 6 - 15. The function of the open space elements is explained in the findings of fact in Section IV. Applicant asserts and the Commission agrees that Applicant’s plans speak for themselves with respect to the location, size, shape and character of the planned open space common elements and the Commission further agrees that these are appropriate for the intended use and function, consistent with PUD Criterion 4.

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**PUD Criterion 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 or less than for one or more permitted use 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.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

Determination of compliance with this criterion shall be based on 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.

**Conclusions of Law:** Based upon the findings of fact in Section IV the Planning Commission concludes that with the net overall reduction of commercial uses (in overall size and leasable square footage) the demand upon Category A public facilities will be less than that which was previously approved. There is also nothing about the proposed changes which are expected to negatively affect the demand for public sanitary sewerage collection and treatment, water supply, storm drainage or traffic upon public streets (in comparison to the earlier approvals). In fact, traffic levels resulting from the proposed PUD revisions may be appreciably less than produced by earlier approvals. Therefore, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 5.

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***PUD Criterion 6***

- 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.

**Conclusions of Law:** The Planning Commission concludes the PUD revision herein sought does not include uses subject to conditional use permit criteria. To the contrary, this application seeks to reduce uses that trigger the necessity to show compliance with the conditional use permit criteria pursuant to PUD Criterion 6 above. Moreover, to the extent that portions of the PUD (not subject to this request for modification) were approved for commercial uses, the Planning Commission also holds that the same uses are now permitted, not subject to this PUD revision application, and do not require additional consideration at this time and the Commission further concludes that the nature of this revision is such that it does not require these uses to be approved anew. For the reasons above stated, and based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 6.

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***PUD Criterion 7***

- 7. If approval of the PUD application includes the division of land or the approval of other concurrent development permit 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.

**Conclusions of Law:** The Planning Commission concludes that Applicant has requested a land division, the approval criteria for which are addressed herein below and the same are incorporated here, thus establishing the basis for the Commission to concludes, as it does, that this application is consistent with PUD Criterion 7.

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**C. LAND DIVISION – TENTATIVE SUBDIVISION PLAT**

**Land Division 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:

**Land Division Criterion 1**

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

**Discussion; Conclusions of Law:** The Planning Commission concludes there are no specific plans adopted by the City which are applicable to this area and there are no goals or policies that function as approval criteria for the subject application. The Planning Commission further concludes that the design complies with all applicable design standards of Article IV and V except for modifications to the Code which have specifically been approved pursuant to the MLDC’s PUD ordinance, except where block length, building height and minimum lot sizes have been appropriately varied from the base zoning district standards by approval of the PUD by the Commission.

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**Land Division Criterion 2**

- (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;

**Conclusions of Law:** As evidenced by the proposed plans included herein, adequate infrastructure is already in-place or is able to be extended to and through the proposed development areas and all remainder properties — the properties which remain in the Project but which are not a part of these applications. Nothing in this proposal suggests an impedance of development on any adjacent or nearby lands whether or not under the same ownership. There is also no evidence to suggest that the proposed land divisions will prevent the development of other adjoining land or access thereto and the Commission concludes it will not. For the reasons noted, the Planning Commission concludes that this application is consistent with Land Division Criterion 2 because this land division will not prevent development of the remainder of the property under the same ownership or of adjoining land or of access thereto.

\*\*\*\*\*

**Land Division Criterion 3**

- (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;

**Conclusions of Law:** The proposed subdivision is to include the names *Sky Lakes Village at Cedar Landing* Phases 1 through 4, *The Village at Cedar Landing*, and *The Cottages at Cedar Landing*. The adjacent lands to the west are being renamed from *Sky Lakes Village*



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

Phases 1 and 2 and *The Village* Phase 1 to *Cascade Terrace* Phases 1 through 5. These names were approved by the Planning Commission in 2006 as part of the original approval under PUD-05-035 and there is no evidence to suggest that the proposed names are not presently available.

\*\*\*\*\*

***Land Division Criterion 4***

- (4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary, to 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;

**Discussion; Conclusions of Law:** The Planning Commission concludes the proposed land division will include one new minor residential public street and as evidenced by Exhibits 6 through 15, the proposed public street and private street connections with surrounding lands are in a manner that conforms to all existing and proposed street layouts, none of which contemplated interconnections with the development of the subject property. As such, based upon the foregoing findings of fact and conclusions of law, the Commission concludes that the application is consistent with the requirements of Land Division Criterion 4.

\*\*\*\*\*

***Land Division Criterion 5***

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

**Conclusions of Law:** The proposal does include private streets and as indicated on the attached plans, said streets are distinguished from the public street on the proposed tentative plat. Applicant agrees to stipulate to provision of reservations or restrictions relating to the private streets on the final plat and/or through the imposition of CCR's as a condition of approval. Land Division Criterion 5 is concluded to be met.

\*\*\*\*\*

***Land Division Criterion 6***

- (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.

**Discussion; Conclusions of Law:** Based upon the evidence, the Planning Commission concludes the project is a considerable distance from the nearest EFU zoning district and will not, therefore, create an unmitigated land use conflict with adjoining agricultural lands.

\*\*\*\*\*



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

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**VI**

**AGREED TO STIPULATIONS**

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Applicant herewith agrees to stipulate to the following matters if the same are made conditions attached to the approval of this application:

1. **Street Vacations.** Prior to recording the Final Plat for *Sky Lakes Village* Phases 1 and 2 and *The Village* at Cedar Landing, the portions of Yamsay Drive and Farmington Avenue and portion of PUE's identified on the tentative plat to be vacated, shall sought to be vacated whether initiated by Applicant or, at Applicant's request, by the City of Medford on the City Council's own motion as provided by Oregon law.
2. **Restricted Access.** Certain lots in the project shall have the following access restrictions, and the same will be incorporated into the CCR's for this Project:
  - A. **Lots 8** shall have restricted access only to Yamsay Drive; no direct access shall be permitted to Cedar Links Drive.
  - B. **Lots 9, 10, 11 and 15** shall have restricted access only to the cul-de-sac extending from Farmington Avenue; no direct access shall be permitted to Cedar Links Drive.
  - C. **Lots 17 and 23** shall have restricted access only to Calloway Drive; no direct access shall be permitted to Farmington Avenue and Cedar Links Drive, respectively..
3. **Vehicular Access Turn-Arounds.** At the terminus of each phase, Applicant will provide temporary emergency vehicular access turn-arounds which will be constructed to temporary standards to be approved by the Medford Fire Department. As streets are extended, the temporary turn-arounds will be replaced with permanent street improvements and, if needed, new temporary turn-arounds will be installed.
4. **Private Street Construction.** The private street between Yamsay Drive and Farmington Avenue will be built to or exceed the minimum vertical construction standards for a city commercial street.
5. **Final Design Review.** All multi-family, commercial and potentially Congregate Care Facilities will follow City-required process for final design review.
6. **Multi-family units and commercial square footages within *The Village*** shall be within the minimums and maximums prescribed in Section IV Item 14(F) and the same shall be commensurate with the approved parking layout and count. Any excess parking will be improved as landscaping.
7. **Covered Parking.** The Final PUD Plans shall identify which multi-family parking spaces are to be covered.
8. **Fire Department / Building Separation.** The eastern-most parking area within *The Village* shall be adjusted to comply with Fire Department building separation standards and the same shall be reflected on Final PUD plans.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

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**9. Medford Water Commission (MWC) Easement / Vegetation:** The Final Landscape Plan shall incorporate MWC approved vegetative plantings.

**VII**

**ULTIMATE CONCLUSIONS**

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Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the Preliminary PUD Plan and a new and revised Tentative Subdivision Plat approval is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed. The Planning Commission therefore approves the following:

**1. Preliminary PUD Plan Revision**

- Reconfigure Multi-Family, Commercial, Congregate Care and Open Space areas to a mixture of Single Family, Multi-Family, Commercial and Open Space, with an optional scaled-down<sup>14</sup> Congregate Care Facility.
- To serve a portion of the property with private streets.
- Maintain the same north-side block length for *The Cottages* as the current and prior approvals.
- To increase Maximum Building Heights for multi-family structures within *The Village* subarea from 35 to 40 feet to accommodate three story buildings with slightly steeper and more architecturally appealing rooflines.
- To establish a 10-foot front yard setback exclusive of garages for *The Cottages* subarea.
- To establish a 75-foot minimum lot depth for lots within *The Cottages* subarea.
- To permit minimum lot size of 3,800 square feet within *The Cottages* subarea.
- To allow single story dwellings limited to 25 feet in height with a 75% lot coverage as an option to 55% lot coverage and the standard limitation of 35 feet (regardless of number of floors) within *The Cottages* subarea.
- To permit a minimum lot size of 5,800 square feet for lots within *Sky Lakes at The Village* Phases 1 and 2.
- To allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet (regardless of number of floors) and standard 40% lot coverage for *Cascade Terrace* phases 3, 4 and 5; *Sky Lakes Village* phases 1, 2, 3, 4 and 7B; and *High Cedars* Phases 1 through 7B;
- Maintain the 55% lot coverage as approved under PUD-14-136 & LDS-14-138 for *Cascade Terrace* Phases 1 & 2

---

<sup>14</sup> Site is currently approved for a 68,872 square foot, 150 unit Congregate Care facility. Proposed Congregate Care option includes a 24,000 square-foot 64 unit complex.



**Findings of Fact and Conclusions of Law**

**CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)**  
Cedar Investment Group, LLC: Applicant

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- To allow parking ratio of 1.4 spaces per multi-family unit instead of 1.5 - in order to allow approximately 10 spaces otherwise required for multi-family to be used for neighborhood commercial uses that require slightly more parking than the standard, such as coffee shop or café.
- To allow flexibility between multi-family unit counts and commercial square footages, in a manner commensurate with the provided parking.
  - Total provided parking within The Village subarea is 199 spaces. Request is to allow a combination of multi-family units and commercial square footage in a manner that is consistent with the provision of 199 spaces.
    - In order to exceed the 10,500 square feet of commercial square footage, the multi-family buildings would require a reduction in units, commensurate with the total 199 parking spaces.
  - Multi-Family Units will remain within the identified multi-family building envelopes
  - Commercial buildings and uses will remain with the identified commercial building envelopes
  - Minimum number of multi-family units requested is 75
  - Maximum number of multi-family units requested is 100
  - Minimum number of commercial square footage requested is 8000
  - Maximum commercial square footage requested is 21,000
    - Plan Illustrate 10,500 square feet of single story commercial. In order to provide more than 10,500 square feet, the buildings are to be 2-story instead of 1 and would remain within the standard 35-foot max height.
- To allow the option of mixed residential and commercial within the commercial buildings subject to final design review, as required by the MLDC.
- To Allow Meandering Sidewalks
- To Allow the use of a Cul-De-Sac off Farmington as public access to Sky Lakes Village Phase 3 without the provision of an accessway through Sky Lakes Village Phase 4 to Callaway Drive.
  - To direct pedestrians to pathways, sidewalks and crossings that provide a safe environment and manner in which to move throughout the area.
- To allow access to a higher order street, when access to a lower order street is provided.
  - To allow a driveway access to the Commercial area directly from Cedar Links Drive (a Collector) in the location and manner reflected on the plan, in order to maximize functionality and use of the Commercial areas and potentially offset potential traffic queuing at Farmington (a local street).
- To allow a mix of uncovered and covered parking for the multi-family units, subject to final design review.



**Findings of Fact and Conclusions of Law**

CEDAR LANDING PUD: Applications to Revise a PUD by Approving Preliminary PUD Plan, Replat, Tentative Land Division Plan and a Tentative Plat Revision (Updated Submittal June 9, 2016)  
Cedar Investment Group, LLC: Applicant

---

- To allow street trees and landscaping relief in the locations affected by the Big Butte Springs Waterline easement, in order to accommodate the vegetative planting types and locations allowable within the easement and acceptable with MWC.
2. **Replat of *The Sky Lakes Village Phase 7B*.** This application is to Replat Lots 91 and 94 of the *Sky Lakes Village (Phase 7a)* which will:
- Create Underlying Reserve Lots consistent with the Proposed PUD Revisions
  - Create Underlying Reserve Lots consistent with the Proposed Phasing Plan
3. **Tentative Plat Land Division.** This relates to *Sky Lakes Village* Phases 1 through 4, *The Village* and *The Cottages* (within the area previously identified as *The Village* Phases 2 and 3 which will
- Create 4 Lots within *Sky Lakes Village* Phase 1 — Lots 1-4
  - Create 4 Lots within *Sky Lakes Village* Phase 2 — Lots 5-8
  - Create 8 Lots within *Sky Lakes Village* Phase 3 — Lots 9-16
  - Create 7 Lots within *Sky Lakes Village* Phase 4 — Lots 17-23
  - Create 8 Pad Lots (Lots 1-8) within a common area comprising *The Village*
  - Create 22 Lots plus Open Space within *The Cottages*
  - Rename from *The Village* Phases 2 and 3 to *The Cottages* and *Sky Lakes Village* Phases 1 Through 4
  - Requires partial vacation of a small portion of Yamsay Drive and Farmington Avenue
4. **Revision to Cascade Terrace Phases 1 through 5,** previously approved as *Sky Lakes Village* Phase 1 and *The Village* Phase 1. No changes to lot count, lot configuration or infrastructure are proposed. The revisions seek:
- Phasing boundary changes;
  - Renamed from *Sky Lakes Village At Cedar Landing* Phase 1 and *The Village* Phase 1 to *Cascade Terrace* Phases 1 through 5.

**Dated: June 9, 2016**

Respectfully submitted on behalf of Applicant Cedar Investment Group, LLC:

CSA PLANNING, LTD.

  
Mike Savage  
Associate



FOR ASSESSMENT AND TAXATION ONLY

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

EXHIBIT 2  
1 of 4

37 1W 16BC  
MEDFORD

APPROX  
1/16 COR

SEE MAP 37 1W 16BH

APPROX  
1/16 COR

201  
1.85 Ac

200  
1.25 Ac

100  
1.28 Ac

SKY

LAKES

SKY LAKES  
VILLAGE AT  
CEDAR LANDING  
PHASE 5 & 6

CANCELLED TAX  
LOT NUMBERS

AT CEDAR

VILLAGE

SEE MAP 37 1W 17AD

SEE MAP 37 1W 16HD

LANDING

202  
1.10 Ac

DRIVE

SUBJECT  
Northwest Portion  
of Cedar Landing  
PUD

300  
1.40 Ac

PHASE 7 A

PART OF LOT B1

PART OF LOT B4

YAMSAY

203  
1.72 Ac

W 1/4  
COR

APPROX  
1/16 COR

CEDAR LINKS DRIVE

LEXINGTON  
DRIVE

WILKSHIRE  
DRIVE

SEE MAP 37 1W 16CH

37 1W 16BC  
MEDFORD

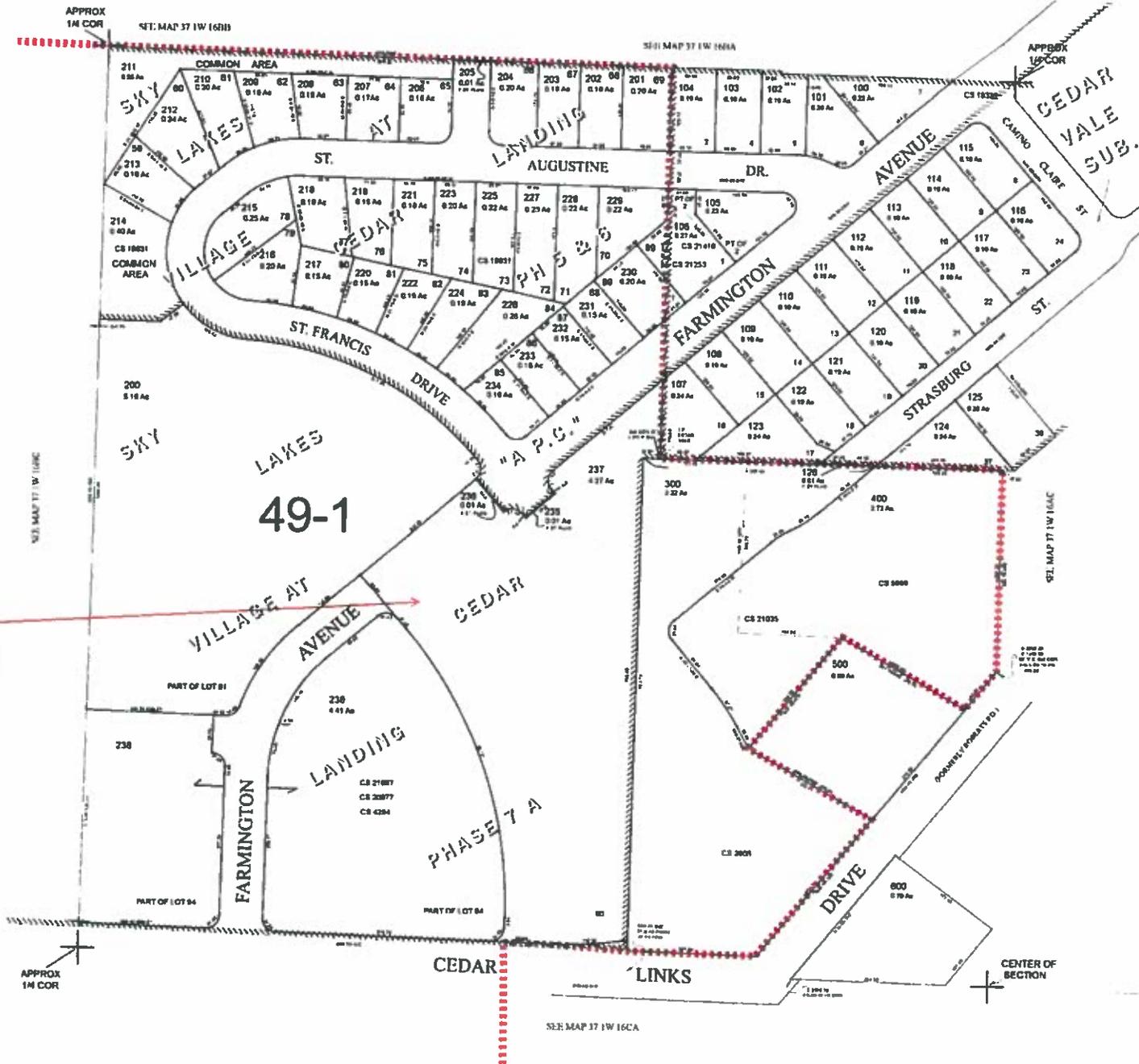
NEW MAP APRIL 07, 2015

FOR ASSESSMENT AND  
TAXATION ONLY

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

2 of 4

37 1W 16BD  
MEDFORD



CANCELLED TAX  
LOT NUMBERS  
127, 128 KD LED TO STREET

SUBJECT  
Northeast Portion  
of Cedar Landing  
PUD

49-1

37 1W 16BD  
MEDFORD  
NEW MAP NOVEMBER 01, 2010  
REV APRIL 07, 2011

Page 116

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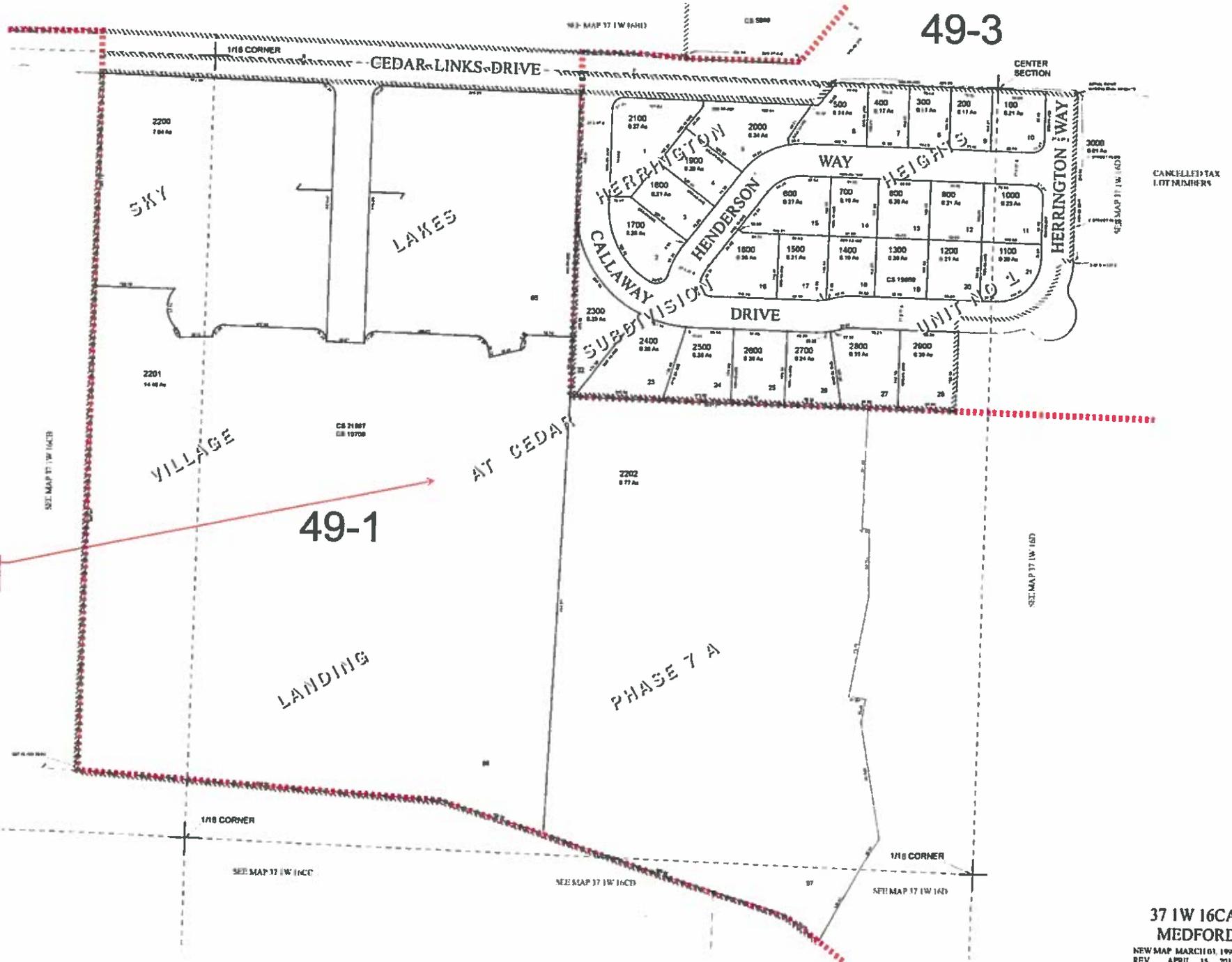
FOR ASSESSMENT AND TAXATION ONLY

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

3 of 4

37 1W 16CA  
MEDFORD

49-3



CANCELLED TAX LOT NUMBERS

Page 117

Southwest Portion of Cedar Landing PUD

37 1W 16CA  
MEDFORD  
NEW MAP MARCH 101, 1998  
REV APRIL 15, 2015

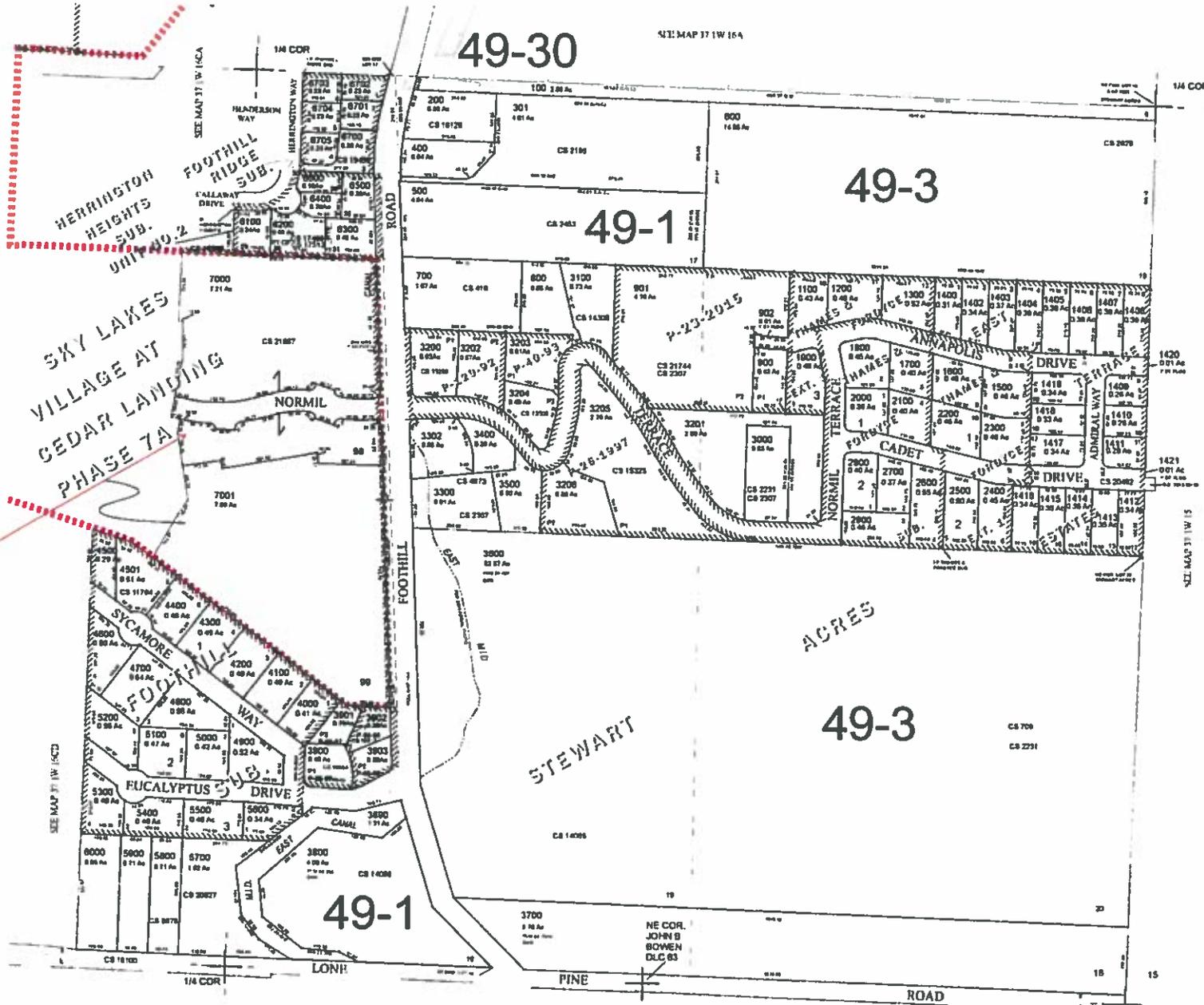
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FOR ASSESSMENT AND TAXATION ONLY

S.E.1/4, SEC.16, T.37S., R.1W., W.M.  
JACKSON COUNTY  
1" = 200'

4 of 4

37 1W 16D  
MEDFORD



CANCELLED TAX  
LOT NUMBERS  
1400 1401 1402 1403

Page 118

Southeast Portion  
of Cedar Landing  
PUD

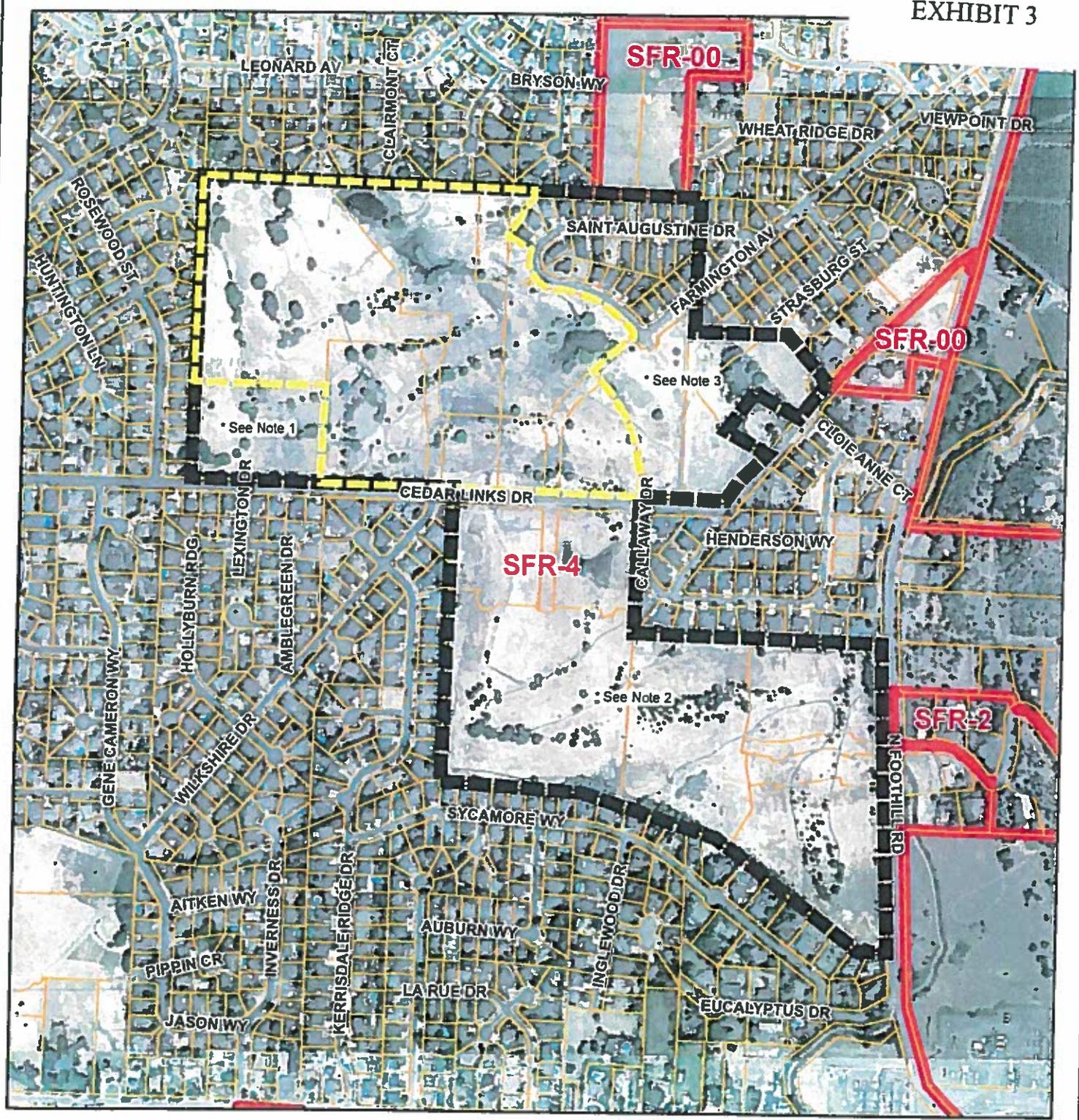
37 1W 16D  
MEDFORD

NEW MAP NOVEMBER 03, 2009  
REV JULY 01, 2015

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SEE MAP 17 1W 21A

21 22



**Legend**

-  Area of Proposed Amendment
-  PUD Original Boundary
-  Tax Lots
-  Medford Zoning

\* Note 1 5.47 Acre Terminated & Conveyed to City of Medford Parks  
 \* Note 2 South Side Amended By PUD-15-043  
 \* Note 3 Not Proposed For Modification

## Zoning Map on Aerial

Cedar Investment Group LLC  
PUD Amendment

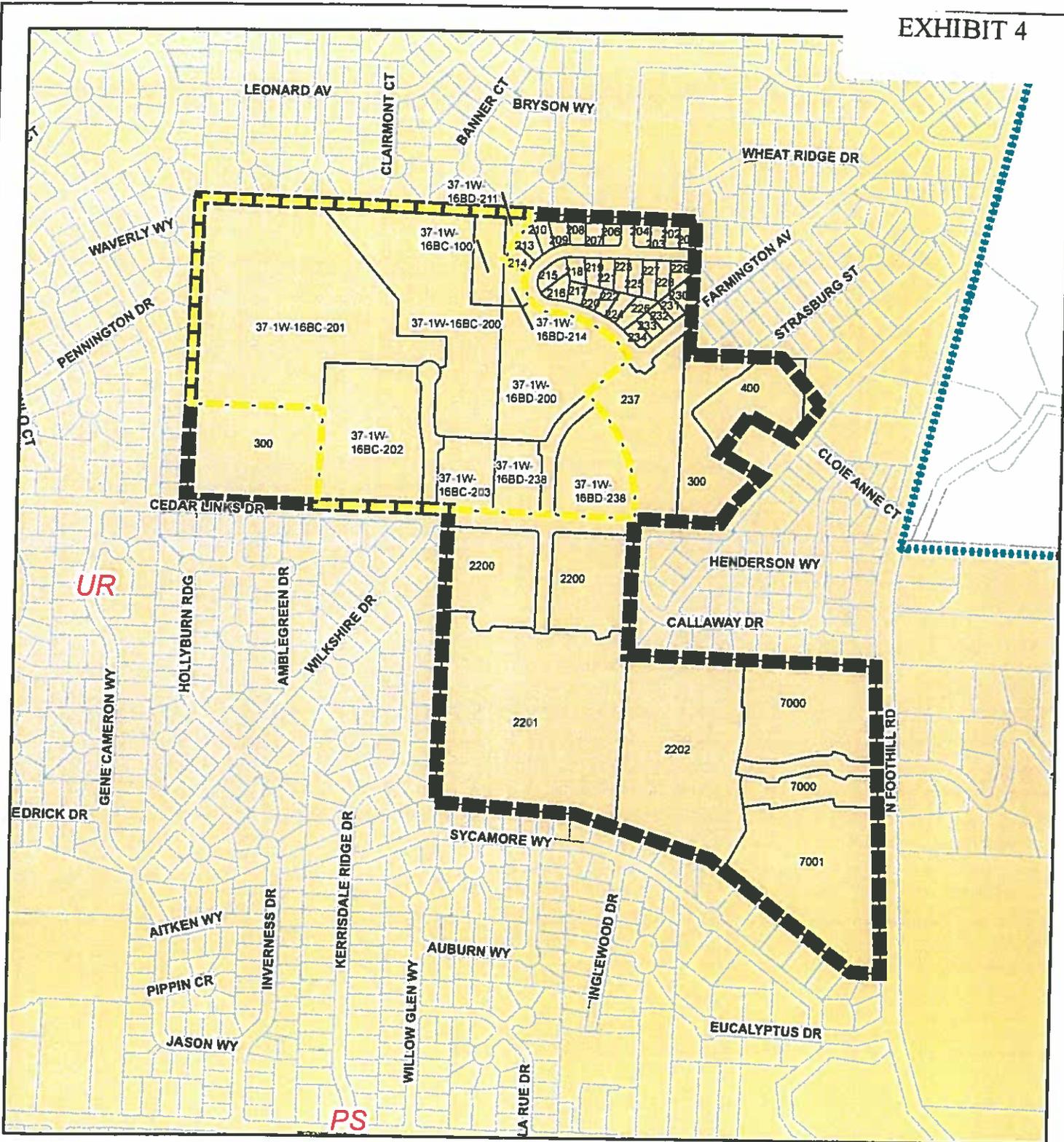
2014 Aerial

600 300 0 600 Feet




CSA Planning, Ltd.



**Medford GLUP**

- UR - Urban Residential
- Urban Growth Boundary
- Area of Proposed Amendment
- PUD Original Boundary
- Lots in Original PUD
- Tax Lots

**GLUP Map**

Cedar Investment Group LLC  
 Cedar Landing PUD Revision  
 37-1W-16BD-200, 211, 214, 238  
 37-1W-16BC-100, 200, 201, 202, 203

600 300 0 600 Feet



 Area of Proposed Amendment  
 PUD Original Boundary  
 Tax Lots

## Proposed Amendment Area on 2014 Aerial

Cedar Investment Group LLC  
PUD Amendment



300 150 0 300 Feet

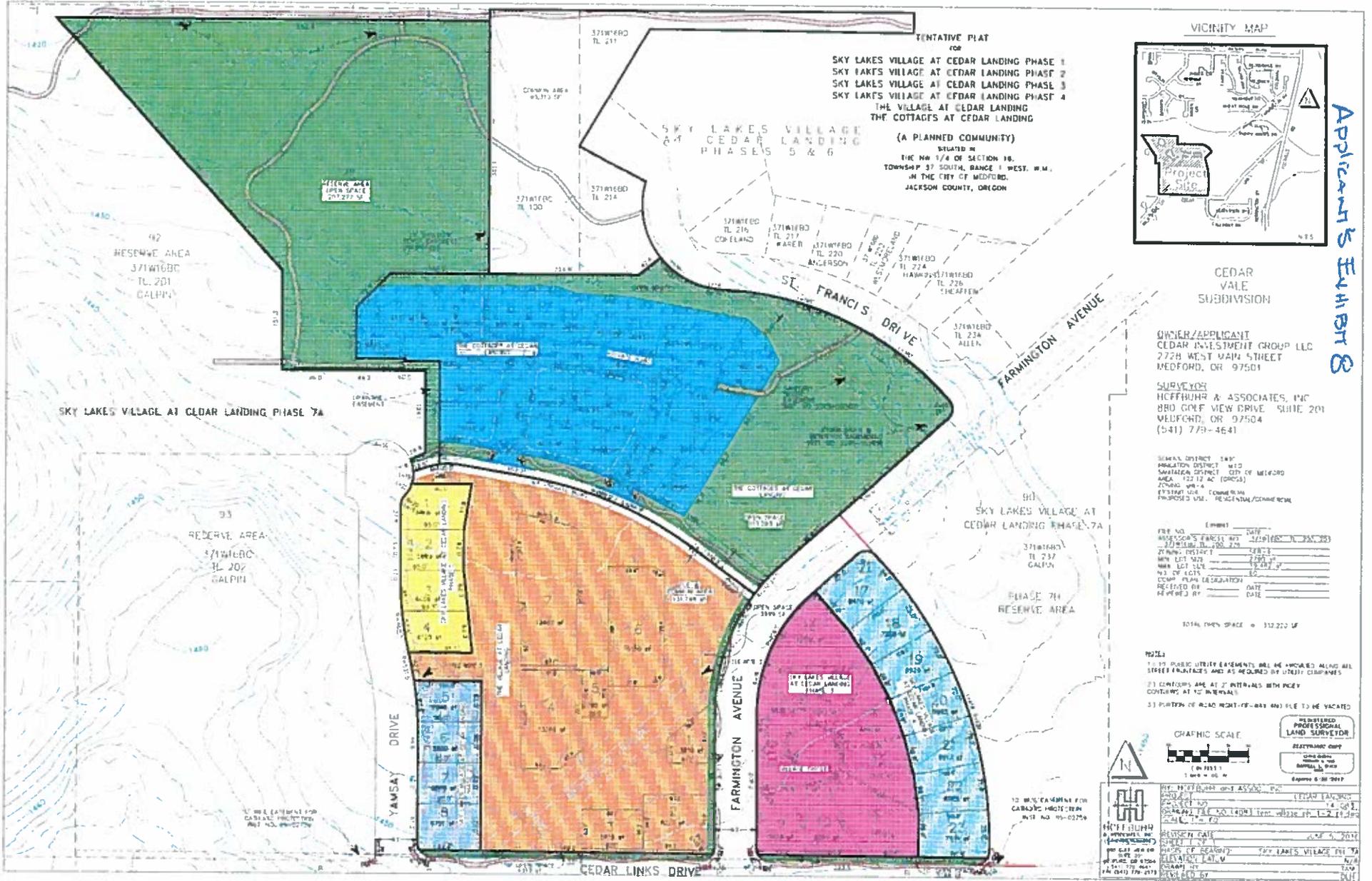


CSA Planning, Ltd.



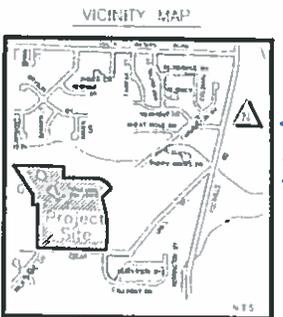






Applicant's Exhibit 8

SKY LAKES VILLAGE AT CEDAR LANDING PHASE 1  
 SKY LAKES VILLAGE AT CEDAR LANDING PHASE 2  
 SKY LAKES VILLAGE AT CEDAR LANDING PHASE 3  
 SKY LAKES VILLAGE AT CEDAR LANDING PHASE 4  
 THE VILLAGE AT CEDAR LANDING  
 THE COTTAGES AT CEDAR LANDING  
 (A PLANNED COMMUNITY)  
 SITUATED IN  
 THE NW 1/4 OF SECTION 18,  
 TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.,  
 IN THE CITY OF MEDFORD,  
 JACKSON COUNTY, OREGON



**CEDAR VALE SUBDIVISION**

OWNER/APPLICANT  
 CEDAR INVESTMENT GROUP LLC  
 2728 WEST MAIN STREET  
 MEDFORD, OR 97501

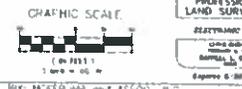
SURVEYOR  
 HOFFBUHR & ASSOCIATES, INC  
 880 GOLF VIEW DRIVE, SUITE 201  
 MEDFORD, OR 97504  
 (541) 773-4641

SECTION, DISTRICT, MAP, REGULATION DISTRICT, METRIC, AREA, 122.12 AC (280243), ZONING, UN-4, UTILITY USE, COMMERCIAL, PROPOSED USE, RESIDENTIAL/COMMERCIAL

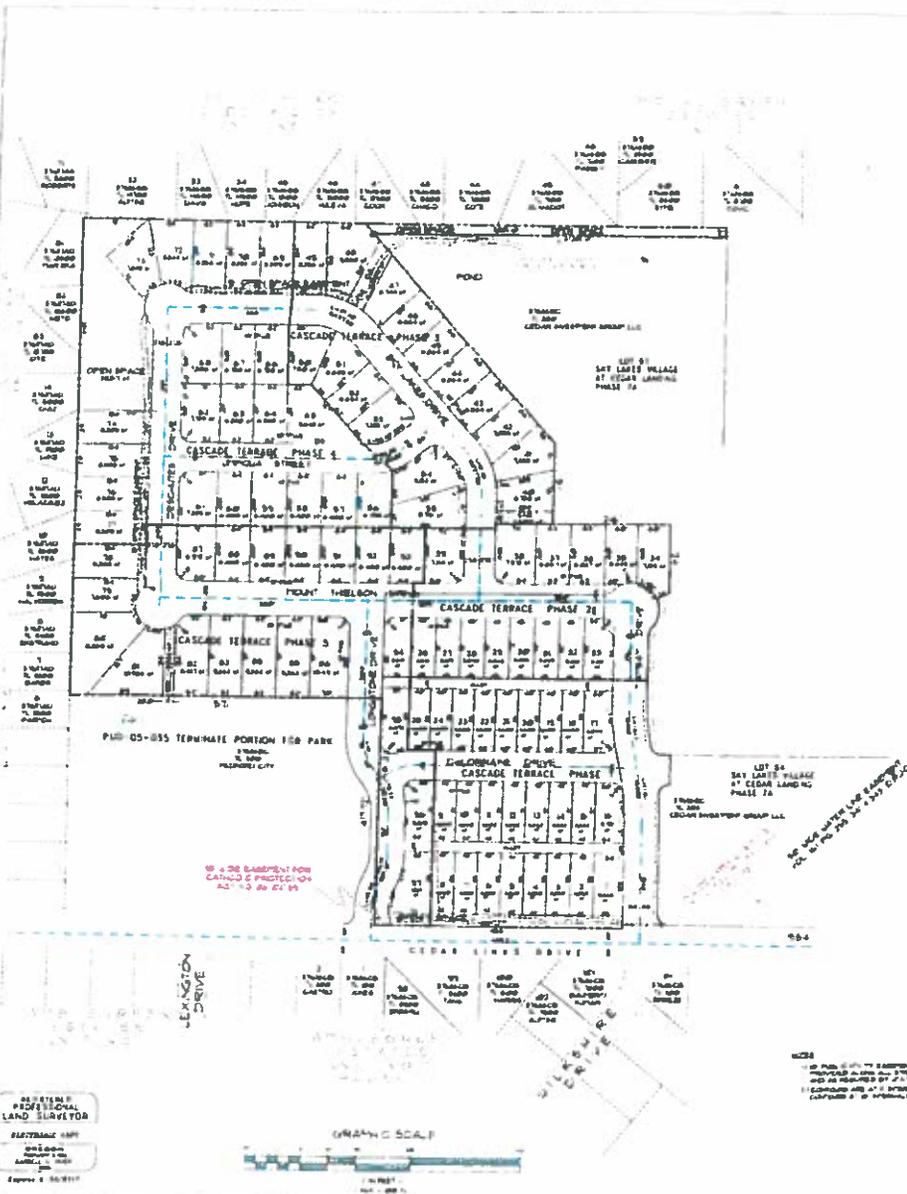
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371W160C TL 249 GALPIN	11/19/2010
371W160C TL 250 GALPIN	11/19/2010

TOTAL OPEN SPACE = 132,212 SF

- 1) PUBLIC UTILITY EASEMENTS WILL BE AWARDED ALONG ALL STREET FRONTS AND AS REQUIRED BY UTILITY COMPANIES
- 2) CORNERS ARE AT 2' INTERVALS WITH NECEI CORNERS AT 10' INTERVALS
- 3) PORTION OF ROAD RIGHT-OF-WAY AND EASE TO BE VACATED



REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATEMENT OF WORK  
 DATE: 11/19/2010  
 PROJECT: SKY LAKES VILLAGE AT CEDAR LANDING PHASES 5 & 6  
 SHEET NO.: 124 OF 124  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: 11/19/2010



TENTATIVE PLAN FOR  
 CASCADE TERRACE AT CEDAR LANDING PHASE 1  
 CASCADE TERRACE AT CEDAR LANDING PHASE 2  
 CASCADE TERRACE AT CEDAR LANDING PHASE 3  
 CASCADE TERRACE AT CEDAR LANDING PHASE 4  
 CASCADE TERRACE AT CEDAR LANDING PHASE 5

(A PLANNED COMMUNITY)  
 SITUATED IN  
 THE NW 1/4 OF SECTION 16,  
 TOWNSHIP 31 SOUTH RANGE 1 WEST, 12TH  
 IN THE CITY OF MEDFORD,  
 JACKSON COUNTY, OREGON

APPLICANT  
 CEDAR INVESTMENT GROUP LLC  
 2728 WEST MAIN STREET  
 MEDFORD, OR 97501

OWNER  
 C A GALPIN  
 144 GAROLEY AVE '00  
 MEDFORD, OR 97504

SURVEYOR  
 HOFFBLUM & ASSOCIATES, INC  
 880 GOLF VIEW DRIVE SUITE 201  
 MEDFORD, OR 97504  
 (541) 778-4641

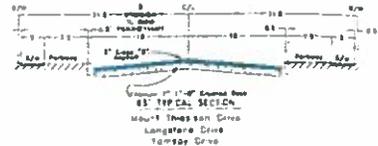
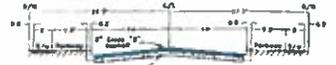
NOTE:  
 THE PHASES 1 THROUGH 5 OF CASCADE TERRACE WAS PREVIOUSLY SUBMITTED AND RECEIVED TENTATIVE APPROVAL AS SKY LAKES PHASE 1 (FILE NO. LDS-14-137) AND THE VILLAGE PHASE 1 (FILE NO. LDS-14-138). THIS SUBMITTAL FOR TENTATIVE APPROVAL DOES NOT CHANGE THE NUMBER OF LOTS NOR LOT CONFIGURATIONS AS WERE APPROVED BY LDS-14-137 AND LOS 14-138. THIS SUBMITTAL ONLY CHANGES THE NAME TO CASCADE TERRACE AND ESTABLISHES A REVISED PHASING PLAN FOR THE LOTS THAT WERE ORIGINALLY APPROVED BY PLANNING COMMISSION ACTION.



SCHOOL DISTRICT: BANC  
 REGULATION DISTRICT: 1110  
 SANITATION DISTRICT: CITY OF MEDFORD  
 AREA: 018 AC (APPROX)  
 ZONING: RSM-1  
 8-10TH AVE - COTTERDALE  
 PROPOSED USE: RESIDENTIAL/COMMERCIAL

EXHIBIT

FILE NO.	DATE
AMERICAN PHASE, NO. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	
1110 S. 10TH AVE. 13862, 1-1-10	



HOFFBLUM & ASSOCIATES, INC. PROJECT NO. 1110 S. 10TH AVE. 13862, 1-1-10

DATE: 11/11/11

PROJECT: 1110 S. 10TH AVE. 13862, 1-1-10

DESIGNER: HOFFBLUM & ASSOCIATES, INC.

CLIENT: CEDAR INVESTMENT GROUP LLC

SCALE: AS SHOWN

REVISION DATE: 11/11/11

PROJECT NO.: 1110 S. 10TH AVE. 13862, 1-1-10

DATE: 11/11/11

PROJECT: 1110 S. 10TH AVE. 13862, 1-1-10

DESIGNER: HOFFBLUM & ASSOCIATES, INC.

CLIENT: CEDAR INVESTMENT GROUP LLC

SCALE: AS SHOWN



KentCarm



Professional Seal  
 KentCarm  
 Landscape Architects  
 1000 N. Main Street  
 Medford, Oregon 97504  
 Phone: 541-753-1111  
 Fax: 541-753-1112  
 www.kentcarm.com

Drawn by  
 SA  
 Scale 1"=40'

**CEDAR LANDING**  
 CEDAR LINKS DRIVE  
 MEDFORD, OR, 97504

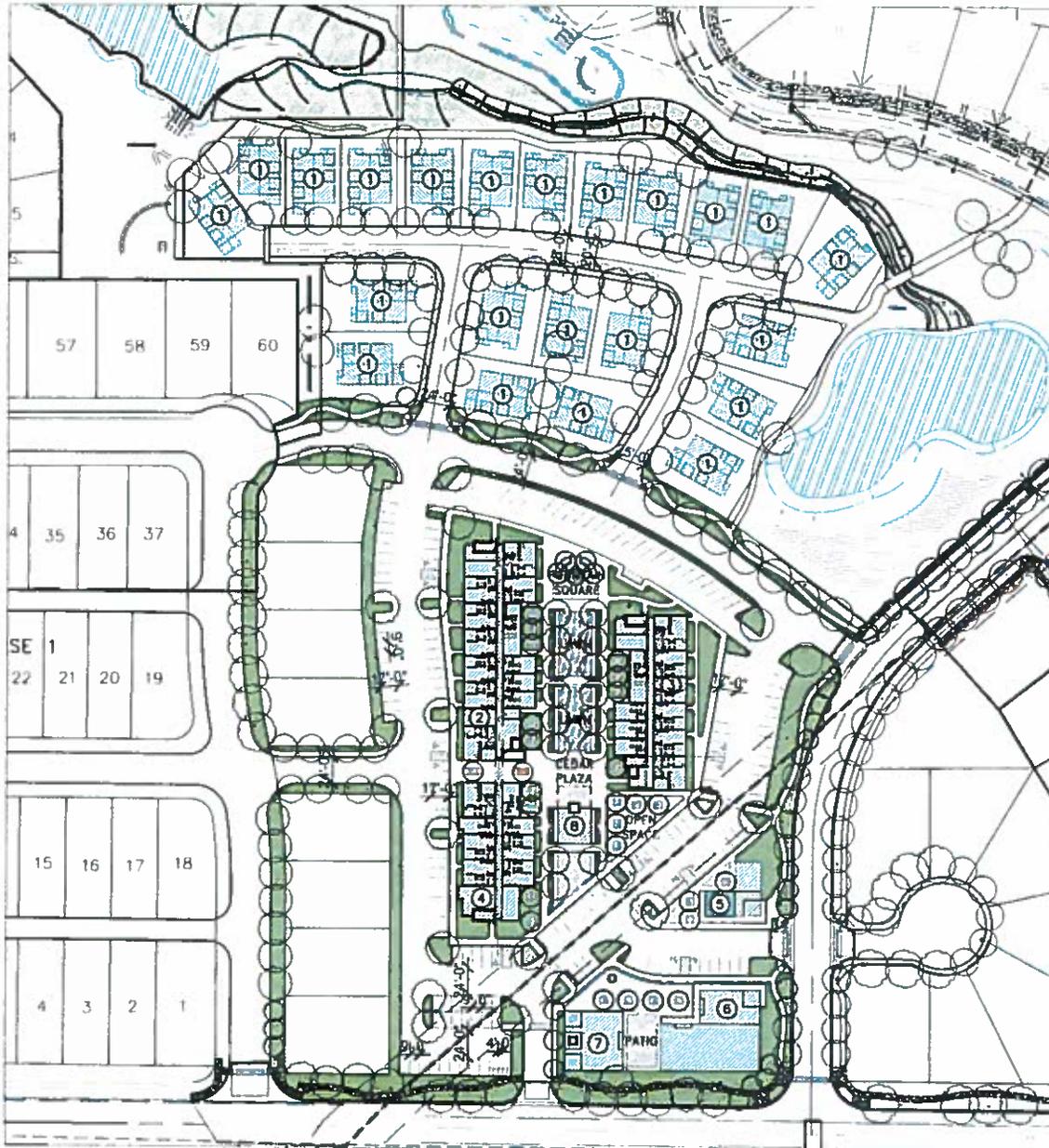
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**ILLUSTRATIVE  
 LANDSCAPE  
 PLAN**

ISSUE DATE  
 FEBRUARY 1, 2011



**L 1.0**



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

- KEY NOTES:**  
 1 SFD (22 UNITS TOTAL)  
 2 30 - 40 MFD/CONDOMINIUM UNITS - 35700 SF  
 3 24 - 32 MFD/CONDOMINIUM UNITS - 28200 SF  
 4 21 - 28 MFD/CONDOMINIUM UNITS - 22800 SF  
 5 1,700 SF NC/CSP  
 6 5,600 SF NC/CSP  
 7 2,900 SF NC/CSP  
 8 1,000 SF COMMUNITY BUILDING  
 9 300 SF STORAGE

**PROGRAM SUMMARY**  
 1 PROVIDED PARKING  
 199 SPACES

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

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

**4 COMMERCIAL: MIN 8,000 - MAX 21,000**  
 EXAMPLE MIX OF COMMERCIAL PARKING RATIOS  
 8,000 SF AT 4.5 PER 1K:  $(8 \times 4.5 = 36)$   
 21,000 SF AT 4.5 PER 1K:  $(21 \times 4.5 = 108)$   
 8,800 SF AT 4.5 + 1,700 AT 9.0:  $(8.8 \times 4.5) + (1.7 \times 9.0) = 55$

**TOTAL UNITS**  
 SFD: 22 UNITS  
 MFD: 75 - 100  
 TOTAL 97 - 122 UNITS

SCALE: 1" = 100'



After recording, return to:

Cedar Landing, LLC  
c/o Timothy Brophy  
Brophy, Mills, Schmor, Gerking,  
Brophy & Paradis, LLP  
201 W. Main Street, Ste 5  
Medford, OR 97501



Kathleen S. Beckett, County Clerk for Jackson County, Oregon  
certify that the instrument identified herein was recorded in the Clerk  
Records  
Kathleen S. Beckett - County Clerk

DECLARATION  
OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS  
FOR  
SKY LAKES VILLAGE at CEDAR LANDING

(Phases 5 & 6)

THIS DECLARATION is made this 29<sup>th</sup> day of November, 2007, by CEDAR LANDING, LLC, an Oregon limited liability company, and Monty R. Jantzer and Theresa L. Jantzer (hereinafter collectively "Declarant") as the owners in fee simple of that real property ("Sky Lakes Village Development"), located in the City of Medford, County of Jackson, State of Oregon, described on Exhibit "A", attached hereto and incorporated herein by this reference and as described on the approved Final Plat of "Sky Lakes Village at Cedar Landing, Phase 5 & 6" recorded on November 19, 2007 in volume 33 of Plat Records of Jackson County at Page 75.

RECITALS, INTENT AND PURPOSE

A. By Declaration of Protective Covenants, Conditions, Restrictions and Easements for Cedar Landing Residential dated November 24, 2007 and recorded November 30, 2007 in the Records of Jackson County, Oregon, as Document No. 2007-53982 (the "Master Declaration"), all Lots within the Cedar Landing PUD Plan (PUD 05-035) and all plats for Cedar Landing were subjected to the covenants, conditions, restrictions and easements of the Master Declaration, except those Lots and open space designated as the Village at Cedar Landing on the PUD Plan 05-035 which will be governed by one or more separate sets of covenants, conditions and restrictions.

B. By Declaration of Annexation to Cedar Landing dated November 29, 2007 and recorded November 30, 2007 in the Records of Jackson County, Oregon, as Document No. 2007-53983 all of the Lots within the approved Final Plat of "Sky Lakes Village at Cedar Landing, Phase 5 & 6" recorded on November 19, 2007 in Volume 33 of Plat Records of Jackson County at Page 75, were annexed to Cedar Landing and subjected to the covenants, conditions, restrictions and easements contained in the Master Declaration.

C. Declarant wishes to designate the Lots within Sky Lakes Village at Cedar Landing, Phases 5 & 6 within Cedar Landing to be known as "Sky Lakes Village" and to subject such Lots in Sky Lakes Village to certain additional covenants, conditions, restrictions, and easements, which shall be in addition to, but not in lieu of, those contained in the Master Declaration.

### DECLARATION

NOW, THEREFORE, in accordance with the Oregon Planned Community Act ORS 94.550 to 94.783, Declarant hereby declares that all property in Sky Lakes Village Development shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved, subject to the following covenants, conditions and restrictions, all of which are in furtherance of a plan for the development, improvement and sale of Sky Lakes Village Development and Cedar Landing and of enhancing and perfecting the value, desirability and attractiveness of Sky Lakes Village Development and Cedar Landing. All of the covenants, conditions and restrictions herein set forth shall run with the properties in Sky Lakes Village Development and shall be binding on all parties having or acquiring any right, title or interest in properties in Sky Lakes Village Development or any part thereof and shall be for the benefit of each Owner of any portion of Sky Lakes Village Development, or any interest therein, and shall inure to the benefit of and be binding upon each successor in interest of such owners.

### ARTICLE I Definitions

In addition to the terms defined in ORS, Chapter 94 and the Master Declaration, and elsewhere defined herein, the following terms shall have the following meanings whenever used in this Declaration:

1.1 **Sky Lakes Village Development.** Lots 1 through 124 (Phases 1-8), and such other real property described as Sky Lakes Village at Cedar Landing on the approved Cedar Landing PUD Plan (PUD 05-035) and all plats for Cedar Landing Residential, a planned community on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006 as described in LDS 05-037, and such additions thereto as may hereinafter be brought within the jurisdiction of Cedar Landing and the Association.

1.2 **Lot.** Any separately and numerically designated plot of land shown upon the recorded plats for Sky Lakes Village at Cedar Landing. A Lot does not include any of the Common Areas. Each Lot within Sky Lakes Village Development is intended for residential use as permitted by the City of Medford, Jackson County, Oregon.

1.3 **Association.** CEDAR LANDING RESIDENTIAL ASSOCIATION, established pursuant to Article III of the Master Declaration.

1.4 **Board.** The Board of Directors for the Cedar Landing Residential Association established pursuant to the Bylaws for the Association.

Declarations for Sky Lakes Village at Cedar Landing - 2

2

1.5 **Bylaws.** The Bylaws for the Cedar Landing Residential Association as set forth in Section 2.4 of the Master Declaration.

1.6 **Master Declaration.** The Declaration of Covenants, Conditions, Restrictions and Easements for Cedar Landing Residential, a planned community, dated November 29, 2007 and recorded November 30, 2007 in the Records of Jackson County, Oregon, as Document No. 2007-53982

1.7 **Owner.** The person or persons, including Declarant, owning any Lot in the Sky Lakes Village Development, but does not include a tenant or holder of a leasehold interest or a person holding only a security interest in a Lot. The rights, obligations and other status of being an Owner commence upon acquisition of the ownership of a Lot and terminate upon disposition of such ownership, but termination of ownership shall not discharge an Owner from obligations incurred prior to termination.

1.8 **Declarant.** CEDAR LANDING, LLC, an Oregon Limited Liability Company, Monty R. Jantzer and Theresa L. Jantzer and their heirs, personal representatives, successors and assigns All rights and obligations of the Declarant shall be binding upon and shall inure to the benefit of the respective heirs, personal representatives, successors and assigns of Declarant.

1.9 **Architectural Control Committee.** The architectural review committee established pursuant to Article VII of the Master Declaration.

**ARTICLE II  
Amendments**

During any period of time that any Lot is owned by Declarant in any phase of Cedar Landing, these CC&Rs shall not be amended, expire or be terminated without the written, recorded consent of Declarant and a vote of 75% of the Owners of the Lots in Sky Lakes Village Development. For purposes of this paragraph, votes are counted one vote per Lot regardless of how many people own a particular Lot.

When all the Lots in Sky Lakes Village Department have been sold by Declarant, these CC&Rs shall not be amended, expire or be terminated unless an instrument signed by the Owners of more than 75% of the Lots in Sky Lakes Village Development has been recorded, such instrument specifying the amendment, termination or expiration of these CC&Rs.

**ARTICLE III  
Use Restrictions**

The use of the Lots in the Sky Lakes Village Development shall be restricted in accordance with the following provisions in addition to all other covenants, conditions and restrictions herein contained.

3.1 **Residential Use.** The Lots shall be used for residential purposes only as approved by the Architectural Control Committee, as set forth in the Master Declaration, except as

Declarations for Sky Lakes Village at Cedar Landing - 3

3

specifically provided for in this Declaration. No mobile or manufactured dwelling shall be allowed on any Lot.

**3.2 Structures.** No structures shall be erected, placed, altered or permitted to remain on any of the residential Lots without the prior written approval of the Architectural Control Committee. One detached single-family dwelling, a private garage for not more than three cars, and one accessory dwelling unit approved by the City of Medford shall be permitted upon compliance with Section 3.27 and any other applicable provisions in this Declaration. Other outbuildings incidental to residential use of the Lots must also be approved in advance by the Architectural Control Committee.

**3.3 Commercial Use.** No industry, business, trade, occupation or profession of any kind, including but not limited to gas stations, shall be conducted, maintained or permitted on any part of the Sky Lakes Village Development, unless specifically allowed by this Declaration, the Master Declaration and permitted as a home occupation by the Code of the City of Medford, Oregon.

**3.4 Dwelling Unit and Driveway.** No dwelling shall be laid out or constructed on any Lot in Sky Lakes Village Development where total square footage of the main structure, exclusive of porches and garages is less than 1,600 square feet. Contractors are responsible to keep Lots on construction sights clean of all debris and roadways clear of mud and dirt during construction. All driveways and any parking area visible from the street shall be constructed of concrete, not asphalt, and may be finished in brushed, exposed aggregate or stamped concrete finishes approved in advance by the Architectural Control Committee.

**3.5 Roofs.** All roofs shall be of comp material, 30 year or more with a 3-dimension architectural design, color shall be earhtone with ridge caps, and approved by the Architectural Control Committee. All roof pitch angles must be approved in advance by the Architectural Control Committee.

**3.6 Exterior of Buildings.** All exterior building materials, components, colors, and all exterior siding and facie materials, window specifications and placements must be approved in advance by the Architectural Control Committee. All buildings shall be finished in exterior colors in basic harmony with the surrounding natural environment as determined by the Architectural Control Committee. No T1-11 vertical siding or resemblance thereof will be allowed. No murals or other artwork shall be displayed on exterior surfaces without prior approval of the Architectural Control Committee.

**3.7 Maintenance.** Each Owner shall maintain and repair his/her dwelling and Lot in a clean, sanitary and attractive condition. Landscaping on each Lot shall be maintained in at least as good or better quality in design and nature of planting as is required by the Architectural Control Committee at the time of initial construction of a dwelling on the Lot. If the Owner fails to maintain his/her dwelling and Lot as required herein, the Association shall have the right to go upon the Owner's Lot and perform such maintenance pursuant to the Association's authority set forth in Section 3.6 of the Master Declaration. The costs incurred by the Association shall be assessed against the Lot as a special assessment pursuant to Section 5.4 of the Association.

Declarations for Sky Lakes Village at Cedar Landing - 4

4

3.8 **Animals.** No barns, chicken coops, rabbit hutches, kennels, aviaries or pig sties shall be erected or maintained on any Lot in Sky Lakes Village Development. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any Lot except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose. No animal shall be allowed to make an unreasonable amount of noise or otherwise to become a nuisance. No dog shall be permitted outside of the Lot of the Owner of said dog unless said dog is under the control of a responsible person by means of a leash. Upon request of any Owner, the Board shall determine, in its sole discretion, whether for the purpose of this Section, a particular animal shall be considered a house pet or a nuisance. The Owner of any pet shall be responsible for cleaning up after said pet on any property within, or any Common Area of Cedar Landing. Any structure for the care, housing or confinement of any house or yard pet shall be approved by the Architectural Control Committee for its design and placement on each Lot.

3.9 **Utility Service.** Except as approved by the Architectural Control Committee, no poles, lines, wires, satellite dish, antennae or other devices of any kind for the communication or transmission of electric current or power, including telephone, television and radio signals, shall be constructed, placed or maintained anywhere in or upon any Lot unless the same shall be contained in conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings or other approved structures. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements.

3.10 **Temporary Occupancy.** No trailer, tent or shack may be placed or erected on any Lot. No trailer, basement, tent, shack or garage may at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence thereon.

3.11 **Outside Storage and Parking.** Parking of boats, trailers, motorcycles, trucks, campers, recreational vehicles, and like equipment shall not be allowed on any part of any Lot nor on public ways adjacent thereto excepting only within the confines of an enclosed garage or storage port, and behind a door or screening fence or gate which shall in no event project beyond the front walls of any dwelling or garage. In addition, no recreational vehicle shall be used as a temporary residence on any vacant Lot. All firewood and other materials or equipment stored on any Lot shall be screened from the ordinary view from adjacent Lots and streets. A recreational vehicle may be allowed temporarily not to exceed forty-eight (48) hours at any one time for purposes of loading and unloading.

3.12 **Trash Receptacles.** All trash shall be retained in appropriate receptacles and all trash cans shall be kept clean and sanitary and shall be screened from reasonable and ordinary view from the adjoining Lots and streets.

3.13 **Basketball Standards.** No basketball standards or fixed sports apparatus of any nature shall be attached to the front of any dwelling or garage. Any such apparatus must be approved by the Architectural Control Committee for placement with regard to sensitivity to

5

neighboring Lots. No front yard flag poles, and no yard or street basketball poles and or back boards will be allowed without the pre-approval of the Architectural Control Committee.

3.14 **Garages.** Garages shall be used only for the parking of motor vehicles, recreational vehicles, storage and permitted workshop purposes. All garages will have automatic garage door operators and all residents are encouraged to keep garage doors, which are visible to the street, closed whenever practical. Residents are encouraged to park their vehicles on their property behind the front yard setback line and preferably in enclosed garages.

3.15 **Swimming Pools.** No swimming pool shall be constructed in any front yard area of a Lot in Sky Lakes Village Development. No inflated plastic enclosures or permanent pool enclosure of any kind may be constructed or installed without first having obtained the written approval of the Architectural Control Committee.

3.16 **Clothes Drying Facilities.** No outside clotheslines or other outside clothes drying or airing facilities shall be maintained on any Lot, unless the Architectural Control Committee finds such facilities to be adequately concealed so as not to be seen from any adjacent property.

3.17 **Mailboxes.** There shall be no exterior newspaper tubes or freestanding mailboxes, except as may have been initially installed by or pursuant to plans previously approved by Declarant or thereafter approved by the Architectural Control Committee.

3.18 **Machinery and Equipment.** No machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any Lot except such machinery or equipment, such as private workshop equipment, as is usual and customary in connection with the use or maintenance of a dwelling.

3.19 **Diseases and Insects.** No Owner shall permit any thing or condition to exist upon his/her Lot which shall induce, breed, or harbor infectious plant diseases or noxious insects.

3.20 **Mineral Exploration.** No property within the Sky Lakes Village Development shall be used in any manner to explore for or to remove any water, oil or other hydrocarbons, minerals of any kind, gravel, earth or any other such substance or other mineral of any kind except for any excavation that may be done in connection with the construction of a dwelling on the property.

3.21 **Restrictions on Further Subdivision.** No Lot shall be further subdivided nor shall less than all of any such Lot be conveyed by an Owner thereof, and no Owner, except Declarant, may grant an easement or other interest in a Lot, without the prior written approval of the Board and the Architectural Control Committee.

3.22 **Signs.** No signs (including without limitation, commercial, family "crest" or name signs, and all such similar signs) which are visible from neighboring property shall be erected or maintained on any Lot except:

- (a) Such signs as may be required by legal proceedings;

6

(b) Such residential identification signs as are installed in the initial construction of the dwelling, subject to the review of the Architectural Control Committee and approval by the Board as to suitability;

(c) During the time of construction of any residence or other improvement by Declarant, job and sales identification signs;

(d) A project identification sign located in the Common Area at the entry to the Sky Lakes Village Development;

(e) Not more than one "for sale" sign having dimensions not to exceed eighteen (18) by seventy-two (72) inches, pursuant to the rules of the Association, so long as the posts or standards for said signs do not damage or destroy lawns or plantings. This provision shall not prevent Declarant or its heirs, successors or assigns as the case may be, or any principal building contractor, from advertising during the construction of improvements on any Lot or within the real property or during the period of time any Lot is owned by Declarant or its heirs, successors or assigns as the case may be; and

(f) Political election signs, provided that such signs shall not be erected more than 60 days before the relevant election and shall be removed the day after the election.

**3.23 Right of Inspection.** Upon seventy-two (72) hours written notice (emergencies excepted) and during reasonable hours any authorized member of the Board, or any authorized representative of any Board member, shall have the right to enter upon and inspect the Lot and the exterior of the dwelling or any of the improvements thereon for the purpose of ascertaining whether or not the provisions of the Master Declaration, this Declaration, the Bylaws and the Association Rules and regulations adopted by the Board, have been or are being complied with, and such persons shall not be deemed guilty of trespass by reason of such entry or inspection. If such inspection is made by the Architectural Control Committee upon authorization by the Board, a report shall be made to the Board which will decide the action to be taken. These rights shall be exercised in such a manner as to reasonably minimize any adverse impact upon the Owner's right to enjoyment of his/her Lot.

**3.24 Tenant Leases.** No dwelling shall be rented or leased for a period of less than thirty (30) continuous days at one time. All rental and lease agreements shall be in writing and shall comply with the provisions of the Bylaws, this Declaration, and the Master Declaration.

**3.25 Fences.** All permanent and temporary fences and railings require approval by the Architectural Control Committee prior to construction. Except as otherwise approved by the Architectural Control Committee, approved standardized fencing only is allowed in the front and on side and rear lot lines, but must remain behind the front building line as viewed from the street. This requirement applies to all Lots including corner Lots. Other limited locations within Sky Lakes Village Development may be allowed or disallowed by the Architectural Control Committee. All fences must be constructed so as to provide a finished appearance. All privacy and property line fences, construction security or containment fences, safety fences or railings,

1

screening fences and deck railings shall only be installed upon approval by the Architectural Control Committee. Acceptable fence materials and colors and the maximum height and location of all fences, railings and hedges shall be determined by the Architectural Control Committee. All fences and railings shall be well constructed and maintained and shall not detract from the appearance of other improvements located upon the Lot.

**3.26 Construction Debris.** The Owner of each Lot is responsible for the temporary containment and permanent removal of all construction debris on the Lot and any debris which is windblown or in any way displaced from the construction site to adjoining property. The Owner is also responsible for the cleanup of any dirt or mud tracked into the Common Area or streets during the course of construction of improvements on his/her property. The Owner shall not allow the accumulation of large quantities of debris, on or off site, during the course of construction

**3.27 Construction.** All homes and buildings started on any Lot in Sky Lakes Village Development shall be finished within fifteen (15) months. No dwelling shall be occupied for any purpose until such a time as the exterior is completed and painted. The building plans, specifications, including but not limited to the roof, siding, windows, exterior colors of the structure and roof, and plot plan for the residential dwelling and garage to be constructed upon each Lot in Sky Lakes Village Development shall be approved by the Architectural Control Committee before construction may commence. Approval thereof shall be obtained by application of the Owner to the Architectural Control Committee as set forth in Article VII of the Master Declaration, primarily as to conformity and harmony of external design with existing structures.

**3.28 Landscaping.** The Owner is required within six (6) months after completion of dwelling to complete the landscaping of the front yard of said dwelling including without limitation the park strip landscaping. All lawn and landscaping shall be irrigated by an underground automatic sprinkler system. Landscapes are to be well kept. Front yards are to be reasonably compatible with other existing landscaping in the development. A major portion of lawn shall be incorporated into the design of all front yard landscapes and no storage shall be allowed in the front yard. Front yards/lawns shall be installed using sod. Side yards of corner lots shall be treated the same as front yards. A front yard landscape design plan and any material changes to any existing landscape shall be a previously approved plan or submitted for review and approval by the Architectural Control Committee prior to landscape work. No artificial turf, statues or figurines shall be used in front yard landscapes except tasteful seasonal displays. All landscaping in the Sky Lakes Village Development, including street trees, shall be done in accordance with the approved final landscape plans unless a change is approved in advance by the Architectural Control Committee.

**3.29 Limitation on Parking on Private Street and Private Alley.** No parking shall be allowed on any private streets and/or private alley ways, except in designated areas, at any time.

3.30 **Nuisance.** No noxious or offensive trade or activity shall be carried on or upon any Lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

3.31 **Vacant Lots.** All vacant lots must be maintained at a certain level to ensure compatibility with the surrounding area. Weeds and grass need to be mowed to an acceptable height. Piles of debris, rock, dirt, etc. are not to be stored on a vacant lot, except in conjunction with construction.

3.32 **Hold Harmless/Waiver of Liability.** Declarant, the Association and/or its members, officers, directors, and employees make no representations or warranties of any kind either express or implied and are to be held harmless and have no liability regarding the soil stability or geologic conditions of the Lots. Buyers are responsible for obtaining a site specific geologic, soils engineering report for their individual house design and Lot. Foundation types and applications will vary according to the house design and soil conditions of each individual Lot. Buyers should obtain engineering specifications for all foundations.

#### **ARTICLE IV Development Rights**

4.1 **Limitations of Restrictions.** Numerous contractors are undertaking the work of constructing residential dwellings and incidental improvements upon the Lots included within the Sky Lakes Village Development and Cedar Landing. The completion of that work and the sale, rental and other disposal of said dwelling is essential to the establishment and welfare of said property as a residential community. In order that said work may be completed and said property be established as a fully occupied residential community as rapidly as possible, nothing in this Declaration shall be understood or construed to:

(a) Prevent Declarants, contractors, subcontractors, or permittees from obtaining reasonable access over and across any Lot and from doing on any Lot or any portion of the Sky Lakes Village Development whatever is reasonably necessary or advisable in connection with the completion of said work; or

(b) Prevent Declarants, or contractors from erecting, constructing and maintaining on any part or parts of the Sky Lakes Village Development such structures as may be reasonably necessary for the conduct of their business in completing said work, establishing said property as a residential community, and disposing of the same in parcels by sale, lease, or otherwise, including the right to maintain model homes; or

(c) Prevent contractors from maintaining such signs within the Sky Lakes Village Development, as may be necessary for the sale, lease or disposition of the Lots therein.

4.2 **Declarant's Development Rights.** Notwithstanding any other provision herein contained, Declarant and its heirs, successors and assigns expressly retains unalterable rights to develop the Sky Lakes Village Development described on Exhibit "A" and construct homes thereon in the manner deemed desirable by Declarant in Declarant's sole discretion; provided,

Declarations for Sky Lakes Village at Cedar Landing - 9

9

however, that Declarant has or shall obtain governmental consents where required by law. Upon development of all such real property in Sky Lakes Village Development, Declarant shall have constructed or shall construct the following amenities: (i) landscaping of the open space; (ii) pedestrian and bicycle pathways as described in the Cedar Landing PUD Plan; and (iii) pathway lighting.

Said amenities shall be constructed no later than the time when all Lots in Cedar Landing have been sold by Declarant. It is anticipated that development of the real property will extend over a period of years, and for that reason the Declarant shall retain the flexibility to develop the property in Cedar Landing and Sky Lakes Village Development in the manner deemed best by Declarant in Declarant's sole discretion. Declarant's reserved rights shall include the power to restrict access to portions of the Common Area in Sky Lakes Village Development and Cedar Landing as reasonably necessary during the course of construction, and thereafter, for health, safety, privacy and security purposes, as deemed appropriate by Declarant. There shall be no limitation, other than that imposed by appropriate governmental agencies having jurisdiction, upon Declarant's rights to develop and sell the property in any manner deemed appropriate by Declarant. Nothing in this Declaration shall limit the right of Declarant or its assigns to commence and complete construction of Improvements of the Sky Lakes Village Development and/or Cedar Landing or to alter the foregoing or the Lots or to construct such additional improvements (including any fencing and gates for the open space and Common Area in Sky Lakes Village Development and Cedar Landing, including the pedestrian and bicycle pathways as Declarant deems advisable prior to the completion and sale of all the Lots in Cedar Landing and Sky Lakes Village Development and completion of the landscaping and Improvements in the Common Area.

Declarant may use any of the Lots within the Sky Lakes Village Development owned by them for model home sites, sales offices, and parking therefore, and for any other purpose for which Declarant may use as provided herein. Declarant may use any dwellings upon Lots owned by it as a temporary overnight residence and for promotional purposes in connection with their sales program.

Declarant reserves the right to alter their construction and development plans and designs for Cedar Landing and Sky Lakes Village Development as they deem appropriate, subject to applicable governmental approvals. The rights of Declarant under this Declaration may be assigned to any successor or successors as to all or part of said entity's respective interests in Sky Lakes Village Development by an express assignment incorporated in a recorded deed, option or lease, as the case may be, transferring such interest to such successor. This Declaration shall not limit the right of Declarant, at any time prior to acquisition of title by a purchaser from Declarant, to establish on any Lot additional licenses, reservations and right-of-ways to themselves, to utility companies, or to others as may from time to time be reasonably necessary to the proper development of Sky Lakes Village Development.

**4.3 Consent of Declarant to Amendments.** Until Declarant shall sell all of the Lots in Sky Lakes Village Development and all homes are constructed thereon, no amendment to this Declaration shall be effective to curtail or eliminate Declarant's development rights set forth herein without Declarant's written consent.

Declarations for Sky Lakes Village at Cedar Landing - 10

10

**ARTICLE V**  
**Deannexation of Properties**

5.1 **Deannexations.** In order to correct any errors in legal descriptions, Declarant may deannex, without the consent of the Association or the Owners of Lots within Sky Lakes Village Development, any of the Sky Lakes Village Development provided that such property is comprised of Lots, and the Lots have not been improved with dwellings or have not been sold to a public purchaser. Upon any such deannexation, voting rights relating to membership in the Association will continue to be as set forth in the Master Declaration. Declarant's right to deannex property shall expire when all Lots in Cedar Landing are sold and the construction of Improvements and landscaping in Cedar Landing and the Common Area is completed or at the Turnover Meeting.

5.2 **Supplementary Declaration.** The deannexation authorized under this Article V shall be made by filing of record a Supplementary Declaration of covenants, conditions and restrictions, or similar instrument. In no event, however, shall any such Supplementary Declaration revoke, modify or add to the covenants, conditions and restrictions established by this Declaration as to the Sky Lakes Village Development, except as herein otherwise provided.

