

**BUSINESS OF THE CITY COUNCIL  
EAGLE POINT, OREGON**

**AGENDA STATEMENT**

**Item Number:** 5.1, 10.1, and 10.2

**Meeting Date:** March 8, 2016

**ITEM NO. 5.1: Public Hearing** in the matter of a proposed change to the City's Comprehensive Plan and Zoning Maps, along with a requested Tentative Subdivision approval associated with Planning Application No. 15-11:SUB (Eagle Crest Overlook Subdivision) on property identified by the Jackson County Assessor as Map 361W11, Lot 1200.

**ITEM NO. 10.1: Ordinance No. 2016-01**, an Ordinance changing the Eagle Point Comprehensive Plan and Zoning Maps from Residential Farm (RF) and Single Family Residential (R-1-12) to Single Family Residential (R-1-10 and R-1-12) for roughly 15 acres of a 24.19 acre property identified by the Jackson County Assessor as Map 361W11, Lot 1200, associated with Planning Application No. 15-11:SUB (Eagle Crest Overlook Subdivision).

**ITEM NO. 10.2: Resolution No. 2016-07**, a Resolution approving a request for Tentative Subdivision, along with recommended conditions of approval, at property identified by the Jackson County Assessor as Map 361W11, Lot 1200, associated with Planning Application No. 15-11:SUB (Eagle Crest Overlook Subdivision).

Applicant/Agent: Jay Harland, CSA Planning  
Owner: J&N Investments  
Submitted By: Mike Upston, Planning Director (541) 826-4212, ext 111

**I. BACKGROUND & PROPERTY OVERVIEW**

The 24.19 acre undeveloped subject property is located to the immediate west of Riley Road, in the southeast area of Eagle Point. East and west of this property is more undeveloped acreage. To the property's south lie a few acreage lots with sparsely developed single family homes, and the property's northern boundary butts up against the backs of homes along Poppy Ridge Drive. Refer to Attachment A for a location map and zoning history for this property.

This consolidated application requests approval of the following:

- Map Amendments: Request to change the Eagle Point Comprehensive Plan and Zoning Map designations on a roughly 15 acre area of the subject property currently split-zoned Residential Farm (RF) and Single Family Residential (R-1-12) to R-1-12 and R-1-10.
- Tentative Subdivision: Request for approval to subdivide the property into 29 tax lots.
- Planned Development and Conditional Use Permit: Request for approval of a Conditional Use Permit to apply Planned Development flexibility to the street design, lighting and lot depth.
- Site Plan and Landscape Approval: Request for Site Plan and Landscape Approval, applicable to all new developments in Eagle Point other than those limited to one single family home.

The attached Tentative Subdivision Plan shows 29 lots on which 28 will have future detached single family homes, along with new streets and walking paths, and associated lighting, water, sewer and storm water conveyance. Refer to Attachment B for the project drawings.

## **II. LAND USE APPROVAL REQUIREMENTS**

### **Map Amendments**

Eagle Point Comprehensive Plan, Chapter XV (Review and Amendment Procedures) provides that the processing of applications for minor map changes carries essentially the same procedural and substantive requirements as used in processing zone changes. Because the Comprehensive Plan identifies the same process and requirements for amendments to the Comprehensive Plan Map and Zoning Map, the decision criteria for each are consolidated herein.

Eagle Point Zoning Ordinance (EPZO), Chapter 17.92 (Amendments) establishes the quasi-judicial map amendment process, and states that the City Council shall make the final decision in a public hearing after receiving a recommendation from the Planning Commission. This is a Type A land use decision pursuant to Eagle Point Zoning Ordinance, Chapter 17.96.

### **Tentative Subdivision**

Eagle Point Subdivision Ordinance, Chapters 16.08 and 16.12 establish the decision-making process for Tentative Subdivision Plans. These require a Type A quasi-judicial, discretionary decision by the City Council upon receiving a recommendation from the Planning Commission.

