

PLANNING COMMISSION AGENDA OCTOBER 24, 2019



MEDFORD
OREGON

Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

Regular Planning Commission
meetings are held on the second and
fourth Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380

PLANNING COMMISSION AGENDA



MEDFORD
OREGON

October 24, 2019

5:30 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

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

30. Approval or Correction of the Minutes from October 10, 2019 hearing

40. Oral Requests and Communications from the Audience

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

50. Public Hearings

COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

Continuance Request

50.1 PUD-19-002 Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, a mixed-use structure, increase maximum building height for mixed-use building to 40 feet, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt. **The applicant has requested this item be continued to the Thursday, November 14, 2019 Planning Commission meeting.**

Old Business

50.2 CUP-19-044 Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902); Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

New Business

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

60. Reports

- 60.1 Site Plan and Architectural Commission
- 60.2 Transportation Commission
- 60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-015 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY REA THOMSON) **ORDER**

ORDER granting approval with conditions for a zone change of an approximately .18 acre lot located at 1035 West 10th Street, south of the intersection of West 10th Street and Canon Street from SFR-10 (Single Family Residential, 10 dwellings units per gross acre) to MFR-20 (Multi Family Residential, 20 dwelling units per gross acre).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below, within corporate limits of the City of Medford; and

WHEREAS, the City Planning Commission has given notice of, and held a public hearing, and, after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Staff Report dated October 3, 2019, and the Findings contained therein - Exhibit "A," and Legal Description - Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 2W 25DB Tax Lot 20100

is hereby changed as described above.

Accepted and approved this 24th day of September, 2019.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

RECEIVED

AUG 12 2019

PLANNING DEPT.

Legal Description

Exhibit "B"

Commencing at the Northeast corner of Block 9 of Park Addition to the City of Medford, Jackson County, Oregon, according to the Official Plat thereof, now of record; thence West 450.0 feet to the true point of beginning; thence South 168.0 feet; thence West 50.0 feet; thence North 168.0 feet; thence East 50.0 feet to the true point of beginning.

PLANNING COMMISSION MINUTES



October 10, 2019

5:30 P.M.

Medford City Hall, Council Chambers

411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
David Culbertson
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver

Staff Present

Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Katie Zerkel, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Tanner Fairrington, Deputy Fire Marshal
Terri Richards, Recording Secretary
Liz Conner, Planner II
Kyle Kearns, Planner II

Commissioners Absent

Jeff Thomas, Excused Absence
Joe Foley, Vice Chair, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

20.1 ZC-18-189 Final Order of a request for a zone change of a 1.89-acre parcel located at 4199 Rachel Way from SFR-00 (Single-Family Residential, one dwelling unit per lot) to SFR-4 (Single-Family Residential, four dwelling units per gross acre) (371W22400). Applicant: Jane Erin Griffin-Hagle; Planner: Dustin Severs.

20.2 ZC-18-178 Final Order of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300). Applicant: Mike & Gayle Jantzer; Agent: Richard Stevens & Associates Inc.; Planner: Liz Conner.

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

Moved by: Commissioner Culbertson

Seconded by: Commissioner McFadden

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

30. Approval or Correction of the Minutes from September 26, 2019 hearing

30.1 The minutes for September 26, 2019, were approved as submitted.

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

50. Public Hearings

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

New Business

50.1 **SV-19-045** Consideration of a request for vacation of a portion of excess right-of-way on Foothill Road, right-of-way for Normil Terrace and High Cedars Lane west of Foothill Road, a Public Utility Easement (PUE) and Reserve Strips in High Cedars at Cedar Landing, Phases 5B, 6B and 7B, within the SFR-4 (Single-Family Residential, four dwelling units per gross acre) zoning district. Applicant: Cedar Landing Development LLC; Agent: CSA Planning Ltd.; Planner: Liz Conner.

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

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

Liz Conner, Planner III reported that the Vacation of Public Right-of-Way approval criteria can be found in the Medford Land Development Code Section 10.228(D). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Conner gave a staff report.

The public hearing was opened.

a. CSA Planning Ltd or Cedar Landing Development LLC were not present at the meeting.

The public hearing was closed.

Motion: The Planning Commission based on the findings and conclusions that all of the applicable criteria are met or are not applicable, forwards a favorable recommendation to the City Council for approval of SV-19-045 per the staff report dated October 3, 2019, including Exhibits A through I.

Moved by: Commissioner Culbertson

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 6-0-0.

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

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

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

Liz Conner, Planner II reported that the Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Conner gave a staff report.

The public hearing was opened.

a. Amy Gunter, Rogue Planning & Development Services, 33 N. Central Avenue #213, Medford, Oregon, 97501. Ms. Gunter reported that the property owner was unable to be present this evening and requested that Ms. Gunter read a statement because some of the issues that have come up create a financial burden when considering the preexisting development of the site. The applicant admits she did not do buyer diligence in finding out there is a third unit on the property that was not legally permitted. This is an investment property for the applicant. The property was purchased at an estate sale. There are tenants on the property that have lived there for twenty years. The applicant does not have the financial means to make the improvements that the City is asking for. They do not want to do the third unit conversion. The agent has spoken with Alex Georgevitch, City Engineer and he talked about what could be rolled back as far as some of the issues that are problematic right now like the paving of the alley with an estimate of \$20,000 just for the pavement. This figure does not include engineering, construction and permitting. The City has options for what to do. There are Public Work grants that will let the applicant pay in lieu of doing the improvements. Ms. Gunter and Mr. Georgevitch also talked about the sewer and as well as what the applicant can do at the building permit stage. They believe they have everything addressed with Public Works and the Planning Department on what is actually going to happen at building permit stage.

Commissioner Pulver asked, is the applicant trying to get the third building officially permitted and recognized by the City up to code? Is that the purpose of going for a building permit? Ms. Gunter

responded that is correct. When the applicant began to fix up the property they discovered the third unit did not have an electric meter. When they came to the City to pull an electric permit the electric inspectors stopped all work upon finding the third dwelling unit. The zoning did not work so then the applicant made the zone change application to find out about the paving of the alley and repairing sewer line to Riverside would be a hurdle. They have come up with a solution so the applicant will not be putting in a sewer line down by Riverside in order to let the unit remain on the property.

Chair McKechnie asked, what is the resolution for the sewer capacity? Ms. Gunter reported the City will look at this as a De Minimis situation because in the event the unit goes away the toilet, bathtub and sink do not go away. They become part of the existing dwelling units on the property. It is a triplex. The impacts are not greater for this unit than they would be for it being just the bedroom bathroom situation on the house. The property is so small even though the zoning allows the range of three to five units three is the maximum that can be on this property.

Ms. Gunter reserved rebuttal time.

Chair McKechnie asked, is Public Works wanting to impose a condition of no additional dwelling units on the property? Alex Georgevitch, City Engineer reported that the staff report states the applicant cannot increase capacity from the site without additional mitigation or doing a study to show there is adequate facilities. The site currently houses a third unit. When doing the sanitary sewer masterplan that unit was part of the original study. Staff has discussed with the applicant when coming in for building permits they will have to provide a study but the sanitary sewer masterplan can be the basis of their study to show there was adequate facilities at the time.

Chair McKechnie stated that limitation would potentially apply to additional units over the three of the original sewer study. Mr. Georgevitch responded absolutely and that is why the staff report is written the way it is.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-19-015 per the staff report dated October 3, 2019, including Exhibits A through J.

Moved by: Commissioner Culbertson

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 6-0-0.

50.3 DCA-19-004 An amendment to portions of Chapter 10, the Medford Land Development Code (MLDC), to create a land use for emergency (homeless) shelters for short-term use during severe weather events. City of Medford: Applicant; Planner: Kyle Kearns.

Kyle Kearns, Planner II reported that the Development Code Amendment approval criteria can be found in the Medford Land Development Code Section 10.218. The applicable criteria were addressed in the staff report and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Kearns gave a staff report.

Commissioner McFadden stated this seems to be out of the scope for Planning Commission input. Mr. Kearns responded that Chapter 10 is a rigid chapter and when there is not a clear definition it has to be interpreted. In this case because the temporary shelters were so stringent anyone trying to operate this type of shelter would be locked into the Conditional Use Permit requirement and all the regulations which is above and beyond what is being proposed for this. Staff needs a definition and avenue for approval.

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

Motion: The Planning Commission based on the findings and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation for approval of DCA-19-004 to the City Council per the staff report dated October 3, 2019, including Exhibits A through H.

Moved by: Commissioner Culbertson

Seconded by: Commissioner McManus

Commissioner Pulver is not in favor of this concept. He is concerned the findings line up that they are being manipulated to get the intended results. He will be voting no.

Roll Call Vote: Motion passed, 5-1-0 with Commissioner Pulver voting no.

60. Reports

60.1 Site Plan and Architectural Commission

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, October 4, 2019 and heard the plans for the 75,000 square foot Regional Cancer Center for Asante. There is a four foot strip of land between the homes to the north and the subject property. There was concern where does the block wall or fence go. It was more of a question of what is with the four foot strip. Why does it exist? Asante should have purchased and consolidated. There was testimony from some of the neighbors back there about blocking the view and number of parking spaces. They continued the hearing to the Friday, October 18, 2019 meeting.

60.2 Transportation Commission

Commissioner Pulver reported that the Transportation Commission has not met since the last Planning Commission meeting.

60.3 Planning Department

Kelly Evans, Assistant Planning Director reported that Commission application deadline is October 31 2019. Commissioner Culbertson has already reapplied. There is a vacancy so if the Commissioners have anyone they may not that is interested in serving please encourage them to apply.

The Planning Commission study session scheduled for Monday, October 14, 2019 has been canceled.

The joint study session with the Planning Commission, Site Plan and Architectural Commission and the Landmarks and Historic Preservation Commission for Tuesday, October 22, 2019 has been canceled.

There is business scheduled for Thursday, October 24, 2019, Thursday, November 14, 2019 and December 12, 2019.

Last week the Mayor read a proclamation for October being National Community Planning Month. City Council approved the concurrency amendment and initiated the street vacation at Normil Terrace and west Foothills.

Commissioner Pulver asked, did the Council; approve what the Planning Commission recommended on the concurrency? Ms. Evans responded yes.

Next week the City Council will hear the GLUP amendment on Barnett and Crestbrook, the GLUP amendment for Tower Business Park and an annexation for 3558 Table Rock Road.

The Landmarks and Historic Preservation Commission last week had five business items. They approved three mural sites for downtown. Commissioner McManus was involved. Asante is moving into the property on Bartlett and Fourth that used to be Sky Oaks Financial building. The parking lot at 5th and Holly got resolved.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

101. The meeting was adjourned at approximately 6:17 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Mark McKechnie
Planning Commission Chair

Approved: October 24, 2019



STAFF REPORT – CONTINUANCE REQUEST

for a Type-III quasi-judicial decision: **Planned Unit Development Revision**

Project Cedar Links Apartments
Applicant/Agent: Koble Creative Architecture

File no. PUD-19-002

To Planning Commission *for 10/24/2019 hearing*

From Steffen Roennfeldt, Planner III

Date October 17, 2019

BACKGROUND

Proposal

Consideration of a request for a revision to ‘the Village’ area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, a mixed-use structure, increase maximum building height for mixed-use building to 40 feet, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential 2.5 to 4 dwelling units per gross acre/Planned Development) zoning district.

Request

The applicant has requested that the item be continued to November 14, 2019 in order to submit updated findings for revised plans.

EXHIBITS

- A Continuance request received October 16, 2019
Vicinity map

PLANNING COMMISSION AGENDA:

AUGUST 22, 2019
SEPTEMBER 26, 2019
OCTOBER 24, 2019

From: Terry Amundson <Terry@koblecreative.com>
To: "Kelly.Evans@cityofmedford.org" <Kelly.Evans@cityofmedford.org>, "Matt H. Brinkley" <Matt.Brinkley@cityofmedford.org>, "Steffen K. Roennfeldt" <Steffen.Roennfeldt@cityofmedford.org>
Cc: Daryl Retzlaff <daryl@jmwproperties.com>, Joe Westerman <joe@jmwproperties.com>, Kevin Kirkwood <kevin@koblecreative.com>
Date Sent: Wednesday, October 16, 2019 14:52 PDT
Subject: Re: Cedar Landing Apartments

<EXTERNAL EMAIL>

Hi Steffen, In follow up to our phone conversation, I would like to request an additional 2-week extension for the Planning Commission follow up, moving our next potential commission presentation to the November 14th Planning Commission Session. Thanks again, Terry

terry amundson architect
+1 503 539 4300

From: Terry Amundson <Terry@koblecreative.com> on behalf of Terry Amundson <Terry@koblecreative.com>
Date: Monday, October 14, 2019 at 8:15 AM
To: "Kelly.Evans@cityofmedford.org" <Kelly.Evans@cityofmedford.org>, "Matt H. Brinkley" <Matt.Brinkley@cityofmedford.org>, "Steffen K. Roennfeldt" <Steffen.Roennfeldt@cityofmedford.org>
Cc: Daryl Retzlaff <daryl@jmwproperties.com>, Joe Westerman <joe@jmwproperties.com>, Kevin Kirkwood <kevin@koblecreative.com>
Subject: Cedar Landing Apartments

Good Morning Kelly, Matt, and Steffen,

As we'd discussed in our earlier conversations, and in follow up to our meeting with the neighbor group, we have incorporated the proposed modifications into our overall site and building plans, as well as the building elevations. The attached draft plan set reflects these modifications, and includes all of the updated data regarding unit counts, building coverage, parking, etc. We are working on an updated narrative to accompany our drawings in a new submittal package, in the hope that based on our conversations, together with the recent neighbor group feedback, we are now of a configuration that constitutes a di minimus Type 1 staff review. Please review the attached drawing set and provide any input or feedback that you may have. Once you've reviewed the drawings, if you find it beneficial to schedule a follow up conference call, please let us know and we can get that scheduled as well.

As far as the process for proceeding forward with a Type 1 staff review, would it be beneficial to initially just extend the planning commission review timeline, rather than cancelling that process altogether, in case any concern were to arise during the Type 1 review process? Also, are there many, if any, differences in the requirements for the submittal materials for the Type 1 submittal documents, and would any of those associated requirements have to be repeated in order to proceed with the Type 1 review? You're welcome to give me a call if easier to discuss via phone.

Please let us know if the attached draft meets with the expectations based on our discussions and prior meetings, and we can discuss next steps once you've had a chance to review the changes.

Thanks again for your assistance in navigating these processes!

-Terry

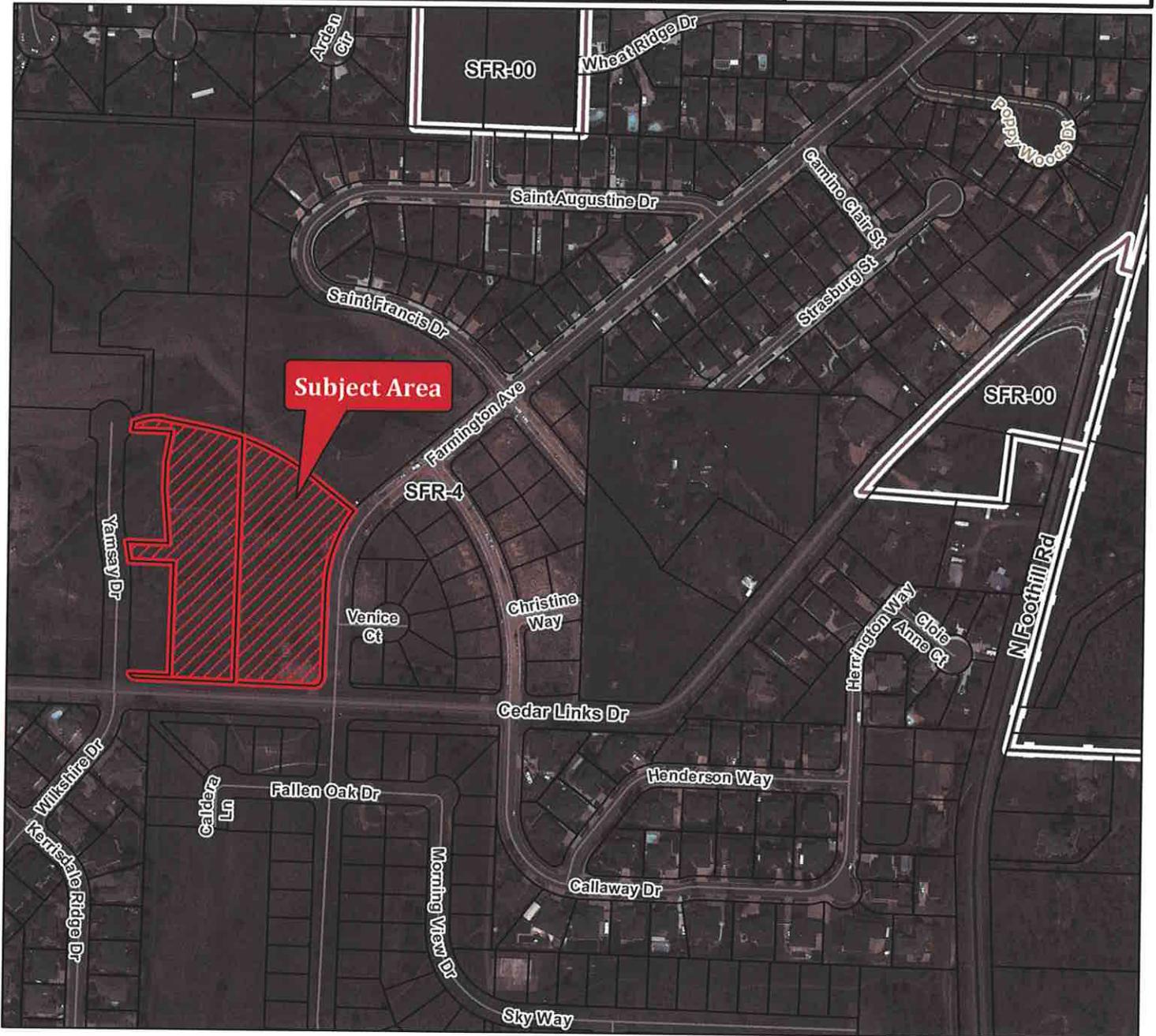
terry amundson architect
+1 503 539 4300

2117 NE Oregon #201
Portland, OR 97232
koblecreative.com

/k&bl: to connect

SAME BUILDING, DIFFERENT SUITE.