**ARTICLE VI**  
**Annexation of Additional Property**

6.1 **Annexation of Additional Property.** Declarant may from time to time and in its sole discretion annex to Sky Lakes Village Development as additional property any real property now or hereafter acquired by it, and may also from time to time and in its sole discretion permit other holders of real property to annex the real property owned by them to Sky Lakes Village Development. The annexation of such additional property shall be accomplished as follows:

(a) The owner or owners of such real property shall record a declaration which shall be executed by or bear the approval of Declarant and shall, among other things, describe the real property to be annexed, designate Sky Lakes Village Development as the development of which such property is a part, establish any additional limitations, uses, restrictions, covenants and conditions which are intended to be applicable to such additional property, and declare that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to this Declaration, the Master Declaration, and the Bylaws.

(b) The additional property included in any such annexation shall thereby become a part of Sky Lakes Village Development, this Declaration, Cedar Landing and the Master Declaration, and the Declarant and the Association shall have and shall accept and exercise administration of this Declaration and the Master Declaration with respect to such property.

(c) Notwithstanding any provision apparently to the contrary, a declaration with respect to any additional property may:

Declarations for Sky Lakes Village at Cedar Landing - 11

(i) establish such new limitations, uses, restrictions, covenants, and conditions with respect to such additional property as Declarant may deem to be appropriate for the development of the additional property; and

(ii) with respect to existing Lots, establish additional or different limitations, uses, restrictions, covenants and conditions with respect to such property as Declarant may deem to be appropriate for the development of such additional property.

(d) There is no limitation on the number of Lots which Declarant may create or annex to Sky Lakes Village Development, except as may be established by applicable ordinances of the City of Medford. Similarly, there is no limitation on the right of Declarant to annex common property, except as may be established by the City of Medford.

(e) Declarant does not agree to build any specific future improvement, but does not choose to limit Declarant's right to add additional improvements.

(f) Upon annexation to Sky Lakes Village Development, additional Lots so annexed shall be entitled to voting rights as set forth in Article III of the Master Declaration. All assessments shall be regulated pursuant to Article V and VI of the Master Declaration.

#### ARTICLE VII General Provisions

7.1 **Binding Effect; Term.** The covenants, conditions and restriction of this Declaration shall run with the land, and shall inure to the benefit of and be enforceable by the Association, or any Owner, their respective legal representatives, heirs, successors, and assigns.

7.2 **Nuisance.** Every act or omission, whereby any provision of this Declaration is violated in whole or in part, is hereby declared to be a nuisance and may be enjoined or abated, whether the relief sought is negative or affirmative action, by Declarant, the Association, or any Owner.

7.3 **Violation of Law.** Any violation of any federal, state, municipal, or local law, ordinance or regulation, pertaining to the ownership, occupation or use of the Sky Lakes Village Development or any part thereof is hereby declared to be a violation of this Declaration and/or the Master Declaration and subject to any or all of the enforcement procedures set forth herein.

7.4 **Partial Invalidity; Construction.** The invalidity or partial invalidity of any provision of this Declaration shall not affect the validity of enforceability of any other provision of this Declaration or the Master Declaration. This Declaration or Bylaws shall be liberally construed to accomplish the purposes set forth herein. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Declaration.

7.5 **Enforcement.** The Association or any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, Declarations for Sky Lakes Village at Cedar Landing - 12

12

easements, liens, and charges now or hereinafter imposed by the provisions of this Declaration. In the event of any such enforcement, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements incurred, including such of the same as may be incurred in any appeal.

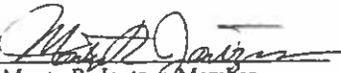
7.6 **Exceptions.** The Board shall have the power to grant to any Owner special exceptions as to any conditions or covenants contained in this Declaration, upon the assent of fifty-one percent (51%) of the votes of the Lots of Sky Lakes Village Development who are voting in person or by proxy at a meeting duly called for this purpose or a regular annual meeting. These exceptions shall be final and binding upon the Association and all Owners of Lots in Sky Lakes Village Development. Such special exception may be granted subject to whatever provisions or conditions the Board shall deem appropriate. Any special exception granted by the Board shall conform to administrative rules, ordinances and statutes of the City of Medford and the State of Oregon.

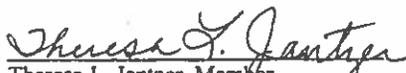
7.7 **Scope and Applicability.** This Declaration applies to and binds all Members and all resident non-members of Sky Lakes Village Development. This paragraph does not confer membership status on any resident non-member, nor does it impose liability on any resident non-member for assessments authorized herein.

7.8 **Non-Waiver.** Any failure by the Association or by any Owner to enforce any covenant or restriction contained in this Declaration shall in no event be deemed to constitute a waiver of the right to do so hereafter or a waiver of any other provision of the Master Declaration or this Declaration.

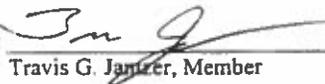
IN WITNESS WHEREOF, Declarant has executed this Declaration this 29 day of November, 2007.

CEDAR LANDING, LLC,  
An Oregon Limited Liability Company

By:   
Monty R. Jantzer, Member

By:   
Theresa L. Jantzer, Member

By:   
Jason R. Jantzer, Member

By:   
Travis G. Jantzer, Member

By:   
Kelley I. Jantzer, Member

13



STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Jason R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.



BEFORE ME:  
Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

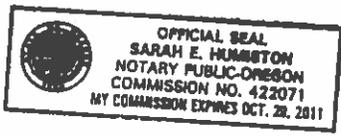
On the 29 day of November, 2007, personally appeared the above-named Travis G. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.



BEFORE ME:  
Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Kelley J. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.



BEFORE ME:  
Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

Declarations for Sky Lakes Village at Cedar Landing - 15

15



"EXHIBIT A"

Lots 59 through 89, inclusive, in SKY LAKES VILLAGE AT CEDAR LANDING, PHASES 5 and 6, a Planned Community in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded in Volume 33, Page 75, Plat Records.

17



I, Kathleen S. Beckett, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk's records.  
Kathleen S. Beckett - County Clerk

After recording, return to:

Cedar Landing, LLC  
c/o Timothy Brophy  
Brophy, Mills, Schmor, Gerking,  
Brophy & Paradis, LLP  
201 W. Main Street, Ste 5  
Medford, OR 97501

**DECLARATION  
OF ANNEXATION TO  
CEDAR LANDING RESIDENTIAL, A PLANNED COMMUNITY**

THIS DECLARATION OF ANNEXATION TO CEDAR LANDING RESIDENTIAL, is made as of this 29<sup>th</sup> day of November, 2007, by CEDAR LANDING, LLC, an Oregon limited liability corporation and Monty R. Jantzer and Theresa L. Jantzer, (hereinafter collectively "Declarant").

**RECITALS, INTENT AND PURPOSE**

A. Declarant is the Declarant under the Declaration of Covenants, Conditions, Restrictions for Cedar Landing Residential, a Planned Community recorded on November 30 2007 as Document No. 2007-53982 in the Records of Jackson County, Oregon (the "Master Declaration").

B. Pursuant to Section 13.1 of the Master Declaration, Declarant wishes to annex additional property to Cedar Landing Residential, a Planned Community.

NOW, THEREFORE, Declarant hereby declares as follows:

1. **Property Annexed.** Declarant hereby declares that all of the property described below (the "Additional Property") shall be annexed to Cedar Landing Residential, a Planned Community as Additional Property and that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the Master Declaration:

Lots 59 through 89, inclusive, in SKY LAKES VILLAGE AT CEDAR LANDING, PHASES 5 and 6, a Planned Community in the City of Medford, Jackson County, Oregon, according to the official plat thereof, recorded in Volume 33, Page 75, of Plat Records of Jackson County, Oregon.

IN WITNESS WHEREOF, Declarant has executed this Declaration this 29<sup>th</sup> day of November, 2007.

CEDAR LANDING, LLC,  
An Oregon Limited Liability Company

By: [Signature]  
Monty R. Jantzer, Member

By: [Signature]  
Theresa L. Jantzer, Member

By: [Signature]  
Jason R. Jantzer, Member

By: [Signature]  
Travis G. Jantzer, Member

By: [Signature]  
Kelley J. Jantzer, Member

[Signature]  
Monty R. Jantzer, Individually

[Signature]  
Theresa L. Jantzer, Individually

STATE OF OREGON )  
                          ) ss.  
County of Jackson )

On the 29<sup>th</sup> day of November, 2007, personally appeared the above-named Monty R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:

[Signature]  
Notary Public for Oregon  
My Commission Expires: 10/29/11

Declaration of Annexation to Cedar Landing Residential, a Planned Community -2

2

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Theresa L. Jantzer, who being sworn stated that she is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that she executed this instrument on behalf of said company by authority of its members.

BEFORE ME:



Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Jason R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:



Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Travis G. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:



Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

Declaration of Annexation to Cedar Landing Residential, a Planned Community -3

3





Kathleen S. Beckett, County Clerk for Jackson County, Oregon,  
certify that the instrument identified herein was recorded in the Clerk  
records  
Kathleen S. Beckett - County Clerk

After recording, return to:

Cedar Landing, LLC  
c/o Timothy Brophy  
Brophy, Mills, Schmor, Gerking,  
Brophy & Paradis, LLP  
201 W. Main Street, Ste 5  
Medford, OR 97501

**DECLARATION  
OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
CEDAR LANDING RESIDENTIAL, A PLANNED COMMUNITY**

THIS DECLARATION is made this 29<sup>th</sup> day of November, 2007, by CEDAR LANDING, LLC, an Oregon limited liability corporation and Monty R. Jantzer and Theresa L. Jantzer, (hereinafter collectively "Declarant") as the owners in fee simple of that real property located in the City of Medford, County of Jackson, State of Oregon, described on Exhibit "A", attached hereto and incorporated herein by this reference ("Cedar Landing").

**RECITALS, INTENT AND PURPOSE**

A. Declarant owns and controls approximately 122.12 acres within the City of Medford, Jackson County, Oregon. Declarant proposes to develop portions of this property as a planned development to be known as Cedar Landing.

B. Declarant hopes to create in Cedar Landing a carefully planned community which will provide an attractive place to live that consists of both residential and commercial development. The planned community will include a combination of single family homes, residential multi-plex, condominiums, townhomes, zero lot line homes, residential retirement housing and commercial development.

C. By this Declaration of Covenants, Conditions Restrictions and Easements for Cedar Landing, all Lots within the approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006, are subject to the covenants, conditions restrictions and easements of this declaration (hereinafter "this Declaration or "Master Declaration"), except that the Lots and open space designated as the Village at Cedar Landing on the PUD Plan will be governed by one or more separate sets of covenants, conditions and restrictions. However, all pedestrian and bicycle pathways within the Village at Cedar Landing as described on the PUD Plan shall be governed by this Master Declaration.

Declaration for Cedar Landing Residential, a Planned Community -1

D. The purpose of this Declaration is to provide for a cohesive neighborhood and to provide for the ownership, maintenance and use of the Lots and Common Area within Cedar Landing which will be owned and operated by an owner's association for the benefit of all Owners of Lots within Cedar Landing and all properties now or later made subject to this Declaration. In addition, property made subject to this Declaration may be subject to an Individual Development Declaration which may impose additional restrictions on the architectural and use standards of the Lots and Common Area in Cedar Landing and in each Individual Development.

E. Funds for the maintenance and operation of the Common Areas generally will be provided through assessments against those who purchase Lots within Cedar Landing, including any Lot within an Individual Development. For the protection of all Owners of property in Cedar Landing, there will be a system designed to establish that each person who purchased property in Cedar Landing will pay an equitable share of the sum necessary for the maintenance and development of the Common Areas that are open for all Owners' use and enjoyment.

**DECLARATION**

NOW, THEREFORE, Declarant hereby declares that all property in Cedar Landing shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved, subject to the following covenants, conditions and restrictions, all of which are in furtherance of a plan for the development, improvement and sale of Cedar Landing and of enhancing and perfecting the value, desirability and attractiveness of Cedar Landing. All of the covenants, conditions and restrictions herein set forth shall run with the Lots and property in Cedar Landing and shall be binding on all parties having or acquiring any right, title or interest in said properties in Cedar Landing or any part thereof and shall be for the benefit of each Owner of any portion of Cedar Landing, or any interest therein, and shall inure to the benefit of and be binding upon each successor in interest of such owners.

**ARTICLE I  
Definitions**

In addition to the terms defined in ORS, Chapter 94, and elsewhere defined herein, the following terms shall have the following meanings whenever used in this Declaration:

1.1 **Additional Property.** Any land, whether or not owned by Declarant, which is made subject to this Declaration as provided in Article XIII below.

1.2 **Cedar Landing.** That certain real property herein described and located in the City of Medford, Jackson County, Oregon at 371W16, Tax Lot 800; 371W16BD, Tax Lots, 200, 300 & 400 and 371W16CA Tax Lots 1400 & 2200 and as described in the approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2007. The Lots and open space designated as the Village at Cedar Landing in the PUD Plan (05-035) shall be governed by one or more separate sets of covenants, conditions and restrictions. As provided in Section 1.11 below, the pedestrian and bicycle pathways in the Village at Cedar Landing as described on the PUD Plan shall be subject to and governed by this Master Declaration.

Declaration for Cedar Landing Residential, a Planned Community -2

2

1.3 **Declarant.** CEDAR LANDING, LLC, an Oregon Limited Liability Company, Monty R. Jantzer and Theresa L. Jantzer and their heirs, personal representatives, successors and assigns. All rights and obligations of the Declarant shall be binding upon and shall inure to the benefit of the respective heirs, personal representatives, successors and assigns of Declarant.

1.4 **Improvement.** Every structure or improvement of any kind, including but not limited to a fence, wall, driveway, pedestrian and bicycle pathways, bench, landscaping or other product of construction efforts on or in respect to Cedar Landing.

1.5 **Individual Development.** There will be four (4) separate individual developments within Cedar Landing consisting of the following uses: (a) condominiums; (b) residential single-family houses; (c) residential multi-plex, townhomes and/or zero lot line houses; (d) residential retirement housing; and/or (e) commercial development, including without limitation, offices, retail, restaurants, lounges and/or recreational uses. The four individual developments shall consist of and be known as the following:

(1) **High Cedars at Cedar Landing**, which may consist of approximately 34 Lots designated as single family residences for 55 & older individuals, 65 Lots designated as single-family residential lots, and 60 Lots designated as padlots, duplexes and/or townhomes;

(2) **Sky Lakes Village at Cedar Landing**, which may consist of approximately 124 single-family residential lots;

(3) **The Village at Cedar Landing**, which may consist of a luxury retirement community, commercial lots and approximately 39 condominium units. This development including all lots and open space in this development will be governed by one or more separate sets of covenants, conditions and restrictions. However, all pedestrian and bicycle pathways within this development as described on the PUD Plan shall be governed by this Master Declaration.

(4) **Cascade Terrace at Cedar Landing**, which may consist of approximately 71 single family residential lots.

Each Individual Development described above may be referred to both individually by name and collectively in this Declaration as an Individual Development.

1.6 **Individual Development Declaration.** A declaration of covenants, conditions, restrictions and easements establishing a cohesive neighborhood with architectural and use standards for the benefit of all Owners of Lots within the Individual Development and Cedar Landing. Said Individual Development Declaration shall have been executed by or bear the written approval of Declarant.

1.7 **Lot.** Any separately and numerically designated platted or partitioned plot of land, tract or condominium unit within Cedar Landing and as designated on the Individual Development plat as described in the Cedar Landing PUD Plat (05-035). A Lot does not include any of the Common Areas or any tracts or plots of land designated as common or open space in Declaration for Cedar Landing Residential, a Planned Community -3

3

the Cedar Landing PUD Plan, this Declaration, any Individual Development Declaration, or any declaration annexing such property to Cedar Landing.

**1.8 Articles & Bylaws.** The Articles of Incorporation and Bylaws of the Cedar Landing Residential Association recorded in the Official Records of Jackson County, Oregon.

**1.9 Assessments.** All assessments and other charges, fines and fees imposed by the Association on an Owner in accordance with this Declaration, including, without limitation, annual assessments, special assessments, emergency assessments and any other assessment described in Articles V and VI.

**1.10 Association.** CEDAR LANDING RESIDENTIAL ASSOCIATION, a Non-profit corporation organized under the laws of the State of Oregon, and its successors and assigns.

**1.11 Common Area.** All that open space, pedestrian and bicycle pathways and/or other common area property designated as such on that approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006 as described in this Declaration, any Individual Development Declaration, or any declaration annexing Additional Property to Cedar Landing and such additions thereto as may hereinafter be brought within the jurisdiction of the Association. See Exhibit "B" attached hereto and incorporated herein by this reference. Common Area shall also include any easement areas and any Lots converted to Common Area as provided in Article VIII. Common Area shall not include the open space included in the Village at Cedar Landing as designated on the Cedar Landing PUD Plan 05-035. However, all pedestrian and bicycle pathways in the Village at Cedar Landing as described on the PUD Plan shall be common area subject to this Declaration.

**1.12 Owner.** The person or persons, including Declarant, owning any Lot in Cedar Landing and/or any Individual Development, but does not include a tenant or holder of a leasehold interest or a person holding only a security interest in a Lot. The rights, obligations and other status of being an Owner commences upon acquisition of the ownership of a Lot and terminates upon disposition of such ownership, but termination of ownership shall not discharge an Owner from obligations incurred prior to termination.

**1.13 This Declaration.** All of the covenants, conditions, restrictions and easements set forth in this instrument, together with any rules or regulations promulgated hereunder, as the same may be amended or supplemented from time to time in accordance with the provisions hereof, including the provisions of any supplemental declaration annexing property to Cedar Landing.

**1.14 Architectural Control Committee.** The committee appointed pursuant to Article VII of this Declaration.

**1.15 Cedar Landing PUD Plan.** The Approved Cedar Landing PUD Plan (PUD 05-035) on file with the City of Medford, Jackson County, Oregon under the date of April 27, 2006. See also Exhibit "B" attached hereto.

Declaration for Cedar Landing Residential, a Planned Community -4

W

**ARTICLE II**  
**Planned Community**

2.1 **Name.** The name of the planned community shall be CEDAR LANDING.

2.2 **Classification.** The said property shall be a Class I planned community as defined under ORS 94.550(4). Cedar Landing shall contain 354 Lots consisting of residential and shall have annual assessments that exceed \$10,000 for all Lots in Cedar Landing.

2.3 **Compliance with Oregon Planned Community Act.** Notwithstanding any provision of this Declaration that might be construed to the contrary, all activity with relationship to CEDAR LANDING and CEDAR LANDING RESIDENTIAL ASSOCIATION, including but not limited to the management and operation of Cedar Landing and the Association, shall be conducted in accordance and subject to the Oregon Planned Community Development Act, and those rules set forth in ORS 94.550 to 94.783.

2.4 **Bylaws.** Pursuant to ORS 94.580, the Bylaws of CEDAR LANDING RESIDENTIAL ASSOCIATION shall be recorded with the County Clerk of Jackson County.

**ARTICLE III**  
**Association and Membership**

3.1 **Organization.** The name of the homeowners association shall be CEDAR LANDING RESIDENTIAL ASSOCIATION (hereinafter "Association"). The Association is a non-profit Oregon corporation charged with the duties and invested with the powers prescribed by law and set forth in the Articles, the Bylaws, and this Declaration. Neither the Articles nor Bylaws shall, for any reason, be amended or otherwise changed or interpreted so as to be inconsistent with this Declaration. In the event of any such inconsistency, the provisions of this Declaration shall prevail. The Board of Directors of the Association, and such officers as the Board may elect or appoint, shall conduct the affairs of the Association in accordance with the Articles, Bylaws, and this Declaration as from time to time amended.

3.2 **Membership.** Every person or entity who is a record owner of a fee or undivided fee interest in any Lot in Cedar Landing which is subject under the covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association (hereinafter "Association Membership" or "Member"). Each member shall have the rights, duties and obligations set forth in this Declaration, any Individual Development Declaration, the Articles, and the Bylaws, as the same may from time to time be amended.

The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association and shall not be assigned, transferred, pledged, conveyed or alienated in any way except upon the transfer of title to such Lot, and then only to the transferee of title thereto. Ownership of such Lot shall be the sole qualification for membership and shall automatically commence upon a person becoming such owner and shall automatically terminate when such ownership shall terminate or be transferred.

Declaration for Cedar Landing Residential, a Planned Community -5

5

3.3 **Voting Rights.** All Membership and voting procedures are governed by the Articles, Bylaws and this Declaration. Any action by the Association which must have the approval of the Association Membership before being undertaken shall expressly require the vote or written assent of a prescribed percentage of the total voting power of the Association Membership, as more particularly stated within this Declaration. The Association shall have two classes of voting membership, known as Class A membership and Class B membership.

(a) **Class A Members.** Class A members shall be all those owners as defined in Section 3.2. Class A members shall be entitled to one (1) vote for each Lot in which they hold the interest required for membership by Section 3.2. When more than one person holds such interest in any Lot, all such persons shall be members. However, the vote for each Lot must be cast as a unit, and fractional votes shall not be allowed. In the event joint Owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter in question. If an Owner (or Owners) casts a vote representing a certain Lot, it will thereafter be conclusively presumed for all purposes that such Owner was acting with the authority and consent of any other Owners of said Lot. The right to vote may not be severed or separated from the Lot ownership to which it is appurtenant, and any sale, transfer or conveyance of such Lot to a new Owner or Owners shall operate to transfer the appurtenant vote without the requirement of any express reference thereto.

(b) **Class B Members.** The Class B Members shall be the Declarant as defined in Section 1.3. The Class B Members shall be entitled to five (5) votes for each Lot in which they hold the interest required for membership as provided in Section 3.2 above. Class B membership shall be converted to Class A membership and shall forever cease to exist when Declarant has sold all the Lots owned by it in Cedar Landing.

(c) **Voting Procedures.** Any vote may be cast in person or by proxy. All proxies shall be in writing, dated, signed by the Owner giving the proxy and filed with the Secretary before the commencement of any meeting. A proxy shall terminate eleven (11) months after its date unless the proxy specifies a shorter term. Every proxy shall automatically cease upon the sale of the Lot by the Owner and upon the death or incapacity of the Member who executed the proxy.

(d) **Declarant's Right To Vote.** Notwithstanding any other provision of this Declaration, and, except as provided in Section 9.3, hereof, any regulation herein requiring the approval of a prescribed percentage of the voting power of members of the Association other than the Declarant, for an action to be taken by the Association shall also require the vote or written assent of a bare majority of the total voting power of the Association as well as the vote or written assent of the prescribed percentage of the total voting power of members other than the Declarant.

(e) **Suspension of Voting Rights.** The voting rights of an Owner shall be suspended during such period as any assessment due under this Declaration from such Owner remains unpaid; provided, however, that the Board shall give any such Owner at least fifteen (15) days notice prior to such suspension, and such Owner shall be entitled to a hearing before the Board in accord with Section 3.4 of the Bylaws.

6

3.4 **Initial Association Board of Directors.** The initial Board shall be appointed by Declarant. Pursuant to ORS 94.600 Declarant reserves the right to control the Association until all Lots within Cedar Landing have been sold and all landscaping and improvements in the Common Area pursuant to the Cedar Landing PUD Plan have been completed. Thereafter, the Board shall be elected as provided in the Bylaws for the Association (herein referred to as "Board").

3.5 **Duties of the Association.** The Association shall have the obligations and duties, subject to and in accordance with this Declaration and the Bylaws, to do and perform the following acts for the benefit of its Members and for the maintenance and improvement of the Common Areas and Cedar Landing.

(a) Common Area Construction, Maintenance and Operation. The general maintenance and management of the Common Area shall be performed by the Association pursuant to this Declaration, including the maintenance and management of all landscaping in the Common Areas in Cedar Landing, including all pedestrian and bicycle pathways in Cedar Landing, and all retention ponds in Cedar Landing. Except as provided in this Declaration, the Association shall construct, maintain and manage the Common Area, all improvements located thereon, all easements for operation and maintenance purposes over the Common Area and all easements for the benefit of Members of the Association within Cedar Landing. Each Owner hereby grants to the Association a nonexclusive easement of ingress and egress to that portion of his/her Lot as may be reasonably required by the Association to exercise or otherwise perform its rights under this Section 3.5 and this Declaration.

(b) Utilities. To acquire, provide and/or pay for water, sewer, garbage, disposal, refuse pickup, electrical, and other necessary utility services for the Common Areas and to install and pay for the construction of said utilities from the Common Area to each individual residence and/or Common Areas. In addition, the Association is responsible for the construction and payment for all landscaping within the Common Areas.

(c) Sidewalks Mailboxes, Etc. The Association shall initially construct and pay for, as well as maintain, repair, replace, reconstruct and relocate sidewalks, lighting, path lighting, street signs, any mail and post boxes, and the landscaping located within the Common Area, as initially designated on the Cedar Landing PUD plan on file with the City of Medford, Oregon.

(d) Storm Drains. The Association shall be responsible to maintain all private storm drainage systems in Cedar Landing.

(e) Insurance of Common Areas and Alley ways. To insure all Common Areas and private Alley ways, if any. It is the intent of this Declaration that Owners will be responsible for insuring and maintaining their own Lots and dwelling buildings, including but not limited to all glass, and all utility services extending to and from the Common Areas.

(f) Alley ways. All alleyways described in the Cedar Landing PUD Plan shall be private alleyways and designed pursuant to City of Medford road standards and owned and maintained by the Association.

Declaration for Cedar Landing Residential, a Planned Community -7

1

(g) Other. To perform such other acts, whether or not expressly authorized by this Declaration, as may be reasonably necessary to enforce any of the provisions of this Declaration, the Bylaws and any Individual Development Declaration.

3.6 **Power and Authority of the Association.** The Association shall have all of the powers of a nonprofit corporation organized under the Non-Profit Corporation Law of the State of Oregon, subject only to such limitations upon the exercise of such powers as are expressly set forth in the Articles, the Bylaws, and/or this Declaration. The Association shall have the power to do any and all lawful things which may be authorized, required or permitted to be done by the Association under this Declaration, the Articles, and/or the Bylaws, and to do and perform any and all acts which may be necessary or proper for or incidental to the exercise of any of the express powers of the Association, including without limitation:

(a) Assessments. To levy any assessments on the Owners and to enforce payment of such assessments, all in accordance with the provisions of Articles V and VI of this Declaration.

(b) Right of Entry and Enforcement. To enter upon any Lot or the Common Area for the purpose of performing the duties of the Association set forth in Section 3.5 of this Article, enforcing by peaceful means any of the provisions of this Declaration, any Individual Development Declaration or maintaining or repairing any area, including the landscaping on each Lot in a neat and attractive manner, required to be maintained by an Owner if for any reason such Owner fails to maintain or repair such area. Such entrance upon a Lot shall be after seventy-two (72) hours prior written notice to the Owner; provided, however, that such entrance shall be permitted upon consent of at least one (1) Board member without any prior notice in the event of an emergency. An emergency shall be deemed to exist when there is a condition causing peril or threat to persons or property. The Association shall also have the power and authority from time to time in its own name, on its own behalf or on behalf of any Owner or Owners who consent thereto, to commence and maintain actions and suits to restrain and enjoin any breach or threatened breach of this Declaration or any Individual Development Declaration and to enforce, by mandatory injunction or otherwise, all of the provisions hereof. These rights shall be exercised in such a manner as reasonable to minimize any adverse impact upon the Owner's right to enjoyment of his/her Lot.

(c) Easements and Rights-of-Way. To grant and convey to any third party easements and rights-of-way in, on, over and under the Common Areas for the purpose of constructing, erecting, operating or maintaining thereon, therein or thereunder overhead or underground lines, cables, wires, conduits, or other devices for the transmission of electricity for lighting, heating, power, telephone and other purposes, public sewers, storm water drains and pipes, water systems, sprinkling systems, water and gas lines or pipes cable TV lines, security system lines and any similar public or quasi-public improvements or facilities. However, neither the Association, nor any Lot Owner, shall have an easement over or across any of such Lots for any other purpose.

(d) Employment of Manager. To employ the services of a person or firm to manage the Common Areas and the affairs of the Association ("the Manager") to the extent deemed advisable by the Board, as well as such other personnel as the Board shall determine to

Declaration for Cedar Landing Residential, a Planned Community -8

8

be necessary or proper for the operation of the Common Areas, whether such personnel are employed directly by the Association or are furnished by the Manager.

(e) Services. To contract for materials and/or services for the Common Area or the Association. Any such service contract or management contract, including but not limited to a contract pursuant to Section 3.6(d) of this Article, shall be subject to termination by either party without cause upon thirty (30) days notice in writing to the other party.

(f) Rules. By a majority vote of the Board, and from time to time, to adopt, amend, enforce and repeal such rules and regulations as the Board shall determine to be necessary or proper for the operation of the Association and Cedar Landing. The Association Rules shall govern the use of the Common Areas by any Owner, by the family of such Owner, or by any invitee, permittee, licensee or tenant of such Owner; provided, however, that the Association Rules may not discriminate among Owners and shall not be inconsistent with this Declaration, the Articles, and/or the Bylaws. A copy of the Association Rules as they may from time to time be adopted, amended or repealed, shall be mailed or otherwise delivered to each Owner. Upon such mailing or delivery, the Association Rules shall have the same force and effect as if set forth in and a part of this Declaration. The Association Rules shall not materially change the rights or privileges of any person, or the restrictions on any Lot, as herein set forth.

**ARTICLE IV**  
**Common Area Use Restrictions**

The use of the Common Area shall be restricted in accordance with the following provisions in addition to all other covenants, conditions and restrictions herein contained.

4.1 **Recreational Use.** The Common Area shall be used for recreational purposes only and shall not be used for any commercial use, including any business, trade, occupation, craft fair, farmer's market or any other type of business for profit, except with the express written permission of the Board.

4.2 **Structures.** No permanent or temporary structures of any kind shall be erected, placed, altered or permitted to remain on any of the Common Area, including any tents, trailers, shack, tables, play ground sets, benches, and stands except upon written approval from the Association.

4.3 **Animals.** No dog shall be allowed in the Common Area unless said dog is under the control of a responsible person by means of a leash. The Owner of any pet shall be responsible for cleaning up after said pet on any property within, or any common area of, Cedar Landing, including all pedestrian and bicycle pathways.

4.4 **Sports Apparatuses.** No basketball standards or fixed sports apparatus of any nature, including but not limited to any volleyball nets, baseball mounds and bases, soccer goal nets and posts, and any other sports equipment, shall be erected, attached to or remain on the Common Areas for more than a 24 hour period without the express written permission of the Association.

Declaration for Cedar Landing Residential, a Planned Community -9

9

4.5 **Nuisance.** No noxious or offensive trade or activity shall be carried on or upon any of the Common Area, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

**ARTICLE V**  
**Funds and Assessments**

5.1 **Operating Fund.** The Association shall establish and maintain an operating fund into which shall be deposited monies paid to the Association by the Owners of Lots in Cedar Landing, any special and emergency Assessments collected by the Association, and any reimbursement or miscellaneous fees collected by the Association, from which funds the Association shall make disbursements in the performance of its rights and duties as provided for in this Declaration and/or any Individual Development Declaration.

5.2 **Reserve Fund.** The Association shall also establish and maintain a reserve fund for replacement of all items of Common Area property which will normally require replacement, in whole or in part, in more than three (3) and less than thirty (30) years for exterior painting, if the common property includes exterior painted surfaces, and for such other items as may be required by this Declaration, the Bylaws and/or any Individual Development Declaration. Declarant may defer payment of accrued reserve assessments for a Lot until the Lot is conveyed. The books and records of the Association shall reflect the amount owing from Declarant for all reserve assessments. The Board annually shall conduct a reserve study, or review and update an existing study of the Common Area components to determine the reserve account requirements, as provided in ORS 94.595(4) as it may be amended from time to time. The operating fund and the reserve fund shall be kept in separate accounts.

5.3 **Regular Assessments.** Regular Assessments shall be collected by the Association pursuant to this Declaration. Within forty-five (45) days prior to the beginning of each fiscal year, the Association shall estimate the costs and expenses to be incurred by the Association for the maintenance of the Common Area in Cedar Landing as well as the estimated costs and expenses incurred by the Association in performing its duties under this Declaration and/or any Individual Development Declaration. The regular assessment shall consist of the following: (a) the Association's costs and expenses for the maintenance of the Common Area and all other open space/common areas within Cedar Landing pursuant to the this Declaration and any Individual Development Declaration; and (b) the Association's estimated costs and expenses incurred in performing its rights and duties under this Declaration and/or any Individual Development Declaration. The estimated amount of the regular assessment shall be assessed equally to all the Owners of all residential Lots within Cedar Landing. The amount per Lot so assessed to each owner is called "the Regular Assessment."

5.4 **Special or Emergency Master Assessments.** In addition to the Regular Assessment, the Association and/or the Board may levy during any fiscal year a special or emergency assessment applicable to that year only, for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction (including reconstruction costs in excess of insurance proceeds), repair or maintenance necessitated by the failure of the Owner or tenant to maintain his/her dwelling or Lot, repair of any common watered areas or utilities, unexpected  
Declaration for Cedar Landing Residential, a Planned Community -10

10

repair or replacement of a capital improvement upon the Common Area, and/or any other open space/common area within Cedar Landing, including the necessary fixtures and personal property related thereto, or any extraordinary expense not contemplated by this Declaration, or any Individual Development Declaration of whatsoever nature. Provided that, in any fiscal year, the Board may not, without the vote or written assent of a majority of the voting power of the Association residing in members other than the Declarant, levy special or emergency assessments to defray the costs of any action or undertaking on behalf of the Association which in the aggregate exceed five percent (5%) of the budgeted gross expenses of the Association for that fiscal year. Except as otherwise provided herein, special and emergency assessments shall be assessed to the Owners of Lots within Cedar Landing equally and shall be paid as the Association or/and Board shall determine. The provisions herein with respect to special and emergency assessments do not apply in the case where the Special Assessment against a member is a remedy utilized by the Board to reimburse the Association for costs incurred in bringing the member and his/her Lot into compliance with the provisions of the this Declaration and/or any Individual Development Declaration.

**5.5 Non-waiver of Assessments.** If, before the expiration of any fiscal year, the Association fails to determine the amount of any or all assessments set forth in this Declaration for the next fiscal year, the amount of the Regular Assessment established for the preceding year shall remain in effect until the Association determines a new amount for any or all assessments.

**5.6 Payment of Assessments.** Each Owner shall be obligated to pay the Regular Assessments made pursuant to this Article V and/or pursuant to this Declaration to the Association in equal monthly installments on or before the first day (1st) of each month in advance, or in such other manner as the Association and/or Board shall designate. Each Owner shall be obligated to pay special or emergency assessments made pursuant to this Article V in such manner as the Association and/or the Board shall provide. The Association shall provide each owner with a statement of the Regular Assessments within ten (10) days prior to the beginning of each fiscal year, but shall not be obligated to provide monthly statements to any Owner thereafter.

**5.7 Commencement of Assessments.** The Regular Assessments shall commence as to each Lot in Cedar Landing upon the close of the sale of the first Lot in Cedar Landing to someone other than Declarant. The first Regular Assessment shall be adjusted according to the number of months remaining in the fiscal year and the initial payment due with respect to a partial month from an Owner, other than Declarant, shall be prorated as of the close of escrow for the purchase of such Owner's Lot. The Association shall, within ten (10) days after demand and upon payment of a reasonable fee as determined by Resolution of the Board, furnish to an Owner a certificate signed by an officer of the Association stating whether assessments on his/her Lot have been paid.

**5.8 Reimbursement Fee.** The Association and/or the Board shall levy an assessment against any Owner who has failed to comply with, or has breached this Declaration, any Individual Development Declaration, the Association Rules and/or Bylaws, for whom monies or expenses were expended or incurred by the Association from the operating fund in performing its functions or enforcing the provisions of this Declaration, any Individual Development Declaration, the Association Rules and/or the Bylaws. Such assessment shall be for the purpose

Declaration for Cedar Landing Residential, a Planned Community -11

11

of reimbursing the Association and shall be limited to the amount so expended or incurred and shall be due and payable to the Association when levied.

5.9 **User Fees.** The Board may set user fees for Owners and guests as it deems necessary for the use of the Common Area to help defray the cost of maintenance thereof.

5.10 **Funds Held in Trust.** The assessments collected by the Association pursuant to the provisions of this Declaration shall be held by the Association for and on behalf of each Owner and shall be used solely for the operation, care, and maintenance of the Common Area, and all other open space/common area in Cedar Landing as provided in this Declaration and any Individual Development Declaration, Bylaws, and/or the Association Rules, if any. Upon the sale or transfer of any Lot, the Owner's interest in the funds shall be deemed automatically transferred to the successor in interest of such Owner.

5.11 **Offsets.** No offset against any assessment shall be permitted for any reason, including, without limitation, an offset based on any claim that the Association is not properly discharging its duties.

5.12 **Profits.** In the event that the assessments levied in a fiscal year exceed expenses of the Association for that year, the Owners shall not be entitled to recover such profits from the Association. Rather, the Board shall take said profits into account when budgeting for the upcoming fiscal year as provided in Section 5.3 of this Declaration.

#### **ARTICLE VI Enforcement of Assessments**

6.1 **Covenant to Pay Assessments.** Declarant covenants for each Lot owned and each Owner, other than Declarant, by acceptance of a deed to a Lot, each Owner shall be deemed to covenant to pay to the Association any assessments levied pursuant to this Declaration, including any Regular Assessments, special and emergency assessments, and/or Reimbursement Fees levied in accordance with Article V of this Declaration.

6.2 **Enforcement.** Each assessment levied hereunder shall be a separate, distinct and personal debt and obligation of the person who was the Owner of such Lot at the time such assessment became due and payable. In the event of a default in payment of any such assessment, the Association may enforce each such obligation by any and all remedies provided by law. The Association at their discretion may retain the services of an attorney or employ a collection agency to collect all assessments which are past due. Collection expenses, including reasonable attorney fees and costs shall be assessed to the Owner and any collection costs that remain unpaid more than thirty (30) days after assessment shall bear interest at the rate of 12% per annum. In the event the Association brings an action to enforce each such assessment obligation, any judgment rendered in any such action shall include a sum for reasonable attorneys' fees in such amount as the Court may adjudge against the defaulting Owner, including reasonable attorneys' fees on appeal.

At any time when an assessment of any type provided for by this Declaration or an installment thereof is delinquent, the Association, may file a notice of lien in the deed records of Declaration for Cedar Landing Residential, a Planned Community -12

12

Jackson County, Oregon, against the Owner and Lot to which the assessment pertains as provided by ORS 94.709.

6.3 **Interest; Fines; Late Fees; Penalties.** The delinquent assessment bears interest at the rate of 12% per annum or the maximum rate approved by law, whichever is less. The Association, in its reasonable discretion, may from time to time adopt resolutions to modify the rate of interest and impose late fees, fines, and/or penalties on delinquent assessments or for violations of provisions of this Declaration and/or any Individual Development Declaration, the Bylaws, and/or Association Rules. All Owners shall receive written notice from the Board of such adoption of a resolution or rule establishing late fees, fines, and/or penalties not less than thirty (30) days before the effective date of such resolution or rule. The payment of late fees, fines, and penalties are enforceable in the same manner of other assessments as set forth in this Article VI.

**ARTICLE VII**  
**Architectural Control Committee**

7.1 **Architectural Control Committee.** There shall be an Architectural Control Committee comprised of no less than three (3) or more than seven (7) members. The Declarant shall appoint all of the original members of the Architectural Control Committee and all replacements, until one hundred percent (100%) of all Lots in Cedar Landing have been sold and built upon and all the Common Areas have been constructed and landscaped pursuant to the Cedar Landing PUD. Thereafter, the Board shall have the power to appoint all of the members of the Architectural Control Committee. Members appointed to the Architectural Control Committee by the Declarant need not be members of the Association. The Architectural Control Committee, with the approval of the Board, shall have the right to hire a licensed architect, a landscape architect, an engineer or such other professionals as may be required to advise the Architectural Control Committee in carrying out its duties pursuant to this Article VII. The Architectural Control Committee may establish and maintain a list of approved licensed general contractors who are allowed to work within Cedar Landing.

7.2 **Architectural Review.** No Improvement (including landscaping) shall be commenced, erected, placed or altered on any Lot within any Individual Development and/or Cedar Landing until the construction plans and specifications have been submitted to and approved in writing by the Architectural Control Committee. It is the intent and purpose of this Declaration to assure quality of workmanship and materials and to assure harmony of external design with the existing Improvements and as to location with respect to topography and finished grade elevations. The Architectural Control Committee is not responsible for determining compliance with building codes, solar ordinances, zoning codes or any other governmental regulations, all of which are the responsibility of the applicant. The procedure and specific requirements for review and approval of construction may be set forth in Architectural Rules as provided below and as adopted from time to time by the Architectural Control Committee. The Architectural Control Committee may charge a reasonable fee to cover the costs of processing the application. In all cases in which the Architectural Control Committee consent is required by this Declaration, the provisions of this Article shall apply.

**7.3 Duties of Architectural Control Committee.** Subject to the minimum criteria set forth in any Individual Development Declaration and this Declaration, it shall be the duty of the Architectural Control Committee to consider and act upon any and all proposals or plans submitted to it pursuant to the terms hereof, to insure that overall building designs, roof pitch and materials, any painting or exterior coverings, window placements and sizes or improvements constructed, which shall also include landscaping and plantings, on any Individual Development by anyone other than the Declarant, conform to plans approved by the Architectural Control Committee. No person shall make any alterations to the exterior of a dwelling, including changes in color, until the complete plans and specifications, showing the location, nature, shape, height, form of change (including, without limitation, any other information specified by the Architectural Control Committee) shall have been submitted to and approved in writing as to overall appearance, and harmony of design, color and location in relation to surrounding structures and topography, by the Architectural Control Committee. The Architectural Control Committee may withhold consent to any proposed work if the committee finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the committee intends for Cedar Landing and/or any Individual Development therein.

**7.4 Architectural Rules.** Upon the expiration of Declarant control under Section 7.1, the Board may, from time to time, and in its sole and absolute discretion, adopt, amend and repeal rules and regulations, to be known as "Architectural Rules." Said Architectural Rules shall interpret and implement this Declaration by setting forth the standards and procedures for any Architectural Control Committee review and the design guidelines for architecture design, placement of buildings, landscaping, color schemes, exterior finishes and materials and similar features which are recommended for use within any Individual Development and Cedar Landing.

**7.5 Application for Approval of Improvements.** Any Owner, except the Declarant and their designated agents, proposing to perform any work of any kind which requires the prior approval of the Architectural Control Committee pursuant to any provisions in this Declaration and/or any Individual Development Declaration, shall apply to such Architectural Control Committee for approval by notifying the Architectural Control Committee of the nature of the proposed work in writing and furnishing such information as the Architectural Control Committee may require.

**7.6 Approval/Disapproval.** A majority of the members of the Architectural Control Committee shall have the power to act on behalf of the committee. All approvals given under this Article VII shall be in writing. If a request for approval has not been granted within forty-five (45) days from the date of submission of all information requested by the Architectural Control Committee, the proposal shall be deemed approved. After Declarant no longer appoints the Architectural Control Committee, as provided in Section 7.1, if the Architectural Control Committee disapproves the proposal, the applicant shall have the right to appeal such decision to the Board by giving written notice thereof to the President or Secretary of the Board within ten (10) days after written notice of disapproval is given to the applicant by the Architectural Control Committee. Any such appeal shall be conducted pursuant to the rules and regulations established by the Board. The Board's decision shall be final.

**7.7 Completion of Work.** The Owner shall complete the construction, reconstruction, refinishing or alteration of any such improvement within fifteen (15) months after Declaration for Cedar Landing Residential, a Planned Community -14

14

commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, natural calamities or other supervening forces beyond the control of the Owner or his agents. Landscaping on each Lot shall be completed within six (6) months after completion of the dwelling on such Lot. If the Owner fails to comply with this Section 7.7, the Architectural Control Committee shall notify the Board of such failure, and the Board shall proceed in accordance with the provisions of Section 7.8 as though the failure to complete the improvement was a noncompliance with the approved plans.

**7.8 Inspection of Work.** Inspection of work and correction of defects therein shall proceed as follows:

(a) Upon the completion of any construction or reconstruction or the alteration or refinishing of the exterior of any improvements, or upon the completion of any other work for which approved plans are required under this Article VII, the Owner shall give written notice thereof to the Architectural Control Committee. Irrespective of any inspection and/or approval by the Association or its Architectural Control Committee, the City of Medford shall retain the inherent power to remedy any non-compliance with any requirements of the City of Medford.

(b) Within forty-five (45) days thereafter the Architectural Control Committee, or its duly authorized representatives, may inspect such improvement to determine whether it was constructed, reconstructed, altered or refinishing to substantial compliance with the approved plans and shall report its findings and recommendation to the Board. If the Board finds that such construction, reconstruction, alteration or refinishing was not done in substantial compliance with the approved plans, it shall notify the Owner in writing of such noncompliance, specifying particulars of noncompliance, and shall require the owner to remedy such noncompliance.

(c) If upon the expiration of thirty (30) days from the date of such notification, the Owner shall have failed to remedy such noncompliance the Board shall set a date on which a hearing before the Board shall be held regarding the alleged noncompliance. The hearing date shall be not more than thirty (30) days nor less than fifteen (15) days in advance of notice thereof by the Board to the Owner, the Architectural Control Committee and, in the discretion of the Board, to any other interested party. The hearing procedures shall conform to those adopted by the Board pursuant to the Bylaws.

(d) At the hearing, the Owner, the Architectural Control Committee and, in the Board's discretion, any other interested person may present information relevant to the question of the alleged noncompliance. After considering all such information, the Board shall determine whether there is a noncompliance and, if so, the nature thereof and the estimated cost of correcting or removing the same. If a noncompliance exists the Board shall require the Owner to remedy or remove the same within a period of not more than forty-five (45) days from the date of the Board ruling. If the Owner does not comply with the Board ruling within such period or within any extension of such period as the Board in its discretion, may grant, the Board, at its option, may either remove the non-complying improvement or remedy the noncompliance, and the Owner shall reimburse the Association for all expenses incurred in connection therewith.

Declaration for Cedar Landing Residential, a Planned Community -15

15

upon demand. If such expenses are not promptly repaid by the Owner to the Association, the Board shall levy a Reimbursement Fee against such Owner pursuant to Section 5.8, hereof.

(e) If for any reason the Board fails to notify the Owner of any noncompliance within forty-five (45) days after receipt of said notice of completion from the Owner, the improvement shall be deemed to be in accordance with said approved plans.

7.9 **Liability.** Neither the Architectural Control Committee nor any member thereof or their delegates shall be liable to the Association or to any Owner for any damage, loss or prejudice suffered or claimed on account of (a) the approval or disapproval of plans, drawings and specifications, whether or not defective, (b) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications, (c) the development of any property within any Individual Development and/or Cedar Landing or (d) the execution and filing of an estoppel certificate whether or not the facts therein are correct; provided, however, that such member has acted in good faith on the basis of such information as may be possessed by him/her. Without in any way limiting the generality of the foregoing, the Architectural Control Committee, or any member thereof, may, but is not required to, consult with or hear the views of the Association or any Owner with respect to any plans, drawings, specifications or any other proposal submitted to the Architectural Control Committee. Approval by the Architectural Control Committee does not mean said Architectural Control Committee is warranting or incurring any liability for the structural adequacy of the plans, drawings and specifications submitted to and approved by said Architectural Control Committee. Plans, specifications and drawings may require building permits and other entitlements from the appropriate governmental agencies.

7.10 **Other Applicable Law.** All improvements must be constructed in full compliance with all applicable governmental building codes. All Architectural Control Committee review and inspection procedures are intended to assure compliance only with aesthetic considerations. Declarant and the Architectural Control Committee are not responsible for any design or construction defects or failure of the building to meet appropriate building codes.

7.11 **Construction Debris.** Any contractor building any improvement approved by the Architectural Control Committee shall furnish trash containers and shall at all times keep the premises free from the accumulation of trash and scrap generated by the construction. Trash and scrap shall not be allowed outside designated trash and scrap areas. Upon completion of the work, all remaining trash and scrap shall be disposed of, and all tools, construction equipment, machinery, and surplus materials shall be promptly removed from the site. Representatives of the Architectural Control Committee or the Board shall be entitled to enter upon any construction site to clean up, remove and dispose of materials left on the site. The contractor and the Owner of the Lot for which the construction has been approved shall be liable for the costs incurred for such removal.

**ARTICLE VIII**  
**Property Rights and Easements**

8.1 **Conveyance of Common Area.** The Declarant hereby covenants for itself, its successors and assigns, that, prior to or at the Turnover Meeting provided for in the Bylaws, it will convey fee simple title to the Common Area to the Association, free and clear of all liens and encumbrances, except the covenants, conditions and restrictions herein set forth, easements and utility right-of-ways then of record. All of said facilities shall be for the use and benefit of the Owners of Lots within Cedar Landing.

8.2 **Easements in Common Area.** Every Owner shall have a right and nonexclusive easement of enjoyment in and to the Common Area and any easements shown on the final plat, a nonexclusive easement for ingress and egress over and through the Common Area, and a nonexclusive easement for vehicular ingress and egress over and through those portions of the Common Area which shall be designated as private streets on the recorded maps of the Cedar Landing PUD. Such easements shall be appurtenant to the right of the Association to sell, transfer or encumber all or any portion of the Common Area to a person, firm or entity, whether public or private, and the right of the Association to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the Owners. No such sale, transfer, encumbrance or dedication shall be effective except upon the prior vote or written consent of the Association Members representing seventy-five percent (75%) of the voting power of the Association; provided, however, that a dedication required by a governmental agency as a condition to recording a final plat covering any portion of Cedar Landing shall require no such prior vote or written consent.

8.3 **Delegation.** Any Owner may delegate his/her right of use and enjoyment to the Common Area to the members of his/her family or tenants who reside on his/her Lot. Tenants shall not have the right to further delegate the Owner's right to use and enjoy the Common Areas. The rights and privileges of any delegee shall be in accordance with and subject this Declaration and/or any Association Rules; provided, however, that the Owner making such delegation (and his/her Lot) shall remain liable for the assessments herein provided for and subject to all of the terms and conditions of this Declaration and/or any Individual Development Declaration.

8.4 **Utility Easements.** Each Lot shall be conveyed to Owners, other than Declarant, subject to any and all easements of record for the use and benefit of the several authorized public and/or other utilities, including, but not limited to, cable, fiberoptic, telephone and other communication lines, sanitary sewers, water, gas, and electrical and drainage easements, and sprinkler control boxes, and no Owner shall damage or interfere with the installation and maintenance of such utilities, or in any manner change the direction or flow of drainage channels in any such easements, or in any manner obstruct or retard the flow of water through drainage channels in any such easements.

8.5 **Alterations to Common Area.** Only the Association shall have the right to construct, reconstruct, or alter any improvement situated on any Common Area. No member shall be permitted to trim, cut, or remove any trees, shrubs, or plants in the Common Area without the prior vote or written consent of the Association.

Declaration for Cedar Landing Residential, a Planned Community -17

17

8.6 **Restrictions on Use of Common Area.** All of the Common Areas in Cedar Landing shall be limited to use by pedestrians and non-motorized vehicles and subject to those use restrictions set forth in Article IV of this Declaration. Use of personal mobility devices by persons with limited mobility or as otherwise required by law shall be allowed. No temporary or permanent parking or storage of any kind shall be allowed in any Common Area. No motorized vehicles of any kind, other than ones used for landscaping, shall be permitted in the Common Area. The Common Area shall not be partitioned or otherwise divided into parcels for residential or commercial use and no private structure of any type shall be construed on the Common Area. Except as provided in this Declaration, the Common Area shall be reserved for the use and enjoyment of all Owners in Cedar Landing and no private use may be made of the Common Area.

8.7 **Easements Reserved by Declarant.** So long as Declarant owns any Lot within Cedar Landing, Declarant reserves an easement over, under and across the Common Area in order to carry out sales and rental activities necessary or convenient for the sale or rental of Lots. In addition, Declarant hereby reserves to itself and for the Owners of Lots in all future phases of Cedar Landing a perpetual easement and right-of-way for access over, upon and across the Common Area for construction, utilities, commutation lines, drainage, and ingress and egress for the benefit of other property owned by Declarant and future phases of Cedar Landing. Declarant, for itself and its successors and assigns, hereby retains a right and easement of ingress and egress over, in, upon, under and across the Common Area and the right to store materials thereon and to make such other use thereof as may be reasonably necessary or incident to the construction of the Improvements on Cedar Landing, and/or any Individual Development, or other real property owned by Declarant; provided, however that no such rights shall be exercised by Declarant in such a way as to unreasonably interfere with the occupancy, use, enjoyment or access to an Owner's Lot by that Owner or his/her family, tenants, employees, guests or invitees.

#### **ARTICLE IX Development Rights**

9.1 **Limitations of Restrictions.** Numerous contractors are undertaking the work of constructing residential dwellings and incidental improvements upon the Lots included within the Cedar Landing and each Individual Development. The completion of that work and the sale, rental and other disposal of said dwellings is essential to the establishment and welfare of said property as a planned unit development. In order that said work may be completed and said property be established as a fully occupied planned unit development as rapidly as possible, nothing in this Declaration shall be understood or construed to:

(a) Prevent Declarants, contractors, subcontractors, or permittees from obtaining reasonable access over and across the Common Area in Cedar Landing or from doing on any Lot or any portion of Cedar Landing whatever is reasonably necessary or advisable in connection with the completion of said work; or

(b) Prevent Declarants or contractors from erecting, constructing and maintaining on any part or parts of Cedar Landing such structures as may be reasonably necessary for the conduct of their business in completing said work, establishing said property as

Declaration for Cedar Landing Residential, a Planned Community -18

18

a planned unit development, and disposing of the same in parcels by sale, lease, or otherwise, including the right to maintain model homes; or

(c) Prevent Declarants or contractors from maintaining such signs within the Cedar Landing, as may be necessary for the sale, lease or disposition of the Lots therein.

**9.2 Declarant's Development Rights.** Notwithstanding any other provision herein contained, Declarant or its assigns expressly retains unalterable rights to develop Cedar Landing described on Exhibit "A" and construct homes thereon in the manner deemed desirable by Declarant in Declarant's sole discretion; provided, however, that Declarant has or shall obtain governmental consents where required by law. Upon development of all such real property, Declarant shall have constructed or shall construct the following amenities which shall be a part of the Common Area: (i) Landscape the Open space; (ii) pedestrian and bicycle pathways as described in the Cedar Landing PUD Plan, and (iii) pathway lighting.

Said amenities shall be constructed no later than the time when all Lots in Cedar Landing have been sold by Declarant. It is anticipated that development of the real property will extend over a period of years, and for that reason the Declarant shall retain the flexibility to develop the property in Cedar Landing in the manner deemed best by Declarant in Declarant's sole discretion. Declarant's reserved rights shall include the power to restrict access to portions of the Common Area as reasonably necessary during the course of construction, and thereafter, for health, safety, privacy and security purposes, as deemed appropriate by Declarant. There shall be no limitation, other than that imposed by appropriate governmental agencies having jurisdiction, upon Declarant's rights to develop and sell the property in any manner deemed appropriate by Declarant. Nothing in this Declaration shall limit the right of Declarant or its assigns to commence and complete construction of improvements of Cedar Landing or to alter the foregoing, the Individual Developments or the Lots or Common Area, or to construct such additional Improvements (including any fencing and gates for Common Area, including the pedestrian and bicycle pathways) as Declarant deems advisable prior to the completion and sale of all the Lots in Cedar Landing development described on Exhibit "A" and completion of the landscaping and Improvements in the Common Area. Declarant shall have an easement over and across all boundary lines in the Common Areas for the purpose of adding or removing materials to insure that the boundary lines between the Common Areas and the Lots in Cedar Landing are appropriately aligned.

Declarant may use any of the Lots within Cedar Landing owned by them for model homesites, sales offices, and parking therefor, and for any other purpose for which Declarant may use the Common Area as provided herein. Declarant may use any dwellings upon Lots owned by it as a temporary overnight residence and for promotional purposes in connection with their sales program. Declarant shall have the right and easement to enter upon, use and enjoy and to designate and permit others (including without limitation, Declarant's agents, employees, representatives, contractors and prospective purchasers and lenders) to enter upon, use and enjoy the Common Area, including, but not limited to, all pedestrian and bicycle pathways, streets, sidewalks, parking areas and open areas, for common driveway purposes, for drainage and encroachment purposes, and for ingress to and egress from the Common Area for the purpose of completing improvements thereon or for the performance of necessary repair work.

19

Declarant reserves the right to alter their construction and development plans and designs for Cedar Landing as they deem appropriate, subject to applicable governmental approvals. The rights of Declarant under this Declaration may be assigned to any successor or successors as to all or part of said entity's respective interests in Cedar Landing by an express assignment incorporated in a recorded deed, option or lease, as the case may be, transferring such interest to such successor. This Declaration shall not limit the right of Declarant, at any time prior to acquisition of title by the purchaser from Declarant, to establish on any Lot or Common Area in Cedar Landing additional licenses, reservations and right-of-ways to themselves, to utility companies, or to others as may from time to time be reasonably necessary to the proper development of Cedar Landing.

9.3 **Consent of Declarant to Amendments.** Until Declarant shall sell all of the Lots in Cedar Landing, all homes are constructed thereon, and all Improvements and landscaping are completed for the Common Areas, no amendment to this Declaration shall be effective to curtail or eliminate Declarant's development rights set forth herein without Declarant's written consent.

**ARTICLE X**  
**Damage or Destruction**

10.1 **Insurance Proceeds Sufficient.** In the event of damage or the partial destruction of any of the Common Area or Improvements in Cedar Landing, and, if the available proceeds of the insurance carried pursuant to the Bylaws are sufficient to cover not less than eighty-five percent (85%) of the cost of repair or reconstruction thereof, the damaged or destroyed improvements shall be promptly repaired and rebuilt substantially in accordance with the original design and standard of construction of the damaged or destroyed Improvement, unless, within ninety (90) days from the date of such damage or destruction, the Association and the Members representing seventy-five percent (75%) of the total voting power of the Association determine that such repair and reconstruction shall not take place.

10.2 **Insurance Proceeds Insufficient.** If the available proceeds of such insurance are less than eighty-five percent (85%) of the cost of repair or reconstruction, such repair or reconstruction may, nevertheless, take place if, within ninety (90) days from the date of such damage or destruction, Members representing seventy-five percent (75%) of the total voting power of the Association so elect at a duly constituted meeting of the Association.

10.3 **Assessments.** If the Members determine to rebuild, either pursuant to Section 10.1 or Section 10.2 above, each Owner shall be obligated to contribute such funds as may be necessary to pay his/her proportionate share of the cost of reconstruction, over and above the insurance proceeds. Such additional amount shall be assessed to each Owner in the manner provided in Article V and VI of this Declaration.

10.4 **Failure to Rebuild.** If rebuilding of the Common Areas shall not be authorized, either pursuant to Section 10.1 or Section 10.2, above, any available insurance proceeds shall be collected by the Association and used by the Association for such Common Areas improvements as it shall deem appropriate.

20

**ARTICLE XI**  
**Amendments**

11.1 **Procedure.** Except as otherwise herein expressly provided, until the two (2) class voting structure of the Association is converted to one (1) class voting, this Declaration may be amended by an instrument in writing signed and acknowledged by the President and Secretary of the Association, certifying that such amendment has been approved by Members representing at least seventy-five percent (75%) of the total voting power of the Association. At such time as the two (2) class voting structure has been converted to one (1) class voting pursuant to the provisions hereof, any such amendment shall be approved by seventy-five percent (75%) of the total voting power of the Association. Notwithstanding the foregoing provisions of this Section 11.1, the percentage of the voting power necessary to amend a specific clause or provision shall not be less than the percentage of affirmative votes prescribed to take action under said clause or provision and, further, the Declarant shall have the power and authority to amend this Declaration when required by a governmental agency as a condition to obtaining a permit.

**ARTICLE XII**  
**Deannexation of Properties**

12.1 **Deannexations.** In order to correct any errors in legal descriptions, Declarant may deannex, without the consent of the Association or the Owners, any of the Cedar Landing development provided that such property is comprised of Lots, and the Lots have not been improved with dwellings or have not been sold to a public purchaser, or, if comprised of Common Area, has not been conveyed to the Association. Upon any such deannexation, voting rights relating to membership in the Association will continue to be allocated on the basis of one (1) vote for each Lot. Declarant's right to deannex property shall expire when all Lots in Cedar Landing are sold and all Improvements to the Common Areas are complete or at the Turnover Meeting.

12.2 **Supplementary Declaration.** The deannexation authorized under this Article XII shall be made by filing of record a Supplementary Declaration of covenants, conditions and restrictions, or similar instrument. In no event, however, shall any such Supplementary Declaration revoke, modify or add to the covenants, conditions and restrictions established by this Declaration as to Cedar Landing, except as herein otherwise provided.

**ARTICLE XIII**  
**Annexation of Additional Property**

13.1 **Annexation of Additional Property.** Declarant may from time to time and in its sole discretion annex to Cedar Landing as additional property any real property now or hereafter acquired by it, and may also from time to time and in its sole discretion permit other holders of real property to annex the real property owned by them to Cedar Landing. The annexation of such additional property shall be accomplished as follows:

(a) The owner or owners of such real property shall record a declaration which shall be executed by or bear the approval of Declarant and shall, among other things, describe the real property to be annexed, designate Cedar Landing as the development of which  
Declaration for Cedar Landing Residential, a Planned Community -21

21

such property is a part, establish any additional limitations, uses, restrictions, covenants and conditions which are intended to be applicable to such additional property, and declare that such property is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to this Declaration and any Individual Development Declaration.

(b) The additional property included in any such annexation shall thereby become a part of Cedar Landing, this Declaration, and any Individual Development Declaration, and the Association shall have and shall accept and exercise administration of this Declaration and any Individual Development Declaration with respect to such property.

(c) Notwithstanding any provision apparently to the contrary, a declaration with respect to any additional property may:

(i) establish such new limitations, uses, restrictions, covenants, and conditions with respect to such additional property as Declarant may deem to be appropriate for the development of the Additional Property.

(ii) with respect to existing Lots, establish additional or different limitations, uses, restrictions, covenants and conditions with respect to such property as Declarant may deem to be appropriate for the development of such Additional Property.

(d) There is no limitation on the number of Lots which Declarant may create or annex to Cedar Landing, except as may be established by applicable ordinances of the City of Medford. Similarly, there is no limitation on the right of Declarant to annex common property, except as may be established by the City of Medford.

(e) Declarant does not agree to build any specific future improvement, but does not choose to limit Declarant's right to add additional improvements.

(f) Upon annexation to Cedar Landing, additional Lots so annexed shall be entitled to voting rights as set forth in Article III. All assessments shall be regulated pursuant to Article V and VI of this Declaration.

**ARTICLE XIV  
General Provisions**

14.1 **Binding Effect; Term.** The covenants, conditions and restriction of this Declaration shall run with the land, and shall inure to the benefit of and be enforceable by the Association, or any Owner, their respective legal representatives, heirs, successors, and assigns.

14.2 **Nuisance.** Every act or omission, whereby any provision of this Declaration is violated in whole or in part, is hereby declared to be a nuisance and may be enjoined or abated, whether the relief sought is negative or affirmative action, by Declarant, the Association, and/or any Owner.

14.3 **Violation of Law.** Any violation of any federal, state, municipal, or local law, ordinance or regulation, pertaining to the ownership, occupation or use of Cedar Landing or any Declaration for Cedar Landing Residential, a Planned Community -22

22

part thereof is hereby declared to be a violation of this Declaration and/or any Individual Development Declaration and subject to any or all of the enforcement procedures set forth herein.

**14.4 Condemnation of Common Area.** If at any time all or any portion of any Common Area, or any interest therein, be taken for any public or quasi-public use, under any statute, by right of eminent domain or by private purchase in lieu of eminent domain, the entire award in condemnation shall be paid to the Association. Any such award to the Association shall be deposited into the operating fund of the Association. No owner shall be entitled to any portion of such award, and no Owner shall be entitled to participate as a Party, or otherwise, in any proceedings relating to such condemnation, such right of participation being herein reverted exclusively to the Association, or other holder of the fee title which shall, in its name alone, represent the interests of all Lot owners to the extent such Lot owners have any interest.

**14.5 Obligations of Owner.** No Owner may avoid the burdens or obligations imposed on him/her by this Declaration and any Individual Development Declaration through non-use of the Common Area, or by abandonment of his/her Lot. Upon the conveyance, sale, assignment or other transfer of a Lot to a new Owner, the transferring owner shall not be liable for any assessments levied with respect to such Lot after the date of such transfer, and no person, after the termination of his/her status as an Owner and prior to him/her again becoming an owner, shall incur any of the obligations or enjoy any of the benefits of an Owner under this Declaration and/or any Individual Development Declaration.

**14.6 Notice of Sale.** Within five (5) business days after the consummation of the sale of any Lot under circumstances whereby the transferee becomes an Owner thereof, the transferee shall notify the Association in writing of such sale. Such notification shall set forth (i) the name of the transferee and his/her transferor, (ii) the street address of the Lot purchased by the transferee, (iii) the transferee's mailing address, and (iv) the date of sale. Prior to receipt of such notification, any and all communications required or permitted to be given by the Association, this Declaration and the Board shall be deemed to be duly made and given to the transferee if duly and timely made and given to his/her transferor.

**14.7 Notices.** Any written notice or other documents relating to or required by this Declaration may be delivered either personally or by mail. If by mail, such notice or document shall be deemed to have been delivered and received five (5) calendar days after a copy thereof has been deposited in the United States postal service, postage prepaid, addressed as follows:

- (a) If to the Association, to the address designated by the Association as its principal office address in the Articles of Incorporation.
- (b) If to an Owner, to the address of any Lot owned, in whole or in part, by him/her or to any other address last furnished by an Owner to the Association:
- (c) If to Declarant, to Cedar Landing, LLC, at 3535 Cedar Links Drive, Medford, Oregon 97504

JB

Provided, however, that any such address may be changed at any time by the party concerned by delivering a written notice of change of address to the Association. Each Owner of a Lot shall file the correct mailing address of such Owner with the Association, and shall promptly notify the Association in writing of any subsequent change of address.

**14.8 Cumulative Remedies.** Each remedy provided by this Declaration is cumulative and not exclusive.

**14.9 Partial Invalidity; Construction.** The invalidity or partial invalidity of any provision of this Declaration shall not affect the validity of enforceability of any other provision of this Declaration and/or any Individual Development Declaration. This Declaration or the Bylaws shall be liberally construed to accomplish the purposes set forth herein. All captions used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Declaration.

**14.10 Number; Gender.** As used herein, the singular shall include the plural and the plural shall include the singular unless the context requires the contrary, and the masculine, feminine and neuter shall each include the masculine, feminine or neuter, as the context requires.

**14.11 Enforcement.** The Association or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, easements, liens, and charges now or hereinafter imposed by the provisions of this Declaration and any Individual Development Declaration. In the event of any such enforcement, the prevailing party shall be entitled to recover reasonable attorney fees and costs and disbursements incurred, including such of the same as may be incurred in any appeal.

**14.12 Exceptions.** The Board shall have the power to grant to any Owner special exceptions as to any conditions or covenants contained in this Declaration or the Bylaws upon the assent of fifty-one percent (51%) of the votes of the Association Membership of Cedar Landing who are voting in person or by proxy at a meeting duly called for this purpose or a regular annual meeting. These exceptions shall be final and binding upon the Association and all Owners of Lots in Cedar Landing. Such special exception may be granted subject to whatever provisions or conditions the Board shall deem appropriate. Any special exception granted by the Board shall conform to administrative rules, ordinances and statutes of the City of Medford and the State of Oregon.

**14.13 Assignment by Declarant.** Any or all rights, powers and reservations of Declarant herein contained may be assigned to any person or entity existing now or hereafter. Upon delivery of written notice of assignment from Declarant, the Association must accept such assignment and, to the extent of such assignment, the Association shall have the same rights and powers and be subject to the same obligations and duties as are given to and assumed by the Declarant herein.

**14.14 Scope and Applicability.** This Declaration and the Bylaws, and Association Rules apply to and bind all Members and all resident non-members of Cedar Landing. This paragraph does not confer membership status on any resident non-member, nor does it impose liability on any resident non-member for assessments authorized herein.

Declaration for Cedar Landing Residential, a Planned Community -24

24

14.15 **Non-Waiver.** Any failure by the Association or by any Owner to enforce any covenant or restriction contained in this Declaration, any Individual Development Declaration, Bylaws, or the Association Rules shall in no event be deemed to constitute a waiver of the right to do so hereafter or a waiver of any other provision of this Declaration, any Individual Development Declaration, Bylaws or the Association Rules.

14.16 **Mediation; Arbitration; Attorney Fees.** It shall be a goal of the Association and Owners that disagreements and disputes between Owners and/or between an Owner and the Association be resolved as civilly and inexpensively as possible. Accordingly, all such disputes and disagreements arising out of or relating to interpretations or alleged violations of this Declaration, Bylaws, or Association rules, which are not resolved between the parties, except for non-payment of assessments, shall be mediated. The mediator shall be selected by the disputing or disagreeing parties. If the parties cannot agree upon a mediator, after reasonable attempts to do so, then one shall be selected through the process provided by a recognized mediation service designated by the first party who notifies the other of the mediation service selected. If the mediation is successful in arriving at a solution, the costs of mediation, not including attorney's fees, shall be split equally among the parties.

If the mediation is unsuccessful at arriving at a solution, then the dispute or disagreement shall be submitted to and decided by neutral binding arbitration in accordance with the provisions of ORS, Chapter 36. An arbitrator shall be selected by the disputing or disagreeing parties. If the parties cannot agree upon an arbitrator, then one shall be appointed by any court of record pursuant to ORS, Chapter 36. The parties shall have a right to discovery in accordance with the Oregon Rules of Civil Procedure. The award of the arbitrator shall be final and unappealable, and such award may be entered in an appropriate court to be enforced in the same manner as a judgment of that court. The arbitrator shall award to the prevailing party reasonable attorney fees and other costs associated with the mediation, arbitration, appeal, and enforcement of the award.

The Board may maintain a list of mediation services willing to provide services required under this Section 14.16. If such list is maintained and the disputing or disagreeing parties cannot agree upon a mediator, the mediator shall be selected from this list pursuant to the procedures of such mediation service(s).

An action by the Association for the collection of assessments or foreclosure of a lien resulting from the non-payment of such assessments shall not be subject to this provision requiring the mediation and arbitration of disagreements or disputes. In such a suit or action, the Association may file an action directly with a court of competent jurisdiction. In any such action or appeal thereon, the prevailing party shall be entitled to recover reasonable attorney fees and costs as determined by the court in which the action or appeal is filed.

25



STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Theresa L. Jantzer, who being sworn stated that she is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that she executed this instrument on behalf of said company by authority of its members.



BEFORE ME:

Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Jason R. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.



BEFORE ME:

Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Travis G. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.



BEFORE ME:

Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

Declaration for Cedar Landing Residential, a Planned Community -27

27

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29 day of November, 2007, personally appeared the above-named Kelley J. Jantzer, who being sworn stated that he is a member of CEDAR LANDING, LLC, an Oregon Limited Liability Company, and that he executed this instrument on behalf of said company by authority of its members.

BEFORE ME:



Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

STATE OF OREGON )  
 ) ss.  
County of Jackson )

On the 29th day of November, 2007, personally appeared the above-named Monty R. Jantzer and Theresa L. Jantzer, and acknowledge the foregoing instrument to be their voluntary act and deed.

BEFORE ME:



Sarah E. Humiston  
Notary Public for Oregon  
My Commission Expires: 10/29/11

Declaration for Cedar Landing Residential, a Planned Community -28

28

EXHIBIT "A"

PARCEL 1: Map 371W16 TL 800

The Southwest Quarter of the Northwest Quarter of the Section 16, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon. EXCEPTING THEREFROM the following: Commencing at the Quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West, of the Willamette Meridian, Jackson County, Oregon; thence North 353.6 feet; thence East 578.7 feet to the true point of beginning; thence South 51° 06' East, 90.60 feet; thence North 44° 20' East 150.90 feet; thence North 45° 40' West 13.50 feet; thence North 39° 46' East 48.80 feet; thence North 46° 50' West 67.50 feet; thence South 43° 10' West 55.20 feet; thence North 46° 50' West 43.70 feet; thence South 44° 17' West 74.90 feet; thence South 18° 12' West 84.40 feet to the true point of beginning.

PARCEL 2: Small parcel in TL 800

Commencing at the Quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 353.6 feet; thence East, 578.7 feet to the true point of beginning; thence South 51° 06' East, 90.60 feet; thence North 44° 20' East 150.90 feet; thence North 45° 40' West 13.50 feet; thence North 39° 46' East, 48.80 feet; thence North 46° 50' West 67.50 feet; thence South 43° 10' West 55.20 feet; thence North 46° 50' West 43.70 feet; thence South 44° 17' West, 74.90 feet; thence South 18° 12' West 84.40 feet to the true point of beginning.

PARCEL 3: Map 371W16BD TL 200

Commencing at the Quarter corner common to Sections 16 and 17, in Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence East 2120.0 feet; thence North 15.6 feet to a 5/8 inch iron pin found for the Southwest corner of tract described in Volume 574, Page 281, Jackson County, Oregon, Deed Records, for the true point of beginning; thence North 0° 12' 10" West along the West line of said tract, 723.77 feet to a 5/8 inch iron pin found for the Northwest corner thereof; thence East along the North boundary of said tract, 24.51 feet to the Southwest corner of that parcel described in Volume 373, Page 359, Jackson County, Oregon, Deed Records; thence along the West boundary of said parcel and the Northerly projection thereof North 0° 15' 30" West 574.76 feet to an intersection with the North boundary of tract described in Volume 223, Page 484, Jackson County, Oregon, Deed Records; thence along the North boundary of said tract, and the Western projection thereof, North 89° 50' West 821.34 feet to intersect the East boundary of the West Half of the Northwest Quarter of said Section 16; thence along said East fractional Section boundary South 0° 12' 10" East, 1295.49 feet to the North boundary of Cedar Links Drive (formerly known as Roberts Road); thence along said road boundary South 89° 36' 40" East 797.42 feet to the true point of beginning.

PARCEL 4: Map 371W16CA TL 1400 & 2200

Lots 7 and 9 STEWART ACRES in Jackson County, Oregon.

29

Map 371W168D TL 300 & 400

Commencing at the quarter corner common to Sections 16 and 17, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence along the centerline of Roberts Road, South 89° 36' 30" East, 2119.84 feet; thence North, 30.00 feet to a point on the North boundary of said road for the true point of beginning; thence North 0° 12' 10" West, 723.71 feet; thence East, 524.48 feet to a 1/2" galvanized iron pipe found to be set for the Northwest corner of tract described in Volume 531, Page 442 of Deed Records of Jackson County, Oregon; thence South 0° 15' 30" East, 297.35 feet to the South corner of said tract; thence along the Northwesterly boundary of Roberts Road, South 38° 08' 20" West, 62.25 feet to an intersection with the Northeasterly boundary of that parcel described in Volume 562, Page 218 of said Deed Records; thence North 61° 30' West, 206.75 feet to the most Northerly corner of said parcel; thence South 37° 00' West, 210.00 feet to the most Westerly corner of said parcel; thence along the Southwesterly boundary of said parcel South 61° 50' East, 202.51 feet to an intersection with the Northwesterly boundary of Roberts Road; thence along said road boundary South 38° 08' 20" West, 270.74 feet to an angle point in said road boundary; thence along the North boundary of Roberts Road, North 84° 36' 30" West, 187.49 feet to the true point of beginning.