### **Planned Development, Conditional Use Permit and Site Plan and Landscape Approval**

Planned Developments require approval of a Conditional Use Permit. EPZO 17.76 establishes the decision process for Planned Developments, and EPZO 17.84 establishes the decision process for Conditional Use Permits. The decision-making process for Site Plan & Landscape Approvals is established in EPZO 17.60. All three of these applications involve a Type A quasi-judicial, discretionary decision by the Planning Commission. This decision does not advance to the City Council unless appealed.

Since the developer's ability to carry out this project is predicated on City Council approval of the requested comprehensive plan and zoning map amendments, and the Tentative Subdivision, a Planning Commission approval would have no legal force and effect unless the City Council's decision is also for approval. A condition of approval to this effect is included in Section XI of this agenda statement.

The decision criteria, standards for approval and associated findings for the Map Amendments, Tentative Subdivision, Planned Development, Conditional Use Permit, and Site Plan & Landscape Approval are addressed under Sections III – VII on the following pages.

### III. DECISION CRITERIA FOR MAP AMENDMENTS

Applicable decision criteria for proposed changes to the Comprehensive Plan and Zoning Maps are contained within the following:

Eagle Point Comprehensive Plan, Chapter XV (Review and Amendment Procedures), as well as the Land Use, Public Facilities and Services, Housing, Physical, Transportation, and Citizen Involvement Elements of the Comprehensive Plan.

Eagle Point Zoning Ordinance (EPZO), Chapters 17.92 (Amendments) and 17.96 (Notice & Hearing Procedure).

#### A. FINDINGS OF CONFORMANCE WITH THE COMPREHENSIVE PLAN

The City has an adopted Comprehensive Plan which is acknowledged by the State's Land Conservation and Development Commission (LCDC). This Plan is patterned on the scope and intent of the Statewide Planning Goals and Guidelines. Since the Plan is acknowledged by LCDC to be consistent with the Goals and Guidelines, any activities processed consistent with the Comprehensive Plan and enabling ordinances can be found to be consistent with the Statewide Goals and Guidelines, which do not contain approval criteria, but were written specifically to enable local jurisdictions to prepare and implement the planning process.

As conditioned, the proposal conforms to the following Eagle Point Comprehensive Plan goals and policies:

1. **Chapter III – Land Use Element (Statewide Planning Goal #2):** To provide a long-range guide for community development, maximizing livability.

**FINDING:** The Land Use Element provides the framework for the City's zoning districts. Amendment of the City's current Comprehensive Plan and Zoning Maps for the subject property to Single Family Residential (R-1-10 and R-1-12) would increase the potential development density, helping to implement the urbanization goals of the City.

2. **Chapter IV – Public Facilities and Services Element (Statewide Planning Goal #11):** To provide public facilities and services in a timely, orderly and efficient manner to meet the needs of present and future citizens of Eagle Point.

**Water System:** To provide an efficient water supply, storage and distribution system that will meet the long-range needs of the City for domestic water and fire protection services.

**Policy 1:** *The City shall give a high priority to establishing a long-range, dependable source of water for both consumptive and fire fighting purposes.*

***Policy 8:** The City shall continually strive to develop and maintain supply, storage and distribution facilities that are able to satisfy fire flow requirements and provide an adequate reserve for maximum daily use and emergency needs.*

**Fire Protection:** To provide for the safety of the Citizens of Eagle Point by continuing to maintain effective fire protection services.

***Policy 3:** The City shall strive to maintain adequate fire flow capabilities in its water source, storage and distribution system.*

**FINDING:** The City has purchased property from the owner and is in the process of designing an additional water storage tank which will provide the needed capacity for this subdivision and additional future development in the southeast area of Eagle Point. Refer to Attachment C for a City Water Tank Drawing.

- 3. Chapter V – Housing Element (Statewide Planning Goal #10):** To provide for the long range housing needs of all citizens.