CITY OF MEDFORD
EXHIBIT # A
File # PUD-19-002
E-725,01-J

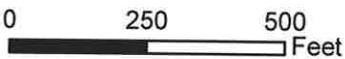


Project Name:

**Minor Revision to
 Cedar Landing PUD**

Map/Taxlot:

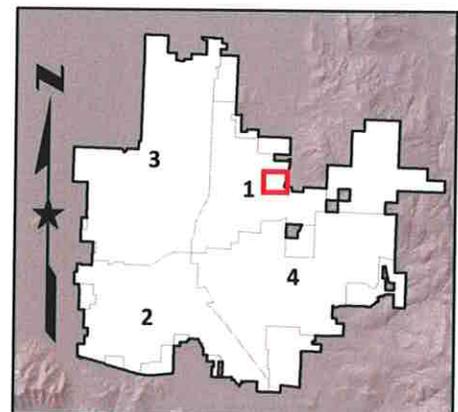
**371W16BD238 &
 371W16BC203**



Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

06/18/2019





REVISED STAFF REPORT

for a Type-III quasi-judicial decision: Conditional Use Permit

Project Life Skills Transition House
Applicant: Phoenix Talent School District; Agent: CSA Planning Ltd.

File no. CUP-19-044

To Planning Commission *for 10/24/2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director *ke.*

Date October 17, 2019

BACKGROUND

Proposal

Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902).

Vicinity Map



Subject Site Characteristics

GLUP	U-R	Urban Residential
Zoning	SFR-4	Single Family Residential (2.5 to 4 dwelling units per gross acre)
Use	Single Family Residence	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4
	Use:	low density residential
<i>South</i>	Zone:	SFR-4
	Use:	Orchard Hill Elementary School
<i>East</i>	Zone:	SFR-4
	Use:	low density residential
<i>West</i>	Zone:	SFR-4
	Use:	low density residential

Related Projects

None.

Applicable Criteria

Medford Municipal Code §10.184(C) Conditional Use Permit Approval Criteria.

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

(a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

(b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

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

- (a) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (b) Establish a special yard or other open space or lot area or dimension requirement.
- (c) Limit the height, size, or location of a building or other structure.
- (d) Designate the size, number, location, or nature of vehicle access points.
- (e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.
- (f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.
- (g) Limit or otherwise designate the number, size, location, height, or lighting of signs.
- (h) Limit the location and intensity of outdoor lighting, or require its shielding.
- (i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.
- (j) Designate the size, height, location, or materials for a fence.
- (k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

Medford Municipal Code §10.184(D) Conditional Use Permits, Mitigation of Impacts.

A conditional use requiring the mitigation of impacts under Subsection (C)(1)(b) above must do one of the following:

- (1) Preserve unique assets of interest to the community.
- (2) Provide a public facility or public nonprofit service to the immediate area or community.
- (3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

Corporate Names

William H Fowler is the Registered Agent for CSA Planning, Ltd. According to the Oregon Secretary of State Business Registry, Jay Harland is listed as President and Raul Woerner is listed as Secretary.

ISSUES AND ANALYSIS

Background

The subject site is occupied with a typical single family residential structure and is located north of Juanipero Way, directly across the street from Orchard Hill Elementary school. The site at 2841 Juanipero Way is owned by the Phoenix Talent School District who is proposing a new educational use within the existing single family residence.

The purpose of the educational use is to prepare young disabled adults with the skills needed to live independently and to enter the workforce.

Per the applicant, the existing residence is to remain in place and there will be no physical changes beyond basic repairs at the building.



Figure 1 - Street View of 2841 Juanipero Way

Code References

Per MLDC 10.010, an Institutional Use is defined as follows:

Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

MLDC 10.314(6), titled Non-residential Special Uses, lists Institutional Uses as permitted in the SFR-4 zoning district solely pursuant to a Conditional Use Permit.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section(s)
6. NONRESIDENTIAL SPECIAL USES									
(a) Bed and Breakfast Inn	X	X	Cs	Cs	Cs	Ps	Ps	Ps	10.828
(b) Child Day Care Center	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.811
(c) Institutional Uses	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817

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

Parking

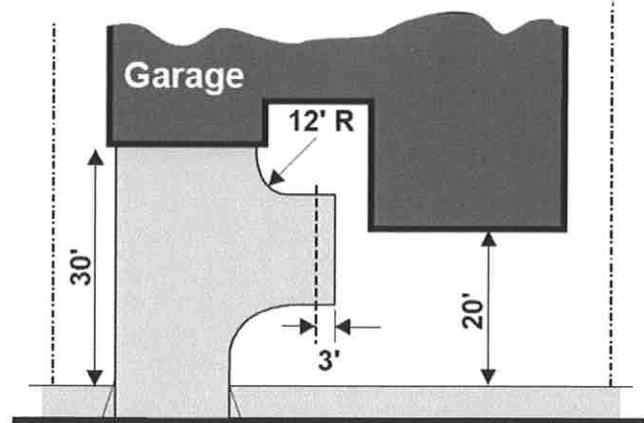
With the revised site plan, two regular vehicular spaces and one disabled parking stall are proposed. The accessible space will be located closest to the entrance adjacent to a new concrete walkway. The two additional parking spaces will be located within the existing carport and to the left of the carport.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

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

Driveway

Per the revised Public Works staff report (Exhibit K-1), the applicant will be required to construct all vehicle maneuvering areas per the standards in MLDC 10.746. This includes the construction of a turnaround area per Subsection 11 and the screening requirement (Subsection 9) which requires a 10-foot wide landscaping buffer between the public right-of-way and the parking/maneuvering area.

Both requirements have been fulfilled as can be seen on the revised site plan (Exhibit B-1).



Transportation System

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

Legacy Street

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

Committee Comments

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

No other issues were identified by staff.

FINDINGS OF FACT

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

(1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

The Commission can find that there is sufficient evidence contained in the applicant's narrative and findings of fact, and the Staff Report, to determine that the proposed educational use can be made to comply with the provisions of the Code with the imposition of conditions of approval contained in Exhibit A-1, and therefore, will not have an adverse impact on the surrounding area. This criterion is satisfied.

(2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

The Commission can find that the proposal is in the public interest and the proposed use could also comply with this criterion.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit J) and recommends the Commission adopt the findings as recommended by staff.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of CUP-19-044 per the Revised Staff Report dated October 17, 2019, including Exhibits A-1 through Q.

EXHIBITS

- A-1 Conditions of Approval, dated September 18, 2019
- B-1 Site Plan, revised October 11, 2019
- C Floor Plan, received July 19, 2019
- D Zoning Map, received July 19, 2019
- E GLUP Map, received July 19, 2019

- F Photo Key Map, received July 19, 2019
- G Assessor Map, received July 19, 2019
- H Narrative, received July 19, 2019
- I-1 Criteria Compliance, revised September 27, 2019
- J-1 Findings of Fact and Conclusions of Law, revised September 27, 2019
- K-1 Public Works Staff Report, revised October 14, 2019
- L Medford Water Commission Memo, dated September 4, 2019
- M Medford Fire Rescue Report, dated August 28, 2019
- N Building Department Memo, dated September 4, 2019
- O Public Works Memo re: Legacy Street, dated September 27, 2019
- P CSA Memo re: Revisions, dated October 4, 2019
- Q Area Plan, received October 11, 2019
Vicinity map

PLANNING COMMISSION AGENDA:

**SEPTEMBER 26, 2019
OCTOBER 24, 2019**

EXHIBIT A-1

Life Skills Transition House
CUP-19-044
Revised Conditions of Approval
October 17, 2019

CODE REQUIRED CONDITIONS

Prior to the single family residence being used for the proposed educational use, the applicant shall:

1. Comply with all requirements of the Public Works Report (Exhibit K);
2. Comply with all conditions of the Medford Water Commission (Exhibit L).
- ~~3. Comply with all requirements of the Medford Fire Department (Exhibit M).~~



RECEIVED

OCT 11 2019

PLANNING DEPT.

82.0'

PROPERTY LINE

PROPERTY LINE

135.05'

PROPERTY LINE

EXISTING CONCRETE PATH
LINE OF ROOF ABOVE

EXISTING PATIO

EXISTING 1,360 SF
SINGLE-STORY
WOOD-FRAMED
HOUSE

EXISTING GRAVEL

STORAGE

TRASH

CARPORT

PARKING SPACE 2

PARKING SPACE 1

BIKE SPACES
1
2
3
4

RAMP

EXISTING PATIO

19'-0"

VAN PARKING SPACE

9'-0"

NEW PAVING

8'-0"

NEW PAVING

LANDSCAPE BUFFER

EXISTING CONCRETE PATH TO REMAIN

LAWN

EXISTING CONCRETE PATH TO BE REMOVED

10'-0"

NEW PUE

NEW SIDEWALK

5'-0"

EXISTING MAILBOX

4'-0"

NEW CURB RAMP

NEW PAVING

LANDSCAPE BUFFER

10'-0"

PROPERTY LINE

EXISTING WATER METERS

EXISTING GRAVEL

EXISTING MAILBOX

EXISTING POWER POLE

EXISTING CONCRETE DRIVEWAY

HC PARKING SIGN

NEW PAVER OR CONCRETE PATH

EXISTING CONCRETE PATH TO REMAIN

LAWN

EXISTING CONCRETE PATH TO BE REMOVED

10'-0"

NEW PUE

NEW SIDEWALK

5'-0"

EXISTING MAILBOX

4'-0"

NEW CURB RAMP

Transition House
2841 JUANIPERO WAY, MEDFORD, OR

PHOENIX-TALENT SCHOOLS

REV: 10/11/19

DATE: 6/19/19

SP

JUANIPERO WAY

SITE PLAN

SCALE: 1/16" = 1'-0"

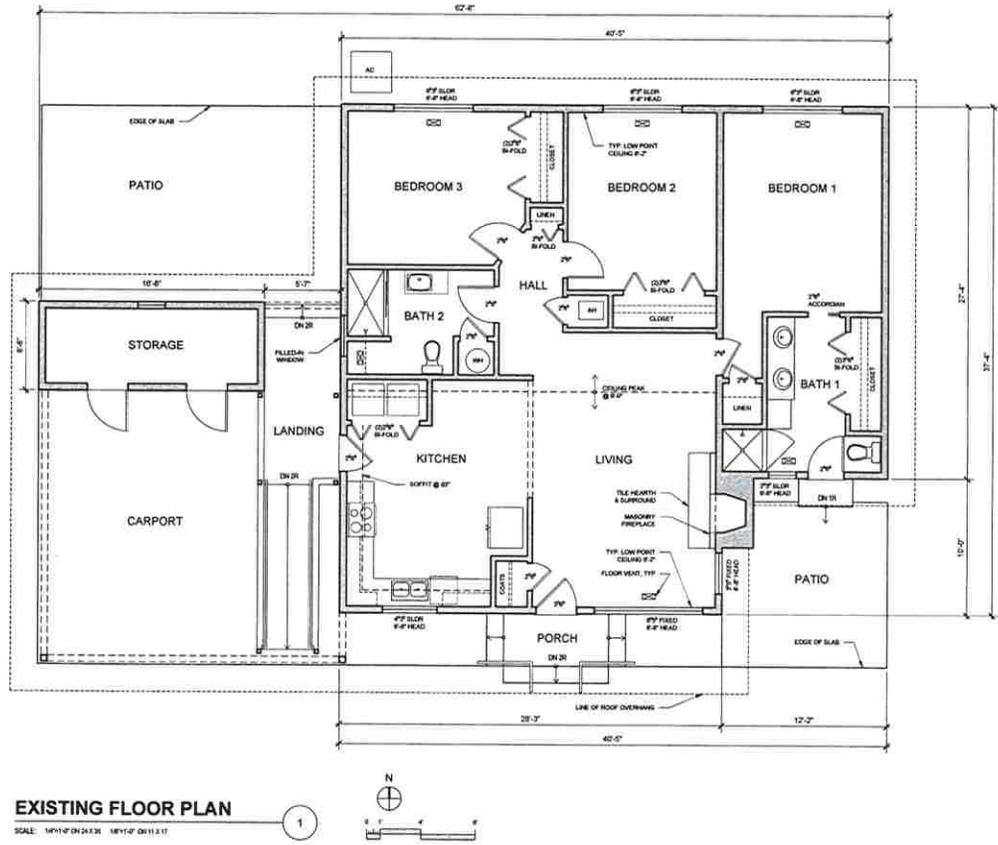
CITY OF MEDFORD

EXHIBIT # 31

File # CUP-19-044

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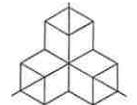
File # CUP-19-044
 EXHIBIT # AB-1
 CITY OF MEDFORD



PHOENIX-TALENT
 SCHOOL DISTRICT
RECEIVED
 JUL 19 2019
 PLANNING DEPT

2841 JUANIPERO WAY
 MEDFORD, OR 97504

arkitek :
 design and
 architecture, llc.



426 a street
 ashland, or 97520
 tel.: 541.591.9988



Revision	Date

Date: 5-8-19
 Job: 19_016
 Drawn By: LG
 Checked By:
 Scale: AS NOTED

AS-BUILTS

Drawing Title
 CITY OF MEDFORD
 EXHIBIT #
 FILE # CUP-19-044

AB-1

EXHIBIT 8

2



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MAY 19 2019
PLANNING

-  Subject
-  Tax Lots
-  Medford Zoning
-  City Limits

Zoning Map

2016 Aerial



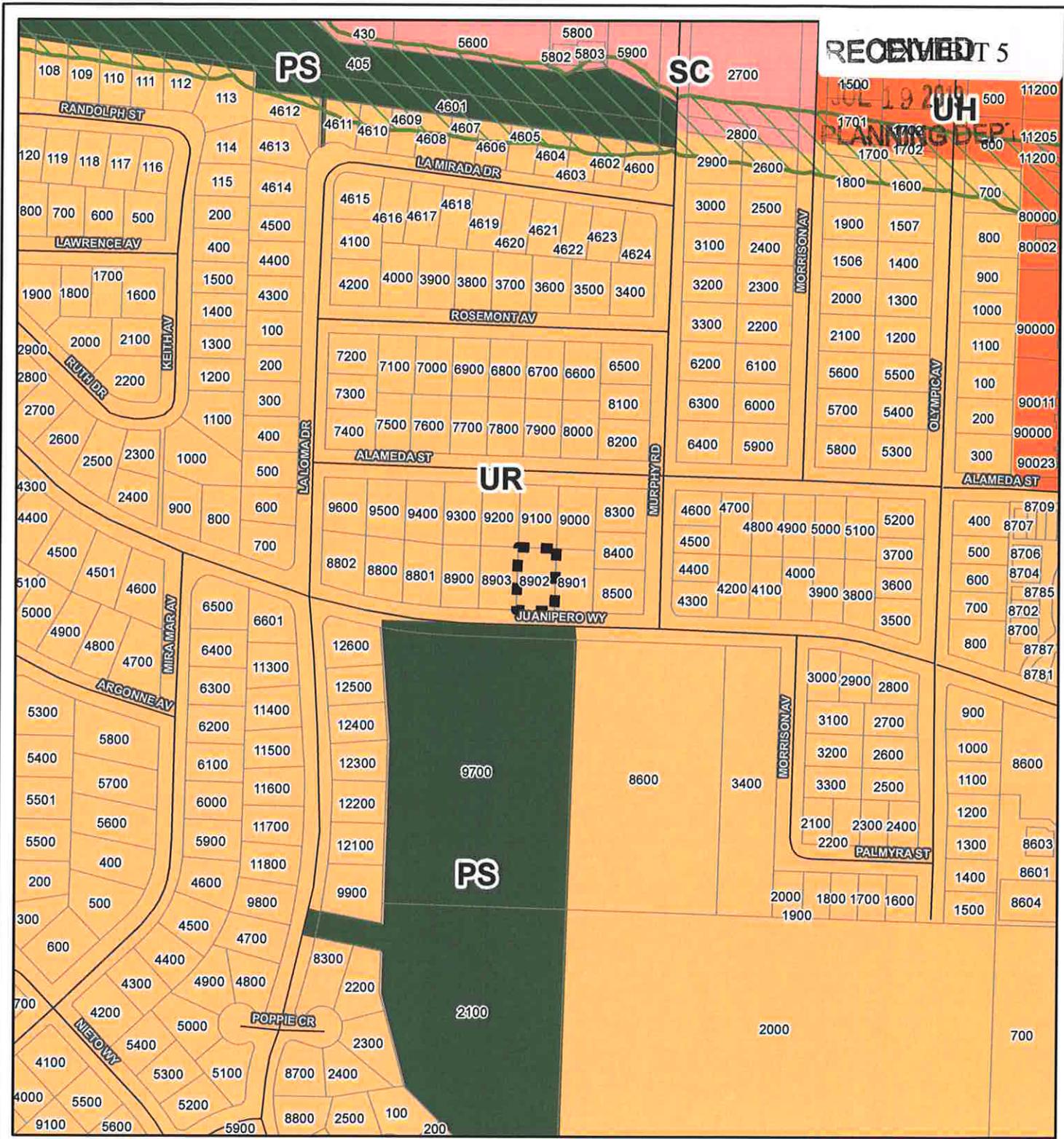
Phoenix-Talent School District
 Conditional Use Permit
 37-1W-33BD tax lot 8902

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



CSA Planning LTD

3



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 JUL 19 2019
 UH
 PLANNING DEP.

Legend

- Subject
- Tax Lots
- Greenways
- GLUP**
- PS
- SC
- UH
- UR

General Land Use Plan (GLUP) Map

Phoenix-Talent School District
 Conditional Use Permit
 37-1W-33BD tax lot 8902

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

CSA Planning LTD

300 150 0 300 Feet

KY

RECEIVED
JUL 19 2019
EXHIBIT 6
PLANNING DEPT



-  Subject
-  Tax Lots
-  Photo Location & Direction

Photo Key Map

2012 Aerial

Phoenix-Talent School District
Conditional Use Permit
37-1W-33BD tax lot 8902



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



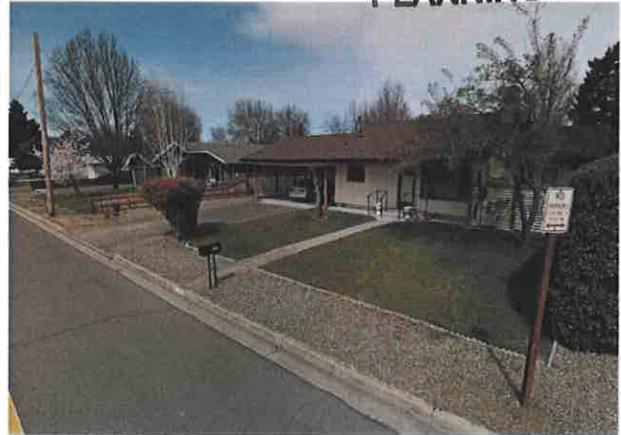
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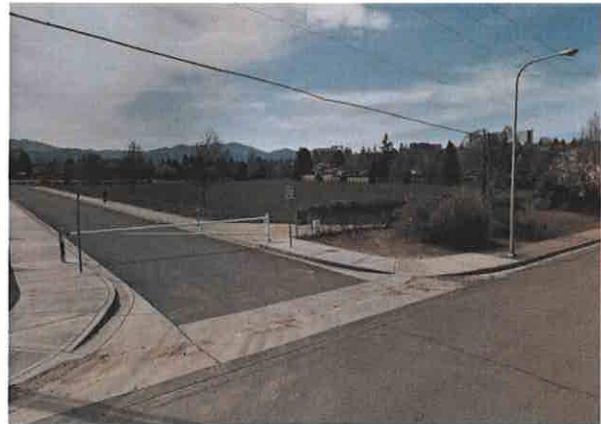
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JUL 19 2019
PLANNING DEPT



① Frontage on Juanipero Way Looking Northeast

② Frontage on Juanipero Way Looking Northwest



③ LDS Church driveway adjacent to Orchard Hill Elementary driveway

④ Orchard Hill Elementary School driveway across street from Transition House

Legend

② Photo ID Number

Photos

Transition House

PHOENIX-TALENT SCHOOL DISTRICT

June 2019

CSA Planning, Ltd.

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

RECEIVED
JUL 19 2019
PLANNING DEPT

NARRATIVE

Applicant requests a conditional use permit for a new educational use in an existing single-family residence. Phoenix-Talent School District has purchased the residence to provide an appropriate facility for their "Life Skills - Transition House" program. The purpose of the program is to prepare young disabled adults with the skills needed to live independently and to enter the workforce. Located directly across the street from the District's Orchard Hill Elementary School, the facility will be easily accessible to staff and students.

The existing residence is to remain in place. The proposal is for a use change and the physical changes to the property, beyond basic maintenance repairs, will be limited to the meeting any minimum building code or fire code requirements for the educational use.

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

APPLICANT'S EXHIBIT 2

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Medford Land Development Code ("MLDC") and Medford Transportation System Plan 2018-2039("TSP"). The relevant approval standards are recited verbatim below:

ARTICLE 3- ZONING DISTRICTS

10.309 SFR-4, Single-Family Residential - 4 dwelling units per gross acre

This urban residential district is representative of historical low density, large lot single-family development. New SFR-4 zoning should be located in areas where slopes exceed five percent (5%) but are less than fifteen percent (15%) to prevent excessive grading.

10.314 Permitted Uses in Residential Land Use Classification

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS		SFR 4	Special Use or other code section
6. NONRESIDENTIAL SPECIAL USES			
(c)	Institutional Uses	Cs	10.815-817

"C" = Conditional Use; permitted subject to approval of a Conditional Use Permit.
 "s" = Special Use

10.012 Definitions, Specific

Institutional uses. Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, **public** and private **schools** and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

10.815 Cemetery, Crematory, mausoleum, Columbarium

10.816 Churches, Hospitals or Other Religious or Charitable Institutions in a Residential District

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations and Clubs in a Residential District.

Compliance with Standards: The proposed public school facility is, per section 10.012, considered to be an Institutional Use. Institutional Uses are permitted in the SFR-4 zone as conditional uses/special uses. None of the special uses listed under 10.815 - 817 include public schools and therefore the special requirements do not apply and the public school use is only required to meet the conditional use criteria

ARTICLE 4- PUBLIC IMPROVEMENTS STANDARDS AND CRITERIA

10.550 Access Standards

(1) Driveway Throat Width Standards.

Driveways that connect to a public right-of-way shall be constructed according to the standards in Tables 10.550-1 and 10.550-2. See Figure 10.550-1 for driveway throat, flare and radius definitions.



For the purposes of this section, Minimum Access Easements and Alleys shall be considered driveways.

Table 10.550-1 - Driveway Throat Widths	
Street Classification	Land Use on Parcel to be served by Driveway
Collector	COMMERCIAL
Less than 500 ADT***	18 to 24 ft.
500 to 1,000 ADT***	18 to 30 ft.
Greater than 1,000 ADT***	18 to 36 ft.

**Institutional uses shall be considered commercial uses for the purposes of this subsection.*

Compliance with Standards: The existing concrete driveway conditions are to remain. The driveway has a throat of approximately 20 feet. The width of the driveway with the curb cut flare is approximately 24 feet. Project complies.

(3) Driveway Spacing and Locational Standards

a. Arterial and Collector Streets

(1) Driveway spacing and Location. No driveway access to an Arterial or Collector Street shall be allowed for any parcel that abuts the right-of-way of a lower order street or has legal right of access to any street via any abutting parcel(s).

No driveway access shall be allowed to an Arterial Street within 150 feet of the nearest right-of-way line of an intersection street.

Driveways shall be placed adjacent to the property line of a contiguous parcel if possible to do so and meet driveway spacing requirements of this section.

No driveway access to an Arterial or Collector Street shall be located closer than allowed by the standards in Table 10.550-3, measured from the center of driveway to center of driveway

Table 10.550-3 Minimum Driveway Spacing Standards (Center-to-Center) Arterial and Collector Streets	
SPEED LIMIT (MPH)	25
DRIVEWAY SPACING	145 ft.

Compliance with Standards: Driveway location is existing. No change is proposed. Standard does not apply.

ARTICLE 5- SITE DEVELOPMENT STANDARDS

10.732 Fencing of Lots

(1) Fencing located within the front yard setback area of all zones, except the MFR zone, shall not exceed three (3) feet in height when measured from the grade of the street centerline. When within a MFR zone, a fence shall not exceed three (3) feet in height when located within ten (10) feet of a street right-of-way unless otherwise approved by the approving authority. (Effective Dec. 1, 2013.)

(2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:

(a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property.



APPLICANT'S EXHIBIT 2

Demonstration of Compliance with Applicable Development Standards

Conditional Use Permit

Phoenix-Talent School District Transition House

(3) No fencing shall conflict with the site distance requirements of Section 10.735, Clear View of Intersecting Streets.

Compliance with Standards: Fencing that is present within the front yard setback is less than 3 feet in height. All other perimeter fencing is 6 feet or less in height. Site complies.

10.743 Off-Street Parking Standards

(1) Vehicle Parking – Minimum and Maximum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1.

Where a use is not specifically listed in table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

(2) Number of Required Parking Spaces. Off-street vehicle parking spaces shall be provided as follows:

(a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) Parking Categories.

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

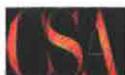
Table 10.743-1 – City of Medford Minimum and Maximum Parking Standards		
Land Use Category	Minimum Number of Required Parking Spaces	Maximum Permitted Parking Spaces
School, Secondary (9th - 12th)	1.0 space per teacher and staff plus 1.0 space per 5.5 non-bused students	1.0 space per teacher and staff member plus 1 space per 4.4 non-bused students
MINIMUM REQUIRED SPACES – TRANSITION HOUSE		
Space Type	Quantity	Spaces Required
Teachers	2	2 spaces are on-site.
Students	All students will be bussed to site	0

Compliance with Standards: All students will be bussed directly to the facility by accessible van, therefore no spaces will be required for the students beyond the accessible van space. The Applicant is offering two alternates regarding the staff spaces for consideration:

Option 1. There will be one regular parking in the carport and one accessible van space in the driveway. Rather than using the on-site spaces, the two staff members that will be present daily will park across the street in Orchard Hill Elementary School lot.

Option 2. There will be one regular parking in the carport and one accessible van space plus a third regular space will be located in the driveway. Additional paving will be installed to accommodate the van unloading area.

If additional parking is needed on an occasional basis, space is available across the street at Orchard Hill Elementary School and there is also on-street parking. Project complies.



APPLICANT'S EXHIBIT 2

Demonstration of Compliance with Applicable Development Standards

Conditional Use Permit

Phoenix-Talent School District Transition House

10.745 Location of Parking Facilities

All parking spaces shall be on the same lot as the main structure it serves or on an abutting lot. However, upon demonstration by the applicant that parking on the same lot or abutting lot is not available, the approving authority may authorize the parking spaces to be on any lot within 250 feet walking distance of the structure being served upon written findings of compliance with the following provisions:

- (1) There is a safe, direct, attractive, lighted and convenient pedestrian route between the parking area and the use being served;
- (2) There is assurance in the form of deed, lease, contract or other similarly recorded document that the required spaces will continue to be available for off-street parking use according to the required standards.

Compliance with Standards: Additional parking facilities are available directly across Juanipero Way at the Orchard Hill Elementary School. Per the description of "Abutting" in 'MDLC 10.012 Definitions' the elementary school lot can be considered abutting as the only thing separating the properties is a right-of-way.

Abutting. Having a common border with, or being separated from such common border by, an alley, easement, or right-of-way.

A paved sidewalk with lighting runs from the Juanipero Way to the parking lot. No deed or contract is needed as both properties are owned by Phoenix-Talent Schools. Project complies.

10.746 General Design Requirements for Parking

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 pursuant to the following minimum design requirements of this section.

The design provisions of this section are applicable to all new parking facilities, parking lot expansions, and to areas where existing parking facilities are excavated and re-installed. A pre-existing parking lot that is legally nonconforming to a standard in subsections 10.746(3), (4), (9), or (10) and is improved with a surface pavement overlay only, without excavation of existing pavement, may remain nonconforming to that particular standard(s). All other provisions of this section are applicable to resurfaced parking lots.

Compliance with Standards: In order to retain the residential nature of the property, the existing concrete residential driveway will remain, except for striping for one accessible Van space on the driveway. Typical standards do not apply, except in regard to the accessible space.

- (8) Accessible Parking Space Requirements. The following rates and design regulations are derived from ORS 447.233.

- (a) The number of accessible parking spaces shall be provided at these rates:

<u>Total Parking In Lot</u>	<u>Required Minimum Number of Accessible Spaces</u>	<u>Required Minimum Number of Van-Accessible Spaces</u>	<u>Required Minimum Number of Spaces marked "Wheelchair User Only"</u>
1-25	1	1	-

Compliance with Standards: Driveway is not a parking lot, however one Van-Accessible space will be provided to accommodate special education student drop-off. Proposed accessible space complies.



(16) Parking Space Minimum Dimension Standards.

Parking Angle	Space Width	Space Length
90 deg.	9'0"	19'0"

Compliance with Standards: The carport and the driveway can each accommodate 9' x 19' parking spaces. See Exhibit 7. Proposed spaces comply.

10.748 Bicycle Parking Standards

Bicycle parking spaces shall be provided in accordance with the following:

Schools: 4 spaces per classroom.

10.749 Location of Bicycle Parking Facilities

Required bicycle parking facilities shall be located on-site in well lighted, secure locations within 50 feet of well-used entrances and not farther from the entrance than the closest automobile parking space. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations.

Compliance with Standards: The plan proposes to provide 4 covered bike spaces within the carport. Project complies.

10.773 Pedestrian Walkway Connections and Routing

A pedestrian walkway shall be provided:

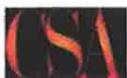
(1) To each street abutting the property, and for every 300 feet of street frontage not including limited access freeways.

Compliance with Standards: The existing paved path from the main entrance to the street is to remain. Project complies.

10.781 Concealment of Trash Receptacles

Trash receptacles shall be kept in enclosures made of solid wood, metal, brick, or masonry block which conceal them from view. Access doors shall be made of solid wood or metal. When possible, enclosures should be incorporated into the building (i.e., wing walls, alcoves). If free standing, the enclosures shall be constructed of materials which are compatible with other structures on the site. Chain link fencing, with or without slats, for this purpose is prohibited.

Compliance with Standards: Trash cans will be held in the carport until put out at the curb for pick-up, as is standard in a residential subdivision. Project complies.



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

IN THE MATTER OF AN APPLICATION)
FOR A CONDITIONAL USE PERMIT TO)
ALLOW EDUCATIONAL USE ON A .25)
ACRE PARCEL IN THE SFR-4 ZONING)
DISTRICT. THE SUBJECT PROPERTY)
IS IDENTIFIED AS TAX LOT 8902 IN)
TOWNSHIP 37 SOUTH, RANGE 1 WEST,)
SECTION 33BD AND IS LOCATED AT)
2841 JUANIPERO WAY WITHIN THE)
CORPORATE LIMITS OF THE CITY OF)
MEDFORD)

**PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Applicants' Exhibit 1

Owner/Applicant: Phoenix-Talent School)
District)
Agent: CSA Planning, Ltd.)

I

NATURE AND SCOPE OF APPLICATION

Applicant requests a conditional use permit for a new educational use in an existing single-family residence. Phoenix-Talent Schools has purchased the residence to provide an appropriate facility for their "Life Skills - Transition House" program. The purpose of the program is to prepare young disabled adults with the skills needed to live independently and to enter the workforce. The property is located directly across the street from the District's Orchard Hill Elementary School.

The existing residence is to remain in place. The proposal is for a use change and the physical changes to the property, beyond basic maintenance repairs, will be limited to the meeting any minimum building code or fire code requirements for the educational use and a potentially small expansion of the upper driveway.

CITY OF MEDFORD
EXHIBIT # J-1
File # CUP-19-004

Page 1 of 13

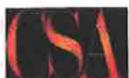


II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant submitted the following evidence with its conditional use permit application and the same were before the City of Medford:

- Exhibit 1.** Proposed Findings of Fact and Conclusions of Law (this document) for applicable substantive CUP approval criteria
- Exhibit 2.** Findings of Compliance with Applicable Development Standards
- Exhibit 3.** Assessor plat map (37-1W-33BD)
- Exhibit 4.** Zoning and Aerial Photo Map
- Exhibit 5.** Current Medford General Land Use Plan Map
- Exhibit 6.** Site Photos
- Exhibit 7.** Site Plan
 - Option 1
 - Option 2
- Exhibit 8.** Floor Plan



III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The relevant substantive approval criteria for issuance of a conditional use permit for a public school use in an "SFR-4" district are recited verbatim below and are addressed later with findings of fact in Section IV and conclusions of law in Section V.

**MEDFORD LAND DEVELOPMENT ORDINANCE (MLDO)
 CONDITIONAL USE PERMIT CRITERIA**

10.012 Definitions, Specific

Institutional uses. Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.

10.314 Permitted Uses in Residential Land Use Classification

The following table sets forth the uses allowed within the residential land use classification by zoning district. Uses not identified herein are not allowed. (See Article I, Section 10.012, for the definition of each listed use.)

These symbols indicate the status of each listed use:

- "P" = Permitted Use.
- "C" = Conditional Use; permitted subject to approval of a Conditional Use Permit. (See Article II, Section 10.184.)
- "X" = Prohibited Use .
- "s" = Special Use (See Article V, Sections 10.811- 10.900, Special Use Regulations)

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS		SFR	Special Use or Other Code Section
		4	
6. NONRESIDENTIAL SPECIAL USES			
(c)	Institutional Uses	Cs	10.815-817

- 10.815 Cemetery, Crematory, mausoleum, Columbarium
- 10.816 Churches, Hospitals or Other Religious or Charitable Institutions in a Residential District
- 10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations and Clubs in a Residential District.

None of the Special Uses listed under 10.815 - 817 include public schools and therefore the special requirements do not apply to a public-school institutional use.

10.184 Conditional Use Permit Criteria

(C) Conditional Use Permit Approval Criteria.

- (1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.
 - (a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.
 - (b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

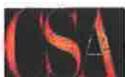


- (2) In authorizing a conditional use permit the Planning Commission may impose any of the following conditions:
 - (a) Limit the manner in which the use is conducted, including restricting the time an activity may occur, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
 - (b) Establish a special yard or other open space or lot area or dimension requirement.
 - (c) Limit the height, size, or location of a building or other structure.
 - (d) Designate the size, number, location, or nature of vehicle access points.
 - (e) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.
 - (f) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading areas.
 - (g) Limit or otherwise designate the number, size, location, height, or lighting of signs.
 - (h) Limit the location and intensity of outdoor lighting, or require its shielding.
 - (i) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.
 - (j) Designate the size, height, location, or materials for a fence.
 - (k) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.
- (D) Conditional Use Permits, Mitigation of Impacts
 - A conditional use requiring the mitigation of impacts under Subsection (C)(1)(b) above must do one of the following:
 - (1) Preserve unique assets of interest to the community.
 - (2) Provide a public facility or public nonprofit service to the immediate area or community.
 - (3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

**MEDFORD TRANSPORTATION SYSTEM PLAN 2018-2039 (“TSP”)
LEGACY STREETS**

The subject property fronts on Juanipero Way, a road that was constructed in the late 1960’s long before the current standards were developed. It is a road that is surrounded by developed properties on both sides and has been improved with paving, curb and gutter. This section of Juanipero has an ~ 33-foot wide paved section with a sidewalk on the south side. It has two travel lanes plus a parking lane along the south side of the street.

Juanipero Way is planned in the TSP as a Major Collector, but is missing many of the improvements that would be present if it was a new Major Collector street. As such, it qualifies as a Legacy Street under the description included in the recently adopted TSP. The Legacy Street section clarifies what improvements or right-of-way dedications are appropriate to require of an Applicant in relation to what elements are missing or deficient improvements along a subject property’s frontage. Applicant is requesting the Planning Commission concur that the subject road section is properly considered a legacy street under the TSP for purposes of this development review. The relevant sections from the TSP are recited verbatim below:



LEGACY STREETS

Legacy Streets are existing improved (with curb and gutter) higher order streets that do not meet the cross-section width standards, existing higher order streets that are mostly improved but have unimproved segments, or existing higher order streets that are predominantly surrounded by developed properties on both sides. Legacy streets generally fall into one or more of seven categories:

1. Facilities exist for all travel modes, but lanes are narrower than the current standard
2. Missing vehicle lanes
3. Missing center-turn-lanes
4. Missing planter strip and/or sidewalk
5. Missing bike facilities
6. Streets that are mostly improved to an old standard but have unimproved segments (gaps)
7. Existing streets that are predominantly surrounded by developed properties on both sides

As development happens on Legacy Streets, deviations from standard cross-section widths will allow improvement while reducing impacts to developed properties. The Medford Municipal Code will need to be updated to incorporate these policies.

1. If existing facilities for all modes of travel exist on an improved street but are narrower than the current standard; then no street improvements or right-of-way dedication will be required by development. Sidewalk reconstruction and right-of-way dedication will be required if additional width is needed to meet ADA requirements along the frontage of the development.
2. If the street is improved but is missing auto travel lanes, then right-of-way dedication sufficient to accommodate missing lanes will be required at time of development. No physical improvements of less than a full block length will be required, unless one of the other categories also applies.
3. If the street is improved but is missing the center-turn-lane, then right-of-way dedication sufficient to accommodate turn lanes will be required at time of development for properties within 200 feet of an intersection with a collector or arterial. If the property is greater than 200 feet from a collector or arterial intersection, no right-of-way will be required. No physical improvements, unless one of the other categories also applies.
4. If the street is improved but is missing planter strip or sidewalk, then sidewalk construction will be required by development. The City Engineer will be authorized to reduce the planter strip width to fit the area context and surrounding roadways. Right-of-way dedication shall be reduced to the back of sidewalk.
5. If the street is improved but is missing bike facilities, then seek alternatives in the priority listed below. Right-of-way dedication shall be reduced in accordance with the location of the back of sidewalk:
 - Seek alternate routes via local streets or off-street paths
 - Evaluate lane reconfigurations where alternate routes are not available.
 - Provide, and require by development, 14 foot wide sidewalks to serve as multi-use paths where alternate routes and lane reconfigurations are not feasible. Width may be reduced to 10 foot minimum where there are existing structures or utility infrastructure.
6. If the street is mostly improved, then the unimproved sections (gaps) will be built to match the abutting cross section. Right-of-way dedication shall be reduced in accordance with the location of the back of sidewalk.
7. If the existing street is predominantly surrounded by developed properties on both sides, then cross-sectional elements may be reduced in width or eliminated at the City Engineer's discretion in the priority order listed below:
 - Planter strip width reduction
 - Planter strip elimination
 - Parking lane elimination
 - Center turn lane elimination (except at higher-order intersections) ▪ Lane narrowing
 - Bike Lane narrowing or elimination
 - Center turn lane elimination at higher-order intersections

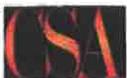


Findings of Fact and Conclusions of Law

Conditional Use Permit Application - Life Skills Transition House

Applicant/Owner: Phoenix-Talent School District

3. If the street is improved but is missing the center-turn-lane, then right-of-way dedication sufficient to accommodate turn lanes will be required at time of development for properties within 200 feet of an intersection with a collector or arterial. If the property is greater than 200 feet from a collector or arterial intersection, no right-of-way will be required. No physical improvements, unless one of the other categories also applies.
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 - Center turn lane elimination at higher-order intersections



IV

FINDINGS OF FACT

The following facts are found to be true with respect to this matter which involves consideration of a conditional use permit to utilize the existing single-family dwelling structure as a "Life Skills – Transitional House".

1. **Property Description:** The subject property consists of a single parcel having .25 acres and is described in the records of the Jackson County Assessor as Tax Lot 8902 on Assessor's Map 37-1W-33BD. The location is at 2841 Juanipero Way, within the corporate limits of the City of Medford and its urban growth boundary. The property contains one single-family residence that was constructed in the early 1970's.
2. **Ownership:** The property is owned in fee simple by Phoenix-Talent Schools, District 4.
3. **Comprehensive Plan; Zoning;** The property is planned Urban Residential on the comprehensive plan (GLUP) map and zoned Single Family Residential (SFR-4).
4. **Land Use Classification:** Pursuant to the table in MLDC 10.314(6)(c)- Institutional Uses is an allowable special conditional use in the SFR-4 zoning district. The term Institutional uses includes: public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, *public and private schools* and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories. The Applicant is proposing a public-school use for the property therefore a Conditional Use application is required, however, none of the listed "special use" requirements apply to the project.
5. **Surrounding Land Uses and Development:**
 - West/North/East:** The property is part of the La Mirada Subdivision Unit No. 1 which includes the blocks to the north that contain houses constructed in the 1970's, through the 1980's. The surrounding area includes similar subdivisions built in the 1960's to 1980's containing single family residences on 10,000 to 12,000 sf lots.
 - South:** South, across Juanipero Way, is the play field, driveway and parking lot for Orchard Hill Elementary School. The school campus is to the south of the play field. To the east of the school is a large LDS church campus. The property south of both the school and church is inactive EFU land that is part of portion the MD-5 Urban Reserve that was recently brought within the Urban Growth Boundary.
6. **Facility Use:** The house will be used as a life skills classroom for students ages 18-21 with disabilities who have not attained a regular high school diploma. The program focuses on independent living skills, vocations/occupations, recreation, and social skills.

The program will be operating 8:30 to 3:30 Monday through Friday with occasional meetings outside that time frame. 8 to 12 students will be on-site during school hours. Students will be bussed to the facility in the school's accessible van. Two staff will be on-site during school hours.



Findings of Fact and Conclusions of Law

Conditional Use Permit Application - Life Skills Transition House

Applicant/Owner: Phoenix-Talent School District

7. **Access:** The property has an existing private residential driveway on Juanipero Way, a legacy Major Collector street.
8. **Off-Street Parking:** The residence currently has two spaces in the carport and two spaces in the driveway. Applicant has included two proposed options for parking on-site.
 - *Option 1* leaves one space in the carport and has one van-accessible space in the driveway. Students will be bussed to the facility in an accessible van, which will park in the accessible space. Under Option 1, staff will be parking in the Orchard Hill Elementary School lot across the street.
 - *Option 2* has both staff members parking on-site with 1 space in the carport and 1 in the driveway, along with the one van-accessible space for student drop-off. Additional paving along the side of the existing driveway will be needed to accommodate the required access aisle.

The four required bicycle spaces will be located within the carport. *See*, Exhibit 7.

9. **Public Facilities and Services:** The property is served by public sanitary sewer, water and storm drainage facilities provided by the City of Medford and Medford Water Commission. Other municipal public services supplied to the property include Medford Police and Fire protection. The property is also served by a full range of public utilities including electricity, natural gas and communications.
10. **Wetlands and Riparian Features:** No wetlands or riparian features have been identified on the property.



V

CONCLUSIONS OF LAW

The City of Medford reaches the following conclusions of law with respect to the relevant substantive criteria prerequisite to approval of a conditional use permit for this school use at this location:

CONDITIONAL USE PERMIT

CUP Criterion 1

10.184 Conditional Use Permit Criteria

(C) Conditional Use Permit Approval Criteria.

- (1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.
 - (a) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

Discussion; Conclusions of Law: Based upon the Evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes in the first instance, that the use will not have any adverse impacts on livability, value and appropriate development based upon the following:

- (1) Livability- No significant adverse impacts are anticipated from the commencement of the proposed Life Skills program at Transition House. The proposed program will have students engaged in living skills activities that are typical and permitted within a residential neighborhood.

The average activity at the house will similar or less than a typical single-family dwelling. No traffic beyond what would be generated by a typical residence in the neighborhood is anticipated under either parking option. A single accessible van will park in the driveway to drop students off. Staff will either park at the facility or across the street at Orchard Hill Elementary depending on which parking/operations option the Planning Commission chooses to approve.

During the school day hours, activity will be slightly higher than a single-family house. However, during early morning hours, weekends, and evenings the house will not be occupied by the school uses, thus the level of activity will be lower during the periods when residential neighbors tend to be most sensitive to the activities of other houses in the neighborhood. The low number of daily users and types of educational activities proposed are not expected to generate any adverse impacts on the livability of neighboring properties when compared to the typically permitted single-family use in the SFR-4 zone.

- (2) Value- As no adverse impacts on livability are anticipated and the structure will remain residential in character, there would be little, if any, reason to expect any adverse impact on the value of neighboring properties.



- (3) Appropriate Development of abutting property- All abutting properties are already appropriately developed under the existing zoning and nothing about the propose project would prevent future remodels or reconstructions on such lots.

CUP Criterion 2

- (b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

Discussion; Conclusions of Law: Notwithstanding the above conclusions of law under Criterion 1, the Planning Commission concludes that the proposed use can also be found to comply with CUP Criterion 2 in the event some adverse impact was ultimately be considered significant. Based upon the description of the proposed use in Section IV, the Planning Commission concludes the proposed school program is in the public interest and will provide great benefit to the community by training students with disabilities in independent living skills and other skills that they need to be independent adults outside of school. No mitigation is anticipated to be needed.

The Planning Commission, therefore, concludes that the proposed use can also comply with CUP Criterion 2.

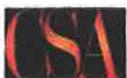
Legacy Street Analysis and Conclusions

Legacy Streets are existing improved (with curb and gutter) higher order streets that do not meet the cross-section width standards, existing higher order streets that are mostly improved but have unimproved segments, or existing higher order streets that are predominantly surrounded by developed properties on both sides. Legacy streets generally fall into one or more of seven categories:

1. Facilities exist for all travel modes, but lanes are narrower than the current standard
2. Missing vehicle lanes
3. Missing center-turn-lanes
4. Missing planter strip and/or sidewalk
5. Missing bike facilities
6. Streets that are mostly improved to an old standard but have unimproved segments (gaps)
7. Existing streets that are predominantly surrounded by developed properties on both sides

As development happens on Legacy Streets, deviations from standard cross-section widths will allow improvement while reducing impacts to developed properties. The Medford Municipal Code will need to be updated to incorporate these policies.

1. If existing facilities for all modes of travel exist on an improved street but are narrower than the current standard; then no street improvements or right-of-way dedication will be required by development. Sidewalk reconstruction and right-of-way dedication will be required if additional width is needed to meet ADA requirements along the frontage of the development.



Findings of Fact and Conclusions of Law

Conditional Use Permit Application - Life Skills Transition House

Applicant/Owner: Phoenix-Talent School District

2. If the street is improved but is missing auto travel lanes, then right-of-way dedication sufficient to accommodate missing lanes will be required at time of development. No physical improvements of less than a full block length will be required, unless one of the other categories also applies.
3. If the street is improved but is missing the center-turn-lane, then right-of-way dedication sufficient to accommodate turn lanes will be required at time of development for properties within 200 feet of an intersection with a collector or arterial. If the property is greater than 200 feet from a collector or arterial intersection, no right-of-way will be required. No physical improvements, unless one of the other categories also applies.
4. If the street is improved but is missing planter strip or sidewalk, then sidewalk construction will be required by development. The City Engineer will be authorized to reduce the planter strip width to fit the area context and surrounding roadways. Right-of-way dedication shall be reduced to the back of sidewalk.
5. If the street is improved but is missing bike facilities, then seek alternatives in the priority listed below. Right-of-way dedication shall be reduced in accordance with the location of the back of sidewalk:
 - Seek alternate routes via local streets or off-street paths
 - Evaluate lane reconfigurations where alternate routes are not available.
 - Provide, and require by development, 14 foot wide sidewalks to serve as multi-use paths where alternate routes and lane reconfigurations are not feasible. Width may be reduced to 10 foot minimum where there are existing structures or utility infrastructure.
6. If the street is mostly improved, then the unimproved sections (gaps) will be built to match the abutting cross section. Right-of-way dedication shall be reduced in accordance with the location of the back of sidewalk.
7. If the existing street is predominantly surrounded by developed properties on both sides, then cross-sectional elements may be reduced in width or eliminated at the City Engineer's discretion in the priority order listed below:
 - Planter strip width reduction
 - Planter strip elimination
 - Parking lane elimination
 - Center turn lane elimination (except at higher-order intersections)
 - Lane narrowing
 - Bike Lane narrowing or elimination
 - Center turn lane elimination at higher-order intersections

Applicability Conclusions: The Planning Commission concludes Juanipero Way may be considered a Legacy Street because it is a higher order street that is improved with curb and gutter but does not meet the standards for a major collector because it does not have bike lanes or a center turn-lane. For this reason, limited improvements are necessary based upon the following. Based upon the following:

3. If the street is improved but is missing the center-turn-lane, then right-of-way dedication sufficient to accommodate turn lanes will be required at time of development for properties within 200 feet of an intersection with a collector or arterial. If the property is greater than 200 feet from a collector or arterial intersection, no right-of-way will be required. No physical improvements, unless one of the other categories also applies.

Analysis and Conclusions: The Planning Commission concludes that Juanipero Way does not have a center turn lane along this section of road. The subject property is over 200 feet away from the nearest collector, therefore, per this category, no right-of-way dedication is required and no physical improvements are required to accommodate a future turn lane for a legacy street in this location.

4. If the street is improved but is missing planter strip or sidewalk, then sidewalk construction will be required by development. The City Engineer will be authorized to reduce the planter strip width to fit the area context and surrounding roadways. Right-of-way dedication shall be reduced to the back of sidewalk.



Findings of Fact and Conclusions of Law

Conditional Use Permit Application - Life Skills Transition House
Applicant/Owner: Phoenix-Talent School District

Analysis and Conclusions: Juanipero Way is improved, but is missing both the planter strip and the sidewalk at the subject property. Per this section, sidewalk construction is required, but the planter strip can be reduced. There is approximately 10'-6" between the curb and the existing right-of-way line. Therefore, the required 5-foot sidewalk and approximately 5 feet of planter strip can be accommodated without any change in the right-of-way width. Along this section of street, most properties have a 5-foot wide graveled strip along the curb which appears to be intended as a placeholder for a future sidewalk. On the opposite of the street the sidewalk is adjacent to the curb. The Applicant is therefore proposing to put the sidewalk along the curb in keeping with condition at the surrounding properties, but the sidewalk could be constructed at the right-of-way line if that is the City's preference.

5. If the street is improved but is missing bike facilities, then seek alternatives in the priority listed below. Right-of-way dedication shall be reduced in accordance with the location of the back of sidewalk:
 - Seek alternate routes via local streets or off-street paths
 - Evaluate lane reconfigurations where alternate routes are not available.
 - Provide, and require by development, 14 foot wide sidewalks to serve as multi-use paths where alternate routes and lane reconfigurations are not feasible. Width may be reduced to 10 foot minimum where there are existing structures or utility infrastructure.

Analysis and Conclusions: 5-foot wide bike lanes are required on new major collectors. Juanipero Way currently does not have bike lanes painted on the street, and there are few alternate routes immediately adjacent to site for bikes, other than the Larson Creek bike path. There also is not enough room to accommodate a 14-foot wide multi-use path. Therefore, evaluating the lane configuration appears to be the most applicable option for this category. Looking at this section of road, no center lane is required and in the future, if the function of the street is pushed to full collector use, the parking on the south side may no longer be allowed. In that case, it will be possible to restripe the street to include 5-foot bike lanes on both sides with (2) 11-foot wide travel lanes within the existing 33 feet wide paved section. No dedication is required to accommodate this change.

7. If the existing street is predominantly surrounded by developed properties on both sides, then cross-sectional elements may be reduced in width or eliminated at the City Engineer's discretion in the priority order listed below:
 - Planter strip width reduction
 - Planter strip elimination
 - Parking lane elimination
 - Center turn lane elimination (except at higher-order intersections)
 - Lane narrowing
 - Bike Lane narrowing or elimination
 - Center turn lane elimination at higher-order intersections

Analysis and Conclusions: The existing street is predominately surrounded by developed properties on both sides, so cross-sectional elements can be reduced or eliminated. There is room to add a sidewalk in the area between the paved section and the existing right-of-way line. Reducing or eliminating the planter strip and eliminating the center lane will still leave an adequate cross-section in this area without impacting the already developed subject property. Bike lanes can be added if, and when, the parking lane is deemed inappropriate for this section of road.



VI

ULTIMATE CONCLUSIONS

Based upon the foregoing, it is concluded that the relevant substantive criteria for conditional use permits in MLDC 10.184 have been satisfied. Accordingly, it is concluded that the application for conditional use permit can be, and the same hereby is, **approved**.

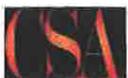
Respectfully submitted on behalf of applicant,

CSA Planning, Ltd.



Jay Harland
Principal

Revised- September 18, 2019
Original submittal- July 9, 2019





LD DATE: 9/4/2019
Revised Date: 10/10/2019
File Number: CUP-19-044

PUBLIC WORKS DEPARTMENT STAFF REPORT

Life Skills Transition House – Phoenix-Talent School District 2841 Juanipero Way (TL 8902)

- Project:** Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence.
- Location:** Located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902).
- Applicant:** Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The Applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.
- Items A – D, unless noted otherwise.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Verification by the design Engineer that the stormwater quality and detention system was constructed per the approved plan, if applicable.
- Completion of all public improvements, if applicable.

A. STREETS

1. Dedications

Juanipero Way is classified as a Major Collector street in accordance with Medford Land Development Code (MLDC) Section 10.428. A legacy street definition is supported for this section of roadway per MLDC 10.427(D). Therefore, **no additional right-of-way is required.**

In accordance with MLDC 10.471, **the property owner shall dedicate a 10-foot wide public utility easement (PUE)** adjacent to the right-of-way line along this Developments frontage.

The right-of-way and PUE dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: right-of-way and PUE dedications, 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, all for review and signature acceptance by the City Engineer prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the areas dedicated.

2. Public Improvements

a. Public Streets

Juanipero Way – All street section improvements, with the exception of a planter strip and sidewalk, have been completed in close conformance with current standards, including pavement, curb and gutter and street lights. In order to meet the context sensitive design for this neighborhood the road shall include a 7-foot planter strip and 5-foot sidewalk along the northerly side. **No additional public improvements are required aside from sidewalk with planter strip and access options conditioned under *Transportation System* below.**

b. Street Lights and Signing

No additional street lights are required.

The following signs are required for the proposed crosswalk:

- Two (2) School Crossing assemblies, each including one (1) S1-1 sign and one (1) W16-7P sign.

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. Developer to provide and install new signs as required.

c. Pavement Moratoriums

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

d. Transportation System

The applicant's findings of no significant impact state that there will be a maximum of 12 students and 5 staff being on-site at any one time. Public Works recommends that these maximums be placed as conditions.

The applicant's findings state that the on-site parking shall only be for staff. Public Works recommends that the parking area be signed as "staff parking only".

The applicant's findings state that students will be dropped off at the Orchard Hill Elementary School bus loop and will walk from there to the facility and that students will also pick up their lunches at the elementary school and bring them back to Transition House. There is no crosswalk at the end of the walkway from the bus loop to Juanipero Way. The nearest legal crosswalk is approximately 225 feet east at the intersection of Murphy Road. There is no sidewalk from Murphy to the proposed Transition House.

It is unclear how the applicant intends for students with disabilities to safely and legally access the Transition House from the elementary school. Public Works recommends that the CUP be conditioned to provide legal ADA access from the drop-off area at Orchard Hill Elementary School to the Transition House. Three options for providing this access are:

- Construct sidewalk from the Transition House to the intersection of Juanipero Way and Murphy Road on the north side of the street including a curb ramp at the intersection.
- Construct curb ramps, crosswalk markings, signage, and a rectangular rapid flashing beacon at the mid-block crossing in front of the Transition House. This option would require submittal of Public Improvements Plans to the Engineering Division for review and approval.
- Construct curb ramps, crosswalk markings, signage, and provide a crossing guard to assist students with crossing mid-block in front of the Transition House.

Driveway access to the site and design requirements shall be in accordance with MLDC 10.550 and 10.746.

10/10/19 Update: Based on the applicant's October 4, 2019 memo and revised site plan, Public Works recommends a condition requiring the school district to install curb ramps,

crosswalk markings, signage, and provide a crossing guard to assist students with crossing mid-block in front of the Transition House.

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

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

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

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

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

Juanipero Way:

Juanipero Way is a 25 mile per hour facility, which currently carries approximately 2,250 vehicles per day. The planter strip moves pedestrians a safe distance from the edge of the roadway. The improvements noted under the Transportation System section are needed in order to provide a safe and legal pedestrian crossing for the intended use between the school and this development. Juanipero Way will be a primary route for pedestrians traveling to and from this development.

Dedication of the Public Utility Easement (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer shall provide one 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.

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

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

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

2. Grading

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

3. 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 governing Commission's Final Order, together

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

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

3. Construction and Inspection

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

Contractors proposing to do work on public streets (including street lights), sewers, or stormdrain shall 'prequalify' with the Engineering Division prior to starting work.

4. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

5. System Development Charges (SDC)

Buildings in this development are subject to system development charges (SDCs). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

Revised by: Jodi K Cope, Doug Burroughs & Karl MacNair

City of Medford

200 S. Ivy Street, Medford, OR 97501

(541) 774-2100

cityofmedford.org

SUMMARY CONDITIONS OF APPROVAL
Life Skills Transition House – Phoenix-Talent School District
2841 Juanipero Way (TL 8902)

CUP-19-044

A. Streets

1. Street Dedications to the Public:

- Juanipero Way – No additional right-of-way required.
- Dedicate 10-foot Public Utility Easement (PUE) along the frontage.

2. Improvements:

Public Streets

- Juanipero Way – No improvements are required, except sidewalk with 7-foot planter strip and as outlined under Transportation System.

Lighting and Signing

- No additional street lights are required.
- Developer to provide and install new signs as required.

Transportation System

- Comply with transportation system requirements as outlined above.

Other

- No pavement moratorium currently in effect along this frontage to Juanipero Way.

B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.
- Cap remaining unused laterals at the main.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

- = City Code Requirement
- = Discretionary recommendations/comments

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

City of Medford

200 S. Ivy Street, Medford, OR 97501

(541) 774-2100

cityofmedford.org



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: CUP-19-044
PARCEL ID: 371W33BD TL 8902
PROJECT: Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902); Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.
DATE: September 4, 2019

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter to this existing home is located approximately mid-lot just west of existing driveway, and shall continue to serve the existing single-family home located at 2841 Juanipero Way.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. Static water pressure at this site is 48 psi.
4. The nearest Fire Hydrant is located approximately 380-feet west along the north side of Juanipero Way.
5. MWC-metered water service does exist to this property. A ¾" water meter serves the existing dwelling 2841 Juanipero Way. (See Condition 3 above)
6. Access to MWC water lines is available. There is an existing 10-inch water line located in Juanipero Way, and a 10-inch water line is also located in Murphy Road.

CITY OF MEDFORD
EXHIBIT # L

File # _____ Page 1 of 1

CUP-19-044

40



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/28/2019
Meeting Date: 9/4/2019

LD File #: CUP19044

Planner: Steffen Roennfeldt

Applicant: Phoenix-Talent School District

Site Name: N/A

Project Location: 2841 Juanipero Way

Project Description: Request for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902);

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
Other	1. A change of use permit will be required from the Building Department. 2. The occupant shall remove cooking appliances or meet commercial code requirements.	

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustibile material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # M
File # 018-14-001



MEDFORD

BUILDING SAFETY

MEMORANDUM

To: Steffen Roenfeldt, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: Phoenix-Talent School District, Applicant; CSA Planning Ltd, Agent
Date: September 4, 2019
Subject: CUP-19-044_Life Skills Transition House_Phoenix-Talent

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

CITY OF MEDFORD
EXHIBIT # N
File # CUP-19-044



MEDFORD

BUILDING SAFETY

Comments:

5. This report is based on limited information provided. It is hard to determine all the necessary changes without a floor plan and knowing all the uses. It appears that this would be a B and R-3 occupancy.
6. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code. Also, follow Chapter 3411 for ADA compliance within the building.
7. Emergency escape and rescue openings in bedrooms per 1029 OSSC. See Chapter 10 for all egress requirements.
8. Per Section 420 must comply with separation use between residential use and training areas. A NFPA 13D sprinkler system is required.
9. Smoke detectors/carbon monoxide alarms per 907 and 908.



MEMORANDUM

To: Jay Harland, CSA Planning
From: Alex Georgevitch, PE, Deputy Public Works Director
CC: Kelly Evans, Assistant Planning Director
Doug Burroughs, Development Services Manager
Date: September 27, 2019
Subject: Legacy Street Determination for Juanipero Way

Juanipero Way just west of Murphy Road is a partially improved major collector roadway built to 36-foot curb to curb and lacks sidewalk along the north side of the road. The existing right-of-way appears to be 60-feet in width. East of Murphy Road the street is fully improved with a 7-foot planter strip and 5-foot sidewalk all within the existing 60-foot right-of-way. The roadway section currently accommodates two travel lanes and parking along the south side. No bike lanes are present but can eventually be added with the removal of parking as required along a major collector.

A legacy street definition is supported for this section of roadway per MLDC 10.427(D). In order to meet the context sensitive design for this neighborhood the road shall include a 7-foot planter strip and 5-foot sidewalk along the northerly side of the road. Further, a 10-foot public utility easement shall be included along the frontage of all properties in this neighborhood. No additional right-of-way is required to meet the section requirements.

CITY OF MEDFORD
EXHIBIT # 0
File # CWP-19-044



CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Jay@CSAplanning.net

Memorandum

To: Steffen Roennfeldt, Planner III
Cc: Jon McCalip, Phoenix Talent School District
Date: October 4, 2019
Subject: Phoenix-Talent Schools Transition House - CUP-19-00044

Attached please find the revised plans for the Transition House site. The revisions address issues raised by Public Works regarding street dedication, pedestrian access, and provisions for on-site turn-around. As Public Works has provided a memo recognizing Juanipero Way as a legacy street, the District has no objection to dedicating the requested PUE, and will build a frontage sidewalk with back of sidewalk adjacent to the existing right-of-way line per the revised Public Works report.

We appreciate the information from Planning and Public Works regarding the codification of the Legacy Street standards under section 10.427(D) that was previously only described in the Transportation System Plan. The previously provided findings addressed the TSP provisions directly, but the rationale and basis for compliance with the new code sections are substantively the same.

To address the concerns regarding pedestrian travel from the Orchard Hill Elementary School bus loop, the District is electing to follow the third option listed in the revised Public Works report dated 10/4/2019:

- Construct curb ramps, crosswalk markings, signage, and provide a crossing guard to assist students with crossing mid-block in front of the Transition House.

The attached plans show the location of the new crosswalk and curb ramp as requested.

The attached plans also illustrates our proposed turn-around layout. The site is very constricted in the front yard. This layout offers an appropriate and functional turn-around option, given the site constraints for this use conversion project that involves little new structural development. The District believes the changes that have been agreed to by Public Works and the District offer a balanced approach to resolving these issues in order to provide this valuable educational service to the community.

Sincerely,

CSA Planning, Ltd.


 Jay Harland
 President

CITY OF MEDFORD
 EXHIBIT # P
 File # CUP-19-044

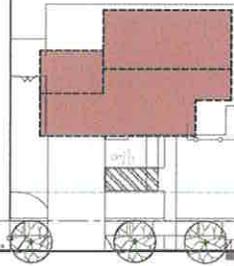
44

RECEIVED
OCT 11 2019
PLANNING DEPT.



ALAMEDA STREET

SUBJECT PROPERTY



NEW CURB RAMP

NEW STRIPED CROSSWALK

JUANIPERO WAY

MURPHY ROAD

EXISTING CURB RAMP

ORCHARD HILL
ELEMENTARY SCHOOL

BUS LOOP

LDS CHURCH

Transition House
2841 JUANIPERO WAY, MEDFORD, OR

PHOENIX-TALENT SCHOOLS

REV: 10/11/19

DATE: 6/19/19

AP

AREA PLAN
SCALE: 1/64"=1'-0"

CITY OF MEDFORD
EXHIBIT # Q
File # CRP-19044



Project Name:

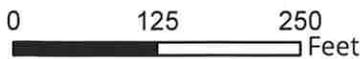
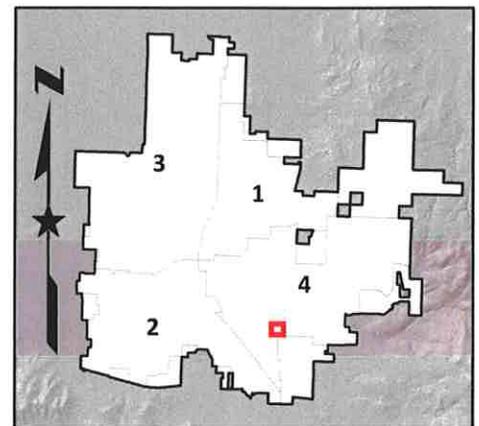
**Life Skills
Transition House**

Map/Taxlot:

371W33BD TL 8902

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots





MEDFORD PLANNING

STAFF REPORT

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

Project Mollie's Place Subdivision
Applicant: Reeder, Knouff Thomas, LLC.
Agent: Scott Sinner Consulting, Inc.

File no. LDS-19-074 / E-19-050

To Planning Commission *for 10/24/2019 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director *KE*

Date October 17, 2019

BACKGROUND

Proposal

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

Vicinity Map



Subject Site Characteristics

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

GLUP: UR (Urban Residential)

Overlay(s): None

Use(s): Vacant land

Surrounding Site Characteristics

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

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

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

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

Related Projects

None

Applicable Criteria

MLDC 10.202(E): Land Division Criteria

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division*

bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;*
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

MLDC 10.186(B) – Exception Criteria

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

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

ISSUES AND ANALYSIS

Project Summary

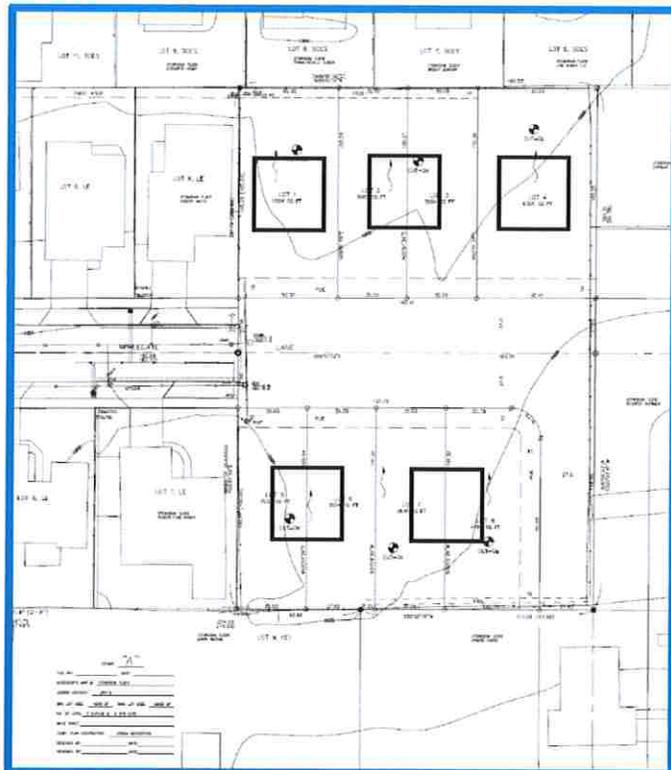
Current site

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



Proposal

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



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

Density

Density Table

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

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

Development Standards

Detached Single Family Dwellings

Site Development Table (MLDC 10.710)

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

Duplex Dwellings
Site Development Table (MLDC 10.713)

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

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

Exception

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

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

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

The applicant's findings state the following:

The relief requested to allow the development of the street segment at 27.5' is necessary for the proposed land division application to be consistent with MLDC 10.202(E)(2):

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

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

The adjoining parcel to the south, TL 600 would not be able to plat lots in accordance with the lot design standards of the MLDC if the street is developed at 27.5' + 8' for a half street. The west edge of the ROW would be 82.5' from the property line without relief, which does not conform to the minimum lot depth of 90'. Granting the requested relief of this exception will allow for a 90' lot depth on TL 600.

Since the approval criteria for a land division requires a plat must not prevent development in accordance with the MLDC standards, the exception is necessary for the land division to be found consistent with the approval criteria, and not granting the requested relief would be a hardship suffered by the owners of the subject parcel.

The proposed plat, with the granting of relief for the MLDC standard identified above will allow this property to develop at urban densities, provide a circulation pattern consistent with the Block Length Ordinance and allows the land division criteria 10.202(E)(2) to be satisfied.

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

Street Naming

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



Lane address (east/west section); the proposed subdivision would add eight additional. In the interest of public safety (i.e., emergency vehicle access), a street name change is necessary.

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

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

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

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

Facility Adequacy

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

Other Agency Comments

Rogue Valley Sewer Services (RVSS) (Exhibit J)

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

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

Committee Comments

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

FINDINGS AND CONCLUSIONS

Tentative Plat

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

Exception

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-19-074 and E-19-050 per the staff report dated October 17, 2019, including Exhibits A through L.

EXHIBITS

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

PLANNING COMMISSION AGENDA:

OCTOBER 24, 2019

EXHIBIT A

Mollie's Place Subdivision
LDS-19-074 / E-19-050
Conditions of Approval
October 17, 2019

DISCRETIONARY CONDITIONS

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

1. Obtain approval from City Council for a Type IV street renaming of the section of Applegate Lane running east/west from Layla Drive and extending through the subject site, consistent with the requirements outlined in MLDC 10.458(A)(1).

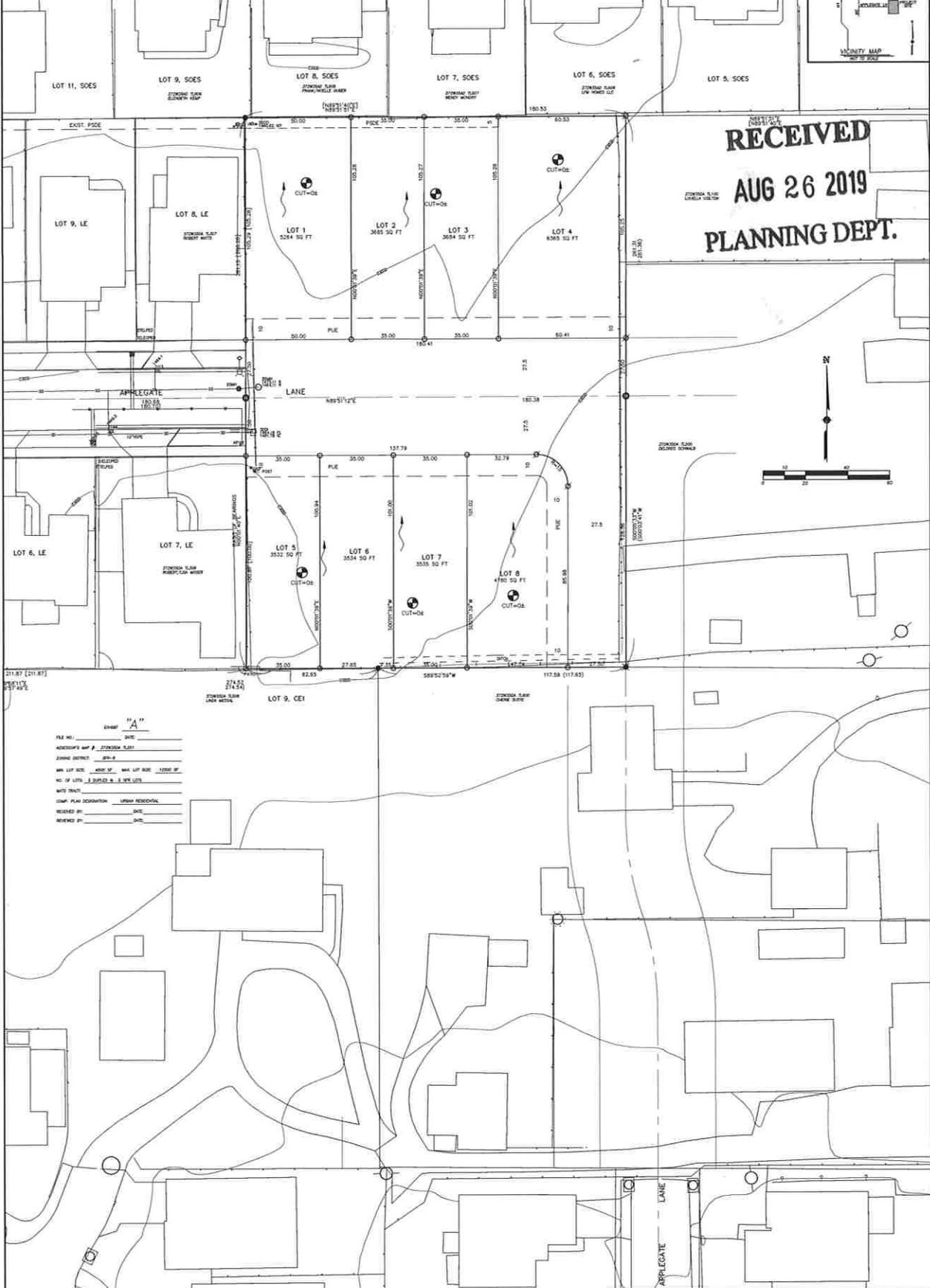
CODE REQUIRED CONDITIONS

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

2. Comply with all conditions stipulated by the Medford Public Works Department (Exhibit G)
3. Comply with all conditions stipulated by the Medford Water Commission (Exhibit H).
4. Comply with all requirements of the Medford Fire Department (Exhibit I).
5. Comply with all conditions stipulated by the Rogue Valley Sewer Services (RVSS) (Exhibit J).

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

TENTATIVE SUBDIVISION PLAT OF
MOLLIE'S PLACE
 In the SE 1/4 of Sec. 35, T37S, R2W, W.M. 6
 in the City of Medford Jackson County, Oregon



RECEIVED
AUG 26 2019
PLANNING DEPT.

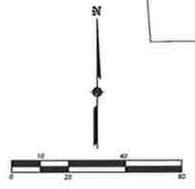


EXHIBIT "A"
 FILE NO. _____ DATE _____
 REGISTERED MAP # _____
 DRAWING NUMBER _____
 NO. OF LOTS _____
 NO. OF LOTS 2-DIMENSIONAL _____
 DATE TRACED _____
 DRAWN BY _____
 CHECKED BY _____
 APPROVED BY _____

GENERAL NOTES
 SCHOOL DISTRICT: MEDFORD 5490
 JURISDICTION: MEDFORD (NOT BEING ASSESSED)
 TOTAL GROSS ACRES: 1.00 AC.
 NET ACRES: 1.00 AC.
 TOPOGRAPHY FROM 2010 MEDFORD AERIAL MAPPING
 50 FT = SQUARE FEET
 PROPOSED 12' P.U.E. ALONG WEST PROPERTY LINES
 LOTS 2-3, 7-8 & 7-8 ARE DUPLEX LOTS.

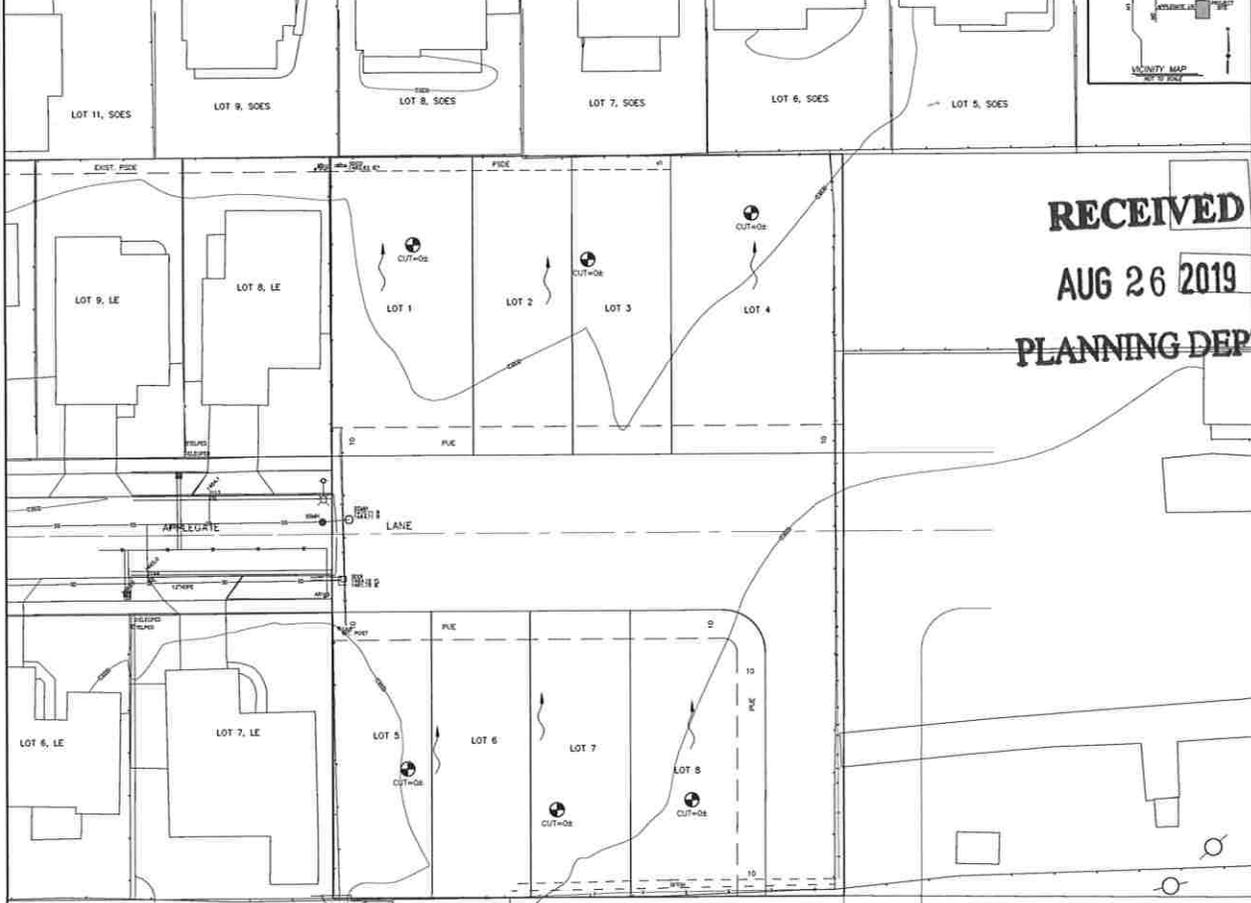
LEGEND:
 LE = LARVA ESTATE
 OLE = OLE ESTATE, PARSE 1
 OLE = OLE ESTATE, PARSE 2
 PUE = PROPOSED PUBLIC UTILITY EASEMENT
 PUE = PROPOSED PRIVATE STORM DRAINAGE EASEMENT

UTILITY NOTE:
 UPON TENTATIVE SUBDIVISION PLAT APPROVAL, COMPREHENSIVE
 CITY IMPROVEMENT PLANS WILL BE PREPARED FOR CITY
 ENGINEERING APPROVAL, WHICH WILL DETERMINE THE FINAL
 LOCATION OF UTILITIES AND SITE GRADING.

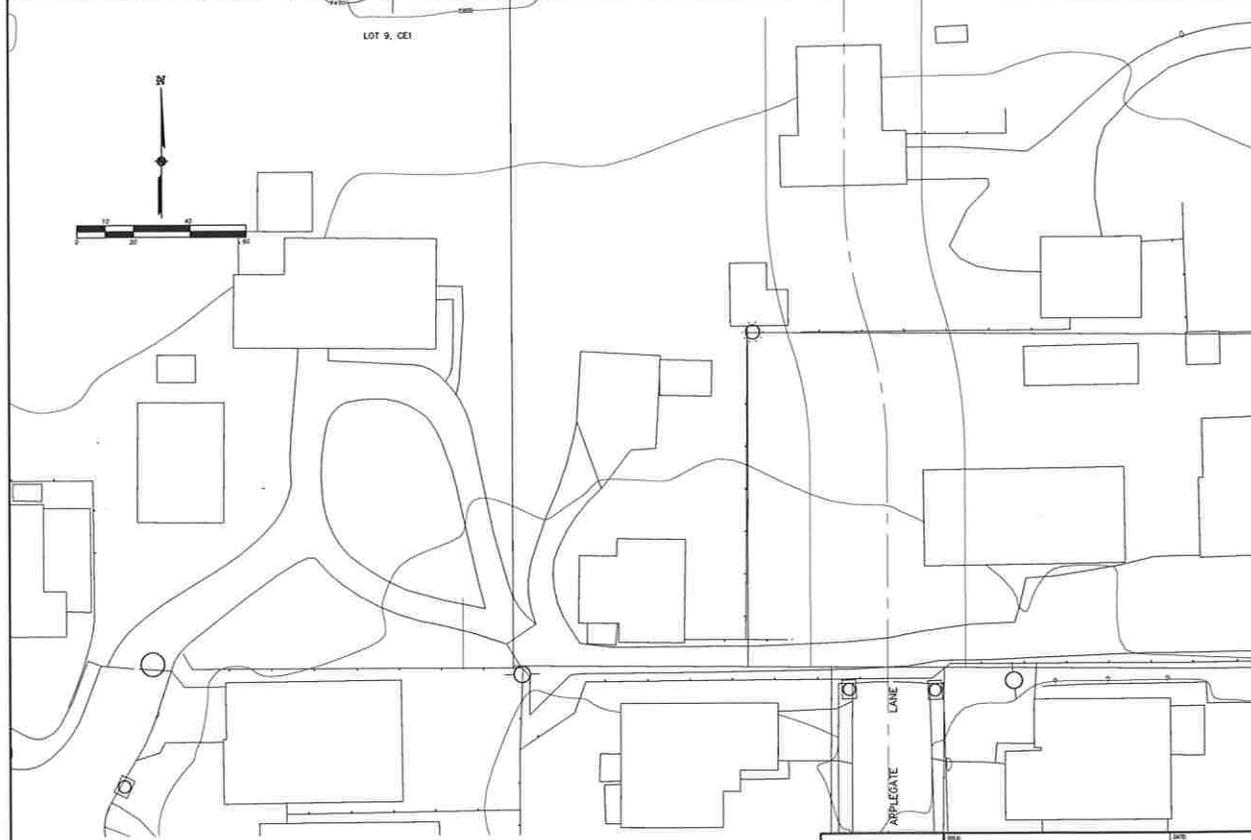
REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Higgs</i> JULY 11, 1988 JAMES E. HIGGS 2019	TENTATIVE SUBDIVISION PLAT REGISTERED MAP # 19071 3729 W. 10TH ST. TRACT MEDFORD, OR 97502	DATE: 22 JUN 2019 SCALE: 1" = 200' (SEE MAP)
	CITY OF MEDFORD EXHIBIT # B FILE # LDS-19-074/E-19-050	

10

CONCEPTUAL GRADING & DRAINAGE PLAN FOR
MOLLIE'S PLACE
 In the SE 1/4 of Sec. 35, T37S, R2W, W.M. &
 in the City of Medford Jackson County, Oregon



RECEIVED
AUG 26 2019
PLANNING DEPT.



GRADING NOTES:
 UPON DEVELOPMENT, EXCESS SPONGE WILL BE REMOVED BY THE CONTRACTOR FROM THE PROJECT. IF, IN FACT, IT WILL CREATE AREAS OF DRAINAGE ONTO EXISTING PROPERTIES.
 ROOF DRAINS WILL BE DIRECTED INTO EXISTING STORM DRAINS.

UTILITY NOTE:
 UPON UTILITY CONSTRUCTION, PLANT APPROVAL, COMPREHENSIVE CIVIL APPROVAL PLANS WILL BE PREPARED FOR CITY ENGINEERING APPROVAL WHICH WILL DETERMINE THE FINAL LOCATIONS OF UTILITIES AND SITE GRADING.

REGISTERED PROFESSIONAL LAND SURVEYOR <i>James & Kelly</i> JULY 27, 1988 DESIGN REVIEW DATE:	CONCEPTUAL GRADING & DRAINAGE PLAN FOR CITY OF MEDFORD REEDER KIMMIF THOMAS LLC 201 S.W. 302nd GERALD POINT, OR 97502 L.J. FRANK ASSOCIATES P.C. 1000 S.W. 25th Medford, OR 97504 PHONE: 541-753-1111 FAX: 541-753-1112 EMAIL: info@lfrank.com	DATE: 22 AUG 2019 SCALE: 1" = 40' @ 20' x 30" SHEET: 1 OF 1 DRAWN BY: JRM, 10/29/19 CHECKED BY: JRM, 10/29/19
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EXHIBIT # C
FILE # 19-05-19-074/E-19-050

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

RECEIVED

AUG 26 2019

IN THE MATTER OF AN APPLICATION FOR)
A LAND DIVISION FOR THE PROPERTY IDENTIFIED AS)
T372W35DA TAX LOT 201)
REEDER, KNOUFF, AND THOMAS L.L.C.)
SCOTT SINNER CONSULTING, INC. AGENT)

FINDING OF FACT)
AND)
CONCLUSIONS)
OF LAW)

PLANNING DEPT.

I. BACKGROUND INFORMATION

Owner / Applicant:

Reeder, Knouff, Thomas L.L.C
Mark Knouff Member
PO Box 3026
Central Point, OR 97502
knouffinc@charter.net

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

372W35DA TL 201
1432 Orchard Home Drive
Medford, OR 97501

1.08 Net Acres
1.08 Gross Acres
SFR -6 Zoning District
UR GLUP designation

Project Summary:

This application proposes an 8 lot subdivision consistent with the standards for the Medford Land Development Code (MLDC). Lots 1 and 4 are proposed as single family dwellings and lots 2 and 3, 5 and 6, and 7 and 8 are duplex style buildings divided by a lot line.

Access for the subject property is through from the westerly segment of Applegate Lane.

6

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The existing street circulation pattern in the area has one segment of Applegate Lane oriented east west and another segment of oriented north south.

The applicant coordinated with Planning and Public Works staff to design the best alternative for connection these two segments and the connecting segment to allow for the Layla to Orchard Home Drive connection.

This application is consolidated with an exception request. The relief requested in the exception is the north - south street segment is proposed as an actual half street improvement.

MLDC section 10.430 identifies the standards for a minor residential street is a 55' right of way. MLDC 10.443 states a developer can propose a half street plus 8' on their property with the remaining area for a street to be developed on adjoining property.

The exception request proposes 27.5', exactly half of the standard right of way for a minor residential street. There are two reasons for the request. First, without the requested relief, the property to the south, TL 600 would not be able to develop with conforming lots on the west side of the street. Strict application of the Code would allow only 82.5' for lot depth. Granting the request would allow for the development of 90' deep lots, which conform to the Code.

Secondly, the existing Applegate Lane on the south o the plat is not in alignment with the street that would be developed with the approval of this plat. An 8-12 foot jog in the proposed street would need to be used to connect to the existing street.

Approval Criteria:

The relevant approval criteria for the requested land division is found within MLDC 10.202 (E) as provided below:

(E) Land Division Approval Criteria.

The 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 Articles 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;*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

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

Findings of Fact:

- (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 Articles IV and V;*

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject property is 7.2 miles from the Rogue Valley International Airport, and 2.8 miles from Interstate Highway 5 (I-5). The subject property has frontage on Happy Valley Drive.

The nearest RVTB bus stop is located at South Medford High School, approximately .6 mile from the site.

Applegate Lane is proposed as a minor residential street with a 55 foot right of way.

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When fully developed, Applegate Lane will have sidewalks on both sides of the street. The standard design for a minor residential street does not provide bike lanes, however the low traffic volumes anticipated with a minor residential street to promote both bicycle and pedestrian transportation opportunities.

The standards are consistent with the Medford Transportation System Plan, therefore also consistent with the Oregon Transportation Planning Rule.

The subject property is within the General Land Use Plan Map (GLUP) UR Urban Residential map designation. The UR designation allows for the SFR-2, SFR-4, SFR-6 and SFR-10 zoning districts. The property is currently in the SFR-6 zoning district.

The subject property is within the area of the Southwest Circulation Plan adopted by City Council. The adopted plan indicates the two existing segments of Applegate Lane as local streets.

Conclusions of Law:

The Planning Commission can conclude this application is with the Comp Plan, the TSP and there are no neighborhood circulation plans. The application is consistent with the adopted Medford Transportation System Plan and the Oregon Transportation Planning Rule, and the SFR-6 zoning district is appropriate within the UR GLUP designation.

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

Findings of Fact:

The tentative plat submitted with this application proposes development on the entire property at urban densities.

The properties to the west and north are fully developed at urban densities. The property to the east will have access to the streets and public facilities that will be developed with the approval of this plat.

This plat proposes an exception to allow for the north – south segment of Applegate Lane to be developed with a 27.5' right of way. This will allow the property to the south to develop with conforming lot depths (90') and to develop at urban densities.

Conclusions of Law:

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The Planning Commission can conclude the entire property is available for development and the adjoining properties are not prevented from development.

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

Findings of Fact:

The proposed subdivision is proposed as Mollie's Place Subdivision. The name has been checked and is available as a unique subdivision name.

Conclusions of Law:

The Planning Commission can conclude the application is consistent with the criteria as the proposed subdivision name is unique.

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

Findings of Fact:

The proposed plat will create an east – west segment and a north south segment of Applegate Lane. The plat not only provides for the connection of the two existing termini of Applegate Lane, but also provides for the ultimate connection to Orchard Home Drive.

The development of Layla Estates subdivision to the west of the subject property created an east west segment of Applegate Lane and the approval of Clear Springs Estates created the north – south segment of Applegate Lane.

The approval of this plat will extent Applegate from Layla Drive through the entire property. A 90° street intersection will provide a north south segment to allow for the connection of Applegate Lane to the segment developed with Clear Springs Estates.

Conclusions of Law:

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The Planning Commission can conclude the proposed plat conforms with new and existing street patterns in the area.

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

The streets proposed on the tentative plat are public streets.

Conclusions of Law:

The Planning Commission can conclude the tentative plat has provided public streets and these streets are labeled as required by the MLDC

(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:

The subject parcel does not abut any properties in the County Exclusive Farm Use (EFU) zoning district.

Conclusions of Law:

The Planning Commission can conclude the subject property does not abut any properties or agricultural lands in the EFU zoning district and no mitigation is applicable.

Additional Criteria

Two additional criteria relevant to this application are the Hillside Ordinance and the Block Length Ordinance.

Hillside Ordinance

10.929 Hillside Ordinance, Purpose; Applicability

Sections 10.929 to 10.933 establish procedural requirements for development on Slopes in excess of fifteen percent (15%) to decrease soil erosion and protect public safety. Sections 10.929 to 10.933 apply in addition to all other requirements set forth by ordinance. In the case of conflict between Sections 10.929 to 10.933 and other requirements set forth by ordinance, Sections 10.929 to 10.933 shall govern.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

The subject property is not located in a steep slope area.

Conclusions of Law

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

Block Length Ordinance

The MLDC includes the following Block Length sections to assure the City provides circulation and connectivity in land division applications.

10.426 Street Circulation Design and Connectivity

A. Street Arrangement Suitability.

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

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

B. Street Connectivity and Formation of Blocks Required.

- 1. Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.*
- 2. Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

easement or flag lot to address such factors, the provisions of Section 10.450 apply.

3. *Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.*
4. *Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.*

C. Maximum Block Length and Block Perimeter Length.

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

<i>MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH</i>		
<i>Table 10.426-1</i>		
<i>Zone or District</i>	<i>Block Length</i>	<i>Block Perimeter Length</i>
<i>a. Residential Zones</i>	<i>660'</i>	<i>2,100'</i>
<i>b. Central Business Overlay District</i>	<i>600'</i>	<i>1,800'</i>
<i>c. Transit Oriented Districts (Except SE Plan Area)</i>	<i>600'</i>	<i>1,800'</i>
<i>d. Neighborhood, Community, and Heavy Commercial Zones; and Service Commercial-Professional Office Zones</i>	<i>720'</i>	<i>2,880'</i>
<i>e. Regional Commercial and Industrial Zones</i>	<i>940'</i>	<i>3,760'</i>

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

- a. *Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10,426 C.1.,*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

- b. *Environmental constraints including the presence of a wetland or other body of water,*
 - c. *The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet*
 - d. *Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,*
 - e. *The subject site is in SFR-2 zoning district,*
 - f. *Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards,*
 - g. *The proposed use is a public or private school, college or other large institution,*
 - h. *The proposed use is a public or private convention center, community center or arena,*
 - i. *The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.*
 - j. *When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.*
3. *Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,*
4. *When block perimeters exceed the standards in accordance with the 10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.*

D. Minimum Distance Between Intersections.

Streets intersecting other streets shall be directly opposite each other, or offset by at least 200 feet, except when the approving authority finds that utilizing an offset of less than 200 feet is necessary to economically develop

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

the property with the use for which it is zoned, or an existing offset of less than 200 feet is not practical to correct.

Findings of Fact

The proposed plat provides for the connections of the two existing segments of Applegate Lane and will allow for the development of adjoining properties consistent with the standards of the block length ordinance.

This connection is identified on the Southwest Circulation plan.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the block length ordinance contained in the MLDC.

Application Summary and Conclusion:

This application identifies the relevant approval criteria contained in the MLDC for a land division.

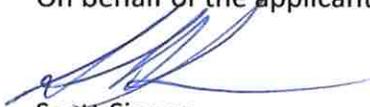
The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Medford Transportation System Plan and the General Land Use Plan Map.

The Tentative Plat will not prevent development of the remainder of the subject parcel or any adjoining parcels.

The subdivision name is proposed as Mollie's Place is unique for the jurisdiction.

This application is consistent with all approval criteria contained in the MLDC for a land division with the approval of the consolidated exception request.

On behalf of the applicant, I respectfully request the approval of this application.



Scott Sinner
Scott Sinner Consulting, Inc.

FINDINGS OF FACT

RECEIVED

AUG 26 2019

IN THE MATTER OF AN APPLICATION FOR)
AN EXCEPTION FOR THE PROPERTY IDENTIFIED AS)
T372W35DA TAX LOT 201)
REEDER, KNOUFF, THOMAS, L.L.C.)
SCOTT SINNER CONSULTING, INC. AGENT)

FINDING OF FACT)
AND)
CONCLUSIONS)
OF LAW)

PLANNING DEPT.

I. BACKGROUND INFORMATION

Owner / Applicant:

Reeder, Knouff, Thomas, L.L.C
Mark Knouff Member
PO Box 3026
Central Point, OR 97502
knouffinc@charter.net

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
scottsinner@yahoo.com

Property:

372W35DA TL 201
1432 Orchard Home Drive
Medford, OR 97501

1.08 Net Acres
1.08 Gross Acres
SFR -6 Zoning District
UR GLUP designation

Project Summary:

This application request relief from the standards within the Medford Land Development Code (MLDC) section 10.443. for half streets

10.443 Half Streets

Upon written request by the developer at the time of development permit application, half streets plus eight (8) feet may be approved where essential to the reasonable development of a parcel when in conformity with the other

FINDINGS OF FACT

requirements of these regulations, and subject to the approving agency's findings that it will be practical to require dedication of the other half when the adjoining property is developed; the other half of the street shall be platted within the adjacent tract.

The MLDC provides the development of a half street plus 8 foot street on the exterior of a subdivision. This method is allowed on lower order streets with low traffic volumes.

This application is request relief form the standard by allowing the applicant to construct exactly ½ of the street (27.5') on the subject property.

The justification for the request is the alignment of the streets approved on previous plats have created a unique and unusual circumstance for the development of the subject property.

Relevant Approval Criteria

The purpose and criteria for an exception are provided in MLDC section 10.186 below:

10.186 Exception

(A) Exception, Purpose.

The purpose of this section is to empower the approving authority to vary or adapt the strict application of the public improvement and site development standards as contained in Article III, Sections 10.349 through 10.361, and 10.370 through 10.385, as well as Articles IV and V of this chapter. Exceptions may be appropriate for reasons of:

- (1) exceptional narrowness or shape of a parcel; or*
- (2) exceptional topographic conditions; or*
- (3) extraordinary and exceptional building restrictions on a piece of property; or*
- (4) if strict applications of the public improvement or site development standards in the above-referenced Articles would result in peculiar, exceptional, and undue hardship on the owner.*

(B) 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 land use review unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be*

FINDINGS OF FACT

injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

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

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

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

Findings of Fact:

(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.

The relief requested will result in single family development and street circulation in harmony with the intent of the SFR-6 zoning district.

The granting of relief from the standard for developing a 27.5' half street on the subject property will allow for the construction of a partial public street. This street segment will provide a segment of a street circulation pattern created on other parcels in the vicinity that will be consistent with the adopted circulation plan for the area.

A public street and residential development are permitted uses in the UR GLUP designation, and the SFR-6 zoning district. The street segment will provide circulation to adjoining properties and the extension of urban services.

Conclusions of Law:

FINDINGS OF FACT

The Planning Commission can conclude the relief requested will 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.

Findings of Fact:

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

The purpose and intent of the SFR-6 zoning district is residential development.

The granting of the requested relief from the standard for a half street in a subdivision will complete a segment of a circulation pattern developed on adjoining parcels and allow for the development of adjacent parcels to develop at urban densities.

Conclusions of Law:

The Planning Commission can conclude 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

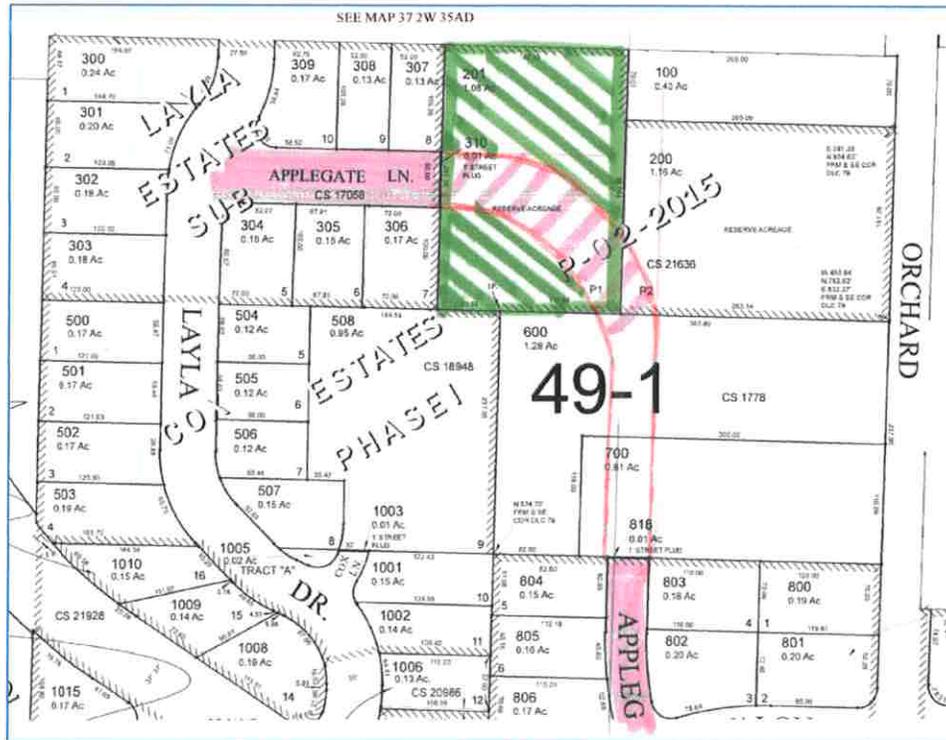
Findings of Fact:

(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.

The land division associated with this exception application is an infill development and the constraints of the property due to the approval of other plats, and the sweeping street pattern of the Lozier Lane / Cunningham connection have coincided to significantly impact development on this parcel.

The parcel is also impacted by the two existing stubs of Applegate Lane laid out at a 90° angle to each other. The applicant's agent met with the staff from Public Works and the Planning Department to determine the most functional street pattern for the site and vicinity rather than a sweeping 90° turn through the middle of the subject parcel.

FINDINGS OF FACT



The plats establishing the street circulation pattern were approved in 2005 and 1996, prior to the standards of the code in effect today, particularly for connectivity and block length.

The circulation pattern illustrated above will not meet the standards of the block length ordinance and severely impacts the subject parcel and adjoining parcels from developing at urban densities.

The relief requested to allow the development of the street segment at 27.5' street segment is necessary for the proposed land division application to be consistent with MLDC 10.202 (E) (2):

(E) Land Division Approval Criteria.

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

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

The adjoining parcel to the south, TL 600 would not be able to plat lots in accordance with the lot design standards of the MLDC if the street is developed at 27.5' + 8' for a half

FINDINGS OF FACT

street. The west edge of the ROW would be 82.5' from the property line without relief, which does not conform to the minimum lot depth of 90'. Granting the requested relief of this exception will allow for a 90' lot depth on TL 600.

Since the approval criteria for a land division requires a plat must not prevent development in accordance with the MLDC standards, The exception is necessary for the land division to be found consistent with the approval criteria, and not granting the requested relief would be a hardship suffered by the owners of the subject parcel.

Secondly, the sweeping curve necessary to connect the existing segments of the two ends of Applegate Lane would severely impact the ability to create lots in conformance with the standards of the MLDC at the densities identified for the SFR-6 zoning district.

The proposed plat, with the granting of relief for the MLDC standard identified above will allow this property to develop at urban densities, provide a circulation pattern consistent with the Block Length Ordinance and allows adjoining properties to develop at the standards of the MLDC, thereby allowing the land division criteria 10.202 (E) (2) to be satisfied.

Conclusions of Law:

The Planning Commission can conclude 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.

The need for the exception is a result of the approval of other plats in the area and not the result of an illegal act. The applicant and the agent are aware of the Code requirements.

As stated above, the relief requested to allow the development of the street segment at 27.5' street segment is necessary for the proposed land division application to be consistent with MLDC 10.202 (E) (2):

*(E) Land Division Approval Criteria.
The Planning Commission shall not approve any tentative plat unless it first finds*

FINDINGS OF FACT

that the proposed land division, together with the provisions for its design and improvement:

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

The adjoining parcel to the south, TL 600 would not be able to plat lots in accordance with the lot design standards of the MLDC if the street is developed at 27.5' + 8' for a half street. The west edge of the ROW would be 82.5' from the property line without relief, which does not conform to the minimum lot depth of 90'. Granting the requested relief of this exception will allow for a 90' lot depth on TL 600.

Since the approval criteria for a land division requires a plat must not prevent development in accordance with the MLDC standards, The exception is necessary for the land division to be found consistent with the approval criteria, and not granting the requested relief would be a hardship suffered by the owners of the subject parcel.

Secondly, the sweeping curve necessary to connect the existing segments of the two ends of Applegate Lane would severely impact the ability to create lots in conformance with the standards of the MLDC at the densities identified for the SFR-6 zoning district.

The profit of the applicant is not a factor in the granting of the relief requested. The applicant seeks to develop the property at the standards and densities provided in the MLDC.

Conclusions of Law:

The Planning Commission can conclude 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.

Application Summary and Conclusions

This application requesting relief from the strict application of the Medford Land Development Code meets for approval criteria for an exception.

The relief for the standard to allow the applicant to develop a 27.5' segment of a public street will allow adjacent properties to develop at the standards of the MLDC therefore the requested land division application can be found to be consistent with the Land Division Criteria of the Code.

FINDINGS OF FACT

The granting of the requested relief is in harmony with the intent of the code and will not be detrimental to the general health, safety and welfare of all residents in the vicinity.

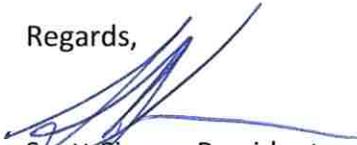
The granting of the relief will not establish a use that is not permitted in the zoning district.

There are unique circumstances which apply to this property that do not typically apply elsewhere in the City.

The need for the exception is not a result of an illegal act and knowledge of the Code is not a factor.

On behalf of the applicant, I respectfully request the approval of the application for Tentative Plat approval of Jordan View Subdivision.

Regards,



Scott Sinner, President
Scott Sinner Consulting, Inc.



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

September 20, 2019

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

Re: E-19-050

Dustin,

I had a conversation with Alex Georgevitch regarding the relief requested referenced exception request.

Alex expressed concerns regarding the relief requested with our application. We had requested to be allowed to construct 50% of a standard street section, which would have provided approximately 14' of pavement, curb, gutter, planter strip and sidewalk. Alex stated the 14' paved section would be difficult to maintain and may present problems for future development of the adjoining properties.

As an alternative solution, Alex suggested modifying the relief requested in our exception request to eliminate the 8' planter strip and provide the typical paved section we would provide with a Code allowed 1/2 plus 8' street section.

This requested relief would result in the paved section of the partial street improvement to be in compliance with the Code. We would be developing a curb tight 5' sidewalk in this segment.

This requested relief would not change the tentative plat provided with our land division application. Lot 8 would remain the same width as proposed.

The justification for the exception request proposed in the findings of fact submitted with the application remain relevant, only the requested relief has changed. The approval of the relief requested with this revision would allow the applicant to develop the north south street segment with a curb tight 5' sidewalk, curb and gutter and a 1/2 plus 8 foot paved section.



4401 San Juan Drive, Suite
G
Medford, Oregon 97504

Phone and Fax 541-772-
1494

Cell 541-601-0917

Email
scottsinner@yahoo.com

CITY OF MEDFORD
EXHIBIT #

FILE # LDS-19-074/E-19-050



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

Please include these supplemental finding of fact with the application and feel free to call if you have any questions.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.



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Medford, Oregon 97504

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Cell 541-601-0917

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PUBLIC WORKS DEPARTMENT STAFF REPORT

Mollie's Place Subdivision (TL 201)

8-Lot Subdivision

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

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

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

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

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

A. STREETS

1. Dedications

Applegate Lane (east/west) is proposed as Minor Residential street with a right-of-way width of 55-feet, consistent with the standard prescribed by Medford Land Development Code (MLDC) 10.430.

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

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

Corner radii shall be provided at the right-of-way lines of all intersecting streets per MLDC 10.445.

Streets, as shown on the Tentative Plat, in which any portion terminates to a boundary line of the Development shall be dedicated to within one foot of the boundary line, and the remaining one foot shall be granted in fee simple, as a non-access reserve strip to the City of Medford. Upon approved dedication of the extension of said streets, the one-foot reserve strip shall automatically be dedicated to the public use as part of said street without any further action by the City of Medford (MLDC 10.439).

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

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

2. Public Improvements

a. Public Streets

Applegate Lane (east/west) shall be constructed to Minor Residential street standards, in accordance with MLDC 10.430.

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

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

b. Street Lights and Signing

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

Street Lighting – Developer Provided & Installed:

- A. 1 – Type R-150 LED

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

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

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

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

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

c. Pavement Moratoriums

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

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

d. Soils Report

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

e. Access to Public Street System

Driveways shall comply with MLDC 10.550.

f. Easements

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

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

3. Section 10.668 Analysis

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

10.668 Limitation of Exactions

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

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

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

1. Nexus to a legitimate government purpose

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

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

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

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

Applegate Lane:

In determining rough proportionality, the City averaged the lineal footage of roadway per dwelling unit for road improvements and averaged square footage of right-of-way per dwelling unit for dedications. The proposed development has 8 dwelling units and will improve approximately 280 lineal feet of roadway which equates to 35 lineal feet per dwelling unit. Also the development will dedicate approximately 12,650 square feet of right-of-way, which equates to approximately 1,581 square feet per dwelling unit.

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

- a. Dedication will ensure that new development and density intensification provides the current level of urban services. This development will create an additional 8 new Lots within the City of Medford and increase vehicular traffic by approximately 76 average daily trips. The proposed street improvements will provide a safe environment of all modes of travel (vehicular, bicycles, & pedestrians) to and from this development.
- b. Dedication will ensure adequate street circulation is maintained. The street layout and connectivity proposed in this development will provide alternate route choices for the residents that will live in this neighborhood. This will decrease emergency vehicle response times and will decrease overall vehicle miles traveled.
- c. Dedication will provide access and transportation connections at urban level of service standards for this development. The connections proposed in this development will enhance the connectivity for all modes of transportation and reduce trip lengths. As trip lengths are reduced, it increases the potential for other modes of travel including walking and cycling.
- d. Dedication of PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served.

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

B. SANITARY SEWERS

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

C. STORM DRAINAGE

1. Hydrology

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

2. Stormwater Detention and Water Quality Treatment

This development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

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

Upon completion of the project, the Developer's design engineer shall provide written verification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

3. Grading

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

4. Mains and Laterals

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

Construction Plans.

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

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

5. Erosion Control

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

D. SURVEY MONUMENTATION

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

E. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

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

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

Please Note: If Project includes one or more Minor Residential streets, an additional Site Plan shall be submitted, noting and illustrating, one of the following design options to ensure fire apparatus access per MLDC 10.430(2):

- Clustered driveways,
- Building to have sprinklers, or
- 33-foot paved width.

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

3. Phasing

The proposed plans do not show any phasing.

4. Draft of Final Plat

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

5. Permits

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

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

6. System Development Charges (SDCs)

Buildings in this development are subject to SDC fees. These SDC fees shall be paid at the time individual building permits are taken out.

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

7. Construction and Inspection

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

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

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Mollie's Place Subdivision (TL 201)
8-Lot Subdivision

LDS-19-074/E-19-050

A. Streets

1. Street Dedications to the Public:

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

2. Improvements:

Public Streets

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

Lighting and Signing

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

Access and Circulation

- Driveways shall comply with MLDC 10.550.

Other

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

B. Sanitary Sewer:

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

C. Storm Drainage:

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

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
- Additional Site Plan to ensure fire apparatus access per MLDC 10.430(2) if project includes Minor Residential streets.
- = City Code Requirement
- = Discretionary recommendations/comments

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-19-074/E-19-050

PARCEL ID: 372W35DA TL 201

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

DATE: October 2, 2019

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of an 8-inch water line will be required in the east extension of Applegate Lane. This water line shall be stubbed to the east property line of this parcel.
4. Installation of an 8-inch water line will also be required in the proposed south extension of Applegate Lane.
5. Applicants Civil Engineer shall coordinate with MWC Engineering Staff for approved water facility layout for this subdivision.
6. Proposed Parcels are required to have a new water service installed at time of site development. The water meter shall be located installed per MWC Regulations. Water meters shall not be installed in existing or proposed driveways, or handicap ramps.

COMMENTS

1. On-site water line installation is required. (See Condition 3 above)

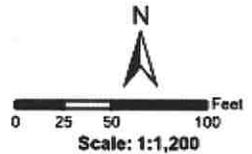
Continued to Next Page



BOARD OF WATER COMMISSIONERS
Staff Memo

Continued from Previous Page

2. Off-site water line installation is not required.
3. Static water pressure is approximately 52 psi in this area.
4. MWC-metered water service does not exist to this property.
5. Access to MWC water lines is available. There is an existing 8-inch water line stubbed to the west boundary of this parcel in Applegate Lane.



Water Facility Map
City of Medford
Planning Application:
LDS-19-074 E-19-050
(372W35DA201)
Oct 2, 2019

Legend

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



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Draw: 10/2/19
 PLOT: C:\Mapping\19-074 E-19-050 Map Area\114 Map Area.apr



Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 10/2/2019
Meeting Date: 10/2/2019

LD File #: LDS19074 **Associated File #1:** E19050

Planner: Dustin Severs

Applicant: Reeder, Knouff Thomas, LLC

Site Name: Mollie's Place Subdivision

Project Location: 1432 Orchard Home Drive

Project Description: Consideration of tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DATL 201);

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions Description
OFC 508.5	One fire hydrant will be required on Applegate Lane in front of lot #1.	<p>Fire hydrants with reflectors will be required for this project.</p> <p>The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.</p> <p>Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).</p>

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

MMC
10.430

The developer shall choose one of the three development standards for 28' wide streets.

In order to ensure that there is at least twenty (20) feet of unobstructed clearance for fire apparatus on 28 feet wide minor residential streets, the developer shall choose from one of the following design options outlined in Medford Code section 10.430:

(a) Clustered, offset (staggered) driveways, 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 developer shall choose one of the three options prior to the final plat. If the clustered-offset driveway option is chosen, submitted civil plans are required to show driveway locations which will be reviewed by the Fire Department and Engineering Department prior to development. If the fire sprinkler option is chosen, the developer shall notify the Fire Department prior to final plat.

The Fire Department reserves the right to require parking restrictions with no parking signs in areas where the clustered-offset driveway option breaks down for short distances. Parking restrictions shall not be deemed as a separate option to the overall layout of the subdivision. If the developer by preference does not design the clustered/offset driveways into the overall design of the minor residential street, option (b) or (c) must be chosen.

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).

OFC
503.2.5

A fire department turn-around is required at the end of Applegate Lane. In lieu of providing a fire department turn-around, the developer can choose to provide fire sprinkler systems for all the homes. If a fire department turn-around is not provided at the time of final plat, all of the homes will be conditioned to have fire sprinkler systems.

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.

OFC
503.5

Parking is required to be posted as prohibited along both sides of the North/South portion of Applegate Lane and in the fire department turn-around area.

Where parking is prohibited on public roads for fire department vehicle access purposes, NO PARKING signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around areas. The signs shall have red letters on a white background stating "NO PARKING".

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

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

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

Contact Public Works Transportation Manager Karl MacNair 541-774-2115 for further information.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

September 27, 2019

City of Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: LDS-19-074 & E-19-050 Mollie's Place (Map 372W35DA, TL201)

ATTN: Dustin,

There is an 8 inch sewer along Applegate Lane and an existing manhole at the dead end of Applegate Lane/western property line of the subject property. Sewer service for the proposed development can be had by sewer main extension from the existing manhole at the dead end of Applegate Lane.

Sewer connection permits will be issued by the city of Medford. However, sewer system development charges will be owed to RVSS.

Rogue Valley Sewer Services requests that approval of the application and development be subject to the following conditions:

1. All sewer design and construction must be performed in accordance with RVSS standards.
2. The sewer system must be accepted by RVSS prior to platting the subdivision and the issuance of plumbing permits.
3. The applicant must pay sewer system development charges to Rogue Valley Sewer Service prior to construction.

Feel free to call with any questions.

Sincerely,

Nicholas R. Bakke, P.E.
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\LAND SUB\2019\LDS-19-074_E-19-050_MOLLIE'S PLACE.DOC

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



MEMORANDUM

To: Dustin Severs

From: Jennifer Ingram

Date: 10/2/19

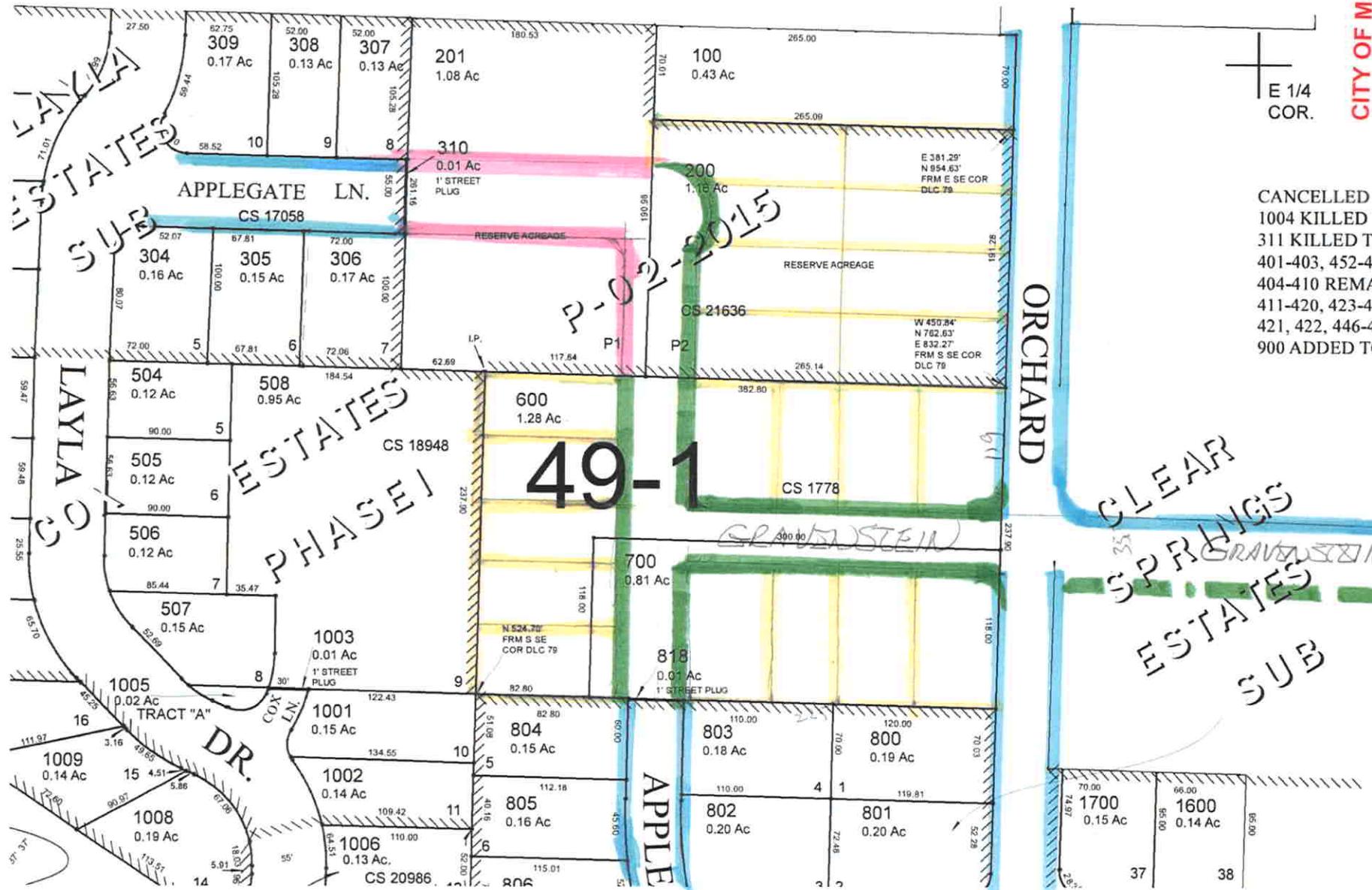
Subject: LDS-19-074/E-19-050, APPLGATE LANE

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

EXISTING ROW
 PROPOSED ROW

POTENTIAL LOTS
 POTENTIAL SCHOOLS

SEE MAP 37 2W 35AD



E 1/4 COR.

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

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

Page 120

CLEAR SPRINGS ESTATES SUB

49-1

P-02-2015

GRAVSTEN

LAYLA ESTATES PHASE 1

ORCHARD

APPLE

DR.

ESTATES

SPRINGS

ESTATES

SUB



Project Name:

Mollie's Place

Map/Taxlot:

372W35DA TL 201

Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