Exhibit "A"

Page 2 of 2

30

# UPDATED PHASING PLAN FOR CEDAR LANDING A PLANNED COMMUNITY



VICINITY MAP



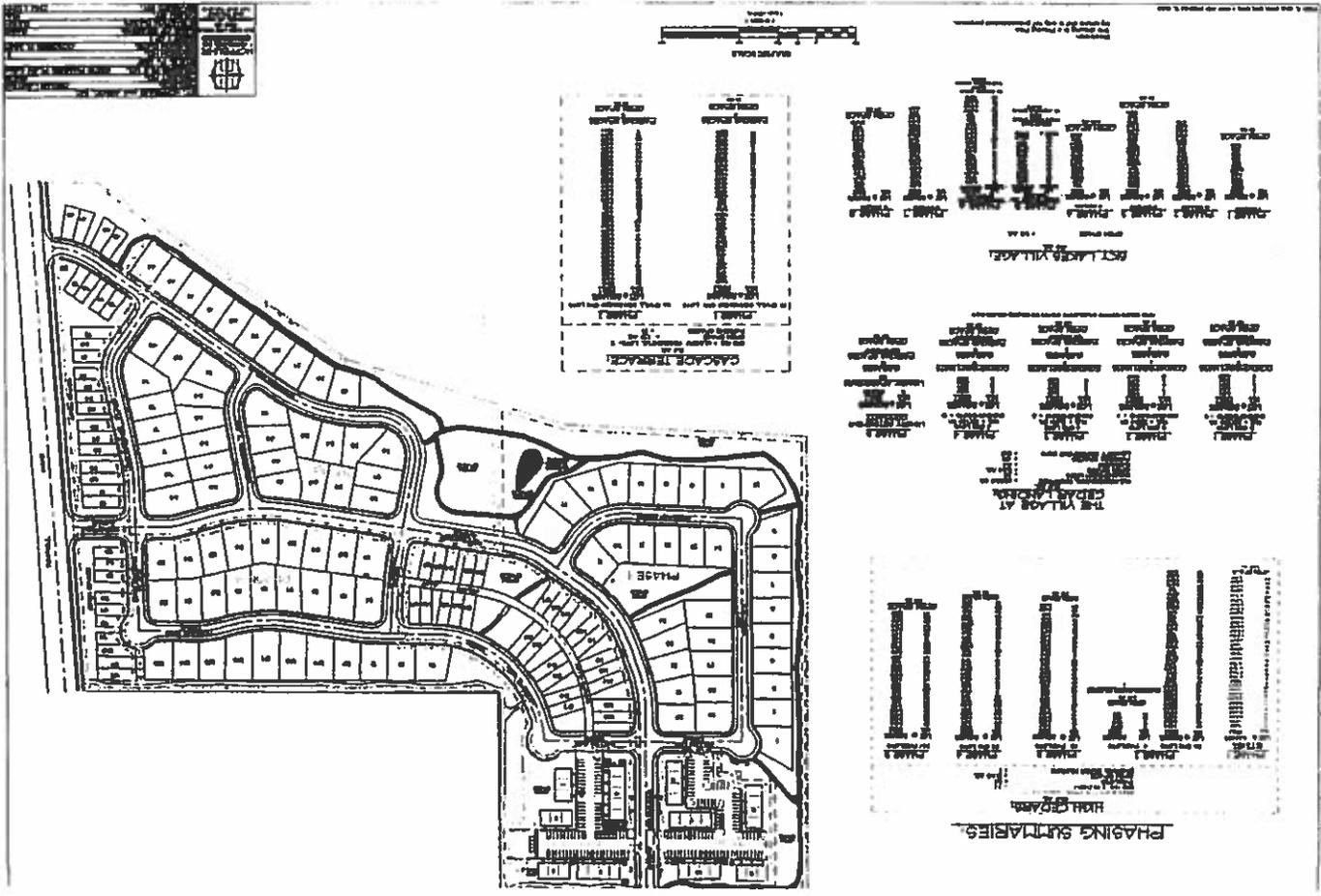
**OWNER**  
MONTY & BARBARA JANTZEN  
3888 CEDAR LANE DRIVE  
REDFORD, OREGON 97064

**APPLICANT**  
CEDAR LANDING, LLC  
3888 CEDAR LANE DRIVE  
REDFORD, OREGON 97064

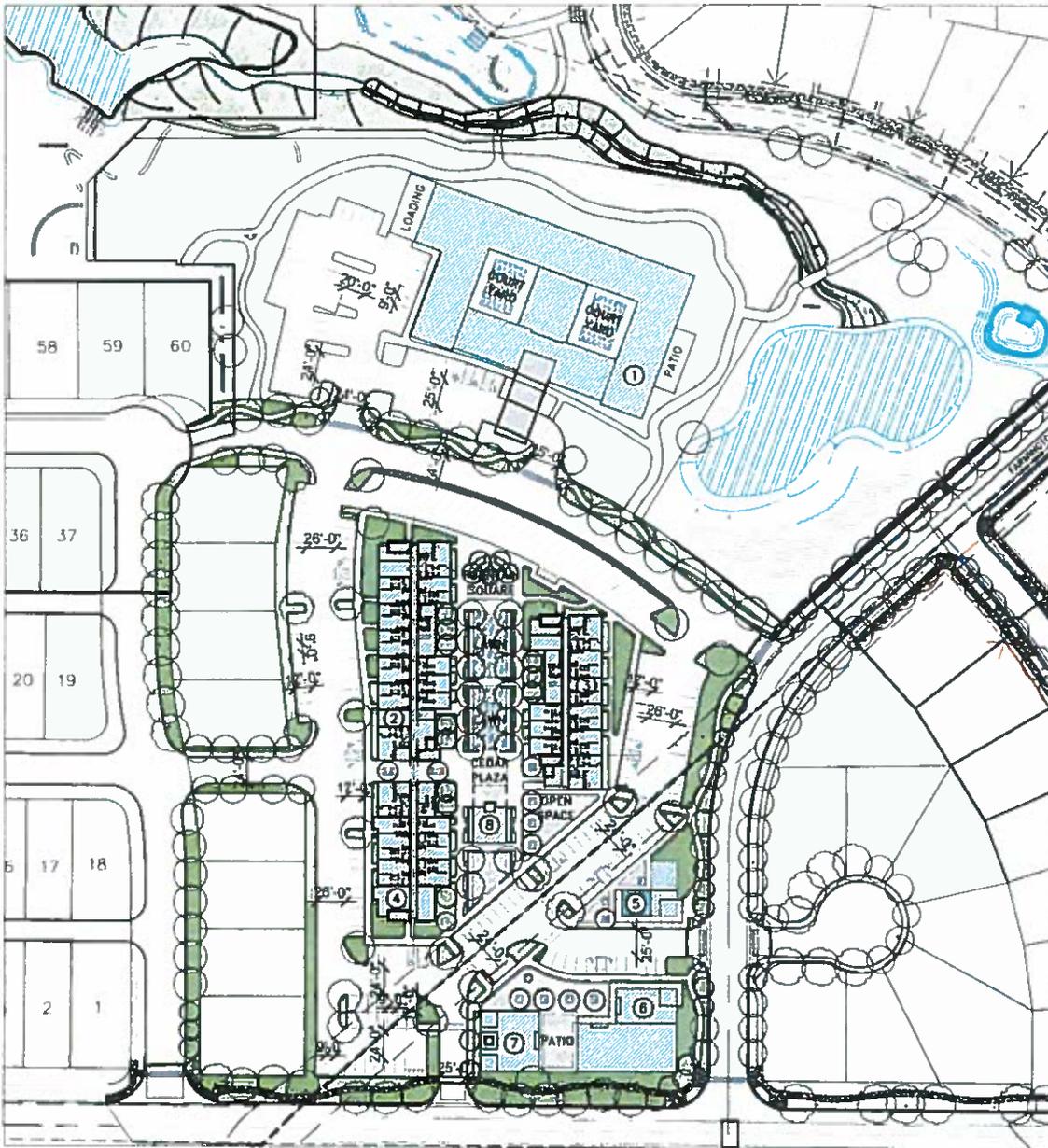
**AGENT**  
MORFITT & ASSOCIATES, INC.  
666 GOLF VIEW DRIVE, SUITE 101  
REDFORD, OREGON 97064  
(503) 778-4644



13



32



**DETAIL PLAN FOR CONGREGATE CARE AND THE VILLAGE**

**KEY NOTES:**

- 1 CONGREGATE CARE FACILITY: (64 UNITS) 24,000 SF
- 2 30 - 40 MFD/CONDOMINIUM UNITS - 35700 SF
- 3 24 - 32 MFD/CONDOMINIUM UNITS - 28200 SF
- 4 21 - 28 MFD/CONDOMINIUM UNITS - 22800 SF
- 5 1,700 SF NC/CSP
- 6 5,600 SF NC/CSP
- 7 2,900 SF NC/CSP
- 8 1,000 SF COMMUNITY BUILDING
- 9 300 SF STORAGE

**PROGRAM SUMMARY**

- 1 PROVIDED PARKING
- 61 SPACES FOR CONGREGATE CARE
- 199 SPACES FOR M-F AND COMMERCIAL AREA

**2 UNIT COUNT & SQUARE FOOTAGE STIPULATION**

(COMBINATION OF UNITS AND COMMERCIAL NOT TO EXCEED DEMAND FOR 199 SPACES AT FOLLOWING RATES)

- MULTI-FAMILY PARKING RATE: 1.4 SPACES PER UNIT
- NC/CSP COMMERCIAL RATE: 4.5 SPACES PER 1,000 SF
- NC/CSP COMMERCIAL FOR COFFEE SHOP, RESTAURANT OR BAKERY TYPE USE: 9 SPACES PER 1,000 SF

**3 MFD/CONDOMINIUM: MIN 75 - MAX 100 UNITS**

- MIN. PARKING SPACES AT 1.4 SPACE PER UNIT:  $75 \times 1.4 = 105$  SPACES;
- MIN. PARKING SPACES AT 1.4 SPACE PER UNIT:  $100 \times 1.4 = 140$  SPACES

**4 COMMERCIAL: MIN 8,000 - MAX 21,000**

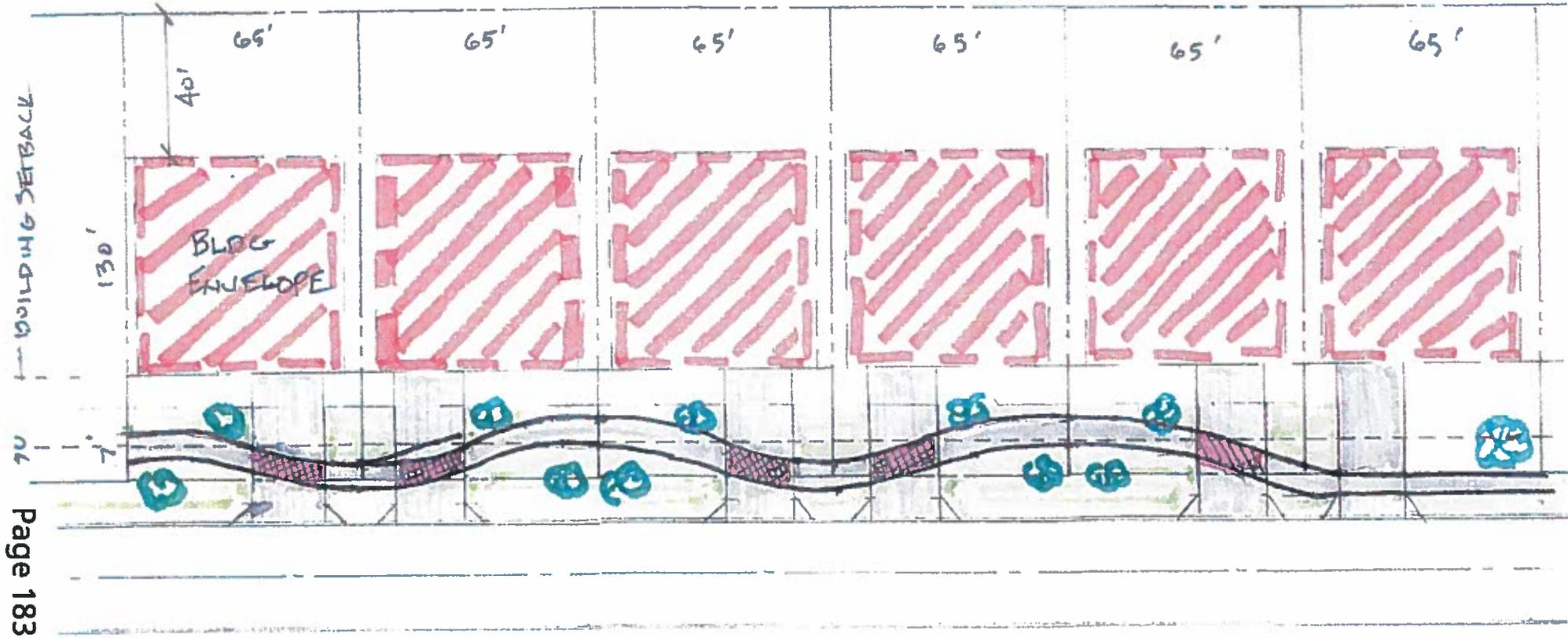
- EXAMPLE MIX OF COMMERCIAL PARKING RATIOS
- 8,000 SF AT 4.5 PER 1K:  $(8 \times 4.5 = 36)$ ;
- 21,000 SF AT 4.5 PER 1K:  $(21 \times 4.5 = 108)$
- 8,800 SF AT 4.5 + 1,700 AT 9.0:  $(8.8 \times 4.5) + (1.7 \times 9.0) = 55$

**5 CONGREGATE CARE: 24000 SF; 64 UNITS**

**TOTAL UNITS**

- CONGREGATE CARE: 64 UNITS
- MFD: 75 - 100
- TOTAL 139 - 164 UNITS

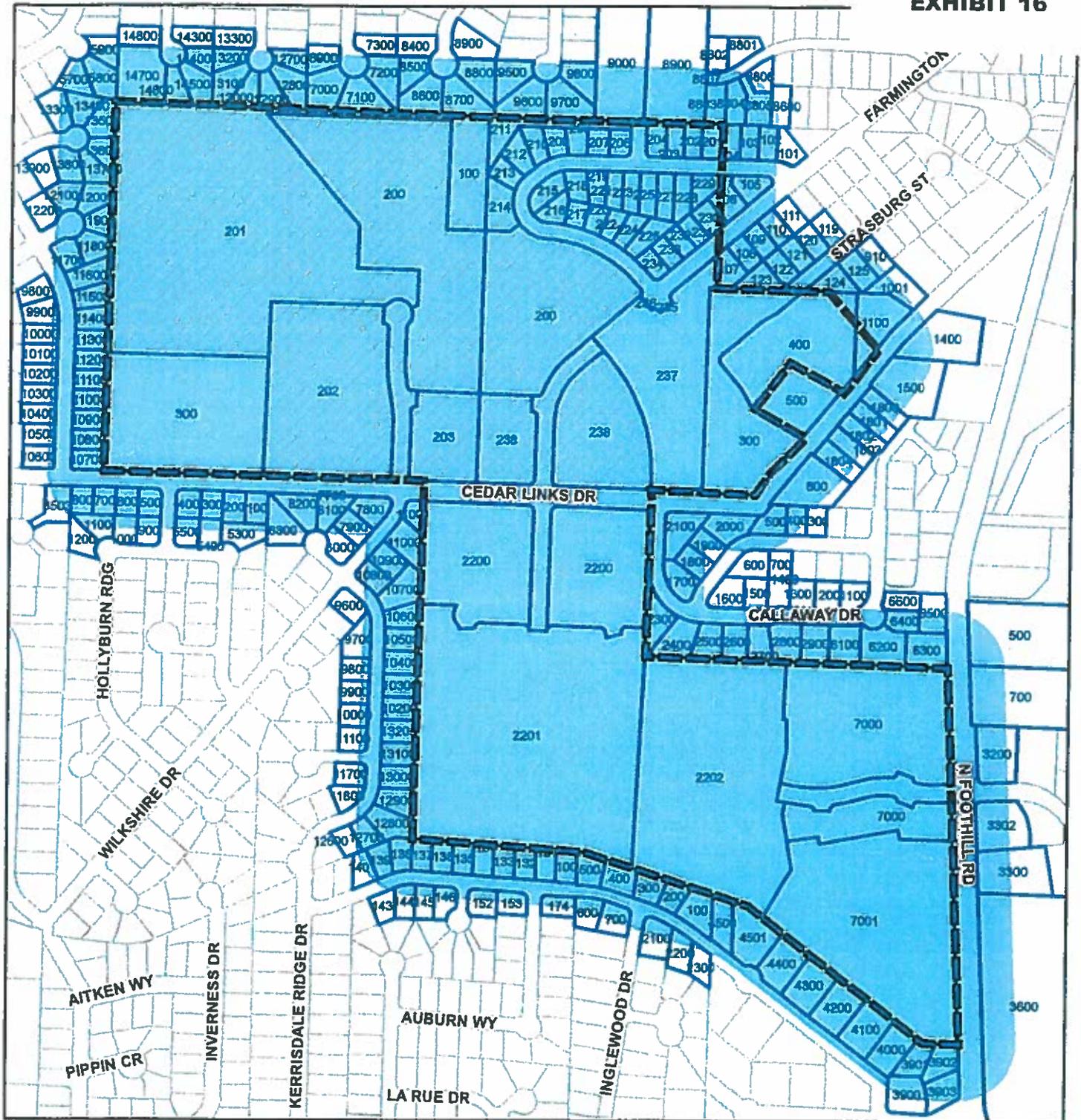
SCALE: 1" = 100'



# PROPOSED PATH DETAIL

1" = 40'

20' OPEN SPACE  
EASEMENT



-  Notice Lots
-  Area of Proposed Amendment
-  PUD Original Boundary
-  200-foot buffer

### Notice Area Map

Cedar Investment Group LLC  
 Cedar Landing PUD Revision  
 37-1W-16BD-200, 211, 214, 238  
 37-1W-16BC-100, 200, 201, 202, 203

600 300 0 600 Feet

CSA Planning, Ltd.



**CSA Planning, Ltd**

4497 Brownridge Suite 101  
Medford, OR 97504

Telephone 541 779 0569  
Fax 541 779 0114

Mike@CSAplanning.net

March 7, 2016

**RE: *File PUD-16-024 Neighborhood Meeting For Proposed Revisions To The North Side of Cedar Landing Planned Unit Development.***

Dear Neighbor:

On behalf of Cedar Investment Group, LLC and pursuant to Medford Land Development Code (MLDC) 10.235, a neighborhood meeting regarding proposed revisions to the north side of Cedar Landing PUD is to be held at the Rogue Valley Country Club, March 22, 2016 at 5:30pm described herein below.

The proposed revisions seek to modify the area previously dedicated to Congregate Care and Vertical Mixed Use Commercial and Residential in order to allow separate Commercial, Multi-Family, Single Family, and Single Family Cottages or Congregate Care Facilities.

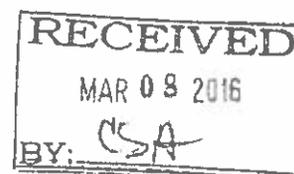
Detailed Plans of the proposal will be available for review at the Neighborhood Meeting.

Very truly yours,

CSA Planning, Ltd

Michael Savage  
Associate

cc File  
Cedar Investment Group, LLC



371W16AC 910  
COSTANZO GREGORY A/PAULA JEAN  
2872 STRASBURG ST  
MEDFORDOR 97504

371W16AC 1001  
HORTON CRAIG DEAN TRUSTEE ET AL  
3585 CEDAR LINKS DR  
MEDFORDOR 97504

371W16AC 1100  
HORTON CRAIG DEAN/MARY JANE  
3585 CEDAR LINKS DR  
MEDFORDOR 97504

371W16AC 1400  
HORTON CRAIG/MARY JANE TRST  
3585 CEDAR LINKS DR  
MEDFORDOR 97504

371W16AC 1500  
COOK AMY L  
PO BOX 961  
JACKSONVILLEOR 97530

371W16AC 1800  
REICHENSPERGER FREDERICK ET AL  
2551 HERRINGTON WAY  
MEDFORDOR 97504 - 9147

371W16AC 1801  
RINGROSE RICHARD J TRUSTEE ET AL  
2547 HERRINGTON WAY  
MEDFORDOR 97504

371W16AC 1802  
TATOS JOHN R/JENNIFER L  
1314-B CENTER DR 500  
MEDFORDOR 97501

371W16AC 1803  
WESTBRICK LLC  
26470 VIA PETRA  
CARMELCA 93923

371W16AC 1804  
MORRIS JOHN  
2535 HERRINGTON WAY  
MEDFORDOR 97504

371W16BA 8600  
SMALLEY DANIEL J/TORRANCE I  
2901 FARMINGTON AVE  
MEDFORDOR 97504

371W16BA 8801  
REFSNIDER JOHN L/RHONDA J  
3273 WHEAT RIDGE DR  
MEDFORDOR 97504 - 4403

371W16BA 8802  
CHONG STEVEN L/REBECCA A  
3267 WHEAT RIDGE DR  
MEDFORDOR 97504

371W16BA 8803  
THOMAS JEFFREY W/TRACI A  
3262 WHEAT RIDGE DR  
MEDFORDOR 97504

371W16BA 8804  
CASTRO MIGUEL A/CONSUELO A  
3266 WHEAT RIDGE DR  
MEDFORDOR 97504

371W16BA 8805  
WRAY TIMOTHY L/LYNN M  
3270 WHEAT RIDGE DR  
MEDFORDOR 97504

371W16BA 8806  
OBRIEN SHAUN M/SAMANTHA L  
3274 WHEAT RIDGE DR  
MEDFORDOR 97504

371W16BA 8807  
MEDFORD CITY OF  
CITY HALL  
MEDFORDOR 97501

371W16BA 8900  
BECHTEL RONALD L/BETTY R  
3370 VIEWPOINT DR  
MEDFORDOR 97504

371W16BA 9000  
DRIVER TIMOTHY R TRUSTEE  
2953 FAIRFAX ST  
MEDFORDOR 97504

371W16BB 6900  
JACOBS LARRY L/CAROL J  
2861 CLAIRMONT CT  
MEDFORDOR 97504

371W16BB 7000  
COTE GLEN TRUSTEE ET AL  
2851 CLAIRMONT CT  
MEDFORDOR 97504

371W16BB 7100  
OLIVADOTI JOSEPH/HEIDI  
2850 CLAIRMONT CT  
MEDFORDOR 97504

371W16BB 7200  
PASSEY RANDY G/NANCY M  
PO BOX 8411  
MEDFORDOR 97501

371W16BB 7300  
FLESHMAN MARGARET  
2870 CLAIRMONT CT  
MEDFORDOR 97504

371W16BB 8400  
LUKOIC ADAM L  
2869 BANNER CT  
MEDFORDOR 97504 - 5805

371W16BB 8500  
CASEBIER DANIEL G/KELLY L  
2863 BANNER COURT  
MEDFORDOR 97504

371W16BB 8600  
SYME BETTY J  
2857 BANNER CT  
MEDFORDOR 97504

371W16BB 8700  
COVIC EDWARD G TRUSTEE  
2856 BANNER CT  
MEDFORDOR 97504

371W16BB 8800  
ELLERMAN PEGI J TRUSTEE ET AL  
2862 BANNER CT  
MEDFORDOR 97504

371W16BB 8900  
WILLIAMS GARY B/PAULETTE  
2872 BANNER CT  
MEDFORDOR 97501

371W16BB 9400  
DOUGLAS STEPHEN E/FRANCES L  
2879 ARDEN CIRCLE  
MEDFORDOR 97504

371W16BB 9500  
PARRISH LYNN M ET AL  
2873 ARDEN CIR  
MEDFORDOR 97504

371W16BB 9600  
KLEIN LESTER/PATTY A L  
2865 ARDEN CIR  
MEDFORDOR 97504

371W16BB 9700  
MEKKERS MICHAEL/KRISTI  
2864 ARDEN CIR  
MEDFORDOR 97504

371W16BB 9800  
GOLTZ DANIEL E TRUSTEE ET AL  
2874 ARDEN CIRCLE  
MEDFORDOR 97504

371W16BB 9900  
STEIGER SAMUEL D/STEIGER MARGARET M  
2884 ARDEN CIR  
MEDFORDOR 97504

371W16BB 12700  
DONNELL ROBERT C/PATRICIA A  
2868 BAILEY AVE  
MEDFORDOR 97504

371W16BB 12800  
CHADD MIHOKO J  
2856 BAILEY AVE  
MEDFORDOR 97504

371W16BB 12900  
COOK JACK L/JANET L  
2848 BAILEY AVE  
MEDFORDOR 97504

371W16BB 13000  
HULEVA FAMILY TRUST ET AL  
2847 BAILEY AVE  
MEDFORDGEOR 97504

371W16BB 13100  
JOHNSON PATRICK TERRY/JOHNSON JANIS D  
2855 BAILEY AVE  
MEDFORDOR 97504

371W16BB 13200  
ANHORN MICHAEL J/BEVERLY J  
2867 BAILEY AVE  
MEDFORDOR 97504

371W16BB 14400  
GRIFFITHS DEE A TRUSTEE ET AL  
2864 JANTZER CT  
MEDFORDOR 97504

371W16BB 14500  
HOPE BRUCE K/LINDA O  
PO BOX 4746  
MEDFORDOR 97501 - 0196

371W16BB 14600  
DAVIS DAVID B/KATHRYN J  
2850 JANTZER CT  
MEDFORDOR 97504

371W16BB 14700  
ALFTINE CHRISTOPHER D/ANNE E  
2853 JANTZER CT  
MEDFORDOR 97504

371W16BC 200  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W16BC 201  
GALPIN C A  
744 CARDLEY AVE 100  
MEDFORDOR 97504

371W16BC 202  
GALPIN C A  
744 CARDLEY AVE 100  
MEDFORDOR 97504

371W16BC 203  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W16BC 300  
MEDFORD CITY  
411 W 8TH ST  
MEDFORDOR 97501

371W16BD 102  
CURTIS KAREN E  
571 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 103  
HOLBERT COLLEEN A  
567 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 104  
ANDERSON ROBERT G/COLLEEN J  
563 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 105  
GALPIN GLENDA  
2841 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 106  
GALPIN GLENDA  
2841 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 107  
DANN VALERIE E TRUSTEE ET AL  
2828 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 108  
FARSCHON JEFFERY S/KARALE S  
2836 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 109  
PETERSON ERIK/KRISTIN  
2842 FARMINGTON AVE  
MEDFORDOR 97504

371W168D 110  
BROWNLEE DANNY E/CONSTANCE R  
2850 FARMINGTON AVE  
MEDFORDOR 97504

371W168D 111  
SCARLATA STEVEN C/MICHELE R  
2866 FARMINGTON AVE  
MEDFORDOR 97504

371W168D 118  
SUPPRESSION #51  
2879 STRASBURG ST  
MEDFORDOR 97504

371W168D 119  
CLARK JENNIFER E  
2875 STRASBURG ST  
MEDFORDOR 97504

371W168D 120  
DEVRY LESLIE  
2871 STRASBURG ST  
MEDFORDOR 97504

371W168D 121  
WEATHERS RONALD V/KAREN J  
2867 STRASBURG ST  
MEDFORDOR 97504

371W168D 122  
BOYERSMITH STEVEN P  
2863 STRASBURG ST  
MEDFORDOR 97504

371W168D 123  
MINNICK ALBERT C/KARYN LEE  
2859 STRASBURG ST  
MEDFORDOR 97501

371W168D 124  
FRYMIRE AARON K/CAITLIN E  
2864 STRASBURG ST  
MEDFORDOR 97504

371W168D 125  
EDWARDS GARY M ET AL  
2868 STRASBURG ST  
MEDFORDOR 97504

371W168D 126  
MEDFORD CITY OF  
NO ADDRESS SUPPLIED  
MEDFORDOR 97501

371W168D 200  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W168D 201  
WRIGHT ROBERT R/DONNA L  
559 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 202  
WRIGHT MATTHEW P ET AL  
553 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 203  
TRIGG WALTER LEE TRUSTEE ET AL  
549 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 204  
DIRNBERGER MARK W TRUSTEE ET AL  
543 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 205  
MEDFORD CITY OF  
NO ADDRESS SUPPLIED  
MEDFORDOR 97501

371W168D 206  
MOILANEN YVONNE Y  
101 ESPLANADE AVE 13  
PACIFICACA 94044

371W168D 207  
HAMMOND ELEANOR TRUSTEE ET AL  
531 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 208  
HAYES GARY L/TRICIA L  
525 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 209  
BEATON TREESA L  
519 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 210  
BALES JEFFREY D/KRISTINE K  
513 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 212  
THOMPSON CARLETON/LINDA C  
507 ST AUGUSTINE DR  
MEDFORDOR 97504 - 2154

371W168D 213  
CLARIDGE REX C AND SUSAN Y REV LIV ET AL  
501 ST. AUGUSTINE DR  
MEDFORDOR 97504

371W168D 215  
WOLBER DARWIN L/JANICE O  
506 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 216  
COPELAND DEANNA TRUST ET AL  
1070 ST FRANCIS DR  
MEDFORDOR 97504

371W168D 218  
LONG JENNIFER A  
524 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 219  
FLANSBURG JASON R ET AL  
530 ST AUGUSTINE DR  
MEDFORDOR 97504

371W168D 221  
F B OWEN INC  
3400 CRATER LAKE AVE  
MEDFORDOR 97504

371W168D 223  
BOLIEN LINDA M  
540 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 225  
GREGORY MICHAEL L  
544 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 226  
SHEAFFER CARSON C/LAKIESHA D  
2141 WOODLAWN DR  
MEDFORDOR 97504

371W16BD 227  
HMADA GUY SEIICHI TRUSTEE ET AL  
550 ST AUGUSTINE DR  
MEDFORDOR 97504 - 2154

371W16BD 228  
SHARP RICHARD L ET AL  
554 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 229  
HUNT HOWARD E/ALICE E  
560 ST AUGUSTINE DR  
MEDFORDOR 97504

371W16BD 230  
HILL BARRY G/PATRICIA E  
2835 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 231  
WEYERS CHRIS/MAKENNA  
2829 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 232  
SODERLUND KIRK R/MELODEE A  
2823 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 233  
MCELROY GLENNE TRUSTEE ET AL  
2817 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 234  
ALLEN FAMILY TRUST ET AL  
2811 FARMINGTON AVE  
MEDFORDOR 97504

371W16BD 235  
MEDFORD CITY OF  
NO ADDRESS SUPPLIED  
MEDFORDOR 97501

371W16BD 237  
GALPIN C A  
744 CARDLEY AVE 100  
MEDFORDOR 97504

371W16BD 238  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W16BD 300  
JANTZER MONTY R  
3535 CEDAR LINKS DR  
MEDFORDOR 97504

371W16BD 400  
JANTZER MONTY RAY/THERESA L  
3535 CEDAR LINKS DR  
MEDFORDOR 97504

371W16BD 500  
RAMSAY CHARLES FREDERICK ET AL  
2865 STERLING CREEK RD  
JACKSONVILLEOR 97530

371W16BD 600  
JENSEN EUNICE P  
3476 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CA 300  
SUMP LAWRENCE A SR ET AL  
3375 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 400  
SICKLER CONNIE D  
3363 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 500  
ALDRICH SAMUEL J/BARBARA J  
3351 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 600  
CASEBIER DAVID A TRUSTEE ET AL  
2067 COKER BUTTE RD  
MEDFORDOR 97504

371W16CA 700  
TOWNE JOHANN L/SYLVA H  
3360 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 1100  
BENADE STEPHANIE  
1071 CALLAWAY DR  
MEDFORDOR 97501

371W16CA 1200  
DRISKELL ROBERT L  
1061 CALLAWAY DR  
MEDFORDOR 97501

371W16CA 1300  
CASEBIER CAROL SYBIL TRUSTEE ET AL  
1051 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 1400  
SPAFFORD D GARY/SPAFFORD CHRISTINE  
1041 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 1500  
MCCULLEY YVETTE K  
1031 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 1600  
RUSSELL LEANNE M TRUSTEE ET AL  
1021 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 1700  
GROVE BERNARD D/SANDRA L  
3303 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 1800  
MOONEYHAM MARGARET  
3315 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 1900  
WAGONER CURTIS L  
1910 SPRING ST  
MEDFORDOR 97504

371W16CA 2000  
BYRD SCOTT P/STACY C  
3339 HENDERSON WAY  
MEDFORDOR 97504

371W16CA 2100  
TAYLOR JAMES H/CLAIRE MARIE  
1001 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2200  
1 PETER S:7 LLC  
744 CARDLEY AVE 100  
MEDFORDOR 97504

371W16CA 2201  
1 PETER S:7 LLC  
744 CARDLEY AVE 100  
MEDFORDOR 97504

371W16CA 2202  
CEDAR INVESTMENT GRO UP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W16CA 2300  
SELBY ROBERT ET AL  
1010 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2400  
PELHAM EUGENE L/TINA M  
1016 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2500  
GARNER JAMES F/PATRICIA A  
1020 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2600  
GORDON KATHRYN M TRUSTEE ET AL  
1030 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2700  
CATE LYNDLE K/DEBRA A  
1040 CALLAWAY DR  
MEDFORDOR 97504

371W16CA 2800  
CASTLE THOMAS F AND PAMELA LENT HO ET  
AL  
30 OAK CT  
DANVILLECA 94526

371W16CA 2900  
CASH EJ SR TRUSTEE ET AL  
1060 CALLAWAY DR  
MEDFORDOR 97504

371W16CB 100  
JONES DEANNA L  
3128 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CB 200  
CASTRO LUIS A ET AL  
3120 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CB 300  
SIMPSON SHAWN/ANGELA  
3110 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CB 400  
EBERT GEORGE G/RAMONA R  
2990 LEXINGTON DR  
MEDFORDOR 97504

371W16CB 500  
BOLIN RYAN  
2991 LEXINGTON DR  
MEDFORDOR 97504

371W16CB 600  
GLEDHILL FREDERICK TRUSTEE ET AL  
3074 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CB 700  
CALLAHAN CASEY J  
3062 CEDAR LINKS DR  
MEDFORDOR 97504

371W16CB 800  
WILSON LANCE TRUSTEE ET AL  
2623 E DESERT WIND DR  
CASA GRANDEAZ 85194

371W16CB 900  
GILDER EARL E/EDITH P  
3093 WESTMINSTER DR  
MEDFORDOR 97504

371W16CB 1000  
ANDERSON KURT A/SAUNDRA N  
3073 WESTMINSTER DR  
MEDFORDOR 97504

371W16CB 1100  
JACOBSEN CHRIS  
3061 WESTMINSTER DR  
MEDFORDOR 97501

371W16CB 1200  
WITTENBERG STEPHEN CHARLES/DIANE LYNN  
2973 HOLLYBURN RIDGE  
MEDFORDOR 97504

371W16CB 5300  
MERRILL TODD J/DIANA KAY  
3121 WESTMINSTER DR  
MEDFORDOR 97501

371W16CB 5400  
GUSTAFSON MARK A/VALERIE L  
3111 WESTMINSTER DR  
MEDFORDOR 97504

371W16CB 5500  
BELL EDWARD THOMAS TRUSTEE ET AL  
3101 WESTMINSTER DR  
MEDFORDOR 97504

371W16CB 7700  
CITY OF MEDFORD  
CITY HALL  
MEDFORDOR 97501

371W16CB 7800  
BAUMERT DIANE ET AL  
1120 CANYON GREEN DR  
SAN RAMONCA 94582

371W16CB 7900  
ALFTINE DAVID/GINNY  
1880 HARDING CT  
BETTENDORFIA 52722

371W16CB 8000  
TURNIPSEED PAMELA J  
2923 WILKSHIRE DR  
MEDFORDOR 97504

371W16CB 8100  
HARRIS DAVID E/TISHA R  
2930 CANDLIS POINT CT  
MEDFORDOR 97504

371W16CB 8200  
TANG PINGSHENG ET AL  
2950 CANDLIS POINT CT  
MEDFORDOR 97504

371W16CB 8300  
EKBERG SANDRA LEE ET AL  
2951 CANDLIS POINT CT  
MEDFORDOR 97504

371W16CB 9600  
BUI THONG TIEN  
2952 AMBLEGREEN DR  
MEDFORDOR 97504

371W16CB 9700  
MANN MARIA L E  
2859 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 9800  
BROBERG PAUL W/ROE ETTA M  
2849 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 9900  
WILLSON DAVID IRWIN TRUSTEE ET AL  
2839 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10000  
HAMILTON GRETCHEN C  
2829 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10200  
PEARSON MARK A/DEBBIE L  
2832 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10300  
WILSON ROBERT L TRUSTEE ET AL  
2842 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10400  
GROTH MARIAN J  
2852 KERRISDALE RIDGE DR  
MEDFORDOR 97504 - 5746

371W16CB 10500  
JUNG TAE K/YANG MIKYOUNG  
2862 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10600  
FREEMAN ESTHER E  
2870 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10700  
VALLADAO GREG/CHRISTINE  
2882 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 10800  
LEACH RUSSELL L/KELLIE L  
2920 WILKSHIRE DR  
MEDFORDOR 97504

371W16CB 10900  
BAGHOTT ELIZABETH TRSTE FBO  
6510 S 6TH ST PMB 27  
KLAMATH FALLSOR 97603

371W16CB 11000  
BREEZE BRET A  
2980 CRATER LAKE HWY  
MEDFORDOR 97504

371W16CB 11001  
BREEZE REGINALD P/ANNETTE C  
100 E MAIN ST STE C  
MEDFORDOR 97501

371W16CB 11100  
MANN JOHN C  
349 WILSON DR  
SANTA MARIACA 93455

371W16CB 11700  
LEE HAYDN C JR TRUSTEE ET AL  
2992 ROSEDALE TERR  
MEDFORDOR 97504

371W16CB 11800  
SMITH BARBARA J TRUSTEE ET AL  
2775 KERRISDALE RIDGE DR  
MEDFORDOR 97504 - 5757

371W16CB 12600  
HOOBER DAN  
2758 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 12700  
DIXON TODD ALAN/DIXON TAMARA L  
2768 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 12800  
SEIBERT ROBERT J TRUSTEE ET AL  
2778 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 12900  
BROPHY PATSY JO TRUSTEE  
2788 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 13000  
LEE KI JA/SUN TAE  
2798 KERRISDALE RDG  
MEDFORDOR 97504

371W16CB 13100  
NOBLES LOIS A TRUSTEE ET AL  
2810 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CB 13200  
FIALA GEORGE/ANNA  
2822 KERRISDALE RIDGE DR  
MEDFORDOR 97504

371W16CC 100  
CONNELL LESLIE OWEN  
3173 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 131  
HOLLOWAY JOHN F/CYNTHIA LEE  
3163 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CC 132  
S CHERE R RANDY C ET AL  
3 153 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 133  
CARR DEBORAH L  
3143 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 134  
STEINBERG CHARLES/AMY SHAW  
3133 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CC 135  
F ELCHILIN RACHEL ET AL  
3 123 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 136  
WHITE ROBERT J TRUSTEE ET AL  
234 WATER ST  
RICHMONDCA 94801

371W16CC 137  
STEFFENS EDWARD M/LEAH D  
3103 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CC 138  
GELLER KEVIN/BRINDA  
3 089 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 139  
OUSEY ROGER W/CHERYL J  
2909 HOLLYBURN RDG  
MEDFORDOR 97504 - 5714

371W16CC 140  
STEWART EDWARD D  
3069 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CC 143  
DEROSSIER AVA M  
3 080 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 144  
POLETTI DENIS J/KAREN E  
3090 SYCAMORE WAY  
MEDFORDOR 97504

371W16CC 145  
BUCHANAN BRENT A/ERIN L  
3102 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CC 146  
B RADLEY CHRISTOPHER J TRUSTEE ET AL  
6 85 E ROLLING HILLS DR  
EAGLE POINTOR 97524 - 9411

371W16CC 152  
MONTGOMERY MIRIAM TRUSTEE ET AL  
1892 SONYA CIR  
MEDFORDOR 97504

371W16CC 153  
HICKMAN D E II/MARGUERITTE  
1891 ORANGEWOOD DR  
MEDFORDOR 97504

3 71W16CC 174  
BAKKER ANTHONY W/SARA M  
1 894 ORANGEWOOD DR  
MEDFORDOR 97504

371W16CD 100  
BARRUS TAMARA J  
3227 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 200  
MCKINNON ROLAND J/ERYNE E  
3221 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CD 300  
NEAL SANDRA LEE ET AL  
3 211 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 400  
OLSON JAMES B TRUSTEE  
3195 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 500  
REID RICHARD V/CATHERINE J  
3183 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CD 600  
BERRY JOAN R  
3 184 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 700  
PETERSON PERRY/ANN TRUSTEES  
3196 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 2100  
REEDER KENNETH W/LINDA L  
3216 SYCAMORE WAY  
MEDFORDOR 97504

3 71W16CD 2200  
ERB STEVEN R/ARLENE L  
3 224 SYCAMORE WAY  
MEDFORDOR 97504

371W16CD 2300  
PFEIL ERICH R/SANDRA C  
3234 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 500  
REBAL FAMILY TRUST ET AL  
PO BOX 249  
ASHLANDOR 97520

3 71W16D 700  
REBAL FAMILY TRUST ET AL  
PO BOX 249  
ASHLANDOR 97520

371W16D 3200  
PRIMASING RONALD D/JUDITH C  
3111 NORMIL TERR  
MEDFORDOR 97504

371W16D 3300  
BROCKAMP DARREL J/BOTEILHO TRUDY L  
3134 NORMIL TERR  
MEDFORDOR 97504

371W16D 3302  
FICHTNER DEAN T TRUSTEE ET AL  
3129 NORMIL TERR  
MEDFORDOR 97504

371W16D 3600  
PACIFIC POWER/LIGHT CO  
PROPERTY TAX DEPT  
825 NE MULTNOMAH ST 1900  
PORTLANDOR 97232

371W16D 3900  
EISENHauer LANCE C/EISENHauer LAURI A  
3367 EUCALYPTUS DR  
MEDFORDOR 97504

371W16D 3901  
O'BOYLE JOHN W/CAROLINE H  
3421 EUCALYPTUS DR  
MEDFORDOR 97504

371W16D 3902  
MC KEE BRUCE R/CECILE L  
201 WINDSOR AVE  
MEDFORDOR 97504

371W16D 3903  
FRONEK BARRY/PAMELA  
3401 EUCALYPTUS DR  
MEDFORDOR 97504

371W16D 4000  
CANTWELL TERRY SET AL  
3335 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4100  
KELLY LANCE L/KRISTI J  
3317 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4200  
PEPPERLING TONY/SUSAN L  
3297 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4300  
HARDING BONNIE TRUSTEE ET AL  
3279 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4400  
THOMAS LINDA KAYE  
3269 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4500  
BERGER DIANE  
3229 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 4501  
BERGHOFER BETH  
3233 SYCAMORE WAY  
MEDFORDOR 97504

371W16D 6100  
MICHAELS THOMAS M TRUSTEE ET AL  
1070 CALLAWAY DR  
MEDFORDOR 97504

371W16D 6200  
WITTENBERG LOREN A TRUSTEE ET AL  
1080 CALLAWAY DR  
MEDFORDOR 97504

371W16D 6300  
ARTALE THOMAS J/CAROLINE  
1090 CALLAWAY DR  
MEDFORDOR 97504

371W16D 6400  
FRANCESCHINI SHELLIE  
1081 CALLAWAY DR  
MEDFORDOR 97504

371W16D 6500  
LEONARD DAN J ET AL  
1091 CALLAWAY DR  
MEDFORDOR 97504

371W16D 6600  
HOGAN GERALD M/LAURA  
2422 HERRINGTON WAY  
MEDFORDOR 97504

371W16D 7000  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W16D 7001  
CEDAR INVESTMENT GROUP LLC  
JACK KEESE C/O JIN YOO SECURED MGMT  
CORP  
10250 CONSTELLATION BLVD 2770  
LOS ANGELESCA 90067

371W17AA 5700  
TABLER JEFF M/SUSAN H  
2786 STONEBROOK DR  
MEDFORDOR 97504

371W17AA 5800  
ROBERTS SANDRA G  
2798 STONEBROOK DR  
MEDFORDOR 97504

371W17AA 5900  
PACK JAMES P TRUSTEE ET AL  
2802 STONEBROOK DR  
MEDFORDOR 97504

371W17AD 9800  
SPIVAK ERIC R/WENONDA G  
PO BOX 238  
MEDFORDOR 97501

371W17AD 9900  
ROSS MARGUERITE ANN TRUSTEE  
2920 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10000  
FAGONE SAMUEL P SR/SHARON E  
2936 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10100  
DUMAS SCOTT D/CYNTHIA A  
2944 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10200  
FIGONE JAMES A TRUSTEE ET AL  
2952 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10300  
DALTON CURTIS LEE/DAWN R  
2960 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10400  
BERNARD LARRY PAUL/SHERRY L  
2968 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10500  
COOK ROBERT H  
2976 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 10600  
PLUMMER RYAN/KELSIE  
2984 ROSEWOOD ST  
MEDFORDOR 97504 - 5152

371W17AD 10700  
DE CLOEDT JENNETTE L/DAVID  
3003 CEDAR LINKS DR  
MEDFORDOR 97504

371W17AD 10800  
LARSON TANYA E  
1750 DELTA WATERS RD 102-194  
MEDFORDOR 97504

371W17AD 10900  
LORANGE ALICIA L TRUSTEE  
2973 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11000  
SWORD JESSE  
2965 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11100  
BEANE RUSSELL  
PO BOX 51  
MEDFORDOR 97501

371W17AD 11200  
PARTCH TIM SCOTT TRUSTEE ET AL  
41536 CHILTERN DR  
FREMONTCA 94539

371W17AD 11300  
BAKER MICHAEL D  
2941 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11400  
EKSTRAND DARIN R/SHERRIE L  
2933 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11500  
HALVORSEN GEORGE R TRUSTEE ET AL  
2925 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11600  
HAYES LEO E/BARBARA H  
2917 ROSEWOOD ST  
MEDFORDOR 97504

371W17AD 11700  
SUPPRESSION #54  
2972 PENNINGTON DR  
MEDFORDOR 97504

371W17AD 11800  
VELAZQUES ANGEL/MARIA  
2988 PENNINGTON DR  
MEDFORDOR 97504

371W17AD 11900  
LUKE CLARENCE HARVEY/JOAN C  
2880 LAKERIDGE SHORE E  
RENONV 89509

371W17AD 12000  
DIAZ MARIO L/SHELLEY D  
2997 PENNINGTON DR  
MEDFORDOR 97504

371W17AD 12100  
BLACK SUSAN CAROL  
2467 EASTSIDE RD  
JACKSONVILLEOR 97530

371W17AD 12200  
NODWELL JAMIE M  
2971 PENNINGTON DR  
MEDFORDOR 97504

371W17AD 13300  
DESILVA JACQUELINE  
2963 WAVERLY WAY  
MEDFORDOR 97504

371W17AD 13400  
CREWS DENIS F ET AL  
2973 WAVERLY WAY  
MEDFORDOR 97504

371W17AD 13500  
MARISKA FLORENCE M TRUSTEE ET AL  
2983 WAVERLY WAY  
MEDFORDOR 97504

371W17AD 13600  
NIETO TONY/TORY  
34 S FOOTHILLS RD  
MEDFORDOR 97504

371W17AD 13700  
DYE CHRIS V/KRISTI  
2968 WAVERLY WAY  
MEDFORDOR 97504

371W17AD 13800  
WILLIAMS ACE D/STACEY A  
2958 WAVERLY WAY  
MEDFORDOR 97504

371W17AD 13900  
METCALF TIMOTHY W/APRIL L  
2948 WAVERLY WAY  
MEDFORDOR 97504

371W17DA 8503  
VISTAUNET DAVID H/JULIE  
2957 CHANCERY CIR  
MEDFORDOR 97504

AGENT  
CSA PLANNING LTD  
4497 BROWNRIDGE STE 101  
MEDFORDOR 97504

371W16BD 217  
KARETI SUMANKUMAR ET AL  
1060 ST FRANCIS DR  
MEDFORD OR 97504

371W16BD 220  
ANDERSON VALERIE J  
1050 ST FRANCIS DR  
MEDFORD OR 97504

371W16BD 222  
WESTMORELAND JOHN L  
1040 ST FRANCIS DR  
MEDFORD OR 97504

371W16BD 224  
HAWKINS ELVIN/NANCY  
1030 ST FRANCIS DR  
MEDFORD OR 97504

CITY OF MEDFORD  
PLANNING DEPT  
200 S IVY ST, RM 240  
MEDFORD OR 97501

# SIGN-IN SHEET

NEIGHBORHOOD MEETING FOR CEDAR LAND PUD

DATE March 22, 2016

TIME: 5:30 PM

PLACE: Rogue Valley Country Club

NAME	ADDRESS	PHONE NUMBER OR EMAIL (optional)
Barbara Smith	2775 Junecale dr.	541-608-6273
Karen Weathers	2374 Fairfield Dr.	541. 601-9443
Susan Staridge	501 At Copeland	
Jeff & Eleanor Hammond	531 St Augustine Dr	541 499 0277
Stephanie + Glenn Wilcox	2811 Farmington Ave.	
Michael + Tom Michael	1070 Callaway Dr.	
Jim Heathhouse	2868 Wilkskice Dr.	
Shawn + Angie Simpson	3110 Cedar Links Dr.	angtsimpson@gmail.com
TIM + KAY DRIVER	2953 FAIRFAX ST	KAYSEIN@AOL.COM
Richard + CJ Reid	3183 Sycamore Way	
Patty Hill	2835 Farmington	hillbarry580@gmail.com
Bruce & Linda Hope	2858 Jantara	BRUCE.HOPE@GMAIL.COM
Rhonda Refsnyder	Wheat Ridge	
Deanna Copeland	1070 St. Francis	541-973-2340 @live come deanna copeland
TERRY JOHNSON	2855 BAILEY AVE	541-621-0672
GARY EDWARDS	2868 STRASBURG ST	541 773 5851

Page 196

## SIGN-IN SHEET

Dan Goltz	2874 Arden Circle	541-772-2846
VALERIE DANN	2828 FARMINGTON	541-499-6136
John Westmoreland	1040 St Francis Dr	907 441-0893
Don Kistner	1030 Callaway Dr	541-772-6526
David + Valerie Weber	1050 St Frances Dr	541 944 0207
Natalie Chirgwin	467 Normal Ave Ashland, OR	541-326-7337
Elvina Mary Hawkins	1030 ST. FRANCIS	OR 541-245-0773
Carol Parrish	2873 Arden Circle	541-603-8016
W & Melba Soderlund	2823 Farmington	541-282-3646 / 541-292-0421
Egri Ellermae	2862 Banner Ct	541-776-1378
Betty Sjogren	2857 Banner Ct	541-773-9788
Maie	2950 Candlis Pt Ct	541-779 5136
Claire Jacobs	534 St. Augustine	260-668-3749
Dan Wolber	506 ST Augusta	541-659-3311

# SIGN-IN SHEET

David & Ginny Alfine

2955 Wilkshire Dr

541 210 4965

Buddy & Sandy, Gore

3303 Henderson Way

541-776-1085

Steve & Becky Cherry

3267 Wheat Ridge Dr.

Dee Wittenberg

1080 Culloway

541-870-6611

Lynn Edwards

2864 Strasburg St.

**WETLAND DELINEATION / DETERMINATION REPORT COVER FORM**

This form must be included with any wetland delineation report submitted to the Department of State Lands for review and approval. A wetland delineation report submittal is not "complete" unless the fully completed and signed report cover form and the required fee are submitted. Attach this form to the front of an unbound report and submit to: Oregon Department of State Lands, 775 Summer Street NE, Suite 100, Salem, OR 97301-1279. Make the check payable to the Oregon Department of State Lands. To pay the fee by credit card, call 503-988-5200.

<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner Name, Firm and Address: Cedar Investment Group LLC 67 Fairway Cir Medford, OR 97504	Business phone # 541-210-6023 Mobile phone # (optional) E-mail: artnere@gmail.com
<input checked="" type="checkbox"/> Authorized Legal Agent, Name and Address: Schott and Associates Attn: Martin Schott PO Box 589 Aurora, OR 97002	Business phone # 503.678.6007 Mobile phone # E-mail: martin@schottandassociates.com
I either own the property described below or I have legal authority to allow access to the property. I authorize the Department to access the property for the purpose of confirming the information in the report, after prior notification to the primary contact. Typed/Printed Name: <u>Eric Artnere</u> Signature: <u>[Signature]</u> Date: _____ Special Instructions regarding site access: _____	

<b>Project and Site Information</b> (using decimal degree format for lat/long..enter centroid of site or start & end points of linear project)		
Project Name: Cedar Landing	Latitude: 42 21.242'N	Longitude: 122 49.885'W
Proposed Use: Residential Development	Tax Map # 37 1W 16, 16CA, 16BD	
Project Street Address (or other descriptive location): North and South of Cedar Links Drive, W of Foothills Rd.	Township 37S Range 1 W Section 16	QQ
City: Medford County: Jackson	Tax Lot(s) 800, 200, 1400, 2200	Waterway: _____ River Mile: _____
	NWI Quad(s): _____	

<b>Wetland Delineation Information</b>	
Wetland Consultant Name, Firm and Address: Schott and Associates Attn: Martin Schott PO Box 589 Aurora, OR 97002	Phone # 503.678.6007 Mobile phone # E-mail: martin@schottandassociates.com
The information and conclusions on this form and in the attached report are true and correct to the best of my knowledge. Consultant Signature: _____ Date: _____	
Primary Contact for report review and site access is <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Applicant/Owner <input type="checkbox"/> Authorized Agent	
Wetland/Waters Present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Study Area size: 95.48ac Total Wetland Acreage: 0.74ac	

<b>Check Box Below if Applicable:</b>		<b>Fees:</b>	
<input type="checkbox"/> R-F permit application submitted	<input checked="" type="checkbox"/> Fee payment submitted \$ 396	<input type="checkbox"/> Mitigation bank site	<input type="checkbox"/> Fee (\$100) for resubmittal of rejected report
<input type="checkbox"/> Wetland restoration/enhancement project (not mitigation)	<input type="checkbox"/> No fee for request for reissuance of an expired report	<input type="checkbox"/> Industrial Land Certification Program Site	
<input type="checkbox"/> Reissuance of a recently expired delineation		<input type="checkbox"/> Previous DSL # _____ Expiration date _____	
<b>Other Information:</b>		Y	N
Has previous delineation/application been made on parcel?		<input checked="" type="checkbox"/>	<input type="checkbox"/> If known, previous DSL # WD2006-0141
Does LWI, if any, show wetland or waters on parcel?		<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>For Office Use Only</b>			
DSL Reviewer: _____	Fee Paid Date: ____/____/____	DSL WD # _____	
Date Delineation Received: ____/____/____	DSL Project # _____	DSL Site # _____	
Scanned: <input type="checkbox"/> Final Scan: <input type="checkbox"/>	DSL WN # _____	DSL App. # _____	



**SCHOTT & ASSOCIATES**  
**Ecologists & Wetlands Specialists**

21018 NE Hwy 99E • P.O. Box 589 • Aurora, OR 97002 • (503) 678-6007 • FAX: (503) 678-6011

**JURISDICTIONAL WETLAND  
DETERMINATION AND DELINEATION  
FOR**

**Cedar Landing  
Township 37S, Range 1W, Sec. 16  
Tax Lot# 803, 800, 200, 2200, 1400  
North and South of Cedar Links Drive  
West of Foothills Rd  
Medford, Jackson County, Oregon**

Prepared for:  
Eric Artner

Prepared by:  
Martin R. Schott, PhD  
&  
Jodi Reed

Project #: 2292

September 2014

## TABLE OF CONTENTS

<b>DEPARTMENT OF STATE LANDS COVER FORM.....</b>	<b>1</b>
(A) LANDSCAPE SETTING AND LAND USE .....	1
(B) SITE ALTERATIONS .....	2
(C) PRECIPITATION DATA AND ANALYSIS .....	2
(D) SITE SPECIFIC METHODS.....	3
(E) DESCRIPTION OF ALL WETLANDS AND OTHER NON-WETLAND WATERS.....	3
(F) DEVIATION FROM LWI OR NWI .....	8
(G) MAPPING METHOD .....	9
(H) ADDITIONAL INFORMATION .....	9
(I) RESULTS AND CONCLUSIONS.....	9
(J) DISCLAIMER.....	10
APPENDIX A: MAPS .....	10
APPENDIX B: DATA FORMS.....	16
APPENDIX C: GROUND LEVEL PHOTOGRAPHS .....	17
APPENDIX D: HISTORICAL AERIAL PHOTOS .....	18
APPENDIX E: REFERENCES .....	19

## LIST OF FIGURES

FIGURE 1. SITE VICINITY .....	11
FIGURE 2. TAX MAP.....	12
FIGURE 3. LWI MAP .....	13
FIGURE 4. SOIL SURVEY MAP.....	14
FIGURE 5. WETLAND MAP.....	15

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Page i

S&A#: 2292

#### (A) Landscape Setting and Land Use

The approximately 100.9 acre subject property is located on the north and south side of Cedar Links Drive and west of Foothill Road in Medford, Oregon (Sec.16 T37S R1W TL# 800, 803, 200, 2200, 1400) (Figure 1). Cedar Links Drive runs west to east through the property. The subject property is bordered by residential subdivisions on all sides.

Historically, the property was rural residential and the majority of the site was used for hay production, pear orchard and pasture. A residence was located offsite to the east of the northern portion of the property. As seen on the 1953 historical aerial photographs of the site, a faint drainage swale passed from the northwest to the southeast corners of the northern portion of the site. A tributary to the same system was located in the northeast corner of the site. The southern portion of the property was an orchard. A drainage ditch ran along the southern property boundary.

The northern portion of the property was developed into a golf course in the early 1970's. The southern portion was developed into the golf course in 1987. The property functioned as a golf course until recent years. The club house and pro shop, with all the associated parking, were in the northern portion of the site on the western half, close to Cedar Links Drive. The site is no longer being used for a golf course but has been kept mowed. Irrigation water is no longer being applied to the site to fill the ponds. In addition, the ponds outlets have been opened and/or enlarged because of safety concerns by the City of Medford.

The property is enclosed with cyclone fencing and it is utilized by local residents, using the cart paths as a walking trail.

The onsite vegetation was dominated by lawn consisting primarily of low-growing grasses and forbs such as colonial bentgrass (*Agrostis capillaries*), Bermuda grass (*Cynodon dactylon*) and white clover (*Trifolium repens*). A small area of native vegetation was present along the historical drainage ditch on the southeastern property boundary. Species included Sitka willow (*Salix sitchensis*) and black cottonwood (*Populus trichocarpa*).

Seven man-made ponds were documented onsite. Five ponds were located in the northern portion of the property and four of these were connected via ditches and culverts. Two ponds are located on the southern portion of the site. These are non-jurisdictional ponds constructed in uplands and are less than an acre in size. The two ponds source of water was from pipes that connected to the irrigation canal. DSL concurred with the 2006 wetland delineation where the two southern ponds were identified as being non-jurisdictional. The ponds were filled with irrigation water from the Medford Irrigation Canal to irrigate the golf course and landscape features. At the time of the second site visit in 2014, water from the irrigation canal had been shut off and most of the ponds were essentially dry.

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Page 1

S&A# 2292

The golf course has a series of drain tiles, field drains and culverts. These were installed to keep the course playable during the rainy season. The site drains to the north, northwest. The slopes range from nearly flat to moderate.

#### (B) Site Alterations

Historically, the property was rural residential with the majority of the site used for hay production, pear orchard and pasture. The southern portion was an orchard. A faint drainage swell passed from the northwest to the southeast portion of the northern portion of the site. A tributary to the same system was located in the northeast corner of the site. A drainage ditch ran along the property boundary.

The site was mass graded when golf course construction began. The northern portion of the property was developed into a golf course in the early 1970's. The southern portion was developed into a golf course in 1987. Seven man-made ponds were documented on site. These were excavated and the contents were spread out over the site. Five ponds were located in the northern portion of the property and were connected via ditches and culverts. Two ponds are located on the southern portion of the site. The ponds were filled by irrigation water from the Medford Irrigation Canal.

The golf course has a series of drain tiles, field drains and culverts installed to keep the course playable during the rainy season.

In 2006, a wetland delineation was performed by Schott and Associates for the purpose of a mixed use development including single family homes, townhouses, a commercial center and retirement facility. Aerial photographs indicate residential housing, adjacent to the northeastern corner, was constructed between 2006 and 2010 (Appendix D.). Since the 2006 wetland delineation, a portion of the original property had been developed. In addition, the irrigation has been turned off. Finally, the outlets to most of the ponds have been opened, or enlarged due to safety concerns by the City of Medford.

#### (C) Precipitation Data and Analysis

Schott and Associates visited the site January 21, 2014 and July 9, 2014. No precipitation was present during either field visit. Accuweather.com indicates two weeks prior to the January field work 0.53 inches of rain had occurred. Two weeks prior to the July 9<sup>th</sup> field visit precipitation was recorded at 0.54 inches.

Precipitation prior to the January field visit was below the average WETS range in all months. Beginning in February percent of average was within normal range at 216%. Additionally, March was within average at 189%. April through July were within or below the average rainfall according to the Medford WETS table.

Table 1. Precipitation Summary and WETS Averages

Month	2013-2014 Precipitation	WETS Average	WETS Range	Percent of Average
September	0.24"	0.78"	0.16-0.95"	32%
October	0.2"	1.31"	0.54-1.61"	15%
November	1.12"	2.93"	1.62-3.58"	38%
December	0.36"	1.36"	1.36-3.55"	26%
January	0.78"	2.47"	1.36-3.01"	32%
February	4.55"	2.10"	1.16-2.56"	216%
March	3.5"	1.85"	1.21-2.23"	189%
April	0.82"	1.31"	0.82-1.59"	62%
May	0.47"	1.21"	0.61-1.49"	39%
June	0.54"	0.68"	0.26-0.84"	79%
July	0.0"	0.31"	0.03-0.36"	0%
Water Year*	12.58"	17.85"		70%

\*Water Year is calculated as September 30, 2013-July 9, 2014

(D) Site Specific Methods

Prior to visiting the site in 2014, the 2006 wetland delineation, as well as recent and historical aerial photographs, were reviewed to determine if there had been any site alterations. In addition, the soil survey and Medford's Local Wetland Inventory were reviewed. Schott and Associates initially walked the subject properties in January 2014 to concur with the 2006 wetland delineation. Additional sampling was done on July 9, 2014. The 1987 Manual and Regional Supplement for Mountains and Valleys West Region were used to determine presence or absence of State of Oregon wetland boundaries and the Federal jurisdictional wetlands.

Sample plots were placed where geomorphic location or vegetation indicated the possibility of wetlands or where a wetland had been previously delineated. For each sample plot, data on vegetation, hydrology and soils was collected, recorded in the field and later transferred to data forms (Appendix B). Where a wetland was present paired plots were located in the adjacent upland to document the transition. Onsite soils and hydrology at this site were disturbed due to grading and maintenance of greens for the previously used golf course. Where wetland criteria were not met in plots previously indicated as wetlands rationale best professional judgment and available information was used to make a determination.

(E) Description of All Wetlands and Other Non-Wetland Waters

In 2006, a wetland delineation was conducted by Schott and Associates, in anticipation of building a mixed use development. The study was conducted using US Army Corps of Engineers 1987 Wetland Delineation manual criteria. Based on vegetation, hydrology and soil data taken in the field in 2006, fourteen PEM/sloped wetlands totaling 1.33 acres

(57,742sf) were found onsite. Seven man-made excavated ponds totaling 2.8 acres (122,193 sf), were delineated. Also delineated were 20 ditches ranging from 1 to 4 feet in width totaling 0.15 acres (6,356 sf).

Field work was completed January 21 and July 9, 2014 for a re-delineation by Schott and Associates. The 2014 delineation deviated from the 2006 by reducing the amount of wetlands present on the site. The primary reason for the changes is the difference between the 1987 manual and the Western Regional Supplement. Under the 1987 manual soils with a chroma of 1 were considered hydric. However, the Western Regional Supplement recognizes that not all chroma 1 soils are hydric. Based on vegetation, hydrology and soil data taken in the field January and July of 2014, five PEM/sloped wetlands totaling 0.74 acres (32,097 sf) were found onsite. Five jurisdictional ponds totaling 2.19 acres and 9 jurisdictional ditches totaling 0.07 acres remained onsite.

For reference in the report all wetlands have maintained previous names/numbers used in the 2006 delineation. The 2014 delineation found wetlands 1, 4, 7, 8 and 9 no longer meet hydric soil criteria per the Western Regional Supplement soils criteria guide lines.

**Wetland #1**, delineated in 2006, was a 369 square foot wetland located in a disturbed area at the south property line in the southern portion of the property. Vegetation was dominated by broadleaf cattail (*Typha latifolia*) and small fruited bulrush (*Scirpus microcarpus*). Soils were 10YR2/1 and hydrology was evidenced by drainage patterns. Vegetation in the adjacent upland was dominated by Himalayan blackberry (*Rubus armeniacus*) and Canada thistle (*Cirsium arvense*). Upland soils were 10YR3/2 and 10YR2/1 and no hydrology was observed.

In 2014, sample plots 16 and 17 were documented in and adjacent to wetland # 1. Sample plot 17 was within the wetland and vegetation was dominated by meadow foxtail (*Alopecurus pratensis*). Soils were 10YR 3/1 from 0-9 inches and 10YR 2/1 with 10YR ¾ redoximorphic features from 9-20 inches so no longer considered a hydric soil. Sample plot 17 met vegetation criteria; however did not meet hydrology or soil criteria. Additionally, sample plot 16 was dominated by Bermuda grass (*Cynodon dactylon*) (FACU) with no indication of wetland soils or hydrology present in the area.

**Wetland #2** was a 0.5 acre (22,422 sf) wetland between ditches along the southern property line in the southern property area. In 2006 the vegetation was dominated by bluegrass with some rush and cattail presence. Soils were 10YR 3/2 from 0 to 9 inches and 10YR2/1 below 9 inches. Soils were saturated at 6 inches. The adjacent upland was dominated by Himalayan blackberry and perennial ryegrass (*Lolium perenne*). The soils were hydric and hydrology was observed.

The 2014 delineation observed the transition of wetland to upland in this area to still be evident based on clear changes in the vegetation. In 2014, sample plot 15 was taken to the west of wetland # 2. Vegetation was dominated by Bermuda grass, an upland

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Page 4

S&A#: 2292

indicator. Soils were not hydric and no hydrology was indicated at this sample plot. Sample plot C was taken in July to verify the area was still wetland. Vegetation was hydric, soils were 10RY 2/1 with redoximorphic features (F6) within 8 inches of the soils surface. Secondary indicators were used to determine hydrology. The wetland is situated in a small swale and located between ditches present along the project boundary and concurs with the 2006 delineation. The wetland drains to a catchment basin which heads off-site.

**Wetland #3** from the 2006 delineation is now offsite. The 2006 delineation showed the 0.05 acre (2,379 sf) wetland located along the southeastern edge of the north portion of the property. The 2014 delineation does not include this wetland.

**Wetland #4** was 0.09 acres located south of Pond #2 and east of Pond #18 in the north half of the property. The 2006 delineation indicated vegetation, dominated by colonial bentgrass, hydric soils (10YR2/1 and 3/1) and hydrology were present. The adjacent upland was dominated by colonial bentgrass and Bermuda grass. In the previous delineation it was determined not to be a jurisdictional wetland by DSL. This wetland is within an area mapped as Carney clays, an upland soil, and in an area which was mass graded when the golf course was constructed.

Two additional sample plots were taken in 2014 (Sample plot 4 and 5). Sample plot 4 had soils of 10YR 3/2, with 1 percent mottles in the matrix starting at 3 inches. Sample plot 5 had soils of 10YR 3/2 and 2.5YR 4/3. Vegetation at both plots were dominated by colonial bentgrass and no hydrology indicators were present. Wetland # 4 does not meet hydric soil criteria and is no longer considered a wetland.

**Wetland #5** was a 0.13 acre (5,679 sf) non-jurisdictional wetland in 2006. It is located just west of wetland #4. It was formed around the French drain running north to Pond #18. Vegetation was dominated by colonial bentgrass. Soils were hydric with a matrix color of 10YR3/1. Hydrology monitoring proved that the wetland had hydrology. The adjacent upland showed the same vegetation and soil profiles but was located at a higher topographic location with no hydrology indicators. In the 2006 delineation wetland # 5 was determined non- jurisdictional by DSL.

The 2014 delineation verified the 2006 delineated wetland. Three additional sample plots were taken in 2014. Sample plot 1 was an upland plot with no hydric soil or hydrology indicators. Sample plots 2 and 3 had hydric soils depleted below dark surface (A11) and depleted matrix (F3) indicators. Hydrology was assumed due to the FAC-Neutral Test, geomorphic position and the monitoring data from 2006. This wetland was man-made when the golf course was built and should still be non- jurisdictional. Additionally, it is within an area mapped with Coker Clay soils and the site was mass graded when the golf course was constructed.

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S&A#: 2292

**Wetland #6**, delineated in 2006, was a 0.1 acre (4,533 sf) wetland located around the French drain in the southwest corner of the north half of the property. Vegetation was dominated by colonial bentgrass and soils were 10YR3/1 with redoximorphic features. Hydrology was present despite the presence of drain tile. Vegetation to the north along the French drain included a dominance of perennial ryegrass, which at the time was a non-hydrophytic species. Soils were hydric but no hydrology was present. This was determined to be non-jurisdictional by DSL because it was man-made.

The 2014 delineation found this to still be a wetland. Sample plot 14 had soils of 10YR 3/2 with redoximorphic features meeting the Redox Dark surface indicator (F6). Vegetation was dominated by colonial bentgrass. Hydrology is assumed by drainage patterns and geomorphic position. However, the drain tile that ran through this area was plugged and has since been unplugged. This wetland is in an area mapped as Darow silt loams, which are not hydric soils. This wetland was in an area that was mass graded when the golf course was constructed, appears to be man made from uplands and is less than an acre in size. Since it was considered to be non-jurisdictional in 2006 it is assumed that it is still non-jurisdictional.

**Wetland #7**, delineated in 2006, was a 0.11 acre (4,819 sf) wetland adjacent to the east side of Ditch #18. Vegetation was dominated by colonial bentgrass and soils were 10YR3/1. In 2006, hydrology was present and likely provided by irrigation. The adjacent upland plots had similar vegetation and soils. The wetland drained to the ditch.

Two sample plots were taken during the 2014 delineation for wetland # 7 (Sample Plot 9 and 11). Both sample plots were dominated by colonial bentgrass. Soils ranged between 10YR 3/1, 10YR 3/2 and 10YR 2/1. No hydrology was present or indicated. This wetland no longer met hydric soil criteria under the Western Regional Supplement.

**Wetland #8**, just south of wetland # 7, was a 0.04 acre (1,682 sf) wetland located at the south end of Ditch #18. Vegetation was dominated by colonial bentgrass and tall fescue. Saturation was within 12 inches and soils were 10YR3/1. The adjacent uplands had no hydrology indicators.

The 2014 delineation found this wetland no longer met wetland criteria (Sample plots 12 and 13). Soils in 2006 were 10YR 3/1 and the 2014 delineation found the same soils present but no longer considered hydric under the Western Regional Supplement. Sample plots 12 and 13 were dominated by colonial bentgrass and tall fescue. Neither Sample plot 12 or 13 soils showed hydrology indicators. Wetland # 8 no longer met all three wetland criteria. This is the wetland which had the plugged drain-tile mentioned in the description of Wetland 6. Shortly after the 2006 delineation the outlet to the drain-tile was unplugged.

**Wetland #9**, delineated in 2006, was a 642 square foot wetland formed over the French drain on the northwest edge of the property. Vegetation was dominated by colonial

bentgrass, both in the wetland and outside of it. Saturation and drainage patterns were present in the wetland due to the fact that the drain did not allow passage of all the water. Soils were 10YR3/1. Outside the wetland the drain function was intact and neither hydrology nor hydric soils were present.

Wetland # 9, under the 2014 delineation, is no longer considered a wetland. Sample plot A was taken July 9, 2014. Soils were 10YR 3/1 from 0 to 20 inches, no longer meeting soil criteria. Vegetation was dominated by colonial bentgrass. No hydrology was present.

**Wetland #10**, in 2006, was a 0.13 acre (5,459 sf) wetland formed to the north along the same French drain. Vegetation in and outside of the wetland was dominated by colonial bentgrass. Drainage patterns were evident and saturation was present within 12 inches. Soils read as 10YR2/1 with redoximorphic features.

Within wetland #10, sample plot 10 was taken during the 2014 delineation and was dominated by colonial bentgrass. Drainage patterns indicated hydrology. Hydric soils were present beginning at 6 inches reading as 10YR 3/2 with redoximorphic features of 10YR ¾, meeting the Redox Dark Surface indicator (F6). Wetland # 10 still met wetland criteria.

**Wetland #11**, in 2006, was a 0.02 acre (654 sf) wetland located at the end of a French drain in the northwest corner of the property, just southwest of pond # 7. Colonial bentgrass was dominant both in and outside of the wetland. Soils were 10YR 4/1 in the wetland and 10YR 3/1 outside the wetland. Soils were saturated at 4.5 inches within the wetland where no rock was present in the French drain. No hydrology was observed outside the wetland.

Sample plot B was taken within the previously delineated wetland # 11. Soils were 10YR 2/1 with 10YR ¾ redoximorphic features entirely within 8 inches of the surface. Vegetation was dominated by colonial bentgrass and hydrology was assumed. Wetland # 11 still met wetland criteria.

**Wetland #12** was an 80 square foot wetland formed along the golf cart path near the property boundary north of Pond #7. This wetland was still present during the 2014 re-delineation.

**Wetland #13** was a 0.08 acre (3,482 sf) wetland northeast of Pond #7. The 2006 delineation indicated vegetation was dominated by colonial bentgrass. Soils were hydric with a matrix color of 10YR 4/1 and the wetland had saturation. Soils outside the wetland were 2.5Y 4/1, but no hydrology was observed.

Sample plots 6 and 7 were taken in 2014 finding the wetland to still be hydric. Within sp6 vegetation was dominated by colonial bentgrass and 10YR3/2 soils were saturated to the

surface. Due to surface saturation, best professional judgment was used regarding hydric soils and wetland # 13 was determined to still be a wetland.

The wetlands were primarily determined by the soils and secondarily by the hydrology data. The onsite vegetation was almost entirely golf greens no longer maintained. The vegetation almost all lawn grasses classified as FAC. Vegetation was determined by irrigation, not natural hydrology. Soils observed onsite generally resembled the mapped soil series. Occurred discrepancies should be attributed to the fact that the site was extensively graded during creation of the golf course.

Five excavated ponds totaling 2.19 acres were located in the northern portion of the property. Four ponds (#2, 6, 7 and 18) are connected via ditches (ditches # 20, 14 and 13) and culverts. Pond # 18 is connected to Cedar Links Drive via Ditch # 8. Pond # 8 is located in the northwest corner of the site and is ditched (Ditches # 16, 17 and 18) and culverted south to Cedar Links Drive. A sixth pond (Pond # 17) is located just south of Cedar Links Drive and is culverted to the ditch on that side of the Drive. To the south it is connected to old irrigation lines. A final pond (Pond # 15) is located at the south property boundary. Ponds #15 and #17 were determined to not be jurisdictional in 2006 by DSL. They have no inlets or outlets and are filled via pumping and drained through a drain valve. Pond #2 and pond #18 are both cement lined and should not be considered jurisdictional.

The 2006 delineation identified 20 ditches ranging from 1 to 4 feet in width mapped onsite. The ditches were old irrigation ditches and drainage ditches along the roads. Nine ditches have remained on the 2014 delineation. Ditch #19 remains non-jurisdictional and is not indicated on the wetland map data table. Ditch # 19 carried water run-off from an adjacent properties pool. This ditch originally was caught in a catch basin and directed north toward ditching connected to Pond # 8. Nine ditches totaling 0.07 acres are still indicated on the wetland map to remain jurisdictional. Roadside ditches no longer qualify as jurisdictional ditches, but remain labeled.

#### (F) Deviation from LWI or NWI

The Local Wetland Inventory (LWI) for Medford indicates a series of ponds that were created when the golf course was built. Five ponds were located in the north portion of the property and were connected via ditches and culverts. Three of the ponds were located on the LWI as well as the 2014 delineation (Pond # 6, 7 and 8). These are dirt bottom ponds. Additionally, Pond # 15 in the southern property along the southern boundary is mapped on the LWI as a pond. This pond has no inlets or outlets and is filled via pumping and drained through a drain valve.

Ponds # 2, 17 and 18 are mapped as wetlands on the LWI. All three are ponds not wetlands. Two of these are cement lined (Ponds # 2 and 18) and fed by controlled irrigation water. The third pond, (Pond # 17), 0.64 acres, was constructed in uplands and

is dirt lined. This pond is fed via an irrigation pipe and the pond outlet is also part of the irrigation system controlled via a valve. This pond is man-made, less than an acre in size and constructed in uplands.

Two possible wetlands were indicated on the site by the LWI along the southern border in the southern property. Only one of the indicated possible wetlands was delineated as a wetland for the 2014 delineation.

There is some deviation between the 2006 and 2014 delineations; both were performed by Schott and Associates. The 2006 delineation identified 14 PEM/sloped wetlands, seven man-made ponds and 20 ditches. In 2006 the delineation was performed under the 1987 manual. In 2014, a re-delineation was performed under the new Regional Supplement for Mountains and Valleys West Region. The difference between them is the classification of hydric soils. Due to the change, some of the previously delineated wetlands no longer meet hydric soil criteria. The 2014 delineation verified that five of the previously delineated wetlands still exist.

#### (G) Mapping Method

The mapped wetlands were based on vegetation, soils, and hydrology found in the field. Because the site was developed into a golf course in the 1970's and 80's, soils and vegetation were disturbed. Wetland boundaries were flagged by Schott and Associates and surveyed by Hoffbuhr and Associates, Inc., a professional Land Surveyor (PLS). Maps were constructed by Construction Engineering Consultants Inc.

#### (H) Additional Information

None

#### (I) Results and Conclusions

The Jackson County Soil Survey indicated Padigan and Coker clay on 0 to 3 percent slopes, Carney clay on 1 to 5 and 5 to 20 percent slopes and Darow silty clay loam on slopes of 5 to 20 percent in the study area. The topographic map indicates the subject property slopes from southeast to northwest. The entire site has been graded for the golf course construction. Occured discrepancies should be attributed to the fact that the site was extensively graded during creation of the golf course.

Based on the vegetation, soils and hydrology data collected onsite, 5 palustrine emergent (PEM)/sloped wetlands totaling 0.74 acres (32.097sf) remain. Two wetlands (Wetland # 5 and 6) met wetland criteria for the 2006 delineation and were deemed non-jurisdictional wetlands. Thus, Wetland # 5 and 6 should continue to be non-jurisdictional wetlands and were not included on the Wetland Data table on the Wetland Map (Figure 5.) A total of 7 excavated ponds were mapped. Only 5 of the ponds are jurisdictional and amount to 2.19 acres. Additionally, 9 ditches ranging from 1 to 4 feet in width were mapped onsite

totaling 0.07 acres. The ditches were old irrigation ditches and drainage ditches along the roads. Road ditches are no longer jurisdictional.

(J) Disclaimer

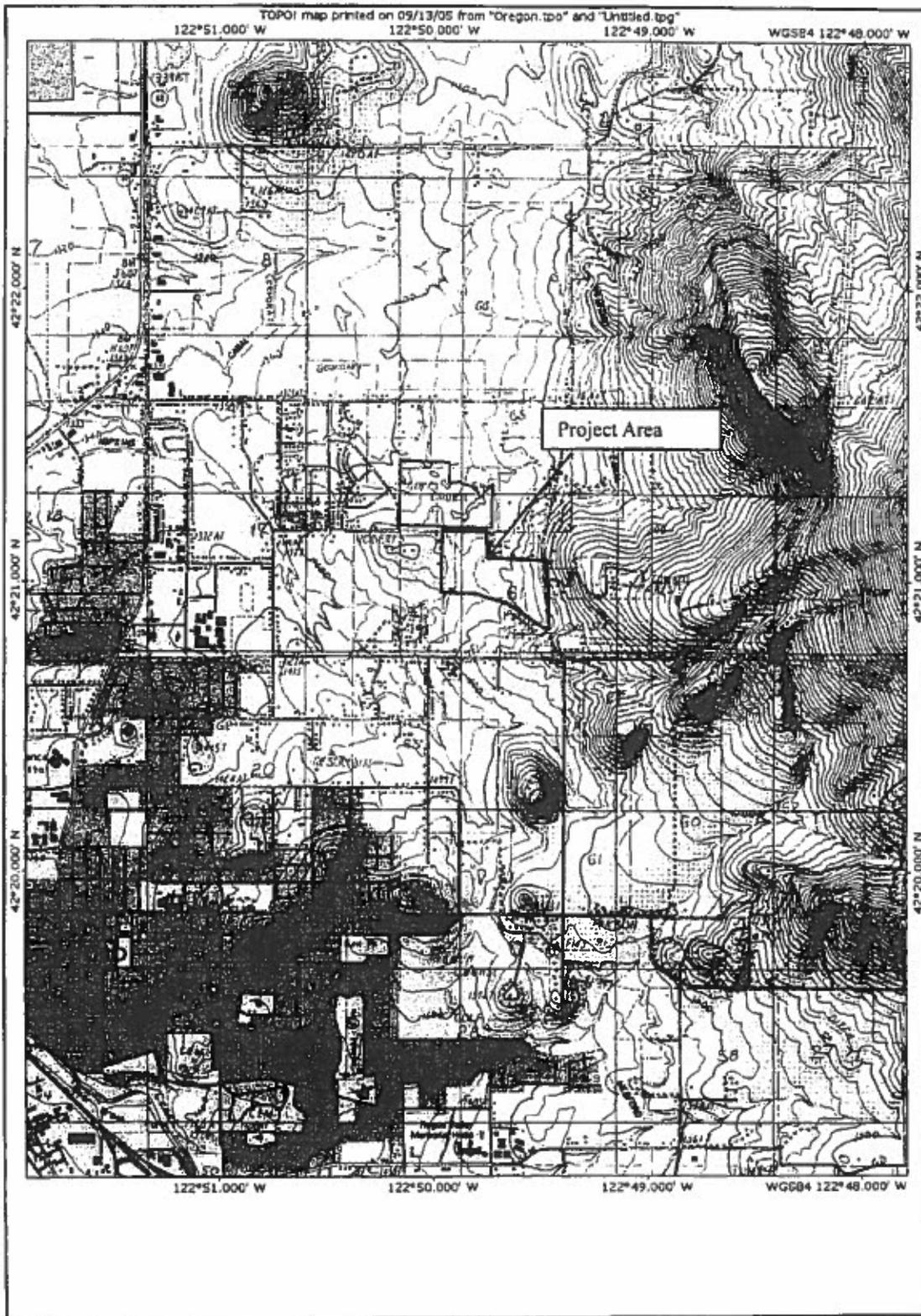
This report documents the investigation, best professional judgment and the conclusions of the investigator. It is correct and complete to the best of my knowledge. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State lands in accordance with OAR 141-090-0005 through 141-090-0055.