**FINDING:** The proposed change in land use designation on this property enables future development of more homes than that allowed under the current Comprehensive Plan and Zoning Map designations. This will help the city better meet its population growth and density requirements as it continues to urbanize, and will help offset incremental reductions in density occurring on a parcel-by-parcel basis through lot combination approvals. The intent of the Goals and Policies of the Housing Element are met by this application to increase the zoning density to Single Family Residential (R-1-10 and R-1-12).

- 4. Chapter VI – Physical Element (Statewide Planning Goal #7):** To encourage development that is accommodated to the physical characteristics of the area.

***Policy 1:** Approval of any development shall be contingent upon the adequate consideration of natural hazards found to exist on the site proposed for development.*

***Policy 2:** In all cases, land development shall be encouraged to take into consideration the natural topography, drainage pattern and soil characteristics of the proposed site.*

***Policy 8:** The City shall discourage development and construction techniques which result in rapid runoff and accelerated erosion.*

***Policy 10:** The City Building Official, Public Works & Safety Department and engineer shall jointly review and approve all construction plans for development in slope areas to insure that proposed structures and uses will not become a hazard to themselves or adjacent properties due to inadequate construction techniques, unstabilized slopes, insufficient compaction, inadequate or severe grading, and all other problems related to steep slopes and subsequent urban development.*

**FINDING:** The property has soils that are generally clay, with a high shrink/swell potential. Appropriate engineering considerations will need to be incorporated into future construction drawings to ensure that the project complies with the Construction Limitations section of this Element of the Plan.

**FINDING:** The property, centered on a hill with significant slopes, has been laid out with a subdivision plan designed to utilize the buildable areas of the property, allowing the steeper slopes to remain in their natural state.

5. **Chapter VII – Transportation Element (Statewide Planning Goal #12):** To guide transportation planning and project development in the Eagle Point Urban Growth Boundary over the next 20 years, and support the City’s long term land use planning. (Excerpt from Chapter 2 of the Eagle Point Transportation System Plan, adopted as the City’s Transportation Element by Ordinance 2010-07).

**Arterials, Collectors, and Local Streets**

***Policy 14:** The City shall protect the planned alignments and function of existing and planned roadways as identified in the Transportation System Plan, or other, adopted implementation documents through the application of appropriate land use regulations.*

***Policy 15:** All land use decisions shall include a consideration of their impact on existing and planned transportation facilities, protection of the safety and function of transportation facilities. Proposals for specific types of development projects, zone changes or other types of plan amendments shall include traffic impact studies and proposed mitigation measures for any significant impacts. The City shall adopt mobility standards for its local roads and adhere to State and County mobility standards for roads under their respective jurisdictions. These jurisdictional mobility standards shall be used in determining transportation impacts.*

***Policy 16:** Zone changes constitute Plan amendments and shall be required to assess potential traffic impacts consistent with state rules.*

***Policy 18:** All development proposals, Plan amendments, and zone changes shall conform to the adopted Transportation System Plan or other, adopted implementation documents.*

**FINDING:** The subject property will continue to take access off Riley Road, a planned Arterial roadway according to the City’s Transportation System Plan. Traffic from the 28 homes is expected to split on Riley Road in each direction. Thus, fewer than 28 peak hour trips each direction are expected from this development – very few for an urban project with a connection to an arterial roadway.

Refer to the Traffic Study in Attachment D, which provides a speed study and sight distance measurements and concludes that both access points for the project off Riley Road have adequate sight distance to support the development.

6. **Chapter XIII – Citizen Involvement Element (Statewide Planning Goal #1):** To provide opportunities for citizen involvement throughout the City’s planning process.

*Policy 3: The City shall continue to emphasize the public hearing process during land use decision making. All hearings shall be well advertised and open to all affected citizens.*

*Policy 4: The City shall continue to maintain public availability of planning related proposals and reports.*

*Policy 5: The City shall continue to notice affected agencies and organizations of specific planning related activities, proposals and reports.*

**FINDING:** The City has an adopted citizen involvement program based upon the policies noted above. The program involves a public information and involvement process which incorporates notification, public meetings and public hearings. This development application is being processed consistent with that program, and is consistent with the goals and policies of the Citizen Involvement Element. Refer to Attachment E for Public Comments.