Appendix A: Maps

FIGURE 1. SITE VICINITY

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*Page 11* *S&A# 2292*



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

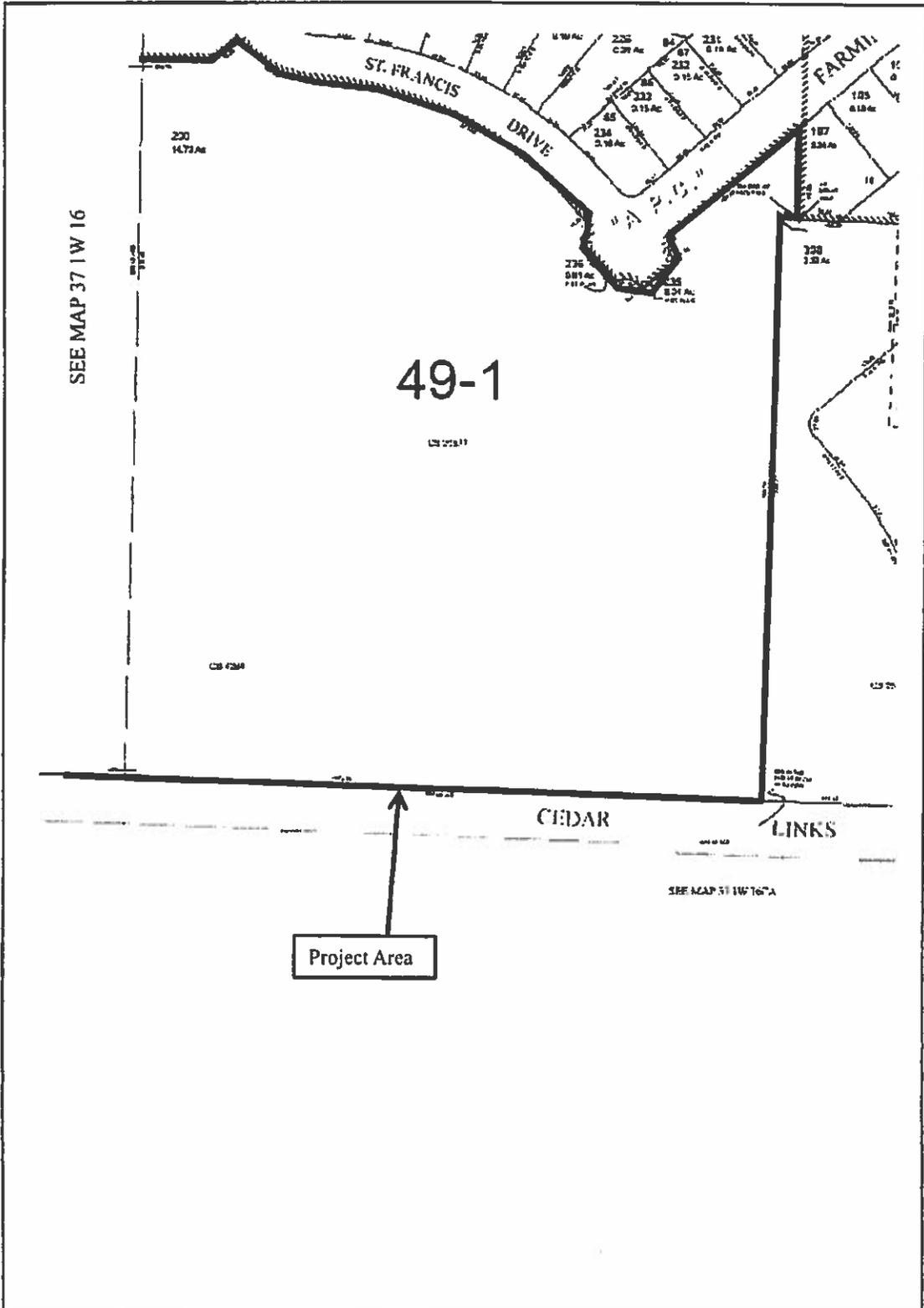
Schott & Associates  
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 Aurora, OR. 97002  
 503.678.6007

FIGURE 2. TAX MAP

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*Page 12* *S&A# 2292*





<p>FIGURE 2. TAX MAP(T37S, R1W, SEC 16BD)          Cedar Landing          S &amp; A # 2292</p>	<p>Schott &amp; Associates          P.O. Box 589          Aurora, OR. 97002          503.678.6007</p>
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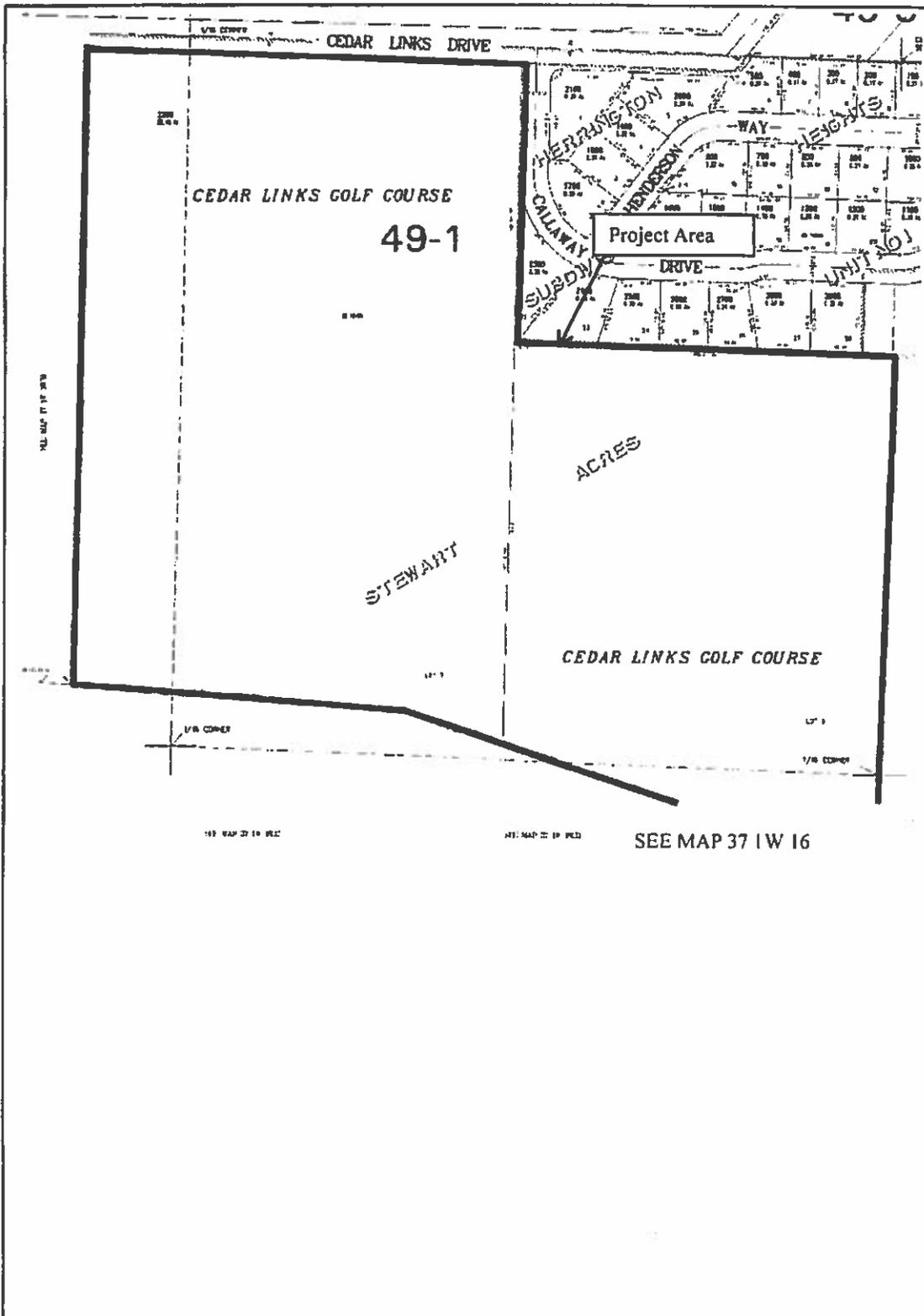


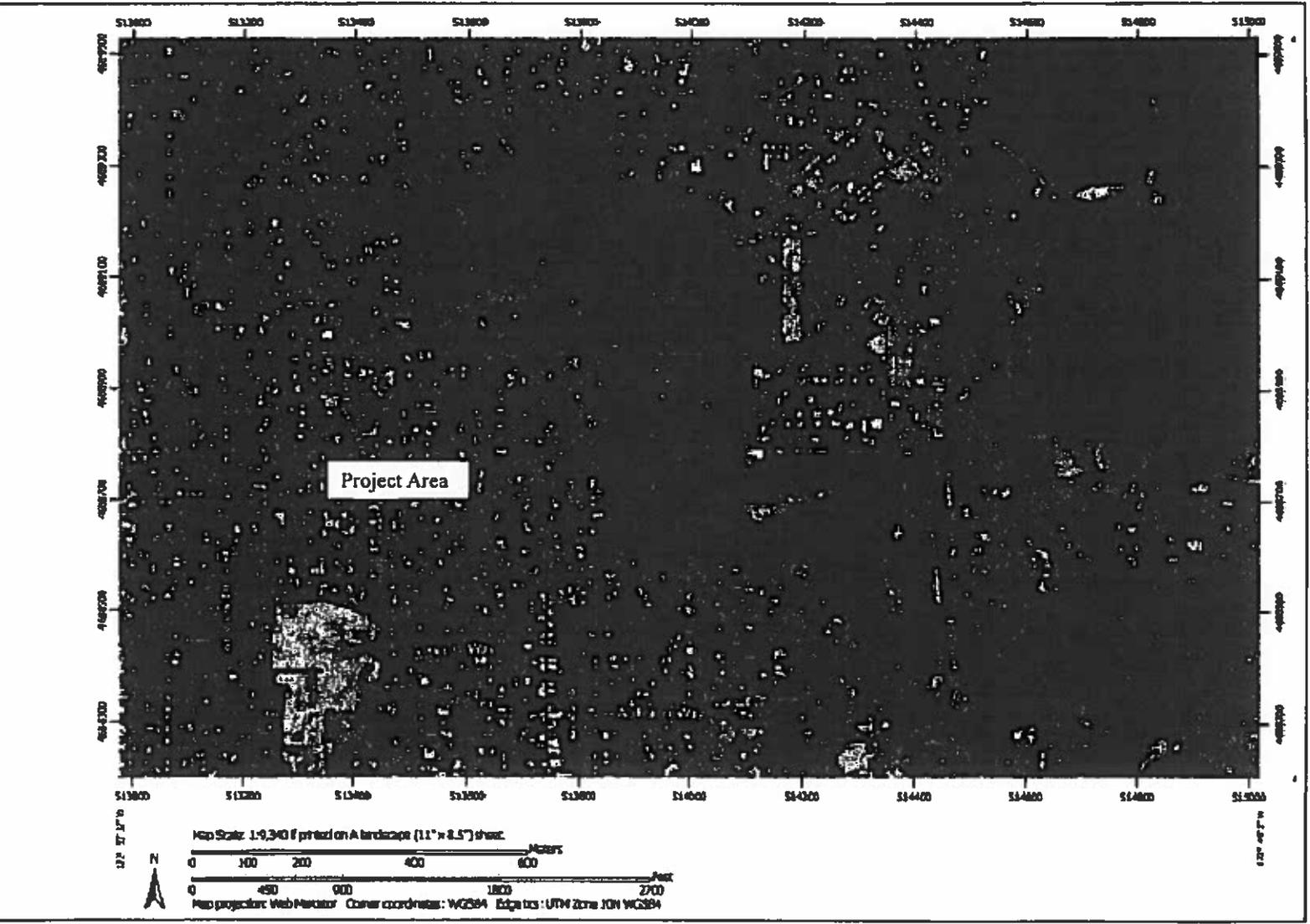
FIGURE 2. TAX MAP(T37S, R1W, SEC 16CA)  
 Cedar Landing  
 S & A # 2292

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FIGURE 3. LWI MAP



FIGURE 4. SOIL SURVEY MAP



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

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Hydric Soil List - All Components - OR033-Jackson County Area, Oregon, Parts of Jackson and Klamath Counties					
Soil symbol and map soil name	Component/Local Phase	Comp. pct.	Landform	Hydric status	Hydric criteria met (code)
17C: Brader-Debenger loams, 1 to 15 percent slopes	Brader	80	Ridges, knolls	No	—
	Debenger	20	Knolls, ridges	No	—
	Padigan	2	Alluvial fans	Yes	2,3
	Aquepts	1	Hills	Yes	2
27B: Carney clay, 1 to 5 percent slopes	Carney	80	Alluvial fans	No	—
	Phoenix	2	Alluvial fans	Yes	2
	Cove	2	Flood plains	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
	Aquepts	1	Alluvial fans	Yes	2,3
27D: Carney clay, 5 to 20 percent slopes	Carney	80	Hillslopes, alluvial fans	No	—
	Padigan	2	Alluvial fans	Yes	2,3
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
28E: Carney cobbly clay, 20 to 35 percent slopes	Carney	80	Alluvial fans, hillslopes	No	—
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
	Aquepts	1	Alluvial fans	Yes	2,3
33A: Coker clay, 0 to 3 percent slopes	Coker	80	Alluvial fans	No	—
	Cove	2	Flood plains	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Gregory	2	Stream terraces	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
43B: Darow silty clay loam, 1 to 5 percent slopes	Darow	80	Hillslopes	No	—
	Padigan	2	Terraces	Yes	2,3
	Cove	2	Flood plains	Yes	2
	Gregory	2	Stream terraces	Yes	2
	Aquepts	1	Alluvial fans	Yes	2,3
43D: Darow silty clay loam, 5 to 20 percent slopes	Darow	80	Hillslopes	No	—
	Gregory	2	Stream terraces	Yes	2
	Cove	2	Flood plains	Yes	2
	Padigan	1	Alluvial fans	Yes	2,3
	Aquepts	1	Alluvial fans	Yes	2,3
44C: Debenger-Brader loams, 1 to 15 percent slopes	Debenger	80	Ridges, knolls	No	—
	Brader	20	Knolls, ridges	No	—
	Aquepts	3	Hills	Yes	2
	Padigan	2	Alluvial fans	Yes	2,3
139A: Padigan clay, 0 to 3 percent slopes	Padigan	80	Alluvial fans	Yes	2,3
	Gregory-Moderately deep to bedrock	2	Terraces	Yes	2
	Phoenix	2	Alluvial fans	Yes	2
	Padigan-Deep to bedrock	2	Alluvial fans	Yes	2,3
	Padigan-3-6% slopes	2	Alluvial fans	Yes	2,3
	Cove	2	Flood plains	Yes	2

FIGURE 4. SOIL MAP  
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FIGURE 5. WETLAND MAP

## WETLAND DATA

POND DATA	
POND NUMBER	AREA
2	0.50 AC.
6	0.51 AC.
7	0.36 AC.
8	0.14 AC.
18	0.68 AC.
POND TOTAL	2.19 AC.

WETLAND DATA	
WETLAND NUMBER	AREA
2	22,422 SF
10	5,459 SF
11	654 SF
12	80 SF
13	3,482 SF
WETLAND TOTAL	32,097 SF/0.74 AC.

DITCH DATA		
DITCH NUMBER	AREA	WIDTH
10	177 SF	2'
11	300 SF	2'
12	278 SF	2'
13	285 SF	3'
14	306 SF	4'
16	374 SF	2'
17	470 SF	2.5'
18	620 SF	3'
20	155 SF	4'
DITCH TOTAL	2,965 SF/0.07 AC.	



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Figure 5. Wetland Map  
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2101B NE HWY 99E  
 AURORA, OR 97002  
 MARTIN SCHOTT  
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CITY OF MEDFORD

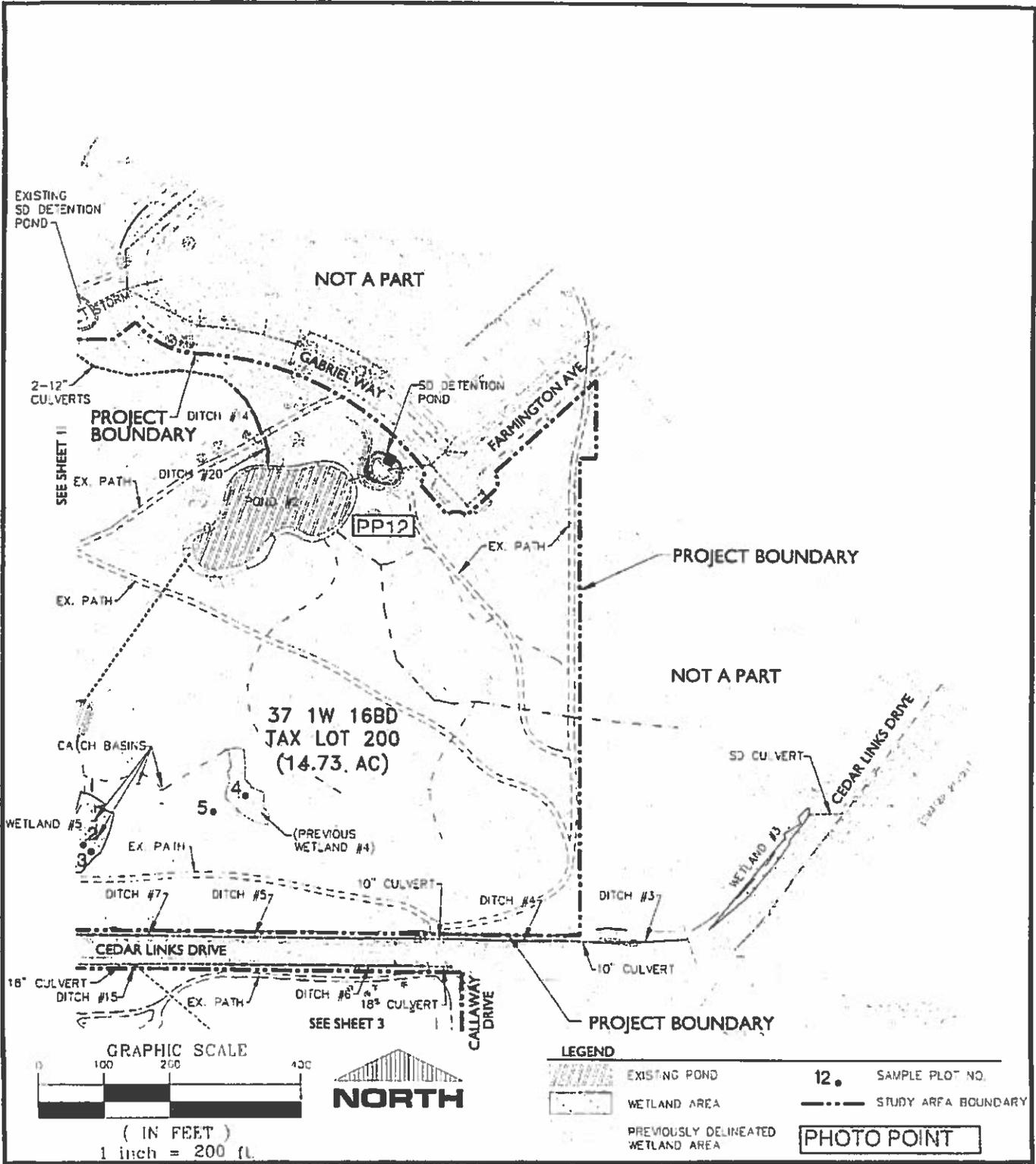
CEDAR LANDING P.U.D.

EXISTING CONDITIONS MAP

EXHIBIT "B"

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





**CONSTRUCTION ENGINEERING CONSULTANTS INC.**

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**Figure 5. Wetland Map**  
**SCHOTT AND ASSOCIATES**

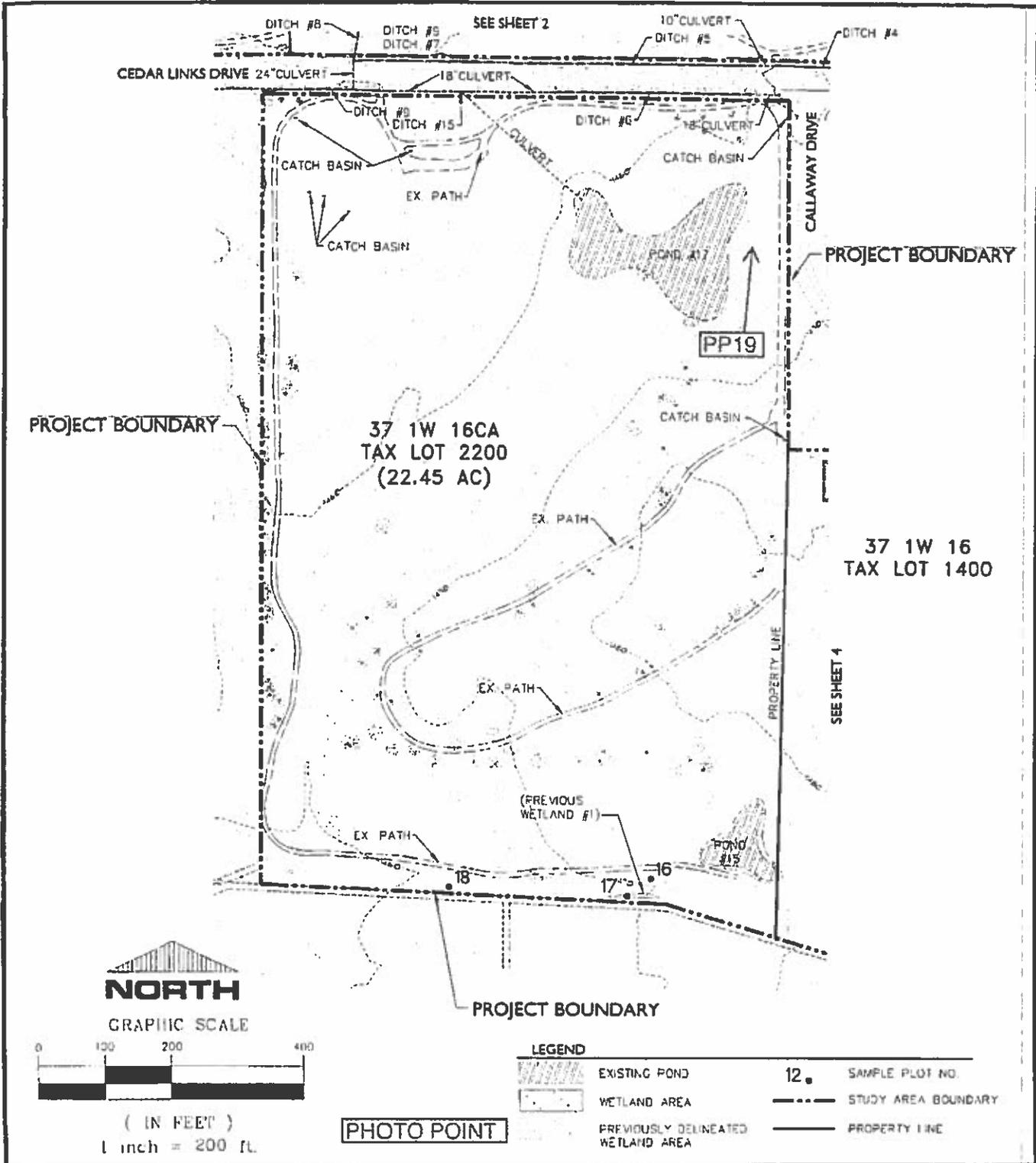
21018 NE HWY 99E  
 AURORA, OR 97002  
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**CITY OF MEDFORD**

**CEDAR LANDING P.U.D.**

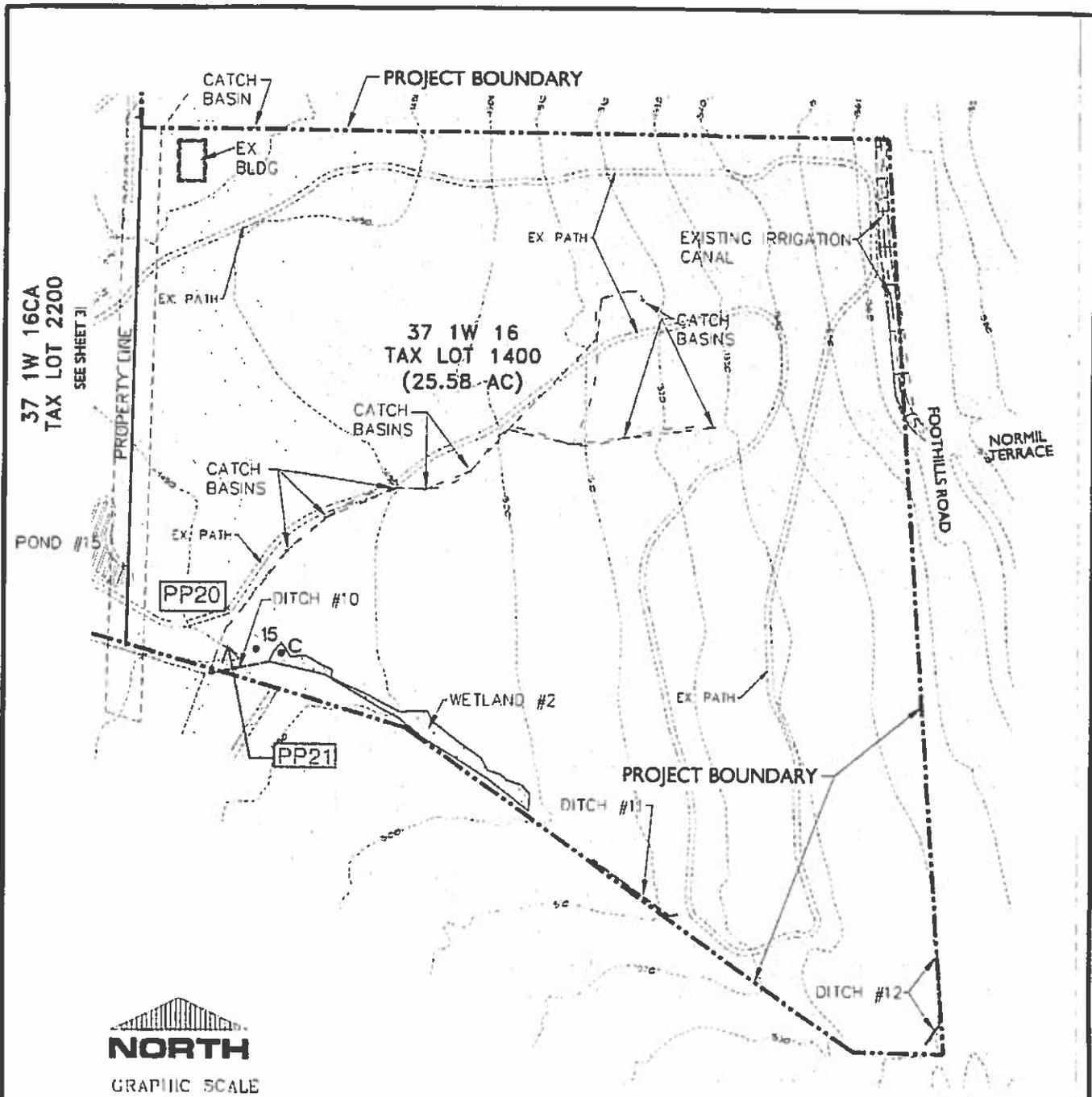
**EXISTING CONDITIONS MAP**

**EXHIBIT "B-2"**



**Figure 5. Wetland Map**  
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**CITY OF MEDFORD**  
 CEDAR LANDING P.U.D.  
 EXISTING CONDITIONS MAP  
 EXHIBIT "B-3"



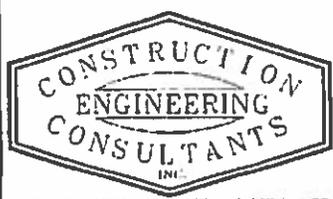
GRAPHIC SCALE



( IN FEET )  
1 inch = 200 ft.

**LEGEND**

- EXISTING POND
- WETLAND AREA
- STUDY AREA BOUNDARY
- PROPERTY LINE
- 12. SAMPLE PLOT NO
- PHOTO POINT



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**Figure 5. Wetland Map**  
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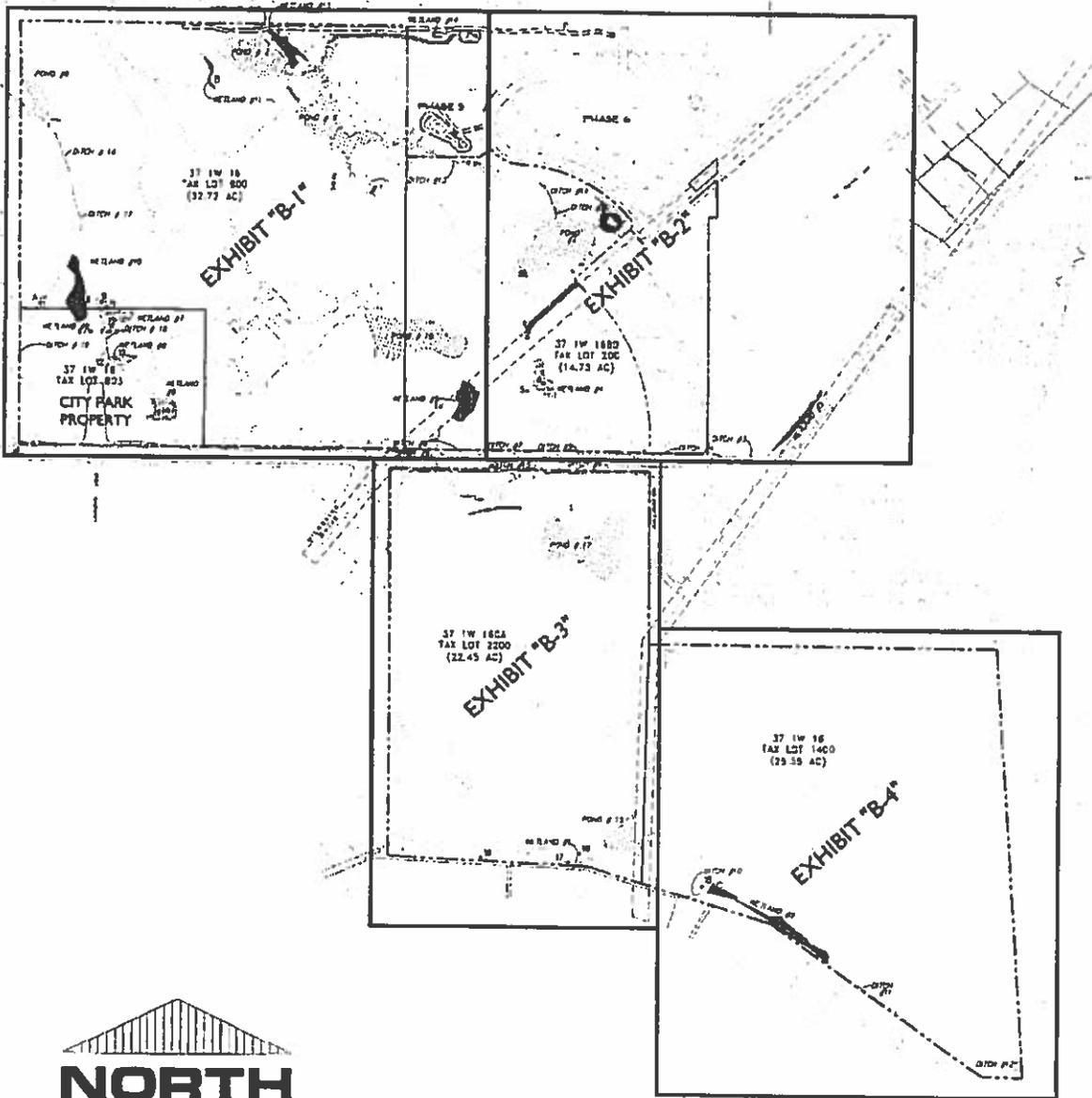
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**CITY OF MEDFORD**

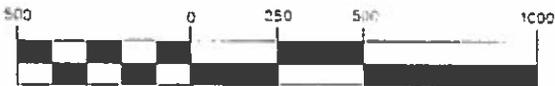
**CEDAR LANDING P.U.D.**

**EXISTING CONDITIONS MAP**

*EXHIBIT "B-4"*



  
**NORTH**  
 GRAPHIC SCALE



( IN FEET )  
 1 inch = 500 ft.

Welland boundaries flagged by Schott & Associates, Inc. Surveyed by Hoffbur and Associates, Inc. a Professional Land Surveyor (PLS).



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Figure 5. Welland Map  
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**CEDAR LANDING P.U.D.**

**EXHIBIT KEY**  
**APPLIES TO EXHIBITS "B-1 - "B-4"**

Appendix B: Data Forms

Appendix C: Ground Level Photographs

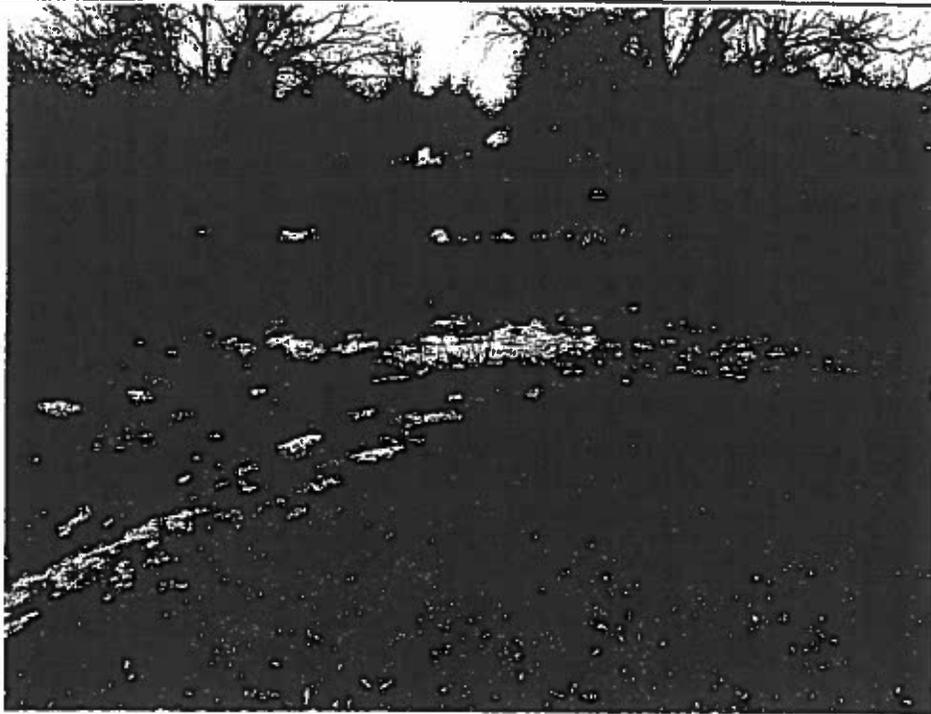


Photo Point 1. Facing west.

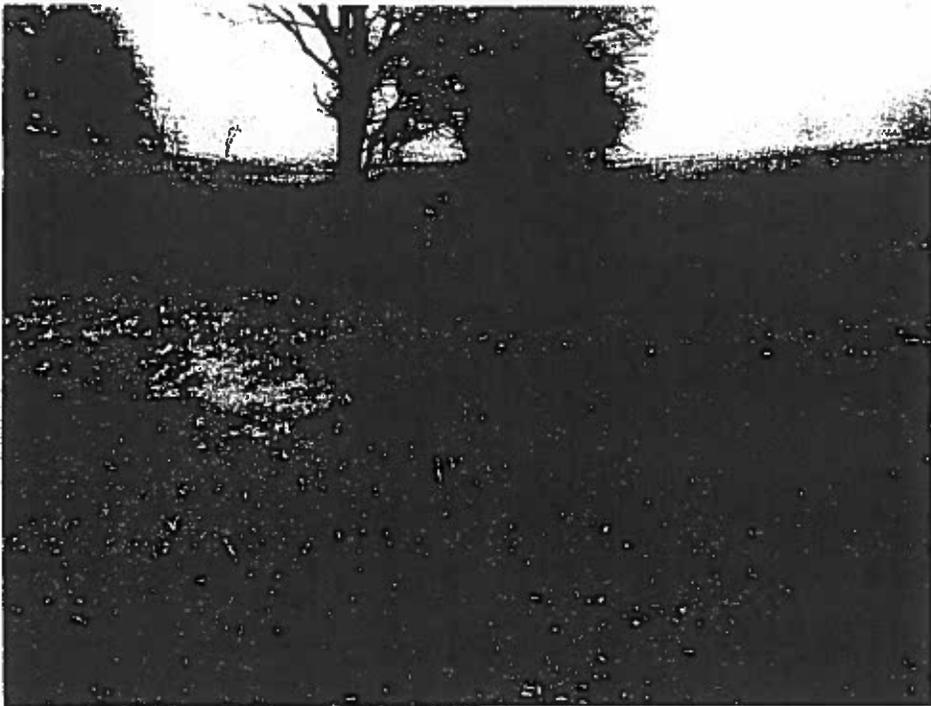


Photo Point 2. Facing southeast.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
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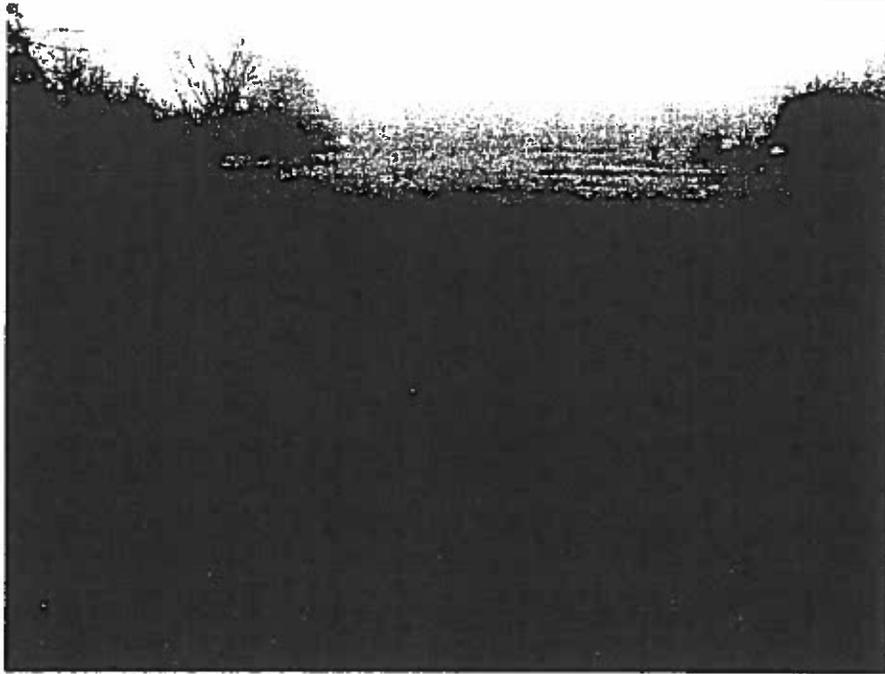


Photo Point 3. Facing south.



Photo Point 4. Facing east.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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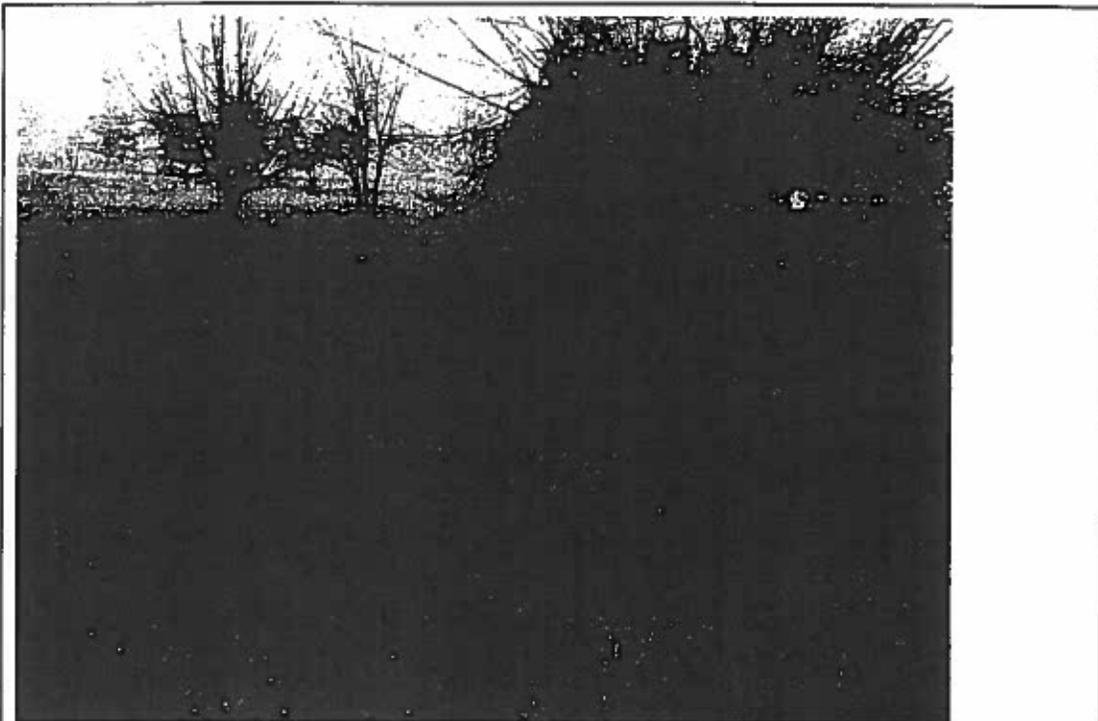


Photo Point 5. Facing south.



Photo Point 6. Showing drain tile .

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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P.O. Box 589  
Aurora, OR. 97002  
503.678.6007

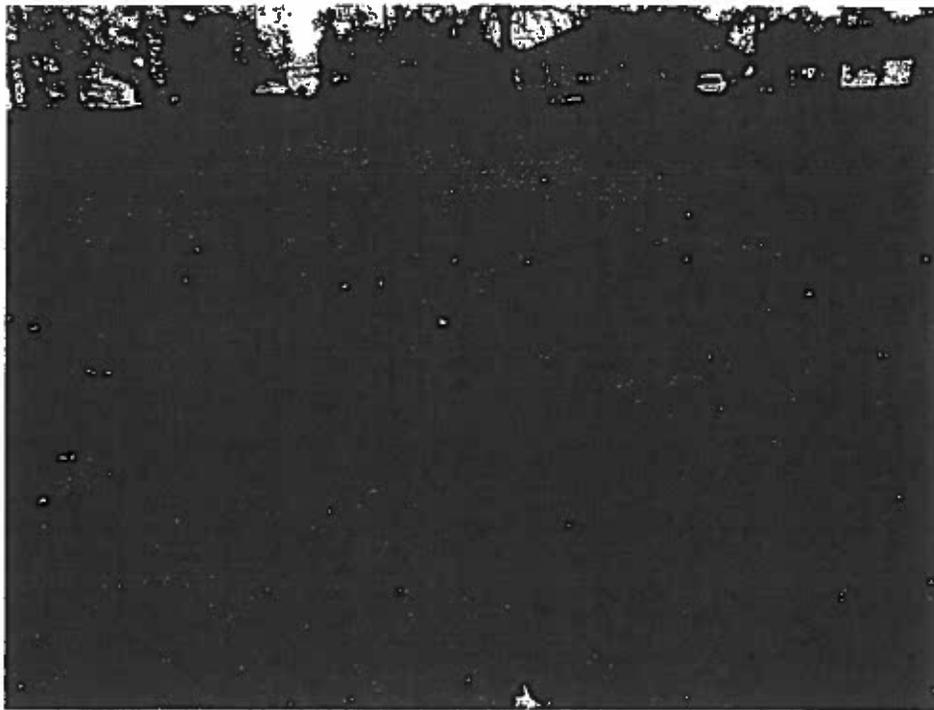


Photo Point 7. Facing south.

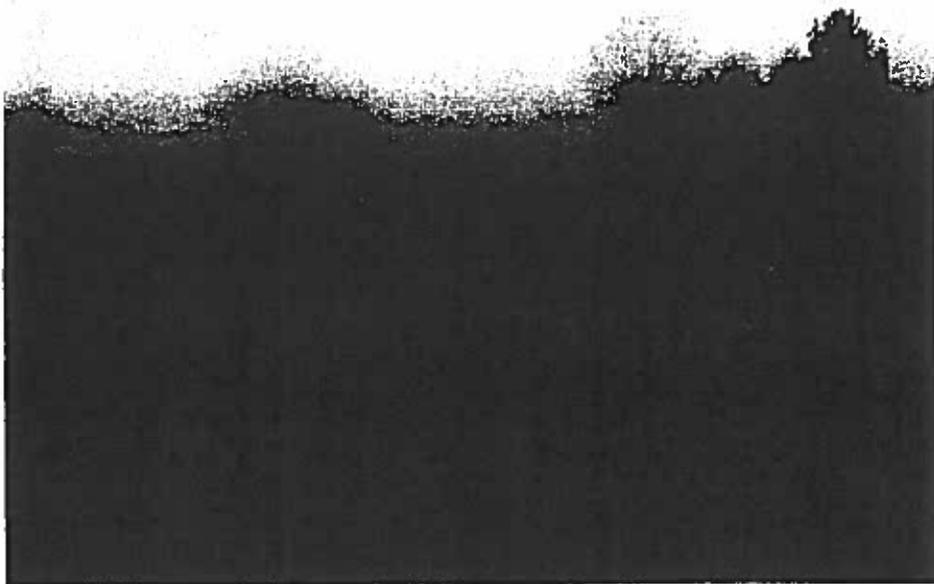


Photo Point 8. Facing northwest toward Pond # 18.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
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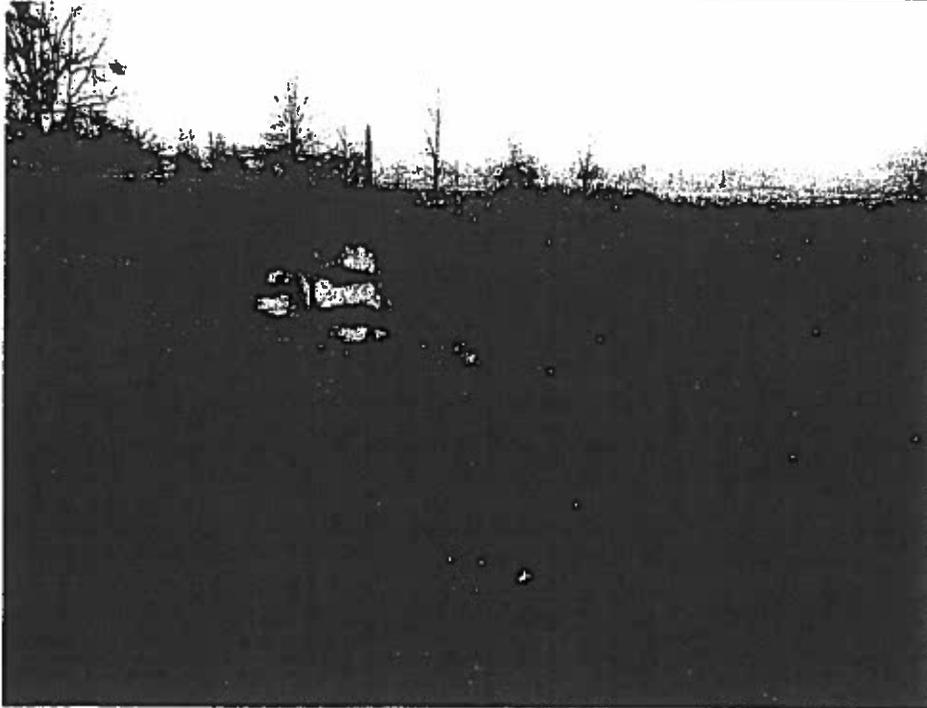


Photo Point 9. Facing north toward Pond # 18.



Photo Point 9. Facing east.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
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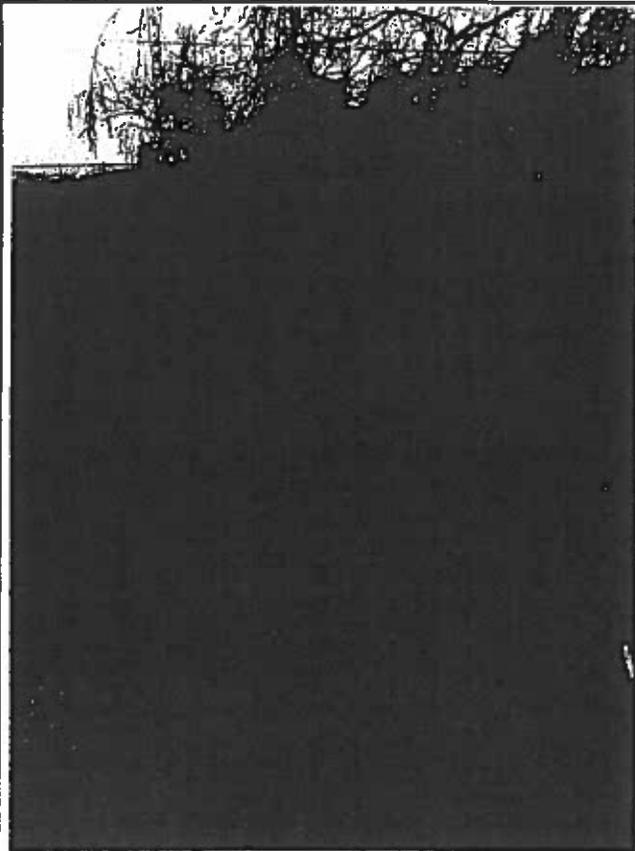


Photo Point 10. Facing Ditch # 18 heading south.

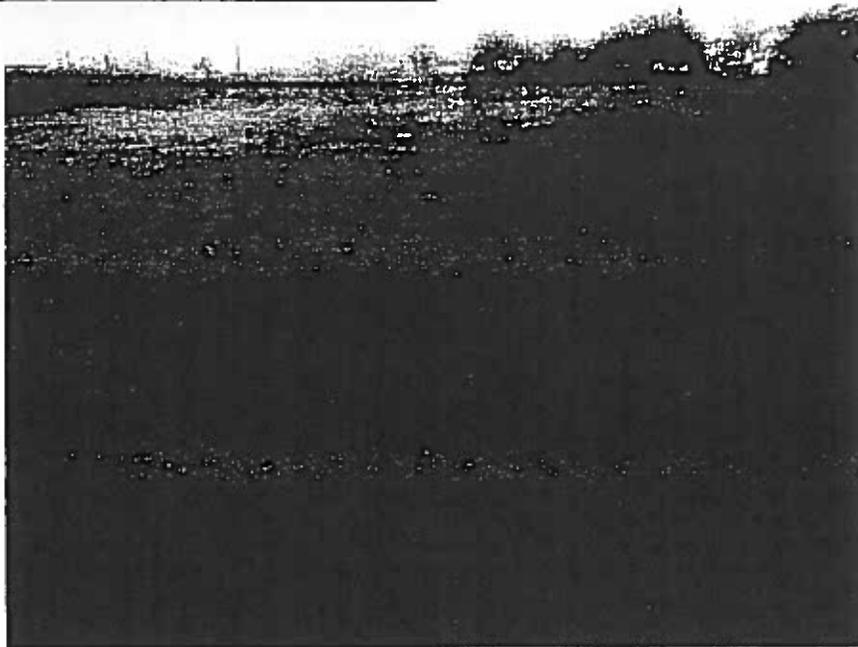


Photo Point 11. Facing south.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
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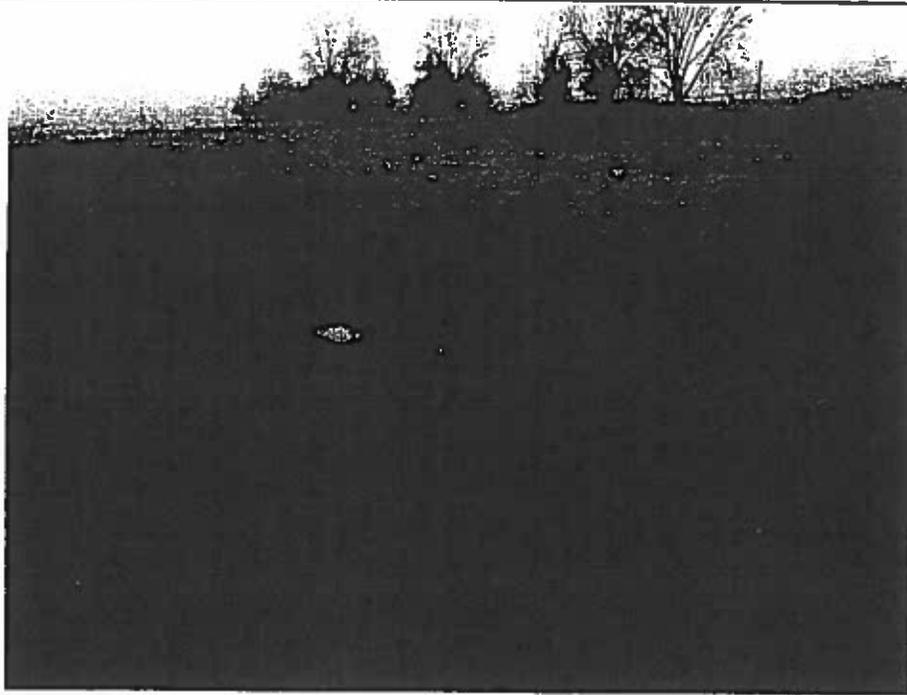


Photo Point 11. Facing southeast.



Photo Point 11. Facing east.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
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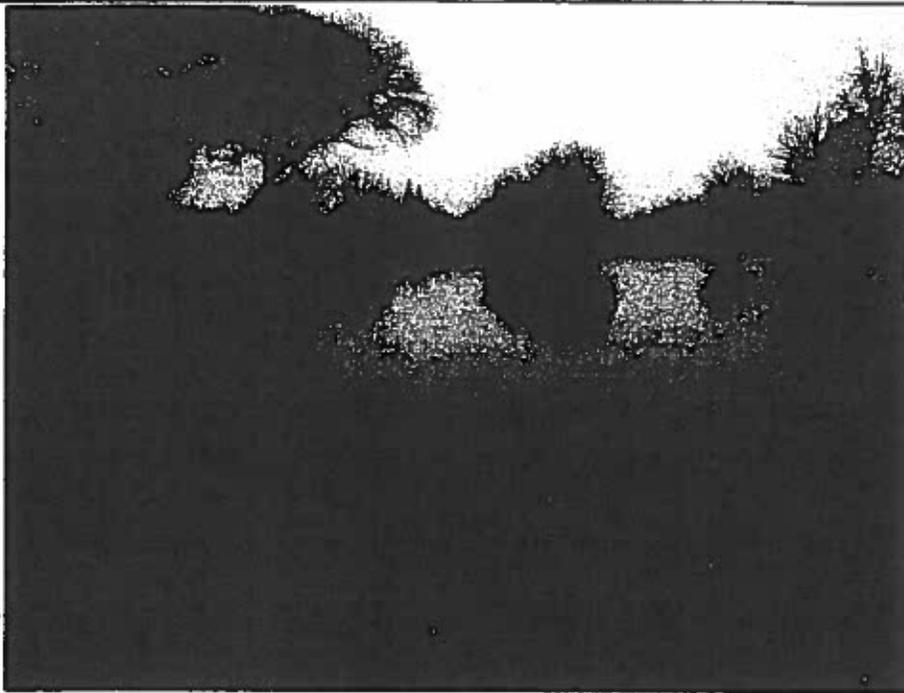


Photo Point 12. Facing west, Pond # 2.



Photo Point 12. Facing northwest, Pond #2.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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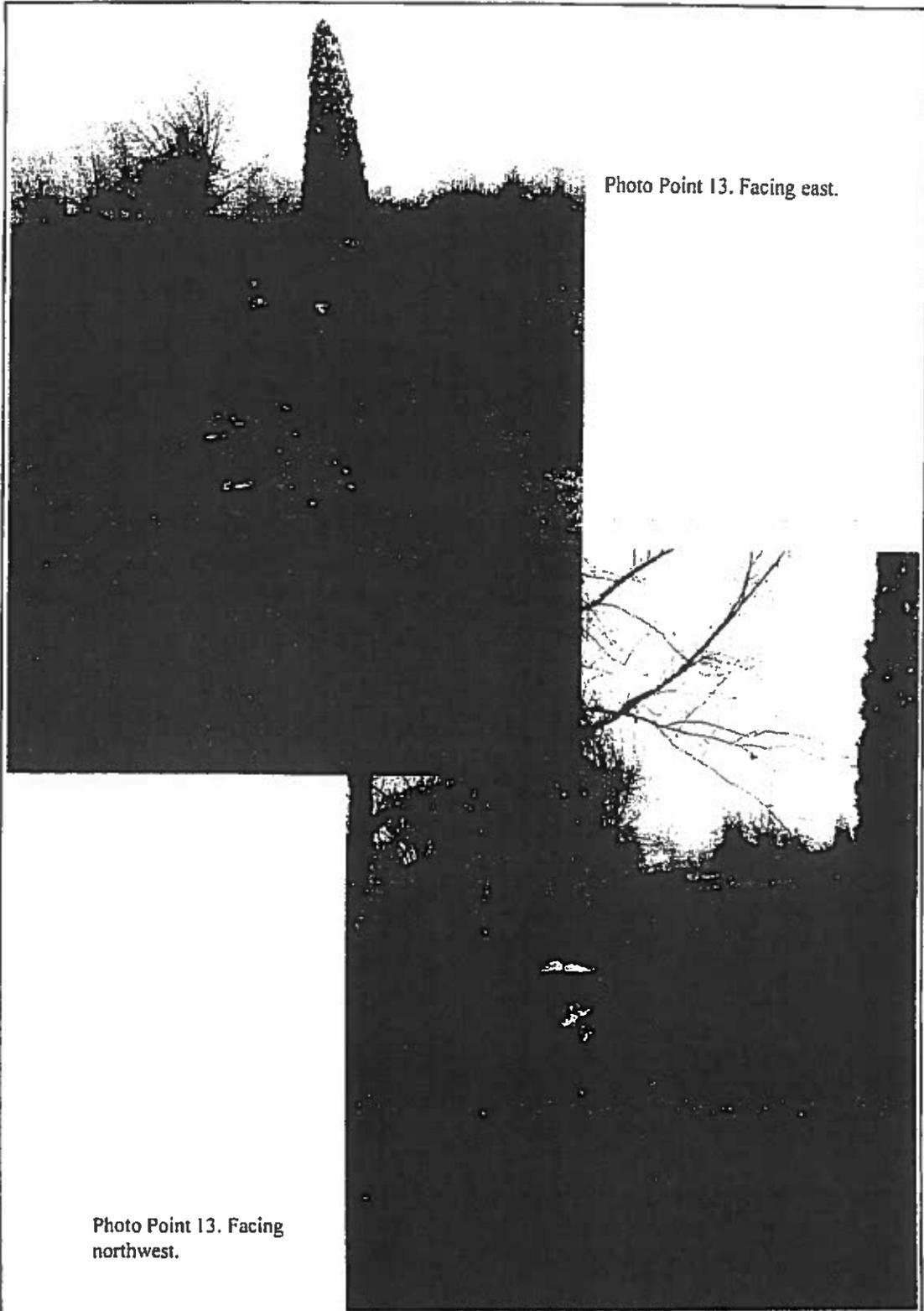


Photo Point 13. Facing east.

Photo Point 13. Facing northwest.

<p>APPENDIX C. GROUND LEVEL PHOTOGRAPHS Cedar Landing S&amp;A # 2292</p>	<p>Schott &amp; Associates P.O. Box 589 Aurora, OR. 97002 503.678.6007</p>
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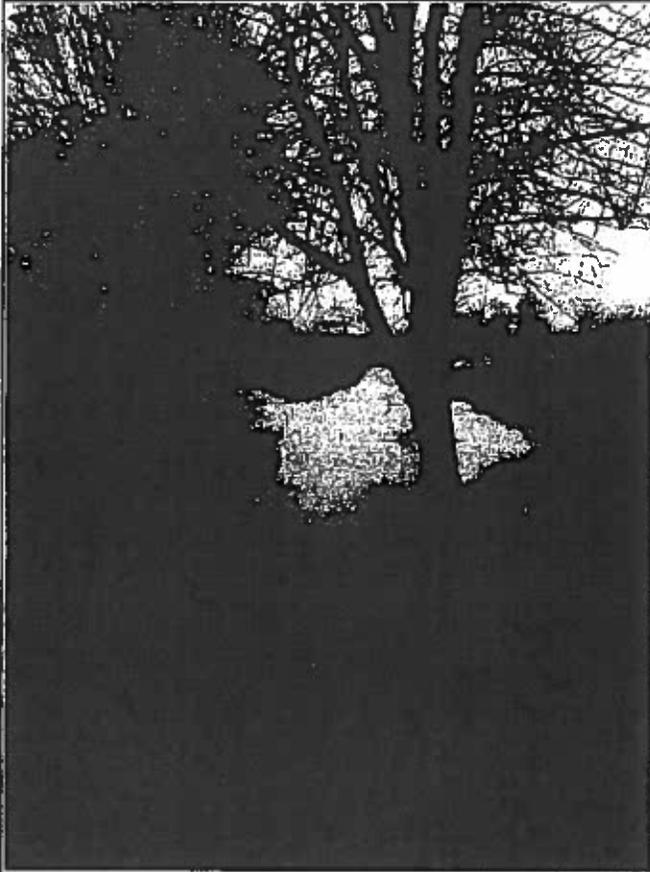


Photo Point 14. Facing northwest,  
Pond # 6.

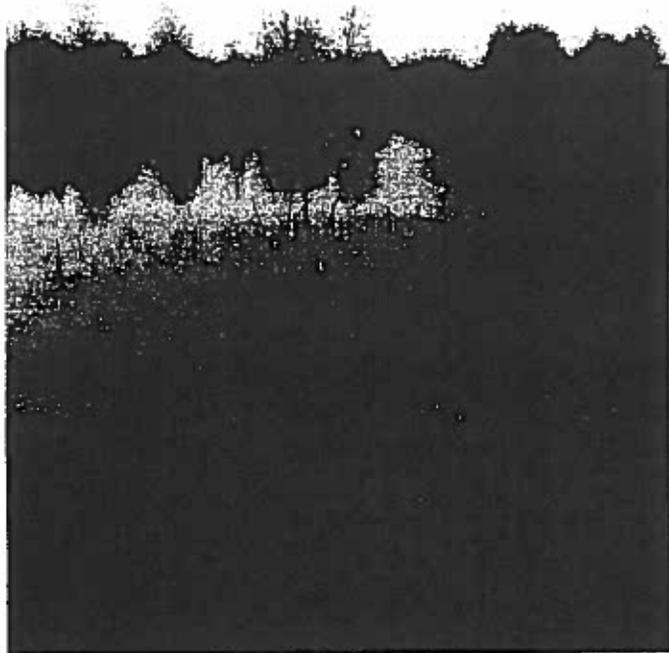


Photo Point 15. Facing  
southwest, Pond # 6.

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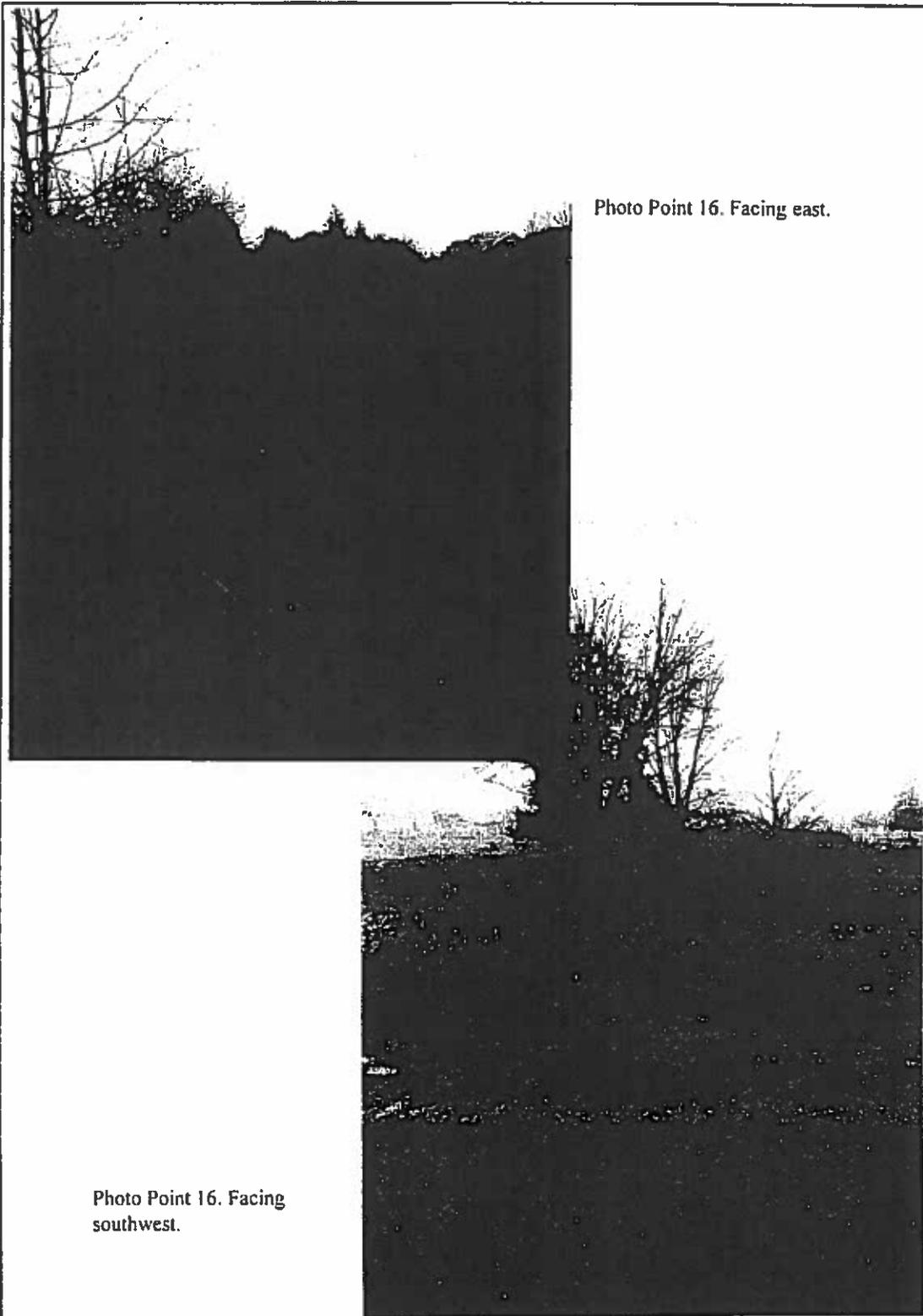


Photo Point 16. Facing east.

Photo Point 16. Facing southwest.

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Photo Point 17. Facing west, toward  
Pond # 7.

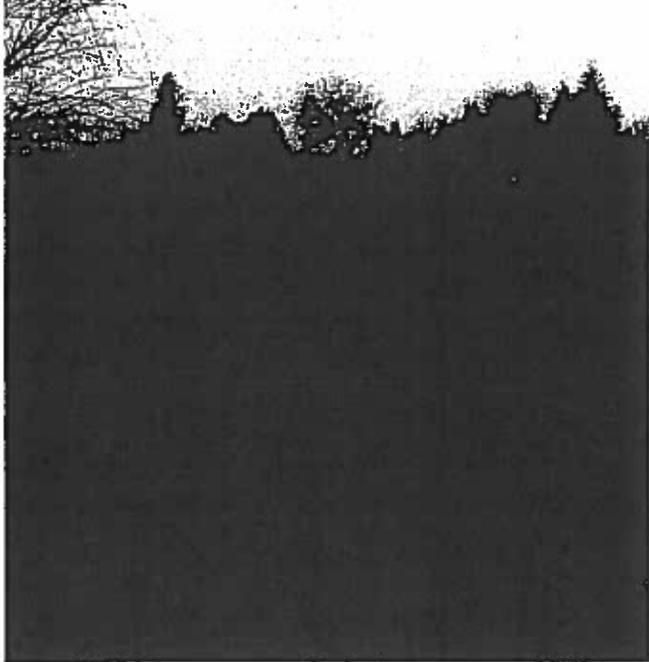
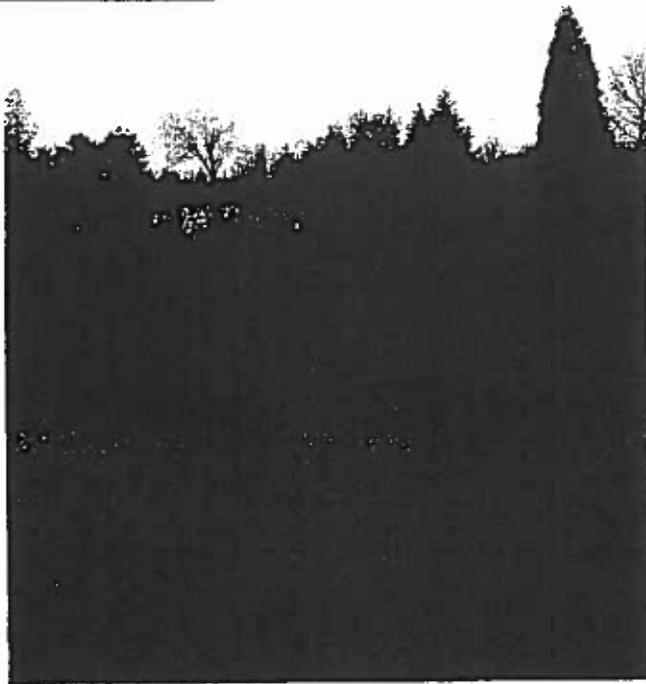


Photo Point 17. Facing  
northwest, Pond # 7 is just west  
of Wetland # 13.



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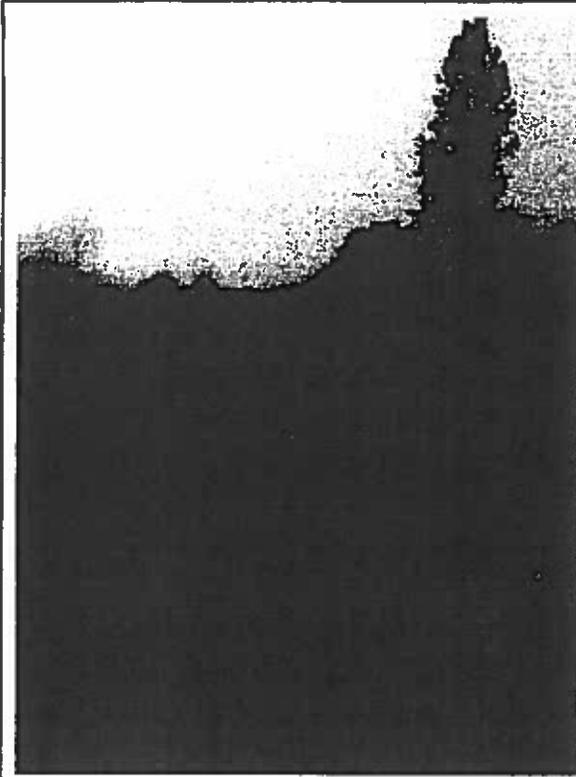


Photo Point 18. Facing southwest,  
Wetland # 11.

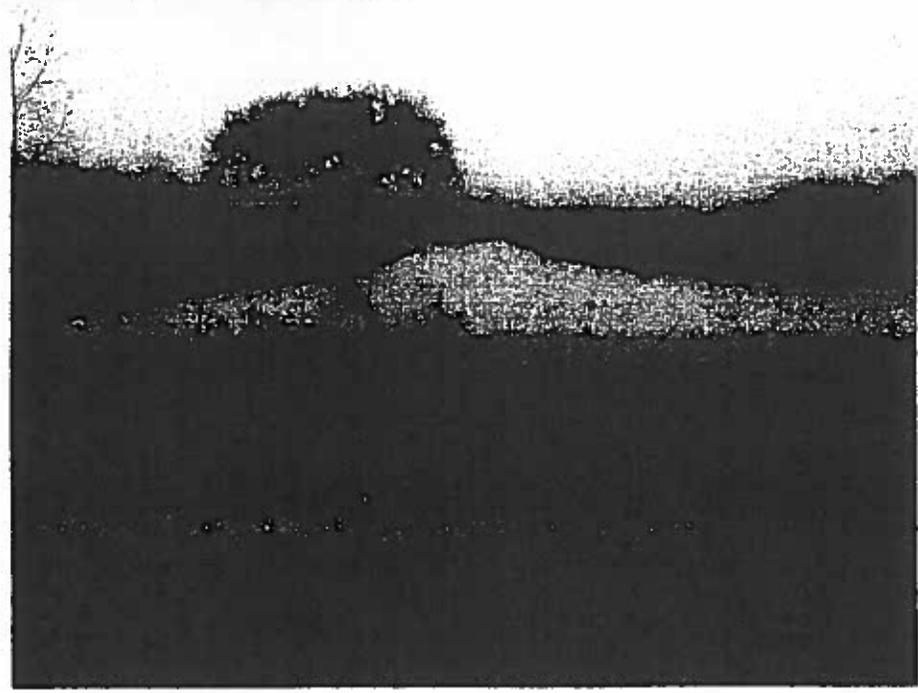


Photo Point 19. Facing southeast, Pond # 17.

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Cedar Landing  
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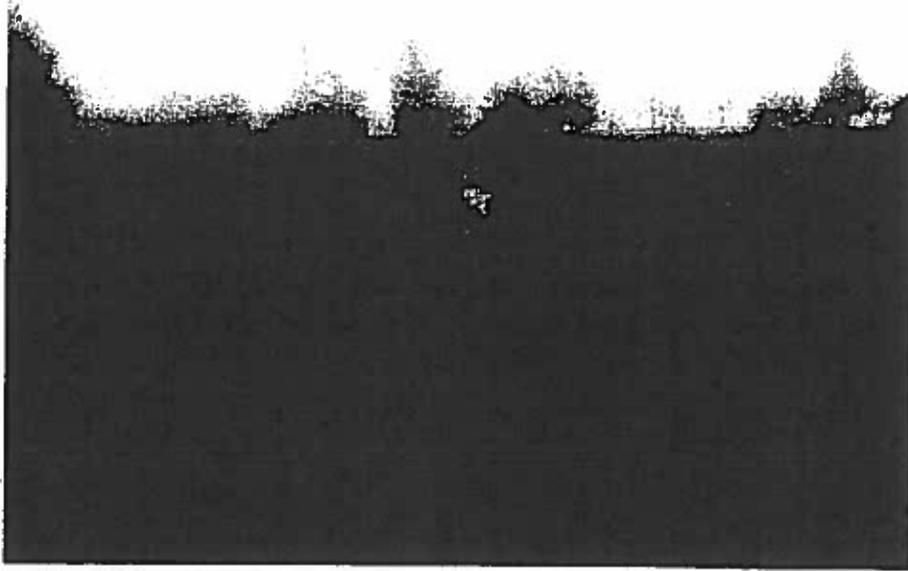


Photo Point 20. Facing northwest, Pond # 15.



Photo Point 21. Facing west.

APPENDIX C. GROUND LEVEL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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Appendix D: Historical Aerial Photos

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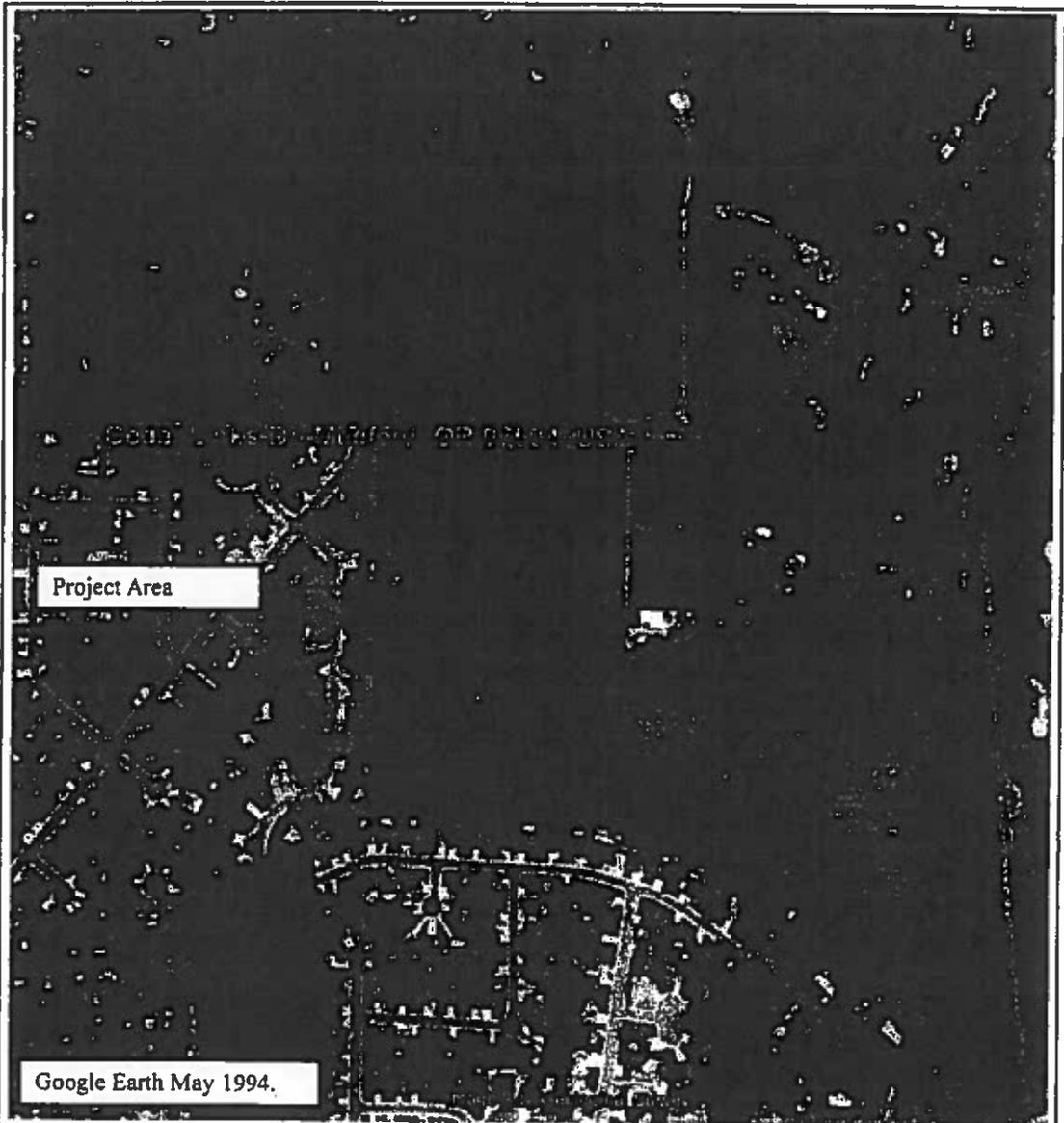
Schott & Associates

Ecologists and Wetland Specialists

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Page 18

S&A#: 2292



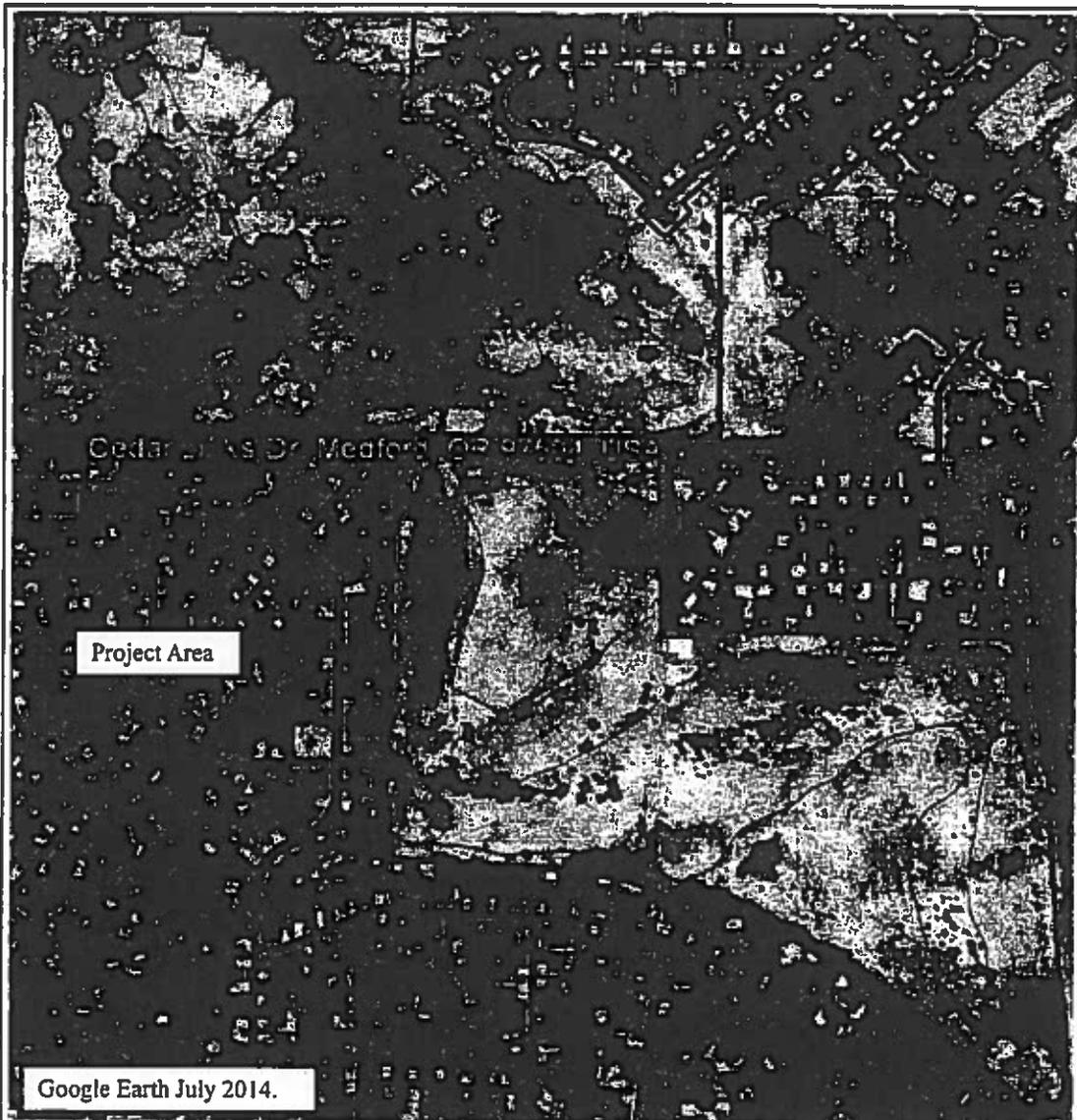
APPENDIX D. HISTORICAL AERIAL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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APPENDIX D. HISTORICAL AERIAL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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APPENDIX D. HISTORICAL AERIAL PHOTOGRAPHS  
Cedar Landing  
S&A # 2292

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503.678.6007

Appendix E: References

- Environmental Laboratory, 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, U.S. Army Engineers Waterways Experiment Station, Vicksburg, MS.
- Environmental Laboratory, 2010. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region (Version 2.0)*, Wetlands Regulatory Assistance Program ERDC/EL TR-10-3 U.S. Army Engineer Research and Development Center. Vicksburg, MS.
- Federal Interagency Committee for Wetland Delineation, 1989. *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and U.S.D.A. Soil Conservation Service, Washington, D.C. Cooperative technical publication. 138 pp.
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- Federal Register, 1986. 33 CFR Parts 320 through 330, *Regulatory Programs of the Corps of Engineers; Final Rule*, Vol. 51, No. 219 pp. 41206-41259, U.S. Govt. Printing Office, Washington, D.C.
- Kollmorgen Corporation, 1975. *Munsell Soil Color Charts*. Macbeth Division of Kollmorgen Corporation, Baltimore, MD.
- U.S. Army Corps of Engineers – Cold Regions Research and Engineering Laboratory (CRREL). 2012. *State of Oregon NWPL – Final Draft Ratings*

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arnesen State: OR Sampling Point: 1  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 10-3  
 Subregion (LRR): URRA Lat: 42.3531 Long: -122.8307 Datum:   
 Soil Map Unit Name: Carney Clay NWI classification:

Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No   
 Wetland Hydrology Present? Yes  No   
 Is the Sampled Area within a Wetland? Yes  No

Remarks: Near toe of man-made ridge, French drains, catchment basins, culvert under berm. Man-made ridge, soils are relict from grading of the golf course. Higher elevation.

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>10m x 10m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____				
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>10m x 10m</u> )				Prevalence Index worksheet:
1. _____				Total % Cover of: Multiply by:
2. _____				OBL species <u>0</u> x 1 = <u>0</u>
3. _____				FACW species <u>0</u> x 2 = <u>0</u>
4. _____				FAC species <u>0</u> x 3 = <u>0</u>
5. _____				FACU species <u>0</u> x 4 = <u>0</u>
				UPL species <u>0</u> x 5 = <u>0</u>
_____ = Total Cover				Column Totals: <u>0</u> (A) <u>0</u> (B)
				Prevalence Index = B/A = <u>0</u>
Herb Stratum (Plot size: <u>15m x 15m</u> )				Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>100</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. _____				<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____				<input checked="" type="checkbox"/> 3 - Prevalence index is ≤3.0 <sup>1</sup>
4. _____				<input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____				<input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____				<input checked="" type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8. _____				
9. _____				
10. _____				
11. _____				
_____ = Total Cover				
Woody Vine Stratum (Plot size: <u>10m x 10m</u> )				Hydrophytic Vegetation Present?
1. _____				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-10	10YR 2/1							
10-20	10YR 3/1	85	2.5YR 4/2	15	D	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

<b>Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)</b> <input type="checkbox"/> Histosol (A1) <input type="checkbox"/> Histic Epipedon (A2) <input type="checkbox"/> Black Histic (A3) <input type="checkbox"/> Hydrogen Sulfide (A4) <input type="checkbox"/> Depleted Below Dark Surface (A11) <input type="checkbox"/> Thick Dark Surface (A12) <input type="checkbox"/> Sandy Mucky Mineral (S1) <input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Sandy Redox (S5) <input type="checkbox"/> Stripped Matrix (S6) <input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1) <input type="checkbox"/> Loamy Gleyed Matrix (F2) <input type="checkbox"/> Depleted Matrix (F3) <input type="checkbox"/> Redox Dark Surface (F6) <input type="checkbox"/> Depleted Dark Surface (F7) <input type="checkbox"/> Redox Depressions (F8)	<b>Indicators for Problematic Hydric Soils<sup>3</sup>:</b> <input type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Red Parent Material (TF2) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (Explain in Remarks)
--	---	---

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

<b>Restrictive Layer (if present):</b> Type: _____ Depth (inches): _____	Hydric Soil Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	---

Remarks: Fill material from when golf course was constructed.

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b> Primary Indicators (minimum of one required; check all that apply)			Secondary Indicators (2 or more required)		
<input type="checkbox"/> Surface Water (A1) <input type="checkbox"/> High Water Table (A2) <input type="checkbox"/> Saturation (A3) <input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Sediment Deposits (B2) <input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Algal Mat or Crust (B4) <input type="checkbox"/> Iron Deposits (B5) <input type="checkbox"/> Surface Soil Cracks (B6) <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) <input type="checkbox"/> Salt Crust (B11) <input type="checkbox"/> Aquatic Invertebrates (B13) <input type="checkbox"/> Hydrogen Sulfide Odor (C1) <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3) <input type="checkbox"/> Presence of Reduced Iron (C4) <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6) <input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A) <input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) <input type="checkbox"/> Drainage Patterns (B10) <input type="checkbox"/> Dry-Season Water Table (C2) <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	<input type="checkbox"/> Geomorphic Position (D2) <input type="checkbox"/> Shallow Aquitard (D3) <input type="checkbox"/> FAC-Neutral Test (D5) <input type="checkbox"/> Raised Ant Mounds (D6) (LRR A) <input type="checkbox"/> Frost-Heave Hummocks (D7)

<b>Field Observations:</b> Surface Water Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Water Table Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____ Saturation Present? (Includes capillary fringe)    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): _____	Wetland Hydrology Present?    Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 2  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR Lat: 42.3531 Long: 122.8397 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Carney/Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No   
 Wetland Hydrology Present? Yes  No   
 Is the Sampled Area within a Wetland? Yes  No

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )				Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = _____
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = _____
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = _____
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = _____
= Total Cover				UPL species <input type="checkbox"/> x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>15</u> )				Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>95</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Trifolium repens</u>	<u>5</u>	<input type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	<input checked="" type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				
Woody Vine Stratum (Plot size: _____ )				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

2

Profile Description: (Describe to the depth needed to document the Indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-3	10YR 3/2	100					C	
3-20	10YR 5/1	95	10YR 7/4	5	C	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 3  
 Investigator(s): M. Schott Section, Township, Range: Secs. 18, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.369 Long: -122.8307 Datum:  
 Soil Map Unit Name: Carney/Clay NWI classification:  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Remarks:			

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>16m x 16m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____				
3. _____				
4. _____				
= Total Cover				<b>Prevalence Index worksheet:</b> Total % Cover of: Multiply by: OBL species <input type="checkbox"/> x 1 = <input type="checkbox"/> FACW species <input type="checkbox"/> x 2 = <input type="checkbox"/> FAC species <input type="checkbox"/> x 3 = <input type="checkbox"/> FACU species <input type="checkbox"/> x 4 = <input type="checkbox"/> UPL species <input type="checkbox"/> x 5 = <input type="checkbox"/> Column Totals: <u>        </u> (A) <u>        </u> (B) Prevalence Index = B/A = <input type="checkbox"/>
Sapling/Shrub Stratum (Plot size: <u>6m x 6m</u> )				
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
= Total Cover				
Herb Stratum (Plot size: <u>6m x 6m</u> )				<b>Hydrophytic Vegetation Indicators:</b> <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0' <input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Agrostis capillaris</u>	100	<input checked="" type="checkbox"/>	FAC	
2. _____				
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>6m x 6m</u> )				<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
1. _____				
2. _____				
= Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

**SOIL**

3

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-4	10YR 2/1	100					C	
4-8	10YR 2/1	95	10YR 4/1	5	C	M	C	
8-16	10YR 4/1	100			D	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Indicators for Problematic Hydric Soils <sup>3</sup> :
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

**Primary Indicators (minimum of one required; check all that apply)**

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Secondary Indicators (2 or more required)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	
Saturation Present? (includes capillary fringe)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: \_\_\_\_\_  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): URRA Lat: 42.3531 Long: 122.8397 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Carney Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No  Is the Sampled Area within a Wetland? Yes  No   
 Wetland Hydrology Present? Yes  No

Remarks: \_\_\_\_\_

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: _____ (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = _____
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = _____
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = _____
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = _____
_____ = Total Cover				UPL species <input type="checkbox"/> x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>5' x 5'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>100</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. _____	_____	_____	_____	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
_____ = Total Cover				
				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks: \_\_\_\_\_



**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 5  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRA Lat: 42.3531 Long: -122.8307 Datum:  
 Soil Map Unit Name: Carney Clay NWI classification:  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area Within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
4. _____				
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>100m<sup>2</sup></u> )				Prevalence Index worksheet:
1. _____				Total % Cover of: Multiply by:
2. _____				OBL species <input type="checkbox"/> x 1 = <input type="checkbox"/>
3. _____				FACW species <input type="checkbox"/> x 2 = <input type="checkbox"/>
4. _____				FAC species <input type="checkbox"/> x 3 = <input type="checkbox"/>
5. _____				FACU species <input type="checkbox"/> x 4 = <input type="checkbox"/>
_____ = Total Cover				UPL species <input type="checkbox"/> x 5 = <input type="checkbox"/>
				Column Totals: <input type="checkbox"/> (A) <input type="checkbox"/> (B)
				Prevalence Index = B/A = <input type="checkbox"/>
Herb Stratum (Plot size: <u>50m<sup>2</sup></u> )				Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>100</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. _____				<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____				<input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____				<input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____				<input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____				<input checked="" type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
_____ = Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: <u>100m<sup>2</sup></u> )				Hydrophytic Vegetation Present?
1. _____				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-4	10YR 3/2	100					C	
4-20	2.5YR 4/3	90	10YR 3/2	10	C	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: LEAG/Armer State: OR Sampling Point: 61  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R4W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.3531 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Padigan Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks:			

**VEGETATION – Use scientific names of plants.**

Trea Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: _____ (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = _____
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = _____
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = _____
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = _____
= Total Cover				UPL species <input type="checkbox"/> x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>5m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>100</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. _____	_____	_____	_____	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				
Woody Vine Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

**SOIL**

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-4	10YR 3/2	100					C	
4-20	2.5YR 3/2	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains    <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if present):**

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present?    Yes     No

Remarks: BPJ used soils were saturated to surface

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

**Field Observations:**

Surface Water Present?    Yes     No     Depth (inches): Surf  
 Water Table Present?    Yes     No     Depth (inches): \_\_\_\_\_  
 Saturation Present?    Yes     No     Depth (inches): \_\_\_\_\_  
 (includes capillary fringe)

Wetland Hydrology Present?    Yes     No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arnes State: OR Sampling Point: 7  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): PLRRA Lat: 42.3531 Long: -122.8307 Datum:   
 Soil Map Unit Name: Carney/Clay NWI classification:   
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No  Is the Sampled Area within a Wetland? Yes  No   
 Wetland Hydrology Present? Yes  No

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>10m x 10m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = <u>_____</u>
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = <u>_____</u>
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = <u>_____</u>
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = <u>_____</u>
= Total Cover				UPL species <input type="checkbox"/> x 5 = <u>_____</u>
				Column Totals: <u>_____</u> (A) <u>_____</u> (B)
				Prevalence Index = B/A = <u>_____</u>
Herb Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>90</u>	<input checked="" type="checkbox"/>	FAC	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Festuca arundinacea</u>	<u>10</u>	<input type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

Profile Description: (Describe to the depth needed to document the Indicator or confirm the absence of Indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-20	10YR 2/1	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (Includes capillary fringe) Yes  No  Depth (inches): 16"

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: This sample plot is significantly higher in elevation than sample plot 6 (by about 16").

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Links City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Armer/Cedar Links State: OR Sampling Point: 8  
 Investigator(s): M. Schott Section, Township, Range: Sec. 18, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRRRA Lat: 42.8531 Long: 122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Darrow Silty Clay Loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No   
 Wetland Hydrology Present? Yes  No   
 Is the Sampled Area within a Wetland? Yes  No

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
= Total Cover				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <input type="checkbox"/> x 1 = _____ FACW species <input type="checkbox"/> x 2 = _____ FAC species <input type="checkbox"/> x 3 = _____ FACU species <input type="checkbox"/> x 4 = _____ UPL species <input type="checkbox"/> x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<b>Sapling/Shrub Stratum (Plot size: <u>100m<sup>2</sup></u>)</b>				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
= Total Cover				
<b>Herb Stratum (Plot size: <u>5m<sup>2</sup></u>)</b>				Hydrophytic Vegetation Indicators: <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Agrostis capillaries</u>	90	<input checked="" type="checkbox"/>	FAC	
2. <u>Festuca arundinacea</u>	10	<input type="checkbox"/>	FAC	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				
<b>Woody Vine Stratum (Plot size: <u>100m<sup>2</sup></u>)</b>				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-20	10YR 2/1	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Indicators for Problematic Hydric Soils <sup>3</sup> :
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (Inches): \_\_\_\_\_

**Hydric Soil Present?** Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<b>Primary Indicators (minimum of one required; check all that apply)</b>		<b>Secondary Indicators (2 or more required)</b>
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	<b>Wetland Hydrology Present?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	
Saturation Present? (includes capillary fringe)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arma State: OR Sampling Point: 19  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T.37S, R.1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): URRA Lat: 42.8581 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Darrow Silty clay loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No  Is the Sampled Area within a Wetland? Yes  No   
 Wetland Hydrology Present? Yes  No

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = _____
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = _____
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = _____
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = _____
_____ = Total Cover				UPL species <input type="checkbox"/> x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>5m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>90</u>	<input checked="" type="checkbox"/>	FAC	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Festuca arundinacea</u>	<u>10</u>	<input type="checkbox"/>	FAC	<input type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
_____ = Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
2. _____	_____	_____	_____	
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-5	10YR 3/2	100					CL	
5-20	10YR 3/2	95					C	
	10YR 3/1	5					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

<b>Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)</b>		<b>Indicators for Problematic Hydric Soils<sup>3</sup>:</b>	
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)		
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)		
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)		
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)		

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks: Soils mixed, not redox.

**HYDROLOGY**

<b>Wetland Hydrology Indicators:</b>		
Primary Indicators (minimum of one required, check all that apply)		Secondary Indicators (2 or more required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_

Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_

Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Links City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner/Cedar Links State: OR Sampling Point: 10  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T.37S, R.1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR4 Lat: 42.353 Long: -122.6307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Darrow Silty Clay Loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ Significantly disturbed? Yes  No   
 Are Vegetation \_\_\_\_\_, Soil \_\_\_\_\_, or Hydrology \_\_\_\_\_ Naturally problematic? (If needed, explain any answers in Remarks)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Remarks:

## VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1.	_____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2.	_____	_____	_____	_____	
3.	_____	_____	_____	_____	
4.	_____	_____	_____	_____	
_____ = Total Cover					<b>Prevalence Index worksheet:</b> Total % Cover of:      Multiply by: OBL species <input type="checkbox"/> x 1 = _____ FACW species <input type="checkbox"/> x 2 = _____ FAC species <input type="checkbox"/> x 3 = _____ FACU species <input type="checkbox"/> x 4 = _____ UPL species <input type="checkbox"/> x 5 = _____ Column Totals:      (A)      (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum	(Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	
1.	_____	_____	_____	_____	
2.	_____	_____	_____	_____	
3.	_____	_____	_____	_____	
4.	_____	_____	_____	_____	
5.	_____	_____	_____	_____	
_____ = Total Cover					
Herb Stratum	(Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	<b>Hydrophytic Vegetation Indicators:</b> <input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> <input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
1.	<u>Agrostis capillaries</u>	<u>100</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	
2.	_____	_____	_____	_____	
3.	_____	_____	_____	_____	
4.	_____	_____	_____	_____	
5.	_____	_____	_____	_____	
6.	_____	_____	_____	_____	
7.	_____	_____	_____	_____	
8.	_____	_____	_____	_____	
9.	_____	_____	_____	_____	
10.	_____	_____	_____	_____	
11.	_____	_____	_____	_____	
_____ = Total Cover					
Woody Vine Stratum	(Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
1.	_____	_____	_____	_____	
2.	_____	_____	_____	_____	
_____ = Total Cover					
% Bare Ground in Herb Stratum _____					

Remarks:

**SOIL**

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-6	10YR 3/2	100					CL	
6-20	10YR 3/2	93	10YR 3/4	7	C	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Histosol (A1)                     | <input type="checkbox"/> Sandy Redox (S5)                         | <input type="checkbox"/> 2 cm Muck (A10)                  |
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Stripped Matrix (S6)                     | <input type="checkbox"/> Red Parent Material (TF2)        |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Gleyed Matrix (F2)                 | <input type="checkbox"/> Other (Explain in Remarks)       |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Depleted Matrix (F3)                     |   |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input checked="" type="checkbox"/> Redox Dark Surface (F6)       |   |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Depleted Dark Surface (F7)               |   |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)          | <input type="checkbox"/> Redox Depressions (F8)                   |   |

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks: Soils mixed, not redox.

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Surface Water (A1)                        | <input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) | <input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) |
| <input type="checkbox"/> High Water Table (A2)                     | <input type="checkbox"/> Salt Crust (B11)   | <input type="checkbox"/> Drainage Patterns (B10)                           |
| <input type="checkbox"/> Saturation (A3)                           | <input type="checkbox"/> Aquatic Invertebrates (B13)                              | <input type="checkbox"/> Dry-Season Water Table (C2)                       |
| <input type="checkbox"/> Water Marks (B1)                          | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                               | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)         |
| <input type="checkbox"/> Sediment Deposits (B2)                    | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)            | <input checked="" type="checkbox"/> Geomorphic Position (D2)               |
| <input type="checkbox"/> Drift Deposits (B3)                       | <input type="checkbox"/> Presence of Reduced Iron (C4)                            | <input type="checkbox"/> Shallow Aquitard (D3)                             |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)               | <input checked="" type="checkbox"/> FAC-Neutral Test (D5)                  |
| <input type="checkbox"/> Iron Deposits (B5)                        | <input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)                  | <input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)                    |
| <input type="checkbox"/> Surface Soil Cracks (B6)                  | <input type="checkbox"/> Other (Explain in Remarks)                               | <input type="checkbox"/> Frost-Heave Hummocks (D7)                         |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |   |  |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |   |  |

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Hydrology assumed. BPJ.

## WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Landing City/County: Madford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric A. Finner State: OR Sampling Point: 1  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.3531 Long: -122.8307 Datum:   
 Soil Map Unit Name: Danow Silty Clay Loam NWI classification:   
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation  Soil  or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation  Soil  or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

### SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Remarks:

### VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>10m x 10m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
4. _____				
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <u>Salix</u>	<u>30</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	Total % Cover of: Multiply by:
2. _____				OBL species <u>0</u> x 1 = <u>0</u>
3. _____				FACW species <u>0</u> x 2 = <u>0</u>
4. _____				FAC species <u>0</u> x 3 = <u>0</u>
5. _____				FACU species <u>0</u> x 4 = <u>0</u>
	<u>30</u>		<u>= Total Cover</u>	UPL species <u>0</u> x 5 = <u>0</u>
				Column Totals: <u>0</u> (A) <u>0</u> (B)
				Prevalence Index = B/A = <u>0</u>
Herb Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaries</u>	<u>50</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Festuca arundinacea</u>	<u>50</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input type="checkbox"/> 2 - Dominance Test is >50%
3. <u>Stephanomeria lactucina</u>	<u>T</u>		<u>NL</u>	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____				<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____				<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____				<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
= Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: <u>1m x 1m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____				
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-21	10YR 3/1	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks: Soils mixed, not redox.

**HYDROLOGY**

**Wetland Hydrology Indicators:**

<b>Primary Indicators (minimum of one required; check all that apply)</b>		<b>Secondary Indicators (2 or more required)</b>
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	
Saturation Present? (includes capillary fringe)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arns State: OR Sampling Point: 12  
 Investigator(s): Mr. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.3531 Long: 122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Darrow Silty Clay Loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No   
 Wetland Hydrology Present? Yes  No   
 Is the Sampled Area Within a Wetland? Yes  No

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>3</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )				Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <input type="checkbox"/> x 1 = _____
3. _____	_____	_____	_____	FACW species <input type="checkbox"/> x 2 = _____
4. _____	_____	_____	_____	FAC species <input type="checkbox"/> x 3 = _____
5. _____	_____	_____	_____	FACU species <input type="checkbox"/> x 4 = _____
= Total Cover				UPL species <input type="checkbox"/> x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>5</u> )				Hydrophytic Vegetation Indicators:
1. <u>Agrostis capillaris</u>	<u>60</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Festuca arundinacea</u>	<u>20</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. <u>Lolium perenne</u>	<u>20</u>	<input checked="" type="checkbox"/>	<u>FAC</u>	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. <u>Cirsium vulgare</u>	<u>T</u>	<input type="checkbox"/>	<u>FACU</u>	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. <u>Hypochoeris radicata</u>	<u>T</u>	<input type="checkbox"/>	<u>FACU</u>	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: _____ )				Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:



## WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Artner State: OR Sampling Point: 13  
 Investigator(s): Mr. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley/Terrace Local relief (concave, convex, none): Slight slope Slope (%) 0-3  
 Subregion (LRR): LRRA Lat: 42.3531 Long: -122.8307 Datum:  
 Soil Map Unit Name: Danow, Silty Clay Loam NWI classification:  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

### SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Remarks:

### VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>10m x 10m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____				
3. _____				
4. _____				
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>5m x 5m</u> )				Prevalence Index worksheet: Total % Cover of: Multiply by: OBL species <input type="checkbox"/> x 1 = <input type="checkbox"/> FACW species <input type="checkbox"/> x 2 = <input type="checkbox"/> FAC species <input type="checkbox"/> x 3 = <input type="checkbox"/> FACU species <input type="checkbox"/> x 4 = <input type="checkbox"/> UPL species <input type="checkbox"/> x 5 = <input type="checkbox"/> Column Totals: <input type="checkbox"/> (A) <input type="checkbox"/> (B) Prevalence Index = B/A = <input type="checkbox"/>
1. _____				
2. _____				
3. _____				
4. _____				
= Total Cover				
Herb Stratum (Plot size: <u>5m x 5m</u> )				Hydrophytic Vegetation Indicators: <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)  <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Agrostis capillaris</u>	60	<input checked="" type="checkbox"/>	FAC	
2. <u>Festuca arundinacea</u>	T	<input type="checkbox"/>	FAC	
3. <u>Poa pratensis</u>	40	<input checked="" type="checkbox"/>	FAC	
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>5m x 5m</u> )				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
1. _____				
2. _____				
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

13

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features			Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>		
0-18	10YR 2/1	100				C	
18-20	10YR 2/2	100				C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Histic Epipedon (A2)              | <input type="checkbox"/> Sandy Redox (S5)                         | <input type="checkbox"/> 2 cm Muck (A10)   |
| <input type="checkbox"/> Black Histic (A3)                 | <input type="checkbox"/> Stripped Matrix (S6)                     | <input type="checkbox"/> Red Parent Material (TF2)   |
| <input type="checkbox"/> Hydrogen Sulfide (A4)             | <input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1) | <input type="checkbox"/> Very Shallow Dark Surface (TF12)  |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Loamy Gleyed Matrix (F2)                 | <input type="checkbox"/> Other (Explain in Remarks)  |
| <input type="checkbox"/> Thick Dark Surface (A12)          | <input type="checkbox"/> Depleted Matrix (F3)                     |  |
| <input type="checkbox"/> Sandy Mucky Mineral (S1)          | <input type="checkbox"/> Redox Dark Surface (F6)                  | <sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4)          | <input type="checkbox"/> Depleted Dark Surface (F7)               |  |
|  | <input type="checkbox"/> Redox Depressions (F8)                   |  |

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Surface Water (A1)                        | <input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B) | <input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B) |
| <input type="checkbox"/> High Water Table (A2)                     | <input type="checkbox"/> Salt Crust (B11)   | <input type="checkbox"/> Drainage Patterns (B10)                           |
| <input type="checkbox"/> Saturation (A3)                           | <input type="checkbox"/> Aquatic Invertebrates (B13)                              | <input type="checkbox"/> Dry-Season Water Table (C2)                       |
| <input type="checkbox"/> Water Marks (B1)                          | <input type="checkbox"/> Hydrogen Sulfide Odor (C1)                               | <input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)         |
| <input type="checkbox"/> Sediment Deposits (B2)                    | <input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)            | <input type="checkbox"/> Geomorphic Position (D2)                          |
| <input type="checkbox"/> Drift Deposits (B3)                       | <input type="checkbox"/> Presence of Reduced Iron (C4)                            | <input type="checkbox"/> Shallow Aquitard (D3)                             |
| <input type="checkbox"/> Algal Mat or Crust (B4)                   | <input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)               | <input type="checkbox"/> FAC-Neutral Test (D5)                             |
| <input type="checkbox"/> Iron Deposits (B5)                        | <input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)                  | <input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)                    |
| <input type="checkbox"/> Surface Soil Cracks (B6)                  | <input type="checkbox"/> Other (Explain in Remarks)                               | <input type="checkbox"/> Frost-Heave Hummocks (D7)                         |
| <input type="checkbox"/> Inundation Visible on Aerial Imagery (B7) |   |  |
| <input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)   |   |  |

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: Plugged drain tile.

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Gedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 14  
 Investigator(s): M. Schott Section, Township, Range: Sec 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.3531 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Darrow Silty Clay Loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present? Yes  No   
 Hydric Soil Present? Yes  No   
 Wetland Hydrology Present? Yes  No   
 Is the Sampled Area within a Wetland? Yes  No

Remarks: \_\_\_\_\_

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	<input checked="" type="checkbox"/>	FAC	Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____	_____	<input type="checkbox"/>		
3. _____	_____	<input type="checkbox"/>		
4. _____	_____	<input type="checkbox"/>		
= Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species <input type="checkbox"/> x 1 = _____ FACW species <input type="checkbox"/> x 2 = _____ FAC species <input type="checkbox"/> x 3 = _____ FACU species <input type="checkbox"/> x 4 = _____ UPL species <input type="checkbox"/> x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: _____ )	1. _____	_____		
2. _____	_____			
3. _____	_____			
4. _____	_____			
5. _____	_____			
= Total Cover				
Herb Stratum (Plot size: <u>5m<sup>2</sup></u> )	1. <u>Agrostis capillaries</u>	100	<input checked="" type="checkbox"/> FAC	
2. _____	_____			
3. _____	_____			
4. _____	_____			
5. _____	_____			
6. _____	_____			
7. _____	_____			
8. _____	_____			
9. _____	_____			
10. _____	_____			
11. _____	_____			
100 = Total Cover				
Woody Vine Stratum (Plot size: _____ )	1. _____	_____		
2. _____	_____			
= Total Cover				
% Bare Ground in Herb Stratum _____				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Remarks: \_\_\_\_\_

**SOIL**

Sample Point

14

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-3	10YR 3/2	100					C	
3-20	10YR 3/2	90	10YR 3/4	10			C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

**Indicators for Problematic Hydric Soils<sup>3</sup>:**

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if present):**

Type: \_\_\_\_\_

Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks: BPJ

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one required; check all that apply)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input type="checkbox"/> Secondary Indicators (2 or more required)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input checked="" type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input checked="" type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input checked="" type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_

Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_

Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available.

Remarks: Plugged drain tile.

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 15  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): CRRA Lat: 42.3531 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Coker Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (if no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species x 1 = _____
3. _____	_____	_____	_____	FACW species x 2 = _____
4. _____	_____	_____	_____	FAC species x 3 = _____
5. _____	_____	_____	_____	FACU species x 4 = _____
= Total Cover				UPL species x 5 = _____
				Column Totals: _____ (A) _____ (B)
				Prevalence Index = B/A = _____
Herb Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Cynodon dactylon</u>	<u>90</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	1 - Rapid Test for Hydrophytic Vegetation
2. <u>Hypochaeris radicata</u>	<u>5</u>	<input type="checkbox"/>	<u>FACU</u>	2 - Dominance Test is >50%
3. <u>Cirsium vulgare</u>	<u>4</u>	<input type="checkbox"/>	<u>FACU</u>	3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. <u>Festuca arundinacea</u>	<u>1</u>	<input type="checkbox"/>	<u>FAC</u>	4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-18	10YR 3/2	100					C	
18-24	10YR 4/3	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F8)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (Inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

# WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Links City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Amber/Cedar Landing State: OR Sampling Point: 18  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR-1 Lat: 42.3531 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Coker Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks )  
 Are Vegetation  Soil  or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation  Soil  or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

## SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Remarks:		
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>			

## VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>15x15</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A/B)
2. _____				
3. _____				
4. _____				
= Total Cover				<b>Prevalence Index worksheet:</b> Total % Cover of: Multiply by: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column Totals: (A) <u>0</u> (B) <u>0</u> Prevalence Index = B/A = <u>0</u>
<b>Sapling/Shrub Stratum (Plot size: <u>15x15</u>)</b> 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ = Total Cover				
<b>Herb Stratum (Plot size: <u>15x15</u>)</b> 1. <u>Cynodon dactylon</u> 90 <input checked="" type="checkbox"/> FACU 2. <u>Lolium perenne</u> 5 <input type="checkbox"/> FAC 3. <u>Stephanomeria lactucina</u> T <input type="checkbox"/> NL 4. <u>Festuca arundinacea</u> 5 <input type="checkbox"/> FAC 5. <u>Dipsacus fullonum</u> T <input type="checkbox"/> FAC 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ = Total Cover				
<b>Woody Vine Stratum (Plot size: <u>15x15</u>)</b> 1. _____ 2. _____ = Total Cover				
% Bare Ground in Herb Stratum _____				
<b>Hydrophytic Vegetation Indicators:</b> 1 - Rapid Test for Hydrophytic Vegetation 2 - Dominance Test is >50% 3 - Prevalence Index is ≤3.0 <sup>1</sup> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) 5 - Wetland Non-Vascular Plants <sup>1</sup> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) _____ <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.				
<b>Hydrophytic Vegetation Present?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
Remarks:				



**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Madford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Arner State: OR Sampling Point: 17  
 Investigator(s): M. Schott Section, Township, Range: Sec 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR1A Lat: 42.863 Long: -122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Coker Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Remarks:

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____	_____	_____	_____	
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____	_____	_____	_____	Total % Cover of: Multiply by:
2. _____	_____	_____	_____	OBL species <u>0</u> x 1 = <u>0</u>
3. _____	_____	_____	_____	FACW species <u>0</u> x 2 = <u>0</u>
4. _____	_____	_____	_____	FAC species <u>0</u> x 3 = <u>0</u>
5. _____	_____	_____	_____	FACU species <u>0</u> x 4 = <u>0</u>
= Total Cover				UPL species <u>0</u> x 5 = <u>0</u>
				Column Totals: (A) <u>0</u> (B) <u>0</u>
				Prevalence Index = B/A = <u>0</u>
Herb Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Alopecurus pratensis</u>	<u>90</u>	<input checked="" type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Stephanomeria lactucina</u>	<u>10</u>	<input type="checkbox"/>	NL	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. _____	_____	_____	_____	<input type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____	_____	_____	_____	<input type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____	_____	_____	_____	<input type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____	_____	_____	_____	Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____	_____	_____	_____	<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>100m<sup>2</sup></u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				

Remarks:

**SOIL**

17

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-9	10YR 3/1	100					C	
9-20	10YR 2/1	90	10YR 3/4	10	C	M	C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<b>Indicators for Problematic Hydric Soils<sup>3</sup>:</b>
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (Inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

Primary Indicators (minimum of one required; check all that apply)

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<b>Secondary Indicators (2 or more required)</b>
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	
Saturation Present? (Includes capillary fringe)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Depth (inches): _____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available.

Remarks:

## WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Links City/County: Medford/Jackson Sampling Date: January 21, 2014  
 Applicant/Owner: Eric Adler/Cedar Links State: OR Sampling Point: 18  
 Investigator(s): M. Schott Section, Township, Range: Sec. 18, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR1 Lat: 42.3531 Long: -122.8307 Datum:  
 Soil Map Unit Name: Cokee Clay NWI classification:  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

### SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Remarks:					

### VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>2</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
4. _____				
_____ = Total Cover				
Sapling/Shrub Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____				Total % Cover of: Multiply by:
2. _____				OBL species <u>0</u> x 1 = <u>0</u>
3. _____				FACW species <u>0</u> x 2 = <u>0</u>
4. _____				FAC species <u>0</u> x 3 = <u>0</u>
5. _____				FACU species <u>0</u> x 4 = <u>0</u>
6. _____				UPL species <u>0</u> x 5 = <u>0</u>
_____ = Total Cover				Column Totals: <u>0</u> (A) <u>0</u> (B)
				Prevalence Index = B/A = <u>0</u>
Herb Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Alopecurus pratensis</u>	40	<input checked="" type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
2. <u>Lolium perenne</u>	60	<input checked="" type="checkbox"/>	FAC	
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
100 = Total Cover				
Woody Vine Stratum (Plot size: <u>5m x 5m</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____				
_____ = Total Cover				
% Bare Ground in Herb Stratum _____				
Remarks:				

**SOIL**

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-20	10YR 2/2	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<b>Indicators for Problematic Hydric Soils<sup>3</sup>:</b>
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	<sup>3</sup> Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

**Restrictive Layer (if present):**  
 Type: \_\_\_\_\_  
 Depth (Inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks: \_\_\_\_\_

**HYDROLOGY**

**Wetland Hydrology Indicators:**

**Primary Indicators (minimum of one required; check all that apply)**

<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<b>Secondary Indicators (2 or more required)</b>
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	
Saturation Present? (includes capillary fringe)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): _____	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: \_\_\_\_\_

Remarks: \_\_\_\_\_

## WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: July 9, 2014  
 Applicant/Owner: Eric Arthe State: OR Sampling Point: A  
 Investigator(s): M. Schott Section, Township, Range: Sec 16 T37S R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR4 Lat: 42.3531 Long: -122.6307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Sandy clay loam NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

### SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Wetland Hydrology Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks:			

### VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____ )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: _____ (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)
2. _____				
3. _____				
4. _____				
_____ = Total Cover				<b>Prevalence Index worksheet:</b> Total % Cover of: Multiply by: OBL species <u>100</u> x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
<b>Sapling/Shrub Stratum (Plot size: _____ )</b> 1. _____ 2. _____ 3. _____ 4. _____ 5. _____ _____ = Total Cover				
<b>Herb Stratum (Plot size: <u>5</u> )</b> 1. <u>Agrostis capillaries</u> <u>100</u> <input checked="" type="checkbox"/> FAC 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____ _____ = Total Cover				
<b>Woody Vine Stratum (Plot size: _____ )</b> 1. _____ 2. _____ _____ = Total Cover				
% Bare Ground in Herb Stratum _____				
<b>Hydrophytic Vegetation Indicators:</b> <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup> <input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet) <input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup> <input checked="" type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain) <sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.				
<b>Hydrophytic Vegetation Present?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
Remarks: Mostly bare ground under tree canopy.				



**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: July 8, 2014  
 Applicant/Owner: Eric Armer State: OR Sampling Point: B  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0-3  
 Subregion (LRR): LRR A Lat: 42.3531 Long: -122.8907 Datum:  
 Soil Map Unit Name: Darow Silty Clay Loam NWI classification:  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation , Soil , or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation , Soil , or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks:			

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>40</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
1. _____				Number of Dominant Species That Are OBL, FACW, or FAC:	<u>1</u> (A)
2. _____				Total Number of Dominant Species Across All Strata:	<u>1</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC:	<u>100</u> (A/B)
4. _____					
= Total Cover					
Sapling/Shrub Stratum (Plot size: <u>10</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:	
1. _____				Total % Cover of:	Multiply by:
2. _____				OBL species <input type="checkbox"/>	x 1 = <input type="checkbox"/>
3. _____				FACW species <input type="checkbox"/>	x 2 = <input type="checkbox"/>
4. _____				FAC species <input type="checkbox"/>	x 3 = <input type="checkbox"/>
5. _____				FACU species <input type="checkbox"/>	x 4 = <input type="checkbox"/>
= Total Cover				UPL species <input type="checkbox"/>	x 5 = <input type="checkbox"/>
				Column Totals:	<u>1</u> (A) <u>4</u> (B)
				Prevalence Index = B/A =	<u>4</u>
Herb Stratum (Plot size: <u>5</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:	
1. <u>Agrostis capillaries</u>	<u>60</u>	<input checked="" type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation	
2. <u>Lactuca serriola</u>	<u>5</u>	<input type="checkbox"/>	FACU	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%	
3. <u>Lolium perenne</u>	<u>10</u>	<input type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>	
4. <u>Plantago lanceolata</u>	<u>5</u>	<input type="checkbox"/>	FACU	<input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)	
5. _____				<input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>	
6. _____				<input type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)	
7. _____				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
8. _____					
9. _____					
10. _____					
11. _____					
80 = Total Cover					
Woody Vine Stratum (Plot size: <u>10</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
1. _____					
2. _____					
= Total Cover					
% Bare Ground in Herb Stratum <u>20%</u>					
Remarks:					

**SOIL**

**B**

**Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)**

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-8	10YR2/1	90	10YR3/4	10	C	M	SICL	
8-16	10YR 2/1	100					SICL	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)**

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

**Indicators for Problematic Hydric Soils<sup>2</sup>:**

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>2</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

**Restrictive Layer (if present):**

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

**Wetland Hydrology Indicators:**

**Primary Indicators (minimum of one required; check all that apply)**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

**Secondary Indicators (2 or more required)**

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

**Field Observations:**

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

Project/Site: Cedar Landing City/County: Medford/Jackson Sampling Date: July 9, 2014  
 Applicant/Owner: Eric Arther State: OR Sampling Point: C  
 Investigator(s): M. Schott Section, Township, Range: Sec. 16, T37S, R1W  
 Landform (hillslope, terrace, etc.): Valley Terrace Local relief (concave, convex, none): Slight slope Slope (%): 0.3  
 Subregion (LRR): DRRA Lat: 42.3531 Long: 122.8307 Datum: \_\_\_\_\_  
 Soil Map Unit Name: Coke Clay NWI classification: \_\_\_\_\_  
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks.)  
 Are Vegetation  Soil  or Hydrology  Significantly disturbed? Are "Normal Circumstances" present? Yes  No   
 Are Vegetation  Soil  or Hydrology  Naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.**

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Remarks:			

**VEGETATION – Use scientific names of plants.**

Tree Stratum (Plot size: <u>30' x 30'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>Populus balsamifera</u>	65	<input checked="" type="checkbox"/>	FAC	Number of Dominant Species That Are OBL, FACW, or FAC: <u>4</u> (A)
2. _____				Total Number of Dominant Species Across All Strata: <u>4</u> (B)
3. _____				Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100%</u> (A/B)
4. _____				
	65	= Total Cover		
Sapling/Shrub Stratum (Plot size: <u>10' x 10'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. _____				Total % Cover of: Multiply by:
2. _____				OBL species <input type="checkbox"/> x 1 = <input type="checkbox"/>
3. _____				FACW species <input type="checkbox"/> x 2 = <input type="checkbox"/>
4. _____				FAC species <input type="checkbox"/> x 3 = <input type="checkbox"/>
5. _____				FACU species <input type="checkbox"/> x 4 = <input type="checkbox"/>
				UPL species <input type="checkbox"/> x 5 = <input type="checkbox"/>
				Column Totals: <input type="checkbox"/> (A) <input type="checkbox"/> (B)
				Prevalence Index = B/A = <input type="checkbox"/>
Herb Stratum (Plot size: <u>5' x 5'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <u>Juncus effusus</u>	5	<input checked="" type="checkbox"/>	FACW	<input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation
2. <u>Holcus lanatus</u>	5	<input checked="" type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 2 - Dominance Test is >50%
3. <u>Lolium perenne</u>	5	<input checked="" type="checkbox"/>	FAC	<input checked="" type="checkbox"/> 3 - Prevalence Index is ≤3.0 <sup>1</sup>
4. _____				<input checked="" type="checkbox"/> 4 - Morphological Adaptations <sup>1</sup> (Provide supporting data in Remarks or on a separate sheet)
5. _____				<input checked="" type="checkbox"/> 5 - Wetland Non-Vascular Plants <sup>1</sup>
6. _____				<input checked="" type="checkbox"/> Problematic Hydrophytic Vegetation <sup>1</sup> (Explain)
7. _____				<sup>1</sup> Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
8. _____				
9. _____				
10. _____				
11. _____				
	15	= Total Cover		
Woody Vine Stratum (Plot size: <u>5' x 5'</u> )	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2. _____				
% Bare Ground in Herb Stratum _____				
Remarks: Mostly bare ground under tree canopy.				

**SOIL**

C

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type <sup>1</sup>	Loc <sup>2</sup>		
0-8	10YR 2/1	90	10YR 3/4	10	C	M	C	
18-24	10YR 2/1	100					C	

<sup>1</sup>Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. <sup>2</sup>Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils<sup>3</sup>:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

<sup>3</sup>Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if present):

Type: \_\_\_\_\_  
Depth (inches): \_\_\_\_\_

Hydric Soil Present? Yes  No

Remarks:

**HYDROLOGY**

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Water Table Present? Yes  No  Depth (inches): \_\_\_\_\_  
 Saturation Present? (includes capillary fringe) Yes  No  Depth (inches): \_\_\_\_\_

Wetland Hydrology Present? Yes  No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

NARRATIVE:

The Cedar Landing Planned Unit Development provides for a mixture of single family and multi-family housing, commercial uses, common area and open space to meet the needs of City of Medford and provide for a viable neighborhood community.

As explained herein below, this request for PUD revision includes four separate applications involving land within the north half of the Cedar Landing Planned Unit Development (PUD). The original PUD was approved on 122.12 gross acres. A 5.47-acre portion of the original PUD was terminated and now belongs to the City of Medford, with the intention of being used for park purposes. In addition to the 5.47 acres conveyed for City Park purposes, the Cedar Landing PUD will also provide an additional 21 acres of open space, common area and trails throughout.

The primary focus of this request involves revisions to approximately 43 acres of land within the middle portion of the north half of the PUD - within the area proposed as *Sky Lakes Village Phases 1-4, The Village and The Cottages* collectively. With the Big Butte Springs waterline crossing the property and the preservation and provision of open space amenities, the design and layout requires some creativity, for which certain flexibilities have been requested.

There are in-fact four applications which have been contemporaneously filed concerning this matter. The four applications seek the following:

- **Preliminary PUD Plan Revision**
  - Convert Congregate Care, Multi-Family, Commercial and Open Space areas to a mixture of Single Family, Multi-Family, Commercial and Open Space.
  - Option to either provide Single Family Cottage style development within The Cottages At Cedar Landing (*Cottages Option*) or retain Congregate Care facilities within The Cottages At Cedar Landing (*Congregate Care Option*).
  - Serve a portion of the property with a private road.
  - Increase Maximum Building Heights for multi-family structures within The Village At Cedar Landing subarea from 35 feet to 40 feet in order to accommodate three story buildings with architecturally pleasing rooflines.
  
- **Replat of The Sky Lakes Village Phase 7B**
  - Create Underlying Reserve Lots consistent with the Proposed PUD Revisions
  - Create Underlying Reserve Lots consistent with the Proposed Phasing Plans
  
- **Tentative Plat / Land Division for Sky Lakes Village At Cedar Landing Phases 1 through 4, The Village At Cedar Landing and The Cottages at Cedar Landing - within the area previously identified as The Village At Cedar Landing Phases 2 and 3.**
  - Create 4 Lots within Sky Lakes Village At Cedar Landing Phase 1, being Lots 1-4
  - Create 4 Lots within Sky Lakes Village At Cedar Landing Phase 2, being Lots 5-8

- Create 8 Lots within Sky Lakes Village At Cedar Landing Phase 3, being Lots 9-16
  - Create 7 Lots within Sky Lakes Village At Cedar Landing Phase 4, being Lots 17-23
  - Create 8 Pad Lots (Lots 1-8) within a common area comprising The Village At Cedar Landing
  - Create 23 Lots plus Open Space within The Cottages At Cedar Landing
  - Rename from The Village At Cedar Landing Phases 2 and 3 to The Cottages At Cedar Landing and Sky Lakes Village At Cedar Landing Phases 1 Through 4
  - Requires partial vacation of a small portion of Yamsay Drive
- **Revision to Cascade Terrace Phases 1 through 5** previously approved as Sky Lakes Village At Cedar Landing Phase 1 and The Village At Cedar Landing Phase 1. No changes to lot count, lot configuration or infrastructure are proposed. The revisions seeks:
    - Phasing boundary changes;
    - Renamed from Sky Lakes Village At Cedar Landing Phase 1 and The Village Phase 1 to Cascade Terrace Phases 1 through 5.

Applicant's Exhibit 1 titled *Findings of Fact and Conclusions of Law* includes relevant findings of fact that speak to proposed development schedule, to be implemented through phased subdivision plans and the manner in which common area and open space areas are to be carried forward.

LOT COVERAGE  
55% = 1 STORY  
40% = 2 STORY

LOT COVERAGE  
75% = 1 STORY  
55% = 2 STORY

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

**LOT COVERAGE EXHIBIT MAP**

**FOR CEDAR LANDS**

A PLANNED COMMUNITY

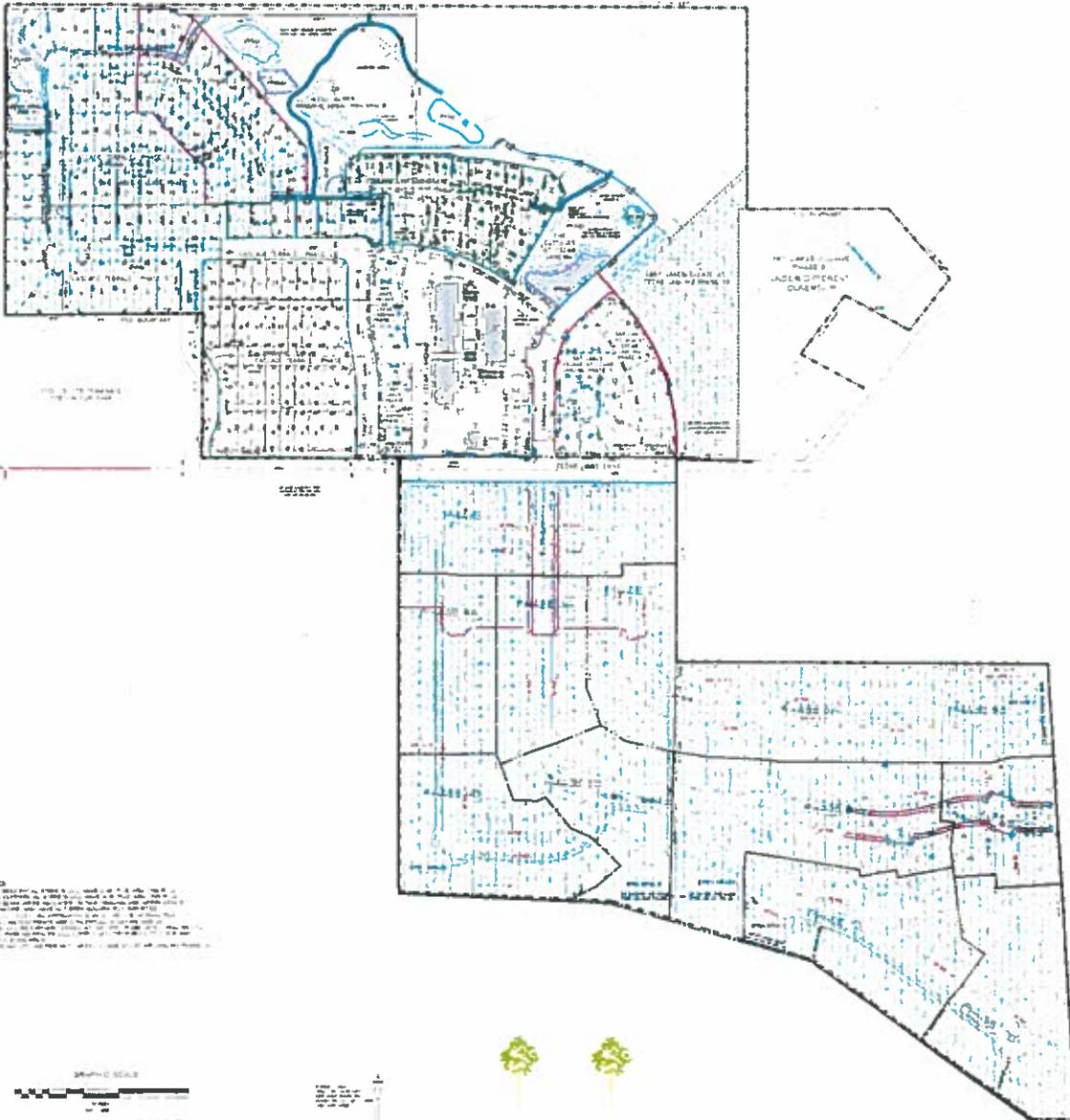
OR  
CASCADE TERRACE AT CEDAR LANDS PHASE 1 TRACT 9  
SKY LAKE VILLAGE AT CEDAR LANDS PHASE 1 TRACT 4  
THE VILLAGE AT CEDAR LANDS  
THE COTTAGES AT CEDAR LANDS  
HIGH CEDARS AT CEDAR LANDS

LOCATED IN

THE WEST 1/2 SECTION 8 TOWNSHIP 21 SOUTH RANGE 10 EAST 1/4  
IN THE CITY OF MEDINA, LACKBERRY COUNTY, OHIO



OWNER  
CEDAR INVESTMENT GROUP  
278 WEST MAIN STREET  
MEDINA, OH 44130



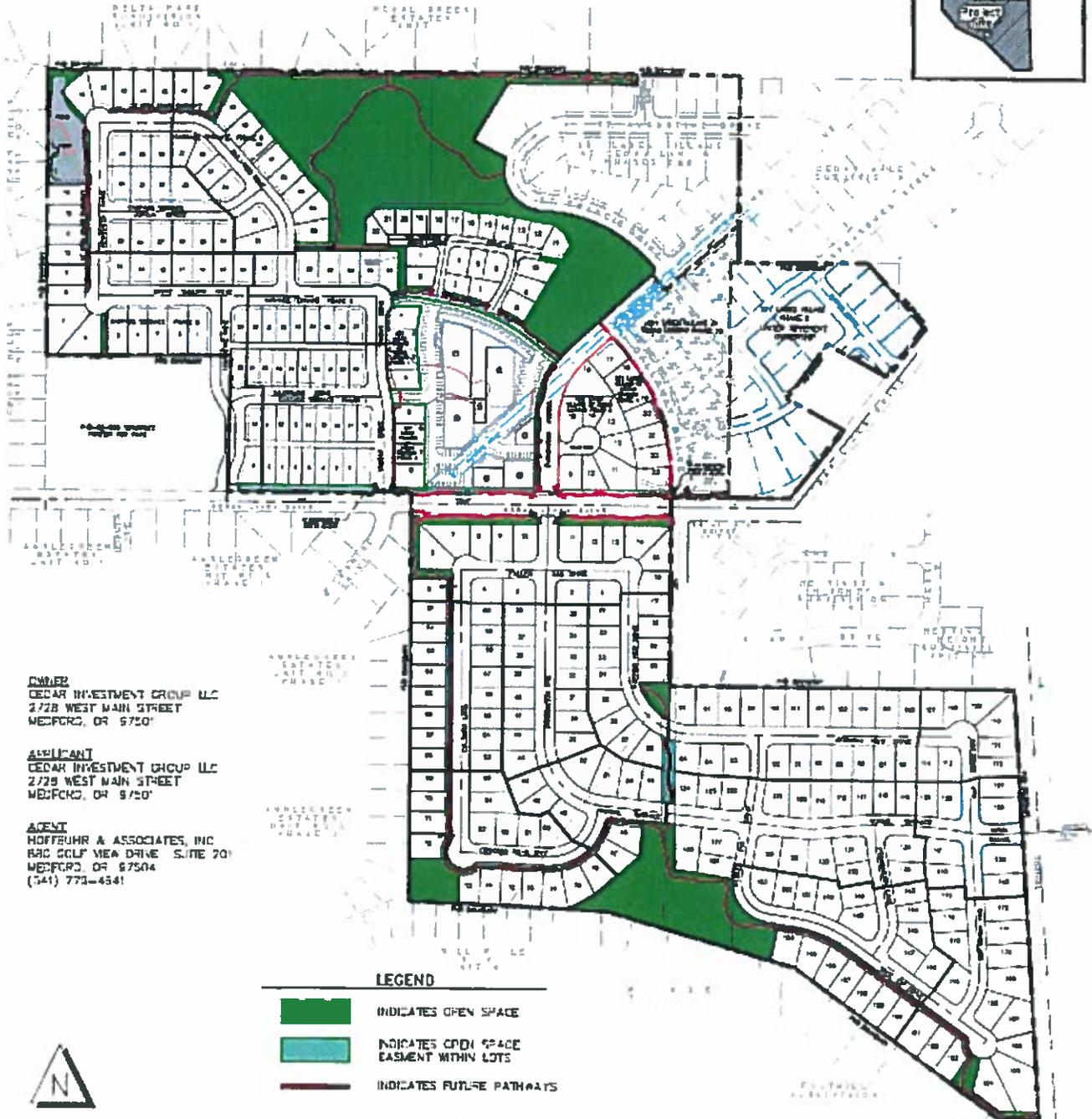
NOTES:  
1. THIS MAP IS A PART OF THE PUD-14-136 & LDS-14-138 PERMITTED UNDER THE CITY OF MEDINA, OHIO.  
2. THE LOT COVERAGE PERCENTAGES SHOWN ON THIS MAP ARE BASED ON THE LOT AREA AS SHOWN ON THE PLAT.  
3. THE LOT COVERAGE PERCENTAGES SHOWN ON THIS MAP ARE SUBJECT TO THE CITY OF MEDINA, OHIO.  
4. THE LOT COVERAGE PERCENTAGES SHOWN ON THIS MAP ARE SUBJECT TO THE CITY OF MEDINA, OHIO.

GRAPHIC SCALE  
0 10 20 30 40 50 60 70 80 90 100  
FEET

# CEDAR LANDING OPEN SPACE EXHIBIT

**Exhibit 21**

NEIGHBORHOOD MAP



**OWNER**  
CEDAR INVESTMENT GROUP LLC  
2728 WEST MAIN STREET  
MEDFORD, OR 97504

**APPLICANT**  
CEDAR INVESTMENT GROUP LLC  
2728 WEST MAIN STREET  
MEDFORD, OR 97504

**AGENT**  
HOFFBUHR & ASSOCIATES, INC.  
840 GOLF VIEW DRIVE, SUITE 201  
MEDFORD, OR 97504  
(541) 773-4841

**LEGEND**

- INDICATES OPEN SPACE
- INDICATES OPEN SPACE EASEMENT WITHIN LOTS
- INDICATES FUTURE PATHWAYS

**OPEN SPACE AREAS**

436,764 SF = 10.01 AC	OPEN SPACE—COMMON AREA (NORTH)
170,447 SF = 3.91 AC	OPEN SPACE (SOUTH)
<b>607,211 SF = 13.94 AC TOTAL OPEN SPACE</b>	
9,533 SF = 2.22 AC	OPEN SPACE EASEMENT WITHIN LOTS (NORTH)
146,651 SF = 3.37 AC	OPEN SPACE EASEMENT WITHIN LOTS (SOUTH)
<b>156,184 SF = 3.59 AC TOTAL OPEN SPACE EASEMENT WITHIN LOTS</b>	

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*ALBERTSONE CAPT*

© 2018  
SARRELL & ASSOC.  
SARRELL, L. 0027

 <b>HOFFBUHR &amp; ASSOCIATES, INC.</b> <small>840 GOLF VIEW DRIVE SUITE 201 MEDFORD, OR 97504 (541) 773-4841 FAX (541) 773-4842</small>	BY: <b>HOFFBUHR &amp; ASSOC., INC.</b>	PROJECT: <b>CEDAR LANDING</b>
	PROJECT NO: <b>14-C98</b>	
	DRAWING FILE NO: <b>14014</b>	SCALE: <b>1" = 200'</b>
	REVISION NO: <b>1</b>	
	REVISION DATE: <b>JUNE 3, 2018</b>	
	SHEET: <b>1</b>	
	BASIS OF BEARING: <b>SKY LAKE VILLAGE PHASE 7</b>	
	ELEVATION DATUM: <b>N/A</b>	
	DRAWN BY: <b>TAU</b>	
	REVIEWED BY: <b>ELH</b>	





Continuous Improvement Customer Service

**CITY OF MEDFORD**

LD Date: 5/25/2016  
File Number: PUD-16-024

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
***“Cedar Landing PUD”***  
**Revision**

**Project:** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request primarily applies only to the portion north of Cedar Links Drive, with the exception of a requested modification to allow 55% lot coverage for single family residential units under 25 feet in height that will apply to the areas both north and south of Cedar Links Drive. The proposed changes to the PUD include the following: 1) reconfigure the Multi-Family, Commercial, Congregate Care and Open Space to a mixture of Single Family, Multi-Family, Commercial and Open Space with an optional land use for a scaled-down congregate Care Facility in lieu of single-family cottage units; 2) serve a portion of the property with a private street; 3) allow for increased maximum building height for multi-family structures within “The Village” sub-area to accommodate more architecturally appealing rooflines for three story units; 4) allow a 10-foot front yard setback exclusive of garages for “The Cottages” sub-area; 5) allow a 75-foot lot depth and minimum lot size of 3,800 square feet within “The Cottages” sub-area; 6) allow up to 75% lot coverage for single family units under 25 feet in height within the “The Cottages” sub area; 7) permit a minimum lot size of 5,800 square feet for lots within “Sky Lakes at The Village, Phase I & II”; 8) allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet and standard 40% lot coverage, applicable to “Cascade Terrace Phases 3, 4 & 5”, “Sky Lakes Village Phases 1, 2, 3, 4 & 7”, and “High Cedars Phases 1 through 7B”.

**Location:** The subject property is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/Planned Development Overlay) zoning district

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

P:\Staff Reports\PUD\2016\PUD-16-024 Cedar Landing PUD (revision)\_North side of Cedar Links Dr\PUD-16-024, Staff Report-Cedar Landing PUD revision, North-side of Cedar Links Dr-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)  
CITY OF MEDFORD  
EXHIBIT # C TELEPHONE (541) 774-2100  
FAX (541) 774-2552  
File # PUD-16-024

**Applicability:** The Medford Public Works Department's conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Sky Lakes Village Subdivision Phases 7A and 7B were approved by the Planning Commission on February 27<sup>th</sup>, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on February 12, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Cedar Landing PUD on the south side of Cedar Links Drive was amended and approved by the Planning Commission on June 11, 2015 (PUD 15-043 and LDS-15-044). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

**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 an existing City street, which lies along the southerly boundary of this portion of Cedar Landing PUD, which is north of Cedar Links Drive. It is classified as a Major Collector street, which has a required total right-of-way width of 74 feet, or 37 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7A*". **No other right-of-way is needed with this Development.**

**Callaway Drive** existing at the easterly boundary of "*Sky Lakes Village Phase 4*" is classified as a Minor Residential Street with a right-of-way width of 55 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The full width of right-of-way was

previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7B*". **No other right-of-way is needed with this Development.**

**Farmington Avenue** is proposed as Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7A and 7B*". **No other right-of-way is needed with this Development.**

The developer shall vacate **right-of-way and Public Utility Easement** for the 55-foot long unimproved portion of Farmington Avenue along the easterly boundary of "*The Village*" (between Cedar Links Drive and Cedar Landing), where DeLorraine Drive was previously proposed to be constructed.

**St. Francis Drive** existing at the northeasterly edge of the proposed development is classified as a Minor Residential Street within the MLDC 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing Phase 7A*". **No other right-of-way is needed with this Development.**

**Village Circle** is proposed as a Residential Lane with right-of-way width of 33-feet, consistent with the standard prescribed by MLDC 10.430. A cul-de-sac is required at the east terminus of this street per MLDC 10.450.

Furthermore, Public Works recommends an accessway be provided in order to meet conditions per MLDC 10.450. The accessway shall dedicate a minimum 12-foot right-of-way per MLDC 10.466.

**Yamsay Drive** is proposed as a Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7A*". **No other right-of-way is needed with this Development.**

**Cedar Landing** is proposed as a private road. A shared access easement will be required for public use of this road.

"**Private Road**" within the "*The Cottages*" shall be private and have a shared access easement for the benefitting parcels.

**DeLorraine Drive** was proposed as a Minor Residential Street under PUD-14-136, but has been removed with the submittal of this tentative plat.

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

**Corner radii** shall be provided at the right-of-way lines of all intersecting streets in accordance with MLDC 10.445.

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

The 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 with a 44-foot paved section, complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Sections 10.428 and 10.430B, Table IV-1. The developer shall improve the north half (22-feet) plus 12-feet south of the centerline along the frontage of this development.

**Callaway Drive** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430.

The development to the east (i.e., "*Sky Lakes Village at Cedar Landing, Phase 7B*") has completed improvements to this development's frontage of Callaway Drive with the exception of the tie in to Cedar Links Drive. Therefore, the Developer shall complete this connection as part of this development if not previously completed. This shall include saw cutting the existing east edge of pavement back a minimum of 1-foot.

**Farmington Avenue** shall be improved to full width Standard Residential Street standards in accordance with MLDC 10.430, south of improvements completed for "*Sky Lakes Village at Cedar Landing, Phase 7B*".

The development to the east (i.e., "*Sky Lakes Village at Cedar Landing, Phase 7B*") has completed improvements to the northeasterly portion of this development's frontage of Farmington Avenue.

**St. Francis Drive** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430.

The development to the north (i.e., "*Sky Lakes Village at Cedar Landing, Phases 5 & 6*") has completed improvements to this development's frontage of St. Francis Drive with the exception of sidewalk.

**Village Circle** shall be constructed to Residential Lane standards in accordance with MLDC 10.430. A cul-de-sac is required at the east terminus of this street per MLDC 10.450.

The accessway shall be constructed to meet standards in accordance with MLDC 10.466.

**Yamsay Drive** shall be improved to Standard Residential Street standards in accordance with MLDC 10.430.

**Cedar Landing** shall be a privately maintained road and constructed in accordance with applicable Building and Medford Municipal Codes.

**“Private Road”** within the *“The Cottages”* shall be privately maintained and constructed in accordance with applicable Building and Medford Municipal Codes.

**DeLorraine Drive** was proposed as a Minor Residential Street on a previous tentative plat, but has been removed with the submittal of this tentative plat.

#### **b. Street Lights and Signing**

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

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 Callaway Drive (Farmington Avenue to Cedar Links Drive), Farmington Avenue (St. Francis Drive to Dead End).

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any Public Street being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium.



*for public use or provide public improvements unless:*

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

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

Nexus to a legitimate government purpose

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

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

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

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

**Cedar Links Drive, Callaway Drive, Farmington Avenue, St. Francis Drive, Village Circle and Yamsay Drive:**

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.



ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

## **2. Stormwater Detention and Water Quality Treatment**

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

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

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

## **3. Grading**

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

## **4. Mains and Laterals**

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

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

All public storm drain mains shall be located in paved public streets or within easements and shall extend to the limits of the development where applicable to serve future development. All manholes shall be accessible by paved or all-weather road.

## 5. Wetlands

The Developer shall contact the Division of State Lands for the approval and/or clearance of the subject property with regards to wetlands and/or waterways, as they are present on the site.

## 6. Erosion Control

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

### D. SURVEY MONUMENTATION

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

### E. GENERAL CONDITIONS

#### 1. Design Requirements and Construction Drawings

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

#### 2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. 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. Phasing**

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

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

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

### **5. Permits**

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

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

Excavation and private plumbing shall require a separate permit from the Building Department.

### **6. System Development Charges (SDCs)**

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

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

## 7. Construction and Inspection

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

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

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

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

Prepared by: Jodi Cope/Doug Burroughs

# SUMMARY CONDITIONS OF APPROVAL

## "Cedar Landing PUD"

Revision

LDS-16-024

### A. Streets

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

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.
- **Cedar Links Drive** – no additional right-of-way dedication is required.
- **Callaway Drive** – no additional right-of-way dedication is required.
- **Farmington Ave** – no additional right-of-way dedication is required.
- **St. Francis Drive** – no additional right-of-way dedication is required.
- **Yamsay Drive** – no additional right-of-way dedication is required.
- Dedicate **Village Circle** full right-of-way.
- Dedicate a minimum 12-foot right-of-way for the accessway.
- Dedicate Public Access Easement for **Cedar Landing**.
- Dedicate Public Access Easement for "**Private Road**".
- Dedicate 10 foot public utility easements (PUE).

#### 2. Improvements:

##### Public Streets

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.
- Improve **Cedar Links Drive** to Major Collector standards on the north side.
- Improve **Callaway Drive** to Minor Residential street standards.
- Improve **Farmington Ave** to Standard Residential standards.
- Improve **St. Francis Drive** to Standard Residential street standards.
- Construct **Yamsay Drive** to Standards Residential street standards
- Construct **Village Circle** to Residential Lane and cul-de-sac standards.
- Construct the accessway per MLDC 10.466 standards.
- Construct **Cedar Landing** to Building and Medford Municipal Code standards.
- Construct "**Private Road**" to Building and Medford Municipal Code standards.

##### Lighting and Signing

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.
- The Developer shall provide and install in compliance with Section 10.495 of the MLDC.

##### Other

- Provide pavement moratorium letters.
- Provide soils report.

- All double frontage lots shall be restricted to take access off the lower-order street only.
- Paths built to AASHTO standards.

**B. Sanitary Sewer:**

- Provide private laterals 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 and completion of all public improvements.

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



# Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** PUD-16-024

**PARCEL ID:** 371W16BC TL 200, 201, 202, 203 & 371W16BD TL 200, 238

**PROJECT:** Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request primarily applies only to the portion north of Cedar Links Drive, with the exception of a requested modification to allow 55% lot coverage for single family residential units under 25 feet in height that will apply to the areas both north and south of Cedar Links Drive. The proposed changes to the PUD include the following: 1) reconfigure the Multi-Family, Commercial, Congregate Care and Open Space to a mixture of Single Family, Multi-Family, Commercial and Open Space with an optional land use for a scaled-down congregate Care Facility in lieu of single-family cottage units; 2) serve a portion of the property with a private street; 3) allow for increased maximum building height for multi-family structures within "The Village" sub-area to accommodate more architecturally appealing rooflines for three story units; 4) allow a 10-foot front yard setback exclusive of garages for "The Cottages" sub-area; 5) allow a 75-foot lot depth and minimum lot size of 3,800 square feet within "The Cottages" sub-area; 6) allow up to 75% lot coverage for single family units under 25 feet in height within the "The Cottages" sub area; 7) permit a minimum lot size of 5,800 square feet for lots within "Sky Lakes at The Village, Phase I & II"; 8) allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet and standard 40% lot coverage, applicable to "Cascade Terrace Phases 3, 4 & 5", "Sky Lakes Village Phases 1, 2, 3, 4 & 7", and "High Cedars Phases 1 through 7B". The subject property is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/Planned Development Overlay) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** May 25, 2016

CITY OF MEDFORD  
EXHIBIT # "D"  
PUD-16-024

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.



## Staff Memo

3. Installation of 8-inch water lines is required in all proposed streets, of all proposed phases of this development; with connections to existing water lines in both Cedar Links Drive and Farmington Avenue.
4. The existing ¾-inch water meter serving the previous Club House located north of Cedar Links Drive across from Wilkshire Drive is required to be abandoned.
5. Applicants Civil Engineer shall coordinate with Medford Fire Department for proposed fire hydrant locations for all phases of development.
6. Applicants Civil Engineer shall coordinate with Medford Water Commission for parking and travel lane layout within "The Village at Cedar Landing" development and around the existing 50-foot wide Medford Water Commission easement.
7. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.
8. If a well is located on this parcel it will be required to be abandoned per Oregon DEQ regulations.

### COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 above)
3. This development is located within MWC's "Gravity" pressure zone. Static water pressure for the Lots located within the "Gravity" pressure zone will be between 50 psi and 80 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does exist to this property. A ¾-inch water meter served the previous Cedar Links Golf Course Club House located north of Cedar Links Drive across street from Wilkshire Drive. (See Condition 4 above)
5. Access to MWC water lines is available. There is an existing 8-inch water line in Cedar Links Drive, and an 8-inch water line in Farmington Drive. There is also an existing 24-inch welded steel water transmission line (Big Butte Springs Line #2). Extreme care shall be taken when working around the 24-inch Big Butte Springs Line. There will be no connections allowed off the BBS #2 24-inch water transmission main.



# 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: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: PUD - 16 - 24

### Site Name/Description: Cedar Landing Planned Unit Development

Consideration of a request for a revision to the Cedar Landing Planned Unit Development (PUD). The PUD revision request primarily applies only to the portion north of Cedar Links Drive, with the exception of a requested modification to allow 55% lot coverage for single family residential units under 25 feet in height that will apply to the areas both north and south of Cedar Links Drive. The proposed changes to the PUD include the following: 1) reconfigure the Multi-Family, Commercial, Congregate Care and Open Space to a mixture of Single Family, Multi-Family, Commercial and Open Space with an optional land use for a scaled-down congregate Care Facility in lieu of single-family cottage units; 2) serve a portion of the property with a private street; 3) allow for increased maximum building height for multi-family structures within "The Village" sub-area to accommodate more architecturally appealing rooflines for three story units; 4) allow a 10-foot front yard setback exclusive of garages for "The Cottages" sub-area; 5) allow a 75-foot lot depth and minimum lot size of 3,800 square feet within "The Cottages" sub-area; 6) allow up to 75% lot coverage for single family units under 25 feet in height within the "The Cottages" sub area; 7) permit a minimum lot size of 5,800 square feet for lots within "Sky Lakes at The Village, Phase I & II"; 8) allow single story dwellings limited to 25 feet in height with a 55% lot coverage as an option to the standard limitation of 35 feet and standard 40% lot coverage, applicable to "Cascade Terrace Phases 3, 4 & 5", "Sky Lakes Village Phases 1, 2, 3, 4 & 7", and "High Cedars Phases 1 through 7B". The subject property is located on approximately 114 acres on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential - 4 dwelling units per gross acre/Planned Development Overlay) zoning district, Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
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<b>Requirement FIRE HYDRANTS</b>	<b>OFC</b>	<b>508.5</b>
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Fire hydrants with reflectors will be required for this project.

Fire hydrant locations shall be as follows:

Cascade Terrace Phases 1-5: A total of ten (10) fire hydrants will be required in the following locations: One on the corner of Cedar Links Dr and Longstone Dr near lot #9, One on the corner Cedar Links Dr and Yamsay Dr near lot #1; One on the corner of Longstone Dr and DeLorraine Dr near lot #10; One on the corner of DeLorraine Dr and Yamsay Dr near lot #19; One on the corner of Mt Thielson Dr and Longstone Dr near lot #1; One on the corner of Mt Thielson Dr and Sky Lakes Dr near lot #56; One on the corner of Mt Thielson Dr and Deschutes Dr near lot #14; One on the corner of Deschutes Dr and Umpqua St near lot #30; One on the corner of Sky Lakes Dr and Umpqua St near lot #34; and one on Sky Lakes Dr in front of lot #45.

The Village at Cedar Landing: A total of five (5) fire hydrants are required.

The Cottages at Cedar Landing: A total of two (2) fire hydrants are required.

CITY OF MEDFORD

EXHIBIT # "E"

# PUD-16-024



# Medford Fire Department

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## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: PUD - 16 - 24

Site Name/Description: Cedar Landing Planned Unit Development

Sky Lakes Village at Cedar Landing Phases 3 and 4: A total of two (2) fire hydrants are required in the following locations: One on the corner of Farmington Ave and Village Circle in front of lot #9; One on the corner of Farmington Ave and Callaway Drive in front of lot #17.

Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).

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

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

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

Parking shall be marked as prohibited along fire lanes within The Village at Cedar Landing.

There shall be posted parking restrictions on the private roads at The Cottages at Cedar Landing.

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

Where parking is prohibited for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING FIRE LANE TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

For privately owned properties, posting/marketing of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option):

**Alternative #1:**

Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals.

**Alternative #2:**



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## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: PUD - 16 - 24

Site Name/Description: Cedar Landing Planned Unit Development

Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals.

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

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

A brochure is available on our website or you can pick up one at our headquarters.

**Requirement MEDFORD CODE STREET DESIGN OPTIONS MEDFORD 10.430**

Section 10.430 of the Medford Code states the following:

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options:

(a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department), and fire hydrants located at intersections with the maximum fire hydrant spacing along the street of 250-feet.

(b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet.

(c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips.

The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat. In areas where the clustered-offset option cannot be utilized because of lot layout, parking restrictions may



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Site Name/Description: Cedar Landing Planned Unit Development

apply in certain areas and No Parking - Fire Lane signs may be required.

Minor residential streets have a 28 foot paved surface. When vehicles are parked on both sides of the street there is 14 feet for fire department access, which is considerably less than the 20 foot requirement. Fire department pumpers are approximately 9 feet wide, this leaves approximately 2.5 feet on each side to remove equipment, drag hose, etc. We normally dispatch 3 fire engines and the ladder truck to all reported structure fires. The 14 feet becomes so congested that fire engines and or ambulances are required to back-up to leave the fire scene. Sometimes the on scene equipment is dispatched to another alarm. This backing up slows response times. The citizens of the City of Medford have certain expectations that when they require our assistance we will arrive in a timely manner. With a 20 foot clear and unobstructed width engines are able to pass on the side when necessary to respond to another incident or clear to return to their assigned area.

### Requirement FIRE DEPARTMENT TURN-AROUND

OFC

503.2.5

Depending on phasing, temporary fire department turn-arounds may be required.

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 FD APPARATUS ACCESS ROAD DESIGN

OFC

503.2.1

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.

(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).



# 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: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: PUD - 16 - 24

Site Name/Description: Cedar Landing Planned Unit Development

### Requirement AERIAL APPARATUS ACCESS

OFC

D105

If the taller buildings fit the requirements below, aerial fire apparatus roads will be required.

#### 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.

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.**

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# STAFF MEMO

---

**To:** Desmond McGeough  
**From:** Jennifer Ingram, Address Technician  
**Date:** 5/25/2016  
**Subject:** LDS-16-027

---

1. The proposed street name *Village Circle* needs to be changed as there is already a street named Village Circle in Medford.
2. The proposed unnamed private streets need to be named.

CITY OF MEDFORD  
EXHIBIT #     F      
File #     PJD-16-024

**Desmond M. McGeough**

---

**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Friday, May 20, 2016 3:27 PM  
**To:** Desmond M. McGeough  
**Subject:** Sky Lakes at Cedar Landing

Desmond:

I have reviewed the proposed land use applications

File No.: PUD-16-024; PUD-16-025; PUD-16-026; PUD-16-027

The same comment is applicable to all four (4) applications. The project site appears to be located in both the Horizontal and Conical surface for the Rouge Valley International Airport (MFR). According to ODA's Land Use Compatibility Guidebook Table 3-4 residential developments located in the Horizontal Surface requires "specific study". However, residential development in the Conical Surface are compatible land uses.

Since this development is contiguous, ODA finds that the development is a Compatible Land use. Furthermore, ODA finds due to the distance to the airport no form FAA 7460-1 will be required to be filed.

If you or the applicant have any questions please feel free to contact me.

Jeff

**Jeff Caines, AICP**  
PUD-Oregon Department of Aviation  
Aviation Planner / SCIP Coordinator  
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.

CITY OF HELDFORD  
EXHIBIT 16  
File # PUD-16-024

To: City of Medford  
Planning Department  
City Hall Annex  
411 W. 8th Street  
Medford, Oregon 97501

RECEIVED  
JUN 15 2016  
PLANNING DEPT.

Attn: Mr. Desmond McGeough

Reference: PUD-16-024

Gentlemen:

We wish to address item number 5 in the letter sent to us by planning department staff dated June 2, 2016. To wit: the applicants request to increase the maximum building height for multi-family structures within "The Village" sub-areas to provide more architecturally appealing rooflines on three story units.

First, we wish to note that the height requirements for all multi-story and or single family units within the P.U.D. was restricted to thirty-five (35) feet when the P.U.D. was first approved. Said decision was made by the Planning Commission and up held by the City Council in 2006. (Confirmation can be found on pages 000180 and 000181 of LUBA case #2006-132.)

Secondly, while we do not question the motives or representations of the developers seeking the variance, we must note that they have submitted no design elevations, as of June 14 per planning staff, to support their request. Pending the submission of such concrete plans, we do not believe we or the planning commission can knowingly evaluate their request.

We would note in passing that when the developer first made their intentions known at a public meeting, with effected neighbors, they represented that the approved congregate care facility would be replaced by a smaller apartment complex and a number of two story single family "cottage" type residences. That plan was, we believe, supported by the majority of the attendees at that meeting. The apartment unit was presented as "up scale". Subsequent representations included the possibility of

OF MEDFORD  
IT # 1411  
File # PUD-16-024

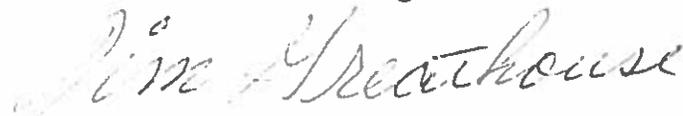
covered parking and the inclusions of one or more elevators. Unfortunately, no concrete design or blueprints have been presented to the city for approval.