## **B. FINDINGS OF CONFORMANCE WITH THE ZONING ORDINANCE**

All requirements applicable to the Eagle Point Zoning Ordinance (EPZO) and related findings of conformance are described as follows:

1. **Amendments.** Pursuant to EPZO 17.92 (Amendments), the Eagle Point Zoning Map may be amended by changing the boundaries of districts whenever the public necessity and convenience and general welfare require such amendment.

**FINDING:** The map change increases zoning capacity for more housing than can be accommodated by the current zoning. In addition to adding housing proximate to existing urban services (roads, utilities, etc.), this provision helps to stem the need for the City to expand its existing urban growth boundary into the Urban Reserve Area to the east.

2. **Notice and Hearing Procedure.** All quasi-judicial land use decisions for which a hearing is required must be conducted per EPZO 17.96 (Notice and Hearing Procedure).

**FINDING:** Legal notifications and the public hearing process have been conducted in satisfaction of the requirements of EPZO 17.96.

#### **IV. STANDARDS FOR TENTATIVE SUBDIVISION APPROVAL**

Eagle Point Subdivision Ordinance (EPSO), Chapter 16.08 specifies the information required to be shown on, and provided with, tentative subdivision plans. This includes information depicting the objectives of the project (EPSO 16.08.010), drawing scale (EPSO 16.08.020), general information (EPSO 16.08.030), existing conditions (EPSO 16.08.040), requirements regarding partial development (EPSO 16.08.050), explanatory information (EPSO 16.08.060), supplemental proposals (EPSO 16.08.070), and preliminary review (EPSO 16.08.080).

**FINDING:** The tentative subdivision plan conforms to the relevant provisions of the Eagle Point Subdivision Ordinance.

#### **V. STANDARDS FOR PLANNED DEVELOPMENT APPROVAL**

The applicant is requesting approval of a few deviations which will result in a development that is better suited to the topography than would be accomplished through strict application of the City's development standards. The deviations are intended to accommodate the topographic constraints, while ensuring substantial compliance with the applicable regulations. The three requested deviations are as follows:

##### **Street Section**

First, to use the proposed alternate street section design instead of the City's urban street standard design. The alternate section has been designed to work with the existing site topography and effectively reduces the amount of grading required for required roads while still providing adequate circulation, future connectivity and emergency vehicle access. Since it also proposes sidewalk on only one side of the roadway, a condition of approval is included in Section XI of this agenda statement requiring a license allowing public use of the foot path/walking trail shown on the attached plans, and extending across the owner's adjacent property at 1296 Poppy Ridge Drive to the public sidewalk along Poppy Ridge Drive.

##### **Street Lights**

Second, the applicant is proposing that each lot provide a developer-selected street light where their driveway meets the street, to be applied consistently for each new home. This will provide adequate street lighting, eliminate the need for the city to provide typical street lighting, and will ensure a more rural character of the subdivision. A condition of approval is included in Section XI of this agenda statement requiring that City approval be obtained for the light type and size, and that all such lights be maintained by the City.

##### **Lot Dimensions**

Third, the applicant requests flexibility in meeting the minimum lot depth for Lots 6 - 9 along Riley Road due to the topography of the site, and for Lots 20 - 22 along Overlook Drive where the road location may shorten the lot depth up to 10 feet due to the topography.

Eagle Point Zoning Ordinance (EPZO) 17.76.040A - F specifies the general standards that must be met by projects utilizing the Planned Development provisions of the EPZO. The proposal meets these standards as described below.

- A. Size. A Planned Development shall be on a site of at least one acre in size.

**FINDING:** The proposed project site is roughly 15 acres.

- B. Final Review. Included in the final review materials before the site plan review committee shall be the complete organizational plans and by-laws for management of any commonly held areas, or a property owners' association. Such materials shall be in accordance with state law.

**FINDING:** The complete organizational plans and by-laws for the property owners association will be provided prior to City approval of the final subdivision map.

- C. Base Zone Regulations. Regulations normally applicable to the base zone (subdivision ordinance, street standards, parking regulations, etc.) shall be applicable within a planned development, except that the commission and council may alter them if they specifically find it to be in the best interest of the city's citizens and planning process, and in conformance with the intent of the comprehensive plan. Overall densities allowed in the parent zone may not be exceeded, except that private street areas within a planned development may be counted as part of net available acreage.

**FINDING:** The development meets all base zone regulations with the exception of those for which flexibility has been requested, described at the beginning of this Section V.

- D. Modifications. After final approval, the planning director may allow minor technical changes to the plan which do not significantly alter the design or appearance of the planned development. Any other proposed changes must go through the full review process.

**FINDING:** Aside from changes necessary to comply with the conditions of approval listed in Section XI of this agenda statement, the applicant does not anticipate modifications at this time. However, if needed they will confer with the Planning Director.

- E. Architectural review. All site plan committee, planning commission and city council review of a planned development shall include full architectural review for impact on the aesthetics and property values of the surrounding area. Architectural plans shall detail the shape, size, color, texture and appearance of building exteriors in relation to all surrounding buildings on and off-site, including perspective drawings clearly showing relative size and appearance of each building in relation to others. The plans shall also show floor layouts of each structure.

**FINDING:** House designs are not part of this development proposal since the intention is for each home to be custom designed and built on a lot-by-lot basis. However, the CC&R's will include specific regulations regarding house design and materials, and the same will be



provided and approved by City staff prior to final subdivision map approval. The CC&R's will require development of only single family dwellings and will require architectural type, design and character that is at least as good as typical new single-family construction in Eagle Point.

- F. Fees. There shall be no separate fee for the Planned Development process; instead, each action required within the application process shall be charged a fee accordingly (site plan review, subdivision, conditional use permit, etc.).

**FINDING:** Fees for the map amendments, subdivision, conditional use permit and site plan review have been paid for this application.

## **VI. STANDARDS FOR CONDITIONAL USE PERMIT APPROVAL**

As first stated under Section II of this agenda statement, Planned Developments require approval of a Conditional Use Permit. Eagle Point Zoning Ordinance (EPZO), Section 17.84.050A - D specifies the findings that must be made by projects required to obtain a conditional use permit. The proposal meets the standards of EPZO 17.84.050A - D as described below.

- A. That the conditional use is in conformance with the letter and intent of the comprehensive plan and zoning ordinance.

**FINDING:** The proposed Conditional Use is in conformance with the letter and intent of the comprehensive plan and the zoning ordinance except in those specific instances where design flexibility has been approved through the Planned Development review process. Planned Developments provide innovative design and site planning, but in a manner that protects the public health, safety and general welfare.

- B. That the potential positive impacts outweigh the negative impacts of the conditional use as it relates to the public health, safety, and general welfare of the area.

**FINDING:** The proposed project is not expected to create negative impacts relating to the public health, safety or general welfare. The positive impacts are that the proposed site layout, lot sizes and configuration of lots are compatible with the existing and future adjacent development.

- C. That the conditional use property and buildings are adequate in size and shape to accommodate said use, and all yard spaces, walls, fences, parking, loading, landscaping and other features are to standards required by this title.

**FINDING:** The proposed lots are adequate to accommodate the proposed residential use, and there is adequate space for buildings, landscaping and other accessory features to meet the standards as required, except where design and dimensional flexibility has been authorized through the Planned Development review process in Section V above.

- D. That the conditional use relates to streets and highways adequate in width and pavement type to carry quantity and kind of traffic generated by proposed use.