Summarily, we have no choice, based on the ambiguity of the applicants request, but to strongly oppose any change to the height requirements previously imposed by the Planning Commission and Medford City Council reference the subject Planned Unit Development.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Tom Michaels".

Tom Michaels, Former Chairperson  
North East Medford Neighborhood Coalition

A handwritten signature in cursive script that reads "Jim Greathouse".

Jim Greathouse

RECEIVED

JUN 23 2016

Planning Dept.



CSA Planning, Ltd  
4497 Brownridge, Suite 101  
Medford, OR 97504  
Telephone 541.778.0589  
Fax 541.779.0114  
Mike@CSAplanning.net

Memorandum

To: Desmond McGeough, City of Medford Planner

Date: June 23, 2016

Subject: Cedar Landing PUD / File PUD-16-024

Dear Mr. McGeough,

Please find the following information with regard to the above application, on behalf of the Applicant Cedar Investment Group, LLC.

Based on consideration of the staff' concerns raised in the staff report and our additional review of the proposed PUD design elements, we respectfully request the following changes and agree to stipulate to the following as conditions of approval:

- 1. **Second Story Limitation on Use:** We respectfully request the Planning Commission allow the flexibility to allow up to 21,000 square feet of total Commercial Space, as provided in the Application.

Whether the buildings result in single story structures, totaling 10,500 square feet as shown on the plans, or result in two-story structures totaling 21,000 square feet, their building footprint will remain the same.

In order to address potential concerns with parking related to the potential maximum commercial space, we herewith agree to stipulate as a condition of approval to restrict any finished second story within any of the Commercial buildings to Office or Storage uses.

Consistent with the parking discussion under 2 herein below, we believe this will eliminate any concerns for the project being under-parked with respect to Commercial square footage flexibility.

As a side bar, the actual likelihood of any commercial building within the PUD providing finished 2-story place is minimal, however we would appreciate the flexibility to accommodate a finished second story should an actual market demand for the same materialize.

As a point of clarification, it is prudent to mention that all multi-family and commercial uses are subject to final plan review and SPAC approval, therefore the City and surrounding neighbors can be assured that designs will ultimately be appropriate for the area.

In the alternative, should the Planning Commission wish to limit the total amount of Commercial Square Footage to 15,750 (a variation of 50%), our client would not object.

- 2. **Parking:** If the total combination of Commercial and Residential demand for parking exceeds the provided 199 parking spaces, we respectfully request the following:

A. Preferred alternative: Instead of the request to reduce residential parking from 1.5 to 1.4 spaces, we request an overall net reduction or allowance of 5%, equating to 10 spaces.

- A significant portion of the commercial space is likely to be office space and the peak demand for office space parking does not overlap in time with the peak demand for residential parking, therefore approximately 10 spaces situated between the commercial area and

CITY OF MEDFORD,  
EXHIBIT #   I    
File #   PUD-16-024    
  LaFle



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

- The proposed commercial is intended to provide for the needs of residents situated within close proximity. With the extensive trail network and ties through the project and to the surrounding neighborhood, we feel that many of the customers are very likely to walk or ride their bicycles to the commercial areas.
- While it is possible to expand parking into open space and common areas, we feel that said reduction would detract from the overall theme, character and benefits of the project as a whole.

- B. Alternative to the 5% parking reduction request: Should the Planning Commission elect to require the PUD meet the full parking standard, then we herewith agree to modify the Final PUD Plan to reduce the voluntary 10-foot vegetative buffer along the west side of The Village parking area (east of Sky Lakes Village Phase 2) and convert that vegetative buffer to 10 parallel parking spaces with a screening fence between the parking spaces and the residential lots to the west.

In response to the questions raised regarding the architectural benefits of a steeper pitched roofline as the basis for the request to increase the multi-family building height from 35 to 40 feet, we offer the attached letter from Applicant's architects at Kistler, Small and White. The following summarize the reasons for the increased roof-heights as explained in the attached letter:

- Ability to Conceal / Hide HVAC
- Ability to provide smaller footprints thereby allowing common area features such as courtyard and plaza
- Ability to provide steeper-pitched roof
- Ability to provide larger over-hangs creating shade and pleasing appearance
- Ability to accommodate internal elements and amenities that will hopefully increase or compliment demand for a higher end facility such as:
  - 9-foot ceilings;
  - Internal common area;
  - Internal bicycle parking

As a matter of housekeeping, I noticed that the Exhibit 18 Narrative refers to Replat of the Sky Lakes Village "7B", that reference should be to "7A". I apologize for this typographical error.

Thank you for your consideration, we would greatly appreciate you placing this memorandum and attached letter into the City's record.

CSA Planning, Ltd.

Michael Savage  
Associate

cc. File; Cedar Investment Group, LLC

PROJECT DESCRIPTION

MULTI-FAMILY / CONDOMINIUM RESIDENCES AT CEDAR LANDING

INTRODUCTION

The multi-family/condominium program within *The Village* subarea of the Cedar Landing PUD plays an important architectural and social role. The intent for this component is to create high-quality, market-rate (mid-high end) rentals, or condominium units, to provide a social/commercial hub for the PUD and surrounding neighborhoods, and to add value to the project and its surroundings.

The primary design objectives which aim to add value to the project:

1. **Provide a shared public space/lawn to anchor the plan, and create a bridge from the residences to the North to the commercial programs off Cedar Links Drive to the South.** This space is an attractor to both future residents and for the surrounding neighborhood. It is a public place to gather, lounge, and play.
2. **Provide and high-quality architectural product.** The architecture of the entire project is composed of a contemporary pacific north west language which speaks to the vernacular of residential forms of the surrounding neighborhoods, yet brings a creative freshness to this vocabulary. A consistency of textures from the commercial portion, through the multi-family/condo buildings, to through to the northern cottage community will be achieved through the combination of woods, glass, concrete, and landscaping.
3. **Provide amenities for the residence and neighborhood that will provide an elevated living experience.** The multi-family/condominium program will provide new real estate space for the users with high quality materials and public space. It will also provide indoor bicycle storage, available storage units, dedicated lobbies, and gathering spaces. Each unit will have a deck, or balcony to enjoy the outdoors and view to the mountains or public lawn. An event pavilion located to the south end of the large public lawn, will be available for the residents use. The pavilion will offer a kitchen space for event storage and prep, while barbeque grills will be provided for residential use on the lawn facing side of the event pavilion with a shaded trellis.

## A. Design Narrative -Summary

The basic massing of the buildings is composed of two parallel North-South oriented buildings that frame a central space. The buildings frame the internal lawn space and bracket a large public room. This linear outdoor room connects the site from North to South.

The building to the West is divided into two separate buildings to modulate the building's length and to permit passage from the West parking area into center space. The East building is shortened to accommodate a public space and easement to the South. Each building is further modulated by pulling back the lawn facing facades in an alternating rhythm. This move provides units with better balconies, larger windows, and multi-directional views. It also reduces the mass into legible unit sizes that characterize a residential scale.

The ground floor - the level that most relates to the public realm - is articulated in a different material and creates a base for the three-story buildings. This material will be durable and will have a public presence. The upper two stories will demonstrate a residential scale with a monolithic neutral (wood) material accented by large horizontal windows, balconies, decks and warm colored wood railing and trim. The roof echoes to the alternating building mass and emphasizes the individual character of a series of smaller residential buildings.

## B. Building Orientation

- 1. Connecting through massing:** The massing of the buildings is composed of two parallel North-South oriented buildings that frame a central court/yard. The buildings define an outdoor room and create public promenade connecting the site from North to South. Sidewalks connect to the existing public paths, greenspace and ponds to the North. Pedestrian crosswalks and landscaped walks will bring neighbors into the public lawn space and down to the commercial amenities off Cedar Links Drive.
- 2. East -West Shading:** Orienting the buildings North-South offers various degrees of shading throughout the day. The public lawn will be shaded in the morning hours by the east building and in late afternoon hours by the west building. This offers continuous use of the landscaped lawn and pedestrian paths throughout the day.

#### 4. Roof Design and Functions

- a. **Modulating the massing:** Staggered roof forms modulate the massing of each building. Reading as several smaller buildings instead of one larger building, the roof forms define an appropriate residential scale.
- b. **Integrating roof-top mechanical units:** The gable roof will provide a space for internalizing the HVAC (building heating and cooling units) system. The units will sit within the attic space and will be screened from views. Typically, the units sit on the roof and are unsightly, however concealing the units complements the surrounding residential areas by having clean roof lines and less visual noise.
- c. **Substantial overhangs** of the roof provide shading and detail. The roof reflects the timber construction of the pacific north west, where roofs have large eave overhangs to protect the building from the weather and express the buildings structure with an exposed rafter aesthetic. Shade from the overhangs provide shading for the units below, reduce heat gain, and cover decks for longer year-long use.
- d. **Roof Pitch:** The roof pitches are designed to serve several key functions. First, the roof pitch was designed to provide enough attic volume for internalizing the HVAC units. Second, the roof design, as part of the building massing, had to be seen from the ground. Seen from the ground, the roofs step back with the building face and alternate between a 3:12 pitch and 6:12 pitch. This legible roof articulation works to modulate building massing to read as several domestic scaled buildings. A flatter slope, would not as effectively modulate the massing of the building and would not provide adequate attic space to integrate the HVAC system.

#### 5. Landscaping

- a. **Plantings scaled to spaces:** Landscaping will play an integral role in developing the exterior spaces of the project. Large canopied shade trees will line the public lawn. As they mature they will grow to complement the architecture and provide a canopy to the lawn and its walking paths. Accent trees and streetscape plantings will integrate the parking areas with public circulation and the larger exterior spaces of the project.

### C. Scale and Proportion

- 1. Creating a Public Room:** The primary gesture of the multi-family/condominium portion is to create a great public room at the center of the project. The definition of this space needs to be clear, and its success relies on the surrounding building articulation and landscaping. The width-to-height ratio is important for a sense of enclosure and place. This ratio guided the shaping of the public space and building facades facing the space as its defining enclosure. The facades step in and out to modulate massing and to provide a 1:2 to 1:3 width-to-height ratio within the public room. These ratios been identified as a good range for enclosure at the scale of this public space. The designed height of the buildings is important to maintain this ratio, and the current height is scaled to achieve the sense of enclosure of a city square and a publically recognizable space for gathering and socializing.
- 2. Floor-to-floor and ceiling heights:** The marketability of the project set the desired floor-to-floor heights for the residential buildings at 12'-0" for the ground floor and 10'-0" for the upper two floors. The ground floor requires a taller height to accommodate mechanical, storage, and maintenance uses on ground floor. The upper two levels aim to achieve a 9'-0" ceiling height for the units. A 9'-0" ceiling height will elevate the market for the units as well as allow for larger windows, door heights, and natural light. (In today's market, the standard 8'-0" ceiling is used in budget projects and low-income developments.)
- 3. Base- middle-top:** A layering of the buildings architectural elements will visually emphasize a horizontal as opposed to a vertical reading. Horizontally connected windows, railings, and trim aim to reduce the perceived height of the buildings and anchor them into the site.

The buildings are proportioned vertically into three parts.:

- a.** The first floor, or base, will be articulated with a different material (TBD) that defines the public interface of the building, integrating the building bases with the site and landscape work.
- b.** The upper two floors, the middle, will be of a neutral wood material that is articulated monolithically and accented by warm wood trim. Horizontal windows, trim, and railings will modulate this section.
- c.** The roof, the top, will have an articulated large overhang, potentially expressing the roof rafters, and an undulating rhythm that echoes the massing below.

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

**RECEIVED**

JUN 29 2016

**Planning Dept.**

Attn: Mr. Desmond McGeough  
Medford City Planning Commission

Reference: P.U.D. 16-024

Gentlemen:

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

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

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

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

CITY OF MEDFORD  
EXHIBIT # 15  
File # PUD-16-024  
1059

1. Second story limitation on use:

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

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

2. Parking:

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

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

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

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

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

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

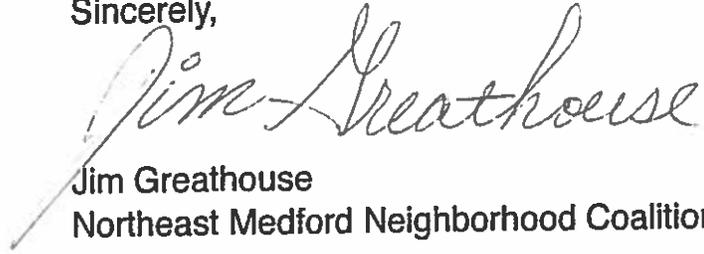
I would also submit to the council that any three story residential or commercial complex be required, as a condition of approval, to install elevators. I cannot imagine any resident or customer envisioning walking up multiple flights

5/1  
2 of 9

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

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

Sincerely,

A handwritten signature in cursive script that reads "Jim Greathouse". The signature is written in black ink and is positioned above the printed name and title.

Jim Greathouse  
Northeast Medford Neighborhood Coalition

"5"  
3 of 9

RECEIVED

JUN 29 2016

PROJECT DESCRIPTION

MULTI-FAMILY / CONDOMINIUM RESIDENCES AT CEDAR LANDING

Planning Dept.

INTRODUCTION

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"5"  
4 of 9



# kistler + small + white

architects

## A. Design Narrative -Summary

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11-3' 1/2  
5 of 9



## C. Scale and Proportion

- 1. Creating a Public Room:** The primary gesture of the multi-family/condominium portion is to create a great public room at the center of the project. The definition of this space needs to be clear, and its success relies on the surrounding building articulation and landscaping. The width-to-height ratio is important for a sense of enclosure and place. This ratio guided the shaping of the public space and building facades facing the space as its defining enclosure. The facades step in and out to modulate massing and to provide a 1:2 to 1:3 width-to-height ratio within the public room. These ratios been identified as a good range for enclosure at the scale of this public space. The designed height of the buildings is important to maintain this ratio, and the current height is scaled to achieve the sense of enclosure of a city square and a publically recognizable space for gathering and socializing.
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#### 4. Roof Design and Functions

- a. **Modulating the massing:** Staggered roof forms modulate the massing of each building. Reading as several smaller buildings instead of one larger building, the roof forms define an appropriate residential scale.
- b. **Integrating roof-top mechanical units:** The gable roof will provide a space for internalizing the HVAC (building heating and cooling units) system. The units will sit within the attic space and will be screened from views. Typically, the units sit on the roof and are unsightly, however concealing the units complements the surrounding residential areas by having clean roof lines and less visual noise.
- c. **Substantial overhangs** of the roof provide shading and detail. The roof reflects the timber construction of the pacific north west, where roofs have large eave overhangs to protect the building from the weather and express the buildings structure with an exposed rafter aesthetic. Shade from the overhangs provide shading for the units below, reduce heat gain, and cover decks for longer year-long use.
- d. **Roof Pitch:** The roof pitches are designed to serve several key functions. First, the roof pitch was designed to provide enough attic volume for internalizing the HVAC units. Second, the roof design, as part of the building massing, had to be seen from the ground. Seen from the ground, the roofs step back with the building face and alternate between a 3:12 pitch and 6:12 pitch. This legible roof articulation works to modulate building massing to read as several domestic scaled buildings. A flatter slope, would not as effectively modulate the massing of the building and would not provide adequate attic space to integrate the HVAC system.

#### 5. Landscaping

- a. **Plantings scaled to spaces:** Landscaping will play an integral role in developing the exterior spaces of the project. Large canopied shade trees will line the public lawn. As they mature they will grow to complement the architecture and provide a canopy to the lawn and its walking paths. Accent trees and streetscape plantings will integrate the parking areas with public circulation and the larger exterior spaces of the project.





**CSA Planning, Ltd**  
 4497 Brownridge, Suite 101  
 Medford, OR 97504  
 Telephone 541.779.0589  
 Fax 541.779.0114  
 Mike@CSAplanning.net

**Memorandum**

To: Desmond McGeough, City of Medford Planner  
 Date: June 23, 2016  
 Subject: Cedar Landing PUD / File PUD-16-024

Dear Mr. McGeough,

Please find the following information with regard to the above application on behalf of the Applicant Cedar Investment Group, LLC.

**RECEIVED**  
 JUN 29 2016  
 Planning Dept

Based on consideration of the staff concerns raised in the staff report and our additional review of the proposed PUD design elements, we respectfully request the following changes and agree to stipulate to the following as conditions of approval:

1. **Second Story Limitation on Use:** We respectfully request the Planning Commission allow the flexibility to allow up to 21,000 square feet of total Commercial Space, as provided in the Application.

Whether the buildings result in single story structures, totaling 10,500 square feet as shown on the plans, or result in two-story structures totaling 21,000 square feet, their building footprint will remain the same.

In order to address potential concerns with parking related to the potential maximum commercial space, we herewith agree to stipulate as a condition of approval to restrict any finished second story within any of the Commercial buildings to Office or Storage uses.

Consistent with the parking discussion under 2 herein below, we believe this will eliminate any concerns for the project being under-parked with respect to Commercial square footage flexibility.

As a side bar, the actual likelihood of any commercial building within the PUD providing finished 2-story place is minimal, however we would appreciate the flexibility to accommodate a finished second story should an actual market demand for the same materialize.

As a point of clarification, it is prudent to mention that all multi-family and commercial uses are subject to final plan review and SPAC approval, therefore the City and surrounding neighbors can be assured that designs will ultimately be appropriate for the area.

In the alternative, should the Planning Commission wish to limit the total amount of Commercial Square Footage to 15,750 (a variation of 50%), our client would not object.

2. **Parking:** If the total combination of Commercial and Residential demand for parking exceeds the provided 199 parking spaces, we respectfully request the following:
  - A. Preferred alternative: Instead of the request to reduce residential parking from 1.5 to 1.4 spaces, we request an overall net reduction or allowance of 5%, equating to 10 spaces.
    - A significant portion of the commercial space is likely to be office space and the peak demand for office space parking does not overlap in time with the peak demand for residential parking, therefore approximately 10 spaces situated between the commercial area and

5" 8 of 9



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

- The proposed commercial is intended to provide for the needs of residents situated within close proximity. With the extensive trail network and ties through the project and to the surrounding neighborhood, we feel that many of the customers are very likely to walk or ride their bicycles to the commercial areas.
- While it is possible to expand parking into open space and common areas, we feel that said reduction would detract from the overall theme, character and benefits of the project as a whole.

B. Alternative to the 5% parking reduction request: Should the Planning Commission elect to require the PUD meet the full parking standard, then we herewith agree to modify the Final PUD Plan to reduce the voluntary 10-foot vegetative buffer along the west side of The Village parking area (east of Sky Lakes Village Phase 2) and convert that vegetative buffer to 10 parallel parking spaces with a screening fence between the parking spaces and the residential lots to the west.

In response to the questions raised regarding the architectural benefits of a steeper pitched roofline as the basis for the request to increase the multi-family building height from 35 to 40 feet, we offer the attached letter from Applicant's architects at Kistler, Small and White. The following summarize the reasons for the increased roof-heights as explained in the attached letter:

- Ability to Conceal / Hide HVAC
- Ability to provide smaller footprints thereby allowing common area features such as courtyard and plaza
- Ability to provide steeper-pitched roof
- Ability to provide larger over-hangs creating shade and pleasing appearance
- Ability to accommodate internal elements and amenities that will hopefully increase or compliment demand for a higher end facility such as:
  - 9-foot ceilings;
  - Internal common area;
  - Internal bicycle parking

As a matter of housekeeping, I noticed that the Exhibit 18 Narrative refers to Replat of the Sky Lakes Village "7B", that reference should be to "7A". I apologize for this typographical error.

Thank you for your consideration, we would greatly appreciate you placing this memorandum and attached letter into the City's record.

CSA Planning, Ltd.

Michael Savage  
Associate

cc. File; Cedar Investment Group, LLC

"J"  
9649

Date – 7-6-2016

**RECEIVED**

JUL 07 2016

To - City of Medford Planning Department - Commission  
Concerning P.U.D 16-024

**Planning Dept.**

From – Cedar Investment group LLC. (CIG) and Northeast Medford Neighborhood Coalition (NMNC)

After discussions and meeting with Jim Greathouse and Tommy Michaels representing the NMNC and Eric Artner representing CIG

The following has been agreed on between the above parties.

CIG will agree to allow the attached letter from Kistler,+ Small + White Architects letter dated 7-6-2016 to be entered into record as the design concept that will be followed.

NMNC will support the application including the request for the 40' building, 5% parking reduction and all other items mentioned in the application and the attached letter from Mike Savage with CSA Planning letter dated 6-23-2016

Jim Greathouse - NMNC *Jim Greathouse*

Eric Artner - CIG *Eric Artner*

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

PROJECT DESCRIPTION

MULTI-FAMILY / CONDOMINIUM RESIDENCES AT CEDAR LANDING

INTRODUCTION

The multi-family/condominium program within *The Village* subarea of the Cedar Landing PUD plays an important architectural and social role. The intent for this component is to create high-quality, market-rate (mid-high end) rentals, or condominium units, to provide a social/commercial hub for the PUD and surrounding neighborhoods, and to add value to the project and its surroundings.

The primary design objectives which aim to add value to the project:

1. **Provide a shared public space/lawn to anchor the plan, and create a bridge from the residences to the North to the commercial programs off Cedar Links Drive to the South.** This space is an attractor to both future residents and for the surrounding neighborhood. It is a public place to gather, lounge, and play.
2. **Provide and high-quality architectural product.** The architecture of the project is composed of a contemporary pacific north west language which speaks to the vernacular of residential forms of the surrounding neighborhoods, yet brings a creative freshness to this vocabulary. A consistency of textures from the commercial portion, through the multi-family/condo buildings, to through to the northern cottage community will be achieved through the combination of woods, glass, concrete, and landscaping.
3. **Provide amenities for the residence and neighborhood that will provide an elevated living experience.** The multi-family/condominium program will provide new real estate space for the users with high quality materials and public space. It will also provide indoor bicycle storage, available storage units, dedicated lobbies, and gathering spaces. Most units will have a deck, or balcony to enjoy the outdoors and view to the mountains or public lawn. An event pavilion located to the south end of the large public lawn, will be available for the residents use. The pavilion will offer a kitchen space for event storage and prep, while barbeque grills will be provided for residential use on the lawn facing side of the event pavilion with a shaded trellis.

## A. Design Narrative -Summary

The basic massing of the buildings is composed of two parallel North-South oriented buildings that frame a central space. The buildings define and support this large outdoor room which connects the site from North to South.

The building to the West is divided into two separate buildings to modulate the building's length and to permit passage from the West parking area into center space. The East building is shortened to accommodate a public space and easement to the South. Each building is further modulated by pulling back the lawn facing facades in an alternating rhythm. This move provides units with better balconies, larger windows, and multi-directional views. It also reduces the mass into legible unit sizes that characterize a residential scale.

The ground floor - the level that most relates to the public realm - is articulated in a different material and creates a base for the three-story buildings. This material will be durable and will have a public presence. The upper two stories will demonstrate a residential scale with a monolithic neutral material accented by large horizontal windows, balconies, decks and warm colored railing and trim. The roof echoes the alternating building mass and emphasizes the individual character of a series of smaller residential buildings.

## B. Building Orientation

- 1. Connecting through massing:** The massing of the buildings is composed of two parallel North-South oriented buildings that frame a central court/yard. The buildings define an outdoor room and create public promenade connecting the site from North to South. Sidewalks connect to the public paths, greenspace and ponds to the North. Pedestrian crosswalks and landscaped walks will bring neighbors into the public lawn space and down to the commercial amenities off Cedar Links Drive.
- 2. East -West Shading:** Orienting the buildings North-South offers various degrees of shading throughout the day. The public lawn will be shaded in the morning hours by the east building and in late afternoon hours by the west building. This offers continuous use of the landscaped lawn and pedestrian paths throughout the day.

### C. Scale and Proportion

- 1. Creating a Public Room:** The primary gesture of the multi-family/condominium portion is to create a great public room at the center of the project. The definition of this space needs to be clear, and its success relies on the surrounding building articulation and landscaping. The width-to-height ratio is important for a sense of enclosure and place. This ratio guided the shaping of the public space and building facades facing the space as its defining enclosure. The facades step in and out to modulate massing and to provide a 1:2 to 1:3 width-to-height ratio within the public room. These ratios been identified as a good range for enclosure at the scale of this public space. The designed height of the buildings is important to maintain this ratio, and the current height is scaled to achieve the sense of enclosure of a city square and a publically recognizable space for gathering and socializing.
- 2. Floor-to-floor and ceiling heights:** The marketability of the project set the desired floor-to-floor heights for the residential buildings at 12'-0" for the ground floor and 10'-0" for the upper two floors. The ground floor requires a taller height to accommodate mechanical, storage, and maintenance uses on ground floor. The upper two levels aim to achieve a 9'-0" ceiling height for the units. A 9'-0" ceiling height will elevate the market for the units as well as allow for larger windows, door heights, and natural light. (In today's market, the standard 8'-0" ceiling is used in budget projects and low-income developments.)
- 3. Base- middle-top:** A layering of the buildings architectural elements will visually emphasize a horizontal as opposed to a vertical reading. Horizontally connected windows, railings, and trim aim to reduce the perceived height of the buildings and anchor them into the site.

The buildings are proportioned vertically into three parts:

- a.** The first floor, or base, will be articulated with a different material (TBD) that defines the public interface of the building, integrating the building bases with the site and landscape work.
- b.** The upper two floors, the middle, will be of a neutral material that is articulated monolithically and accented by warm colored trim. Horizontal windows, trim, and railings will modulate this section.
- c.** The roof, the top, will have an articulated large overhang, potentially expressing the roof rafters, and an undulating rhythm that echoes the massing below.

#### 4. Roof Design and Functions

- a. **Modulating the massing:** Staggered roof forms modulate the massing of each building. Reading as several smaller buildings instead of one larger building, the roof forms define an appropriate residential scale.
- b. **Integrating roof-top mechanical units:** The gable roof will provide a space for internalizing the HVAC (building heating and cooling units) system. The units will either sit within this attic space or will be mechanically screened from views. Typically, the units sit on the roof and are unsightly, however concealing or screening the units will complement the surrounding residential areas by having clean roof lines and less visual noise.
- c. **Substantial overhangs** of the roof provide shading and detail. The roof reflects the timber construction of the pacific north west, where roofs have large eave overhangs to protect the building from the weather and express the buildings structure with an exposed rafter aesthetic. Shade from the overhangs provide shading for the units below, reduce heat gain, and cover decks for longer year-long use.
- d. **Roof Pitch:** The main roof pitches are designed to serve several key functions. First, the roof pitch was designed to provide enough attic volume for internalizing or screening the HVAC units. Second, the roof design, as part of the building massing, had to be seen from the ground. Seen from the ground, the roofs step back with the building face and alternate between a 3:12 pitch and 6:12 pitch. This legible roof articulation works to modulate building massing to read as several domestic scaled buildings. A flatter slope, would not as effectively modulate the massing of the building and would not provide adequate attic space to integrate the HVAC system. Some roof areas may be flat as necessary.

#### 5. Landscaping

- a. **Plantings scaled to spaces:** Landscaping will play an integral role in developing the exterior spaces of the project. Large canopied shade trees will line the public lawn. As they mature they will grow to complement the architecture and provide a canopy to the lawn and its walking paths. Accent trees and streetscape plantings will integrate the parking areas with public circulation and the larger exterior spaces of the project.

RECEIVED

JUL 07 2016

Planning Dept.



CSA Planning, Ltd

4497 Brownridge, Suite 101  
Medford, OR 97504

Telephone 541 779 0569

Fax 541 779 0114

Mikc@CSAplanning.net

Memorandum

To: Desmond McGeough, City of Medford Planner

Date: June 23, 2016

Subject: Cedar Landing PUD / File PUD-16-024

Dear Mr. McGeough,

Please find the following information with regard to the above application, on behalf of the Applicant Cedar Investment Group, LLC.

Based on consideration of the staff concerns raised in the staff report and our additional review of the proposed PUD design elements, we respectfully request the following changes and agree to stipulate to the following as conditions of approval:

1. **Second Story Limitation on Use:** We respectfully request the Planning Commission allow the flexibility to allow up to 21,000 square feet of total Commercial Space, as provided in the Application.

Whether the buildings result in single story structures, totaling 10,500 square feet as shown on the plans, or result in two-story structures totaling 21,000 square feet, their building footprint will remain the same.

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Consistent with the parking discussion under 2 herein below, we believe this will eliminate any concerns for the project being under-parked with respect to Commercial square footage flexibility.

As a side bar, the actual likelihood of any commercial building within the PUD providing finished 2-story space is minimal, however we would appreciate the flexibility to accommodate a finished second story should an actual market demand for the same materialize.

As a point of clarification, it is prudent to mention that all multi-family and commercial uses are subject to final plan review and SPAC approval, therefore the City and surrounding neighbors can be assured that designs will ultimately be appropriate for the area.

In the alternative, should the Planning Commission wish to limit the total amount of Commercial Square Footage to 15,750 (a variation of 50%), our client would not object.

2. **Parking:** If the total combination of Commercial and Residential demand for parking exceeds the provided 199 parking spaces, we respectfully request the following:

- A. Preferred alternative: Instead of the request to reduce residential parking from 1.5 to 1.4 spaces we request an overall net reduction or allowance of 5%, equating to 10 spaces.

- A significant portion of the commercial space is likely to be office space and the peak demand for office space parking does not overlap in time with the peak demand for residential parking, therefore approximately 10 spaces situated between the commercial area and

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

- The proposed commercial is intended to provide for the needs of residents situated within close proximity. With the extensive trail network and ties through the project and to the surrounding neighborhood, we feel that many of the customers are very likely to walk or ride their bicycles to the commercial areas.
- While it is possible to expand parking into open space and common areas, we feel that said reduction would detract from the overall theme, character and benefits of the project as a whole.

B. Alternative to the 5% parking reduction request: Should the Planning Commission elect to require the PUD meet the full parking standard, then we herewith agree to modify the Final PUD Plan to reduce the voluntary 10-foot vegetative buffer along the west side of The Village parking area (east of Sky Lakes Village Phase 2) and convert that vegetative buffer to 10 parallel parking spaces with a screening fence between the parking spaces and the residential lots to the west.

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- Ability to Conceal / Hide HVAC
- Ability to provide smaller footprints thereby allowing common area features such as courtyard and plaza
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- Ability to accommodate internal elements and amenities that will hopefully increase or compliment demand for a higher end facility such as:
  - 9-foot ceilings;
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  - Internal bicycle parking

As a matter of housekeeping, I noticed that the Exhibit 18 Narrative refers to Replat of the Sky Lakes Village "7B", that reference should be to "7A". I apologize for this typographical error.

Thank you for your consideration, we would greatly appreciate you placing this memorandum and attached letter into the City's record.

CSA Planning, Ltd.

Michael Savage  
Associate

cc. File; Cedar Investment Group, LLC

"K"  
7 of 7

RECEIVED

JUL 07 2016

Planning Dept.



CSA Planning, Ltd

4497 Brownridge, Suite 101  
Medford, OR 97504

Telephone 541.779.0569  
Fax 541.779.0114

Mike@CSAplanning.net

July 7, 2016

City of Medford Planning Commission  
C/O Desmond McGeough, Planner  
200 S Ivy Street, Rm 240  
Medford, OR 97501

RE: Cedar Landing PUD / File PUD-16-024

Dear Planning Commission;

During the first evidentiary hearing for the application noted above, there were a few items raised to which I would like to address as follows:

1. Neighborhood concerns for increased roof heights:

Since the initial hearing, our client met with Jim Greathouse and Tommy Michele representing the Northeast Medford Neighborhood Coalition (NMNC). On behalf of NMNC they had raised concerns over the request for an increase in roof height from 35 feet to 40 feet for the multi-family buildings. After discussions and meeting with Mr. Greathouse and MR. Michele, they have conceded to their earlier request and concerns and will support the Applicant's requests as long as the Planning Commission incorporate the CSA Planning letter of June 23, 2016 and the Kistler, Small and White letter of July 6, 2016 into their decision as a condition of approval that will carry forward to and provide the underlying thematic basis for design under SPAC review for the multi-family element of the PUD.

We agree with their request and therefore offer the following as a condition of approval.

"Applicant's letter from Kistler, Small and White dated July 6, 2016 shall serve as the underlying thematic basis for ultimate design of the multi-family residential buildings under Site Plan and Architectural Review (SPAC)"

2. Commercial Square Footage & Parking:

The letter from CSA Planning, Ltd. dated June 23, 2016 provided some clarifications and potential solutions to concerns related to commercial square footage and parking. Applicant respectfully request the Planning Commission consider the square footage limitations and parking flexibility proposal specified therein. An additional copy of the same letter is attached to this letter for convenience purposes.

It is important to reiterate that the multi-family and commercial areas are very close to one another and the nearby single family residential will be tied to the commercial areas by a network of sidewalks and trails. It is very likely that many of the commercial customers will utilize the convenient pedestrian and bike-friendly amenities to travel to and from the site by bicycle or on foot, thereby reducing the demand on parking. Being a small neighborhood commercial area, it is also likely that the majority of customers will derive from the surrounding neighborhood.

CITY OF MEDFORD  
EXHIBIT # "L"  
File # PUD-16-024  
1 of 3



Further, the adjacent on-street parking along Farmington Avenue will support in excess of 10 spaces that are also likely to be used by commercial customers. It is the Applicant's intent to ultimately seek limited duration of stay for said parking spaces along Farmington, thereby further promoting their availability for commercial customers. For example, if the adjacent on-street parking spaces are limited to 15-30 minutes, there would be ample time for a neighbor to make a quick convenient stop, grab a cup of coffee and a bagel on their way to work.

On the whole, it is very reasonable to estimate that at least 5% of the customers visiting the commercial area will walk or bike to the site or utilize on-street parking on a regular basis.

3. Neighborhood request for automatic and mandatory extension of time:

As noted under Item 1 above, Mr. Greenhouse and Mr. Michele retracted all of the requests outlined in their letter of June 29, 2016. However, we felt it prudent to directly address their request for an automatic and mandatory extension of time as a precautionary matter, as follows.

Mr. Greathouse' letter on behalf of Northeast Medford Neighborhood Coalition requests in relevant part, that *"the Planning Commission initiate a rule which would not prohibit the submission of data on the hearing date; but would upon receipt of same by planning staff or the Commission itself, result in the mandatory extension of the hearing until the next scheduled Planning Commission hearing."*

In the first instance, such a request may potentially be in violation of state law. We respectfully request that the current rules and procedures established under local and state law be followed. The Planning Commission should be able to evaluate any and all materials provided to the record to determine whether or not an extension or continuance is warranted. Should any party wish to request an extension or continuance he or she is certainly able to do so during the proceedings. However we respectfully request that the same not be automatically and mandatorily granted without consideration by the Planning Commission and City Council.

4. Lot Coverages:

There appeared to be some questions regarding the locations of the areas by specific lot coverages. Please see Applicant's Exhibit 20 of record depicting the entire PUD by requested lot coverages.

5. Covered Parking:

The Application sought a modification of the code to allow covered parking. The Planning Commission correctly identified that covered parking is allowed and does not require a modification. Applicant intends to identify all covered parking areas with the final PUD plan.

6. Trip Generation / Traffic

There were concerns raised by the public during the initial hearing regarding potential traffic impacts. The original PUD approval included a traffic study for significantly greater volumes of commercial improvements than what are currently being proposed. Consistent with prior conditions related to potential impacts of the greater amount of commercial - Applicant improved the intersection of Cedar Links Drive and Foothill Road with a traffic signal. Arguably, with the current proposal - such a facility may not have been required. Nonetheless, the current PUD plan requests significantly less commercial than previously approved and therefore any potential traffic generation under the current proposal will be less than initially studied and relied upon.

2 of 3



While there were a number of additional topics discussed throughout the initial hearing we believe that all other issues were addressed in-full through oral testimony.

We respectfully request the Planning Commission approve the request as laid forth in the application and as updated by our supplemental letter of June 23, 2016 and this letter.

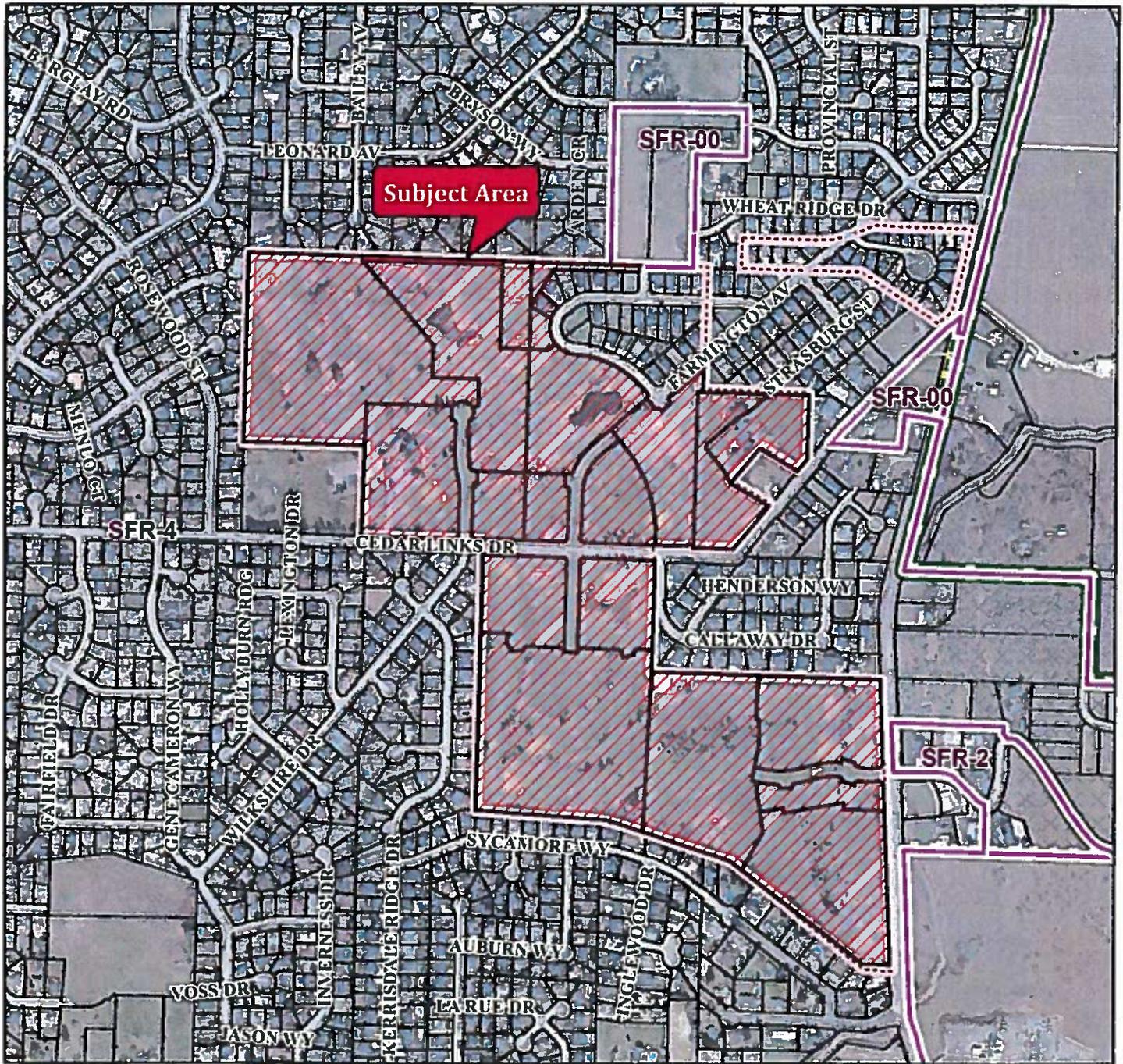
Very truly yours,

CSA Planning, Ltd.

A handwritten signature in black ink, appearing to read 'Michael Savage'.

Michael Savage  
Associate

cc. File;  
Cedar Investment Group, LLC  
North Medford Neighborhood Coalition



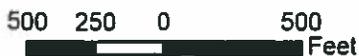
Project Name:

**Cedar Landing Revision**

Map/Taxlot:

**371W16BC TL 200, 201, 202, 203**

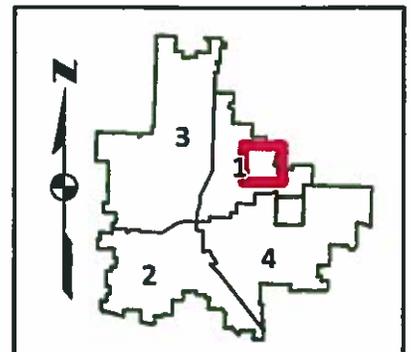
**371W16BD TL 200, 238**



06/16/16

**Legend**

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





**STAFF REPORT**

for a Type-C quasi-judicial decision: PUD Revision and Tentative Plat

PROJECT Cedar Landing Land Divisions -June 2016  
Applicant: Cedar Investment Group LLC; Agent: CSA Planning Ltd.

FILE NO. LDS-16-025, LDS-16-026, LDS-027

TO Planning Commission *for 06/23/2016 hearing*

FROM Desmond McGeough, Planner III

REVIEWER Kelly Akin, Principal Planner *ka*

DATE June 16, 2016

---

**BACKGROUND**

Proposal

Consideration of three requests for division of land correlating to the proposed Revision for Cedar Landing Planned Unit Development (PUD) (PUD-16-024). The applicant has provided complete Findings of Fact and Conclusions of Law regarding the land division requests, which were included as part of the PUD Revision findings. Considering the large size of the Applicant's Findings of Fact and Conclusions of Law for the PUD Revision and Land Divisions, staff requests the Commission refer to Exhibit "B" attached to the Staff Report for the PUD Revision application. The subject land divisions are located on the NORTH side of Cedar Landing Development, north of Cedar Links Drive. The Cedar Landing PUD encompasses approximately 116 acres in total, and is located on the north and south sides of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/Planned Development) zoning district.

Subject Site Characteristics

Zoning SFR-4  
GLUP UR (Urban Residential)  
Use Vacant Golf Course

Surrounding Site Characteristics

North SFR-4 Single Family Dwellings  
South SFR-4 Single Family Dwellings

East	SFR-4	Single Family Dwellings
West	SFR-4	Single Family Dwellings

Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication
PUD-14-136	PUD Revision
LDS-14-137	Sky Lakes Village Phase 1 Tentative Plat
LDS-14-138	The Village at Cedar Landing Phase 1 Tentative Plat
PUD-15-043	South portion of Cedar Landing PUD Revision for reconfiguring area into the High Cedars subarea, Phases 1 through 5 and modifying land use.
LDS-15-044	Tentative plat for High Cedars Subdivision Phases 1 through 5 (176 lots).

Applicable Criteria

Medford Municipal Code

**Land Division, §10.270**

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 History

Please defer to the project history provided in staff report for corresponding application for PUD Revision (PUD – 16-024)

### Current Proposal

The applicant is now requesting a subsequent PUD revision along with three corresponding land division applications. The three land divisions directly correspond to the proposed revisions identified in the PUD revision and to address project phasing. Specifically, the three land divisions address the following:

LDS-16-025: *Revision to "Cascade Terrace Phase 1 through 5"*.

This area was previously platted as *"Sky Lakes Village at Cedar Landing – Phase I"* and *"The Village – Phase I"*. The applicant seeks to amend the phasing boundaries of each of the subject plats previously approved. Thus, the revised phasing boundaries are identified. Additionally, the applicant has combined the two plat areas into one tentative plat and has renamed both plats. The platted area will be known as *"Cascade Terrace - Phases 1 through 5"*. In providing this new tentative plat, there have been no changes made to the lot configuration, lot count, circulation or infrastructure when compared to the Planning Commission approval of two previously approved plats. This plat is completely consistent with earlier approved plats.

In Summary, the subject plat contains a total of 93 single family residential units, ranging in size from 4,600 square feet to 8,524 square feet The plat also contains 38,517

square feet of open space located at the northwest corner of the development. Mount Thielson Drive, Longstone Drive and Yamsay Drive are proposed as standard residential streets with 63 foot rights-of-way. DeLorrane Drive, Umpqua Street and Sky Lakes Drive are minor residential streets with 55 foot rights-of-way. As mentioned earlier this single plat is identical to the prior two plat approvals combined.

*LDS-16-026: Replat of "Sky Lakes Village – Phase 7A".*

This is a proposed replat of Lot 91 and 94 of the Sky Lakes Village 7A plat to revise the underlying reserve lots to be consistent with the proposed PUD revisions provided within this application. The replat also creates revises the lot lines so that the underlying reserve acreage lots are consistent with the proposed changes of the phasing plan provided on the plat for *"Sky Lakes Village at Cedar Landing – Phase I"* (LDS-16-026).

*LDS-15-027: Tentative Plat for "Sky Lake Village at Cedar Landing, Phase 1 through 4, The Village at Cedar Landing and the Cottages at Cedar Landing"*

This plat relates to *"Sky Lakes Village – Phases 1 through 4"* the plat area previously identified as *"The Village – Phases 2 and 3"*. The purpose of this plat is to create 23 standard single family lots, 22 cottage unit residential lots and open space tract for the development of cottage units. Additionally, this plat provides seven pad lots within a common open space an apartment complex and commercial buildings.

The sub-area known as the Cottages are being tentatively platted at the present time. However, should the developer opt to construct a limited scale (24,000 square foot) congregate care facility, the developer would not seek to obtain final plat approvals in this sub-area. The developer would be required to submit a Site Plan and Architectural Review application in which a public hearing would be held to consider the plans.

*LDS-16-027*

<b>Sub -area</b>	<b>Proposed development</b>
Sky Lakes Village Phases 1 through 4	23 single family dwelling units
The Cottages	22 small lot cottage dwelling units or, 24,000 square feet of congregate care facility.
The Villages	4 pad lots for an apartment complex (100 units maximum) 3 pad lots for neighborhood commercial development (10,500 building square footage)

## **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Provided in PUD-16-024) and recommends the Commission adopt the findings as presented regarding the proposed land divisions.

## **RECOMMENDED ACTION**

Adopt the modified findings as recommended by staff and direct staff to prepare a Final Order for approval per the staff report dated June 16, 2016, including Exhibits A through M.

## **EXHIBITS**

A Conditions of Approval

### LDS-16-025

- B Proposed tentative plat map for Cascade Terrace Phases 1-5
- C Public Works Staff Report received dated May 25, 2016
- D Medford Water Commission Memo, dated May 25, 2016
- E Fire Department Report, prepared May 20, 2016

### LDS-16-026

- F Proposed Replat of Lots 91 and 94 of Sky Lakes at Cedar Landing Phase 7A
- G Public Works Staff Report, dated May 25, 2016
- H Medford Water Commission Memo, dated May 25, 2016
- I Fire Department Report, prepared May 20, 2016

### LDS-16-027

- J Proposed Tentative Plat for Sky Lakes Village Phase 1-4, The Village and The Cottages
- K Public Works Staff Report, dated May 25, 2016
- L Medford Water Commission Memo, dated May 25, 2016
- M Fire Department Report, prepared May 20, 2016

Vicinity map

**PLANNING COMMISSION AGENDA:**

**JUNE 23, 2016**

**EXHIBIT A**

**Cedar Landing Land Divisions – June 2016  
(LDS-16-025, LDS-16-026, LDA-16-027)  
Conditions of Approval  
June 16, 2016**

**CODE CONDITIONS**

LDS-16-025

1. Comply with the Public Works Staff Report received dated May 25, 2016 (Exhibit C);
2. Comply with the Medford Water Commission Memorandum dated May 25, 2016 (Exhibit D);
3. Comply with the Medford Fire Department Report prepared May 20, 2016 (Exhibit E);

LDS-16-026

4. Comply with the Public Works Staff Report received dated May 25, 2016 (Exhibit G);

LDS-16-027

5. Comply with the Public Works Staff Report received dated May 25, 2016 (Exhibit K);
6. Comply with the Medford Water Commission Memorandum dated May 25, 2016 (Exhibit L);
7. Comply with the Medford Fire Department Report prepared May 20, 2016 (Exhibit M).

CITY OF MEDFORD  
EXHIBIT # A  
File # LDS-16-025 / LDS-16-026  
LDS-16-027

CITY OF MEDFORD  
EXHIBIT #

PLANNING COMMISSION  
APPROVED  
DATE

APPROVED  
DATE

APPROVED  
DATE

APPROVED  
DATE

APPROVED  
DATE

APPROVED  
DATE

TENTATIVE PLAT

FOR  
CASCADE TERRACE AT CEDAR LANDING PHASE 1  
CASCADE TERRACE AT CEDAR LANDING PHASE 2  
CASCADE TERRACE AT CEDAR LANDING PHASE 3  
CASCADE TERRACE AT CEDAR LANDING PHASE 4  
CASCADE TERRACE AT CEDAR LANDING PHASE 5

(A PLANNED COMMUNITY)

STATED IN  
THE NO. 14 OF SECTION 16,  
TOWNSHIP 31 SOUTH RANGE 1 WEST 11N,  
IN THE CITY OF MEDFORD,  
JACKSON COUNTY OREGON.

APPLICANT  
CEDAR INVESTMENT GROUP LLC  
2718 WEST MAIN STREET  
MEDFORD OR 97501

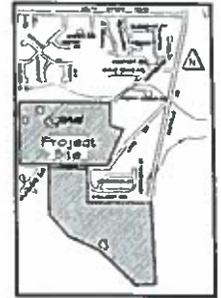
OWNER  
C A GALPIN  
744 CARDLEY AVE 100  
MEDFORD OR 97504

SURVEYOR  
HOFFBUHR & ASSOCIATES, INC  
880 GOLF VIEW DRIVE SUITE 201  
MEDFORD OR 97504  
(541) 719-4641

NOTE:

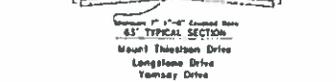
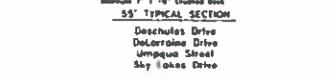
THE PHASES 1 THROUGH 5 OF CASCADE TERRACE WAS PREVIOUSLY SUBMITTED AND RECEIVED TENTATIVE APPROVAL AS SKY LAKES PHASE 1 (FILE NO. LDS-14-137) AND THE VILLAGE PHASE 1 (FILE NO. LDS-14-138). THIS SUBMITTAL FOR TENTATIVE APPROVAL DOES NOT CHANGE THE NUMBER OF LOTS NOR LOT CONFIGURATIONS AS WERE APPROVED BY LDS-14-137 AND LDS 14-138. THIS SUBMITTAL ONLY CHANGES THE NAME TO CASCADE TERRACE AND ESTABLISHES A REVISED PHASING PLAN FOR THE LOTS THAT WERE ORIGINALLY APPROVED BY PLANNING COMMISSION ACTION.

VICINITY MAP



SCHOOL DISTRICT: 949C  
REGULATION DISTRICT: P110  
BUNTING DISTRICT: CITY OF MEDFORD  
AREA: 0.10 AC (GROSS)  
ZONING: RSM-1  
EXISTING USE: COMMERCIAL  
PROPOSED USE: RESIDENTIAL/COMMERCIAL

Table with columns: FILE NO., SHEET DATE, ASSessor's PARCEL NO., ZONING DISTRICT, PLAN LOT SIZE, PLAN LOT SIZE, NO. OF LOTS, COMP. PLAN DESIGNATION, RECEIVED BY, DATE, REVIEWED BY, DATE.



BY: HOFFBUHR AND ASSOC. INC.  
DATE: MARCH 4, 2016  
PROJECT NO.: 16-025  
SCALE: 1/8\"/>

PLANNING DEPARTMENT

MARCH 4, 2016

RECEIVED



11. OF PUBLIC UTILITY EASEMENTS SHALL BE PROVIDED TO THE CITY OF MEDFORD AND AS REQUIRED BY THE CITY OF MEDFORD AND AS APPROVED BY THE CITY OF MEDFORD.

15' WIDE EASEMENT FOR CATHODIC PROTECTION  
H&A 16-025-01794



Continuous Improvement Customer Service

## CITY OF MEDFORD

LD Date: 5/25/2016  
File Number: LDS-16-025

### **PUBLIC WORKS DEPARTMENT STAFF REPORT** ***“Cascade Terrace at Cedar Landing Phases 1 through 5”*** **Revision**

**Project:** Consideration of a request for a revision to the Cedar Landing tentative plat for “*Cascade Terrace at Cedar Landing Phases 1 through 5*”).

**Location:** The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilkshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to *Cascade Terrace at Cedar Landing, Phase 1 through 5*. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138).

**Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**Applicability:** The Medford Public Works Department’s conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Sky Lakes Village Subdivision Phases 7A and 7B were approved by the Planning Commission on February 27<sup>th</sup>, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on February 12, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Cedar Landing PUD on the south side of Cedar Links Drive was amended and approved by the Planning Commission on June 11, 2015 (PUD 15-043 and LDS-

15-044). **The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.**

**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**

**All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.** This revision includes the following; changing the name to “*Cascade Terrace Phases 1 through 5*” from “*Sky Lakes Village at Cedar Landing Phase 1*” and “*The Village Phase 1*”, and changing the phase boundaries. This revision does not change the number of lots nor lot configurations as previously approved.

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

**Corner radii** shall be provided at the right-of-way lines of all intersecting streets in accordance with MLDC 10.445.

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

The 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**

**All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.** This revision includes the following; changing the name to “*Cascade Terrace Phases 1 through 5*” from “*Sky Lakes Village at Cedar Landing Phase 1*” and “*The Village Phase 1*”, and changing the phase boundaries. This revision does not change the number of lots nor lot configurations as previously approved.

### **b. Street Lights and Signing**

**All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.**

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

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 no pavement cutting moratorium(s) currently in effect.

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

### **d. Soils Report**

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



and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division.

## **2. Stormwater Detention and Water Quality Treatment**

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

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

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

## **3. Grading**

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

## **4. Mains and Laterals**

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

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

All public storm drain mains shall be located in paved public streets or within easements and shall extend to the limits of the development where applicable to serve future development. All manholes shall be accessible by paved or all-weather road.

## 5. Wetlands

The Developer shall contact the Division of State Lands for the approval and/or clearance of the subject property with regards to wetlands and/or waterways, as they are present on the site.

## 6. Erosion Control

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

### D. SURVEY MONUMENTATION

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

### E. GENERAL CONDITIONS

#### 1. Design Requirements and Construction Drawings

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

#### 2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. 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. Phasing**

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

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

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

### **5. Permits**

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

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

Excavation and private plumbing shall require a separate permit from the Building Department.

### **6. System Development Charges (SDCs)**

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

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

## 7. Construction and Inspection

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

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

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

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

Prepared by: Jodi Cope/Doug Burroughs

## SUMMARY CONDITIONS OF APPROVAL

### "Cascade Terrace at Cedar Landing Phases 1 through 5" Revision

LDS-16-025

#### A. Streets

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

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.
- Dedicate 10 foot public utility easements (PUE).

##### 2. Improvements:

###### Public Streets

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.

###### Lighting and Signing

- All previously approved conditions within PUD-14-136, LDS-14-137, and LDS-14-138 shall remain in full effect.
- The Developer shall provide and install in compliance with Section 10.495 of the MLDC.

###### Other

- Provide pavement moratorium letters.
- Provide soils report.
- Paths built to AASHTO standards.

#### B. Sanitary Sewer:

- Provide private laterals 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 and completion of all public improvements.

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



## Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** LDS-16-025

**PARCEL ID:** 371W16BD TL's 200, 211, 214, 238  
371W16BC TL's 100, 200, 201, 202, 203

**PROJECT:** Consideration of a request for a revision to the Cedar Landing tentative plat for "Cascade Terrace at Cedar Landing Phases 1 through 5". The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to Cascade Terrace at Cedar Landing, Phase 1 through 5. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138); Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** May 25, 2016

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

### CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of 8-inch water lines is required in all proposed streets of Cascade Terrace of all proposed phases of this development; with connections to the existing 8-inch water line in Cedar Links Drive.
4. The existing ¾-inch water meter serving the previous Club House located north of Cedar Links Drive across from Wilshire Drive is required to be abandoned.
5. Applicants' civil engineer shall coordinate with MWC Engineer staff for layout of water meters to all proposed Lots.
6. If a well is located on this site, it is required to be abandoned per Oregon DEQ regulations.



**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 above)
3. This development is located within MWC's "Gravity" pressure zone. Static water pressure for the Lots located within this pressure zone will be between 50 psi and 80 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does exist to this property. A ¾-inch water meter served the previous Cedar Links Golf Course Club House located north of Cedar Links Drive across street from Wilkshire Drive. (See Condition 4 above)
5. Access to MWC water lines is available. A There is an existing 8-inch water line in Cedar Links Drive.



# 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: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: LDS - 16 - 25

### Site Name/Description: Cascade Terrace at Cedar Landing

Consideration of a request for a revision to the Cedar Landing tentative plat for "Cascade Terrace at Cedar Landing Phases 1 through 5"). The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilkshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to Cascade Terrace at Cedar Landing, Phase 1 through 5. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138); Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

### DESCRIPTION OF CORRECTIONS

### REFERENCE

#### Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

Fire hydrant locations shall be as follows: Cascade Terrace Phases 1-5: A total of ten (10) fire hydrants will be required for Phase #1 in the following locations: One on the corner of Cedar Links Dr and Longstone Dr near lot #97 One on the corner Cedar Links Dr and Yamsay Dr near lot #1; One on the corner of Longstone Dr and DeLorraine Dr near lot #96; One on the corner of Delorraine Dr and Yamsay Dr near lot #17; One on the corner of Mt Thielson Dr and Longstone Dr near lot #86 One on the corner of Mt Thielson Dr and Sky Lakes Dr near lot #38; One on the corner of Mt Thielson Dr and Deschutes Dr near lot #87; One on the corner of Deschutes Dr and Umpqua St near lot #62; One on the corner of Sky Lakes Dr and Umpqua St near lot #53; and one on Sky Lakes Dr in front of lot #69.

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

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

#### Requirement MEDFORD CODE STREET DESIGN OPTIONS

MEDFORD

10.430

Section 10.430 of the Medford Code states the following:

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus, the developer shall choose from one of the following design options:

(a) Clustered, offset (staggered) driveways (see example) (design approved by Fire Department) and fire hydrants

CITY OF MEDFORD

EXHIBIT # "E"

File # LDS-16-025

Page

1



# Medford Fire Department

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

## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent

File #: LDS - 16 - 25

Site Name/Description: Cascade Terrace at Cedar Landing

located at intersections with the maximum fire hydrant spacing along the street of 250-feet.

(b) All dwellings that front and take access from minor residential streets to be equipped with a residential (NFPA 13D) fire sprinkler system, and fire hydrants located at intersection with the maximum fire hydrant spacing along the street of 500-feet.

(c) Total paved width of 33-feet with five-and-a-half (5 ½) foot planter strips.

The Oregon Fire Code requires; "Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches" (OFC 503.2.1). "The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established in Section 503.2.1, shall be maintained at all times." (OFC 503.4).

When the clustered-offset driveway option is chosen, a note indicating driveway locations shall be included on the final plat. In areas where the clustered-offset option cannot be utilized because of lot layout, parking restrictions may apply in certain areas and No Parking - Fire Lane signs may be required.

Minor residential streets have a 28 foot paved surface. When vehicles are parked on both sides of the street there is 14 feet for fire department access, which is considerably less than the 20 foot requirement. Fire department pumper are approximately 9 feet wide, this leaves approximately 2.5 feet on each side to remove equipment, drag hose, etc. We normally dispatch 3 fire engines and the ladder truck to all reported structure fires. The 14 feet becomes so congested that fire engines and or ambulances are required to back-up to leave the fire scene. Sometimes the on scene equipment is dispatched to another alarm. This backing up slows response times. The citizens of the City of Medford have certain expectations that when they require our assistance we will arrive in a timely manner. With a 20 foot clear and unobstructed width engines are able to pass on the side when necessary to respond to another incident or clear to return to their assigned area.

### Requirement FIRE DEPARTMENT TURN-AROUND

OFC

503.2.5

Depending on phasing, temporary fire department turn-arounds may be required.

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.



# Medford Fire Department

200 S. Ivy Street, Room #180

Medford, OR 97501

Phone: 774-2300; Fax: 541-774-2514;

[www.medfordfirerescue.org](http://www.medfordfirerescue.org)

## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent

File #: LDS - 16 - 25

Site Name/Description: Cascade Terrace at Cedar Landing

**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.**

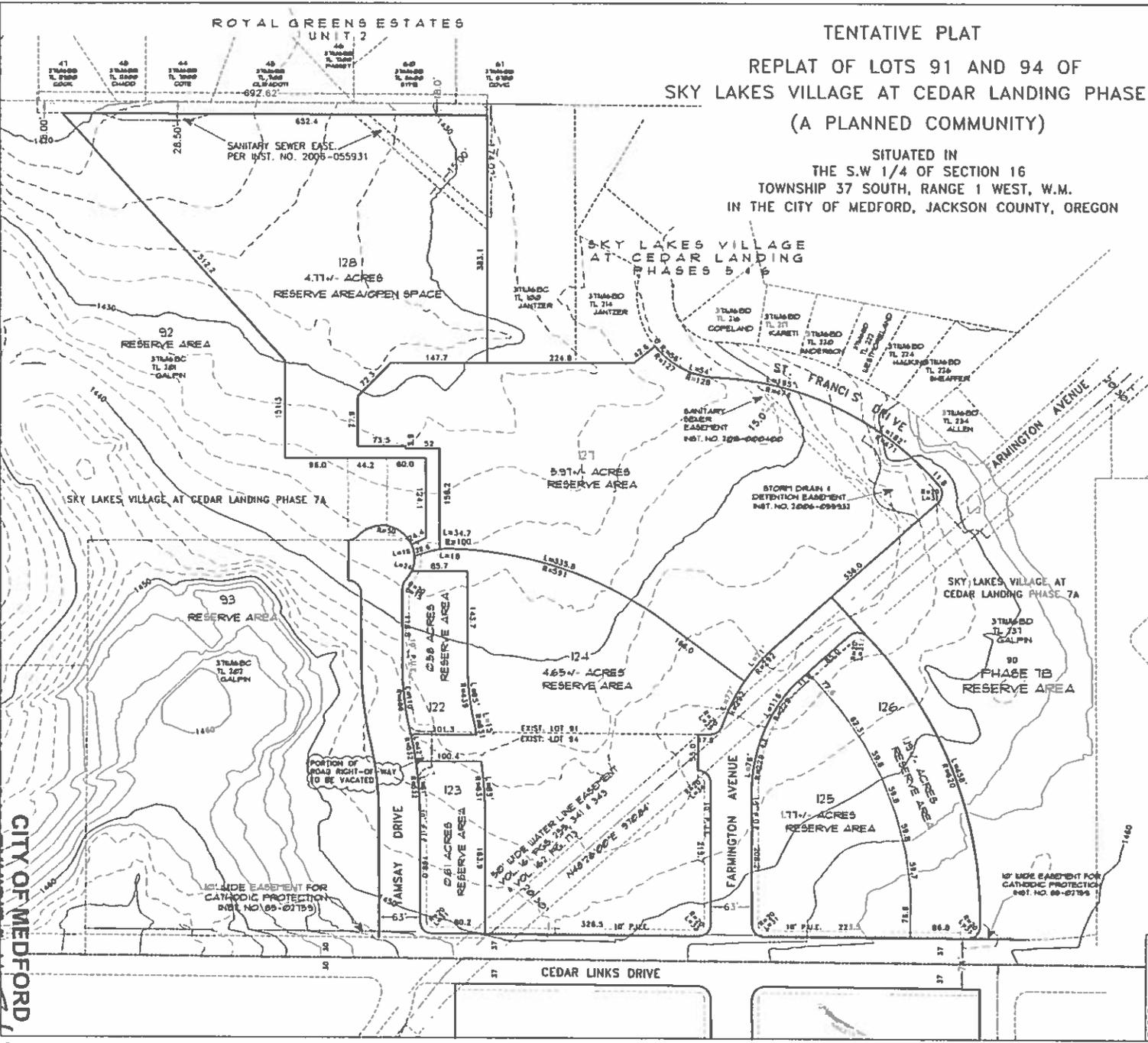
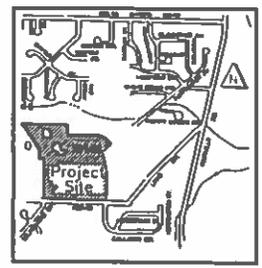
**This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.**

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

TENTATIVE PLAT  
 REPLAT OF LOTS 91 AND 94 OF  
 SKY LAKES VILLAGE AT CEDAR LANDING PHASE 7A  
 (A PLANNED COMMUNITY)

SITUATED IN  
 THE S.W 1/4 OF SECTION 16  
 TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.  
 IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

VICINITY MAP



REGISTERED PROFESSIONAL LAND SURVEYOR  
 ELECTRONIC COPY

OREGON FEBRUARY 4, 1988  
 DARRILL L. HUCK  
 2003

Expires 4/30/2018

ST. DARRILL L. HUCK  
 PROJECT CEDAR INVESTMENT GROUP  
 PROJECT NO. 14063  
 DRAWING FILE 14063 Tent replat lots 91A  
 SCALE 1" = 100'  
 SHEET NO. 100  
 SHEET DATE January 2018  
 SHEET OF 1  
 DATES OF BEARING Survey 1/18/18  
 SURVEYED BY SRS SA Medford  
 DRAWN BY  
 RECEIVED BY

MARCH 4, 2016

RECEIVED

PLANNING DEPARTMENT



Continuous Improvement Customer Service

## CITY OF MEDFORD

LD Date: 5/25/2016  
File Number: LDS-16-026

### **PUBLIC WORKS DEPARTMENT STAFF REPORT** ***“Sky Lakes Village at Cedar Landing Phase 7A”*** **Replat**

- Project:** Consideration of a request to authorize a replat of Lots 91 and 94 of the “Sky Lakes Village at Cedar Landing Phase 7A Planned Community”.
- Location:** The project is located on approximately north of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/Planned Development) zoning district.
- Applicant:** Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**Applicability:** The Medford Public Works Department’s conditions of Preliminary Plan Approval for Cedar Landing PUD were adopted by Order of the Medford Planning Commission on April 27, 2006 (PUD-05-035). The approval for Cedar Landing PUD received a minor amendment on July 14, 2008 through a De minimis revision by the Planning Director. A portion of the PUD was terminated by the Planning Commission on April 14, 2011. A revision to the PUD was approved on February 27, 2014 (PUD-13-119) and included name changes, phase re-numbering, and lot reconfiguration. Sky Lakes Village Subdivision Phases 7A and 7B were approved by the Planning Commission on February 27<sup>th</sup>, 2014 (LDS-13-121). An exception for reduced right-of-way along the northerly section of Cedar Links Drive was approved on February 12, 2015 (E-14-059). Cedar Landing PUD on the north side of Cedar Links Drive was amended and approved by the Planning Commission on April 23, 2015 (PUD-14-136, LDS-14-137, and LDS-14-138). Cedar Landing PUD on the south side of Cedar Links Drive was amended and approved by the Planning Commission on June 11, 2015 (PUD 15-043 and LDS-15-044). The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

CITY OF MEDFORD  
EXHIBIT # “G”  
File # LDS-16-026

**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**

**All previously approved conditions within LDS-13-121 shall remain in full effect.** This revision includes the following; Create underlying Reserve Lots consistent with the proposed PUD revision and create underlying Reserve Lots consistent with the proposed phasing plans.

The developer shall **vacate right-of-way and Public Utility Easement** for the 55-foot long unimproved portion of Farmington Avenue along the northeasterly boundary of Lot 94 (between Cedar Links Drive and Cedar Landing), where DeLorraine Drive was previously proposed to be constructed and at the northwesterly corner of Lot 94 (between Lots 122 and 123).

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

**Corner radii** shall be provided at the right-of-way lines of all intersecting streets in accordance with MLDC 10.445.

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

The 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**

**All previously approved conditions within LDS-13-121 shall remain in full effect. This revision includes the following; Create underlying Reserve Lots consistent with the proposed PUD revision and create underlying Reserve Lots consistent with the proposed phasing plans.**

### **b. Street Lights and Signing**

**All previously approved conditions within LDS-13-121 shall remain in full effect.**

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

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 Callaway Drive (Farmington Avenue to Cedar Links Drive), Farmington Avenue (St. Francis Drive to Dead End).

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

### **d. Soils Report**

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

roadway and sidewalk design within this Development.

**e. Access to Public Street System**

Access shall be taken from the existing and/or proposed roadways fronting this development.

All lots with double frontage shall be restricted to take direct access from the lower order street.

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426.

**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.

**g. Paths**

All multi-use paths throughout the northerly Open Space portions of the PUD shall be constructed to American Association of State Highway and Transportation Officials (AASHTO) standards.

**3. Section 10.668 Analysis**

This application is a revision of the previously approved Cedar Landing PUD, and the conditions stated herein were required as a condition of the original PUD and subsequent DeMinimus changes.

**B. SANITARY SEWERS**

All previously approved conditions within LDS-13-121 shall remain in full effect.

**C. STORM DRAINAGE**

All previously approved conditions within LDS-13-121 shall remain in full effect.

**D. SURVEY MONUMENTATION**

All previously approved conditions within LDS-13-121 shall remain in full effect.

**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. Phasing**

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

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

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

### **5. Permits**

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

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

Excavation and private plumbing shall require a separate permit from the Building Department.

#### **6. System Development Charges (SDCs)**

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

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

#### **7. Construction and Inspection**

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

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

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

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

Prepared by: Jodi Cope/Doug Burroughs

## SUMMARY CONDITIONS OF APPROVAL

*"Sky Lakes Village at Cedar Landing Phase 7A" Replat*

LDS-16-026

### A. Streets

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

- All previously approved conditions within LDS-13-121 shall remain in full effect.
- Dedicate 10 foot public utility easements (PUE).

#### 2. Improvements:

##### Public Streets

- All previously approved conditions within LDS-13-121 shall remain in full effect.

##### Lighting and Signing

- All previously approved conditions within LDS-13-121 shall remain in full effect.
- The Developer shall provide and install in compliance with Section 10.495 of the MLDC.

##### Other

- Provide pavement moratorium letters.
- Provide soils report.
- All double frontage lots shall be restricted to take access off the lower-order street only.
- Paths built to AASHTO standards.

### B. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Building permits will not be issued until after final plat approval and completion of all public improvements.

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



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** LDS-16-026  
**PARCEL ID:** 371W16BD TL's 200, 211, 214, 238  
371W16BC TL's 100, 200, 201, 202, 203

**PROJECT:** Consideration of a request for a revision to the Cedar Landing tentative plat for "Cascade Terrace at Cedar Landing Phases 1 through 5". The site is located in the north portion of the Cedar Links development project, north of Cedar Links Drive and west of Wilkshire Drive within a SFR-4/PUD (Single Family Residential 4 units per gross acre with Planned Unit Development Overlay). Applicant is requesting approval for a 98-lot residential subdivision tentative plat revision for the purpose of modifying phase boundaries and renaming the two tentative plats to Cascade Terrace at Cedar Landing, Phase 1 through 5. The subject request pertains only to project phasing and proposed name change. Lot configurations, open space, streets and infrastructure remain identical to the previously approved tentative plats (LDS-14-137, LDS-14-138); Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** May 25, 2016

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

**CONDITIONS**

1. No Conditions until time of site development review.

**COMMENTS**

1. No Comments until time of site development review.

CITY OF MEDFORD  
EXHIBIT # 44  
File # LDS-16-026



# 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)

## LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 05/25/2016

From: Fire Marshal Kleinberg

Report Prepared: 05/20/2016

File #: LDS - 16 - 26

### Site Name/Description: Sky Lakes Village

Consideration of a request to authorize a replat of Lots 91 and 94 of the "Sky Lakes Village at Cedar Landing Phase 71 - A Planned Community" The project is located on approximately north of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential - 4 dwelling units per gross acre/Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
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Approved as Submitted

Meets Requirement: No Additional Requirements

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.

CITY OF MEDFORD  
EXHIBIT # "T"  
FILE # LDS-16-026





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 an existing City street, which lies along the southerly boundary of this portion of Cedar Landing PUD, which is north of Cedar Links Drive. It is classified as a Major Collector street, which has a required total right-of-way width of 74 feet, or 37 feet on each side of the centerline along the frontage of the proposed Development. The necessary right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7A*". **No other right-of-way is needed with this Development.**

**Callaway Drive** existing at the easterly boundary of "*Sky Lakes Village Phase 4*" is classified as a Minor Residential Street with a right-of-way width of 55 feet in accordance with Medford Land Development Code (MLDC) Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7B*". **No other right-of-way is needed with this Development.**

**Farmington Avenue** is proposed as Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing, Phase 7A and 7B*". **No other right-of-way is needed with this Development.**

The developer shall vacate **right-of-way and Public Utility Easement** for the 55-foot long unimproved portion of Farmington Avenue along the easterly boundary of "*The Village*" (between Cedar Links Drive and Cedar Landing), where DeLorraine Drive was previously proposed to be constructed.

**St. Francis Drive** existing at the northeasterly edge of the proposed development is classified as a Minor Residential Street within the MLDC 10.430. The full width of right-of-way was previously dedicated as part of the final plat for "*Sky Lakes Village at Cedar Landing Phase 7A*". **No other right-of-way is needed with this Development.**

**Village Circle** is proposed as a Residential Lane with right-of-way width of 33-feet, consistent with the standard prescribed by MLDC 10.430. A cul-de-sac is required at the east terminus of this street per MLDC 10.450. **The Developer’s surveyor shall verify the amount of additional right-of-way required.**

Furthermore, Public Works recommends an accessway be provided in order to meet conditions per MLDC 10.450. The accessway shall dedicate a minimum 12-foot right-of-way per MLDC 10.466.

**Yamsay Drive** is proposed as a Standard Residential Street with a right-of-way width of 63 feet in accordance with MLDC Section 10.430. The full width of right-of-way was previously dedicated as part of the final plat for “*Sky Lakes Village at Cedar Landing, Phase 7A*”. **No other right-of-way is needed with this Development.**

**Cedar Landing** is proposed as a private road. A shared access easement will be requested for public use of this road.

“**Private Road**” within the “*The Cottages*” shall be private and have a shared access easement for the benefitting parcels.

**DeLorraine Drive** was proposed as a Minor Residential Street under PUD-14-136, but has been removed with the submittal of this tentative plat.

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

**Corner radii** shall be provided at the right-of-way lines of all intersecting streets in accordance with MLDC 10.445.

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

The 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 with a 44-foot paved section, complete with curbs, gutters, 10-foot wide park strips, 5-foot wide sidewalks and street lights in accordance with the MLDC, Sections 10.428 and 10.430B, Table IV-1. The developer shall improve the north half (22-feet) plus 12-feet south of the centerline along the frontage of this development.

**Callaway Drive** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430.

The development to the east (i.e., "*Sky Lakes Village at Cedar Landing, Phase 7B*") has completed improvements to this development's frontage of Callaway Drive with the exception of the tie in to Cedar Links Drive. Therefore, the Developer shall complete this connection as part of this development if not previously completed. This shall include saw cutting the existing east edge of pavement back a minimum of 1-foot.

**Farmington Avenue** shall be improved to full width Standard Residential Street standards in accordance with MLDC 10.430, south of improvements completed for "*Sky Lakes Village at Cedar Landing, Phase 7B*".

The development to the east (i.e., "*Sky Lakes Village at Cedar Landing, Phase 7B*") has completed improvements to the northeasterly portion of this development's frontage of Farmington Avenue.

**St. Francis Drive** shall be improved to Minor Residential Street standards in accordance with MLDC 10.430.

The development to the north (i.e., "*Sky Lakes Village at Cedar Landing, Phases 5 & 6*") has completed improvements to this development's frontage of St. Francis Drive with the exception of sidewalk.

**Village Circle** shall be constructed to Residential Lane standards in accordance with MLDC 10.430. A cul-de-sac is required at the east terminus of this street per MLDC 10.450.

The accessway shall be constructed to meet standards in accordance with MLDC 10.466.

**Yamsay Drive** shall be improved to Standard Residential Street standards in accordance with MLDC 10.430. The Developer shall improve the east half plus 12 feet west of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development.

**Cedar Landing** shall be a privately maintained road and constructed in accordance with applicable Building and Medford Municipal Codes.

"**Private Road**" within the "*The Cottages*" shall be privately maintained and constructed in accordance with applicable Building and Medford Municipal Codes.



- Lot 8 – shall take direct access to Yamsay Drive only.
- Lot 9, 10, 11 and 15 – shall take direct access to Village Circle only.
- Lot 17 and 23 – shall take direct access to Callaway Drive only.

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426. Each driveway approach can utilize either a standard curb cut or have 20-foot curb radii, concrete valley gutters and ADA ramps at the throat of each driveway.

**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.

**g. Paths**

All multi-use paths throughout the northerly Open Space portions of the PUD shall be constructed to American Association of State Highway and Transportation Officials (AASHTO) standards.

**3. Section 10.668 Analysis**

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

**10.668 Limitation of Exactions**

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

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

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

**Nexus to a legitimate government purpose**

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles,

transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and storm drains to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

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

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

**Cedar Links Drive, Callaway Drive, Farmington Avenue, St. Francis Drive, Village Circle and Yamsay Drive:**

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

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

**B. SANITARY SEWERS**

The proposed development is situated within the Medford Sewer service area. The Developer shall construct the necessary public sanitary sewer facilities to City of Medford standards, and shall provide one service lateral to each platted lot prior to approval of the Final Plat.

All public sanitary sewers shall be located in paved public streets or alleys, or within public sanitary sewer easements with access to manholes, and grant easements to the City of Medford for access and maintenance of public sewer facilities not located within paved public streets. All public sanitary sewer mains shall be extended to the limits of the development where applicable to serve future development.

**C. STORM DRAINAGE**

**1. Hydrology**

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

**2. Stormwater Detention and Water Quality Treatment**

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

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

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

### **3. Grading**

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

### **4. Mains and Laterals**

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

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

All public storm drain mains shall be located in paved public streets or within easements and shall extend to the limits of the development where applicable to serve future development. All manholes shall be accessible by paved or all-weather road.

### **5. Wetlands**

The Developer shall contact the Division of State Lands for the approval and/or clearance of the subject property with regards to wetlands and/or waterways, as they are present on the site.

### **6. Erosion Control**

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

## **D. SURVEY MONUMENTATION**

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

## **E. GENERAL CONDITIONS**

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

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

### **2. Construction Plans**

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. 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. Phasing**

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

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

The developer shall submit 2 copies of the preliminary draft of the final plat at the same time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall

be allowed on the plat after that time, unless approved by the City and all utility companies. All easements shall be shown on the Final Plat and the public improvement plans.

## **5. Permits**

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

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

Excavation and private plumbing shall require a separate permit from the Building Department.

## **6. System Development Charges (SDCs)**

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

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

## **7. Construction and Inspection**

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

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

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

All areas where the fill depth exceeds one foot shall be certified for tested soils compaction by an engineer licensed in the state of Oregon, or by certified materials and construction testing lab, in accordance with City of Medford Standard Specifications for Street Construction, or with the

adopted City of Medford Structural Specialty Code, as applicable to permitted work in the public right-of-way or privately developed lots respectively.

Prepared by: Jodi Cope/Doug Burroughs

## SUMMARY CONDITIONS OF APPROVAL

*"Sky Lakes Village Phases 1-4", "The Village" and "The Cottages at Cedar Landing"*

Tentative Plat

LDS-16-027

### A. Streets

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

- **Cedar Links Drive** – no additional right-of-way dedication is required.
- **Callaway Drive** – no additional right-of-way dedication is required.
- **Farmington Ave** – no additional right-of-way dedication is required.
- **St. Francis Drive** – no additional right-of-way dedication is required.
- **Yamsay Drive** – no additional right-of-way dedication is required.
- Dedicate **Village Circle** full right-of-way.
- Dedicate a minimum 12-foot right-of-way for the accessway.
- Dedicate Public Access Easement for **Cedar Landing**.
- Dedicate Public Access Easement for **"Private Road"**.
- Dedicate 10 foot public utility easements (PUE).

#### 2. Improvements:

##### Public Streets

- Improve **Cedar Links Drive** to Major Collector standards on the north side.
- Improve **Callaway Drive** to Minor Residential street standards.
- Improve **Farmington Ave** to Standard Residential standards.
- Improve **St. Francis Drive** to Standard Residential street standards.
- Construct **Yamsay Drive** to Standards Residential street standards.
- Construct **Village Circle** to Residential Lane and cul-de-sac standards.
- Construct the accessway per MLDC 10.466 standards.
- Construct **Cedar Landing** to Building and Medford Municipal Codes standards.
- Construct **"Private Road"** to Building and Medford Municipal Codes standards.

##### Lighting and Signing

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

##### Other

- Provide pavement moratorium letters.
- Provide soils report.
- All double frontage lots shall be restricted to take access off the lower-order street only.
- Paths built to AASHTO standards.

### B. Sanitary Sewer:

- Provide private laterals 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 and completion of all public improvements.

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



## Staff Memo

**TO:** Planning Department, City of Medford

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

**SUBJECT:** LDS-16-027

**PARCEL ID:** 371W16BD TL's 200, 211, 214, 238 & 371W16BC TL's 100, 200, 202, 203

**PROJECT:** Consideration of a request for approval of the Cedar Landing Planned Unit Development (PUD) tentative plat for "Sky Lakes at Cedar Land Phase 1 through 4", "The Village at Cedar Landing" and "The Cottages at Cedar Landing" within an area previously identified as "The Village at Cedar Landing Phase 2 and 3" consisting of 54 lots on approximately 34.24 acres on the north side of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential – 4 dwelling units per gross acre/Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

**DATE:** May 25, 2016

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

### CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of 8-inch water lines (possibly 12-inch depending on fire flow requirements for The Village at Cedar Landing) is required in Yamsay Drive, Farmington Drive, Village Circle, and also in "private" roads within "The Cottages at Cedar Landing". Applicants' civil engineer shall coordinate with MWC engineering staff for water facility sizing and layout for each phase.
4. The existing ¾-inch water meter serving the previous Club House located north of Cedar Links Drive across from Wilkshire Drive is required to be abandoned.
5. Dedication of a 10 foot wide (minimum) access and maintenance easement to MWC over all water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.
6. Applicants Civil Engineer shall coordinate with Medford Water Commission for parking and travel lane layout within "The Village at Cedar Landing" development and around the existing 50-foot wide Medford Water Commission easement.

CITY OF MEDFORD  
EXHIBIT # "1"  
File # A LDS-16-027



## Staff Memo

7. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.

### COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 above)
3. This development is located within MWC's "Gravity" pressure zone. Static water pressure for the Lots located within the "Gravity" pressure zone will be between 50 psi and 80 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does exist to this property. A ¾-inch water meter served the previous Cedar Links Golf Course Club House located north of Cedar Links Drive across street from Wilshire Drive. (See Condition 4 above)
5. Access to MWC water lines is available. There is an existing 8-inch water line in Cedar Links Drive, and an 8-inch water line in Farmington Drive. There is also an existing 24-inch welded steel water transmission line (Big Butte Springs Line #2). Extreme care shall be taken when working around the 24-inch Big Butte Springs Line. There will be no connections allowed off the BBS #2 24-inch water transmission main.



# 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: 05/25/2016

From: Greg Kleinberg

Report Prepared: 05/20/2016

Applicant: Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent)

File #: LDS - 16 - 27

Site Name/Description: Sky Lakes at Cedar Land Phase 1 through 4", "The g

Consideration of a request for approval of the Cedar Landing Planned Unit Development (PUD) tentative plat for "Sky Lakes at Cedar Land Phase 1 through 4", "The Village at Cedar Landing" and "The Cottages at Cedar Landing" within an area previously identified as "The Village at Cedar Landing Phase 2 and 3 consisting of 54 lots on approximately 34.24 acres on the north side of Cedar Links Drive, west of Foothill Road, within an SFR-4/PD (Single-Family Residential - 4 dwelling units per gross acre/Planned Development) zoning district; Cedar Investment Group LLC., Applicant (CSA Planning Ltd., Agent). Desmond McGeough, Planner.

### DESCRIPTION OF CORRECTIONS

### REFERENCE

Requirement ADDITIONAL REQUIREMENTS/COMMENTS

MEDFORD

OTHER

See PUD-16-024 requirements.

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.

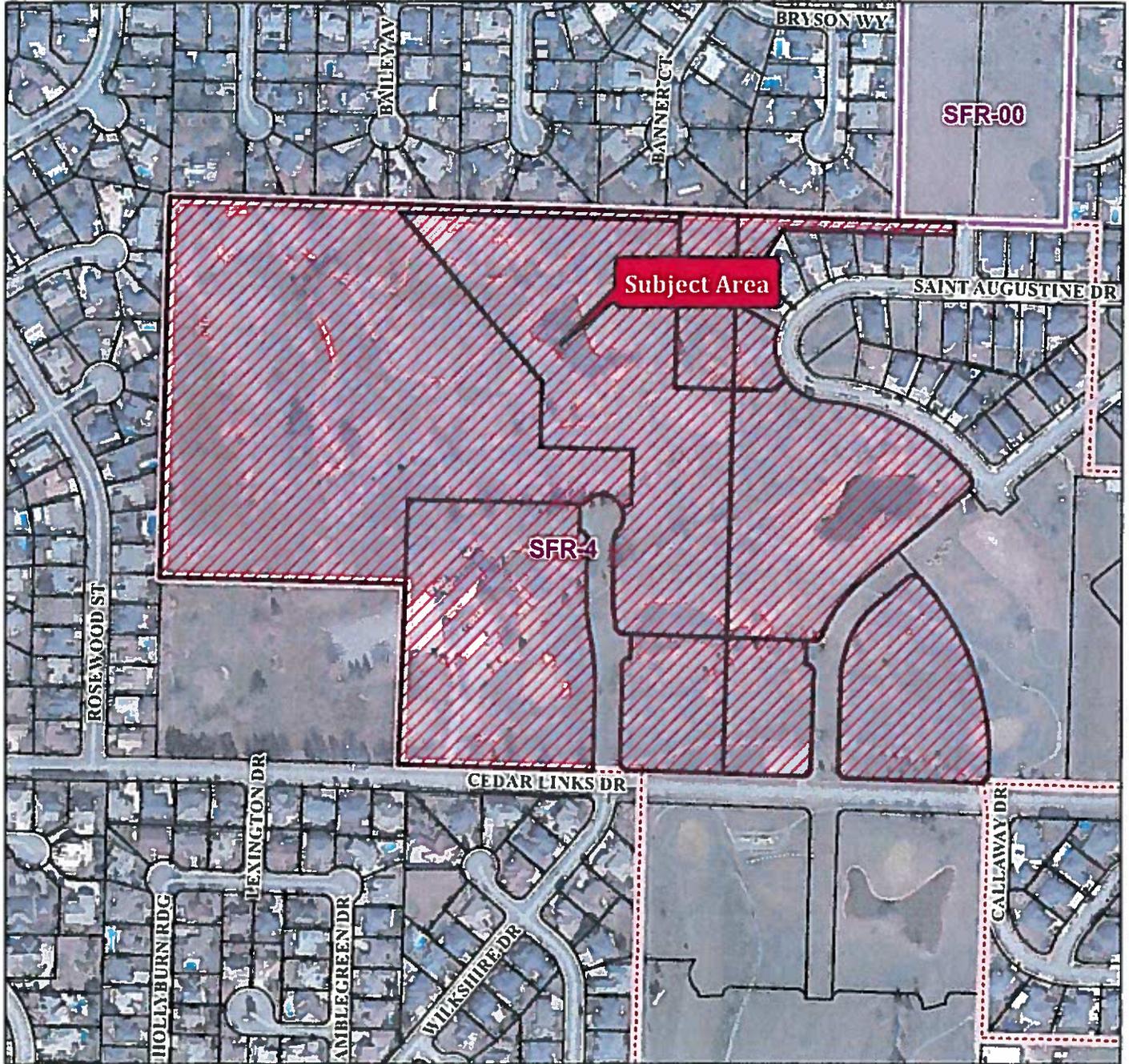
CITY OF MEDFORD  
EXHIBIT "U"  
File # \_\_\_\_\_  
LDS-16-027



# City of Medford Planning Department

Vicinity  
Map

File Number:  
*LDS-16-025*  
**LDS-16-026**  
*LDS-16-027*



Project Name:

**Sky Lakes Replat**

Map/Taxlot:

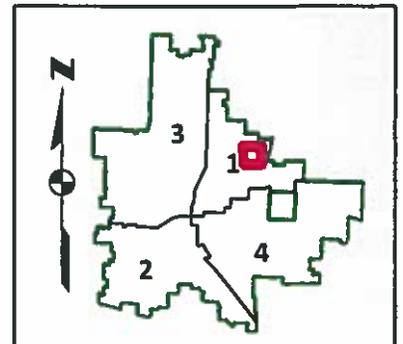
**371W16BC TL 100, 200, 201, 202, 203  
371W16BD TL 200, 211, 214, 238**

0 100 200 400  
Feet

**05/11/2016**

### Legend

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





### Applicable Criteria

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

#### **Medford Land Development Code §10.227, Zone Change Criteria**

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.

\*\*\*

- (b) For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one (1) of the following conditions must exist:
- (i) At least one (1) parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or
  - (ii) The area to be rezoned is five (5) acres or larger; or
  - (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.

\*\*\*

- (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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

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

- (b) Adequate streets and street capacity must be provided in one (1) of the following ways:
- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
  - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
  - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
    - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
    - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
  - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based

upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

## ISSUES AND ANALYSIS

### Background

The subject parcel was annexed by Ordinance 2006-184, adopted by the City Council on August 17, 2006. The SFR-00 zoning designation was applied to the property at that time. According to Jackson County Assessor's records, the site is developed with one single family residence and an 840 square foot detached garage.

### Criteria Compliance

#### *GLUP/TSP Consistency*

The General Land Use Plan (GLUP) designation for the subject site is UR (Urban Residential) (Exhibit B). According to the General Land Use Plan Element of the *Comprehensive Plan*, the SFR-6 zone district is a permitted zone in the UR designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. The TSP Functional Classification Plan does not identify Cherry Street as a higher order street; therefore, it is a local street (Exhibit C). No other facilities, such as air, freight, bicycle or pedestrian, are identified for this location.

### *Locational Criteria*

The proposal requires assessment of the locational criterion for SFR-6 zoning. The subject site abuts properties zoned SFR-6 on the north and east as required in Medford Land Development Code (MLDC) Section 10.227(1)(b)(i) (Exhibit D).

### *Facility Adequacy*

MLDC 10.227(2) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and streets) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction. The agency comments included in Exhibits E through G demonstrate that the Category A facilities are adequate to serve the site. No conditions of approval are recommended by the affected agencies.

### *Jackson County Roads (Exhibit H)*

The Jackson County Roads response includes a number of comments that are not applicable to zone changes. These comments will be addressed at the time of development. No condition to comply with this agency response has been included.

### Committee Comments

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

No other issues were identified by staff.

## **FINDINGS AND CONCLUSIONS**

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

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the UR General Land Use Plan Map designation and the Transportation System Plan, and that the site meets the locational criterion for the SFR-6 zone district. The Commission can find that this criterion is satisfied.
- With regard to Criterion 2, the agency comments included as Exhibits E through G demonstrate that there are adequate Category A facilities available to serve the subject site. No conditions of approval are required to ensure this criterion is met. The Commission can find that this criterion is satisfied.

**RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-16-067 per the staff report dated July 1, 2016, including Exhibits A through M.

**EXHIBITS**

- A Applicant's Findings of Fact received May 20, 2016
- B General Land Use Plan Map excerpt
- C Transportation System Plan Functional Classification Plan excerpt
- D Zoning Map excerpt
- E Public Works Staff Report received June 22, 2016
- F Medford Water Commission Staff Memo received June 22, 2016
- G Rogue Valley Sewer Services letter received June 9, 2016
- H Jackson County Roads letter received June 16, 2016
- I Medford Fire Department Land Development Report received June 22, 2016
- J Oregon Department of Aviation E-mail received June 10, 2016
- K Addressing Technician e-mail received June 22, 2016
- L Building Department e-mail received June 22, 2016
- M Jackson County Assessor's Map received May 20, 2016  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**JULY 14, 2016**



# American Building Company, Inc.

Gary T. Whittle  
President

CCB #164702

## 819 Cherry Street Zone Change

RECEIVED

MAY 20 2016

PLANNING DEPT.

### *10.227 Zone Change Criteria Findings: 37 2W 25CC T/L 5400*

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

*(1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, 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.*

**1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation.**

*(a) For zone changes to SFR2, the zoning shall be approved under either of the following circumstances: (i) if at least 70 percent of the area proposed to be rezoned exceeds a slope of 15%, (ii) if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.*

**2a) Not applicable**

*(b) For zone changes to SFR6 or SFR10 where the permitted density is proposed to increase, one of the following conditions must exist: (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR6 or SFR10 respectively; or (ii) The area to be rezoned is five (5) acres or larger; or (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.*

1

CITY OF MEDFORD  
EXHIBIT # A  
File # ZC-16-067



# American Building Company, Inc.

Gary T. Whittle  
President

CCB #164702

**2b)(i) The Parcel that abuts the East of the proposed change is Parcel 3 of Partition Plat No. P-25-2014 and is zoned SFR6.**

*(c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought: (i) The overall area of the CN zoning district shall be three (3) acres or less in size and within, or abutting on at least one boundary, residential zoning. In determining the overall area, all abutting property(s) zoned CN shall be included in the size of the district. (ii) The overall area of the CC zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned CC shall be included in the size of the district. (iii) The overall area of the CR zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned CR shall be included in the size of the district. The CR zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below. (iv) The CH zone shall front upon an arterial street or state highway. The CH zone may abut the General Industrial (IG), Light Industrial (IL), and/or any commercial zone. The CH zone is ordinarily considered to be unsuitable if abutting any residential and IH zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*

## **1c) Not applicable**

*(a) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought: (i) The IL zone may abut residential and commercial zones, and the General Industrial (IG) zone. The IL zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (IH) zone, unless the applicant can show it would be suitable pursuant to (1)(e) below. (ii) The IG zone may abut the Heavy Commercial (CH), Light Industrial (IL), and the Heavy Industrial (IH) zones. The IG zone is ordinarily considered to be unsuitable when abutting the other commercial and residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below. (iii) The IH zone may abut the General Industrial (IG) zone. The IH zone is ordinarily considered to be unsuitable when abutting other zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.*



# American Building Company, Inc.

Gary T. Whittle  
President

CCB #164702

**1d) Not applicable**

*(e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one or more of the following criteria: (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows for only one zone; (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above; (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or (iv) Notwithstanding the definition of "abutting" in MLDC 10.012 and for purposes of determining suitability under Section*

*(1) (e), the subject property is separated from the "unsuitable" zone by a public right of-way of at least 60 feet in width.*

**1e) N/A**

*(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."*

**2) Category "A" urban services and facilities are available and will be provided to adequately serve the subject properties with the permitted uses allowed under the proposed zoning.**

*(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.*



# American Building Company, Inc.

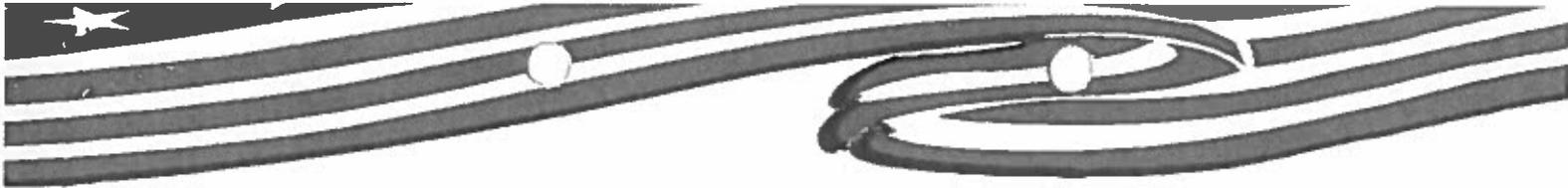
Gary T. Whittle  
President

CCB #164702

**2a) Storm drainage, sanitary sewer, and water facilities of Cherry Street are available and adequate in condition, capacity, and location to serve the property. Water is in Cherry Street and can be brought to said property.**

*(a) 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.*

**2b) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity.**



# American Building Company, Inc.

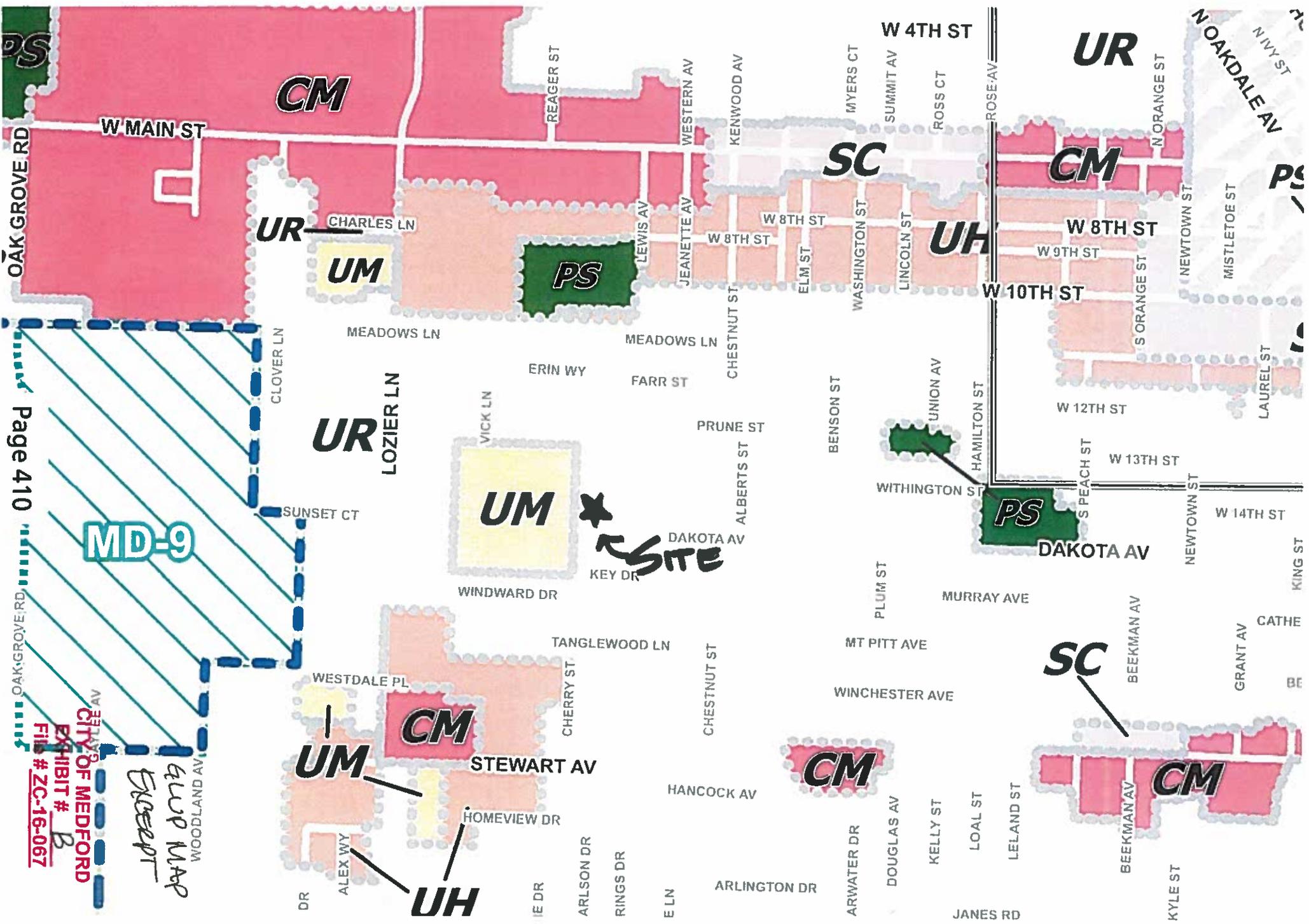
Gary T. Whittle  
President

CCB #164702

*(c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which*

*must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following: (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards, (ii) Mixeduse, pedestrianfriendly 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.*

**2c) Not applicable**

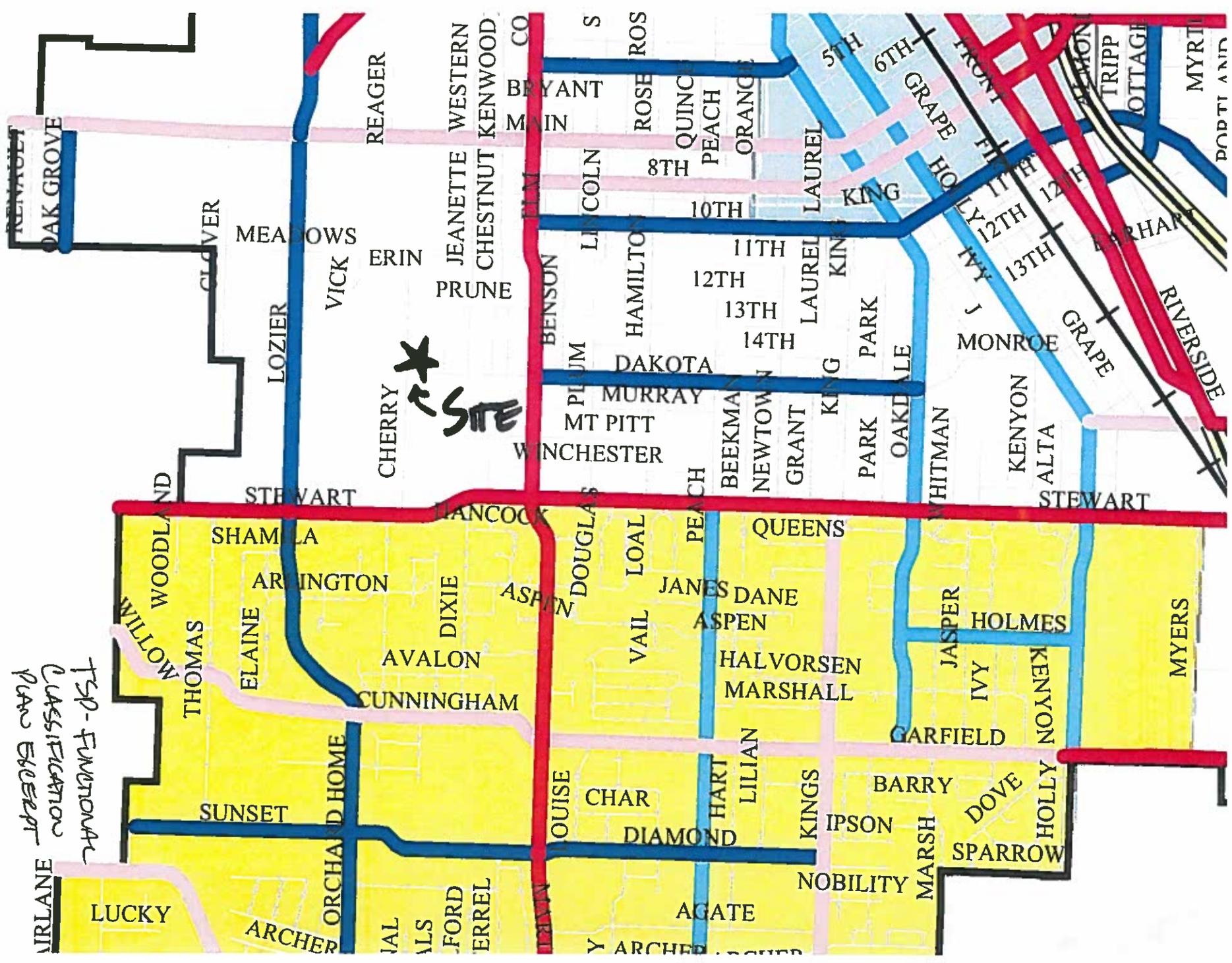


**MD-9**

**★ SITE**

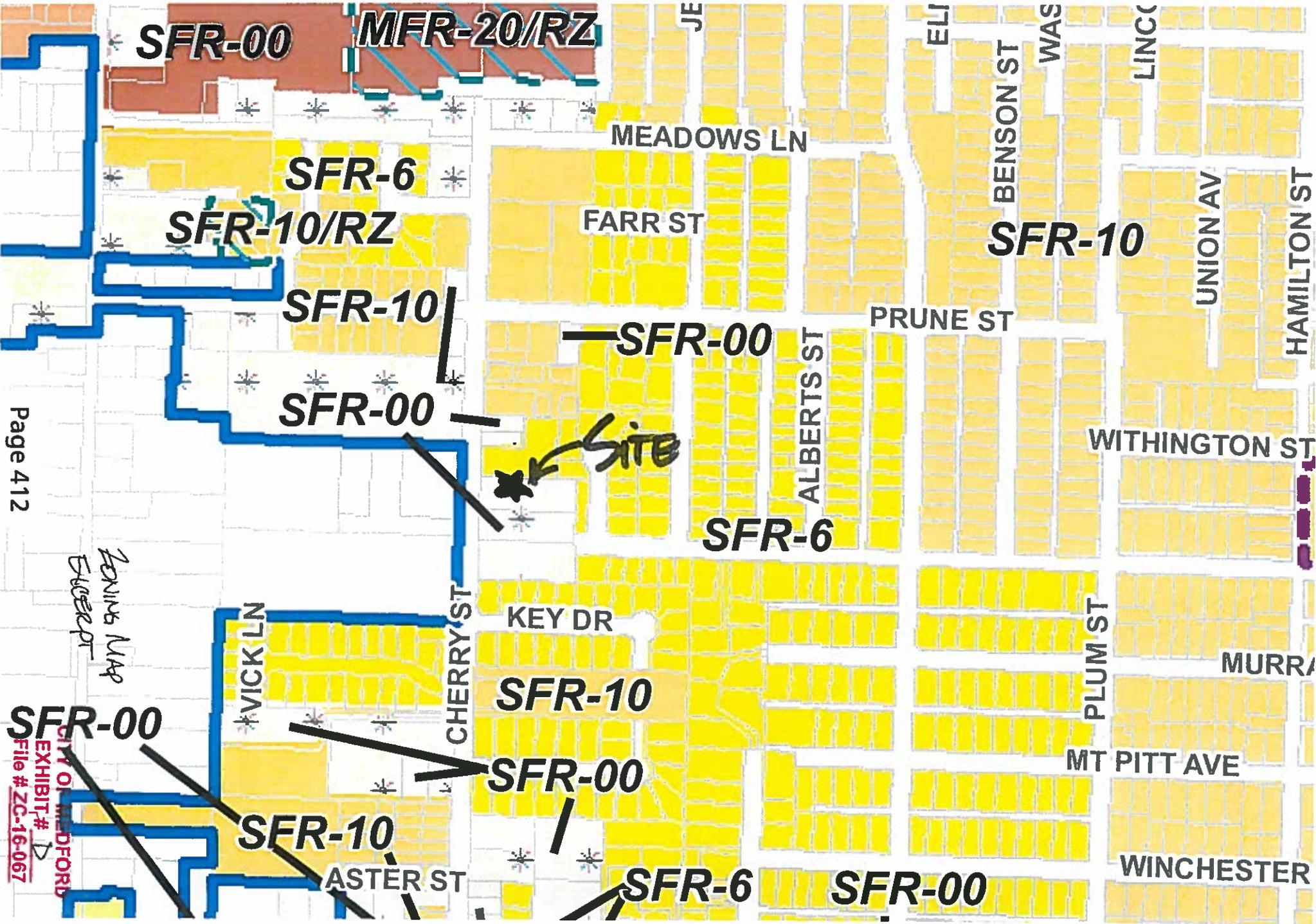
**CITY OF MEDFORD**  
**EXHIBIT # B**  
**File # ZC-16-067**

*GROUP MAP*  
*EXCEPT*



CITY OF MEDFORD  
 EXHIBIT # C  
 File # ZC-16-067

TSP - FUNCTIONAL  
 CLASSIFICATION  
 PLAN EXCEPT



Zoning MAP  
EXCERPT  
CITY OF MEDFORD  
EXHIBIT # 12  
File # ZC-16-067



Continuous Improvement Customer Service

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JUN 22 2016

PLANNING DEPT.

CITY OF MEDFORD

LD Date: 6/22/2016  
File Number: ZC-16-067

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Zone Change – 819 Cherry Street (Joseph/Carole Eselin)**

**Project:** Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to SFR-6 (Single Family Residential, six dwelling units per gross acre) on approximately 0.70 acres.

**Location:** Located on the east side of Cherry Street, approximately 370 feet north of Key Drive.

**Applicant:** Joseph/Carole Eselin, Applicants. Kelly Akin, Planner.

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

**I. Sanitary Sewer Facilities**

This site lies within the Rogue Valley Sewer Service (RVSS) area. The applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

**II. Storm Drainage Facilities**

The City of Medford has existing storm drain facilities on the east side of Cherry Street. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development in accordance with Medford Land Development Code (MLDC), Section 10.729 and/or 10.486.

nd

### **III. Transportation System**

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per Medford Municipal Code (MMC), Section 10.461 (3).

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, curb and gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs



# Staff Memo

**RECEIVED**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** ZC-16-067

JUN 22 2016

PLANNING DEPT.

**PARCEL ID:** 372W25CC TL 5400

**PROJECT:** Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to SFR-6 (Single Family Residential, six dwelling units per gross acre) on approximately 0.70 acres located on the east side of Cherry Street, approximately 370 feet north of Key Drive; Joseph/Carole Eselin, Applicants. Kelly Akin, Planner.

**DATE:** June 22, 2016

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

## COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction is required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does not exist to this property.
7. Access to MWC water lines for connection is available. There is 8-inch water line approximately 270-feet north of the northerly property line of TL 5400, and another 8-inch water line approximately 230-feet south of the southerly of TL 5400. There is also an existing 8-inch water line in Colinwood Court.

CITY OF MEDFORD  
EXHIBIT # F  
File # ZC-16-067





# ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005  
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

June 9, 2016

City of Medford Planning Department  
200 S. Ivy Street  
Medford, Oregon 97501

**RECEIVED**  
JUN 09 2016  
PLANNING DEPT.

**Re: ZC-16-067, Joseph & Carole Eselin (372W25CC - 5400)**

ATTN: Kelly,

The subject property is currently served by a connection to an 8 inch sewer main on Cherry Street. There is adequate capacity in this pipe to serve the proposed density.

Future development must be reviewed for compliance with RVSS standards.

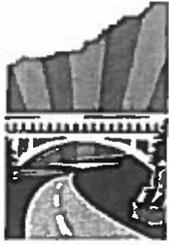
Sincerely,

*Nicholas R. Bakke*

Nicholas R. Bakke, P.E.  
District Engineer

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CITY OF MEDFORD  
EXHIBIT # 4  
File # ZC-16-067



# JACKSON COUNTY

## Roads

Roads  
Engineering

Kevin Christiansen  
Construction Manager

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

www.jacksoncounty.org

June 9, 2016

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

**RECEIVED**

JUN 16 2016  
KA

**PLANNING DEPT.**

RE: Zone change off Cherry Street – a county maintained road.  
Planning File: ZC-16-067.

Dear Kelly:

Thank you for the opportunity to comment on the request for a change of zone from SFR-00 (Single-Family Residential – 1 dwelling units per existing lot) to SFR-6 (Single-Family Residential – 6 dwelling units per gross acre) on approximately 0.70 acre located on the east side of Cherry Street, approximately 370 feet north of Key Drive. Jackson County Roads has the following comments:

1. If frontage improvements off Cherry Street are required, they shall be permitted and inspected by the City of Medford.
2. Any new or improved road approaches off Cherry Street shall be permitted and inspected by the City of Medford.
3. The applicant shall submit construction drawings to Jackson County Roads and obtain county permits if required.
4. Future construction plans shall be submitted to Jackson County Roads, so we may determine if county permits will be required.
5. Cherry Street is a County Local road and is county-maintained.
6. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to Cherry Street. Jackson County Roads recommends that the city request road jurisdiction.
7. Storm water should meet City of Medford requirements that also include water quality.
8. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.

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

Sincerely,

Kevin Christiansen  
Construction Manager

CITY OF MEDFORD  
EXHIBIT #   #    
File # ZC-16-067



# 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

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JUN 22 2016

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Kelly Akin

LD Meeting Date: 06/22/2016

From: Fire Marshal Kleinberg

Report Prepared: 06/10/2016

File #: ZC - 16 - 67

### Site Name/Description:

Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to SFR-6 (Single Family Residential, six dwelling units per gross acre) on approximately 0.70 acres located on the east side of Cherry Street, approximately 370 feet north of Key Drive; Joseph/Carole Eselin, Applicants. Kelly Akin, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

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.

17

**Kelly A. Akin**

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**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Friday, June 10, 2016 9:45 AM  
**To:** Kelly A. Akin  
**Subject:** ZC-16-067 - ODA Comment

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JUN 10 2016

PLANNING DEPT.

Kelly:

ODA has reviewed the posed zone change from SFR-00 to SFR-6 and have prepared the following comments:

The site is approximately 3.5 miles SW of the Rogue Valley Int'l airport. However, there is development between the site and the airport. Therefore, this zone change and subsequent development will not pose a hazard to air navigation.

Please feel free to contact me if you or the applicant have any questions.

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.

**Kelly A. Akin**

---

**From:** Jennifer L. Ingram  
**Sent:** Wednesday, June 22, 2016 8:36 AM  
**To:** Kelly A. Akin  
**Subject:** LDC / ZC-16-67

Hi Kelly,

I won't be attending the meeting this morning. I don't have any comments.

Thank you,  
*Jennifer*

**Kelly A. Akin**

---

**From:** Mary E. Montague  
**Sent:** Wednesday, June 22, 2016 9:19 AM  
**To:** Kelly A. Akin  
**Cc:** Chad E. Wiltrout  
**Subject:** ZC-16-067

**RECEIVED**

JUN 22 2016

PLANNING DEPT.

Hi Kelly,  
Building department has no comments on the zone change and will not be attending LDC today.

Thank You!

***Mary Montague***  
Plans Examiner II  
City of Medford  
Building Department  
(541) 774-2371  
Fax:(541) 618-1707

CITY OF MEDFORD  
EXHIBIT #   L    
File # ZC-16-067

37 2W 25CC  
MEDFORD

S W 1/4 S W 1/4, SEC 25, T37S, R 2W, W.M.  
JACKSON COUNTY  
1" = 100'

37 2W 25CC  
MEDFORD



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 MAY 20 2016  
 PLANNING DEPT.

37 2W 25CC  
 MEDFORD

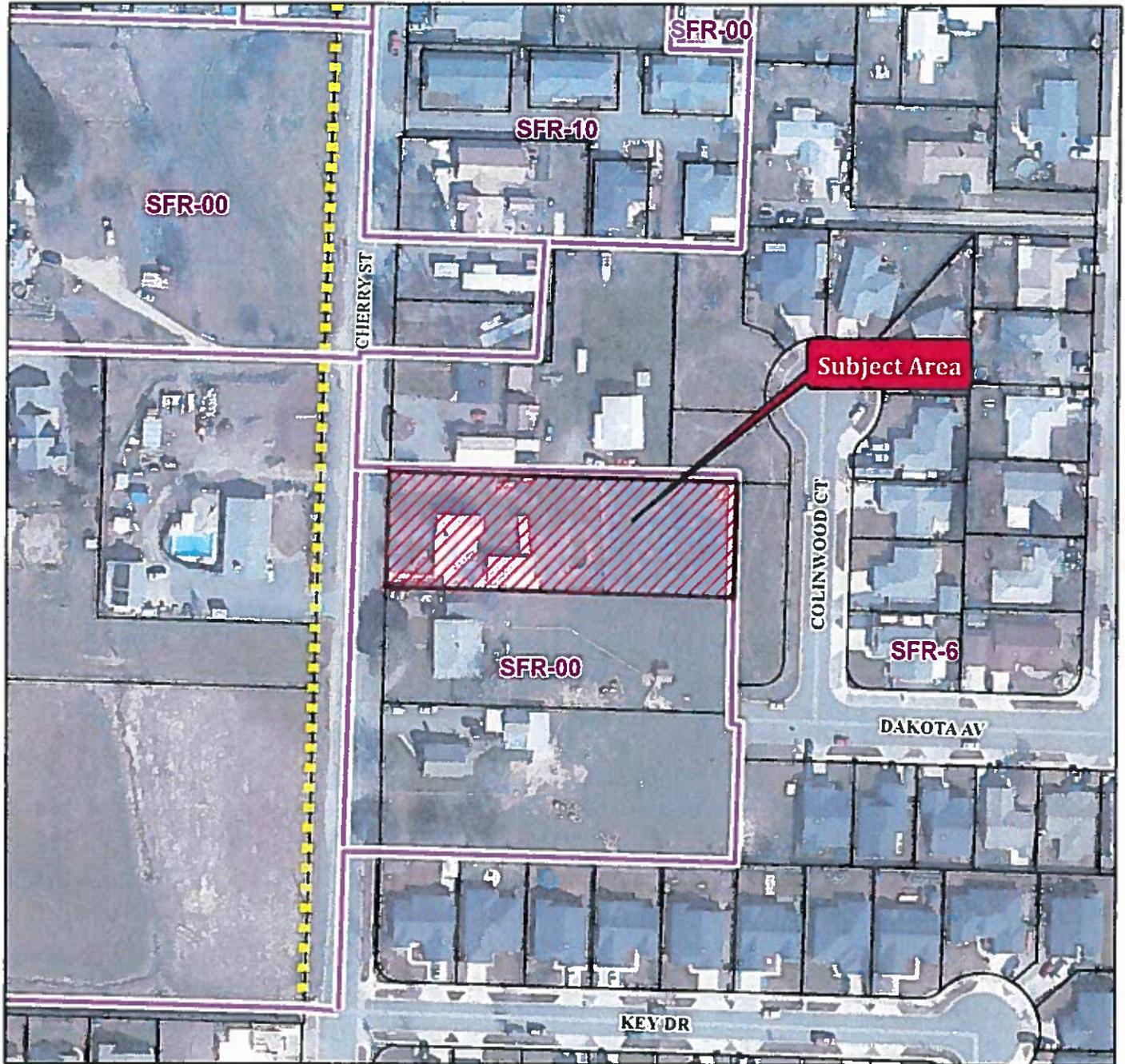
37 2W 25CC  
 MEDFORD



# City of Medford Planning Department

Vicinity  
Map

File Number:  
**ZC-16-067**



Project Name:

**Joseph & Carole Eselin**

Map/Taxlot:

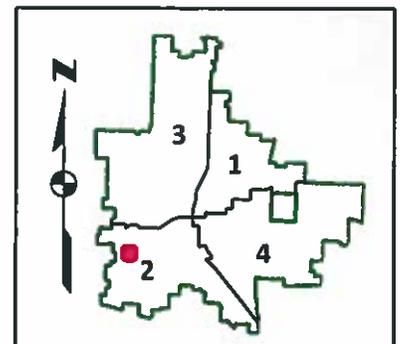
**372W25CC TL 5400**



05/26/2016

### Legend

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





**STAFF REPORT**

for a Type-C quasi-judicial decision: **Conditional Use Permit**

Project Village Center Park  
 Applicant: Mahar Homes, Inc.; Agent: Galbraith & Associates

File no. CUP-16-059

To Planning Commission *for 07/14/ 2016 hearing*

From Kelly Akin, Principal Planner *KA*

Date July 7, 2016

**BACKGROUND**

Proposal

Consideration of a request for a Conditional Use Permit to allow the construction of a park on two parcels totaling approximately 3.08 acres located at the southwest corner of Lone Oak Drive and Shamrock Drive, within the MFR-20/SE (Multiple Family Residential – 20 dwelling units per gross acre/Southeast Overlay) zoning district.

Subject Site Characteristics

Zoning	MFR-20/SE (Multiple Family Residential – 20 dwelling units per gross acre/Southeast Overlay)
GLUP Designation	UH (Urban High Density Residential/Southeast Plan Area)
SE Plan Sub-Area	10
SE Plan Land Use Category	High Density
Use	Stormwater detention facility

Surrounding Site Characteristics

North	Zone:	SFR-10/SE (Single Family Residential – 10 units per gross acre/Southeast Overlay)
	SE Plan Sub-Area:	6
	SE Plan Category:	Small Lot
	Use:	Single family residential, vacant
South	Zone:	MFR-20/SE (Multiple Family Residential – 20 dwelling units per gross acre/Southeast Overlay)
	SE Plan Sub-Area:	10
	SE Plan Category:	High Density
	Use:	Vacant

East	Zone:	MFR-20/SE
	SE Plan Sub-Area:	10
	SE Plan Category:	High Density
	Use:	Vacant
West	Zone:	SFR-00/SE (Single Family Residential, one dwelling unit per existing lot/Southeast Overlay)
	SE Plan Sub-Area:	7B – Village Center
	SE Plan Category:	Service Commercial
	Use:	Single family residence

### Related Projects

A-97-194	Annexation
ZC-05-275	Zone change from EFU to MFR-20
SV-06-316	Street vacation

### Applicable Criteria

#### Medford Land Development Code §10.248, Conditional Use Permit Criteria

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.

#### Corporate Names

The Oregon Secretary of State, Corporation Division website lists Michael T. Mahar as President, Randall D. Jones as Secretary, and Patrick G. Huycke as Registered Agent of Mahar Homes, Inc.

### **ISSUES AND ANALYSIS**

#### Background

The subject property was annexed in 1998 and subsequently rezoned to MFR-20. The Planning Commission decision on zone change ZC-05-275 established development limitations until certain improvements were made, including the installation of traffic signals at the Cherry Lane/North Phoenix Road and Barnett Road/Golf View Drive intersections as well as the construction of the Fern Valley Interchange. These conditions have been satisfied; however, the trip cap of 1,034 and 1,261 average daily trips related to improvements at the McAndrews Road eastbound and westbound off-ramps at Foothill Road, respectively, remains. The proposed park is the only development that has occurred within that particular 2004 zone change application area; no trip limitations appear to be triggered by this application.

#### Park Master Plan (Exhibit B)

The proposed Village Center Park is located on the eastern two-thirds of the overall 3.08 acre site. Amenities include open turf areas, a basketball half-court, pathways, children's playground equipment, permanent restrooms and a picnic shelter.

*Consistency with the Southeast Plan (Exhibits P and Q)*

Village Center Park is located within the Southeast Plan (SE Plan) area. The SE Plan contains two particular public facility designations related to this project area – Parks and Greenway.

As identified in the Site Characteristics above, the SE Plan designation for the site is High Density and not Parks. The SE Plan is general in nature; nothing precludes public facilities being constructed in locations other than those specifically designated. There is a Park facility identified just east of the subject site. Planning staff understands that the designated site is topographically incompatible with the type of amenities typically identified for the community park facility that is identified for this area in the Leisure Services Plan, which was adopted into the Public Facilities Element of the Comprehensive Plan in 2010.

The SE Plan identifies a minor greenway crossing the subject site in an east-to-west direction. Interestingly, the required path does not coincide with the alignment of the greenway. The park plan does address the required path on the south side along Michael Park Drive, while the greenway is contained within the detention facility. The location of the park just east of the Village Center will provide a pleasant place of respite for the future visitors to the Commercial Core as well as those travelling along the path system to Chrissy Park and points beyond.

*Stormwater Detention Facility (Exhibit D)*

The site currently serves as the stormwater detention and water quality treatment facility for the portion of Summerfield at Southeast Park that generally lies east of Lone Oak Drive between Shamrock Drive and Cherry Lane. The detention basin is designed as a two-stage facility with the westerly third of the site designated as *Extended Detention* carrying the most frequent storm flows. This portion of the site will not be maintained by the Parks Department. The proposed park is located in the easterly portion of the site identified as *High Flow Detention* which is designed to detain storm flows that are greater than the capacity of the *Extended Detention* area. The park is designed so that it will not interfere with the primary stormwater management function of the site.

*Parking (Exhibit G)*

Because the site is small and the topography unusual, no on-site parking is proposed. The adopted *Leisure Services Plan* notes that a minimum of three parking spaces are typically required per acre of usable park area. Using this calculation, nine parking spaces are required. Alternatively, using the ITE Manual average daily trip generation (ADT) factor of 1.89 trips for a city park would result in a requirement for six parking spaces.

The applicant's findings state that there is sufficient on-street parking available on future Shamrock Drive to accommodate 11 vehicles. Staff notes that parking will also be available on Michael Park Drive on the south side of the park. The applicant concludes that this will provide adequate parking for a neighborhood park whose typical users come from within a half mile of the park on foot or by bicycle.

#### *Landscaping (Exhibit F)*

The applicant has requested relief from landscaping requirements found in Medford Land Development Code (MLDC) 10.780(G)(5)(a), related to the limit of high water use landscape elements, and MLDC 10.780(G)(6)(b), related to the 15% maximum slope where turf grass may be installed.

The Commission has the authority in MLDC 10.780(C)(2) to provide relief to the landscaping requirements without the need for a separate Exception application. The applicant's Narrative Addendum seeks relief under Subsection (a)(2), which requires a finding that, "A particular public benefit will be achieved by not complying with a provision of this section." This proposal is a creative dual use of a stormwater detention facility that is open space, but not otherwise intended for recreation. In this case, the Commission can find that the proposal to construct a City park is a public benefit. Staff recommends approval of the request.

#### Agency Comments

Several agencies submitted comments, which are included as Exhibits H through N. With the exception of the Public Works Department (Exhibit H) and the Medford Water Commission (Exhibit I), no conditions of approval were recommended. Conditions have been included requiring compliance with Exhibits H and I.

#### Committee Comments

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

No other issues were identified by staff.

#### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's narrative, addendum to the narrative, and findings and conclusions (Exhibits E, F and G) and recommends the Commission adopt the findings as presented.

### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of CUP-16-059 per the staff report dated July 7, 2016, including Exhibits A through R.

### **EXHIBITS**

- A Conditions of Approval, dated July 7, 2016
- B Master Plan, received June 10, 2016
- C Colored Rendering, received July 6, 2016
- D Pond Site Plan, received May 2, 2016
- E Conditional Use Permit Narrative, received May 2, 2016
- F Addendum to Conditional Use Permit Narrative, received July 6, 2016
- G Findings of Fact, received May 2, 2016
- H Public Works Department Staff Report, received June 15, 2016
- I Medford Water Commission Staff Memo, received June 15, 2016
- J Medford Fire Department Land Development Report, received June 6, 2016
- K Oregon Department of Fish & Wildlife e-mail, received June 3, 2016
- L Oregon Department of Aviation e-mail, received June 10, 2016
- M Talent Irrigation District Land Use Agency Response, received June 13, 2016
- N Medford Building Safety Department e-mail, received June 15, 2016
- O Regional Detention Pond Temporary Easement, received May 2, 2016
- P Southeast Circulation Plan Map
- Q Southeast Plan Minor Greenway G-3 and G-4 Details
- R Jackson County Assessor's Map, received May 2, 2016  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**JULY 14, 2016**

**EXHIBIT A**

Village Center Park  
CUP-16-059  
Conditions of Approval  
July 7, 2016

**CODE CONDITIONS**

1. Comply with the Public Works Staff Report dated June 15, 2016 (Exhibit H).
2. Comply with the Medford Water Commission staff memo dated June 15, 2016 (Exhibit I).







**CONDITIONAL USE PERMIT NARRATIVE FOR  
VILLAGE CENTER PARK  
May 2016**

**The preliminary design meeting was held October 29, 2014**

The planning for the development of Village Center Park began October 29, 2014. John Galbraith met with Brian Sjothun and city staff to develop an initial program for the park. The city's desire was to create a high quality green space, with trails, benches and trees. A low maintenance design was discussed, with the design incorporating a natural play area.

It was decided that the Design Advisory Committee would be made up of 2 members from the Parks Committee and 2 members from the Parks Foundation.

The following meetings were held to collect information regarding the development of the park design.

**The first Advisory Committee meeting was held December 30, 2014.**

The Advisory Committee met for the first time December 30<sup>th</sup> 2014. It was attended by the Parks Foundation, The Parks Commission, Brian Sjothun and John Galbraith.

The size of the park and the obstacles to site development were discussed. The site has slopes all around the perimeter. Although this will allow for water infiltration, all structures will need to be able to be submerged; full submergence is expected every 25 years. The site terrain was discussed as well in relationship to the location of onsite parking, the restroom and other amenities. Onsite parking was not feasible because of the limited useable area within the park and the site's perimeter slopes. Parking could be provided along Shamrock Drive, a residential street adjacent to the north boundary of the park. An interpretive area at the storm water detention area was seen as a design opportunity. The perimeter path was perceived as another opportunity it will be designed with accessibility, shade was requested for passive use.

The basic amenities that were discussed included the basketball court, play area and a small pavilion. It was determined there should be 2 playgrounds the first for five year olds and younger and the second for five year olds and older. The importance of unique play structures over natural

formations was discussed, as they were perceived as being more interesting and better able to hold kid's attention longer. It was suggested that families would need to be able to stay for a couple of hours. Items such as the climbing rock at Oregon Hills, a full or a half basketball court, a "Spinner" with netting, linked teeter totter and conifer climbers were discussed. A splash pad was discussed but the area was determined not to be big enough. The date for the second meeting was set for January 21, 2015.

### **The second Advisory Committee meeting was held on January 21, 2015.**

The second meeting was attended by the Parks Foundation, The Parks Commission, Brian Sjothun and John Galbraith.

John Galbraith presented a concept drawing of the park design based on the input of the previous meeting. The need for a shade structure was brought up. Possibly it could be over the little children's play area or connected to or over the play structure. The concern for shade was seen as very important. The idea of basketball hoops similar to Hawthorne Park was discussed. The SpinMax Tower was discussed as a very popular play structure.

### **A public meeting was held May 19, 2015.**

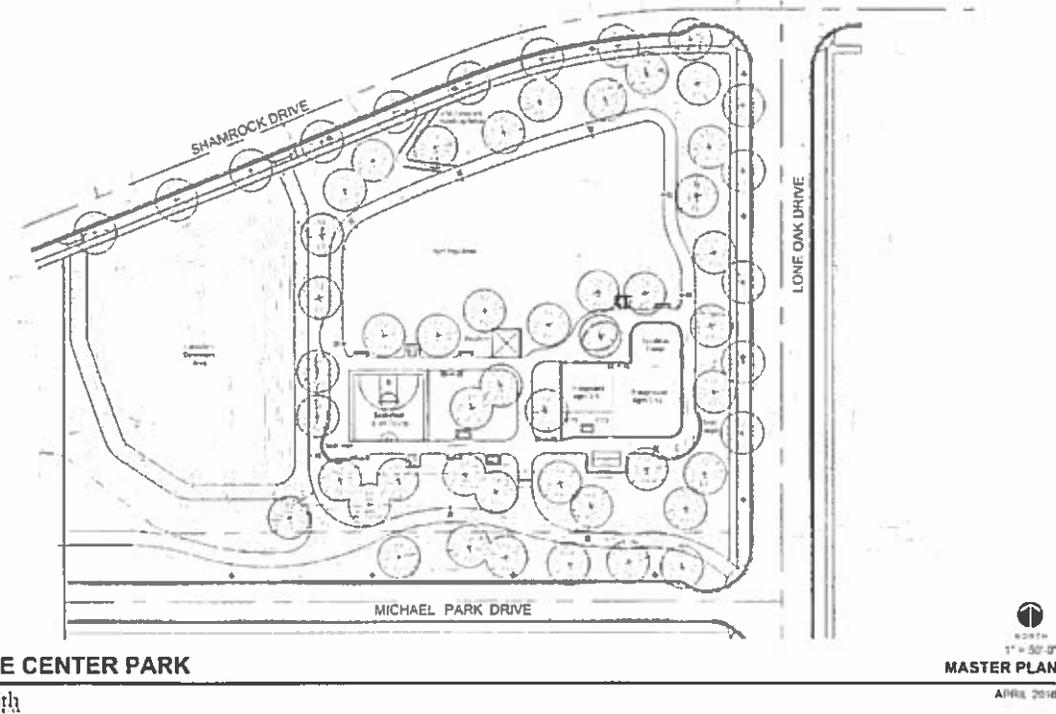
A public meeting was held May 19<sup>th</sup> with the Parks Commission. The park design was presented on boards to the Parks Commission. The only change to the previous design drawing was that the SpinMax Tower was added to the play area. There was no public comment at this meeting and the Parks Commission approved the project as it was designed.

### **Summary of Final Design Plan**

Based on the availability of land the Village Center Park final master plan design totals 3.08 acres of land for a regional detention pond and associated storm sewer facility. The park itself takes up about 2/3 of the total area referred to as the "high flow detention" area. The "extended detention facility" takes up the remaining area; that area will not become part of the park maintained by the city, (See Summerfield Estates Detention Facility plan).

The park area will meet the amenities that were discussed in the advisory committee meetings. It will contain a half basketball court, two playgrounds, one for five year olds and younger and the second for five year olds and older. The unique 'SpinMax Tower' play structure was selected for added interest. Shade is provided by a small pavilion and by the location of trees in open grassy areas.

There will be a restroom facility along with benches and picnic tables distributed along the active use park area path. The park will include an ADA accessible path from the street level into the lower open play fields and connected to the pathway system. Safety issues will be addressed with the addition of Dark Sky LED pole fixtures along the pathways similar to Hawthorne Park.



This park will form a connecting link along the future southeast greenway trail system and follow the recommendations in the Medford Leisure Services Plan chapter 6 for improving connectivity for parks and facilities in Medford and providing bike and pedestrian access.

07.06.16

**Addendum to Conditional Use Permit Narrative for  
SOUTH EAST AREA PARK  
March 2016**

**Application for Relief from Provisions of the City of Medford Municipal Code**

The owner is applying for relief according to City of Medford Municipal Code 10.780C(2)a.2. "A particular public benefit will be achieved by not complying with a provision of this section."

The owner is applying for relief from the City of Medford Municipal Code Section 10.780G(5)a. which limits high water use landscape elements.

The proposed use of this property is a public park which will benefit the community.

The owner is applying for relief from the City of Medford Municipal Code Section 10.780G(6)b. which limits the slope upon which turf grass may be installed.

Turf grass is the best natural surface for human activities. Large open spaces of turf grass will be used for multiple purposes including play, picnics, etc.

**CONDITIONAL USE PERMIT CRITERIA  
(Findings of Fact and Conclusions of Law)**

**VILLAGE CENTER PARK**

May 2016

**10.248 Conditional Use Permit Criteria:** 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.

**FINDING: Not Applicable**

- 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.

**CITY OF MEDFORD**

**EXHIBIT 6**

**FILE # CUP-16-059**

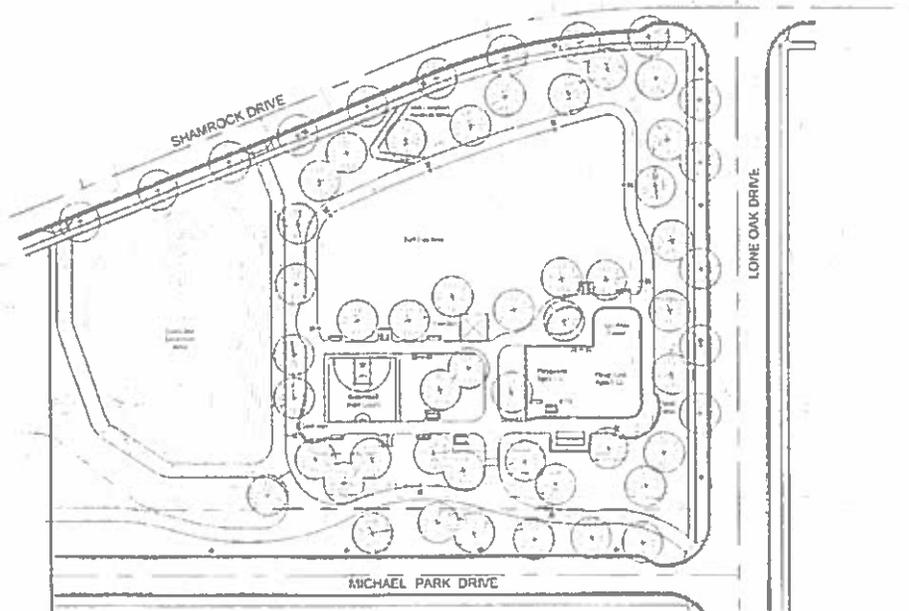
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.
- (10) Designate the size, height, location, or materials for a fence.
- (11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

**FINDINGS FOR THE VILLAGE CENTER PARK**

This project will have a significant beneficial impact on the livability and value of the surrounding residential area. It complies with the *Public Facilities Element of the Comprehensive Plan* and the *Medford Leisure Services Plan*.

Based on those two documents a Neighborhood Park improves the quality of life of nearby residents and provides neighborhood open space. It enhances the neighborhood identity and provides nearby residents with access to basic recreation opportunities. They are designed for passive and unstructured activities. The typical user of a Neighborhood Park will arrive on foot or by bicycle and visit the park for short periods of time. Users will live within ½ mile of the park.

This park will form a connecting link along the future southeast greenway trail system and follow the recommendations in the *Medford Leisure Services Plan chapter 6* for improving connectivity for parks and facilities in Medford and providing bike and pedestrian access.



**VILLAGE CENTER PARK**



NDPTA  
1" = 50'-0"  
**MASTER PLAN**  
APRIL 2018

**Plan View of Village Center Park**

Based on the availability of land the Village Center Park final master plan design totals 3.08 acres of land for a regional detention pond and associated storm sewer facility. The park itself takes up about 2/3 of the total area referred to as the “high flow detention” area. The “extended detention facility” takes up the remaining area; that area will not become part of the park maintained by the city, (See Summerfield Estates Detention Facility plan). Although this is slightly smaller than the recommended minimum size for a Neighborhood Park in the *Public Facilities Element of the Comprehensive Plan* and the *Medford Leisure Services Plan*, all age groups will be accommodated in this park.

Because the site is small and the topography is unusual in that it forms a water detention basin, parking on site is not feasible. The residential street Shamrock Drive on the north side of the park provides 290 lineal feet of street frontage which exceeds the guideline of the *Public Activities Element of the Comprehensive Plan* for street frontage. This residential street could provide 11 parking spaces, which more than exceeds the minimum of three spaces per acre of usable active park area recommended in the *Comprehensive Plan*. This should easily provide adequate parking for a neighborhood park whose typical users come from within ½ mile of the park on foot or by bicycle.

Based on the *Public Facilities Element of the Comprehensive Plan* and the *Medford Leisure Services Plan* the proposed park design provides many of the recommended amenities for this type of park including:

- Open turf area for unstructured play
- General landscape improvements (including tree planting)
- Children’s playground
- Basketball (full or half) court
- Pathway connecting park elements
- Picnic tables
- Small picnic shelter
- Natural area/greenspace
- Permanent restrooms



Continuous Improvement Customer Service

**CITY OF MEDFORD**

**RECEIVED**  
**JUN 15 2016**  
**PLANNING DEPT.**

LD Date: 6/15/2016  
File Number: CUP-16-059

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Village Center Park**

**Project:** Consideration of a request for a Conditional Use Permit to allow the construction of a park on two parcels totaling approximately 3.08 acres.

**Location:** Located within the southeast overlay at the southwest corner of the intersection of Lone Oak Drive and Shamrock Drive, within a MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district.

**Applicant:** Mahar Homes, Inc., Applicant (Galbraith & Associates, Agent). Tracy Carter, Planner.

**NOTE:**

The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention.
- Completion of all public improvements, if required. The applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas.
- Certification by the design engineer that the stormwater quality and detention system was constructed per the approved plan.
- Completion of all public improvements, if applicable.

## A. STREETS

### 1. Dedications

**Lone Oak Road** is classified as a Major Collector Street within the Medford Land Development Code (MLDC) Section 10.428. Prior to issuance of any permit for construction, the developer shall dedicate for public right-of-way, sufficient width of land, at minimum, to comply with the half width of right-of-way, which is 37-feet, plus 9-feet east of centerline.

**Shamrock Drive** is classified as a Standard Residential Street within the Medford Land Development Code (MLDC) Section 10.430. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 31.5-feet. Right-of-way appears to have been dedicated with the Final Plat for Summerfield Phase 10 and Instrument No. 2016-012168. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

**Michael Park Drive** is classified as a Minor Residential Street within the MLDC Section 10.430. The developer shall dedicate for public right-of-way, sufficient width of land, at minimum, to comply with the half width of right-of-way, which is 27.5-feet, plus 9-feet south of centerline.

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

In accordance with MLDC 10.471, **the property owner shall dedicate a 10-foot wide public utility easement (PUE) adjacent to the proposed right-of-way line along this Developments entire frontage.**

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

**Lone Oak Drive** shall be improved to Major Collector Street standards in accordance with MLDC 10.428. The developer shall improve, at minimum, the west half plus 8-feet east of centerline along the frontage of this development.

**Shamrock Drive** is currently improved in partial conformance to Standard Residential Street standards. However, there is currently no sidewalk along this developments frontage. **The developer shall provide a 5-foot wide sidewalk** in accordance with MLDC Section 10.430.

**Michael Park Drive** shall be improved to Minor Residential Street standards in accordance with MLDC Section 10.430 The Developer shall improve the north half plus 8-foot south of the centerline along the frontage of this development.

#### **b. Street Lights and Signing**

The developer shall provide and install in compliance with Section 10.495 of the MMC. Based on the preliminary plan submitted, the following number of street lights will be required:

##### Street Lighting – Developer Provided and Installed

- A. 2 – 250 watt HPS over Lone Oak Drive
  - a) Pedestrian lighting, conduit and wire design per the Southeast Plan standards.
- B. 1 – Street Name Sign
- C. 1 – Stop Sign
- D. 2 – Barricades
- E. 1 – Dead-End Sign

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request.

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 Shamrock Drive, which is set to expire August 4<sup>th</sup>, 2018.

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

#### **d. Soils Report**

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

#### **e. Paths**

All pathways throughout development shall be constructed to American Association of State Highway and Transportation Officials (AASHTO) standards.

Easements, 15-feet in width, shall be granted over pathways to be used for City of Medford maintenance purposes.

### **3. MLDC Section 10.668 Analysis**

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless: (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose, and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

#### **1. Nexus to a legitimate government purpose.**

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

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

No mathematical formula is required to support the rough proportionality analysis. Also, the City is allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

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

#### **Lone Oak Drive, Michael Park Drive:**

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 6 Lots within

the City of Medford and increase vehicular traffic by approximately 57 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.

- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. Each Lot in this development will have direct access to a public street with facilities that will allow for safe travel for vehicles, bicycles and pedestrians. There is also sufficient space for on-street parking. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

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

## **B. SANITARY SEWERS**

The proposed development is situated within the Medford sewer service area. It is unclear where the existing or proposed sanitary sewer lateral(s) are located. A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed sanitary sewer laterals for the proposed building. The Developer shall provide one separate individual service lateral to the site or ensure that the site is served by an individual service lateral. All unused laterals adjacent and stubbed to the development shall be capped at the main.

## C. STORM DRAINAGE

### 1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval. All area catch basins shall meet Department of Environmental Quality (DEQ) requirements, which include a down-turned elbow and sump.

**There is currently an existing stormwater detention facility located on this site. Any modifications or impacts to this facility from the development of the park shall not adversely affect or change the design volume or function of this facility without prior review and approval from the City Engineer.**

A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed stormdrain lateral/s for the site.

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

### 2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development 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.

If the proposed restroom is located in an area of potential inundation, then it must be constructed at an elevation is at least 1-foot above the 100-year stormwater elevation or provide operational means, acceptable to the Public Works and Building Departments, to prevent stormwater entry into the sanitary sewer system.

### 3. Detention and Water Quality

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

### 4. Certification

Upon completion of the project, and prior to final inspection sign off of the building permit, 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. Wetlands

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

## 6. Erosion Prevention and Sediment Control

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

### D. 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. System Development Charges (SDC)**

Buildings in this development are subject to street, sanitary sewer treatment, collection and stormdrain SDCs. All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Doug Burroughs

# SUMMARY CONDITIONS OF APPROVAL

## Village Center Park

CUP-16-059

### A. Streets:

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

- Dedicate right-of-way on **Lone Oak Drive**.
- Dedicate right-of-way on **Shamrock Drive**.
- Dedicate right-of-way on **Michael Park Drive**.
- Dedicate 10-foot public utility easements (PUE).

#### 2. Improvements:

##### Public Streets

- Improve **Lone Oak Drive**, half plus 8-feet, to Major Collector Street.
- Improve **Shamrock Drive** to provide sidewalk with planter strip.
- Improve **Michael Park Drive**, half plus 8-feet, to Minor Residential Street standards.

##### Lighting and Signing

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

##### Other

- Provide pavement moratorium letters.
- Provide soils report.
- Paths built to AASHTO standards.

### B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.

### C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers certification of stormwater facility construction.
- Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

### D. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Building permits will not be issued until after final plat approval and completion of all public improvements.

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



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** CUP-16-059  
**PARCEL ID:** 371W27 TL's 1010 & 1201  
**PROJECT:** Consideration of a request for a Conditional Use Permit to allow the construction of a park on two parcels totaling approximately 3.08 acres located within the southeast overlay at the southwest corner of the intersection of Lone Oak Drive and Shamrock Drive, within a MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district; Mahar Homes, Inc., Applicant (Galbraith & Associates, Agent). Tracy Carter, Planner.  
**DATE:** June 15, 2016

**RECEIVED**  
JUN 15 2016  
Ka  
P...

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

**CONDITIONS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of a 12-inch water line (Pressure Zone 2) is required in Lone Oak Drive, and an 8-inch water line installation within Michael Park Drive. Applicants' civil engineer shall coordinate with MWC Engineering staff for water line layout, and meter size for proposed Summerfield Estates Detention Facility.
4. Applicants' civil engineer shall coordinate with Medford Fire Department for Fire Hydrant locations.
5. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.
6. Static water pressure is expected to be over 80 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

*Continued to next page*



*Continued from previous page*

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 above)
3. MWC-metered water service does not exist to this property.
4. Access to MWC water lines is available. There is a 12-inch water line in Shamrock Drive and Lone Oak Drive.





# 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

**RECEIVED**  
JUN 06 2016  
PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Tracy Carter

LD Meeting Date: 06/15/2016

From: Fire Marshal Kleinberg

Report Prepared: 06/06/2016

File #: CUP - 16 - 59

### Site Name/Description:

Consideration of a request for a Conditional Use Permit to allow the construction of a park on two parcels totaling approximately 3.08 acres located within the southeast overlay at the southwest corner of the intersection of Lone Oak Drive and Shamrock Drive, within a MFR-20 (Multiple-Family Residential - 20 dwelling units per gross acre) zoning district; Mahar Homes, Inc., Applicant (Galbraith & Associates, Agent). Tracy Carter, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
<p><u>Approved as Submitted</u> Meets Requirement: No Additional Requirements</p>	

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.

1a

**Tracy R. Carter**

---

**From:** David Haight <david.r.haight@state.or.us>  
**Sent:** Friday, June 03, 2016 5:38 PM  
**To:** Tracy R. Carter  
**Subject:** CUP-16-059

**RECEIVED**  
JUN 03 2016  
PLANNING DEPT.

Tracy,

The Oregon Department of Fish and Wildlife has no objection to the construction of a park at the corner of Lone Oak Drive and Shamrock Drive.

David R. Haight  
Fisheries Biologist  
Oregon Department of Fish and Wildlife  
1495 East Gregory Road  
Central Point, OR 97502  
541-826-8774, ext 224

**Tracy R. Carter**

---

**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Friday, June 10, 2016 3:36 PM  
**To:** Tracy R. Carter  
**Subject:** CUP-16-059 - ODA Comment

RECEIVED  
JUN 10 2016  
PLANNING DEPT.

Tracy:

ODA has reviewed the proposed CUP for a park in the MFR-20 zoning district and has prepared the following comments:

The site is approximately 4.3 mile SE of the Rouge Valley Int'l airport. According to the Compatible Land Use Guidebook parks are a compatible land use.

ODA finds that the proposed development will not be a hazard to air navigation.

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.

# TALENT IRRIGATION DISTRICT LAND USE AGENCY RESPONSE FORM

104 W. Valley View Rd.  
P.O. Box 467  
Talent, OR 97540

Phone: 541-535-1529  
Fax: 541-535-4108  
Email: tid@talentid.org

NAME OF ENTITY REQUESTING RESPONSE: Medford  
ENTITY REFERENCE NUMBER: CUP-16-059  
MEETING REVIEW DATE: June 15, 2016  
MAP DESCRIPTION: 37-1W-27 Tax Lots: 1010 and 1201  
PROPERTY ADDRESS:

**RECEIVED**  
**JUN 13 2016**  
**PLANNING DEPT.**

**NO COMMENT ON LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)**

**NO COMMENT**      **IF CHECKED COMMENTS ARE APPLICABLE**

**A. WATER RIGHT ISSUES**

- 1. Water rights need to be sold to someone or transferred back to Talent Irrigation District. Number of Irrigated Acres: \_\_\_\_\_  
Comments: \_\_\_\_\_
- 2. Must have District approval for water rights to remain in place on subject property.  
Comments: \_\_\_\_\_

**B. EASEMENTS**

**DISTRICT EASEMENTS**

- 1. Easement needs to remain clear. No permanent structures or deep rooted plants will be allowed within the easement limits.  
Comments: \_\_\_\_\_
- 2. If facility is to be relocated or modified, specifications must meet the District's standards and be agreeable to the District. A new written and recorded easement must be conveyed to the District.  
Comments: \_\_\_\_\_
- 3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District.  
Comments: \_\_\_\_\_

**PRIVATE EASEMENTS**

- 1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for downstream water users.  
Comments: \_\_\_\_\_

**PRIVATE EASEMENT PROVISIONS FOR MINOR PARTITIONS AND/OR LOT LINE ADJUSTMENTS**

1. If the property currently has water rights and it is being partitioned or a lot line adjustment is being made, easements must be written and recorded which allow access for all of the pieces of property with water rights to continue to have access to the water.

Comments: \_\_\_\_\_

**WATER METER REQUIREMENT ON TRANSFERRED WATER RIGHTS**

1. If the water right on this property is a transferred water right that currently has a water meter requirement, then each of the properties split off of the original parcel all need to have water meters installed prior to the use of irrigation water on the newly formed parcels.

Comments: \_\_\_\_\_

**C. FACILITIES (including but not limited to pipelines, ditches, canals, control checks or boxes)**

1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.

Comments: \_\_\_\_\_

**D. DRAINAGE / STORM WATER**

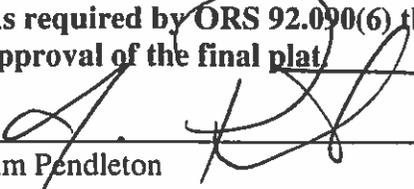
The District relies on the Bureau of Reclamation's Storm Water Policy. No urban storm water or point source flows will be allowed into the District's facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run-off water and take appropriate action to protect the development from upslope water.)

Comments: \_\_\_\_\_

**GENERAL COMMENTS:**

- 1. No interruptions to irrigation water deliveries will be allowed.
- 2. T.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
- 3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of the original function of the District's facilities.

As required by ORS 92.090(6) the entity must receive a certification form from the District before approval of the final plat.

  
 \_\_\_\_\_  
 Jim Pendleton  
 Manager  
 Talent Irrigation District

Date Signed: 6-8-16

**Tracy R. Carter**

---

**From:** Chad E. Wiltrout  
**Sent:** Wednesday, June 15, 2016 7:46 AM  
**To:** Tracy R. Carter; Dustin J. Severs; Desmond M. McGeough  
**Subject:** LDC Meeting

**RECEIVED**  
JUN 15 2016  
PLANNING DEPT.

Hi all,

Building department has no comments for the meeting this morning as the applications do not include buildings or structures that require a building permit.

Thanks,

Chad Wiltrout  
Assistant Building Safety Director  
City of Medford  
Building Department  
P (541) 774-2363  
C (541) 944-8991  
[chad.wiltrout@cityofmedford.org](mailto:chad.wiltrout@cityofmedford.org)

GRANTOR'S NAME:  
Crystal Springs Development  
Group, a Joint Venture  
815 Alder Creek Dr.  
Medford, OR 97504

GRANTEE'S NAME:  
City of Medford  
200 South Ivy Street  
Medford, OR 97501

AFTER RECORDING RETURN TO:  
NEATHAMER SURVEYING, INC.  
3126 State Street, Suite 203  
Medford, OR 97504

**RECEIVED**

MAY 02 2016

PLANNING DEPT.

**REGIONAL DETENTION POND TEMPORARY EASEMENT**

CRYSTAL SPRINGS DEVELOPMENT GROUP, a Joint Venture, GRANTOR, grants to the CITY OF MEDFORD, a municipal corporation GRANTEE, a temporary easement for the access and maintenance of a regional detention pond and associated storm sewer facilities in the following location:

Refer to Exhibit "A" for description and Exhibit "B" for pictorial, incorporated herewith and made a part hereof.

For the purpose of accessing and maintaining a Regional Detention Pond as part of the storm sewer drainage system of said City, including a right to go upon the premises hereinabove described with such personnel and equipment as may be necessary to accomplish the purposes hereof.

The subject Regional Detention Pond is part of the storm sewer drainage system for various phases of the Summerfield at South East Park subdivision development. It is the intent of the developers to dedicate the subject easement area to the City during the future platting of one of the adjoining phases. As such, this easement is being granted as a temporary easement and shall automatically terminate and extinguish once one of the adjoining phases is platted and the easement area is dedicated to the City.

This easement touches and concerns the land and is intended to bind grantor, its heirs, successors and assigns.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Name: Michael T. Mahar

Title: Member

Crystal Springs Development Group,  
a Joint Venture

STATE OF OREGON                    ) ss.  
County of Jackson                 )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_  
2015, by Michael T. Mahar as Member of Crystal Springs Development Group, a Joint Venture.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

CITY OF MEDFORD

EXHIBIT 0 of 3

FILE # CUP-16-059

EXHIBIT "A"

**REGIONAL DETENTION POND ASSOCIATED  
WITH SUMMERFIELD AT SOUTH EAST PARK  
EXTERIOR BOUNDARY DESCRIPTION**

All that real property, being a portion of the remnant of TRACT 3 per Instrument Number 2013-041636 of the Official Records of Jackson County, Oregon, being located in the Northwest One-quarter of the Southwest One-quarter of Section 27, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon. The exterior boundary of which is more particularly described as follows:

Commencing at a point on the westerly boundary of said Instrument Number 2013-041636, being the northwest corner of the "RESERVE ACREAGE" and southwest corner of the exterior boundary of SUMMERFIELD AT SOUTH EAST PARK, PHASE 11B, recorded June 13, 2014, in Volume 40 of Plats at Page 7 of the Records of Jackson County, Oregon, and filed as Survey Number 21496 in the office of the Jackson County Surveyor; thence along the common boundary of said instrument and reserve acreage the following courses and distances: thence South 00°00'00" East, 262.48 feet to an angle point thereof; thence North 90°00'00" West, 12.00 feet to intersect the centerline of Lone Oak Drive per the future plat of Summerfield At South East Park, Phase 15; thence leaving said instrument and reserve acreage boundaries, South 00°00'00" East, along said future centerline, 10.05 feet to the intersection with Shamrock Drive per said future Phase 15; thence continuing along said future Lone Oak Drive centerline, South 00°00'00" East, 51.50 feet; thence leaving said future centerline, North 90°00'00" West, 47.00 feet to the TRUE POINT OF BEGINNING; thence South 00°00'00" East, parallel to and 47.00 feet westerly from, when measured at a right angle to said future centerline of Lone Oak Drive, 339.75'; thence North 90°00'00" West, 461.09 feet to intersect the westerly boundary of aforesaid Instrument Number 2013-041636; thence North 00°05'00" East, along said westerly boundary, 204.76 feet, to a point being 41.50 feet southerly from, when measured at a right angle to or being radial to the centerline of Shamrock Drive per the future plat of Summerfield At Southeast Park, Phase 10; thence along said line 41.50 feet southerly from said future centerline of Shamrock Drive, the following courses and distances: thence North 68°23'07" East, 309.42 feet to the beginning of a tangent curve to the right, having a radius of 441.00 feet and a central angle of 21°36'53" (the long chord of which bears North 79°11'34" East, 165.38 feet); thence along the arc of said curve, 166.37 feet; thence North 90°00'00" East, 0.68 feet to the beginning of a tangent curve to the right, having a radius of 10.00 feet and a central angle of 90°00'00" (the long chord of which bears South 45°00'00" East, 14.14 feet); thence along the arc of said curve, 15.71 feet to the Point of Beginning.

Containing 3.08 acres, more or less.

Basis of bearings for this description is the centerline of Lone Oak Drive per Summerfield At South East Park, Phase 11B, filed as Survey Number 21496 in the office of the Jackson County Surveyor (measured bearing being South 00°00'00" East).