**FINDING:** The existing and proposed roads are adequate to meet the quantity and type of traffic anticipated to be generated by this development.

## **VII. STANDARDS AND BASIC REQUIREMENTS FOR SITE PLAN & LANDSCAPE APPROVAL**

Eagle Point Zoning Ordinance (EPZO) Chapter 17.60 establishes the Site Plan and Landscape Approval process applicable to new development. The purpose of site plan review is to promote the orderly and harmonious development of the City, and to stabilize land values and improve the community economy. An additional purpose is to help prevent impairment or depreciation of land or building values by creating structures, additions, or alterations which have inadequate attention to site planning or landscaping as it affects adjacent property, community goals and adopted plans.

### **A. Standards**

EPZO Section 17.60.040.E.1-5 provides the standards that must be met in order to approve a Site Plan Review; these are discussed below.

1. That the site plan conforms with the general plans and ordinances of the City in terms of location and general development standards and all provisions of this title. EPZO 17.60.040.E.1

**FINDING:** The site plan conforms to all relevant Comprehensive Plan goals and policies, as well as all applicable development standards and provisions of the EPZO as conditioned with this approval. More detail is provided below.

EPZO 17.24.030 Buildings and Uses Permitted Conditionally. Subsection G includes Planned Developments subject to the procedures set forth in EPZO 17.76.

EPZO 17.24.040 Yard Regulations. All yard provisions of Section 17.24.040 will be met on the plans submitted for building permits. Further, plan sheets C.1 and C.2 of the attached Project Drawings depict conceptual home sites on all of the proposed lots which meet the yard regulations as depicted.

EPZO 17.24.050 Building or Structural Height Limitations. In the R-1 District, the maximum building height is limited to the lesser of 2.5 stories or 25 feet. The future single family detached homes will be required to comply with this development standard.

EPZO 17.24.060 Lot Regulations.

Area and Dimensions. In the R-1-10 and R-1-12 sub-districts, the minimum lot area is 10,000 and 12,000 square feet respectively per dwelling unit. All lots on the proposed tentative subdivision map exceed these minimums. But, while most of the lots exceed the minimum lot dimensions, Planned Development approval provides the flexibility the applicant seeks to allow a few of the lots to be slightly less than the minimum lot depth, as discussed in more detail within Section V of this agenda statement.

Coverage and Density Requirements. In the R-1 District, the maximum coverage of a lot by all structures is 40%. As depicted on plan sheets C.1 and C.2 of the attached Project Drawings, the proposed coverage is significantly less than this maximum on all lots. Further, the 2 – 4 units per acre density range across the subdivision is less than the maximum of 6 units per acre allowed in the R-1 District.

EPZO 17.72.050 Parking Spaces Required. Detached single family homes require two spaces per residence, which will be required on the plans submitted for building permits.

EPZO 17.24.080 Fences and Walls. None are on the plans submitted with this application and, given the rural nature of this project, it is expected that fencing for privacy and security purposes will be minimal. Regardless, compliance with the provisions of this section will be required to be shown on the plans submitted for building permits.

2. That the site plan adequately provides for pedestrian safety and general welfare of facility users. EPZO 17.60.040.E.2

**FINDING:** The proposed development meets this standard by providing streets, sidewalks, and street lighting as required by the City.

3. That the project will satisfactorily take care of the traffic it generates by means of adequate off-street parking, access points and additional street right-of-way improvements. EPZO 17.60.040.E.3

**FINDING:** The proposed development addresses this standard by providing two off street parking spaces per residence with access off the proposed roadways, Overlook Drive and Crestmont Place, taking direct access from Riley Road.

4. That the project will be compatible with adjacent developments and will not adversely affect the land uses or character of the area. EPZO 17.60.040.E.4

**FINDING:** The proposed low density detached single family project will be compatible with the existing and future anticipated single family developments surrounding it.

5. That the project will take into consideration natural hazards found to exist on or adjacent to the site proposed for development. EPZO 17.60.040.E.5

**FINDING:** There are no known natural hazards on or adjacent to the site.

**B. Basic Requirements**

EPZO Section 17.60.050. A – F establishes the basic requirements for all new developments or alterations of existing development; these are discussed below.

1. Landscaping and Screening. EPZO 17.60.050.A

**FINDING:** One street tree per lot will be installed by the developer at the time of dwelling construction. Additional landscaping and irrigation will be by owners of individual residences.

2. Street Frontage Improvements. EPZO 17.60.050.B

**FINDING:** Two new streets and sidewalks will be constructed with a rural character as allowed by the Planned Development described in Section V of this agenda statement, and as depicted on the attached Project Drawings.

3. Street Access. EPZO 17.60.050.C

**FINDING:** Curb cuts will be provided from the new streets to individual private driveways.

4. Solar Access, Light, Air and Shade. EPZO 17.60.050.D

**FINDING:** This project will not cast shade onto neighboring developed properties, and the new homes will be separated from one another by a minimum of 10 feet which will afford them with light, air, and solar access.

5. Engineering. EPZO 17.60.050.E

**FINDING:** Engineering for required site development will be provided prior to Final Subdivision approval. A preliminary engineering plan is included in the attached Project Drawings. In addition, recommended conditions of approval are included in Section XI of this agenda statement to address specific engineering items which are anticipated during the engineering review, final subdivision, and construction stages of this project.

6. Storage and Trash. EPZO 17.60.050.F

**FINDING:** Storage and trash will be required to be kept in private garages or other appropriate secure area away from public view.

**VIII. CONCLUSIONS**

1. The application was declared complete.
2. The proposal is consistent with the Comprehensive Plan.
3. The proposal is consistent with the requirements of the Zoning and Subdivision Ordinances.
4. All legal notifications have been satisfied with respect to the application.
5. Concerns expressed by affected agencies have been mitigated.

APPROVED FOR SUBMITTAL: \_\_\_\_\_

*H* 3/4/14

**Henry Lawrence, City Administrator**

**IX. PLANNING COMMISSION RECOMMENDATION**

Under authority established in the Eagle Point Zoning Ordinance (EPZO 17.60, 17.76 and 17.84), the Planning Commission conducted a public hearing during their February 16, 2016 meeting and voted unanimously to approve the Planned Development, Conditional Use Permit and Site Plan & Landscape Approval, with modifications, and recommend that the City Council adopt the findings and approve the associated Comprehensive Plan Map and Zoning Map change along with the Tentative Subdivision with the recommended conditions of approval, pursuant to Council's authority under Section 17.92 of the Eagle Point Zoning Ordinance for the map change and Section 16.12.020 of the Eagle Point Subdivision Ordinance for the tentative subdivision.

**X. CITY COUNCIL OPTIONS**

1. Adopt the findings and conclusions of law, approve the Comprehensive Plan Map and Zoning Map change via Ordinance No. 2016-01, and approve the Tentative Subdivision with the recommended conditions of approval via Resolution No. 2016-07; or
2. Adopt the findings and conclusions of law, approve the Comprehensive Plan Map and Zoning Map change via Ordinance No. 2016-01, and approve the Tentative Subdivision with revisions and/or modified conditions of approval; or
3. Postpone action to a time specified providing additional information is required and the applicants or their representatives agree to such postponement.
4. Remand this application to the Planning Commission for further consideration.
5. Deny this application.

## **XI. RECOMMENDED CONDITIONS OF APPROVAL**

The following conditions must be addressed to the City's satisfaction prior to final subdivision plan approval.

### **General Conditions**

#### **1. Legal Force and Effect of Approval**

The Planning Commission approval shall have no legal force or affect unless and until the requested comprehensive plan and zoning map amendments, and the Tentative Subdivision, are approved by the City Council.

### **Required Meetings**

#### **2. Preconstruction Conference**

A preconstruction conference with the City is required prior to commencement of site work.

### **Required Plans**

#### **3. Engineering Plans**

The drawings submitted to the City shall include engineered grading, streets, water, storm, lighting, erosion control, and utility plans. The lighting plan shall indicate the type of lighting being proposed and potential impacts on adjoining parcels.

#### **4. As-Built Plans**

Accurate as-built plans of all public improvements, certified by the developer's project engineer, shall be provided to the City in the following format prior to building occupancy:

(3) 24x36 bond copies

(3) 11x17 bond copies

(2) compact discs, each containing pdf and cadd files of the plans

### **Demolition**

#### **5. Abandonment of Existing Facilities**

Prior to commencement of building construction, any onsite wells, septic tanks, or other similar items shall be abandoned per applicable codes and regulations.

### **Streets & Walking Paths**

#### **6. Pavement Life**

Pavement section shall be designed to provide a minimum 20-year pavement life for all public and private streets.

#### **7. Utility Undergrounding**

All new utilities shall be undergrounded and all ground surfaces finished prior to building occupancy. Any public utilities not located within the public right of way will require 15-foot wide public utility easements. When utilities are combined, easements shall typically be 20 feet

wide and allow at least 5 feet from the centerline of pipe to edge of easement and 10 feet between utilities.

### **8. Public Utility Easements**

The developer shall provide a 10-foot wide public utility easement along all street frontages, except that the public utility easement may be provided on a single side of the street where the public utility providers agree that a PUE on only one side is adequate for utility provision.

### **9. Street Lights**

The developer must receive City approval for the street light type and size prior to installation, and all such lights shall be maintained by the City.

### **10. Coordination with Fire District 3**

The developer shall coordinate fire service, maneuvering and hydrant placement with Fire District 3, and the engineering plans shall depict adequate turning radii for passenger vehicles, service vehicles, and fire trucks as required.

### **11. Riley Road**

Right of Way Dedication: Right of Way dedication shall be provided for future improvements to Riley Road. Riley Road is currently under Jackson County jurisdiction and classified as a Minor Collector. The county designation per Figure 5-3 of the 2005 Jackson County TSP for Urban Minor Collector is to include 2-sidewalks, 2-travel lanes, 2-bike lanes, one parking strip, and 2-planter strips. Overall pavement width is 44 feet and the right-of-way varies between 58-74 feet wide. The future City designation for a Class-C Arterial is to include 2-sidewalks, 2-travel lanes, 2-bike lanes, one center turn lane, and 2-planter strips. Overall pavement width is 50 feet and the right-of-way is 74 feet wide. Right of way and slope easements shall be provided to accommodate future construction.

Access: Intersection sight distance shall meet AASHTO standards for posted speed on Riley Road of 45 MPH. Access is recommended to follow the *Eagle Crest Overlook Subdivision Access Analysis*. Lots 1 and 2 as proposed will take access from the existing secondary access to Riley Road, described as Location 3 in the January 11, 2016 *Eagle Crest Overlook Subdivision Access Analysis*. Direct access to Riley Road from lots (driveways) are not allowed.

### **12. Overlook Drive**

Street Section: Overlook Drive shall be designed and constructed as a 28 foot wide, Local Class "C" Street for its entire length to address access to and from Riley Road in the event of road blockage or other emergency (fire, life safety) situation. Ditch side slopes between the path and Overlook Drive are to be a minimum of 3:1 to meet NPDES Phase II requirements.

Lot 28 Driveway Slope Easement: No driveway slope easement is allowed on the City's tank property for Lot 28. Note that the applicant has already rescinded the easement via email dated 2/16/16 following discussion with City staff on the matter earlier that day.

Pedestrian and Bicycle Access: The sidewalk along Overlook Drive shall be at least 8 feet wide unless a narrower width is approved by the Public Works Director, and in no case shall the sidewalk be less than 5 feet in width. Access to the sidewalk shall be provided across each lot and meet ADA slopes (maximum 12:1) as accessed from the adjacent Overlook Drive.