Prepared by:  
Neathamer Surveying, Inc.  
3126 State St, Suite 203  
PO Box 1584  
Medford, OR 97501  
Phone: (541) 732-2869  
Facsimile: (541) 732-1382  
Project Number: 12034-7

Date prepared: August 11, 2015

CITY OF MEDFORD

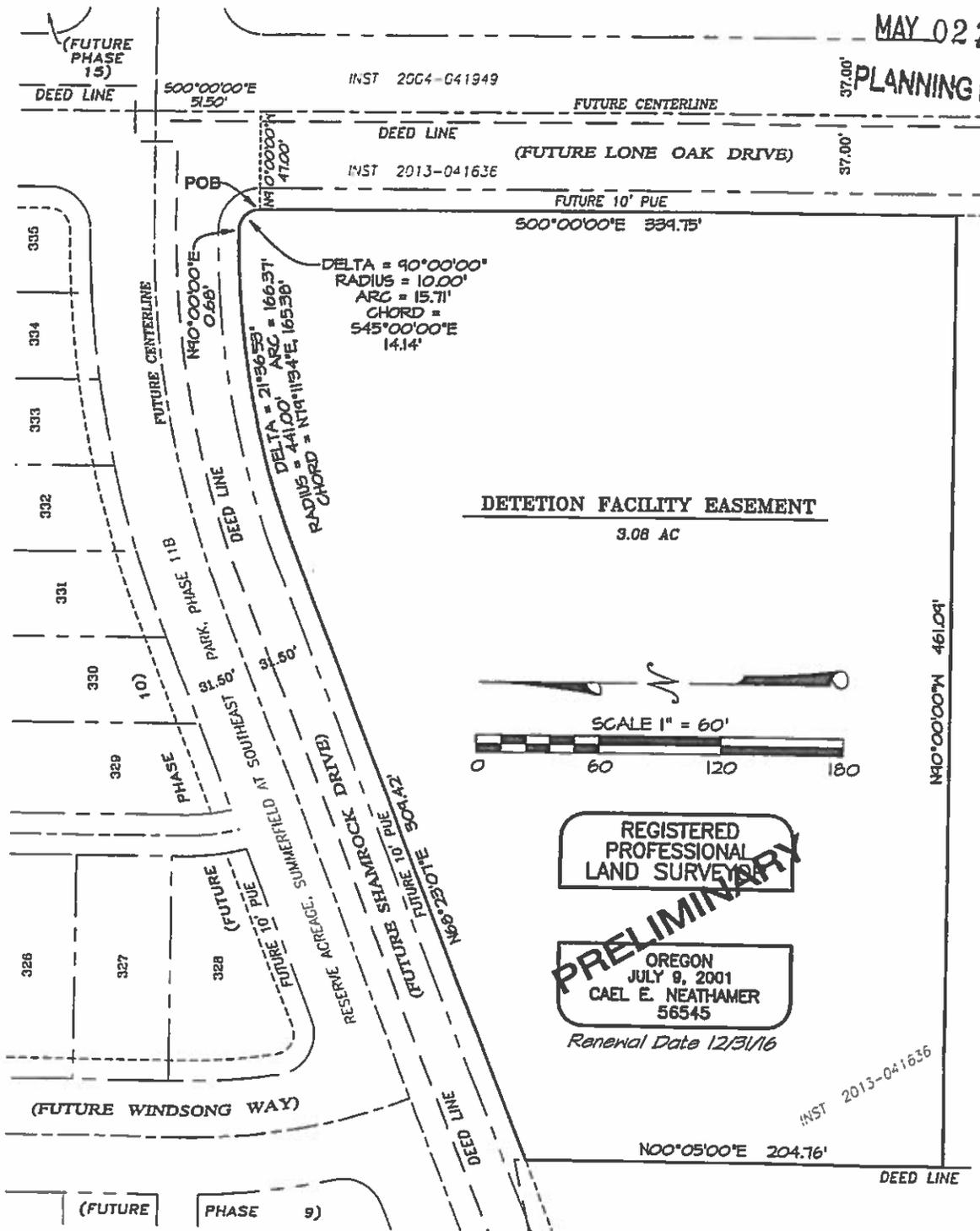
EXHIBIT 0203

FILE # CUP-16-059

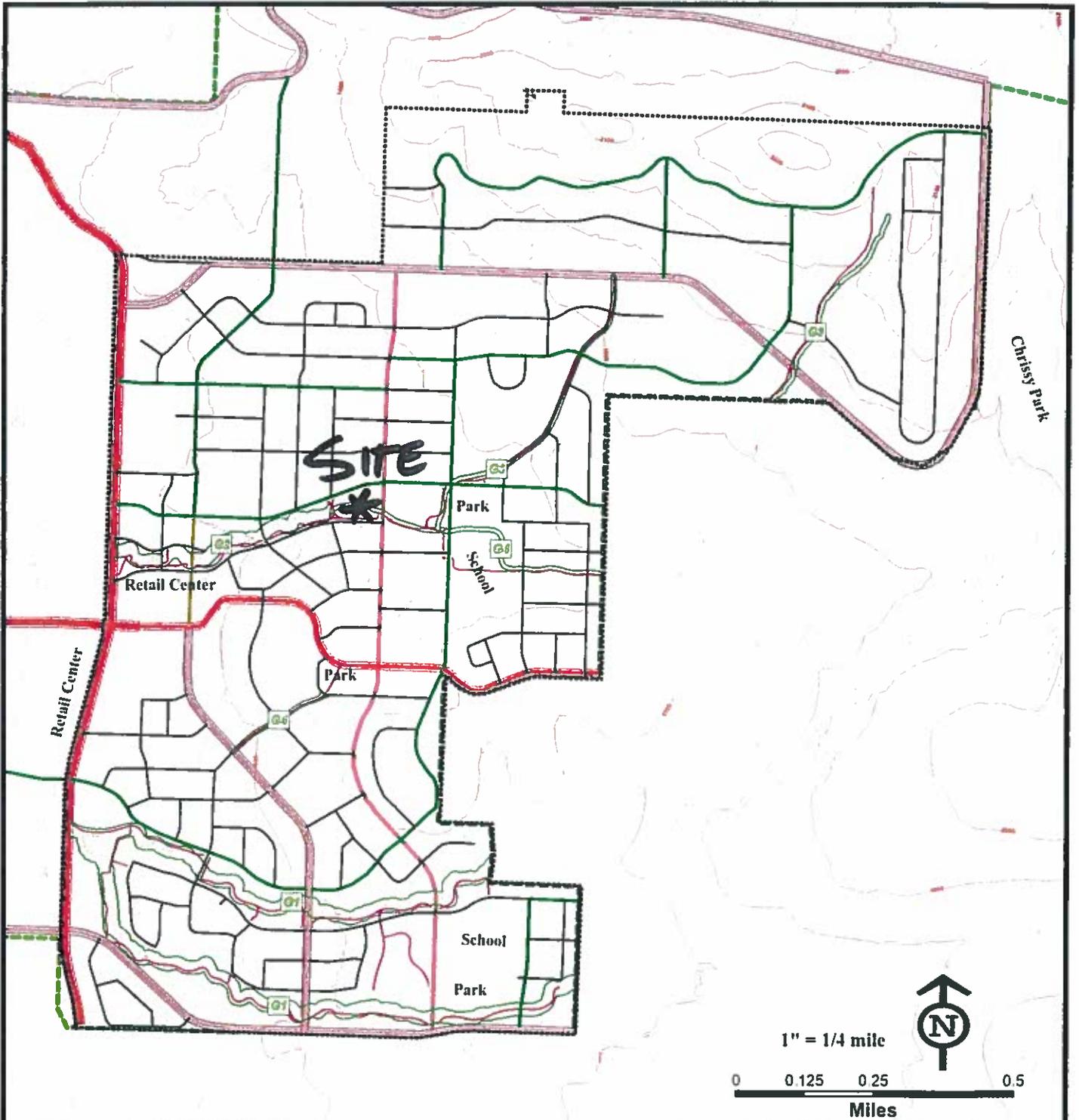
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MAY 02 2016

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CITY OF MEDFORD  
 EXHIBIT 0 30F3  
 FILE # CUP-16-059

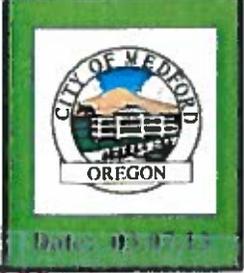


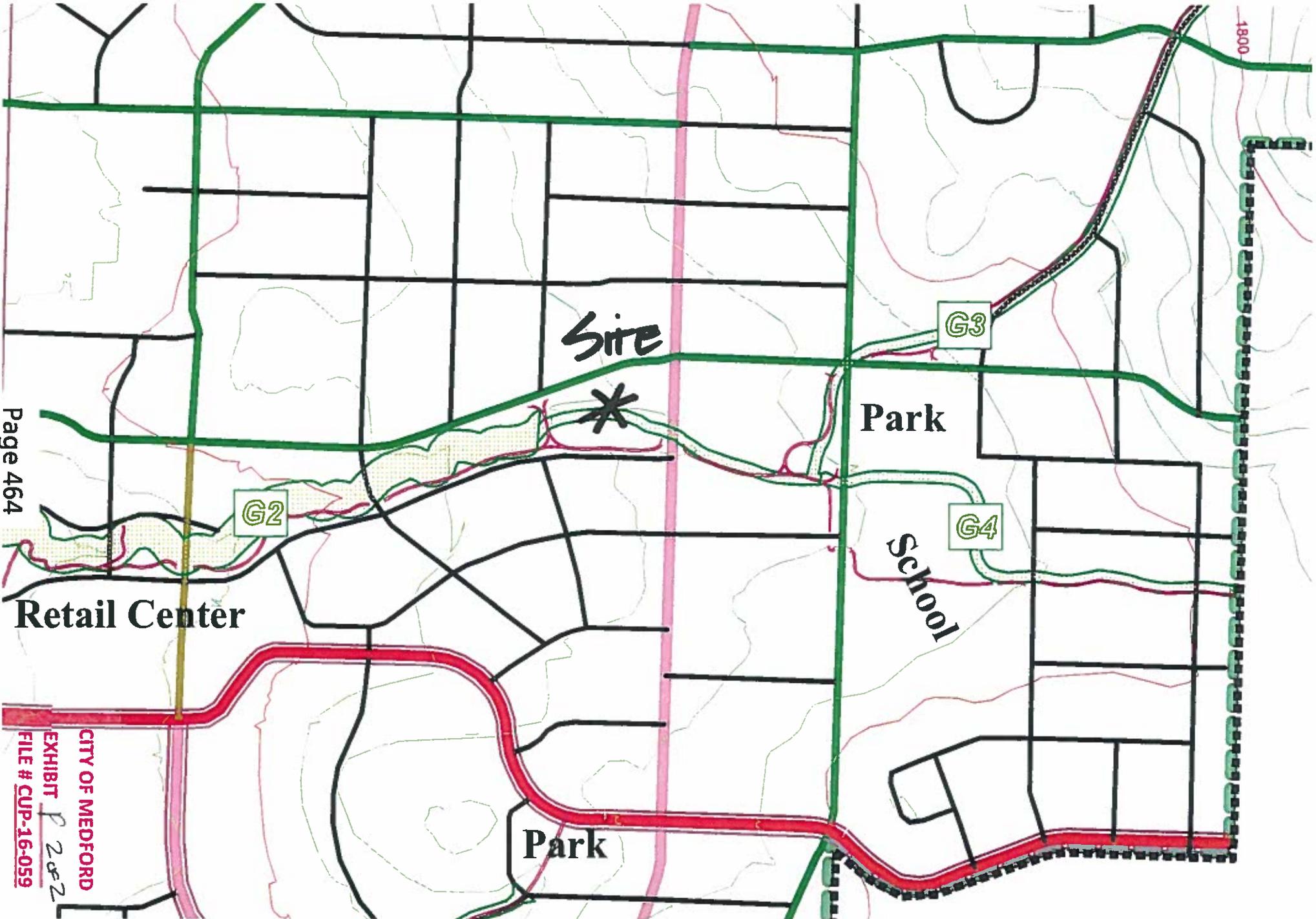
**ADOPTED March 7, 2013  
ORDINANCE #2013-42**

No guarantee or warranty is expressed or implied in terms of data accuracy or legitimacy. This product is intended for use as public information and precise interpretations of the official record should be solicited from the Medford Planning Department.

**SOUTHEAST  
CIRCULATION  
PLAN MAP**

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Commercial Street
- Standard Residential
- Local Street
- Multi-Use Paths
- Greenway
- Greenway Design Standard (See Circulation Plan Document)
- UGB
- SE Plan Boundary
- Contours**
- 100 Foot
- 20 Foot



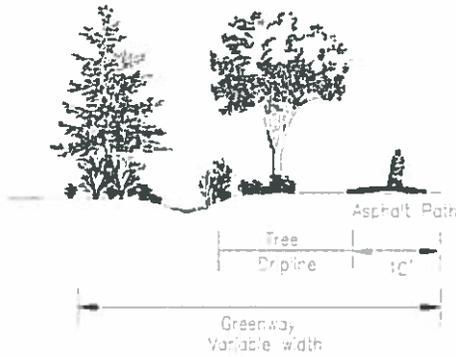


## APPENDIX E

### Minor Greenway (G-3 and G-4)

**Pedestrian/Bike Path -**

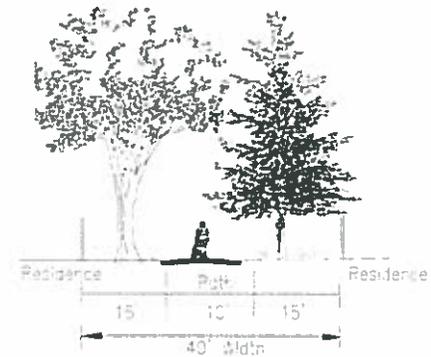
- Land may be in Private Ownership w/Public Easement or Public Land
- Native planting recommended
- Erosion control per City Engineering Dept.
- Construct path out from existing tree's drip line



**G-3** Minor Greenway w/surface drainage  
 City of Medford Greenway Detail

**Pedestrian/Bike Path**

- No surface drainage pre-existing
- All new trees to be planted close enough to eventually grow over the asphalt path
- Native or non-native plantings



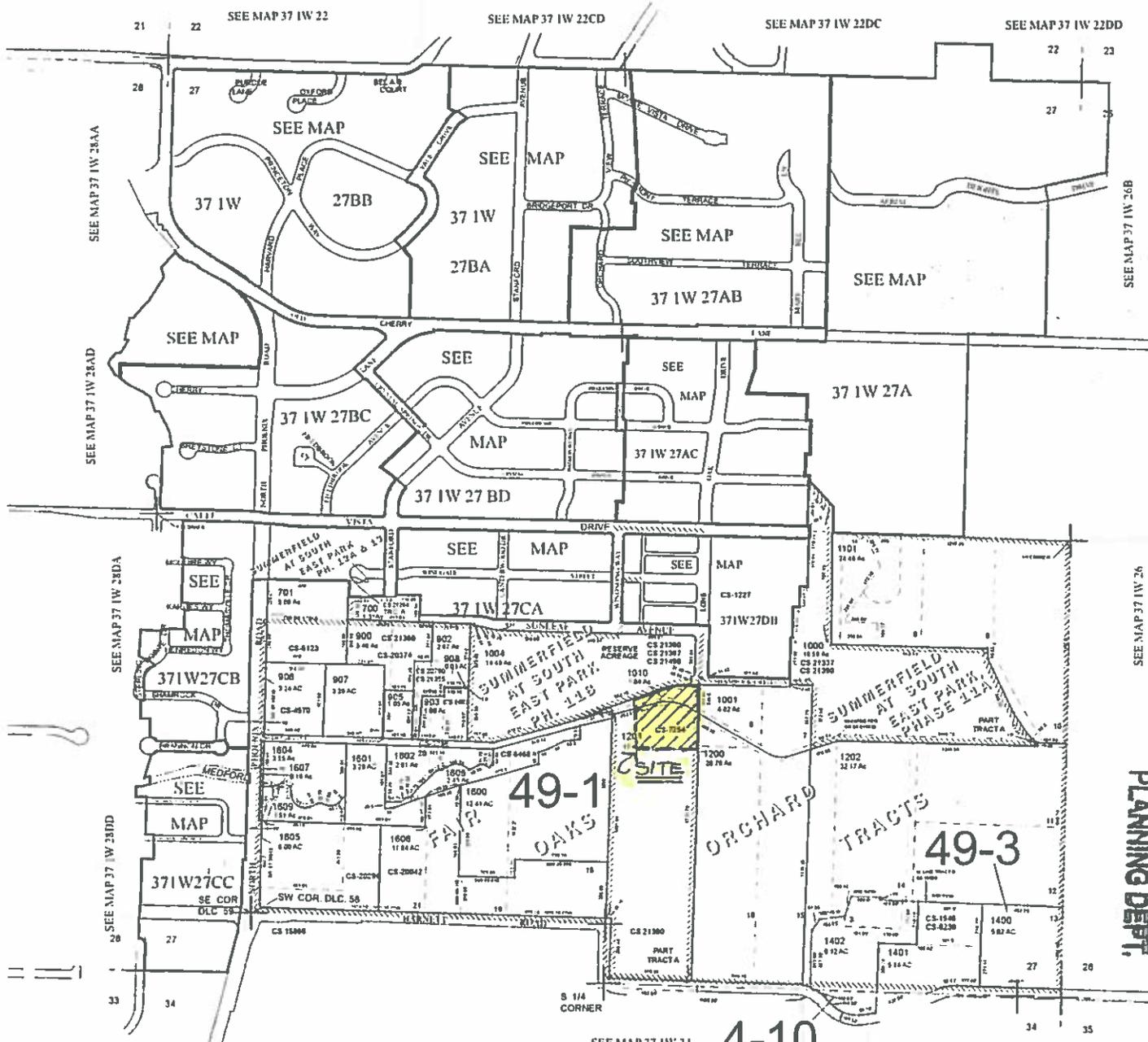
**G-4** Minor Greenway w/out surface drainage  
 City of Medford Greenway Detail

\*not a riparian corridor  
 -greenway

FOR ASSESSMENT AND TAXATION ONLY

SECTION 27, T.37S., R.1W., W.M.  
JACKSON COUNTY  
1" = 400'

37 1W 27  
& INDEX  
MEDFORD



- CANCELLED TAX LOT NUMBERS
- 100-101
  - 102 ADDED TO 102
  - 103 ADDED TO 171W27A-2101
  - 105 ADDED TO 1013
  - 106, 107 REMAPPED TO 371W27DD
  - 108 REMAPPED TO 371W27CA
  - 109 REMAPPED TO 372W27D1
  - 110
  - 111
  - 112
  - 113
  - 114
  - 115
  - 116
  - 117
  - 118
  - 119
  - 120
  - 200
  - 201-201
  - 210
  - 220
  - 230
  - 300
  - 400
  - 500-519
  - 511-512 REMAPPED TO 371W27DC
  - 600-610
  - 702 REMAPPED TO 371W27CB-2100
  - 703, 705 ADDED TO 702
  - 705 REMAPPED TO 371W27DD
  - 706-729
  - 800, 802 REMAPPED TO 371W27CA
  - 901 REMAPPED TO 371W27D1
  - 903 REMAPPED TO 371W27D1
  - 901, 909 ADDED TO 11903
  - 914
  - 910

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MAY 02 2018  
PLANNING DEPT.

37 1W 27  
& INDEX  
MEDFORD

FOR CONVERSION APRIL 13 1999  
REV JULY 11 2013

SEE MAP 37 1W 34 4-10

Page 466

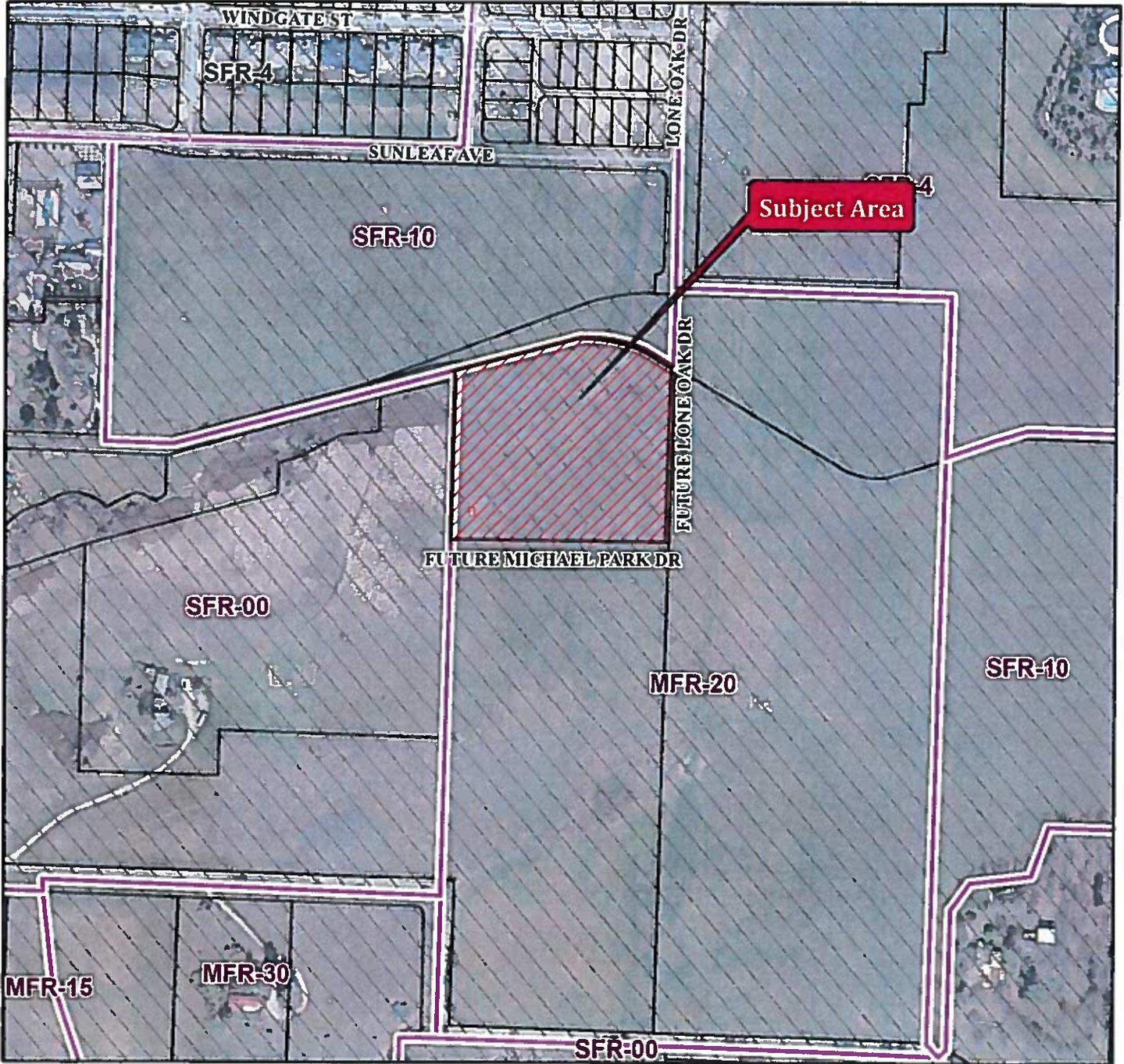
CITY OF MEDFORD  
EXHIBIT 2  
FILE # CUP-16-059



# City of Medford Planning Department

Vicinity  
Map

File Number:  
**CUP-16-059**

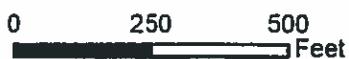


Project Name:

**Village Center Park**

Map/Taxlot:

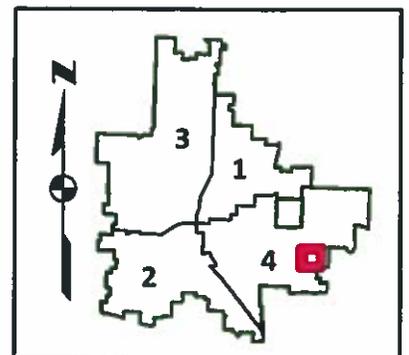
**371W27 TL 1010, 1201**



06/21/2016

### Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets





# 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 Climate Control Mini Storage - PUD Revision  
 Applicant: Climate Control Mini Storage, LLC.  
 Agent: Scott Sinner Consulting, Inc.

FILE NO. PUD-16-060

TO Planning Commission *for 07/14/2016 hearing*

FROM Dustin Severs, Planner II

REVIEWER Kelly Akin, Principal Planner *KA*

DATE July 7, 2016

---

### BACKGROUND

#### Proposal

Consideration of plans for a Revision of a Final Planned Unit Development (PUD) Plan to add both temporary and permanent Recreational Vehicle (RV) storage to the existing mini storage facility on 6.7 acres located at 2012 Kingswood Drive within the SFR-6 (Single Family Residential-6 dwelling units per gross acre) zoning district (372W23AC6000, 372W23AC6001, 372W14DC8000, 372WAB14601, 372WAB14600).

#### Subject Site Characteristics

Zoning SFR-6

GLUP UR (Urban Residential)

Use Mini storage facility

#### Surrounding Site Characteristics

North	I-H (Heavy Industrial)	UPS Customer Center, Walkabout Brewing Company, First Student, Inc.
South	Jackson County (Exclusive Farm-Use Zone)	Wes Howard Memorial Sports Park
East	I-H	No Frills Flooring
West	SFR-6	Residential subdivision

Related Projects

PUD-04-101            Candlewood PUD  
AC-06-250            Climate Control Mini Storage SPAC review

Applicable Criteria

Medford Municipal Code Section 10.235

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

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

MLDC Section 245: Revision or Termination of a PUD.

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.

### Corporate Names

The Oregon Secretary of State business registry lists Lloyd Bendickson as the registered agent and manager of Climate Control Mini Storage, LLC.

## **ISSUES AND ANALYSIS**

### Project History

The subject site is part of the Candlewood Planned Unit Development (PUD) which was approved in 2004 as a six phase PUD project consisting of a mixed use of single-family residential, commercial retail, and a mini storage facility.

The subject site is the location of the approved mini-storage facility, identified as phases 2 and 6 of the Candlewood PUD, which received Site Plan and Architectural Review (SPAC) approval, along with Final PUD Plan approval, in 2007 and 2012, respectively.

A De Minimis Revision to the Final PUD Plan for Phase 2 was approved in 2015 to allow an increase in building height and an additional mini-storage building.

### Current Proposal

The applicant is now requesting a revision of the Final PUD in order to allow both temporary and permanent storage of Recreational Vehicles (RV), which includes boats and trailers, on vacant portions of the site north of the existing mini-storage buildings. As identified on the submitted site plan, temporary RV storage is proposed for the area which has already been approved for additional buildings per the PUD, while permanent storage is proposed for the northerly section of the site where development was not part of the approved Final PUD Plan.

In the applicant's Findings of Fact (Exhibit C), it is stated that it is the intent of the developer to utilize the designated area approved for additional buildings as a temporary location for RV storage until construction commences for the approved buildings. Once construction begins on the approved buildings, the RVs will be removed from the area. The area proposed for permanent storage will make use of an undeveloped area at the northerly section of the site encumbered by existing stormwater infrastructure and easements, which prevents the development of permanent structures. The request to use the northerly area of the site for permanent RV storage, effectively allows the developer to utilize an undevelopable portion of the property for a use in which is unimpeded by the existing constraints. Once construction is completed and all approved buildings built out, all RV's will be located to the permanent storage area at the north of the property.

The applicant is requesting revisions strictly for the uses allowed on the site, and is not proposing the construction of additional buildings or requesting changes to any other

element of the approved PUD; therefore, the required submittals for the requested revision are limited to a site plan.

Pursuant to MLDC 10.245(4), the applicant initially requested that these revisions be approved by the Planning Director as a de minimis revision which would preclude the request from having to go through the public hearing process. However, a determination was made by Planning Director that the request did not meet the requirements to be considered de minimis, but rather the request constituted a minor revision of the approved Final PUD subject to review as a Class "C" Procedure, which includes a public hearing process. Pursuant to MLDC Section 10.245(2), the review process will be consolidated into a single procedure in which the binding decision of both the Preliminary PUD Plan and the Final PUD Plan will be made by the Planning Commission at a single hearing.

#### Unpaved parking

In addition to the two revision requests, the applicant is also requesting that the parking surface for both the temporary and permanent RV storage areas consist of gravel in lieu of pavement.

MLDC Section 10.746 states, in part, the following:

*With the exception of storage of trailered items and recreational vehicles at single-family residences, all parking, loading, driveway, and vehicle maneuvering areas, including but not limited to, wheeled-vehicle sales lots, truck trailer parking areas, and on-site single-family residential driveways etc., shall be paved and improved*

In the applicant's submitted findings (Exhibit C), the applicant states that relief from the Code to allow a gravel surface for the RV storage area is warranted based on the following:

*Allowing the gravel RV parking area in the area approved for the additional mini storage buildings will facilitate the construction of the buildings and eliminate the waste of removing pavement for the new buildings at the time of construction.*

*Allowing the gravel area for RV parking in the permanent RV area will promote storm water infiltration without the need for additional storm water facilities.*

It is further argued in the applicant's findings that the City has made distinctions between vehicular parking and vehicular storage in past land use cases, with the applicant citing several past land use approvals in which established the precedent of this distinction as the prevailing interpretation of the MLDC in regards to paved parking requirements.

Staff is supportive of the applicant's request for relief in order to use a gravel surface to serve the proposed RV storage area because the long-term nature of RV storage is a distinguishable use from a conventional parking lot. It is staff's view that relief can be granted in keeping with the purpose and intent of the MLDC. However, it is staff's view that this distinction should apply exclusively to the parking areas, with the driveways that serve the parking areas be paved consistent with the MLDC Section 10.746.

#### Traffic Circulation

The submitted site plan identifies three access points for ingress/egress, with all three points coming off of Kingswood Drive, a residential street serving the single family homes of both Candlewood and Hampton Place subdivisions located west of the subject site. The first access point is the front entrance of the Climate Control Mini Storage facility, which has a controlled security gate, and is accessed through their customer parking lot. The second access point is off of Willowdale Drive which is a public street located at roughly the midpoint of Kingswood Drive, and the third access point is off of a private drive owned by the applicant which is located at the far north of Kingswood Drive. Both Willowdale Drive and the Private drive have a security fence inhibiting outside vehicular access to the subject site.

In conversations between staff and the applicant's agent, Scott Sinner of Sinner Consulting, Mr. Sinner explained that vehicular ingress access to Climate Control Mini Storage facility is only accessible through the front security gate entrance off of the facility's front customer parking lot. He further explained that ingress access is not permitted via Willowdale Drive or the Private drive located to the north, with these two drives being used exclusively for egress out of the facility, and with both drives providing a gated fence prohibiting ingress access to the site.

In sum, the traffic flow design for all vehicles entering the Climate Control Mini Storage facility allows for vehicles to access the facility through the front security gate, and then the motorists have the option of exiting the facility via Willowdale Drive or the private drive at the north of the subject site. Motorists also have the third option of exiting the facility through the front security gate at the entrance of the facility from which they entered the site. While many motorists who currently come to the site to access their mini storage building utilize the main entrance as their exit point, it is unlikely that motorists bound for the proposed RV storage areas, which are to the far north of the subject site, will attempt to navigate back through the congested mini storage area of the site, and will more than likely opt for the much more convenient exits at Willowdale Drive and the site's northerly private drive.

Staff has been contacted by neighbors with residences along Kingswood Drive which have expressed concern with the prospect of Kingswood Drive being used to serve the proposed RV storage area, citing safety and nuisance issues with an increase in traffic volume on the residential street. Kingswood Drive was constructed as a fully improved

Minor Residential street with a total paved width of 28 feet, and allows on-street parking on both sides of the street. The limited width of the road, combined with on-street parking being permitted on both sides of the road, makes for a congested street. In staff's conversations with the concerned residents living along Kingswood Drive, suggestions have been made that, in light of the existing congestion compounded with the potential of larger vehicles travelling through the street with the proposed storage facility, that a condition be placed on approval requiring an alternative traffic plan which would effectively mitigate additional traffic on Kingswood Drive.

Suggestions from neighbors included a condition in which requires all traffic of the subject site, both ingress and egress, to utilize the front entrance as the sole point of access, thereby avoiding Kingswood Drive all together north of Hampton Way. A second suggestion was made that the City restrict on-street parking on one side of Kingswood Drive, alleviating the congestion on the street which would then accommodate the additional traffic generated by the proposed storage facility. On-street parking and other traffic management issues are the purview of the Traffic Coordinating Committee and the Public Works Department. The Planning Commission has no authority to restrict on-street parking.

The mini-storage facility approved as Phases 1-2 of the Candlewood PUD was intended to serve as an effective buffer between the large residential area west of the subject site and the Heavy Industrial zoning district abutting the subject site to the east. The applicant's traffic plan for the existing Climate Control Mini Storage facility and the proposed RV storage area is consistent with the approved Final PUD plan, utilizes both existing public and private drives per the approved Final Plat, and does not propose the creation of any new roadways to serve the proposed storage area. Further, it is staff's view that the types of vehicles (boats, trailers, etc.) proposed to be stored at the facility, are vehicle types commonly found in a residential neighborhood. The vehicles, commonly used for personal/recreational purposes, are suitable for routine travel on a minor residential street. The proposal is for RV storage, and not the large commercial or industrial type vehicles in which would may be considered to be incompatible with the residential character of the neighborhood, oversized for routine travel on a minor residential street, and potentially adverse to the health, safety, and welfare of the residents.

#### Existing U-Haul business

The southernmost tax lot of the subject site fronting Highway 238 has been used commercially as a U-Haul truck rental business. While the commercial use is consistent with the approved PUD, the trucks are displayed and maneuvered on a gravel surface in violation of MLDC Section 10.746 concerning paved parking. Staff is supportive of the applicant's request for relief in order to use a gravel surface to serve the proposed RV storage area, but staff does not agree that a U-Haul parking lot meets the same level of

scrutiny. The frequency of use inherent in a U-Haul rental facility is more consistent with a conventional parking lot and should be held by the established parking standards of the MLDC. Therefore, staff recommends as a condition of approval that the parking and maneuvering area of the existing U-Haul business either have the parking and maneuvering area paved with an approved surface consistent with the MLDC, or have the U-Haul trucks and trailers relocated to an area with a paved surface.

The existing U-Haul business was not addressed in the applicant's submitted Findings of Fact, and the applicant and agent were informed of staff's concerns and intention to recommend the condition.

#### Public Improvements

Per the agency comments submitted to staff (Exhibits D-F), it can be found that there are adequate facilities to serve proposed use.

#### Committee Comments

No comments were received from committees such as BPAC.

### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Exhibit C) and recommends the Commission adopt the findings, subject to the following modifications:

- The applicant shall pave the parking and maneuvering area used for the existing U-Haul business located on tax lot 372W23AC6001 consistent with MLDC Section 10.746, or have the vehicles associated with the business relocated to an area with an approved surface within 60 days of the approval of the Final Order.
- All parking and maneuvering areas shall be paved per MLDC 10.746, with the exception of the RV storage stalls. Gravel may be used for the areas where the RV's will be stored, but the drive aisles adjacent to the gravel areas must be paved.

### **RECOMMENDED ACTION**

Adopt the modified findings as recommended by staff and direct staff to prepare a Final Order for approval of PUD-16-060 per the staff report dated July 7, 2016, including Exhibits A through H.

### **EXHIBITS**

- A Conditions of Approval
- B Site Plan

- C Applicant's Findings of Fact and Conclusions of Law, Received May 3, 2016
- D Public Works Staff Report, Received on June 15, 2016
- E Medford Water Commission Report, Received June 15, 2016
- F Medford Fire Department Report, Received on June 15, 2016
- G Right of way and easement survey, received May 3, 2016
- H Jackson County Assessor's maps (1-3), received May 3, 2016.  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**JULY 14, 2016**

**EXHIBIT A**

Climate Control Mini Storage – PUD Revision  
PUD-16-060  
Conditions of Approval  
July 7, 2016

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**DISCRETIONARY CONDITIONS**

1. The applicant shall pave the parking and maneuvering area used for the existing U-Haul business located on tax lot 372W23AC6001 consistent with MLDC Section 10.746, or have the vehicles associated with the business relocated to an area with an approved surface within 60 days of the approval of the Final Order.
2. All parking and maneuvering areas shall be paved per MLDC 10.746, with the exception of the RV storage stalls. Gravel may be used for the areas where the RV's will be stored, but the drive aisles adjacent to the gravel areas must be paved.

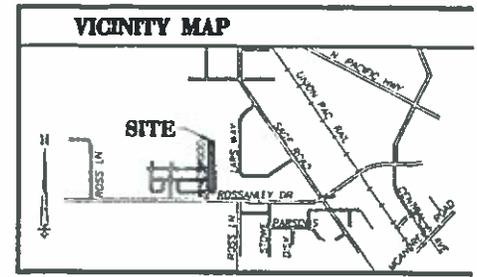
**CODE CONDITIONS**

3. The applicant shall comply with all conditions stipulated by Medford Public Works Department (Exhibit D).
4. The applicant shall comply with all conditions stipulated by the Medford Water Commission (Exhibit E).

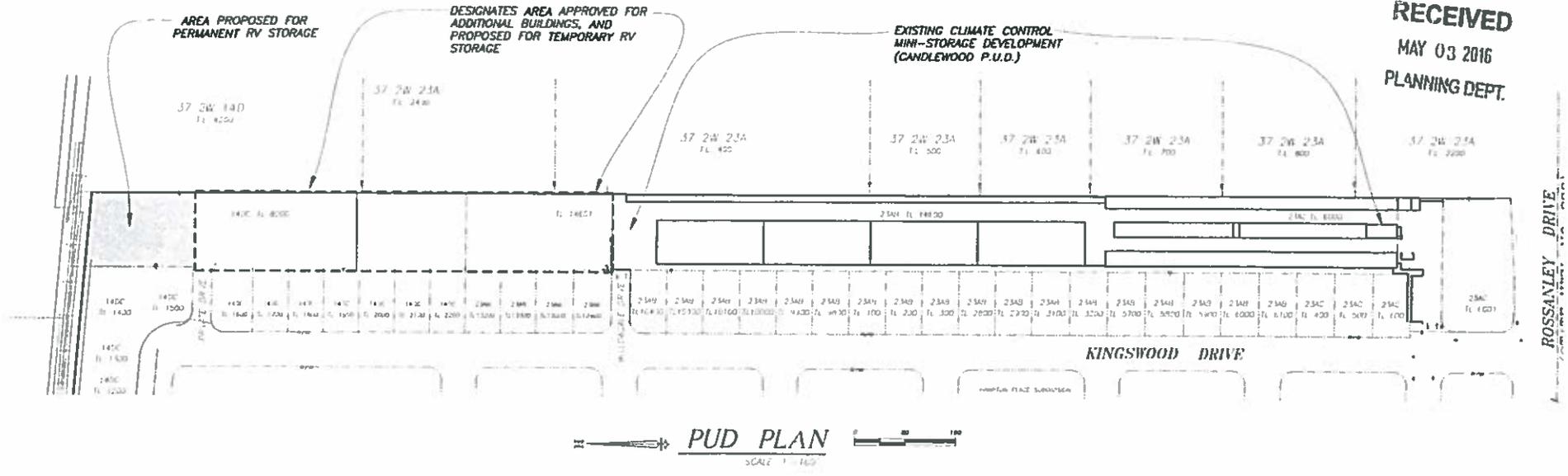
# PUD REVISION - RV STORAGE

## CLIMATE CONTROL MINI-STORAGE, CANDLEWOOD PUD

### LOCATED IN: MEDFORD, JACKSON COUNTY, OREGON



**RECEIVED**  
MAY 03 2016  
PLANNING DEPT.



Page 478

CITY OF MEDFORD  
EXHIBIT \_\_\_\_\_  
FILE # PUD-16-060

DATE	BY
5-1-16	HEISEN

**CANDLEWOOD PUD**  
PUD REVISION - RV STORAGE  
1955 ROSSANLEY ROAD  
MEDFORD, OREGON

**RECEIVED**  
MAY 03 2016  
PLANNING DEPT.

CITY OF MEDFORD  
EXHIBIT   R    
FILE # PUD-16-060

MAY 03 2016

**BEFORE THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON: PLANNING DEPT.**

IN THE MATTER OF AN APPLICATION FOR	)	
A PUD REVISION OF PROPERTY IDENTIFIED AS	)	
T37-R2W-23AC-TL 6000, 6001, T37-R2W-23AB	)	FINDINGS OF FACT
TL 14600, 14601 AND T37-R2W-23DC TL 8000	)	AND
CLIMATE CONTROL MINI STORAGE, L.L.C.	)	CONCLUSIONS
<u>SCOTT SINNER CONSULTING, INC. AGENT</u>	)	OF LAW

**I. BACKGROUND INFORMATION**

**Applicant:**

Climate Control Mini Storage, L.L.C.  
1985 Rossanley Dr  
Medford, OR 97501

**Agent:**

Scott Sinner Consulting, Inc.  
4401 San Juan Dr.  
Medford, OR 97504  
541-772-1494  
scottsinner@yahoo.com

**Properties**

372W23AC TL 6000  
2012 Kingswood Drive  
Medford, OR 97501  
.55 acres SFR-6 zoning

372W23AC TL 6001  
2012 Kingswood Drive  
Medford, OR 97501  
.74 acres SFR-6 zoning

372W23AB TL 14600  
2012 Kingswood Drive  
Medford, OR 97501  
3.05 acres SFR-6 zoning

372W23AB TL 14601

**CITY OF MEDFORD**  
**EXHIBIT C**  
**FILE # PUD-16-060**

2012 Kingswood Drive  
Medford, OR 97501  
.65 acres SFR-6 zoning

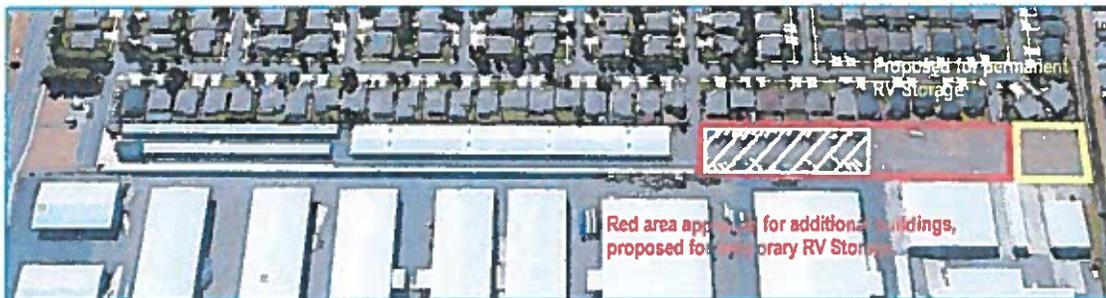
372W14DC TL 8000  
2012 Kingswood Drive  
Medford, OR 97501  
1.78 acres SFR-6 zoning

4.99 Total acreage

### Application Summary

This application is a request for a minor, yet not de minimis revision, of the approved Final PUD Plan for the Candlewood PUD. This revision only affects the approved plan for Phases 2 and 6 containing the Climate Control Mini Storage.

This revision is submitted to allow Recreational Vehicle (RV) Storage in designated vacant areas of the approved PUD. The use of "RV" in this application includes boats and trailers. The image below indicates the area currently approved for additional mini storage buildings and the area proposed for the requested revision to allow permanent RV Storage.



The applicants have submitted construction documents for approved new mini storage buildings in the area above with the white hatching. The approved PUD allows for additional mini storage units for the remainder of the area indicated by the red rectangle.

The approval of this request will permit the temporary storage of RVs before the construction of approved mini storage buildings.

The area indicated with the yellow rectangle is proposed for permanent RV Storage. This area is currently developed with storm water infrastructure and encumbered with easements preventing the expansion of any permanent improvements of additional buildings.

The applicant also requests to park the RVs in both the temporary and permanent area on gravel instead of pavement. These areas are currently improved with rolled gravel over rock base.

Allowing the gravel RV parking area in the area approved for additional mini storage buildings will facilitate the construction of the buildings and eliminate the waste of removing pavement for the new buildings at the time of construction.

Allowing the gravel area for RV parking in the permanent RV area will promote storm water infiltration without the need for additional storm water facilities.

The requested revisions will have no effect on the previously approved PUD. Since the requested revision is only a use and does not propose any new buildings, the appropriate submittals for the requested revision are limited to a site plan.

The applicant and agent have submitted documentation for a neighborhood meeting conducted on March 2, 2016 as required by the MLDC.

#### Approval Criteria

The Medford Land Development Code (MLDC) provides the requirements for a PUD Revision as sited below:

##### *10.245 Revision or Termination of a PUD*

*A. Revision of a Preliminary or Final PUD Plan: The expansion or modification of a PUD approved under earlier PUD ordinances of the City 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.*

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

3. *Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in 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.*

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

### Findings of Fact

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.*

A review of the current published County Assessor's data and a windshield survey indicated the residential element of the Candlewood PUD is 100% built out. The Applicant owns TL 8000, 14601, and 6001. The Applicant owns 100% of the vacant land in the PUD.

The three parcels identified above are currently vacant with a combined assessed valuation of \$453,880.00. This represents 100% of the assessed valuation of the vacant land in the PUD.

The requested revision in this application is to allow for the temporary storage of RVs in the area of the site that is currently approved for additional mini storage buildings. The approval of the requested revision will allow RVs to be stored on the site until the applicant commences constructions of the approved new mini storage buildings. After the new buildings are built, RVs will no longer be stored in this area.

The second requested revision is to allow for the permanent storage of RVs at the north end of the property. This area is fully developed with storm water facilities and the existing easements and facilities would preclude further development of mini storage buildings. The approval of this revision will allow for the permanent storage of RVs in this area.

The Applicant originally requested these revisions to be considered de minimus. The Planning Director determined the revisions dealt with a "use" of the site and determined the revision would be a minor revision.

The revision does not alter the approved buildings on the site. The Applicant requested a review of the PUD application submittal requirements and requested submittals to be waived. The applicant has complied with the Staff's submittal requirements deemed to be relevant to support the Planning Commission's approval process.

### Conclusions of Law

The Planning Commission can conclude the Applicant owns more than 50% of the remaining vacant land and more than 50% of the assessed valuation of the vacant portion of the PUD and the required submittals have been submitted or waived by the Planning Director.

*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 Final PUD Plan has been approved for this PUD. Since the Preliminary PUD Plan was approved and the Final PUD Plan has been approved, the necessary procedure for this application is to revise the Final PUD Plan.

The requested revision is submitted as a quasi-judicial land use action with the Planning Commission being the approving authority. The Planning Commission will conduct a public hearing and issue a binding decision in a single procedure.

### Conclusions of Law

The Planning Commission can conclude the approval of the revision will be a consolidated revision of the Preliminary and Final PUD Plan.

*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 original PUD application and approval did not specifically address the storage of RVs on the subject properties. Since this particular mini storage is part of the PUD and is the component that comprises the 20% of the gross area of uses not permitted in the underlying zone, these findings will demonstrate the request is compatible with the existing developed portions of the whole PUD.

This ministorage was presented in the original PUD as a buffer between the residential uses in the Candlewood PUD and the industrial uses immediately east of the PUD. The mini storage element was reviewed and approved, and subsequently amended to the current final form. The approval of the revision associated with the current application will allow RV storage in the designated areas and will not change any other element of the approved PUD.

The MLDC specific definition for Mini-Warehouse is contained below.

*Mini-warehouse. A building or group of buildings in a controlled access compound that contains various sizes of individual, compartmentalized, and*

*controlled-access stalls or lockers for the dead storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of dead storage units are permitted on the premises.*

The request for RV storage certainly is within the definition above as "controlled-access stalls" as the entire area is fenced with a management controlled access to the storage area and the RVs are parked in stalls. The management enforces the "no sales, service, or repair activities" and the all storage units and stalls are considered dead storage.

The approval of this revision will allow RV storage on vacant portions north of the existing mini storage buildings. The approval of the request will have no impact on any approved elements, including buffering requirements on the west side of the mini storage buildings as shown in the approved plans.

As indicated on the PUD Revision exhibit, the requested revision will allow for the storage of RVs on the vacant areas that are currently approved for mini storage buildings. Once the applicant begins construction on the approved buildings, the RVs will be removed in this area. RVs would not be stored between buildings once the buildings are constructed.

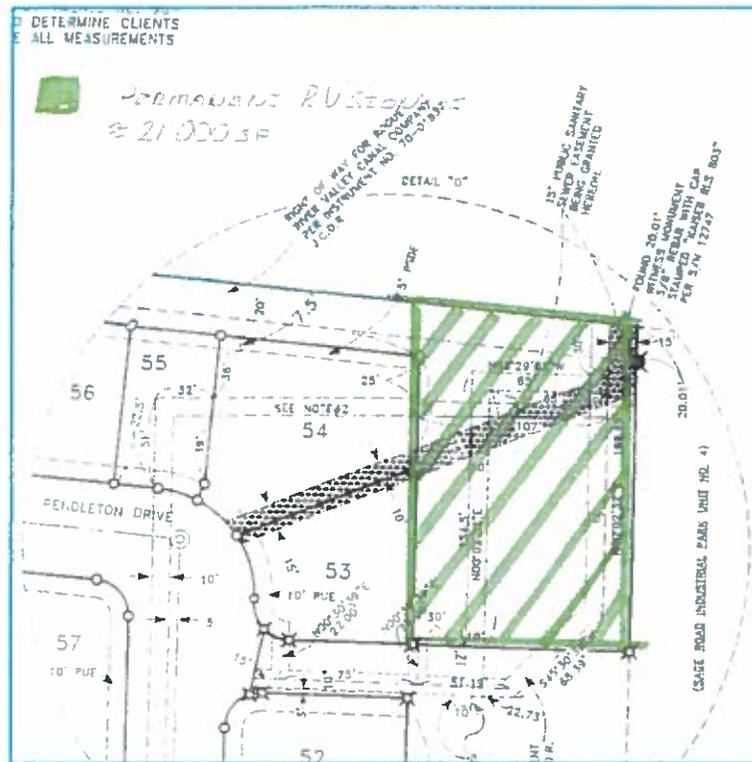
At the time all buildings are built out, all RVs would be at the north end of the property. This area is encumbered with stormwater facilities and easements and this area will not be developed with buildings. Permitting the RV storage on the existing rock and gravel base will promote infiltration.

The ministorage site is currently developed with an engineered storm drainage system. This system includes the collection and storage of storm water within the Mini storage area and then the storm water is conveyed to the developed storm storage and treatment facilities at the north end of the Candlewood PUD.

The applicant seeks approval to store the RVs in the designated areas on the existing rock and gravel surface. The approval to use the existing surfaces for storage will allow the applicant to store the RVs in their designated stalls in the area that is currently approved for buildings without the waste of materials and resources when the approved buildings are constructed.

The far northern portion of the site is currently encumbered with significant engineered stormwater facilities. These storm facilities have been engineered, approved and constructed to meet the design requirements in place at the time of construction.

The engineered plans did not anticipate additional impervious surfaces in the area of the permanent RV storage. The storage of RVs on the existing base will have no effect on the amount of infiltration in this area as the water draining off the roofs of the stored RVs will simply infiltrate as if the RVs were not there.



The MLDC includes requirements for the paving of vehicular parking spaces. The MLDC does not contain such language for the paving of storage areas for the outdoor storage of vehicles. A review of the following land use approvals, the City has distinguished between vehicular parking and vehicular storage areas, and has allowed the vehicular storage areas to contain graveled surfaces, as evidenced by the following examples.

The above policy is based on the frequency of use. Vehicles being stored will be used infrequently. The proposed areas will provide nearby storage for the residents of the Candlewood and Hampton Estates subdivision, which with its SFR-6 zoning, comprises small lots that do not afford much on-site vehicle storage area for the occupants.

1. All American Storage - 820 East Vilas Road (AC-94-87) The approval by the Site Plan and Architectural Commission included the provision to allow graveled storage for vehicles on areas identified for future phases. Such storage is now located along the west side of the development.
2. Meadow View Estates Manufactured Home Park - 2552 Thorn Oak Drive (CUP-96-7 and AC-97-125) The Conditional Use Permit and Site Plan and Architectural Commission approvals include 2 RV storage areas within the park.

The two storage areas, which are now situated at the northwest and southeast corners of the development, have gravel surfaces.

3. San George Estates Manufactured Home Park - 10 E. South Stage Road (CUP-96-11, AC-97-204, and CUP-01-167) The Site Plan and Architectural Commission approval included a graveled RV storage area adjacent to the Medford Water Commission facility adjacent to South Stage Road and South Pacific Highway. The area for the graveled storage was subsequently moved and was constructed at the southeast corner of the development.
4. A Best Mini Storage - 3071 Samike Drive. The development includes a large graveled RV storage area over most of the yet to be constructed, Phase 2 portion of the mini storage facility.
5. Myra Lynn Manufactured Home Park - 924 Carol Rae (CUP-90-14) The park includes a large graveled area for the storage of RV vehicles access from the southern extension of Stowe Avenue.
6. Sun Oaks - 878 Black Oak Drive. The residential development includes a graveled RV storage area near the northwest corner of the subdivision.
7. BLM/Forest Service Office - 3040 Biddle Road. The facility includes a large graveled area adjacent to the northeast corner of the site, which provides for the storage of vehicles.
8. U.S. Geologic Survey Facility - 4390 Runway Road. The facility includes a large graveled area on the east side of the site to provide for the storage of vehicles.

#### Additional Criteria

*10.235 Preliminary PUD Plan - Application Procedures 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.*

The Candlewood PUD was originally reviewed and approved by the Planning Commission in PUD-04-101 in September 2004. The original PUD contemplated and ministorage element in the approval. All subsequent revisions and approvals contemplated the full build out of mini storage for the site and this revision only seeks to allow the storage of RVs on approved and as of yet undeveloped areas of the site on a temporary basis and then the permanent storage at the north end of the site.

#### Sanitary Sewer

The revision to allow the both the temporary and permanent storage of RVs on the site will have no effect on the sanitary system. Sanitary sewer facilities will not be extended from the current location on the site and the revision will not change the impacts.

#### Public Domestic Water

The revision to allow the both the temporary and permanent storage of RVs on the site will have no effect on the Domestic water supply or distribution system. There are no plans to extent a public water line in the area subject to this review. In the event the applicant determines a need for domestic water in this area, any extension would be an extension of a private distribution line and would not affect a public water line.

#### Storm Water Facilities

The site is currently improved with storm drainage facilities to meet the needs of the existing development. The vacant area currently approved for additional mini storage buildings is currently a rock and gravel base and storm water in this area infiltrates.

The new construction documents in for City review at this time will include storm water facilities for the new impervious areas and will connect to the existing storm water facilities for the PUD. The existing storm facilities were sized to accommodate all of the approved development at full build out. Temporary RV storage in this approved area will

be on the existing rock and gravel base and will infiltrate, there will be no impact to the storm facilities for this revision.

The area at the north end of the site proposed as a permanent RV storage area is also an existing rock and gravel base. This area was not included in the impervious surface calculations for the existing storm facilities for the entire PUD. Allowing the storage of RVs in this area on a permanent basis on the existing rock and gravel base will have no impact on the storm water facilities as all runoff of the RVs will infiltrate.

### Public Streets

The revision to allow the temporary storage of RVs on the site that has been approved for mini storage buildings have been contemplated in prior review and there will be no impact to the public street system.

The revision to allow the storage of RVs on a permanent basis was not contemplated in any of the previous reviews. According to the Institute of Transportation Engineers (ITE) Trip Generation Manual 9<sup>th</sup> edition, a mini-warehouse produces .26 PM Peak Hour trips per 1,000 square feet. The permanent storage area is 21,600 square feet so the traffic impact is 5.61 PM Peak Hour Trips.

The area is projected to be suitable for two rows of RV storage, one on the west property line and one on the east property line. Each row will have approximately 15 stalls for 30 total RV storage stalls. The impact of the approval of this revision is not significant.

### Conclusions of Law

The Planning Commission can conclude the proposed PUD revision is compatible with earlier approvals and there is adequate capacity of the Category A facilities.

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

*revisions of a Preliminary PUD Plan shall be subject to review as a Class 'C' Procedure or such other procedure as may be permitted by law.*

### Findings of Fact

The applicant submitted a request of the Planning Director for a de minimis review of the requested revision. The Planning Director indicated the request was a minor revision and not a de minimis revision. So here we are. This revision is being submitted as a Class C application.

### Conclusions of Law

The Planning Commission can conclude the requested revision is proposed as a minor revision and not a Planning Director approved de minimis revision.

### Application Summary and Conclusion

This application has been prepared to comply with all requirements for a revision of a final PUD plan as contained in the MLDC. The revision was deemed to be a minor revision and not a de minimis revision by the Planning Director.

The applicant conducted a neighborhood meeting noticed to more than 75 owners of tax lots in the vicinity. The meeting provided with interested parties with the proposed revisions.

The proposed revision is adding the use of RV storage on the undeveloped portions of the mini storage site. The approval of the revision will allow the applicant to store RVs as a temporary basis in the areas of the PUD that are currently approved for additional buildings. The approval of the revision will allow storage of RVs on a permanent basis on the north end of the development as indicated on the PUD Revision RV Storage exhibit.

The applicant has demonstrated the City has determined through numerous approvals of similar applications, there is a distinction between parking areas and storage areas and a gravel base for RV Storage areas in mini storage facilities and related applications is an appropriate surface for RV Storage areas.

The burden of proof is on the applicant to submit findings of fact supporting the application. The applicant has demonstrated compliance with the MLDC relating to PUD Revisions, and the Planning Commission can conclude the application is consistent with the PUD revision criteria.

On behalf of the applicants, I respectfully request the approval of this application.

Scott Sinner, President  
Scott Sinner Consulting, Inc.



Continuous Improvement Customer Service

RECEIVED

JUN 15 2016

PLANNING DEPT

CITY OF MEDFORD

LD Date: 6/15/2016  
File Number: PUD-16-060  
(Reference: PUD-04-101)

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Candlewood PUD Phase 2 (REVISION)**

**Project:** Consideration of plans for a Revision of a Final Planned Unit Development (PUD) Plan to add both temporary and permanent Recreational Vehicle (RV) storage to the existing mini storage facility.

**Location:** Located on tax lots 800 & 14600 at 2012 Kingswood Drive, within the SFR-6 zoning district (372W14DC800 & 372W23AB14600).

**Applicant:** Climate Control Mini Storage, LLC, Applicant (Scott Sinner Consulting, Inc., Agent). Dustin Severs, Planner.

**Applicability:** The Planning Commission adopted the Final Order for approval of the Preliminary Planned Unit Development (PUD) Plan for Candlewood PUD in October of 2004. In April of 2007, the Planning Commission approved Final PUD Plan for Phase 1. The City of Medford Planning Director approved on July 30<sup>th</sup> 2012, the Final PUD Plan for Phase 2 of Candlewood PUD, consisting of a 38,500 square foot mini-storage warehouse facility. The Medford Planning Director administratively approved Candlewood PUD Phase 2 to allow an increase in building height and an additional mini-storage building within the commercial portion of the project located off of Kingswood Drive at the eastern terminus of Willowdale Avenue on August 21<sup>st</sup> 2015. **The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.**

**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**

No additional dedications are required for this project.

**2. Public Improvements**

**a. Public Streets**

No additional public improvements are required for this project.

**b. Street Lights and Signing**

No street lights or signage are required for this project.

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

**c. Pavement Moratoriums**

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

**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.

If a gravel surface is allowed, the gravel needs to be an open graded product to be eligible to eliminate Water Quality and Stormwater Detention requirements.

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/PUD'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. GENERAL CONDITIONS**

### **1. Site Improvements**

Unless approved otherwise, all on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the

perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

## **2. System Development Charges (SDCs)**

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

Prepared by: Doug Burroughs

## **SUMMARY CONDITIONS OF APPROVAL**

### **Candlewood PUD Phase 2 (REVISION)**

PUD-16-060

**NOTE: Applicability of previously adopted conditions of approval remains in effect. See full report(s).**

#### **A. Streets**

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

- No additional dedications are required for this project.

##### **2. Improvements:**

###### **a. Public Streets**

- No additional public improvements are required for this project.

###### **b. Lighting and Signing**

- No street lights or signage are required for this project.

#### **B. Sanitary Sewer:**

- Contact RVSS for sanitary sewer connections.

#### **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.

**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**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** PUD-16-060  
**PARCEL ID:** 372W23AC TL 6000, 6001 & 372W14DC TL 8000 & 372WAB TL 14601, 14600  
**PROJECT:** Consideration of plans for a Revision of a Final Planned Unit Development (PUD) Plan to add both temporary and permanent Recreational Vehicle (RV) storage to the existing mini storage facility located on tax lots 800 & 14600 at 2012 Kingswood Drive, within the SFR-6 zoning district (372W14DC800 & 372W23AB14600); Climate Control Mini Storage, LLC, Applicant (Scott Sinner Consulting, Inc., Agent). Dustin Severs, Planner.  
**DATE:** June 15, 2016

JUN 15 2016

PLANNING DEPT

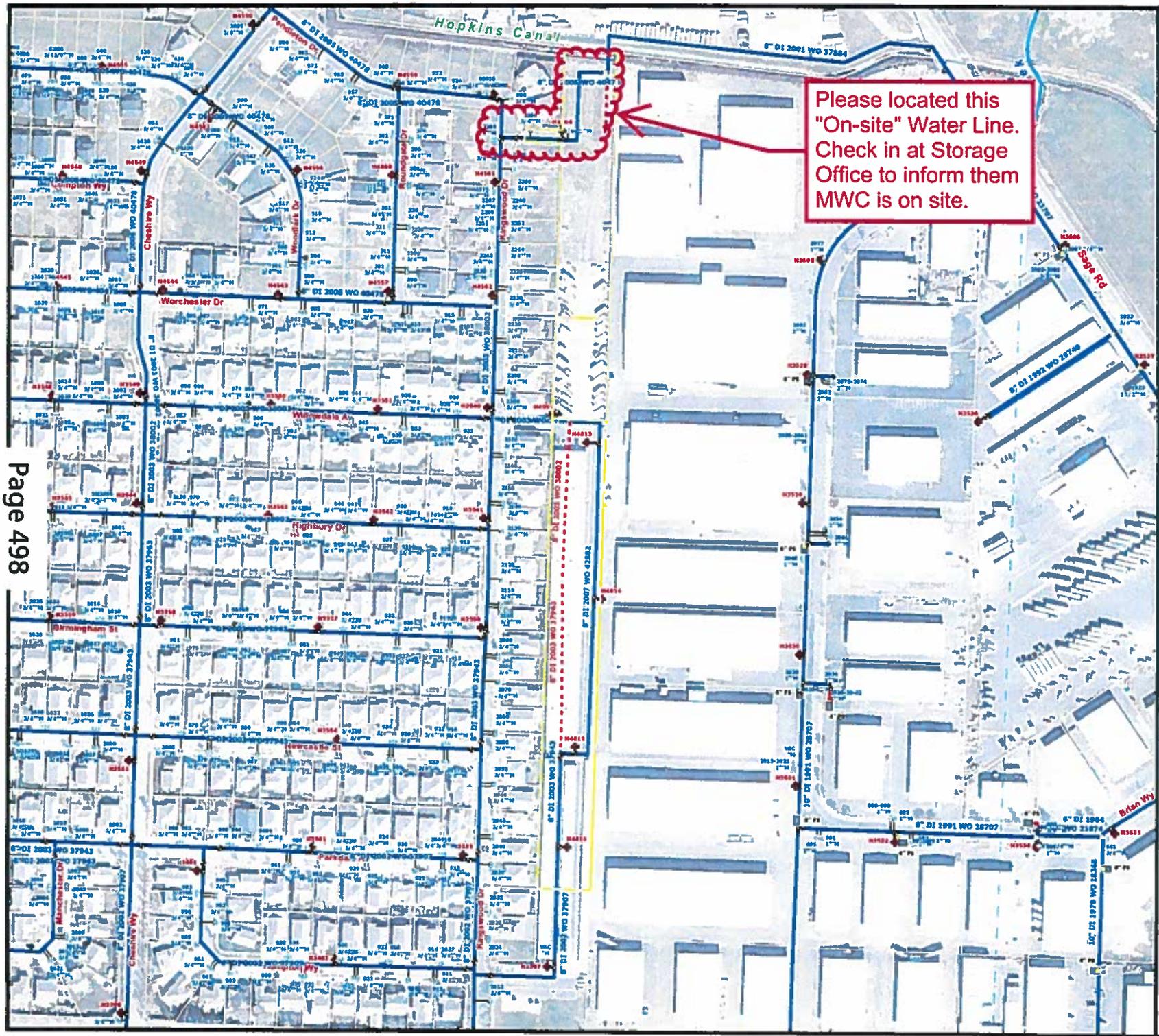
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

**CONDITIONS**

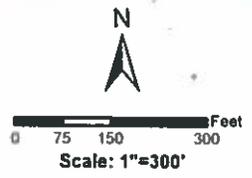
1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing 8-inch water line shall be protected in place within the existing 10-foot wide easement. The easement shall be kept clear of obstructions that would prevent MWC from performing routine and/or emergency water line repair. Proposed RV parking shall be limited to areas outside of existing easement.

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required. (See Condition 3 above)
3. MWC-metered water service does exist to this property. There is an existing "Vacant" water meter located on the north side of the "private" street at the east end adjacent to an existing fire hydrant.
4. Access to MWC water lines is available. There is an existing 8-inch water line located within an existing 10-foot wide easement per JCOR 2005-069716. (See Condition 3 above)



Please located this "On-site" Water Line. Check in at Storage Office to inform them MWC is on site.



**Water Facility Map for PUD-16-060**

**Legend**

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



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission assumes no liability for errors, omissions or potential damages. Users should verify information before use.



# Medford Fire Department

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

**RECEIVED**

**JUN 15 2016**

**PLANNING DEPT**

## LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 06/15/2016

From: Greg Kleinberg

Report Prepared: 06/06/2016

Applicant: Climate Control Mini Storage, LLC, Applicant (Scott Sinner Consulting, Inc.,

File #: PUD - 16 - 60

Site Name/Description: Climate Control Mini Storage, LLC

Consideration of plans for a Revision of a Final Planned Unit Development (PUD) Plan to add both temporary and permanent Recreational Vehicle (RV) storage to the existing mini storage facility located on tax lots 800 & 14600 at 2012 Kingswood Drive, within the SFR-6 zoning district (372W14DC800 & 372W23AB14600); Climate Control Mini Storage, LLC, Applicant (Scott Sinner Consulting, Inc., Agent). Dustin Severs, Planner.

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

Requirement FD APPARATUS ACCESS ROAD DESIGN

OFC

503.2.1

Minimum 20' wide fire lanes are required through the project connecting Willowdale Drive with the Private Dr. Corners shall have a minimum 25' inside turning radius and minimum 35' outside turning radius.

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.

(See also OFC 503.4, D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

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.

CITY OF MEDFORD

EXHIBIT F

FILE # PUD-16-060

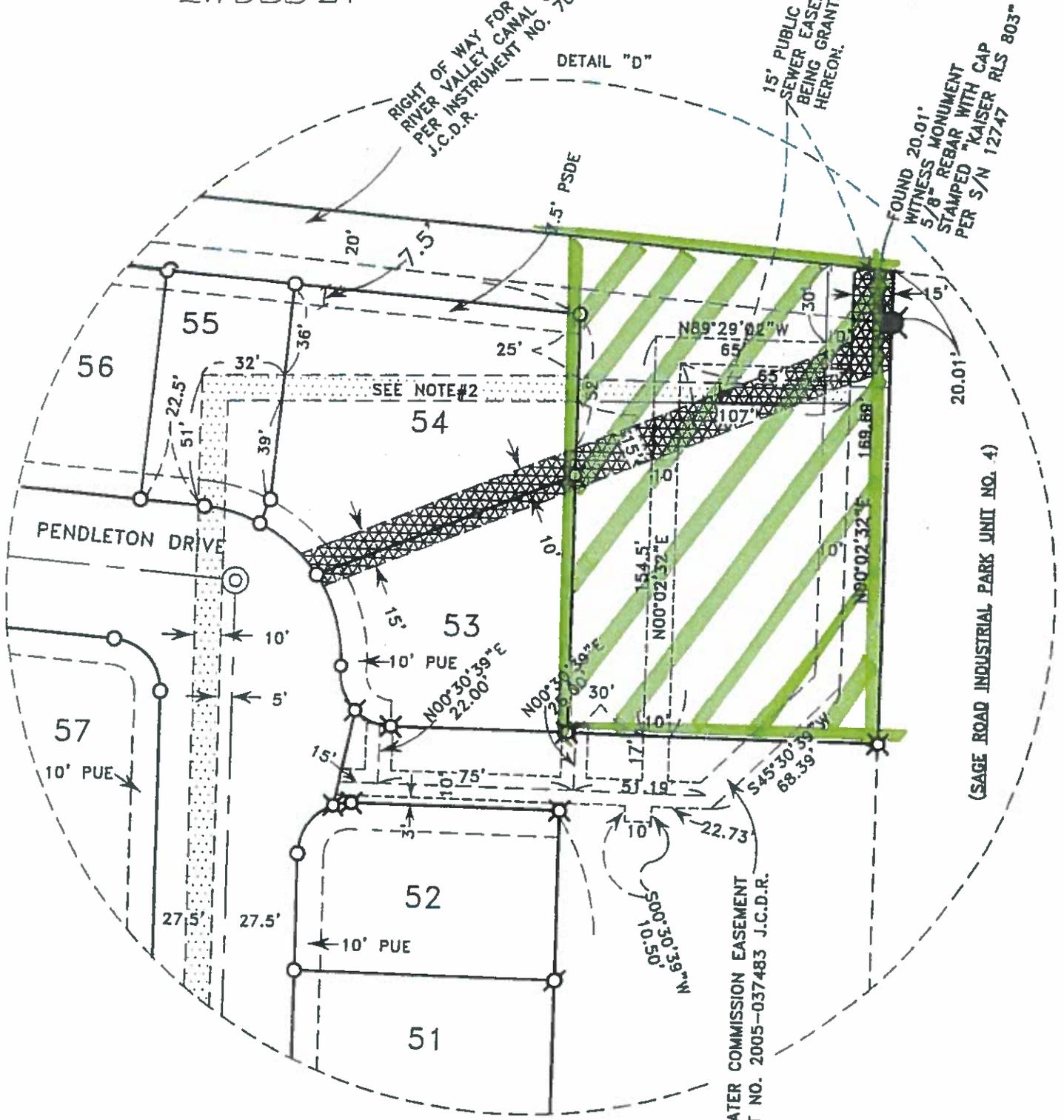
INSTRUMENTS NO. 96-  
O DETERMINE CLIENTS  
E ALL MEASUREMENTS.

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MAY 03 2016

PLANNING DEPT.

PERMANENT RV STORAGE  
≈ 21,000 SF



(NOT TO SCALE)

10' MEDFORD WATER COMMISSION EASEMENT  
PER INSTRUMENT NO. 2005-037483 J.C.D.R.

CITY OF MEDFORD

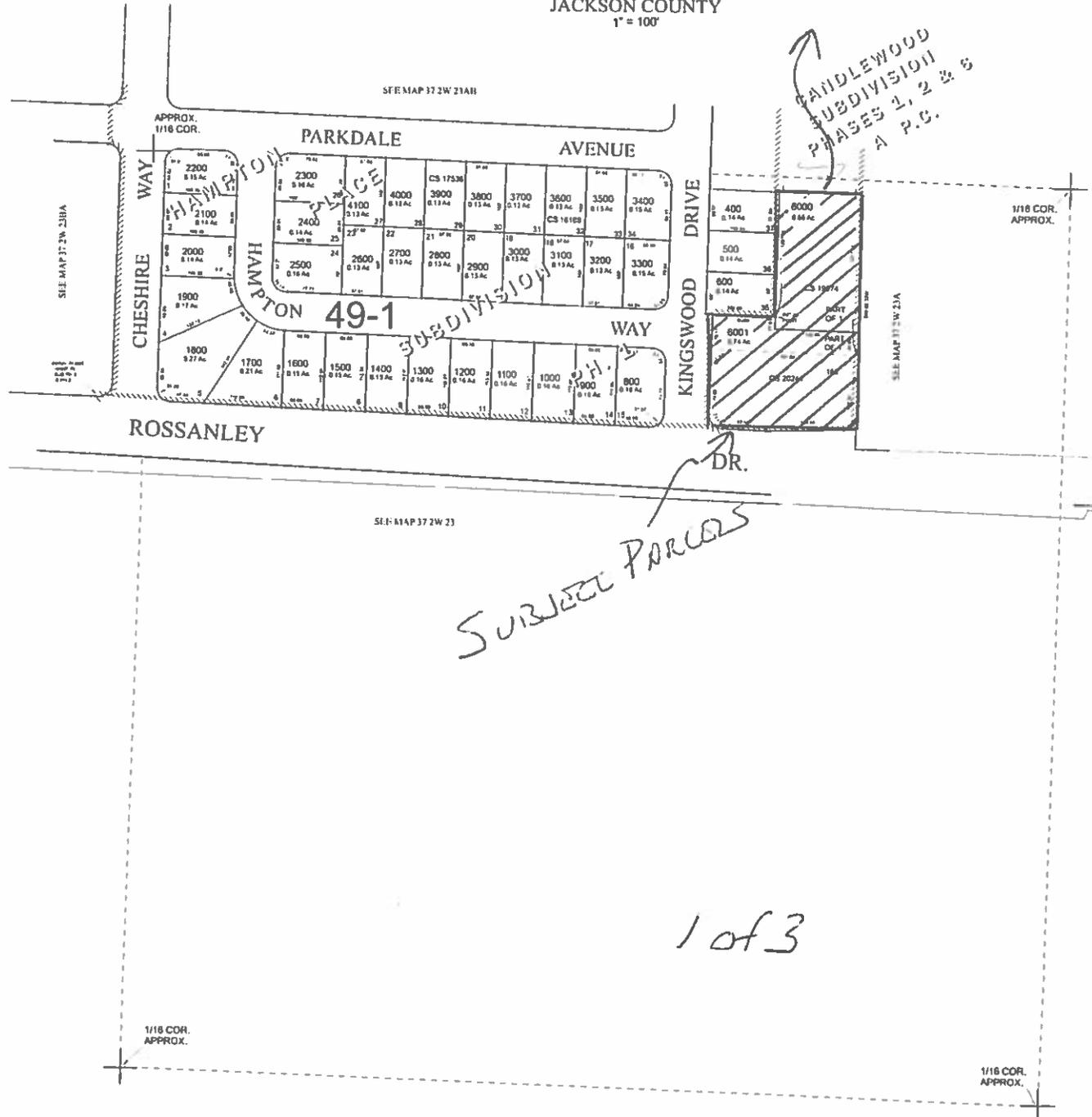
EXHIBIT G

FILE # PUD-16-060

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, N.E.1/4, SEC.23, T.37S., R.2W., W.M.  
JACKSON COUNTY  
1" = 100'

37 2W 23AC  
MEDFORD



CANDLEWOOD  
SUBDIVISION  
PHASES 1, 2 & 3  
A.P.C.

CANCELLED TAX  
LOT NUMBERS:

- 100-300 REMAPPED TO 372W23AB
- 4200
- 4303-5400 REMAPPED TO 372W23AH
- 5500
- 5600
- 5700-5705 REMAPPED TO 372W23BA
- 5706-5725 REMAPPED TO 372W23BD
- 5726-5734 REMAPPED TO 372W23BA
- 5735
- 5800-5811 REMAPPED TO 372W23AB
- 5812 KILLED TO STREET
- 5813-5828 REMAPPED TO 372W23HA
- 5819 KILLED TO STREET
- 5829-5845 REMAPPED TO 372W23AB
- 5846 KILLED TO STREET
- 5848 ADDED TO 6200

SUBJECT PARCELS

1 of 3

**RECEIVED**  
MAY 03 2016  
PLANNING DEPT.

37 2W 23AC  
MEDFORD  
REV NOVEMBER 18, 2002  
REV JANUARY 30, 2009

CITY OF MEDFORD  
EXHIBIT H-1 of 3  
FILE # PUD-16-060

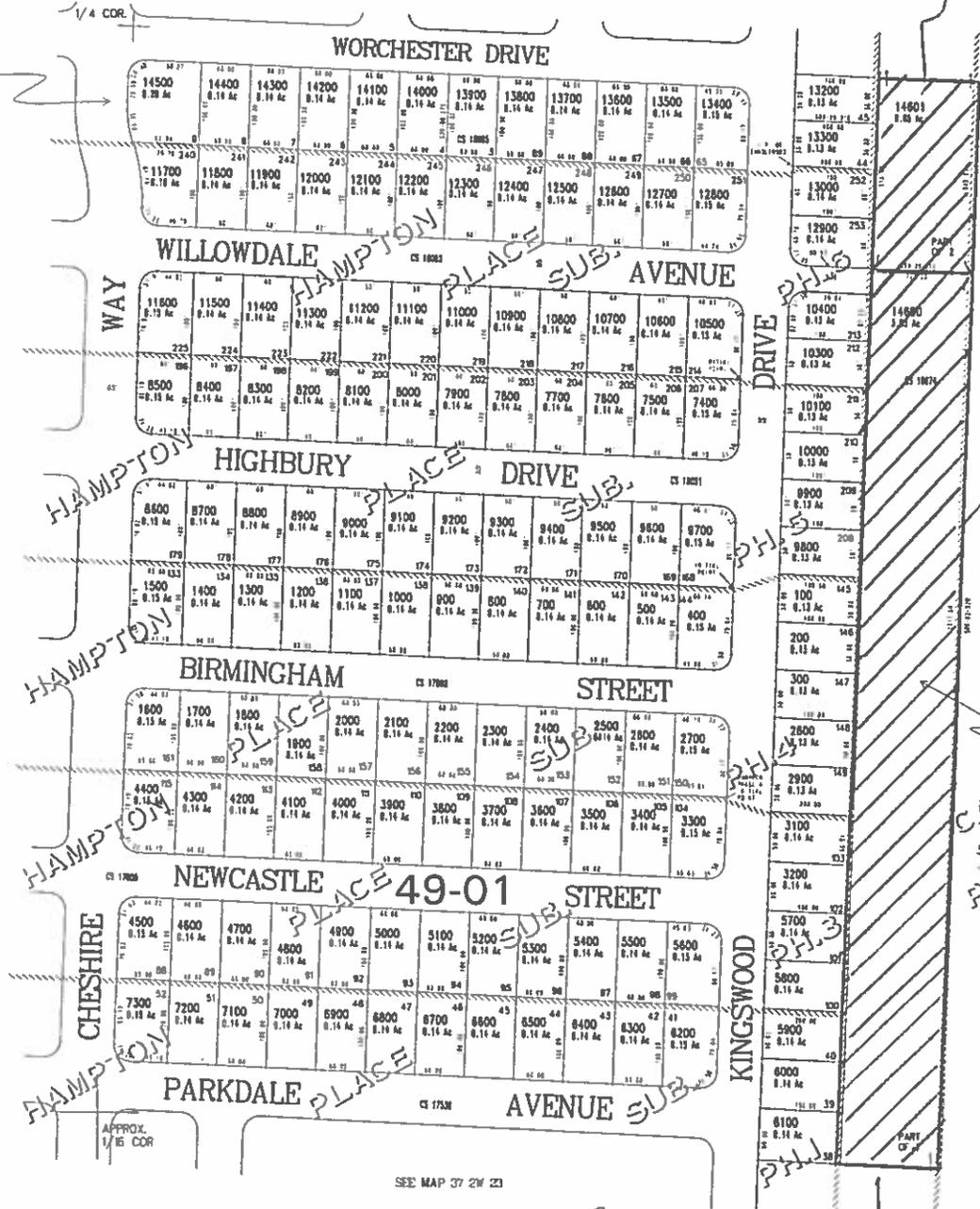
NW 1/4 NE1/4 SEC23 T37S. R2W. W.M.  
JACKSON COUNTY

37 2W 23AB  
MEDFORD

IMPORTANT  
THIS MAP FOR ASSESSMENT  
AND TAXATION PURPOSES  
ONLY

SCALE 1 INCH = 100 FEET  
SEE MAP 37 2W 23

CANDLEWOOD  
SUBDIVISION  
PHASES 3, 4 & 5  
A P.C.



CANCELLED TAX  
LOT NUMBERS  
SEE 49-01 TO 50-01  
NOT CALLED TO PAY  
NOT CALLED TO PAY

SUBJECT  
PARCELS

CANDLEWOOD  
SUBDIVISION  
PHASES 1, 2 & 3  
A P.C.

RECEIVED  
MAY 03 2016  
PLANNING DEPT.  
APPROX. 1/16 COR.

37 2W 23AB  
MEDFORD  
110 SEPTEMBER 01 2007  
REV. JUNE 08 2007

Page 502

CITY OF MEDFORD  
EXHIBIT 14-2 of 3  
FILE # PUD-16-060

2 of 3

9

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, S.E.1/4, SEC.14, T.37S., R.2W., W.M. JACKSON COUNTY 1" = 100'

37 2W 14DC MEDFORD



49-15

49-1

*SUBJECT PARCELS*

*CANDLEWOOD SUBDIVISION PHASES 1, 2 & 3 A.P.C.*

*3 of 3*

CANCELLED TAX LIT NUMBERS 100 REMAPPED TO 372W14D

**RECEIVED**  
MAY 03 2016  
PLANNING DEPT.

37 2W 14DC MEDFORD  
NEW MAP JUNE 24, 2009

CITY OF MEDFORD  
EXHIBIT H-3083  
FILE # PUD-16-060



City of Medford  
**Planning Department**

Vicinity  
 Map

File Number:  
**PUD-16-060**



Project Name:  
**Climate Control Mini Storage**

Map/Taxlot:  
**372W23AC TL 6000, 6001**  
**372W14D TL 8000**  
**372WAB TI 14601, 14600**

05/06/2016

**Legend**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets

