

PLANNING COMMISSION MEETING AGENDA



May 7, 2024

6:00 PM

Email planning@centralpointoregon.gov
to request a Zoom link for virtual participation
www.centralpointoregon.gov

10. Meeting Called to Order

20. Roll Call

30. Correspondence

40. Approval of Minutes

A. Approval of April 02, 2024 Meeting Minutes

50. Public Appearances

60. Business

- A. Sunnybrook Village Master Plan
- B. Sunnybrook Village Tentative Subdivision Plan
- C. Pheasant Creek Estates Phase II - Tentative Subdivision Plan
- D. Housing Authority Partition --Tentative Plan

70. Discussion Items

80. Administrative Reviews

90. Miscellaneous

100. Adjournment

**CITY OF CENTRAL POINT
PLANNING COMMISSION MEETING MINUTES
April 2, 2024**

I. MEETING CALLED TO ORDER AT 6:03 P.M.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Commissioners Tom Van Voorhees (Chair), Kay Harrison, Pat Smith, Jim Mock, Alicia Van Riggs, were present. Also in attendance were Planning Director Stephanie Powers, Community Planner Justin Gindlesperger, and Planning Secretary Karin Skelton.

IV. CORRESPONDENCE

None

V. MINUTES

Alicia Van Riggs made a motion to approve the March 5, 2024 Minutes. Pat Smith seconded. ROLL CALL: Kay Harrison, Pat Smith, yes; Jim Mock, yes; Alicia Van Riggs, yes. Motion Passed

VI. PUBLIC APPEARANCES

None

VII. BUSINESS

A. Sunnybrook Village Master Plan

Mr. Van Voorhees read the description of the Sunnybrook Village Master Plan.

Community Planner Justin Gindlesperger stated this was a continued public hearing. He advised the commissioners the applicant has requested an extension stating there is no new evidence for the record.

The Commissioners discussed shallow wells in the area. Planning Director Stephanie Powers explained the history of construction impacts on the water table which affected local shallow wells in the past.

Alicia Van Riggs moved to continue the hearing for the Sunnybrook Village Master Plan to the May 7, 2024 Planning Commission meeting. Kay Harrison seconded the motion

ROLL CALL: Kay Harrison, Pat Smith, yes; Jim Mock, yes; Alicia Van Riggs, yes. Motion Passed

B. Sunnybrook Village Tentative Subdivision Plan

Mr. Gindlesperger stated this item was also a continued public hearing and was being reviewed concurrently with the Master Plan application. He said the applicant requested an extension to the May 7, 2024 Planning Commission meeting. There was no new evidence for the record.

Kay Harrison made a motion to continue the public hearing for the Sunnybrook Village Tentative Plan application to the May 7, 2024 Planning Commission meeting. Pat Smith seconded.

ROLL CALL: Kay Harrison, Pat Smith, yes; Jim Mock, yes; Alicia Van Riggs, yes. Motion Passed.

DISCUSSION

A. Land Development Code Update Project

Planning Director Stephanie Powers Introduced the land development code changes. She explained the purpose of Strategic Plan, Comprehensive Plan and the Land Development Code. She reviewed the proposed updates, identifying which are initiated by the City and which are required to comply with the States regulations.

The Commissioners discussed the code changes.

Ms. Powers reviewed the purpose of the code updates and clarified the City's role in overseeing and managing thoughtful growth while maintaining a small town feel.

Ms. Powers explained the State's requirement that the City identify a Climate Friendly Area (CFA) within the City. She described the area that has been identified for this designation.

Ms. Powers gave an update on the code regarding mobile food vendors within the city. She explained issues have arisen which require revisions to the current code. She reviewed current situations and possible code changes and modifications.

The Commissioners discussed their observations regarding food trucks.

IX. MISCELLANEOUS

X. ADJOURNMENT

Alicia Van Riggs made a Motion to Adjourn. Kay Harrison seconded. The meeting was adjourned at 7:28 p.m.

Tom Van Voorhees
Planning Commission Chair

May 7, 2024

Item Summary

Consideration of a Master Plan application for the development of Sunnybrook Village, a 42-lot subdivision and development in the Eastside Transit Oriented Development (ETOD) District, including residential lots, new public streets, stormwater management and public park and open space. The 7.57-acre site is located at 4630 Hamrick Road and is identified on the Jackson County Assessor's map as 37S 2W 01BC, Tax Lot 9800.

Staff Source

Justin Gindlesperger, Community Planner III

Background

The Applicant is requesting approval of the Sunnybrook Village Master Plan ("Master Plan") within the Eastside Transit Oriented Development (ETOD) Overlay area. A master plan is defined in CPMC 17.08 as a long-term written and illustrated plan that provides guidance and instruction for future land development. All subsequent land use applications will be required to demonstrate compliance with the Master Plan. It is the Applicant's objective to obtain master plan approval to facilitate development of a residential subdivision on the property within the context of existing and planned development in the ETOD (See File No. SUB-23001).

Sunnybrook Village encompasses a 7.57 acre project site with frontage on Hamrick Road. Abutting properties to the north, south and west are undeveloped. Low-density, single-family dwellings are located east of the site and Hamrick Road. Sunnybrook Village is the second master plan contemplated in the ETOD. Willow Bend, formerly known as White Hawk, is located over 750-ft to the west. As the first master plan in this portion of the ETOD, Sunnybrook Village will establish land use and circulation patterns that will influence development on surrounding properties and circulation throughout the ETOD.

At the duly noticed March 5, 2024 public hearing, staff introduced and reviewed the Master Plan application. Based on staff's review of the application and additional work required to address the issues in CPMC 17.65.025 and CPMC 17.66.030(B), the public hearing was continued to allow staff and the Applicant to address the issues. At this time, the applicant is still working on addressing the issues raised and requested the public hearing be continued to June 4, 2024. An extension request was provided in accordance with the application schedule and the 120-day timeline.

Issues

N/A

Findings of Fact & Conclusions of Law

N/A

Conditions of Approval

N/A

Attachments

1. Project Location Map
2. Site Plan/Tentative Subdivision Plan

Action

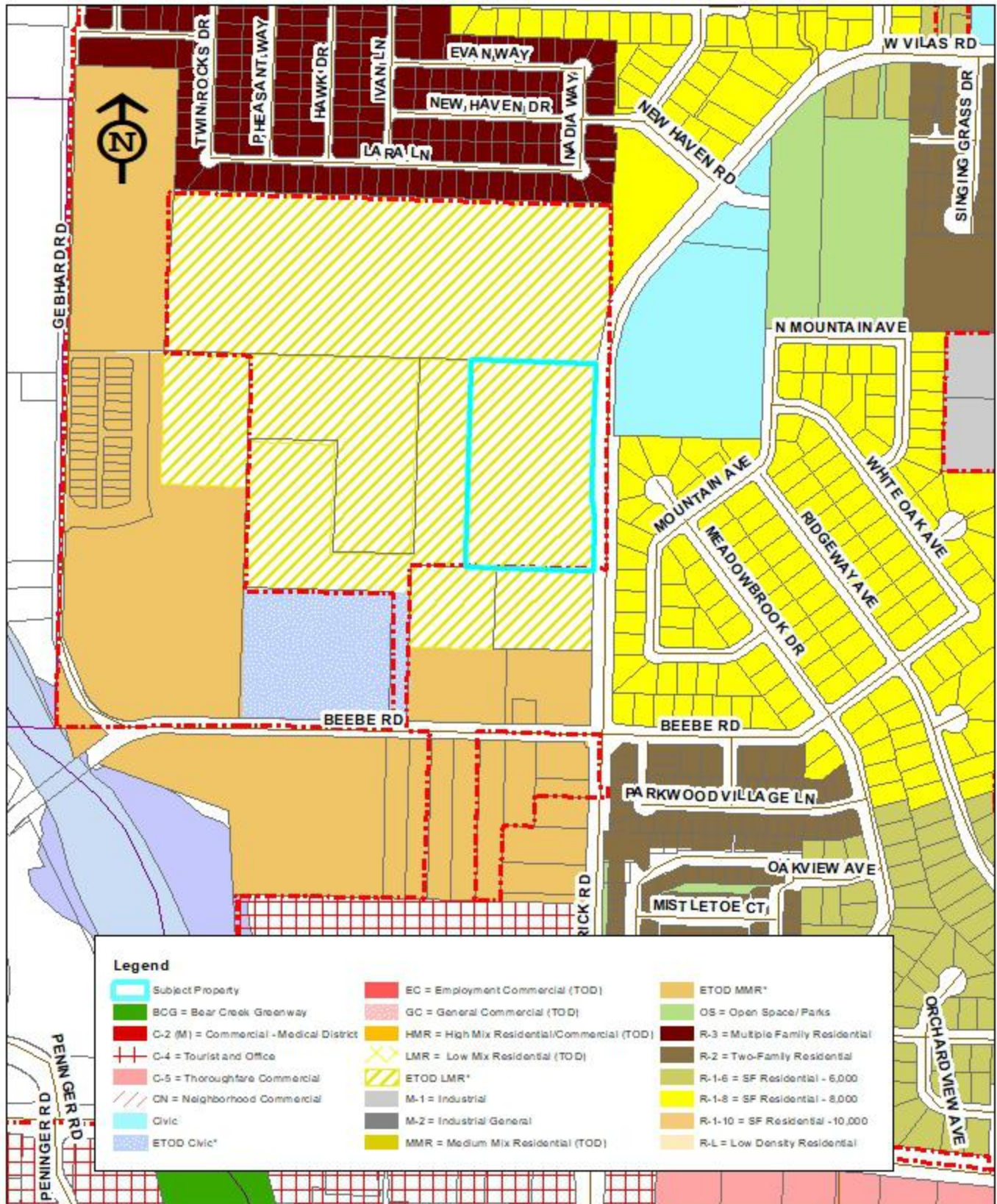
Conduct the public hearing in consideration of the Sunnybrook Village Master Plan and 1) approve; 2) approve with modifications; 3) continue the hearing to allow the applicant to provide remedies for the issues noted; or 4) deny the application.

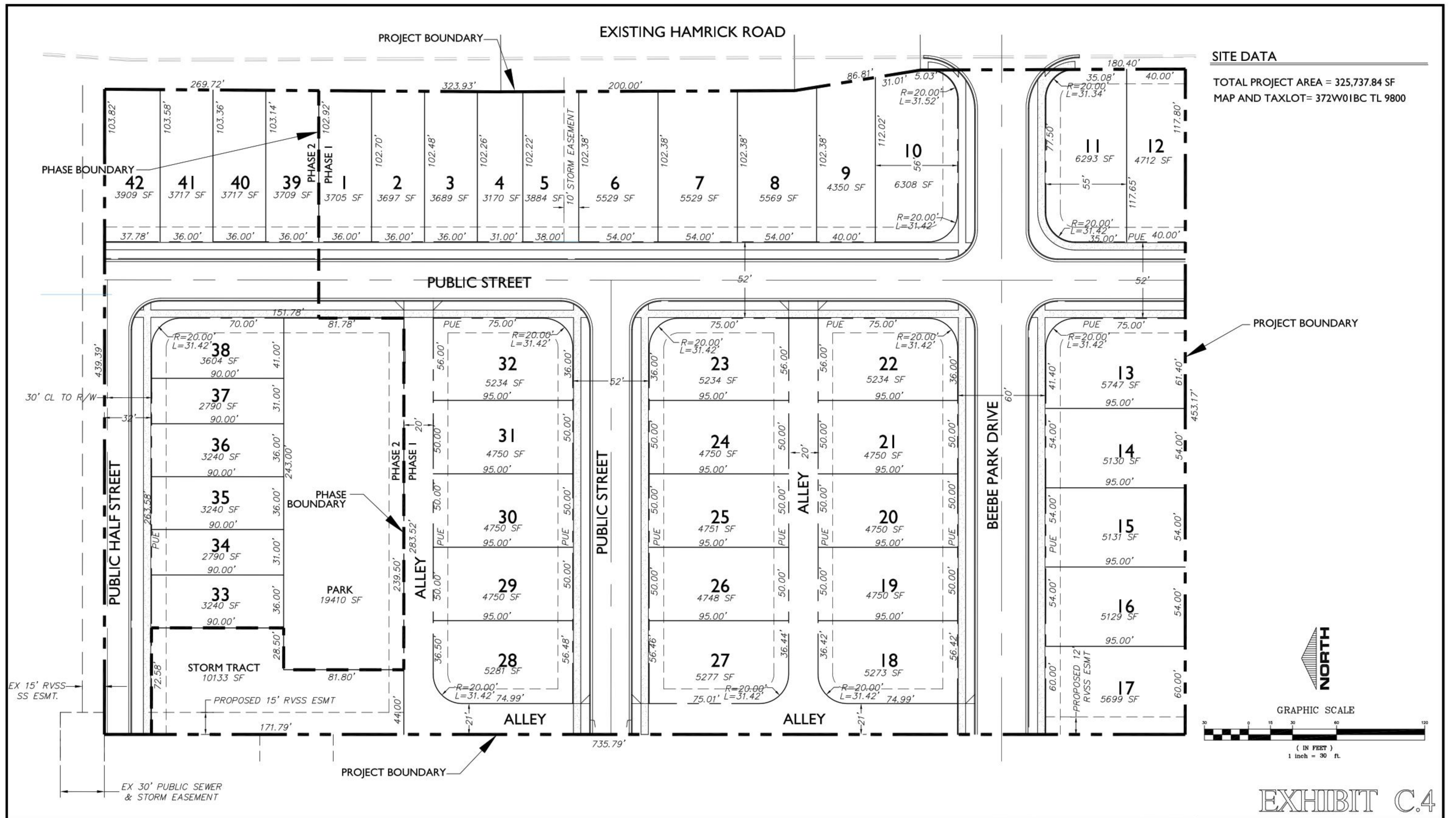
Recommendation

Continue the hearing for the Sunnybrook Village Master Plan to June 4, 2024 to allow the applicant and/or his agent to address the issues raised in the staff report, append the Master Plan and allow staff ample time for review and recommendation.

Recommend Motion

I move to continue the Sunnybrook Village Master Plan to the June 4, 2024 meeting as necessary to allow the Applicant to supply additional information.







Know what's below.
Call before you dig.



P.O. BOX 1724 - MEDFORD - OR 97501
PH. (541) 779-5268

DRAWN BY:	DOW	DATE:	12/21
CHECKED BY:	MWK	DATE:	12/21
		DATE:	
		DATE:	
		DATE:	
		DATE:	

NO.	REVISION	DATE	BY

NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

SUNNYBROOK VILLAGE
CONCEPTUAL TENTATIVE PLAN

DATE: 6-29-23

PROJECT NO.
DRAWING NO.

May 7, 2024

Item Summary

Consideration of a Tentative Plan application to develop a 42 lot subdivision on 7.57 acres in the Low Mix Residential (LMR) zoning district in the Eastside Transit Oriented Development (ETOD) Overlay. The project site is located at 4630 Hamrick Road and is identified on the Jackson County Assessor's Map as 37S 2W 01BC, Tax Lot 9800.

Applicant: CA Galpin, LLC.; **Agent:** Jack Galpin.

Approval Criteria: CPMC 16.10 (Tentative Plans) and CPMC 17.65, TOD Overlay.

Staff Source

Justin Gindlesperger, Community Planner III

Background

The Applicant is requesting approval of a Tentative Subdivision Plan application for Sunnybrook Village, a 42-unit subdivision on 7.57 acres in the Eastside Transit Oriented Development (ETOD) Overlay area (Attachment "B"). The project site abuts undeveloped lands to the north, south and west. The nearest land development is the Central Point East Subdivision, which consists of low-density residential housing east of Hamrick Road.

In accordance with CPMC 17.66.030(A)(3), land division applications involving two (2) or more acres within the ETOD Overlay require an approved Master Plan prior to or concurrent with the Tentative Plan application. The Applicant is proposing the Sunnybrook Village Master Plan ("Master Plan") concurrently with this application to guide and instruct development of the site.

Since the proposed Tentative Plan is contingent on approval of the Master Plan, at the May 7, 2024 meeting staff will introduce the Tentative Subdivision Plan application and request that the duly noticed public hearing be continued to the June 4, 2024 meeting as necessary to allow the Applicant to make needed corrections to the Master Plan. An extension request was provided in accordance with the application schedule and the 120-day timeline.

Issues

N/A

Findings of Fact & Conclusions of Law

N/A

Conditions of Approval

N/A

Attachments

1. Project Location Map
2. Site Plan/Tentative Subdivision Plan

Action

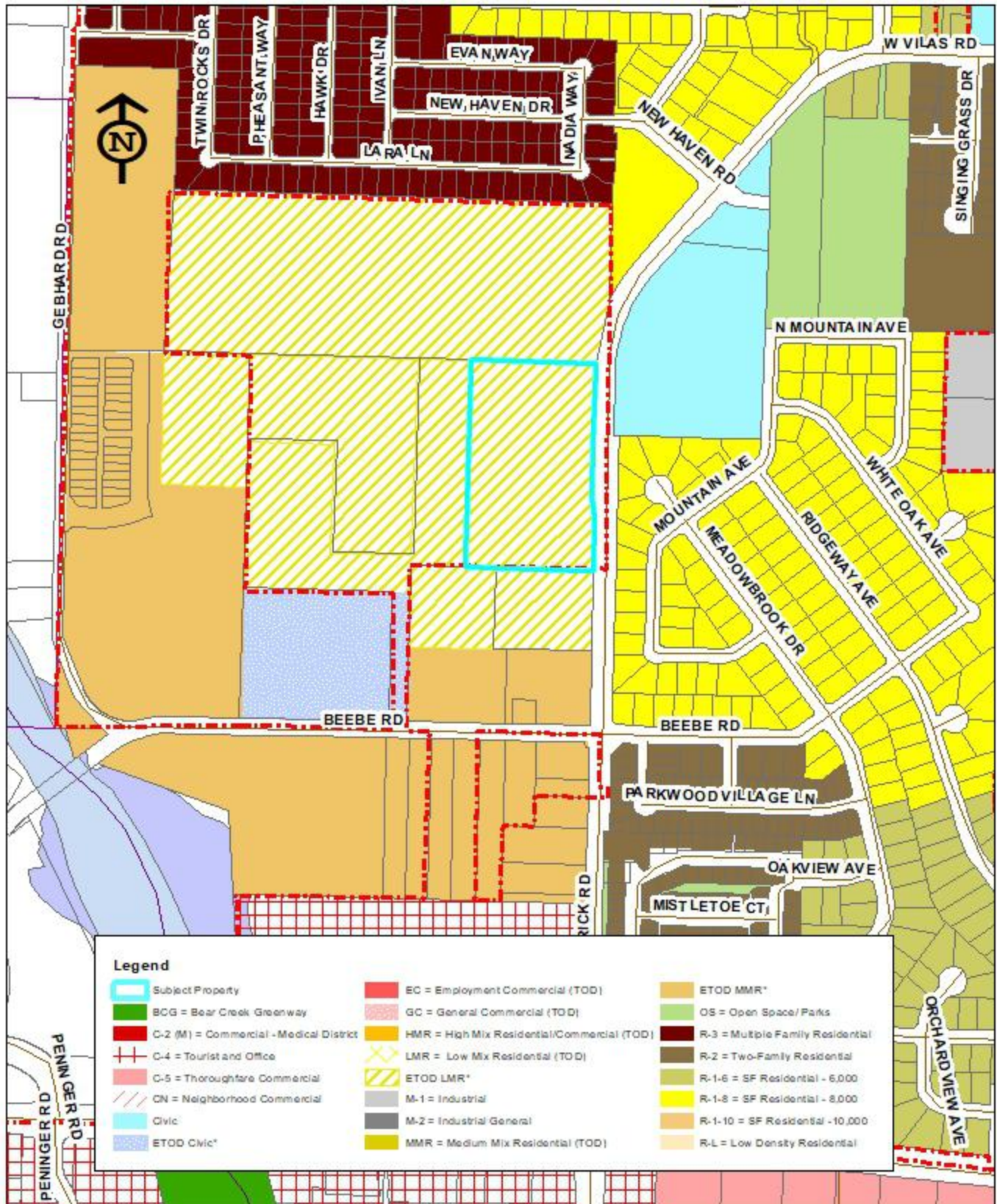
Conduct the public hearing in consideration of the Sunnybrook Village Tentative Plan and 1) approve; 2) approve with modifications; 3) continue the hearing to allow the applicant to provide remedies for the issues noted; or 4) deny the application.

Recommendation

Continue the hearing for the Sunnybrook Village Tentative Plan to June 4, 2024 to allow the applicant and/or his agent to append the Master Plan and allow staff ample time for review and recommendation.

Recommend Motion

I move to continue the public hearing for the Sunnybrook Village Tentative Plan application to the June 4, 2024 Planning Commission meeting.



May 7, 2024

Item Summary

Consideration of a Tentative Plan application to develop an 8 lot subdivision on 2.5 acres in the Residential Single Family (R-1-8) zoning district. The project site is located at 3465 Hanley Road and is identified on the Jackson County Assessor's Map as 37S 2W 10CB, Tax Lot 1900.

Applicant: GTW Home Design & Remodelling, LLC (Gary Whittle)

Staff Source

Justin Gindlesperger, Community Planner III

Background

The Applicant submitted a tentative plan application for Phase 2 of Pheasant Creek Estates to subdivide 2.5 acres into an 8-lot subdivision (Attachment "B"). The project site is along Hanley Road and abuts properties to the north, south and west. The surrounding properties are developed with single-family residences consistent with the proposed infill subdivision.

Access is proposed by an extension of Pheasant Creek Drive from the south and Diego Court from the north. No direct access to Hanley Road is proposed as part of the development. Utilities are available to the site with sewer mains bisecting the site from north-south and abutting the northern property line of the project area. Water is available in the right-of-way of Pheasant Creek Drive and will be extended into the project area with the proposed portion of the roadway. A drainage facility is currently within the project area, collecting stormwater from the south and flowing to additional facilities to the north.

In the R-1-8 zone, there is a minimum/maximum range for density between 3 and 5 units per net acre. At 2.5 acres, the site must have between 8 and 12 dwelling units. The proposed 8 lot subdivision is within the minimum/maximum range for density and meets the lot dimensions standards for the R-1-8 zone as demonstrated in the Planning Department Findings of Fact and Conclusions Law (Attachment "C").

Issues

There are six (6) issues relative to this application as follows:

1. **Lot Side Lines.** In accordance with CPMC 16.24.070, lot lines along a curved

right-of-way line must extend radially from the curve. The common property boundary between proposed Lot 34 and Lot 35 is not radial to the curve of the cul-de-sac of Pheasant Creek Drive.

Comment: Staff recommends Condition 1(b)(i) requiring a revised tentative plan that depicts property lines that are radial to the curve of the proposed street, in accordance with CPMC 16.24.070.

2. **Easement Width.** Areas dedicated for use as public storm drainage conveyance must include a minimum 10-foot wide easement to ensure proper operations and maintenance. The area depicted as a stormwater retention area along the eastern property boundary of Lot 34 is within a proposed 5-foot wide utility easement.

Comment: Staff is recommending Condition 1(b)(ii) requiring a revised tentative plan that depicts a minimum 10-foot wide utility easement for public storm drainage areas.

3. **Street Design.** The Applicant proposes to extend Pheasant Creek Drive, an improved Standard Local Street. The design of a Standard Local Street must include a 6-foot wide landscape row located between the curb and sidewalk for the length of the proposed improvement. The proposed design submitted with the application includes a curb-tight sidewalk and no landscape row.

Comment: As noted in the Public Works Staff Report, the design for the Pheasant Creek Drive extension must include a 6-foot wide landscape row. Staff recommends Condition 1(b)(iii) requiring a revised tentative plan that depicts a 6-foot wide landscape row located between the curb of the street and the sidewalk.

4. **Landscape Plan.** In accordance with CPMC 12.36.090, street and frontage trees are required for new development, including subdivisions. The design for the proposed extension of Pheasant Creek Drive does not include the location for required street trees.

Comment: Staff is recommending Condition 1(c) requiring a landscape and irrigation plan that depicts the location and type of street trees along the length of the proposed extension of Pheasant Creek Drive.

5. **Access.** There are two street plugs along the frontage of the project site adjoining Pheasant Creek Drive and Diego Court. A street plug is a narrow strip of publicly dedicated land that acts to limit legal access via street extensions. These are typically used when phasing development in a subdivision. To extend site access from Pheasant Creek Drive from the south and Diego Court from the north, the street plugs must be vacated.

Comment: The street plug along Pheasant Creek Drive vacates along with the recording of the final plat of the proposed development. However, the street plug for Diego Court must be vacated by City Council prior to development of Lot 38. Public Works will initiate the street plug vacation for Diego Court following Tentative Plan approval. Therefore, no conditions are recommended for addressing this matter.

6. Public Comments. The City provided written notice of the proposed land use application to property owners within 250-feet of the project site and posted notice on the project site as required in CPMC 17.05.400. One (1) letter was received requesting clarification on any requirement for the Applicant to work with and become part of the Homeowners Association (HOA) for Pheasant Creek Estates Phase 1 since the proposed subdivision shares the same name (Attachment "G").

Comment: Criteria for subdivision are set forth in Title 16. There are no requirements therein to establish an HOA to subdivide land; therefore, the decision to incorporate the proposed development into the existing HOA is between the Applicant and the HOA. No conditions are recommended addressing this matter.

Findings of Fact & Conclusions of Law

The tentative plan has been reviewed for conformance with the standards for tentative plans in CPMC 16.10 and the R-1-8 zoning district per CPMC 17.20 and found to comply as evidenced in the Planning Department Findings of Fact and Conclusions of Law (Attachment "C").

Conditions of Approval

1. Prior to final plat approval, the applicant shall satisfy the following conditions:
 - a. Provide documentation from the Jackson County Surveyor's Office that the name of the proposed subdivision is unique relative to other approved land divisions in Jackson County.
 - b. Submit a revised tentative plan that depicts the following:
 - i. The common lot line between proposed Lot 34 and Lot 35 extending radially from the curve along the right-of-way line on the cul-de-sac.
 - ii. A minimum 10-foot wide public utility easement for the proposed underground storm retention site along the eastern property boundary of Lot 34.
 - iii. A street design that includes a 6-foot wide landscape row located between the curb of the street and sidewalk for the entire length of the proposed extension of Pheasant Creek Drive.
 - iv. Updated lot area information shall be provided on the tentative plan revision based on the adjustments required per per Conditions 1(b)(i) and 1(b)(iii). The lot area for each of the lots shall continue to be consistent with the minimum/maximum (i.e. 8,000 – 12,000 s.f.) lot dimension standards in the R-1-8 zoning district per CPMC 17.20.050.

- c. Submit a landscape plan that depicts the location of street trees along the extension of Pheasant Creek Drive. The landscape plan shall depict irrigation to the landscape row and identify tree types and spacing in accordance with CPMC 12.36.100.
 - d. Demonstrate compliance with the Public Works Department Staff Report (Attachment “D”), including:
 - i. Submit and receive approval for Civil Improvement Plans demonstrating compliance with Public Works Department Standard Specifications for public works construction that includes, but is not limited to, the proposed Local Access public street, sidewalks, utilities, and the protection of public infrastructure.
 - ii. Submit and receive approval for a stormwater management plan for the proposed subdivision demonstrating compliance with the MS4 Phase II stormwater quality standards.
 - iii. Submit and receive approval for an erosion and sediment control permit (NPDES-1200C).
 - iv. Pay all System Development Charges and permit fees.
 - e. Demonstrate compliance with Fire District No. 3 Staff Report (Attachment “E”) by providing a fire hydrant location at the beginning of the proposed road extension.
 - f. Demonstrate compliance with the Rogue Valley Sewer Services (RVSS) Staff Report (Attachment “F”), including submit and receive approval for construction drawings demonstrating compliance with RVSS standards.
2. Prior to Public Works Final Inspection, the applicant shall demonstrate compliance with the following:
- a. Complete public infrastructure and civil improvements per Civil Improvement Plans approved by the Public Works Department and a fully executed development agreement and bond, if applicable. The Engineer-of-Record shall certify that all improvements were constructed per the approved plans.
 - b. Complete stormwater management improvements per the Stormwater Management Plan approved by the Public Works Department. The Engineer-of-Record shall certify that the construction of the drainage system was constructed per the approved plans.
 - c. Record an operations and maintenance agreement for all new stormwater quality features.
3. Any modifications to the site layout, including but not limited to stormwater quality treatment facility type and location, shall be subject to review in

accordance with CPMC 17.09, Modifications to Approved Plans and Conditions of Approval.

Attachments

1. Attachment "A" - Project Location Map
2. Attachment "B" - Tentative Subdivision Plan
3. Attachment "C" - Planning Department Findings of Fact
4. Attachment "D" - Public Works Staff Report
5. Attachment "E" - Fire District No. 3 Staff Report
6. Attachment "F" - Rogue Valley Sewer Services Staff Report
7. Attachment "G" - Pheasant Creek Estates_Public Comment
8. Attachment "H" - Resolution No 918

Action

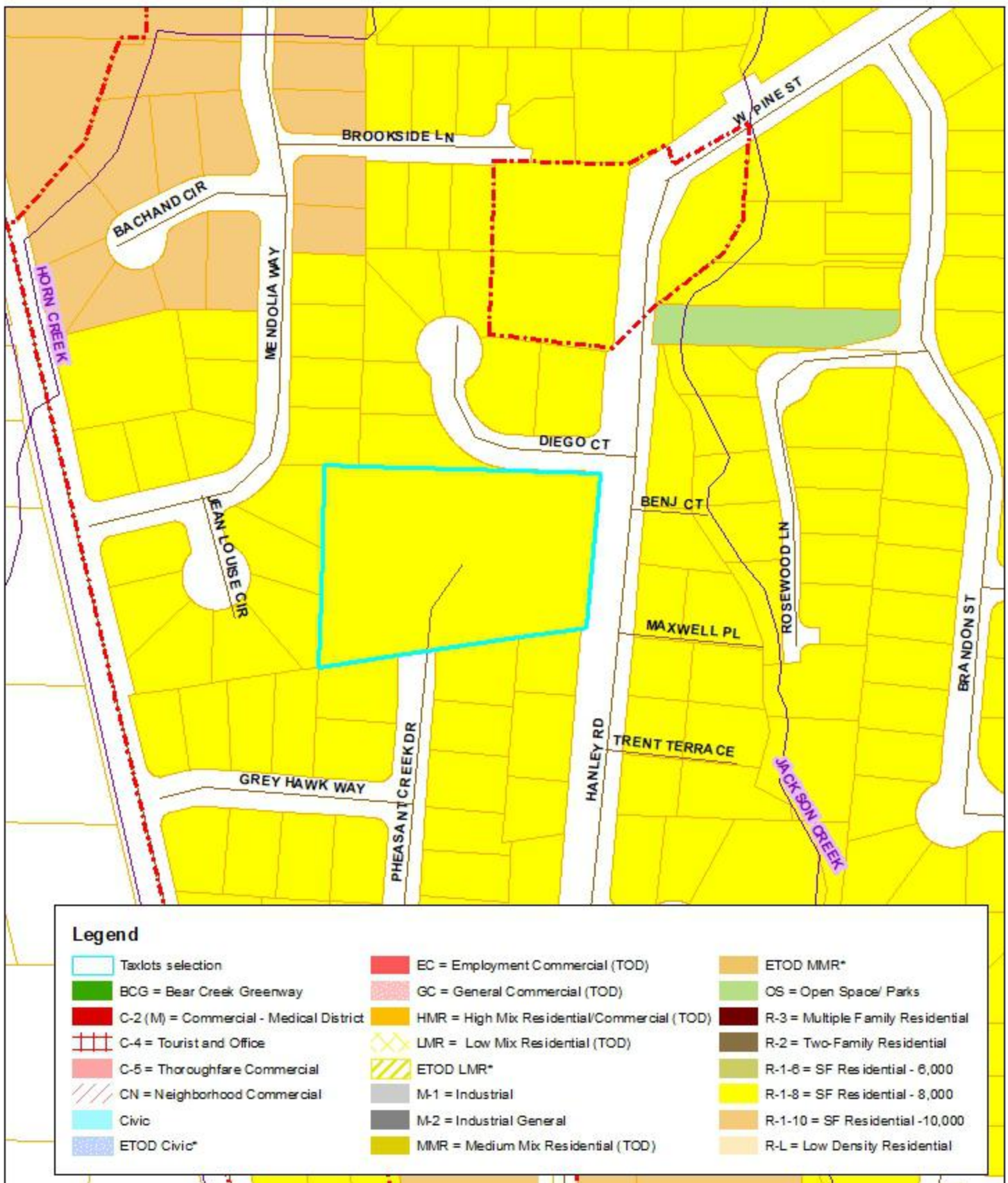
Open a public hearing and consider the proposed Tentative Subdivision Plan application and 1) approve; 2) approve with revisions; or 3) deny the application.

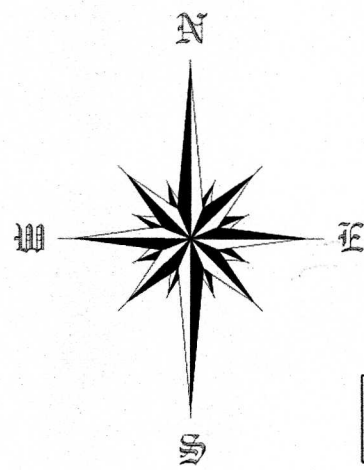
Recommendation

Approve Resolution No. 918, a Resolution recommending approval of the Pheasant Creek Estates Phase II Tentative Subdivision Plan application.

Recommend Motion

I move to approve Resolution No. 918, a Resolution recommending approval of the Pheasant Creek Estates Phase II Tentative Subdivision Plan application per the Staff Report dated May 7, 2024.





SCALE 1" = 30'

NOTE:
THE UTILITY INFORMATION DEPICTED ON THIS MAP WAS
LOCATED DURING FEBRUARY 22-23, 2024 FROM SURFACE
FEATURES. ALL INFORMATION SHOULD BE FIELD VERIFIED
BY CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION.

TENTATIVE PLAT

LOCATED WITHIN

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 10
TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

FOR

GTW HOME DESIGN & REMODELING, LLC

1588 UPLAND PLACE

MEDFORD, OREGON 97504

LEGEND

- FOUND MONUMENT AS NOTED
- (S) SANITARY SEWER MANHOLE
- (D) STORM DRAIN MANHOLE
- (U) WATER BLOWOFF? RIM ELEV. = 1288.7'
- (C) STORM DRAIN CURB INLET
- WV WATER VALVE
- W WELL
- ⊙ LIGHT POLE
- TEL TELEPHONE PEDESTAL
- DECIDUOUS TREE
- P.U.E. PUBLIC UTILITY EASEMENT
- WOOD FENCE
- SS BURIED SANITARY SEWER LINE
- SD BURIED STORM DRAIN LINE
- W BURIED WATER LINE
- EASEMENT LINE
- SUBJECT PROPERTY
- DEED LINE
- ROAD CENTERLINE
- ROAD RIGHT OF WAY LINE
- 10' RIGHT OF WAY DEDICATION
- CONCRETE SURFACE
- ASPHALT SURFACE
- 25' PUBLIC UTILITY EASEMENT PER INSTRUMENT NO. 03-37314
- 25' SANITARY SEWER EASEMENT PER INSTRUMENT NO. 89-26920
- 20' PUBLIC UTILITY & PEDESTRIAN EASEMENT
- PROPOSED 5' PUBLIC UTILITY EASEMENT
- 10' RIGHT OF WAY TO BE DEDICATION TO CITY OF CENTRAL POINT

BASIS OF COORDINATE

THE BASIS OF BEARING FOR THIS SURVEY IS BASED ON COUNTRY MEADOW ESTATES AND PHEASANT CREEK ESTATES
PHASE 1 SUBDIVISIONS AND PARTITION PLAT P-16-2017, THE VERTICAL DATUM (NAVD88) IS BASED ON THE OREGON
COORDINATE REFERENCE SYSTEM (O.C.R.S.) GRANTS PASS - ASHLAND ZONE.

TO THE POINT LAND SURVEYING

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jason M. Martin
OREGON
MAY 8, 2012
JASON M. MARTIN
54729

RENEWS: 1/1/2025

SURVEYED BY:

TO THE POINT LAND SURVEYING, LLC

230 EAST MAIN STREET

ROGUE RIVER, OR 97537

(541) 855-4280

Date: March 11, 2024

Project No. 0007-24

1 / 2

Assessor's Plat No. 372W10CB, Tax Lot 1900

**REVISED PLANNING DEPARTMENT SUPPLEMENTAL FINDINGS OF FACT
AND CONCLUSIONS OF LAW
File No.: SUB-24001**

**Before the City of Central Point Planning Commission
Consideration of a Tentative Plan for Pheasant Creek Estates Phase 2**

Applicant:	)	Findings of Fact
GTW Home Design & Remodel, LLC	)	and
1588 Upland Drive	)	Conclusion of Law
Medford OR 97504	)	

**PART 1
INTRODUCTION**

The applicant submitted a tentative plan application (Type III) for the Pheasant Creek Estates Phase 2 Subdivision to subdivide 2.5 acres into 8 lots (“Application”). The property is located within the Single Family Residential (R-1-8) zoning district.

A subdivision tentative plan is reviewed as a Type III application. Type III applications are reviewed in accordance with procedures provided in Section 17.05.400, which provides the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

The standards and criteria for the proposal are set forth in CPMC Title 16, Subdivisions, and Chapter 17.66, Application Review Process for the TOD Overlay. The following findings address each of the standards and criteria as applies to the subdivision tentative plan.

PROJECT BACKGROUND

Pheasant Creek Estates, Phase II is located within the R-1, Residential Single-Family zoning district located along Hanley Road. The abutting properties to the north, south and west are developed with low-density, single-family dwellings that is consistent with the underlying zoning. The proposed development is an infill development and the proposed density of 3.2 units per acre is consistent with the minimum/maximum range for density in the R-1-8 zoning district. Access to the proposed development will be provided by an extension of Pheasant Creek Road and new access to Diego Court for two (2) lots.

Page 21 of 132

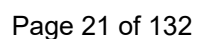
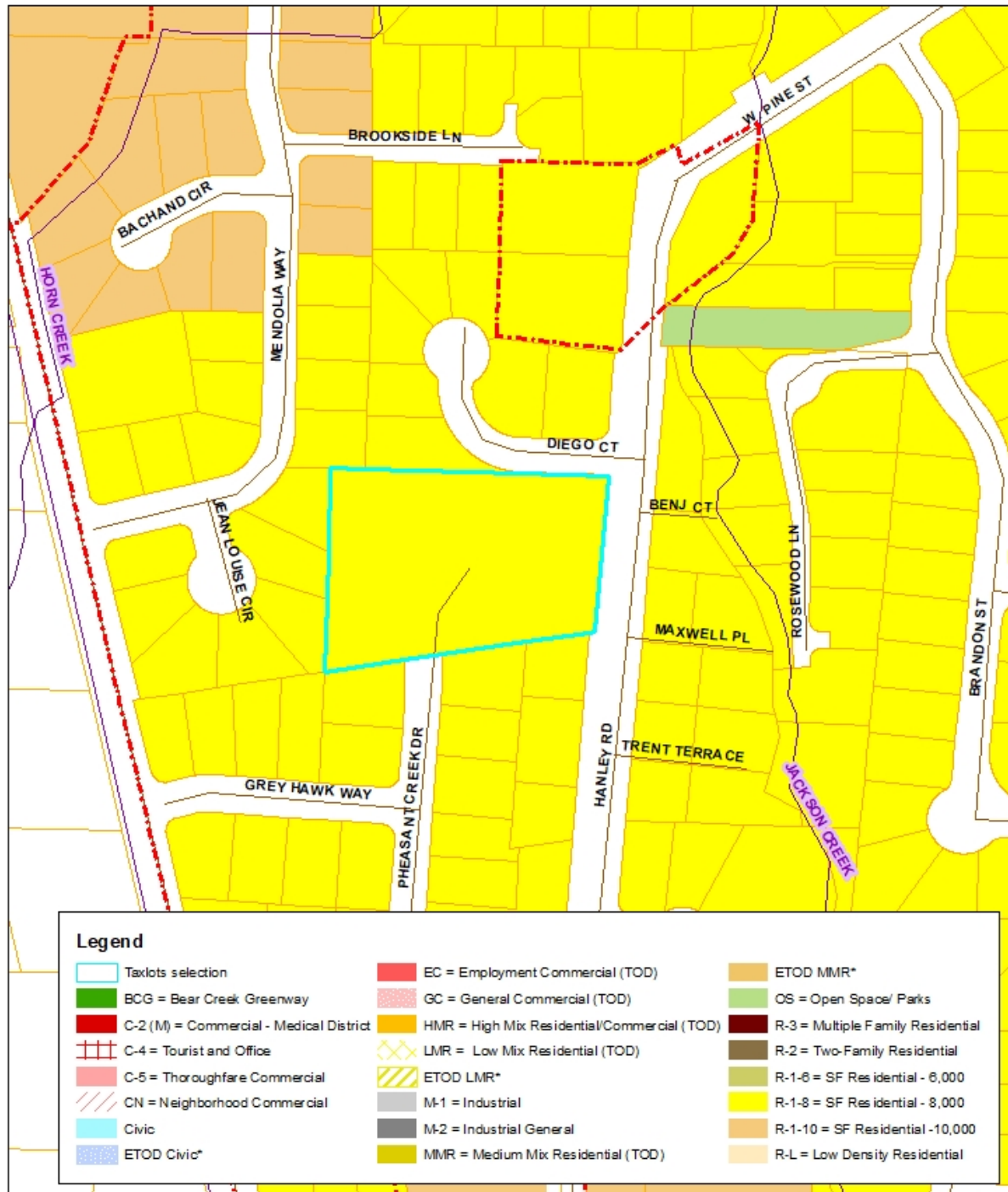


Figure 2. Vicinity Map



File No.: SUB-24001

Proposed Tentative Subdivision Plan
Pheasant Creek Estates, Phase 2



Page 4 of 21



PART 2 SUBDIVISIONS

Title 16 of the Central Point Municipal Code (CPMC) establishes standards and criteria for land division applications including tentative plans and final plats. The sections of CPMC 16 applicable to the Application are:

Chapter 16.10 - Tentative Plans.

CPMC 16.10.010 Submission of application – Filing fee.

The applicant shall submit an application and tentative plan together with improvement plans and other supplementary material as may be required to indicate the development plan and shall submit ten copies to the city together with a filing fee defined in the city's adopted planning application fee schedule. The diagrams submitted shall consist of three copies at the scale specified in Section 16.10.020 and one copy in an eight-and-one-half-inch by eleven-inch format.

***Finding CPMC 16.10.010:** The applicant submitted the tentative plan application along with the required \$4,700 application fee on March 18, 2024. The submittal was reviewed and accepted as complete on April 5, 2024 for review in accordance with the submittal requirements in CPMC 16.10, CPMC 17.05, and CPMC 17.20.*

***Conclusion CPMC 16.10.010:** Consistent.*

CPMC 16.10.015 Application and review--Fees.

Applications and review thereof shall conform to the provisions of Chapter 17.05 and all applicable city ordinances and laws of the state. All costs of administrative and legal staff time costs, plan checks, construction inspection, and preparation of agreements, in excess of the filing fee, shall be borne by the applicant and paid upon billing by city. Failure to pay such costs as billed shall constitute grounds for denial of final plat approval or building permits.

***Finding CPMC 16.10.015:** See Finding CPMC 16.10.010.*

***Conclusion: 16.10.015:** Consistent.*

CPMC 16.10.020 Scale.

The tentative plan shall be drawn on a sheet eighteen by twenty-four inches in size or a multiple thereof at a scale of one inch equals one hundred feet or, for areas over one hundred acres, one inch equals two hundred feet, and shall be clearly and legibly reproduced.

***Finding CPMC 16.10.020:** The tentative plan is drawn on a sheet that is eighteen inches by twenty-four inches and at a scale of one-inch equals thirty feet, which is clearly and legibly produced relative to the project area.*

***Conclusion CPMC 16.10.020:** Consistent.*

CPMC 16.10.030 General information.

The following general information shall be shown on or included with the tentative plan:

- A. Proposed name of the subdivision. This name must not duplicate or resemble the name of another subdivision in the county;

Finding CPMC 16.10.030(A): The proposed subdivision is named “Pheasant Creek Subdivision Phase II” The proposed name must be unique relative to other approved land divisions in Jackson County. As a condition of approval, the applicant is required to submit a subdivision plat name approval from the Jackson County Surveyor.

Conclusion CPMC 16.10.030(A): Complies as conditioned.

- B. Date, north point, and scale of drawing;

Finding CPMC 16.10.030(B): The tentative plan was drawn on March 11, 2024 and includes the scale and north arrow.

Conclusion CPMC 16.10.030(B): Consistent.

- C. Location of the subdivision by section, township, and range, and a legal description sufficient to define the location and boundaries of the proposed tract or the tract designation or other description according to the records of the county assessor;

Finding CPMC 16.10.030(C): Figure 1 provides the section, township and range (37 2W 10BC, Tax Lot 1900) and Figure 2 provides a site Vicinity Map. Combined with the legal description submitted with the application, these items define the location and boundaries of the project site.

Conclusion CPMC 16.10.030(C): Consistent.

- D. Names and addresses of the owner or owners, applicant and engineer or surveyor;

Finding CPMC 16.10.030(D): The applicant is listed on the tentative plan (Figure 1) as GTW Home Design and Remodeling, LLC and the surveyor is listed as To The Point Land Surveying, LLC out of Rogue River, Oregon.

Conclusion CPMC 16.10.030(D): Consistent.

- E. A title report indicating all interests of record in the property which is the subject of the application.

Finding CPMC 16.10.030(E): A title report prepared by Ticor Title on March 15, 2024 was provided with the original submittal on March 18, 2024.

Conclusion CPMC 16.10.030(E): Consistent.

CPMC 16.10.040 Existing conditions.

The following existing conditions shall be shown on the tentative plan:

- A. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, easements, railroad rights-of-way and such other important features within or adjacent to the tract as may be required by the city;

Finding CPMC 16.10.040(A): *The tentative plat illustrates the location and width of Hanley Road, which is east of and adjacent to the project site, and Pheasant Creek Drive, which is south of and adjacent to the project site. There are existing utility easements on the tract, including a sanitary sewer easement on the northern property boundary and a utility easement that bisects the property from north to south.*

Conclusion CPMC 16.10.040(A): *Consistent.*

- B. Contour lines related to some established bench mark or other datum as approved by the city when the city determines that the nature of the topography or size of the subdivision requires such data. Contour lines shall have the following minimum intervals:

1. Two-foot contour intervals for ground slopes less than five percent;
2. Five-foot contour intervals for ground slopes exceeding five percent;

Finding CPMC 16.10.040(B): *Figure 1 includes topographic information. The slope of the property is less than five percent.*

Conclusion CPMC 16.10.040(B): *Consistent.*

- C. The location of at least one temporary bench mark within the plat boundaries;

Finding CPMC 16.10.040(C): *The tentative plat submittal (Figure 1) provides the basis of survey including the bearings and elevations.*

Conclusion CPMC 16.10.040(C): *Consistent.*

- D. Location and direction of all watercourses and drainage systems;

Finding CPMC 16.10.040(D): *There is a 24-inch storm drain line on the site that includes a 36-inch manhole with an outlet to a sediment structure. There are no watercourses on or immediately adjacent to the project site.*

Conclusion CPMC 16.10.040(D): *Consistent.*

- E. Natural features, such as rock outcroppings, marshes and wooded areas;

Finding CPMC 16.10.040(E): The project site is currently developed with a single family residential structure. Per staff site visits and aerial imagery, the project site contains some vegetation including a few mature trees, but it primarily consists of a flat, open grass field. There are no rock outcroppings or wetland areas on the project site.

Conclusion 16.10.040(E): Consistent.

- F. Existing uses of the property, including location of all existing structures which the subdivider proposes to leave on the property after platting;

Finding CPMC 16.10.040(F): The property is currently developed with a single family residential structure that the applicant proposes to leave on the site and will be incorporated into the subdivision lot design.

Conclusion CPMC 16.10.040(F): Consistent.

- G. The location within the subdivision and in the adjoining streets and property of existing sewers and water mains, culverts and drain pipes, and all other existing or proposed utilities to be used on the property to be subdivided and invert elevations of sewers at points of probable connections;

Finding CPMC 16.10.040(G): As shown on the Master Site Plan (Figure 3), the applicant identifies the location of existing infrastructure adjacent to the subject property relative to existing conditions and proposed infrastructure that will service the development.

Conclusion CPMC 16.10.040(G): Consistent.

- H. Zoning on and adjacent to the tract.

Finding CPMC 16.10.040(H): Zoning designations on the project site and adjacent properties are denoted on the Vicinity Map (Figure 2).

Conclusion CPMC 16.10.040(H): Consistent.

CPMC 16.10.050 Additional information.

The following additional information shall also be included on the tentative plan:

- A. Streets, showing location, width, proposed names, approximate grades and approximate radii of curves and the relationship of all streets to any projected streets as shown of any development plan adopted by the city;

Finding CPMC 16.10.050(A): The proposed tentative plan (Figure 1) identifies proposed internal streets, including their location and width.

Condition CPMC 16.10.050(A): Consistent.

- B. Easements, showing the width and purpose;

Finding CPMC 16.10.050(B): *As shown on the tentative plan (Figure 1), a 10-ft Public Utility Easement (PUE) is proposed along the frontage of all proposed lots consistent with the Public Works Standards. A utility easement provides connection to existing utility facilities that bisect the property north-south that will be included in the extension of Pheasant Creek Drive and continue along the property boundary between Lot 33 and Lot 34. A sanitary sewer easement provides maintenance access and connection to sanitary sewer along the property boundary between the proposed development and adjacent development to the north. A storm drain easement along the eastern property boundary of Lot 34 provides an area for on-site retention of stormwater runoff. A 20-foot wide access and utility easement provides access and area for utility connections to Lot 36 and Lot 37. No other easements are proposed on the project site.*

Conclusion CPMC 16.10.050(B): *Consistent.*

- C. Lots, showing approximate dimensions, area of smallest lot or lots and utility easements and building setback lines to be proposed, if any;

Finding CPMC 16.10.050(C): *Public utility easements and approximate dimensions of each proposed lot are shown on the tentative plan (Figure 1).*

Conclusion CPMC 16.10.050(C): *Consistent.*

- D. Sites, if any, proposed for purposes other than dwellings;

Finding CPMC 16.10.050(D): *As shown on the tentative plan (Figure 1), there are no other sites or tracts proposed for purposes other than dwellings.*

Conclusion CPMC 16.10.050(D): *Not applicable.*

- E. Area in square footage of each lot and the average lot area.

Finding CPMC 16.10.050(E): *The lot area for the each of the proposed lots is provided on the tentative plan (Figure 1).*

Conclusion CPMC 16.10.050(E): *Consistent.*

CPMC 16.10.060 Partial development.

When the property to be subdivided contains only part of the tract owned or controlled by the applicant, the city may require a development plan of a layout for streets, numbered lots, blocks, phases of development, and other improvements in the undivided portion, indicating inter-relationship with the portion sought to be divided. The city shall have authority to require that any adjacent parcel or parcels owned or controlled by the applicant but not included in the proposed subdivision boundaries be included in the development whenever inclusion of such parcel or parcels would be an appropriate extension of the development and in the best interests of the public, considering the development plan and the relationship between the surrounding area and the area of proposed development.

Finding CPMC 16.10.060: *The project site is approximately 2.5 acres and the proposed subdivision, including individual lots, streets and other improvements, will occupy the subject property in its entirety.*

Conclusion CPMC 16.10.060: *Not Applicable.*

16.10.070 Explanatory information.

Any of the following information may be required by the city and, if it cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:

- A. A vicinity map showing all existing subdivisions, streets and un-subdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets may be connected to existing streets;

Finding CPMC 16.10.070(A): *The proposed subdivision is an infill development, located in an area with existing subdivision developments on the south, north and west sides of the subject property. Figure 1 illustrates the existing lot configuration for the adjacent subdivisions and the extension of the existing street into the proposed subdivision.*

Conclusion CPMC 16.10.070(A): *Consistent.*

- B. Proposed deed restrictions in outline form;

Finding CPMC 16.10.070(B): *The proposed subdivision does not include any proposed deed restrictions.*

Conclusion CPMC 16.10.070(B): *Not applicable.*

- C. Approximate centerline profiles showing the proposed finished grade of all streets, including the extensions for a reasonable distance beyond the limits of the proposed subdivision;

Finding CPMC 16.10.700(C): *Street profiles are not provided with the tentative plan application. Condition of Approval No. 1 in the Public Works Staff Report dated April 16, 2024 requires that the applicant comply with all Public Works requirements prior to final plat to ensure the streets are completed in accordance with current standards.*

Conclusion CPMC 16.10.070(C): *Complies as conditioned.*

- D. The approximate location and size of all proposed and existing water and sewer lines and storm drainage systems.

Finding CPMC 16.10.070(D): *The approximate location of existing and proposed water, sanitary sewer and storm drainage systems are included with the tentative plan application. Conditions of approval in the Public Works Staff Report dated April 16, 2024 requires that the applicant comply with all Public Works requirements prior to final plat to ensure the utilities are completed in accordance with current standards. Conditions from Rogue Valley Sewer Services requires that the applicant comply with all RVSS requirements prior to final plat to ensure the sewer facilities are completed in accordance with current standards.*

Conclusion CPMC 16.10.070(D): *Complies as conditioned.*

CPMC 16.10.080 Tentative plan approval.

- A. Approval of the tentative plan shall not constitute final acceptance of the final plat of the proposed subdivision or partition for recording; however, approval of the tentative plan shall be binding upon city for the purpose of the approval of the final plat if the final plat is in substantial compliance with the tentative plan and any conditions of approval thereof. A tentative plan approval shall expire and become void one year from the date on which it was issued unless the final plat has been approved pursuant to Chapter 16.12 or an application for extension is filed and approved subject to the requirements of Section 16.10.100 and Chapter 17.05.
- B. When it is the intent to develop a tentative plan and record a final plat in phases, the city, at the time of tentative plat approval, may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without review of the tentative plan for compliance with the current code and comprehensive plan. Each phase so platted shall conform to the applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter.

Finding CPMC 16.10.080: *Upon receipt of a final plat application within the required time limitation per CPMC 16.12 or CPMC 16.10.100 and 17.05, the City will evaluate the final plat application to assure that the final plat is substantially the same as the tentative plan and that all conditions have been met.*

Conclusion CPMC 16.10.080: *Consistent.*

CPMC 16.10.090 Conditions on tentative plan approval.

The city may attach to any tentative plan approval given under this chapter specific conditions deemed necessary in the interests of the public health, safety or welfare, including but not limited to the following:

- A. Construction and installation of any on-site or off-site improvements, including but not limited to sidewalks, curbs, gutters, streets, street signs and street lights, traffic control signs and signals, water, storm drainage, sanitary sewer, and park and recreation improvements. In requiring off-site improvements, the city shall find that said improvements are reasonably related to the development and would serve a public purpose such as mitigating negative impacts of the proposed development.
- B. All improvements required under this subsection shall be made at the expense of the applicant, and shall conform to the provisions of the Standard Specifications and Uniform Standard Details for Public Works Construction in the City of Central Point, Oregon, however, the city, in its discretion, may modify such standards and determine site-specific design, engineering and construction specifications when appropriate in the particular development;
- C. An agreement by the owner of the property to waive, on his or her behalf, and on behalf of all future owners of the land, any objection to the formation of a local improvement district which may be formed in the future to provide any of the improvements specified in subsection A of this section;

- D. An agreement by the owner of the property to enter into a written deferred improvement agreement, providing that one or more of the improvements specified in subsection A of this section shall be made by the owner at some future time to be determined by the city;
- E. Any agreement entered into pursuant to subsections B or C of this section shall be recorded in the county recorder's office and shall be intended to thereafter run with the land, so as to bind future owners of the lands affected. Any and all recording costs shall be borne by the applicant;
- F. Any other conditions deemed by the city to be reasonable and necessary in the interests of the public health, safety or welfare.

Finding CPMC 16.10.090: *Conditions of approval attached to the tentative plan include providing improvements that are in the interest of the public health, safety and welfare that include sidewalks, curbs, gutters, streets, storm drainage, sanitary sewer, water, park and recreation improvements. Required improvements are related to the development and, as noted in the Parks and Public Works Staff Report, dated April 16, 2024, are required to conform to City of Central Point Standard Specifications and Uniform Details for Public Works Construction. Standards have not been modified for the proposed development and the proposal does not include agreement for local improvement districts nor deferred improvements. Conditions of Approval are listed in the Planning Department Staff Report, dated May 7, 2024.*

Conclusion CPMC 16.10.090: *Complies as conditioned.*

Chapter 16.20, Streets and Other Ways – Design Standards.

CPMC 16.20.010 Creation of streets.

- A. Streets created by subdivisions and partitions shall be designed and constructed in conformance with the requirements of the city's comprehensive plan, this code, the city's public works standards, and all conditions established by the city.

Finding CPMC 16.20.010(A): *As shown on the Tentative Plan (Figure 1) and Master Plan (Figure 3), access to the proposed subdivision will be provided by an extension of Pheasant Creek Drive, a public right-of-way. The street will be improved to minimum construction standards, per the Public Works Staff Report dated April 16, 2024.*

Conclusion CPMC 16.20.010(A): *Consistent.*

- B. The construction of streets shall include subgrade, base, asphaltic concrete surfacing, curbs, gutters, sidewalks, storm drainage, street signs, street lighting, and underground utilities.

Finding CPMC 16.20.010(B): *As shown on the Tentative Plan (Figure 1) and Master Plan (Figure 3), access to the proposed subdivision will be provided by an extension of Pheasant Creek Drive, a public right-of-way. The street will be improved to minimum construction standards, per the Public Works Staff Report dated April 16, 2024.*

Conclusion CPMC 16.20.010(B): *Consistent.*

- C. All streets, including the entire right-of-way necessary for the installation of the items mentioned in the preceding paragraph, shall be dedicated to the city.

Finding CPMC 16.20.010(C): *The proposed street, including the entire right-of-way necessary for installation, will be dedicated to the City at the time of final plat.*

Conclusion CPMC 16.20.010(C): *Consistent.*

CPMC 16.20.020 Streets – Generally

The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions as they relate to drainage and the operation of the water, sewer systems, to public convenience and safety and their appropriate relation to the proposed use of the land to be served by such streets. Where location is not shown in a development plan, the arrangement of streets in a subdivision shall either:

- A. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or,

Finding CPMC 16.20.020(A): *The proposed subdivision is an infill development, located in an area with existing subdivision developments on the south, north and west sides of the subject property. Figure 1 illustrates the existing lot configuration for the adjacent subdivisions and the extension of the existing street into the proposed subdivision.*

Conclusion CPMC 16.20.020(A): *Consistent*

- B. Conform to the plan for the neighborhood approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

Finding CPMC 16.20.020(B): *The proposed subdivision is an infill development, located in an area with existing subdivision developments on the south, north and west sides of the subject property. Figure 1 illustrates the extension of the existing street into the proposed subdivision is consistent with the surrounding development and is not constrained due to topographical or other conditions.*

Conclusion CPMC 16.20.020(B): *Not applicable.*

CPMC 16.20.030 Streets--Reserve strips.

Reserve strips ("street plugs") controlling the access to public ways may be required, in the discretion of city.

Finding CPMC 16.20.030: *Per Figure 1, reserve strips are not proposed or determined necessary for any part of the proposed development.*

Conclusion CPMC 16.20.030: *Not Applicable.*

CPMC 16.20.050 Streets--Extension.

Where a subdivision adjoins acreage, streets which in the option of the city should be continued in the event of the subdivision of the acreage will be required to be provided through to the boundary lines of the tract. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

Finding CPMC 16.20.050: *The proposed subdivision is an infill development, located in an area with existing subdivision developments on the south, north and west sides of the subject property. Figure 1 illustrates the extension of the existing street into the proposed subdivision, terminating in a cul-de-sac with no future extensions, is consistent with the surrounding development.*

Conclusion CPMC 16.20.050: *Consistent.*

CPMC 16.20.060 Existing streets.

Whenever existing streets within a tract are determined by the city to be of inadequate width, additional right-of-way shall be provided as required.

Finding CPMC 16.20.060: *There are no existing streets within the project site. The street, including the entire right-of-way necessary for installation, will be dedicated to the City at the time of final plat.*

Conclusion CPMC 16.20.060: *Consistent.*

CPMC 16.20.070 Half streets.

Half streets while generally not acceptable may be approved where essential to the reasonable development of the subdivision when in conformity with the other requirements of these regulations and when the city finds it will be practical to require the dedication of the other half when the adjoining property is developed. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

Finding CPMC 16.20.070: *As shown on the Tentative Plan (Figure 1), half street improvements are not proposed as part of the Pheasant Creek Estates Phase 2 tentative plan application.*

Conclusion CPMC 16.20.070: *Not applicable.*

CPMC 16.20.080 Cul-de-sac.

A cul-de-sac shall be as short as possible and shall in no event be more than four hundred feet long nor serve more than twelve single-family dwellings or seventy-five dwelling units. All cul-de-sacs shall terminate with a circular turn-around.

Finding CPMC 16.20.080: *As shown on the Tentative Plan (Figure 1), the extension of Pheasant Creek Drive terminates in a cul-de-sac with a circular turn-around. The total length of Pheasant Creek Drive, as measure from the nearest intersection with Grey Hawk Way to the south, is approximately 342-feet and will serve 11 single-family dwelling units.*

Conclusion CPMC 16.20.080: *Consistent.*

CPMC 16.20.090 Streets--Names.

No street name shall be used which will duplicate or be confused with the names of existing streets except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the city and the surrounding area and shall be subject to the approval of the city.

Finding CPMC 16.20.090: *As shown on the tentative plan (Figure 1), the proposed street is an extension of Pheasant Creek Drive, an existing public street dedicated and named as part of Pheasant Creek Estates Phase 1 approved in 2003. No new street name is proposed.*

Conclusion CPMC 16.20.090: *Not applicable.*

CPMC 16.20.100 Streets--Adjacent to railroad right-of-way.

Wherever the proposed subdivision contains or is adjacent to a railroad right-of-way, provisions shall be made for a street approximately parallel to and on each side of such right-of-way at a distance to be determined by city. Such distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation.

Finding CPMC 16.20.100: *As shown on the Tentative Plan (Figure 1), the project site is not adjacent to railroad right-of-way.*

Conclusion CPMC 16.20.100: *Not applicable.*

CPMC 16.20.110 Planting easements.

Where physical conditions require approval of streets less than fifty feet in right-of-way width, additional easements for planting of street trees or shrubs may be required.

Finding CPMC 16.20.110: *Per the Public Works Staff Report dated April 16, 2024, the Public Works Department is not requiring any easements for planting of street trees or shrubs.*

Conclusion CPMC 16.20.110: *Not applicable.*

CPMC 16.20.120 Alleys.

- A. Location. Alleys may be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are made as approved by the city.

Finding CPMC 16.20.120(A): *As shown on the tentative plat (Figure 1), the proposed development does not include alleys.*

Conclusion CPMC 16.20.120(A): *Not applicable.*

- B. Intersections. Alley intersections and sharp changes in alignment shall be avoided. The corners of necessary alley intersections shall have a radius of not less than twenty feet.

Finding CPMC 16.20.120(B): *As shown on the tentative plan (Figure 1), the extension of the existing street into the proposed development does not include intersections with alley.*

Conclusion CPMC 16.20.120(B): *Not applicable.*

CPMC 16.20.130 Sidewalks.

Sidewalks shall be constructed in accordance with such standards as are adopted by the city. Sidewalk construction shall be completed on each individual lot prior to the city building inspector granting a certificate of occupancy for any construction upon said individual lot. No application for a building permit shall be granted without a requirement in the building permit for construction of sidewalks to city's standards.

Finding CPMC 16.20.130: *Sidewalks shall be constructed within the development along the extension of Pheasant Creek Drive per public works standards. Per the Public Works Staff Report dated April 16, 2024, sidewalks are not required along Hanley Road.*

Conclusion CPMC 16.20.130: *Consistent.*

Chapter 16.24, Blocks and Lots—Design Standards

CPMC 16.24.010 Blocks – Length, Width and Shape

The lengths, widths and shapes of blocks shall be designed with due regard to providing adequate building sites suitable to the special needs of the type and use contemplated, needs for convenient access, circulation, control and safety of street traffic and limitations and opportunities of topography.

Finding CPMC 16.24.010: *The proposed subdivision is an infill development, located in an area with existing subdivision developments on the south, north and east sides of the subject property. The proposed subdivision is consistent with the existing development pattern in the area, including block sizes and street patterns, and provides connectivity between the proposed subdivision and the surrounding development.*

Conclusion CPMC 16.24.010: *Consistent.*

CPMC 16.24.020 Blocks – Sizes

Blocks shall not exceed twelve hundred feet in length except blocks adjacent to arterial streets or unless the previous adjacent layout or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is three hundred feet.

Finding CPMC 16.24.020: *Block length for proposed streets is measured along the centerline between the intersections with the nearest streets. Pheasant Creek Drive intersects with Grey Hawk Drive to the south and terminates in a cul-de-sac. Therefore, the proposed block length of 342-feet is measured from the centerline of the intersection of Grey Hawk Drive and Pheasant Creek Drive to the center of the cul-de-sac. The development does not propose additional intersections or access to Hanley Road, the adjacent arterial street.*

Conclusion CPMC 16.24.020: *Consistent.*

CPMC 16.24.030 Blocks – Easements

A. Utility Lines. Easements for electric lines or other non-city-owned public utilities may be required, and shall be a minimum of ten feet in width located on the exterior portion of a single property. Easements for city utilities (i.e., water, storm drain and sanitary sewer mains) shall be a minimum of fifteen feet in width located on the exterior portion of a single property. Tie-back easements six feet wide by twenty feet long shall be provided for utility poles along lot lines at change of direction points of easements.

1. Structures Located within a City Utility Easement.

- a. Except for public utilities and for signs when developed in accordance with Chapter 15.24 (Sign Code), no person shall locate, construct, or continue to locate a structure (as defined in Chapter 16.08) within a city utility easement (as defined in Chapter 16.08), except as provided in subsections (A)(1)(b) and (A)(2) of this section.
- b. Notwithstanding the foregoing, the city may approve fencing, concrete block walls/fencing, retaining walls, and similar fencing/wall structures that are otherwise in compliance with the building code, and with the clearance provisions noted herein, over an easement subject to the following requirements:
 - i. Said fencing or wall structures that interfere with the installation, maintenance, access, or operation of a public utility or city utility may be removed by the utility provider or the city at the sole cost of owner.
 - ii. Any replacement or relocation of the fencing or wall structures shall be at the sole cost of the property owner or occupant.
 - iii. Owners and occupants of property shall not be entitled to compensation for damages related to removal of the fencing or wall structures.

2. Grass, Asphalt, and Concrete Installed within a City Utility Easement.

- a. Subject to the limitations of the building code, lawful owners and occupants of property may install grass, asphalt and concrete within a city utility easement.
- b. In the course of installing, accessing, maintaining, or operating its facilities in a city utility easement, a public utility or the city, as the case may be, may move or remove any asphalt, concrete, or vegetation located within said easement. After the same are moved or removed and after completion of the necessary work, the grass, asphalt or concrete shall be repaired and replaced in a reasonable manner at the sole cost of the public utility or city.
- c. Owners and occupants of property shall not be entitled to compensation related to damages to grass, asphalt, or concrete so long as the repairs and replacement are done in a reasonable manner and in a reasonable time frame.

Finding CPMC 16.24.030(A): Per the tentative plat (Figure 1) no structures or fencing are proposed in the City Utility Easements along the proposed streets. Development of the individual lots will be required to comply with the provisions of this section.

Conclusion CPMC 16.24.030(A): Consistent.

- B. Watercourses. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there may be required a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as will be adequate for the purpose. Streets, parkways or access roads parallel to major watercourses may be required.

Finding CPMC 16.24.030(B): The proposed subdivision is traversed by an existing drainage way. As shown on the tentative plan (Figure 1), the drainage way is within the right-of-way of the proposed extension of Pheasant Creek Drive and an existing easement that continues to the northern boundary of the development along the common property boundary between Lot 33 and Lot 34.

Conclusion CPMC 16.24.030(B): Consistent.

- C. Pedestrian Ways. In any block over seven hundred fifty feet in length a pedestrian way may be required. The minimum width of the pedestrian right-of-way must be at least six feet in width which shall be hard surfaced through the block and curb to curb in order to provide easy access to schools, parks, shopping centers, mass transportation stops or other community services. If conditions require blocks longer than twelve hundred feet, two pedestrian ways may be required for combination pedestrian way and utility easement. When essential for public convenience, such ways may be required to connect to cul-de-sacs. Long blocks parallel to arterial streets may be approved without pedestrian ways if desirable in the interests of traffic safety

Finding CPMC 16.24.030(C): Per Finding CPMC 16.24.020(A), the proposed blocks are less than seven hundred fifty feet in length and a pedestrian way is not included as part of the proposed subdivision.

Conclusion CPMC 16.24.030: Consistent.

CPMC 16.24.040 Lots – Uses

- A. The city may, in its discretion, deny approval for the creation of any lot by any manner if the effect of such creation of lot would be to facilitate perpetuation of a nonconforming use.
- B. No lot shall be created unless it is in compliance with all applicable provision of this code.

Finding CPMC 16.24.040: As evidenced by the findings and conclusions set forth herein, the lots of the proposed subdivision tentative plan satisfy the approval criteria.

Conclusion CPMC 16.24.040: Consistent.

CPMC 16.24.050 Lots – Sizes and Determination

Lot sizes shall conform with the zoning ordinance and shall be appropriate for the location of the subdivision and for the type of development and use contemplated. In the case of irregular lots, the width shall be measured along the front building line. In no case shall the average depth be more than two and

one-half times the width. Corner lots for residential use shall have sufficient width to permit appropriate building setback from and orientation to both streets.

- A. In areas that cannot be connected to sewer lines, minimum lot sizes shall be sufficient to permit sewage disposal by an engineered system in accordance with Department of Environmental Quality, Jackson County environmental quality section, and public works standards. Such lot sizes shall conform to the requirements of the Jackson County environmental quality section.
- B. Where property is zoned and planned for business or industrial use, other widths and areas may be required, at the discretion of the city. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated

Finding CPMC 16.24.050: *As evidenced by the findings and conclusions set forth herein, the proposed subdivision tentative plan satisfies the approval criteria.*

Conclusion CPMC 16.24.050: *Consistent.*

CPMC 16.24.060 Through Lots

Through lots shall be avoided except where essential to reduce access to primary or secondary arterial streets or streets of equivalent traffic volume, reduce access to adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet may be required along the line of lots abutting such adjacent street. There shall be no right of access across such planting screen easements.

Finding CPMC 16.24.060: *As shown on the tentative plan (Figure 1), the proposed development does not include through lots; therefore, a planting screen easement is not required. Lot 37 is adjacent to the Hanley Road right-of-way, but it is configured as a flag lot that provides access from Pheasant Creek Drive.*

Conclusion CPMC 16.24.060: *Consistent.*

CPMC 16.24.070 Lot Side Lines

The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curbed streets they shall be radial to the curve.

Finding CPMC 16.24.070: *As shown on the tentative plan (Figure 1), the sides lot line between Lot 34 and Lot 35 is not radial to the curve of the proposed cul-de-sac. As a condition of approval, the applicant is required to submit a revised tentative plan that depicts lot lines at right angles to the right-of-way and radial to the curves of the cul-de-sac.*

Conclusion 16.24.070: *Complies as conditioned.*

CPMC 16.24.080 Large Lot Subdivision

In subdividing tracts into large lots which at some future time are likely to be resubdivided, the location of lot lines and other details of the layout shall be such that the resubdivisions may readily

take place without violating the requirements of these regulations and without interfering with the orderly development of streets or other utilities. Restrictions of building locations in relationship to future rights-of-way shall be made a matter of record if the city considers it necessary.

Finding CPMC 16.24.080: *As evidenced by the findings and conclusions set forth herein, the proposed subdivision tentative plan satisfies the lot dimension criteria and does not include large lots to be resubdivided at a later time.*

Conclusion CPMC 16.24.080: *Not applicable.*

PART 3 ZONING ORDINANCE

The purpose of Title 17 of the CPMC is to encourage the most appropriate use of land, promote orderly growth of the city, and promote public health, safety, convenience and general welfare. The sections of CPMC 17 applicable to the application are:

Chapter 17.05, Applications and Types of Review Procedures

This Chapter establishes standard decision-making procedures that enable the city, the applicant, and the public to review applications and participate in the local decision making process. There are four (4) types of review procedures, Type I, II, III, and IV that are applied to land use and development applications in Table 17.05.100.1. It also establishes when a Traffic Impact Analysis (TIA) is required.

Finding CPMC 17.05: *As identified in Table I, Section 17.05.100.1 a subdivision tentative plan is reviewed using Type III procedures. As evidenced by the mailed and posted notice documents in Exhibit “A”, the application has been noticed and processed in accordance with the Type III review procedures per Section 17.05.400. Per Section 17.05.900, a TIA for residential development is required when Average Daily Trips (ADT) exceed 250. Per the Institute of Transportation Engineers Trip Generation Manual, a single family dwelling generates 9.57 ADT or 76 ADT for the proposed subdivision tentative plan. A TIA is not required.*

Conclusion CPMC 17.05: *Complies.*

Chapter 17.20 – R-1, Residential Single Family

The purpose of the R-1 district is to stabilize and protect the urban low density residential characteristics of the district while promoting and encouraging suitable environments for family life.

Finding CPMC 17.65: *The proposed tentative plan has been reviewed in accordance with the applicable zoning regulations provided in Chapter 17.20.*

Table 1. Applicable Zoning Regulations

Standard	R-1-8	Proposed Tentative Plan
Minimum Density	3 units/ acre	3.2 units/acre
Maximum Density	5 units/acre	

Minimum Lot Area		
Interior Lot	8,000 square feet	11,133 square feet
Corner Lot	8,000 square feet	11,884 square feet
Maximum Lot Area		
Interior Lot	12,000 square feet	11,996 square feet
Corner Lot	N/A	11,884 square feet
Minimum Lot Width		
Interior Lot	50-feet	80-feet
Corner Lot	60-feet	96-feet

As shown in Table 1, above, the tentative plan proposes 8 residential lots on 2.5 gross acres. Based on the minimum/maximum density requirement for the R-1-8 zone, the proposed 8 units is within the minimum/maximum range for density.

Conclusion CPMC 17.20: *Consistent.*

PART 4 SUMMARY CONCLUSION

As evidenced in Planning Department Supplemental Findings, the proposed tentative plan application for the Pheasant Creek Phase II Subdivision is, as conditioned in the Staff Report dated May 7, 2024, in compliance with the applicable criteria set forth in Title 16 and Title 17 of the Central Point Municipal Code.

PUBLIC WORKS STAFF REPORT

April 16, 2024

AGENDA ITEM: Pheasant Creek Estates, Phase 2 (SUB-24001)

A proposed 8-unit subdivision along the Hanley Road frontage. The 2.5-acre site (37S SW 10CB, Tax lot 1900) is within the R-1-8, Single Family Residential zoning district.

Applicant: DTW Design & Remodel, LLC (Gary Whittle)

Traffic:

The Applicant is proposing an eight-lot subdivision. Per the ITE, single-family dwellings generate 1.0 peak hour trips (PHT) per household for eight trips. The threshold for a Traffic Impact Analysis (TIA) is 25 PHT. Therefore, a TIA is not required for this development.

Existing Infrastructure:

Water: There is a 12-inch water line through the proposed site, from Pheasant Creek Drive to the south, to a connection to the existing waterline at the north property line.

Streets: Pheasant Creek Drive is an improved Standard Local Street.

Stormwater: There is an existing 36-inch Storm Drain line, as stormwater storage, connecting to a stormwater treatment manhole, outflowing as a 24-inch storm drain line, existing on the property now. Flow is south to north.

Background:

The Applicant proposes an 8-unit, single-family residential development extending north on the existing Pheasant Creek Drive. The property also fronts Hanley Road to the east.

Issues:

The existing 36-inch Storm Drain line, as stormwater storage, connecting to a stormwater treatment manhole, outflowing as a 24-inch storm drain line, exists on the property now. Flow is south to north. Onsite stormwater runoff shall be treated onsite before it enters the existing storm drain line from the proposed subdivision.

The Applicant also does not show the correct street configuration of the extension of Pheasant Creek Drive. A 6-foot wide landscape row is required between the curb and sidewalk and must be shown on the plans,.

Additionally, right of way dedication is required along the Hanley Road frontage for future widening. The dedication is eligible for System Development Charge reimbursement. Staff recommends deferral of the sidewalk improvements along Hanley Road until the design and construction of Hanley Road occurs.

Lastly, there are existing street plugs in Diego Court and Pheasant Creek Drive. The plug on Pheasant Creek Drive will be automatically removed when the plat is finalized extending Pheasant Creek Drive. The Diego Court street plug will need to be vacated by City Council prior to development of Lot 38.

Conditions of Approval:

Prior to the building permit issuance and the start of construction activities on the site, the following conditions shall be satisfied:

1. Public Street Construction - Applicant shall construct the proposed public streets to City Street Standards. Construction shall demonstrate compliance with the Public Works Standard Specifications and Uniform Details for Construction.
 - a. Pheasant Creek Drive—Applicant proposes a Standard Local Street per drawing ST-15 of the City of Central Point Standards and Specifications and Uniform Standard Details For Construction 2019 for the Pheasant Creek Drive extension. The street width must be a 36-feet. Landscape rows of 6-foot and 5-foot sidewalks are required. In addition, street trees are a requirement.
2. Civil Improvement Plan Review – The Applicant shall submit civil improvement plans for stormwater infrastructure construction demonstrating compliance with the approved NPDES Stormwater Management Plan.
3. Hanley Road Dedication – Applicant shall dedicate ten feet of property paralleling Hanley Road for future widening. The dedication is reimbursed by the System Development Charge (SDC).
4. Sidewalk Deferment – Applicant shall sign a deferred improvement agreement for the future sidewalk construction when the Hanley Road widening occurs.
5. Erosion and Sediment Control – The proposed development will disturb less than 5 acres and requires an erosion and sediment control permit (NPDES 1200-C) from the City of Central Point. The Applicant shall obtain a 1200-C permit from the Public Works Department.
6. Easement – Public storm drain requires a 10-foot minimum easement. The Applicant shall provide a 10-foot wide easement for the storm retention site along the eastern property boundary of Lot 34.

Prior to the final plat, the Applicant shall comply with the following conditions of approval:

1. PW Standards and Specifications – Applicant shall demonstrate that all Public Works infrastructure construction complies with the Standards Specifications and Uniform Details for Construction.
2. Stormwater Quality Operations & Maintenance – The Applicant shall record and submit to the Public Works Department an Operations and Maintenance Manual and Declaration of Covenants for Operation and Maintenance of the Stormwater Quality Features as required by the Rogue Valley Stormwater Quality Manual
3. Diego Court Street Plug – The street plug on Diego Court will need to be vacated by City of Central Point prior to final plat approval.
4. Public Works As-Builts – Provide an accurate and stamped set of as-built drawings.

Justin P. Gindlesperger

From: Mark Northrop <MarkN@jcfd3.com>
Sent: Thursday, April 18, 2024 3:08 PM
To: Justin P. Gindlesperger; Steve Darnell
Subject: Re: Request for Comments: SUB-24001

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Justin:

Here are FD3 comments..

Access – Road width needs to be 26' and it looks like we have approximately 32'.

Road entering subdivision is more than 150' so fire apparatus turn around will be required which looks to be a cul-de-sac. It will need to meet fire department standards which are 96' diameter, 28' radius. Plans show a 109' diameter. So with that being said access looks good.

Water supply – There will need to be a fire hydrant placed in the cul-de-sac for the new homes. We can reduce the distance from hydrant to street frontage due to the dead end road. This will place the distance approximately 200' to the nearest hydrant. The nearest hydrant to the beginning of the cul-de-sac is 260'.

Hydrant location would be best at the beginning of the cul-de-sac as you enter on the right that way our engine can grab the hydrant and continue around the cul-de-sac.

Signage will not be required in the cul-de-sac due to size.

Thanks

DFM Mark Northrop, IAAI, CFI

Jackson County Fire District 3

8383 Agate Rd, White City, OR 97503

Markn@jcfd3.com

Office: 541.831.2776

Cell 541.660.7689

www.jcfd3.com





ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

April 12, 2024

City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: SUB-24001, Pheasant Creek, 37S 2W 10CB, Tax Lot 1900

There are existing 8 inch sewer mains running east west along the north property boundary and north south through the center of the tax lot 1900. Existing sewer easements must be shown on the recorded plat for the subdivision and sewer manhole access must be maintained for all existing manholes on the property. Sewer service for the proposed subdivision can be had by new taps to the existing adjacent sewer mains as generally shown on the submitted plan.

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

1. Construction drawings must be submitted to RVSS for review and approval prior to construction.

Feel free to call me if you have any questions.

Sincerely,

Nicholas R. Bakke, PE
District Engineer

Justin P. Gindlesperger

From: Robert Frey <robertfrey04@gmail.com>
Sent: Friday, April 19, 2024 11:03 AM
To: Justin P. Gindlesperger
Subject: Pheasant Creek Estates, Phase 2

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I had a quick question - since this is an extension of an existing neighborhood with active CC&Rs, is it a fair assumption that this should fall in alignment with them?

Is there any requirement or expectation of working with the existing committee representatives prior to the May 7th meeting?

I thought it was strange that this was submitted a month ago (per the planning page [Pheasant Creek Estates Phase 2 | Central Point Oregon](#)) and the first I see about it was a small sign that is barely visible to the majority of the impacted neighbors.

PLANNING COMMISSION RESOLUTION NO. 918

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING
A TENTATIVE SUBDIVISION FOR AN 8 LOT SUBDIVISION
TO BE KNOWN AS PHEASANT CREEK ESTATES PHASE II
SUBJECT TO CONDITIONS OF APPROVAL**

(File No: SUB-24001)

WHEREAS, the applicant has submitted a tentative plan application to create an 8-lot subdivision consisting of residential property identified on the Jackson County Assessor's map as 37S 2W 10CB, Tax Lot 1900, Central Point, Oregon; and

WHEREAS, the project site is located in the R-1-8, Residential Single-Family zoning district; and

WHEREAS, the application has been found to be consistent with the applicable approval criteria set forth in Title 16, Subdivisions and Title 17, Zoning as conditioned per the Staff Report dated May 7, 2024; and

WHEREAS, on May 7, 2024, at a duly noticed public hearing, the City of Central Point Planning Commission considered the Applicant's request for Tentative Plan approval for Pheasant Creek Estates Phase II subdivision.

NOW, THEREFORE, BE IT RESOLVED:

Section 1: The City of Central Point Planning Commission hereby approves the Tentative Plan application for Pheasant Creek Estates Phase II subdivision File No. SUB-24001 subject to the conditions in the Staff Report dated May 7, 2024 (Exhibit 1).

Section 2: This decision is based upon the Planning Department Staff Report dated May 7, 2024, attached hereto as Exhibit 1, including all attachments thereto.

PASSED by the Planning Commission and signed by me in authentication of its passage this 7th day of May, 2024.

Planning Commission Chair

ATTEST:

City Representative

May 7, 2024

Item Summary

Consideration of a tentative plan application to divide a 21.12 acre property ("Project Site") into two (2) parcels totaling 7.7 acres and 13.6 acres for future development. The Project Site is located at 1777 East Pine Street and is identified on the Jackson County Assessor's Map as 37S2W02D, Tax Lot 100. It is subject to the Tourist and Office Professional (C-4) zone land use and development standards. **Applicant:** Housing Authority of Jackson County; **Agent:** CSA Planning (Raul Woerner). **File No.** PAR-23002.

Staff Source

Stephanie Powers, Planning Director

Background

On March 14, 2024, the City Council extended the Transit Oriented Development (TOD) Overlay and amended the land use and zoning designation on the 21.12 acre Project Site to support housing production and commercial uses. These changes were initiated after the City met with the Housing Authority in 2021 to explore the feasibility of acquiring the site to eventually develop with affordable and market-rate housing along with commercial uses. At this time, the Housing Authority ("Applicant") is seeking approval of a tentative partition to divide the property into two (parcels) for sale and future development per the recently approved land use and zoning changes.

Project Description

The proposed partition divides the project into two (2) parcels along the imaginary extension of Brookdale Avenue (Attachment 2). The line has a small curve to the south that aligns with a preliminary development concept that was submitted by the Applicant at the 2021 Pre-Application Conference. Proposed Parcel 1 is 7.7 acres and has frontage on East Pine Street and Hamrick Road. Proposed Parcel 2 is 13.6 acres and fronts Hamrick Road. Per the Public Works Staff Report and the Rogue Valley Sewer Services (RVSS) letter dated April 11, 2024, the Project Site is adjacent to water, sewer and storm drainage facilities that can be extended to serve future land development (Attachments 5 and 7).

No land development activities are proposed at this time. Consequently, the tentative partition does not include creation of streets or extension of available public facilities. However, the City's Transportation System Plan (TSP), plans for the future extension of Gerhard Road, a Collector, through the site from East Pine Street to Beebe Road (TSP Project #267). The Applicant proposes a right-of-way reservation to notify all parties of the planned roadway that will need to be dedicated and improved as part of future land development or at an earlier time as negotiated between the City and future owners (Attachment 3).

Staff has evaluated the proposed lot dimensions and found that they comply with the applicable standards in CPMC 17.75.035.

Issues

There are two (2) issues relative to this application as follows:

1. **Right-of-Way Reservation.** The proposed right-of-way reservation illustrates the future area to be dedicated and improved at the time of land development. Per the Public Works Staff Report dated April 12, 2024, the proposed alignment across Proposed Parcel 2 is inconsistent with the adopted configuration in the TSP.

Comment: Prior to final plat approval, the applicant shall revise the right-of-way reservation agreement and plat map to show an alignment consistent with the TSP at the north end of Proposed Parcel 2, in a form acceptable to the City.

2. **Future Development Comments.** While the City is not imposing requirements for new streets or access at this time, Public Works noted in its report that Proposed Parcel 2 may have development/access restrictions in the future if it were to develop prior to Proposed Parcel 1. There are two (2) potential roadway access locations on the north and south sides of Proposed Parcel 2. Due to the proximity to the Hamrick Road/East Pine Street intersection and high traffic volumes, access will likely be limited to right-in/right-out and possibly a left-in. A Traffic Impact Analysis (TIA) will be required at the time of development for the Proposed Parcels in accordance with CPMC 17.05.900 and Jackson County Roads concerns about roadway operation and safety (Attachment 6). The TIA will determine the access and/or any trip cap requirements needed to assure roadway operation and traffic safety until Gebhard Road is constructed across Proposed Parcel 1 from the Project Site to East Pine Street.

Comment: No action is recommended as part of this application. However, depending upon the timing/type of future development, a developer may have to address issues relating to site access.

Findings of Fact & Conclusions of Law

The Housing Authority Tentative Partition Plan application has been evaluated against the applicable Tentative Partition Plan standards and criteria set forth in CPMC 16.10, CPMC 16.24 and CPMC 17.75 and found to comply as conditioned and as evidenced in the Applicant's Findings of Fact (Attachment 4) and the Planning Department Supplemental Findings (Attachment 8).

Conditions of Approval

1. Prior to final plat approval, the Applicant shall comply with the Conditions of Approval set forth in the Public Works Staff Report dated April 12, 2024 (Attachment "7") as set forth below:
 - a. Right of Way Reservation. Prior to final plat approval, the applicant shall submit an amended right of way reservation for Gebhard Road to conform with the TSP for the configuration of Gebhard Road, in a form acceptable to the City;
 - b. Final Plat. Prior to final plat approval the plat map shall be amended to show the correct alignment for the Gebhard Road extension per the TSP.
 - c. Recorded Documents. Within 30-days of recording the right-of-way reservation and the final plat, a copy of the recorded right-of-way reservation and a copy of the final plat shall be provided to the Planning and Public Works Department. Building

permits for any construction or land development shall not be issued until copies of the recorded documents are received.

2. Any modifications to the approved tentative plan are subject to the Modifications to Approved Plans and Conditions of Approval requirements in CPMC 17.09.

Attachments

1. Zoning Map (1777 East Pine Stret)
2. Tentative Plan with ROW Reservation
3. Right-of-Way Reservation
4. Applicants Findings
5. RVSS Letter dated 4-12-2024
6. Jackson County Roads Letter dated 4-22-2024
7. Public Works Staff Report dated 4-16-2024
8. Planning Department Supplemental Findings
9. Resolution No. 919

Action

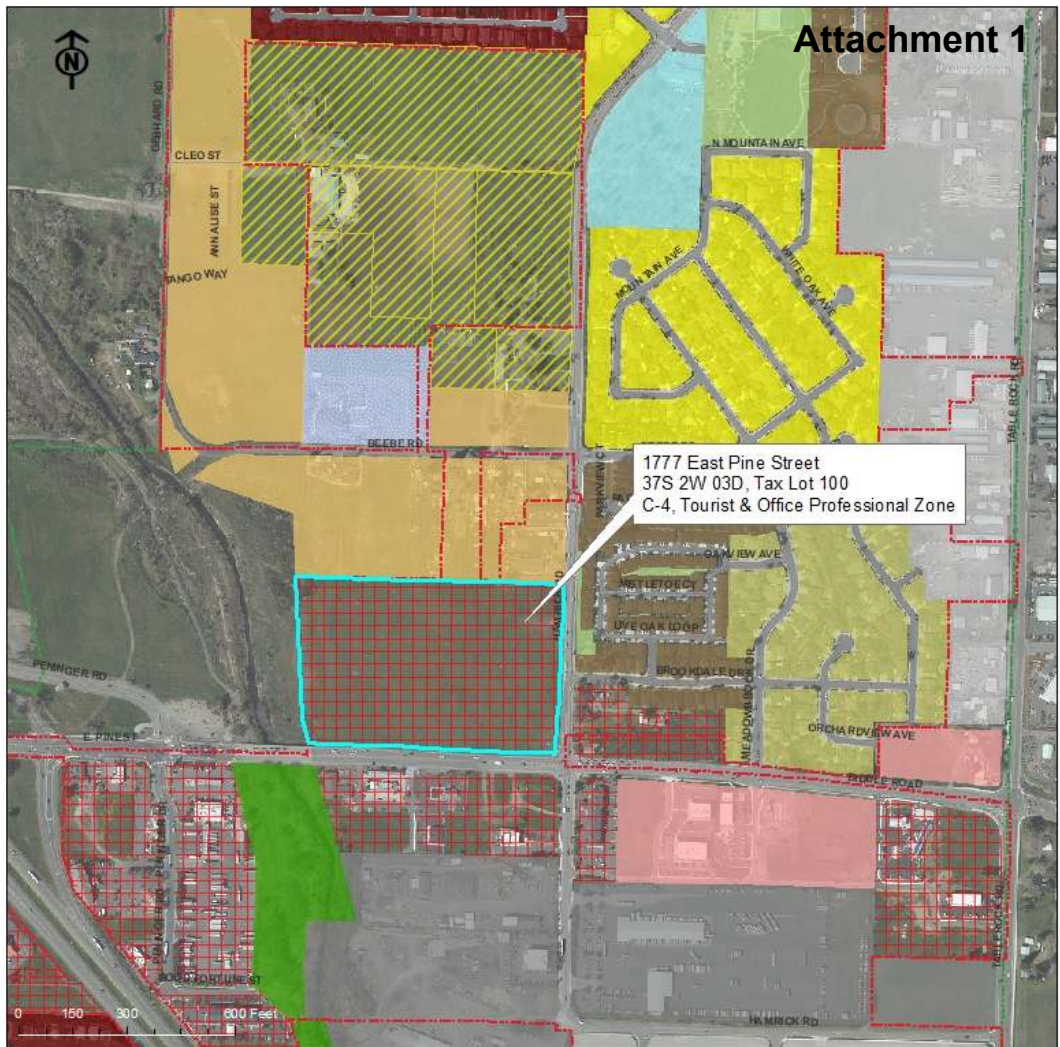
Conduct a public hearing and consider the proposed tentative partition application and 1) approve; 2) approve with conditions; or 3) deny the application.

Recommendation

Staff recommends the Planning Commission approve the tentative partition plan application subject to conditions of approval set forth in the Planning Department Staff Report dated May 7, 2024.

Recommend Motion

I move to approve Resolution No. _____, a Planning Commission Resolution Approving a Tentative Plan to divide a 21.12 acre property at 1777 East Pine Street into two (2) parcels.



Legend

- | | | | |
|---|---|------------------------------------|-----------------------------------|
| Central Business District Overlay | C-5 = Thoroughfare Commercial | LMR = Low Mix Residential (TOD) | R-3 = Multiple Family Residential |
| City Limits | CN = Neighborhood Commercial | ETOD LMR* | R-2 = Two Family Residential |
| Updated UGB (2022) | Civic | M-1 = Industrial | R-1-6 = SF Residential - 6,000 |
| Zoning Districts | ETOD Civic* | M-2 = Industrial General | R-1-8 = SF Residential - 8,000 |
| BCG = Bear Creek Greenway | EC = Employment Commercial (TOD) | MMR = Medium Mix Residential (TOD) | R-1-10 = SF Residential - 10,000 |
| C-2 (M) = Commercial - Medical District | GC = General Commercial (TOD) | ETOD MMR* | R-L = Low Density Residential |
| C-4 = Tourist and Office | HMR = High Mix Residential/Commercial (TOD) | OS = Open Space/ Parks | |



Official Zoning Map

TENTATIVE PARTITION PLAT

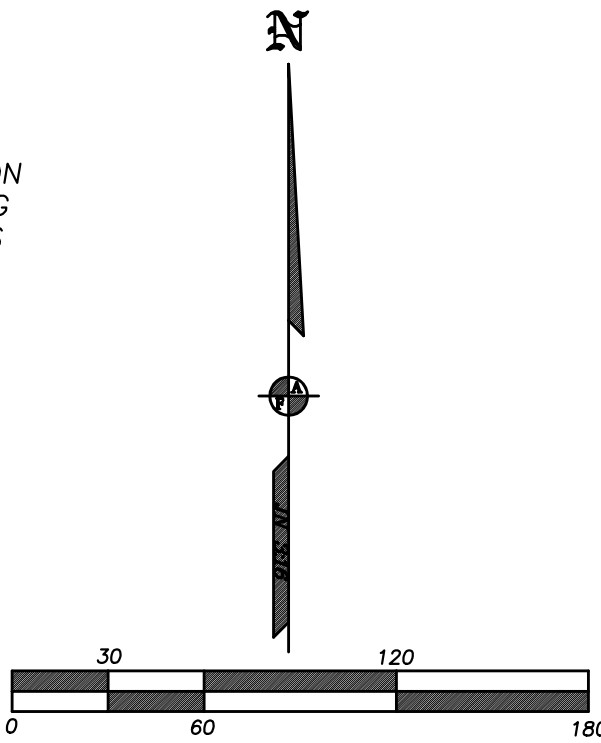
In the S.W. 1/4 of Sec. 1 & in the
S.E. 1/4 of Sec. 2, T.37S, R.2W., W.M.
Jackson County, Oregon

TOPOGRAPHIC LEGEND:

- WM = WATER METER.
WV = WATER VALVE.
FH = FIRE HYDRANT.
ARV = AIR RELEASE VALVE.
-W- = WATER LINE.
SMO = SANITARY SEWER MANHOLE.
SSCO = SANITARY SEWER CLEANOUT.
-SS- = SANITARY SEWER LINE.
-SSL- = SANITARY SEWER LATERAL.
GM = GAS METER.
GV = GAS VALVE.
-G- = GAS LINE.
TEL PED = TELEPHONE PEDESTAL.
-T- = TELEPHONE LINE.
CATV PED = CABLE TV PEDESTAL.
-TV- = TELEVISION LINE.
-OHP- = OVERHEAD POWER LINE.
-UHP- = UNDERGROUND POWER LINE.
-OHU- = OVERHEAD UTILITY LINES.
SDCI = STORM DRAIN CURB INLET.
SDMH = STORM DRAIN MANHOLE.
SDGI = STORM DRAIN GUTTER INLET.
SDCB = STORM DRAIN CATCH BASIN.
-SD- = STORM DRAIN LINE.
C&G = CURB & GUTTER.
VC = VERTICAL CURB.
SW = SIDEWALK.
DW = DRIVEWAY.
AC = ASPHALT CONCRETE.
EP = EDGE OF PAVEMENT.
ER = EDGE OF GRAVEL ROAD.
CC = CONCRETE.
RCP = REINFORCED CONCRETE PIPE/
CMP = CORRUGATED METAL PIPE.
HDPE = HIGH DENSITY POLYETHYLENE PIPE.
IE = INVERT ELEVATION.
FL = FLOW LINE ELEVATION.

EASEMENTS PER TICOR PTR 470321079846 (2021-12-14)

13. UTILITY EASEMENT PER DOC. 95-01094, ORJCO. NO SPECIFIC LOCATION GIVEN IN DOCUMENT. THERE ARE OVERHEAD POWER LINES RUNNING ALONG THE SOUTH & EAST PROPERTY LINES THAT MAY BE THE SUBJECT OF THIS EASEMENT.



LEGEND:

- = FD. COUNTY SURVEYOR'S BRASS CAPPED MONUMENT PER {YEAR} RE-ESTAB'.
- ⊗ = FD. 1.5" IRON PIPE (RECORD 3/4" IRON PIN) PER FS1971, ET. AL.
- = FD. 1" IRON PIPE PER FS1971.
- ⊗ = FD. 1/2" IRON PIPE. SEE FS1971, ET. AL.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. MCMAHAN LS1913 PER FS17883.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. JACKSON COUNTY RDS & PARKS SVC PER FS16996.
- ▲ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. FITCH LS2867 PER FS16038.
- ⊗ = FD. BRASS WASHER MKD. LS1913 & TACK IN LEAD PLUG PER FS17883.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC PER FS21096 OR FS23582.
- = SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.

JCDR = JACKSON COUNTY DEED RECORDS.

ORJCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

C1/L1 = RECORD DATA PER FS17883.

FS = SEE COURSE DATA TABLE.

-X- = FILED SURVEY #.

-X- = FENCE LINE.

RS = RECORD DATA PER JACKSON COUNTY RE-ESTAB'S.

RS = RECORD DATA PER DOC. 2020-049070, ORJCO.

RS = RESET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC. IN POSITION OF DESTROYED MONUMENT PREVIOUSLY TIED BY THIS OFFICE.

BASIS OF BEARINGS:

TRUE NORTH BASED ON G.P.S. MEASUREMENTS APPLIED TO THE EAST LINE OF D.L.C. 55 AS SHOWN.

UNIT OF MEASUREMENT = FEET

SCALE: 1" = 60'

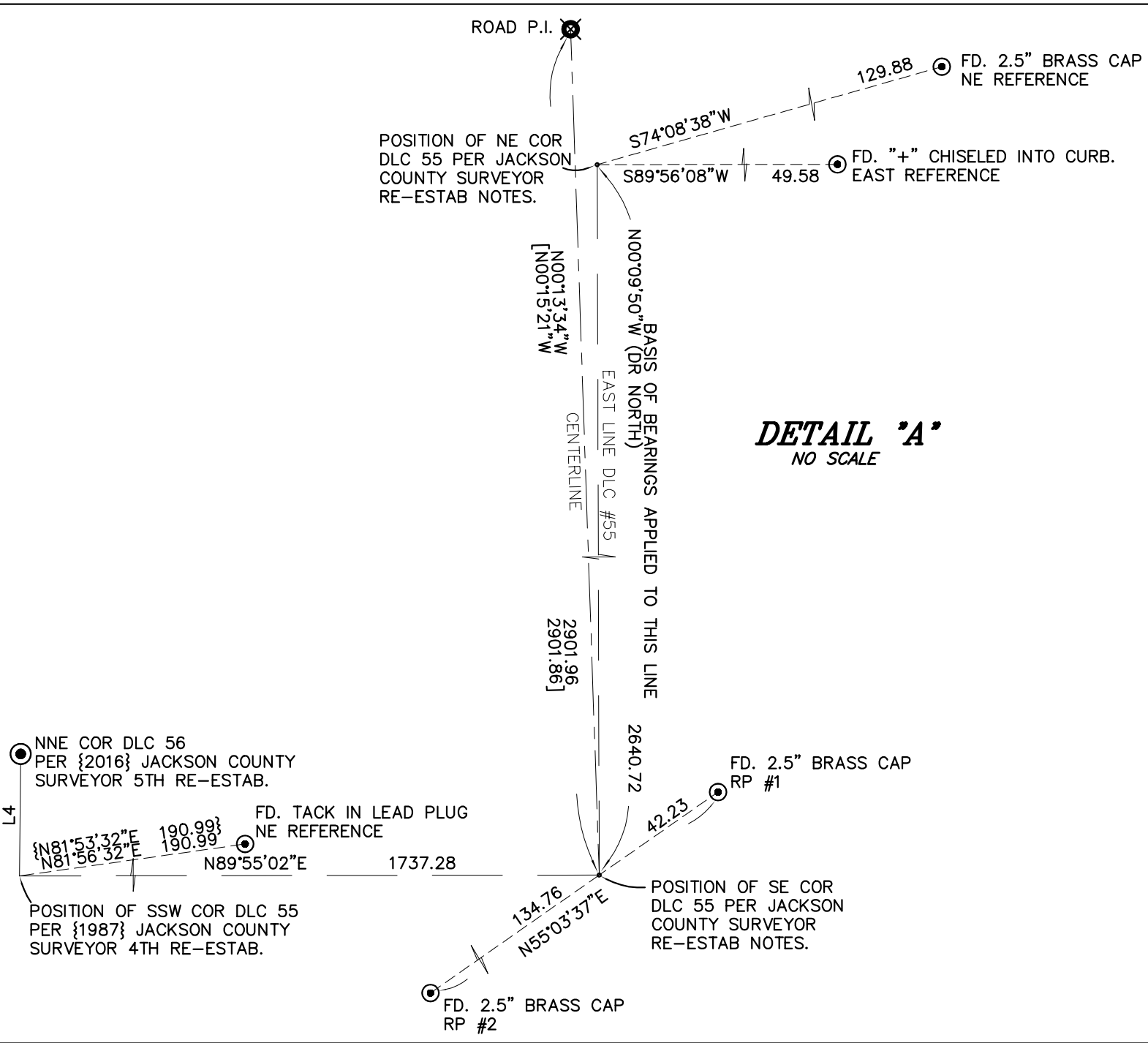
ELEVATION DATUM:

NAVD 1988 BASED ON CITY OF CENTRAL POINT BM #24. BRASS DISK ON THE EAST CORNER OF SDCI, NORTH SIDE OF BEEBE RD AT 2651 BEEBE DR (STAMPED CPE 101). ELEV. 1261.92'.

COURSE DATA TABLE

NUM	DELTA	ARC	RADIUS	CHORD
C1	31°22'45"	109.53	200.00	S74°05'03"W 108.17
C2	31°31'22"	110.04	200.00	N74°09'21"E 108.65

NUM	BEARING	DISTANCE	NUM	BEARING	DISTANCE
L1	N89°06'45"E	31.36	L4	S00°35'30"W	52.10
L2	N88°48'18"E	<31.37>	L5	S00°35'40"W	{52.10}
L3	S00°18'27"W	21.25	L6	S57°45'07"W	53.74
	<SOUTH>	<21.25>		<S57°28'40"W>	<53.75>
	N00°18'27"E	30.65		N89°46'26"E	81.46
	<NORTH>	<30.65>			



REGISTERED PROFESSIONAL LAND SURVEYOR <i>James E. Hibbs</i> OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE: 6-30-25	TITLE: TENTATIVE PARTITION PLAT ASSESSOR'S MAP #: 372W020 TL100 FOR: HAJC 2251 TABLE ROCK RD. MEDFORD, OREGON 97501 L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Medford, OR 97535 Phone: (541) 752-2782 Email: lfriarandassociates@charter.net	DATE: 9 OCT 2023 SCALE: 1 inch = 60 feet CHK BY: JEH ORIGIN: ROTATION: 0° JOB#: 21217FM Sheet 1 of 1.
--	--	--

After Recording, Return to:

Grantor:

Housing Authority of Jackson County
2251 Table Rock Road
Medford, OR 97501

Grantee:

City of Central Point
140 South Third Street
Central Point, OR 97502

RESERVATION OF RIGHT OF WAY

The Housing Authority of Jackson County hereby reserves for future dedication as right-of-way for the future extension of Gebhard Road to the City of Central Point, a municipal corporation of the State of Oregon, the area on, over, and under the following described property:

See Exhibit A

The true and actual consideration for this reservation includes approval of a pending partition plat showing the approximate alignment of the future 76-foot wide future Gebhard Road right-of-way.

See Exhibit B

The City of Central Point hereby accepts this reservation on behalf of the public with the express understanding of the parties that, at the time of the dedication of the right-of-way, the terms of that dedication, including the allocation of cost for development of the right-of-way, will be negotiated and agreed upon by the parties taking into account the level of right-of-way involved and development plans generally. Notwithstanding the foregoing, the City of Central Point recognizes that the development of the right-of-way as a collector level roadway is a qualified capacity increasing transportation improvement for which the City of Central Point will pay just compensation if said roadway is constructed in conjunction with the development of the subject property or, alternatively, if the City opts to construct the road extension as a stand-alone public improvement project prior to actual development of the subject property.

This agreement shall bind and inure to the benefit of the parties hereto, as well as their successors and assigns.

Dated: _____, 2024

HOUSING AUTHORITY OF JACKSON COUNTY

STATE OF OREGON)
) ss
County of Jackson)

On _____ 2024, personally appeared before me _____ who
acknowledged the foregoing instrument to be their voluntary act and deed on behalf of the Housing
Authority of Jackson County.

Notary Public for Oregon
My commission expires: _____

Dated: _____, 2024

CITY OF CENTRAL POINT

STATE OF OREGON)
) ss
County of Jackson)

On _____ 2024, personally appeared before me _____ who
acknowledged the foregoing instrument to be their voluntary act and deed on behalf of the City of
Central Point.

Notary Public for Oregon
My commission expires: _____

Exhibit A

Commencing at a point for the Southeast corner of Donation Land Claim No. 55 in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said point being on the center line of Hamrick Road; thence North 00° 15' 21" West along said centerline, 811.14 feet; thence South 89° 53' 40" West 35.00 feet to a point on the Westerly right of way line of said Hamrick Road, said point being on the Northerly boundary of tract described in Instrument No. 76-04905 of the Deed Records of said Jackson County; disc for the INITIAL POINT OF BEGINNING; thence along said right of way line South 00° 15' 21" East 141.08 feet; thence South 03° 33' 34" West 150.33 feet; thence South 00° 15' 21" East 250.00 feet; thence South 02° 36' 09" West 100.27 feet; thence South 02° 33' 39" West 145.02 feet to a point of intersection with the Northerly right of way line of Pine Street; thence along said Northerly right of way line South 89° 53' 40" West 58.98 feet; thence South 87° 33' 18" West 109.61 feet; thence North 89° 30' 18" West 18.49 feet; thence along the arc of a 11409.15 foot radius curve to the right (the long chord to which bears North 88° 47' 02" West 270.23 feet) an arc distance of 270.24 feet; thence North 88° 06' 20" West 144.10 feet; thence along the arc of a 11509.16 foot radius curve to the left (the long chord to which bears North 89° 06' 20" West 401.73 feet) an arc distance of 401.75 feet; thence South 89° 53' 40" West 65.90 feet; thence North 87° 14' 36" West 74.51 feet; thence leaving said Northerly right of way line North 16° 41' 50" West 115.03 feet; thence North 04° 16' 10" West 659.92 feet to a point on the aforementioned Northerly boundary of tract described in Instrument No. 76-04905; thence North 89° 53' 40" East along said boundary 1243.96 feet to the initial point of beginning.

Excepting therefrom that portion deeded to the City of Central Point, recorded December 23, 2020, document No. 2020-049070, Jackson County Official Records

TENTATIVE PARTITION PLAT
In the SW 1/4 of Sec. 1 & in the
SE 1/4 of Sec. 2, T.37S, R.2W., W.M.
Jackson County, Oregon

[illegible]

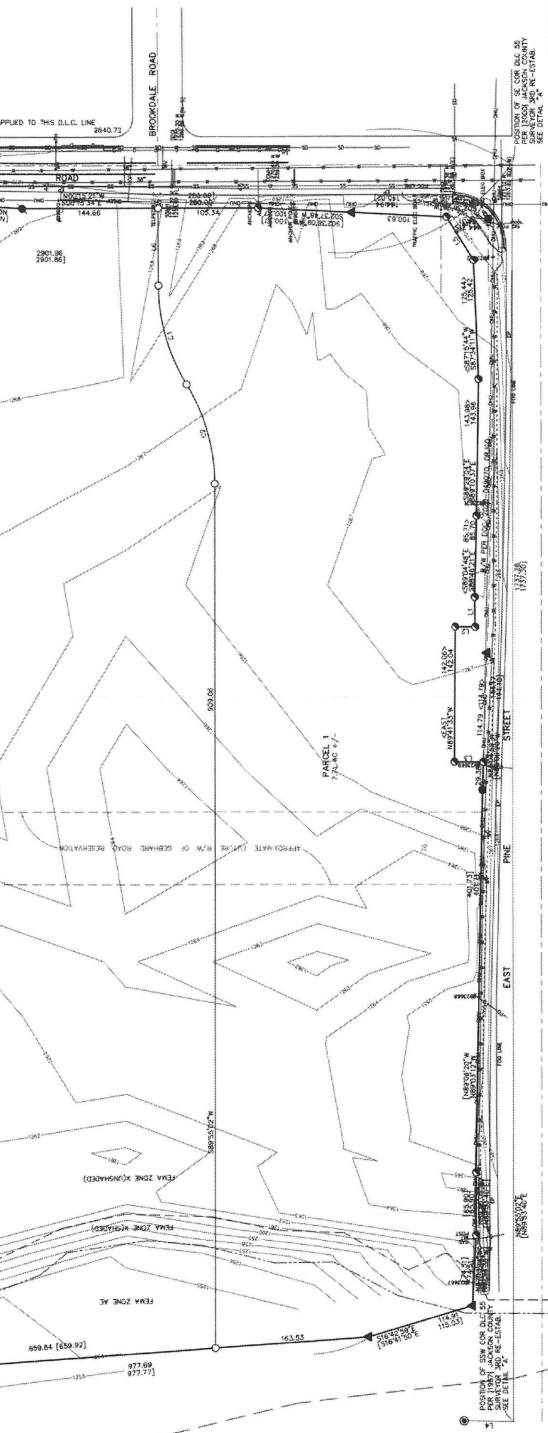
• FD, 5/8" IRON PIN & PLASTIC CAP W/ D. MOHAMMAD L15113 PER F317883.
 • FD, 5/8" IRON PIN & PLASTIC CAP W/ D. JACKSON COUNTY RE-ESTABL.
 • FD, 5/8" IRON PIN & PLASTIC CAP W/ D. JACKSON COUNTY RE-ESTABL.
 • FD, 5/8" IRON PIN & PLASTIC CAP W/ D. FIDEL L25067 PER F316038.
 • FD, BRASS WASHER MOD. L15113 & NUT IN LEAD PLUG PER F317883.
 • FD, 5/8" IRON PIN & PLASTIC CAP W/ D. L.L. FINAR & ASSOC. IN POSITION
 • FD, 5/8" IRON PIN & PLASTIC CAP W/ D. L.L. FINAR & ASSOC. PER F321098 OR F321099
 • SET 5/8" X 2 1/4" IRON PIN & PLASTIC CAP W/ D. L.L. FINAR & ASSOC.

• JACKSON COUNTIES NEED REGIONAL QUANTITY, OREGON.
 • RECORD DATE PER F317883.
 • RECORD DATE PER F317883.
 • PLATED SHIMMER #1.
 • RECORD DATE PER JACKSON COUNTY RE-ESTABL.
 • RECORD DATE PER JACKSON COUNTY RE-ESTABL.
 • SET 5/8" X 2 1/4" IRON PIN & PLASTIC CAP W/ D. L.L. FINAR & ASSOC.
 • SET 5/8" X 2 1/4" IRON PIN & PLASTIC CAP W/ D. L.L. FINAR & ASSOC. PREVIOUSLY TIED BY THIS OFFICE.

BASES OF BEARINGS
 TRUE NORTH BASED ON G.P.S. MEASUREMENTS APPLIED TO THE EAST LINE OF D.L.C. 55 AS SHOWN ON MAP.
 SCALE: 1" = 60'.
 UNIT OF MEASUREMENT = FEET

UNIT OF MEASUREMENT = FEET SCALE: 1" = 60'

ELEVATION DATUM:
NAVD 1988 BASED ON CITY OF CENTRAL POINT BM #24, BRASS DISK ON THE EAST CORNER OF SOCL, NORTH SIDE OF BEEBE RD. AT 2651 BEEBE DR (STAMPED CPE 101).
CPL 1-24-01





CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541.779.0569
Fax 541.779.0114

Raul@CSAplanning.net

March 18, 2024

STEPHANIE HOLTEY, CHPC
Planning Director
City of Central Point, Oregon
140 South 3rd Street
Central Point, OR 97502

Attachment 4

RE: File No. PAR-23002 - Additional Information for HAJC Partition Application

Dear Stephanie:

Thank you for your letter dated October 3, 2023 outlining additional information needed to process the above referenced application - and for your subsequent coordination with us on this matter. The three requested items are addressed here below.

Item 1: Revised Tentative Partition Plan. Your letter stated that in accordance with CPMC 16.10.050(A) the tentative plan is required to illustrate required or proposed streets. Specifically, the code section states that tentative plan is to include "Streets, showing location, width, proposed names, approximate grades and approximate radii of curves and the relationship of all streets to any projected streets as shown of any development plan adopted by the city." Although applicant does not propose to create any new streets in conjunction with this minor partition, your letter pointed out that the City's TSP identifies two projects related to the extension of Gebhard Road - a city collector - through the subject property. One is the road extension itself (stated in the TSP to be an approximate alignment), and the other is a related traffic signal that is planned to be provided at its future intersection with East Pine Street. The TSP states in relation to the Gebhard Road Extension (Section 7.2.2.2(3)) that the road is expected to be improved as the area develops. No development is currently proposed in conjunction with this partition request. The current application objective is to separate out the area that will be zoned for high density residential use (Parcel 2) pursuant to the City initiated zone change from the portion (Parcel 1) that will continue to be zoned C-4. However, applicant has agreed to record a right-of-way reservation agreement which will be shown on the final plat - and has revised the tentative plan accordingly (enclosed as revised Applicant's Exhibit 9 - one copy with topographical contours and one without). A draft ROW reservation agreement is also included to be Applicant's Exhibit 12 which outlines the proposed reservation terms. The final version to be coordinated with the City will be updated to cross-reference the TSP and the alignment can be further refined for final form prior to execution and recordation. The related TSP provisions for that project that you forwarded are enclosed as well for inclusion as Applicant's Exhibit 11.

Item 2: Findings. You requested that the Findings be updated to reflect the applicant's preferred timing for right-of-way dedication and construction in sufficient detail for the Public Works Department to evaluate right-of-way adequacy relative to the Public Works Standards Specifications for Collector Street Standards. No new collector street is proposed to be constructed in conjunction with this minor partition application. However, we did coordinate with Matt Samitore (Parks and Public Works Director) regarding the future Gebhard Road right-of-way alignment and dimensions and were advised that the proposed ROW reservation should be 76-feet in width and shown straight through to the north property line from East Pine Street. The same are shown on the revised tentative plan and proposed ROW reservation agreement - with the reserved alignment noted as "approximate". The City has not provided specific



turn radii or the exact location that will be needed for the curve inflection, and Applicant has no specific development plans proposed at this time. Consistent with the TSP, the final alignment should be worked out concurrent with actual property development (or alternatively as part of a city construction project should the city choose to proceed with that project in advance of private property development). Provisions are included in the draft agreement for the city to opt to proceed on its own should it elect to do so. We also requested that Public Works identify any additional right-of-way need along Hamrick Road and East Pine Street as those are arterials with variable configuration and width options. We received no response requesting that any additional right-of-way be dedicated along those streets. Also included with this response is a letter from Jennifer Nicholls, Applicant's Legal Counsel, providing a legal opinion on the matter of exactions and the appropriateness of the proposed ROW reservation agreement in lieu of exacting new street improvements with this minor partition application. Revised findings as requested are also enclosed to replace Applicant's Exhibits 2 and 3.

In accordance with ORS 227.178(3), please deem the application complete as all information requested has hereby been provided.

Very truly yours,

CSA Planning, Ltd.

A handwritten signature in blue ink, appearing to read "R. Woerner". The signature is fluid and cursive, with the first letter "R" being particularly large and stylized.

Raul Woerner

Exhibit 1



Tentative Plan Application

140 South 3rd Street
Central Point, OR 97502
541.664.3321
www.centralpointoregon.gov

APPLICANT INFORMATION

Name Eric Hill, Development Specialist
Company Housing Authority of Jackson County (HAJC)
Address: 2251 Table Rock Road
City Medford State OR Zip code 97501
Email ehill@hajc.net
Telephone (Primary) _____ (Secondary) _____

AGENT INFORMATION (Owner's consent required)

Name Raul Woerner
Company CSA Planning Ltd
Address: 4497 Brownridge Ste 101
City Medford State OR Zip code 97504
Email raul@csaplanning.com
Telephone (Primary) 541-779-0569 (Secondary) _____

PROPERTY OWNER INFORMATION

Name _____
Company Housing Authority of Jackson County
Address: 2251 Table Rock Road
City Medford State OR Zip code 97501
Email _____
Telephone (Primary) _____ (Secondary) _____

PROJECT DESCRIPTION

Project Name: Housing Authority of Jackson County (HAJC)
Map & Tax Lot(s): 37-2W-02D TL100
Site Address(es): 1777 E. Pine St.
Gross Acreage: 21.12 Existing Right-of Way Acreage: _____
Zoning District: C-4 Proposed Right-of-Way Acreage: _____
Proposed Lots or
Parcels: 1 Environmental Acreage (i.e.
floodplain, wetlands, riparian): N/A
Existing No.
Dwelling Units: 0 Proposed No. Dwelling Units: 0

Site Plan Review & Architectural Review Application Form
[\\cpc\Planning\NewForms\LandUseApplications](http://\cpc\Planning\NewForms\LandUseApplications)
Updated: 9/28/2022

PRE-APPLICATION CONFERENCE (Recommended for Type II and required for Type III applications.)

File No. _____ Date: _____

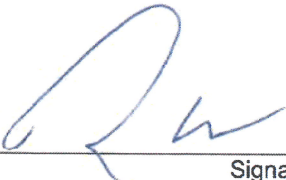
APPLICATION CHECKLIST

Applications shall include all of the following submittals:

- ☐ Application Form (Signed)
- ☐ \$3,100 Application Fee
- ☐ Legal Description
- ☐ Preliminary title report
- ☐ Property Owner Consent Form for agent authorization (if applicable)
- ☐ Tentative Plan per CPMC 16.10
 - o Three (3) copies drawn to scale
 - o One reduced paper copy (8 ½ " x 11")
 - o PDF emailed to planning@centralpointoregon.gov
- ☐ Mailing labels for property owners within 250-feet of project site perimeter

I HEREBY STATE THAT THE FACTS RELATED IN THE ABOVE APPLICATION AND THE ENCLOSED PLANS AND DOCUMENTS ARE TRUE, CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

☐ Property Owner ☒ Authorized Agent



Signature

9-19-23

Date

FOR OFFICE USE ONLY

Date Received: _____

File No. _____

Date Accepted as Complete: _____

120-day Rule Date: _____

LIMITED SPECIAL POWER OF ATTORNEY

AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Tax Lot 100 of Jackson County Assessor map 37-2W-02D.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of Housing Authority of Jackson County, the owner of the above described real property, and, by this instrument, owner does hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Central Point as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned owner and/or applicant and shall expire on December 31, 2024, but may be extended by the mutual consent of the parties.

Done and dated this 14th day of August, 2023.

Housing Authority of Jackson County

Eric Hill

Authorized Representative

**BEFORE THE COMMUNITY DEVELOPMENT DIRECTOR
FOR THE CITY OF CENTRAL POINT
STATE OF OREGON**

IN THE MATTER OF A REQUEST FOR A)
REVIEW OF A TENTATIVE PLAN FOR A)
PROPOSED MINOR LAND PARTITION)
WHICH WILL DIVIDE AN EXISTING)
21.12 ACRE PARCEL INTO TWO)
PARCELS HAVING 7.71 AND 13.62)
ACRES EACH. THE SUBJECT TRACT)
IS LOCATED AT 1777 EAST PINE)
STREET, BEING SITUATED ALONG)
THE NORTHWEST CORNER OF THE)
INTERSECTION OF EAST PINE ROAD)
AND HAMRICK ROAD AND)
IMMEDIATELY EAST OF THE BEAR)
CREEK GREENWAY. THE PROPERTY)
IS WITHIN THE CITY OF CENTRAL)
POINT AND IS MORE SPECIFICALLY)
IDENTIFIED AS TAX LOT 100 IN)
TOWNSHIP 37 SOUTH, RANGE 2 WEST)
(WM), SECTION 02D.)

Applicant/Owner: Housing Authority of)
Jackson County (HAJC))

Agent: CSA Planning, Ltd.)

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

Applicant's Exhibit 2

I

NATURE OF THE APPLICATION

The applicant, Housing Authority of Jackson County, seeks approval of a tentative minor partition plan to create two parcels from an existing 21.12 acre parcel located at the northwest corner of the East Pine Street and Hamrick Road intersection and immediately east of the Bear Creek Greenway.

The proposed partition line will run parallel with E. Pine Street to create a southerly northerly "Parcel 2". Parcel 1 will front along Hamrick Road to the east. Parcel 2 will also front on Hamrick Road to the east as well as along East Pine Street to the south. The entire property currently is designated as *Employment Commercial* on the General Land Use Plan (GLUP) map and zoned C-4 (*Tourist and Office Professional*).

The objective of this application is to separate out the northerly area which is anticipated to be redesignated and zoned by the City as high-density residential land from the southern portion which is expected to retain its current commercial designation and zoning.



No new streets are proposed to be created in conjunction with this minor partition application. However, Applicant agrees to record a right-of-way reservation agreement for the planned future extension of Gebhard Road (per the City's adopted Transportation System Plan) as a minor collector street (with 76-foot wide ROW) which will be noted on the final partition plat.

II

EVIDENCE SUBMITTED WITH THE APPLICATIONS

Applicant herewith submits the following evidence with its land use application:

- Exhibit 1.** Completed application forms and Duly Executed Limited Powers of Attorney from Applicants and Owners authorizing CSA Planning, Ltd. to act on their behalf.
- Exhibit 2.** These proposed findings of fact and conclusions of law, demonstrating how the application complies with the applicable substantive criteria of Central Point's Land Development Ordinance
- Exhibit 3.** Applicants' Demonstration of Compliance with Applicable Development Standards
- Exhibit 4.** Jackson County Assessor Plat Map 37-2W-02D
- Exhibit 5.** Central Point Comprehensive Plan and Use Map
- Exhibit 6.** Central Point Zoning Map on Aerial Photo
- Exhibit 7.** Topography Map
- Exhibit 8.** Hydrology Map
- Exhibit 9.** Tentative Partition Plats, *L.J. Friar & Associates P.C.*
- Exhibit 10.** Warranty Deeds and Survey
- Exhibit 11.** City of Central Point Transportation System Plan excerpts related to Gebhard Road plans.
- Exhibit 12.** Draft Reservation of Right of Way Agreement for Future Gebhard Road Extension.
- Exhibit 13.** Letter from Jennifer E. Nicholls (HAJC's Legal Counsel)

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which an application for a partition must be considered are in Section 16.10 of the Central Point Zoning Ordinance (“CPZO”) is recited verbatim below. The relevant approval criteria are recited verbatim below, and again in Section V where each criterion is followed by the conclusions of law:

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

MINOR LAND PARTITION REVIEW CRITERIA

Chapter 16.10 TENTATIVE PLANS

MAJOR AND MINOR LAND PARTITIONS

16.36.030 Requirements.

- A. All major and minor land partitions may, as a condition of approval, provide for improvements including curbs, gutters, asphalt streets, sidewalks, underground utilities and such other improvements as shall be deemed appropriate and necessary by the city council as a condition of approval, with all such improvements to meet the standards required for subdivisions under this title.
- B. In the case of major partitions, all streets or roads shall be improved to meet the standards required for subdivisions under this title, and shall be dedicated to the city in the same manner as subdivision roads and streets.
- C. Partition improvements shall be constructed prior to approval of the final partition plat unless, in the city's sole discretion, deferral is allowed. In all cases of deferral, the applicant shall either execute an agreement for improvements and comply with the bond requirements of Section 16.12.070 and 16.12.080 of this title, or shall execute a deferred improvement agreement, which shall be in a form and contain such terms as are specified by city and shall be recorded and be binding upon and run with the land and bind the applicant and all successors in interest

IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Ownership/Applicant:** Tax Lot 100 is owned in fee simple by Housing Authority of Jackson County. Agent CSA Planning, Ltd. is submitting this application on behalf of the owner.
2. **Location:** The subject property is located on the Northwest corner of E. Pine Street and Hamrick Road intersection. The property is identified as Tax Lot 100, Township 37 South, Range 02 West (W.M.), Section 02D. The site address is 1777 E. Pine Street, Central Point, OR. See, Exhibit 4.

3. **Parcel Size:** Tax Lot 100 currently has 21.12 acres. *See*, Exhibit 4.
4. **Comprehensive Plan Map Designation:** Designated *Tourist and Office Professional*. *See*, Exhibit 5.
5. **Zoning Map:** Zoned C-4 Tourist and Office Professional. *See*, Exhibit 6.
6. **Topography Map:** The property is essentially flat vacant land with a slight slope, less than 5%, towards the westerly edge of the property to the fringe of Bear Creek which is further to the west as shown on the Hydro Features Map. *See*, Exhibits 7 and 8.
7. **Existing Frontage and Access:** The subject property's frontage and access is currently along E. Pine Street on the southern boundary. E. Pine Street is classified as an Intermodal Connector¹ according to the Central Point Transportation Functional Classification Map and is also classified as a Major Freight Route on the CPTSP Freight Route Plan. Hamrick Road borders the east side of the property and is classified as a Minor Arterial. There also exists a 30-foot wide right-of-way adjacent to the north of the subject property line that extends 299 feet west from Hamrick Road and northeast corner of the subject tract. No public street improvements have yet been constructed within that right-of-way. A private driveway serving a residential treatment facility at 4439 Hamrick Road (Maplot No. 372W01CB-900) presently connects through that right-of-way.
8. **Proposed Frontage and Access:** The proposed land division will divide Tax Lot 100 into two large parcels of land with the division line running east-west in parallel to E. Pine Street. The frontage and access from the parcel to the north could be taken from Hamrick Road, an arterial street, or the planned street to extend Brookdale Drive along the proposed property lines; actual access configurations will be determined as part of future development plan review. The frontage and access from the parcel to the south parcel could be taken from Hamrick Road, an arterial street, or East Pine Street, an arterial street, or the planned street to extend Brookdale Drive² along the proposed property lines; actual access configurations will be determined by a TIA as part of future development plan review. The partition is designed to accommodate further extension of Brookdale Drive from east to west with future center line corresponding to the proposed common property line. Also, Applicant proposes and agrees to record a reservation of right-way for a 76-foot wide planned future collector road extension for Gebhard Road through the property from the north to south where it will intersect with East Pine Street approximately 700 feet west of Hamrick Road in accordance with the City's adopted Transportation System Plan (Section 7.2.2.2 Year 2020 Roadway Deficiencies). *See*, Exhibit 9B (Revised Tentative Partition Plan), Exhibit 11 (CPTSP – Gebhard Road Info) and Exhibit 12 (proposed/draft ROW Reservation Agreement for Gebhard Road extension).
9. **Lot Legality:** The Subject Property was created May 11, 1962 in its current configuration through Warranty Deed, Volume 526, Page 132. The Subject Property has since been further modified at the southeast corner and along the southeast frontage on E. Pine Street

¹ "The U.S. Department of Transportation identifies Pine/Biddle between I-5 and Hwy 62 as an intermodal connector. This stretch of arterial street is referred to as the Rogue Valley International Airport intermodal connector. It is described as an Airport Intermodal connector connecting I-5 and Hwy. 62 with the Airport. The identification of intermodal connectors, their role in the community's transportation and economic system, and the investment needs necessary for their efficient operation throughout the planning period are deserving of special acknowledgment." City of Central Point Transportation System Plan 2030 (Page 20).

² In the Pre-Application Conference Report, the City stated that the Brookdale Access at its intersection with Hamrick Road will be limited to right-in/right out due its proximity to the Hamrick/East Pine intersection.

to accommodate Hamrick Road and the right of way access on E. Pine Street, approximately 11,741 square feet, more or less. This portion was conveyed to the City of Central Point by Warranty Deed 20-049070, on June 15, 2020. Survey 23582. *See*, Exhibit 10.

10. Existing Development: The property is currently vacant.

11. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The stretch of Biddle Road/East Pine Street ("BR/EPS") that is east of the Interstate-5 in Central Point is an employment area with a mix of commercial uses right along BR/EPS on the south side with some industrial uses further to the south. Except for a small portion of a larger residential near Meadowbrook Drive and Orchard View Avenue, the north side of BR/EPS is primarily undeveloped employment designated property; further to the north is the Jackson County Expo (fairgrounds), the Central Point East residential area, and some legacy County development patterns. There are a mix of developed and undeveloped properties between the interstate and Table Rock Road.

East: To the east, across Hamrick Road is a planned and zoned for residential use area with a residential subdivision, Central Point East. The three parcels on the northeast corner of Hamrick and E. Pine Street, are single-family dwellings and are underdeveloped in relation to its plan designation. The properties are planned Tourist and Professional Office and are zoned C-4. Further east past Central Point East Subdivision are several Light Industrial zoned properties abutting Table Rock Road.

North: Abutting the northwest boundary line of the Subject Property is an approximately 9 acre farm, zoned EFU, known as Beebe Farms. Abutting the northeast portion are five approximately 1-acre parcels, with residential dwellings. These five lots, along with Beebe Farms are accessed from Beebe Road to the north. The Restoration Center (a residential treatment facility) is on a .74 acre commercial parcel located at the northeast corner of the Subject Property with Hamrick Road frontage. Beyond that are additional residential dwellings along with a newly constructed apartment building fronting Hamrick Road. Four of the properties to the north have been annexed into the City of Central Point and are zoned MMR. The other properties are located in Jackson County and zoned RR2.5. Further beyond Beebe Road are several properties located in Central Point city limits and are zoned MMR and Civic.

South: Across E. Pine Street to the south is a commercial multi-tenant office building, Bear Bridge Plaza, consisting of Open Door Dentistry, Sweet Tea Express, and Soundscapes Hearing Aids. East of the plaza on E. Pine Street is Sonic Drive-In and Umpqua Bank. Southeast across E. Pine Street and at the southwest corner of E. Pine Street and Hamrick Road are three vacant lots. Further south are Jackson County Justice Court, Southern Oregon Spine & Rehab and a road maintenance yard. At the southeast corner of Hamrick Road and E. Pine Street is Super 8 Hotel. All the above referenced properties have a Comprehensive Plan Map of Tourist and Professional Office and are zoned C-4. Beyond these properties to the south is General Industrial and zoned M-2.

- West:** Directly to the west bordering the subject property is Bear Creek and Bear Creek Greenway. Beyond that is approximately 17 acres of bare land, The Rogue Valley Family Fun Center, Peninger Road and Interstate 5. The Urban Growth Boundary runs along the west property line along Bear Creek Greenway.
- 12. Water Facilities and Services:** A 12" waterline is located at the south property line along the utility easement that runs along East Pine Street. A 16" waterline is located in Hamrick Road on the east side of the property according to the Central Point Waterlines map. These water facilities are available for connection.
- 13. Sanitary Sewer Facilities and Services:** A 12" sewer line runs along the south property line on East Pine Street according to the Central Point Storm Drain System map. The sewer facilities are available for connection.
- 14. Power and Natural Gas:** Power is available from Pacific Power and underground gas is available from Avista Utilities and are available for connection. Overhead power lines run along the south and east property lines.
- 15. Fire and Police Protection:** The subject properties are located within and are served by Fire District No. 3.
- 16. Wetlands, Streams and floodplain:** The subject property does not contain any jurisdictional wetlands per Jackson County GIS Services. The subject property does not contain any streams or floodplains per Jackson County GIS Services.
- 17. Storm Drainage Facilities and Services:** Underground storm drainage lines are located in E. Pine Street and in the access easement and utility area on the south portion of the property. These storm drain lines are available for connection.
- 18. Proposed Partition:** Applicant is proposing a two-parcel minor partition. The partition will split Tax Lot 100 parallel with E. Pine Street in the east-west direction into two parcels. Parcel 1 will be approximately 7.71 acres and Parcel 2 to be approximately 13.62 acres. The proposed partition is designed to accommodate further extension of Brookdale Drive from east to west from Hamrick Road with the future centerline of Brookdale Drive along the proposed partition line. A new street is also contemplated along the north line of the subject property, also east to west, which will then connect to Gebhard Road which is planned by the City to extend from the north through approximately the center of the subject property to East Pine Street (as per the adopted TSP street plan). This request for approval is for the minor partition only as no new streets are currently proposed to be created. Any new street improvements are proposed to be deferred to future development and further land division. Applicant proposes to record a right-of-way reservation agreement for the future extension of Gebhard Road as a 76-foot wide minor collector through the subject property as is planned in the City's adopted Transportation System Plan and will record the agreement and note same on the final plat when filed for City approval. *See*, Exhibit 12 – proposed draft ROW reservation agreement. Applicant also stipulates to agree to accept reasonable conditions of approval requiring future public improvements (streets, water, sewer, storm drainage, dry utilities) along the project street frontages and the creation future public streets within the properties as part of future land development or further land division.

V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are reached under each of the relevant substantive criteria which are recited verbatim and addressed below. The conclusions of law are supported by Applicants' evidentiary exhibits at Section II – including Applicants' review of applicable development standards (Exhibit 3) and the findings of fact as set forth in Section IV herein above.

APPROVAL CRITERIA FOR PARTITION

**Chapter 16.36
MAJOR AND MINOR LAND PARTITIONS**

16.36.030 Requirements.

- A. All major and minor land partitions may, as a condition of approval, provide for improvements including curbs, gutters, asphalt streets, sidewalks, underground utilities and such other improvements as shall be deemed appropriate and necessary by the city council as a condition of approval, with all such improvements to meet the standards required for subdivisions under this title.

Conclusions of Law: This section states that the City “may” require such improvements as a condition of approval but does not state that the City must do so with each and every land partition. Applicant’s proposed division of a 21.2 acre vacant parcel into a 7.71 acre “Parcel 1” and a 16.62 acre “Parcel 2” is at this time with the objective of separating out the portion that will be rezoned for high density residential use (Parcel 2) from the portion that will remain zoned for commercial use (Parcel 1). Applicant proposes that public facility improvements not be required at this time but rather in the future concurrent with actual development projects. Applicant is an affordable housing agency which does not develop commercial projects. As such, the commercial tract must be conveyed to others to develop. As no development is currently proposed, requiring the Applicant to improve approximately 2,000 feet of existing arterial street frontages and/or to dedicate and/or construct a new 76-foot wide collector street through the property (TSP Planned Project for Gebhard Road – See Applicant’s Exhibit 11) approximately 800 feet in length would be entirely out of proportion to any benefit the property owner would receive and would be out of proportion from any resulting impact (which applicant holds to be non-existent in the absence of a development proposal) that the proposed division would have on public facilities. *See*, Exhibit 13 – Letter from Applicant’s Legal Counsel.

Applicant does offer to reserve right of way for the City’s planned project to extend Gebhard Road through the subject property as a Collector street. *See*, Exhibit 11. Its future intersection with E. Pine Street is also planned in the TSP to be signalized. As described in the TSP (Section 7.2.2.2), the proposed routing and alignment of the Gebhard Road extension is expected to be improved as the area *develops*, and that the specific alignment of Gebhard Road may be further refined as needed but will generally follow the routing as illustrated in Figure 7.1.1. Applicant offers to record a right-of-way reservation agreement (*See*, Exhibit 12) which will be shown on the final plat for the 76-foot wide approximate future right-of-way of

Gebhard Road. Consistent with the TSP, the specific alignment of Gebhard Road can be further refined. The reservation as shown generally follows the route shown in the TSP although it is understood that the roadway is to begin a wide westward curve as it approaches the north extent of the subject property. Applicant did ask the City's Public Works Director to indicate where specifically the westward curve of the ROW should commence, and at what radius. The response given was to just show the street extending straight to the north property line – and the same is shown for the proposed agreement and the revised tentative plan. The reservation as shown on the tentative plan is labeled “approximate” with the understanding that final alignment will be worked out at the time of development.

Applicant's proposal will ensure that the City's planned connection of Gebhard Road through the subject property can be completed and the proposed timing is consistent with the stated policy 12.1.2 in the TSP to require those responsible for new development to mitigate their development's impacts to the transportation system *concurrent with the development of the property*.

The Director can conclude this is a minor land partition that does not create any new streets, all resulting lots will continue to have significant frontage on public streets, and all required public improvements will ultimately be provided.

- B. In the case of major partitions, all streets or roads shall be improved to meet the standards required for subdivisions under this title, and shall be dedicated to the city in the same manner as subdivision roads and streets.

Conclusions of Law: The Community Development Director concludes that the proposed partition is a minor partition because it does not seek to create any new public streets to serve the resulting lots. As such, subsection B is not implicated by this application.

- C. Partition improvements shall be constructed prior to approval of the final partition plat unless, in the city's sole discretion, deferral is allowed. In all cases of deferral, the applicant shall either execute an agreement for improvements and comply with the bond requirements of Section 16.12.070 and 16.12.080 of this title, or shall execute a deferred improvement agreement, which shall be in a form and contain such terms as are specified by city and shall be recorded and be binding upon and run with the land and bind the applicant and all successors in interest.

Conclusions of Law: No new streets are proposed or required for a minor partition application in accordance with subsection B here above. As such, there are no improvements that must be constructed prior to final partition plat under this criterion. Applicant has also agreed to accept reasonable conditions of approval with respect to all required improvements and reservations for future rights-of-way and has stipulated to record a ROW reservation agreement for future extension of Gebhard Road. Accordingly, this section is found to be met.

VI

Applicant's Stipulations

As set forth in the foregoing findings of fact and conclusions of law, the Applicant will accept reasonable conditions of approval for the creation of future rights-of-way and future public improvements as follows:

1. Applicant will accept reasonable conditions of approval creating right-of-way reservations for the creation of new future rights-of-way and/or right-of-way dedications along East Pine Street and Hamrick Road as part of the final plat. Applicant's proposed right-of-way reservation agreement for future extension of Gebhard Road through the property (Exhibit 12) shall, upon final form being approved and signed by both parties, shall be recorded and shown on the final plat when filed.
2. Applicant will accept reasonable conditions of approval requiring future public improvements (streets, water, sewer, storm drainage, dry utilities) along the project street frontages and within the creation future public streets within the properties as part of future land development or further land division. At the conclusion of the land use proceedings, Applicant agrees to distill and incorporate these public improvement conditions into a deferred improvement agreement acceptable to the City of Central Point and record the deferred improvement agreement against both resulting parcels at the time of final plat.

VII

ULTIMATE CONCLUSIONS; DECISION

Based upon the record and the foregoing findings of fact and conclusions of law, it is concluded that the applications for Tentative Plan Approval for Minor Partition are consistent with the requirements of all of the relevant substantive approval criteria which have been addressed hereinabove.

Respectfully submitted on behalf of Applicants and Property Owners.

CSA Planning, Ltd.



Jay Harland
Principal

August 28, 2023



Revised by Raul Woerner
Principal

March 17, 2024



APPLICANT'S EXHIBIT 3 (Revised 3/17/2024)

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

The relevant approval standards applicable to limited land use decisions are recited verbatim below followed by findings to establish compliance with the same:

CITY OF CENTRAL POINT ZONING ORDINANCE (CPZO)

Title 16 Subdivision Standards

16.20.010 Creation of streets.

- A. Streets created by subdivisions and partitions shall be designed and constructed in conformance with the requirements of the city's comprehensive plan, this code, the city's public works standards, and all conditions established by the city.
- B. The construction of streets shall include subgrade, base, asphaltic concrete surfacing, curbs, gutters, sidewalks, storm drainage, street signs, street lighting, and underground utilities.
- C. All streets, including the entire right-of-way necessary for the installation of the items mentioned in the preceding paragraph, shall be dedicated to the city. (Ord. 1684 §10, 1993; Ord. 1650(part), 1990).

Compliance Discussion: The above standards are design standards that apply when streets are to be created in conjunction with land division. No streets are proposed to be created by this minor partition application. The proposed minor partition will create two large resulting parcels that are configured to allow improvement of existing street frontages and the creation of new streets within the resulting lots as part of future development of the site. Future development can feasibly and will comply with the above requirements.

16.20.020 Streets--Generally.

The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions as they relate to drainage and the operation of the water, sewer systems, to public convenience and safety and their appropriate relation to the proposed use of the land to be served by such streets. Where location is not shown in a development plan, the arrangement of streets in a subdivision shall either:

- A. Provide for the continuation or appropriate projection of existing streets in surrounding areas; or
- B. Conform to the plan for the neighborhood approved or adopted by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical. (Ord. 1650(part), 1990).

Compliance Discussion: No new streets are proposed to be created at this time. However, the proposed minor partition plan is configured to accommodate the projection of the existing Brookdale Drive across Hamrick Road from the east to west along the proposed partition line. Also, Applicant offers to record an agreement to reserve a 76-foot wide right-of-way for the City's planned extension of Gebhard Road as a collector street through the subject property from the north to south at its future intersection with East Pine Street (approximately 700 feet west of the Hamrick Road intersection). The reservation will be shown on the final partition plat with the recorded instrument number noted. The proposed partition configuration will also accommodate the future street extension along the north line consistent with partial right-of-way already dedicated adjacent to the northeast corner of the tract (conveyed by O.R. 2012-21489). As such, the proposed partition will



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Partition

Applicant: Housing Authority

not interfere with the appropriate circulation and connectivity for future development. Further division and future development plan will be subject to review and approval by the City to assure that its connectivity standards are met concurrent with actual development of the property.

16.20.090 Streets--Names.

No street name shall be used which will duplicate or be confused with the names of existing streets except for extensions of existing streets. Street names and numbers shall conform to the established pattern in the city and the surrounding area and shall be subject to the approval of the city. (Ord. 1650(part), 1990).

Compliance Discussion: The proposed minor partition will not create any new streets as part of this approval. Accordingly, the new street naming standards are not implicated at this time.

16.20.130 Sidewalks.

Sidewalks shall be constructed in accordance with such standards as are adopted by the city. Sidewalk construction shall be completed on each individual lot prior to the city building inspector granting a certificate of occupancy for any construction upon said individual lot. No application for a building permit shall be granted without a requirement in the building permit for construction of sidewalks to city's standards.

Compliance Discussion: No development is proposed at this time. Sidewalks will be completed, in accordance with this section, prior to granting of a certificate of occupancy for an construction upon a lot for which development is proposed in the future.

16.24.010 Blocks--Length, width and shape.

The lengths, widths and shapes of blocks shall be designed with due regard to providing adequate building sites suitable to the special needs of the type and use contemplated, needs for convenient access, circulation, control and safety of street traffic and limitations and opportunities of topography. (Ord. 1997 §2(part), 2014; Ord. 1650(part), 1990).

Compliance Discussion: There is no development proposed at this time. The proposed parcel configuration anticipates that the north will be developed in the future for high density residential and/or mixed use development and that the southern parcel will be developed with commercial uses. The proposed parcels are configured to accommodate further division and development for the anticipated uses appropriate for the area. The Gebhard Road right-of-way reservation for its future extension will result in easterly blocks approximately 700 feet in length to Hamrick Road and westerly blocks (bound by the Bear Creek Greenway to the west) approximately 520 feet in length. Blocks from the north property line to the future Brookdale Drive extension will be approximately 495 feet long, and the southerly blocks will be approximately 280 feet long (to existing ROW line for East Pine Street).

16.24.020 Blocks--Sizes.

Blocks shall not exceed twelve hundred feet in length except blocks adjacent to arterial streets or unless the previous adjacent layout or topographical conditions justify a variation. The recommended minimum distance between intersections on arterial streets is three hundred feet. (Ord. 1997 §2(part), 2014; Ord. 1650(part), 1990).

Compliance Discussion: The proposed partition will create two parcels with frontage on Hamrick Road, both parcels are well below the 1200 foot maximum block length. Parcel 1 will be approximately 280 feet wide and Parcel 2 will be approximately 490 feet wide. The future



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Partition

Applicant: Housing Authority

intersection at Hamrick Road when Brookdale Drive is extended will be approximately 350 feet from the Hamrick Road and East Pine Street intersection. Depth of the parcels from Hamrick Road to the Bear Creek Greenway varies given the northwesterly alignment of the creek and greenway boundary. Parcel 1 varies from 1150 feet to just under 1200 feet in depth. Parcel 2 varies between just under 1200 feet to 1244 feet in depth. The presence of the greenway, creek and associated floodplain are topographical conditions that justify a variation to the east-west block length. Also, Applicant agrees record a right-of-way reservation agreement for the planned extension of Gebhard Road from the north to south through the subject tract.

16.24.030 Blocks--Easements.

A. Utility Lines. Easements for electric lines or other non-city-owned public utilities may be required, and shall be a minimum of ten feet in width located on the exterior portion of a single property. Easements for city utilities (i.e., water, storm drain and sanitary sewer mains) shall be a minimum of fifteen feet in width located on the exterior portion of a single property. Tie-back easements six feet wide by twenty feet long shall be provided for utility poles along lot lines at change of direction points of easements.

1. Structures Located within a City Utility Easement.

a. Except for public utilities and for signs when developed in accordance with Chapter 15.24 (Sign Code), no person shall locate, construct, or continue to locate a structure (as defined in Chapter 16.08) within a city utility easement (as defined in Chapter 16.08), except as provided in subsections (A)(1)(b) and (A)(2) of this section.

b. Notwithstanding the foregoing, the city may approve fencing, concrete block walls/fencing, retaining walls, and similar fencing/wall structures that are otherwise in compliance with the building code, and with the clearance provisions noted herein, over an easement subject to the following requirements:

i. Said fencing or wall structures that interfere with the installation, maintenance, access, or operation of a public utility or city utility may be removed by the utility provider or the city at the sole cost of owner.

ii. Any replacement or relocation of the fencing or wall structures shall be at the sole cost of the property owner or occupant.

iii. Owners and occupants of property shall not be entitled to compensation for damages related to removal of the fencing or wall structures.

Compliance Discussion: There are several public utilities and associated easements along the south and east boundary of the project. There are no existing structures in these areas. Future development can feasibly and will comply with the above requirements.

2. Grass, Asphalt, and Concrete Installed within a City Utility Easement.

a. Subject to the limitations of the building code, lawful owners and occupants of property may install grass, asphalt and concrete within a city utility easement.

b. In the course of installing, accessing, maintaining, or operating its facilities in a city utility easement, a public utility or the city, as the case may be, may move or remove any asphalt, concrete, or vegetation located within said easement. After the same are moved or removed and after completion of the necessary work, the grass, asphalt or concrete shall be repaired and replaced in a reasonable manner at the sole cost of the public utility or city.

c. Owners and occupants of property shall not be entitled to compensation related to damages to grass, asphalt, or concrete so long as the repairs and replacement are done in a reasonable manner and in a reasonable time frame.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Partition

Applicant: Housing Authority

Compliance Discussion: There are numerous public utilities and associated easements along the south and east boundary of the project. The above criteria can and will be met with future development and will comply in accordance with CPMC 16.24.030(A)(2).

B. Watercourses. Where a subdivision is traversed by a watercourse, drainage way, channel or stream, there may be required a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width as will be adequate for the purpose. Streets, parkways or access roads parallel to major watercourses may be required.

Compliance Discussion: There are no water courses within the project boundary. Bear Creek is located to the west within the greenway boundary, but there are no creek channels that pass over the subject property.

C. Pedestrian Ways. In any block over seven hundred fifty feet in length a pedestrian way may be required. The minimum width of the pedestrian right-of-way must be at least six feet in width which shall be hard surfaced through the block and curb to curb in order to provide easy access to schools, parks, shopping centers, mass transportation stops or other community services. If conditions require blocks longer than twelve hundred feet, two pedestrian ways may be required for combination pedestrian way and utility easement. When essential for public convenience, such ways may be required to connect to cul-de-sacs. Long blocks parallel to arterial streets may be approved without pedestrian ways if desirable in the interests of traffic safety. (Ord. 1997 §2(part), 2014; Ord. 1764 §5, 1997; Ord. 1650(part), 1990).

Compliance Discussion: The proposed frontage along Hamrick Road will be less than 750 feet for each parcel. Pedestrian access will be via sidewalk on Hamrick Road and East Pine Street. Such improvements will be constructed in conjunction with future development and prior to issuance of certificates of occupancy in accordance with Section 16.20.130 as established here above.

16.24.040 Lots--Uses.

A. The city may, in its discretion, deny approval for the creation of any lot by any manner if the effect of such creation of lot would be to facilitate perpetuation of a nonconforming use.

B. No lot shall be created unless it is in compliance with all applicable provisions of this code. (Ord. 1997 §2(part), 2014; Ord. 1684 §12, 1993).

Compliance Discussion: The subject property is currently vacant and no uses are currently proposed. Accordingly, there are no non-conforming uses present that would be perpetuated by approval of the partition application. Findings of compliance with the standards of the code are provided herein above and below.

16.24.050 Lots--Size and determination.

Lot sizes shall conform with the zoning ordinance and shall be appropriate for the location of the subdivision and for the type of development and use contemplated. In the case of irregular lots, the width shall be measured along the front building line. In no case shall the average depth be more than two and one-half times the width. Corner lots for residential use shall have sufficient width to permit appropriate building setback from and orientation to both streets.

A. In areas that cannot be connected to sewer lines, minimum lot sizes shall be sufficient to permit sewage disposal by an engineered system in accordance with Department of Environmental Quality, Jackson County environmental quality section, and public works standards. Such lot sizes shall conform to the requirements of the Jackson County environmental quality section.



APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Partition

Applicant: Housing Authority

- B. Where property is zoned and planned for business or industrial use, other widths and areas may be required, at the discretion of the city. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. (Ord. 1997 §2(part), 2014; Ord. 1764 §6, 1997; Ord. 1650(part), 1990).

Compliance Discussion: The proposed lots are of sufficient size and dimension to support a range of uses allowed in the zone and all lots comply with applicable provisions of the code. Per section 17.75.035, Commercial Site Design and Development Standards, there are no required lot area, width, and depth standards for the C-4 zone. Both lots can and will be sized appropriately for further land division as part of future development that can feasibly and will comply with the above requirements. A City-initiated map amendment will, upon effective date of approval, designate the northerly portion of the subject property (i.e., proposed Parcel 2) as multi-family residential land and would apply the TOD overlay district to the entire property. The current partition request was filed under the existing C-4 zoning, however, and is therefore subject to the standards in effect at the time the application was first submitted (ORS 227.178).

16.24.060 Through lots.

Through lots shall be avoided except where essential to reduce access to primary or secondary arterial streets or streets of equivalent traffic volume, reduce access to adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten feet may be required along the line of lots abutting such adjacent street. There shall be no right of access across such planting screen easements. (Ord. 1997 §2(part), 2014; Ord. 1764 §7, 1997; Ord. 1650(part), 1990).

Compliance Discussion: No through lots are proposed.

16.24.070 Lot side lines.

The side lines of lots shall run at right angles to the street upon which the lots face, as far as practicable, or on curbed streets they shall be radial to the curve. (Ord. 1997 §2(part), 2014; Ord. 1650(part), 1990).

Compliance Discussion: The proposed parcels comply with this standard and provide ample area to accommodate side and rear yard setbacks for further division and future development of the property.

EXHIBIT 4

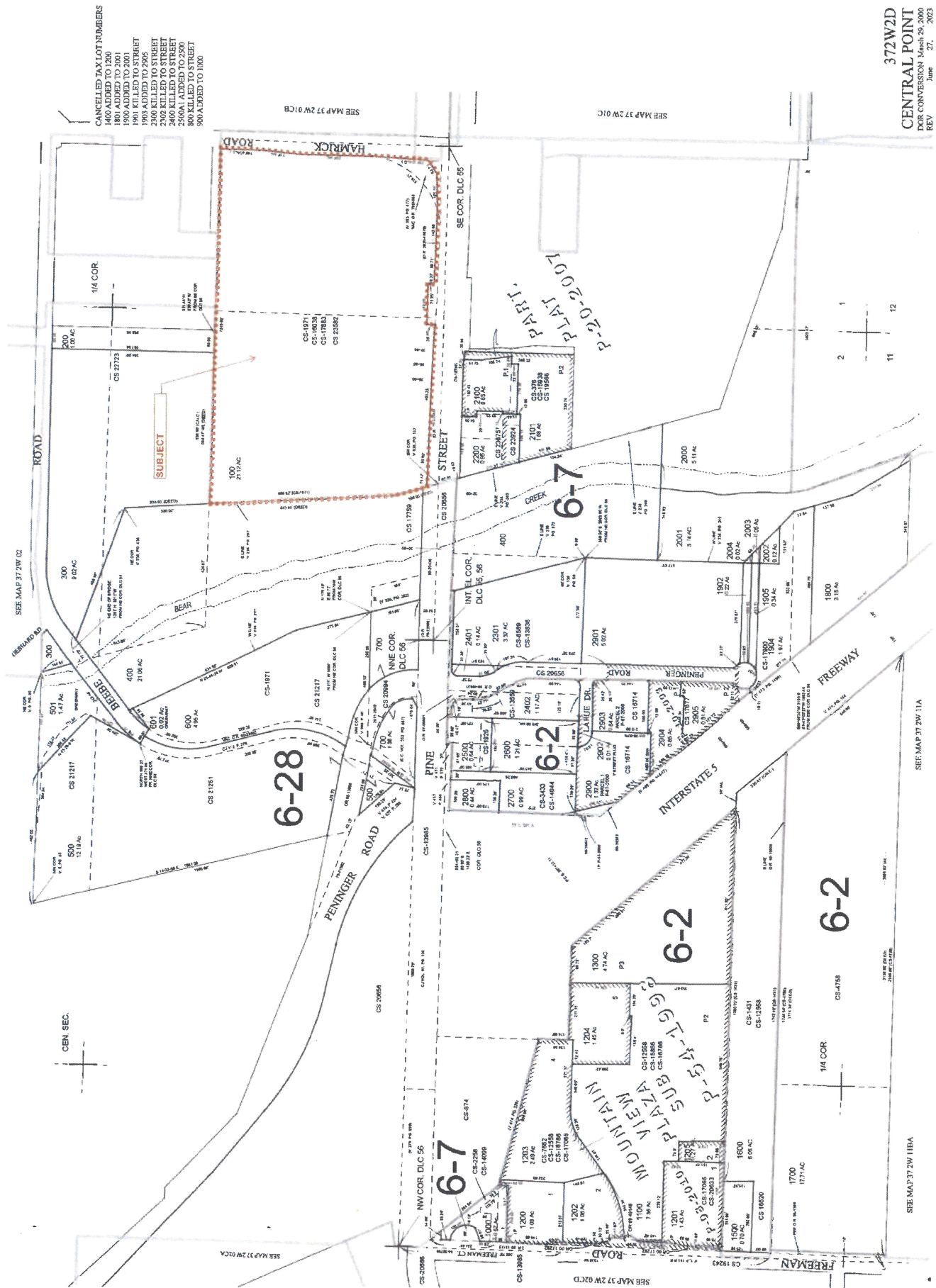
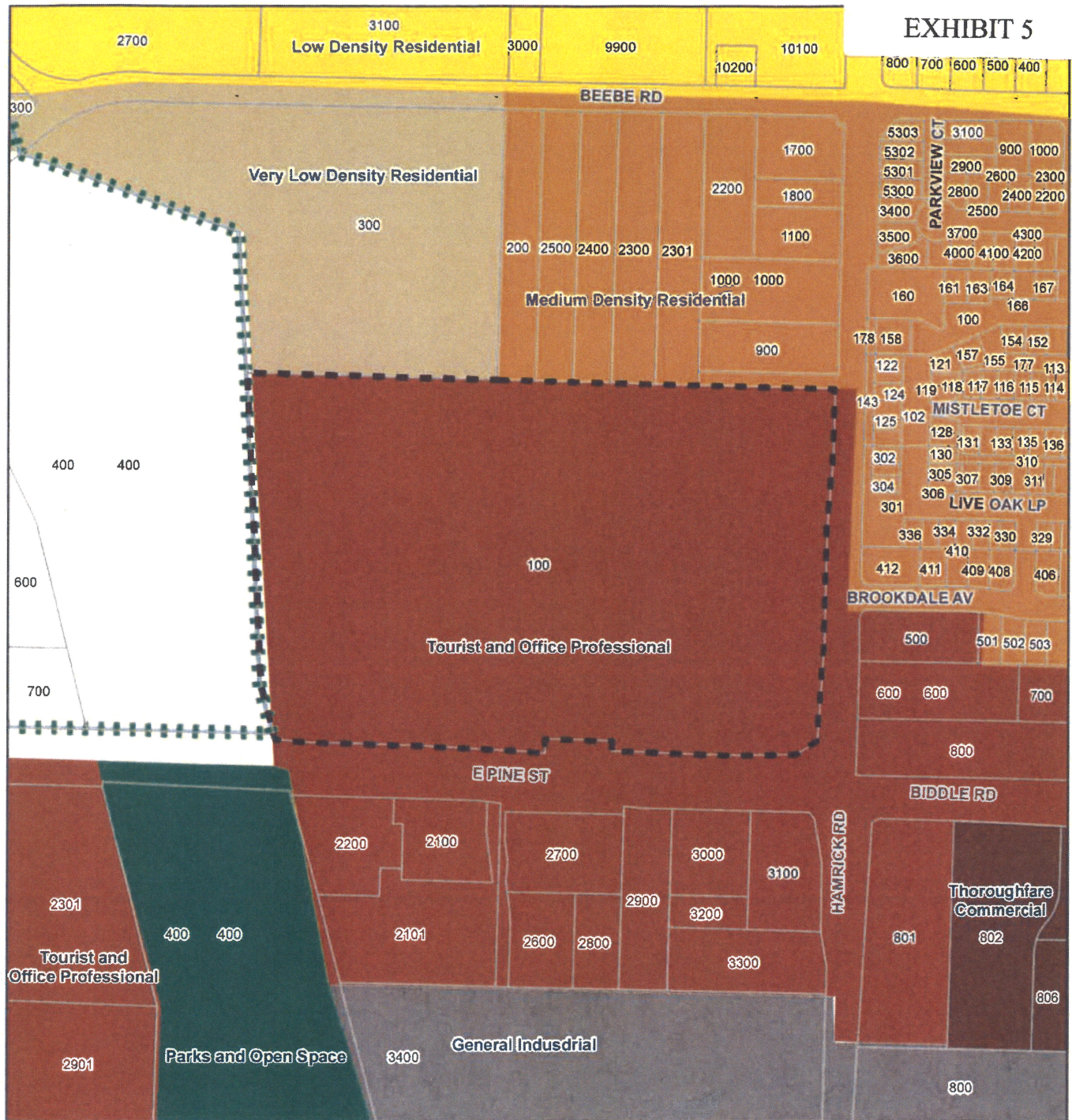


EXHIBIT 5



Subject

Tax Lots

UGB

CSA Planning, Ltd.

Thoroughfare Commercial

General Industrial

Low Density Residential

Medium Density Residential

Parks and Open Space

Very Low Density Residential

Tourist and Office Professional

Comprehensive Plan

Housing Authority of
Jackson County
Partition
37-2W-02D tax lot 100

300 150 0 300 Feet

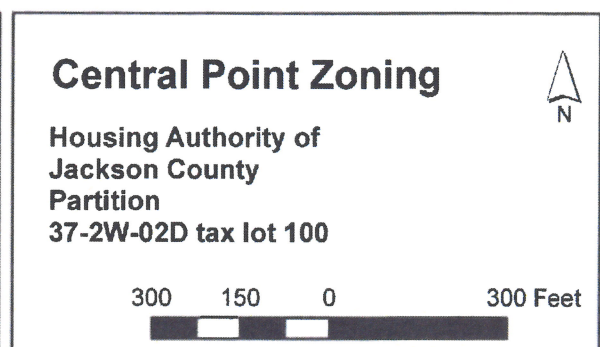
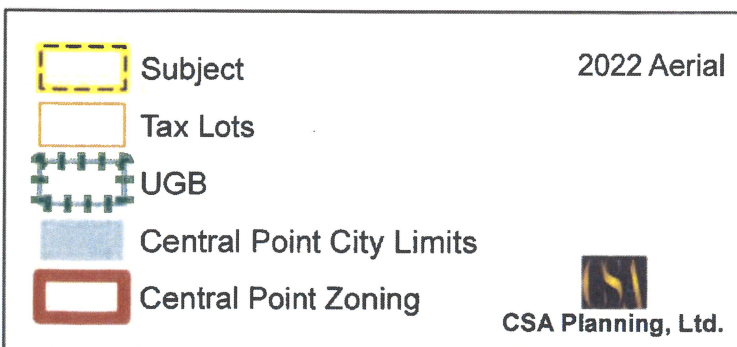
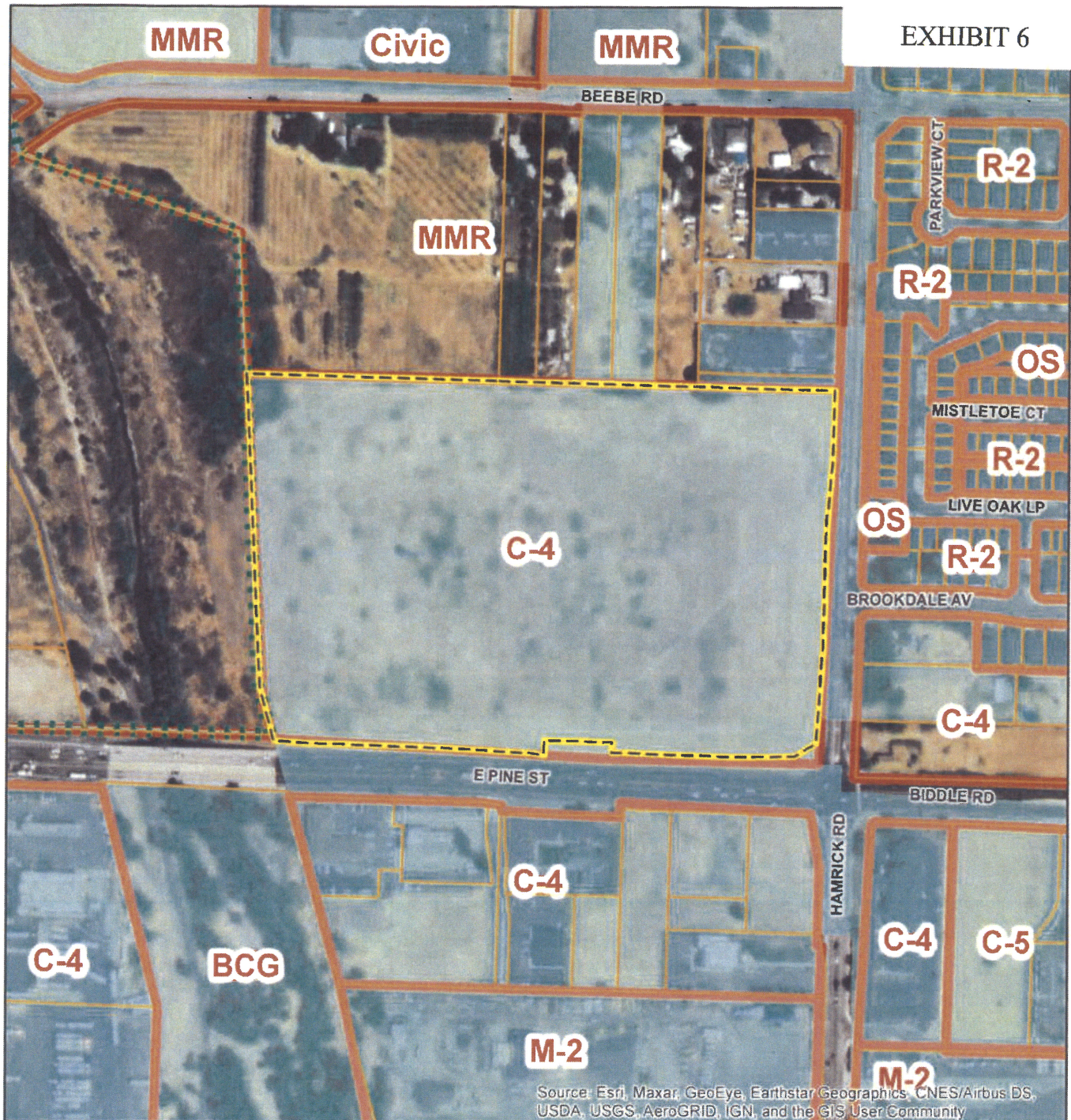
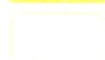


EXHIBIT 7



Subject



Tax Lots



10-Foot Contours

2022 Aerial



CSA Planning LTD

Topography

Housing Authority of
Jackson County
Partition
37-2W-02D tax lot 100



200 100 0 200 Feet

August 2023 Source: CSA Planning, Ltd.; Jackson County GIS

EXHIBIT 8



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

- Subject
- Tax Lots
- Applegate, Rogue, Bear Creek
- FEMA Flood Zones**
 - 100 Year Determined BFE
 - 500 Year Boundary
 - Floodway

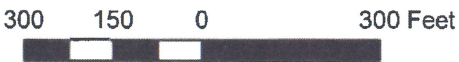
2022 Aerial



CSA Planning, Ltd.

Water Features

Housing Authority of
Jackson County
Partition
37-2W-02D tax lot 100



August 2023 Source: Jackson County GIS, CSA Planning, Ltd.

539038

444211

WARRANTY DEED

2-37-210 Arba 5+72

Vol. 526 Page 132

KNOW ALL MEN BY THESE PRESENTS, that we, PAUL J. NORCROSS and MILDRED A. NORCROSS, husband and wife, HELEN E. HEDRICK, also known as Helen N. Hedrick, and ERCAL H. HEDRICK, wife and husband, and BRUCE WARREN NORCROSS and SHIRLEY NORCROSS, husband and wife, grantors, in consideration of Ten Dollars to us paid by CRYSTAL SPRINGS PACKING CO., INC., an Oregon corporation, grantee, do hereby grant, bargain, sell and convey unto the said grantee, its successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the county of Jackson and state of Oregon, bounded and described as follows, to-wit:

TRACT 1:

Commencing at the southeast corner of Donation Land Claim No. 55, township 37 south, range 2 west, Willamette Meridian, Jackson County, Oregon; thence north $0^{\circ} 15'$ west, 329.00 feet; thence south $89^{\circ} 45'$ west, 30.00 feet to a 1" galvanized iron pipe located at the north corner of that parcel described in volume 303, page 477 of the deed records of Jackson County, Oregon, for the true point of beginning; thence north $0^{\circ} 15'$ west along the west boundary of Hamrick Road 482.21 feet; thence south $89^{\circ} 53' 40''$ west, parallel with the south boundary of said claim, 1249.02 feet to an intersection with the easterly boundary of that parcel described in volume 236, page 297 of said deed records; thence south $4^{\circ} 16' 10''$ east along said easterly parcel boundary (as the same was found to be monumented) 659.92 feet; thence south $16^{\circ} 41' 50''$ east along said easterly parcel boundary (as the same was found to be monumented) 159.60 feet to the south boundary of said claim No. 55, being also the north boundary of Head Road; thence north $89^{\circ} 53' 40''$ east along said claim boundary and the north boundary of Head Road 828.64 feet to the west corner of that parcel described in volume 303, page 477 of said deed records; thence 516.21 feet along the arc of a curve left (which arc has a radius of 328.10 feet and a long chord of north $44^{\circ} 49' 20''$ east, 464.59 feet) to the true point of beginning, containing 22.13 acres, more or less.

TRACT 2:

Commencing at the north-northeast corner of Donation Land Claim No. 56, township 37 south, range 2 west, Willamette Meridian, Jackson County, Oregon; thence north 178.45 feet; thence east 95.77 feet to a 1" galvanized iron pipe located at the intersection of the north boundary of that 2.6 acre parcel described in volume 283, page 40 of the deed records of Jackson County, Oregon, with the westerly boundary of that parcel described in volume 236, page 297 of said deed records, for the true point of beginning; thence north $16^{\circ} 15'$ west, 275.64 feet to the monumented angle point on said westerly parcel boundary; thence north $25^{\circ} 48'$ west along the said

Warranty Deed -1-

539038

Vol. 526 Page 133

westerly parcel boundary (as the same was found to be monumented) 624.55 feet to the easterly right of way line of Beebe Road; thence along said road boundary as follows: south $51^{\circ} 13' 10''$ west, 5.74 feet; thence 302.08 feet along the arc of a curve left (which arc has a radius of 256.48 feet and a long chord of south $17^{\circ} 28' 40''$ west, 284.92 feet); thence south $16^{\circ} 15' 50''$ east, 229.25 feet; thence 314.60 feet along the arc of a curve right (which arc has a radius of 348.31 feet and a long chord of south $9^{\circ} 36' 40''$ west, 304.01 feet); thence south $35^{\circ} 29' 10''$ west, 39.55 feet to an intersection with the said north 2.6 acre parcel boundary; thence leaving said road boundary north $89^{\circ} 56' 30''$ east, 448.52 feet to the true point of beginning, containing 4.67 acres, more or less.

TRACT 3:

Commencing at the north-northeast corner of Donation Land Claim No. 56, township 37 south, range 2 west, Willamette Meridian, Jackson County, Oregon; thence north 71.02 feet; thence west 502.73 feet to a 1" galvanized iron pipe located at the intersection of the northeasterly right of way line of Interstate Highway No. 5 with the westerly boundary of Beebe Road for the true point of beginning; thence along said Beebe Road boundary as follows: north $35^{\circ} 29' 10''$ east, 213.71 feet; thence 260.40 feet along the arc of a curve left (which arc has a radius of 288.31 feet and a long chord of north $9^{\circ} 36' 40''$ east, 251.64 feet); thence north $16^{\circ} 15' 50''$ west, 229.25 feet; thence 372.75 feet along the arc of a curve right (which arc has a radius of 316.48 feet and a long chord of north $17^{\circ} 28' 40''$ east, 351.58 feet); thence north $51^{\circ} 13' 10''$ east, 242.46 feet to an intersection with the easterly boundary of that tract described in volume 5, page 60 of the deed records of Jackson County, Oregon; thence leaving said road boundary, north $15^{\circ} 27' 50''$ west, 164.34 feet to the northeast corner of said tract; thence south $89^{\circ} 51' 40''$ west, 814.40 feet to a stone monument with cross found for the northwest corner of said tract; thence south $14^{\circ} 23' 40''$ east along the westerly boundary of said tract 1165.82 feet to an intersection with the northeasterly right of way line of Interstate Highway No. 5; thence south $69^{\circ} 52'$ east, 43.15 feet to a point 715.00 feet northeasterly at right angles from Engineer's centerline station 593+70 of said highway; thence 193.29 feet along the arc of a curve right (which arc has a radius of 29,362.89 feet and a long chord of south $42^{\circ} 49' 40''$ east, 193.29 feet) to the true point of beginning, containing 13.66 acres, more or less.

TRACT 4:

A tract of land lying in Donation Land Claim No. 55, township 37 south, range 2 west of the Willamette Meridian in Jackson County, Oregon, lying westerly of those parcels deeded to the state of Oregon and recorded in volume 236, page 297 and in volume 235, page 352 of the deed records of Jackson County, Oregon, and lying southerly from that 2.6 acre parcel described in volume 283, page 40 of said deed records, containing approximately 0.1 acre.

Warranty Deed -2-

539038

Vol 526 Page 134

SUBJECT TO:

1. The rights of the public in and to that portion of the herein described premises lying within the limits of public roads and highways.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Rogue River Irrigation District.

To have and to hold the above described and granted premises unto the said grantee, its successors and assigns, forever.

And we, the grantors, do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, except as above stated, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 11th day of May, 1962.

Paul J. Norcross (SEAL)
Paul J. Norcross

Mildred A. Norcross (SEAL)
Mildred A. Norcross

Helen E. Hedrick (SEAL)
Helen E. Hedrick

Erceel H. Hedrick (SEAL)
Erceel H. Hedrick

Bruce Warren Norcross (SEAL)
Bruce Warren Norcross

Shirley Norcross (SEAL)
Shirley Norcross

State of Oregon, County of Jackson--SS.
The within instrument received and filed at 4:26 o'clock
P. M. the 15th day of May 1962
recorded in Book 152, Page 134
by William C. McArthur Deputy
County Clerk

STATE OF OREGON)
County of Jackson) ss.

May 14th, 1962, personally appeared the above named ~~Paul J. Norcross, and Mildred A. Norcross, husband and wife~~, Helen E. Hedrick, aka Helen N. Hedrick, and Erceel H. Hedrick, wife and husband, and ~~Bruce Warren Norcross, and Shirley Norcross, husband and wife~~, and acknowledged the foregoing instrument to be their voluntary act and deed. Before me:

Leona Peterson
Notary Public for Oregon
My commission expires: 6-3-63

Warranty Deed -3-

539038

Vol. 526 Page 134

SUBJECT TO:

1. The rights of the public in and to that portion of the herein described premises lying within the limits of public roads and highways.
2. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of Rogue River Irrigation District.

To have and to hold the above described and granted premises unto the said grantee, its successors and assigns, forever.

And we, the grantors, do covenant that we are lawfully seized in fee simple of the above granted premises free from all encumbrances, except as above stated, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

WITNESS our hands and seals this 11th day of May, 1962.

State of Oregon, County of Jackson--SS.
The within instrument received and filed at 4:26 p.m. the 15th day of May 1962.
J. M. Madlock
County Clerk
By: William C. MacArthur
Deputy

Paul J. Norcross (SEAL)
Paul J. Norcross

Mildred A. Norcross (SEAL)
Mildred A. Norcross

Helen E. Hedrick (SEAL)
Helen E. Hedrick

Erceel H. Hedrick (SEAL)
Erceel H. Hedrick

Bruce Warren Norcross (SEAL)
Bruce Warren Norcross

539038

STATE OF CALIFORNIA,
COUNTY OF Los Angeles } SS.

Vol. 526 Page 135

On this 11th day of May, 1962 before me,
the undersigned, a Notary Public in and for said County, personally appeared
Paul J. Norcross, Mildred A. Norcross, Bruce Warren Norcross and Shirley Norcross
known to me to be the persons whose name is subscribed to the within instrument and
acknowledged that they executed the same.

Witness my hand and official seal.

Doris Backman
Notary Public in and for said County and State.

DORIS BACKMAN, Notary Public in and for the
County of Los Angeles, State of California
My Commission Expires Feb. 14, 1963

2848 10-21 25 K.J.

FILE 001
MAP 372W02D
TL 100

Jackson County Official Records **2020-049070**
R-WD
Stn=7 SIMPSOHP **12/23/2020 09:38:11 AM**
\$30.00 \$10.00 \$11.00 \$11.00 \$60.00 **\$122.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.

Christine Walker - County Clerk

WARRANTY DEED

Walmart Inc. formerly Wal-Mart Stores, Inc., a Delaware corporation, Grantor, for the true and actual consideration of **\$119,200.00** does convey unto the **City of Central Point, Grantee,** fee title to the property described on **Exhibit "A"** and shown on **Exhibit "B"**, attached hereto and by this reference made a part hereof.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances, except for easements, conditions, and restrictions of record, and will warrant the same from lawful claims of all persons claiming by, through or under Grantor, but none other, and except as otherwise stated herein.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

**AFTER RECORDING RETURN TO &
TAX STATEMENTS TO:**

The City of Central Point
Attn: Chris Clayton
140 South 3rd Street
Central Point, OR 97502

Tax Account No: 1-019594-7
Map and Tax Lot #: 372W02D-100

Property Address:
1777 E. Pine Street
Central Point, OR 97502

THIS IS A PARTIAL ACQUISITION FOR HIGHWAY PURPOSES

FILE 001
MAP 372W02D
TL 100

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The statement above is required by law to be included in this instrument. PLEASE NOTE: the property described in this instrument is not a "lot" or "parcel" as defined in ORS 92.010 or 215.010. Nevertheless, the property is a legally created unit of land as described in ORS 92.010 (9) (d) or (e).

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the City of Central Point, unless and until accepted and approved by the recording of this document.

Dated this 17 day of December, 2020.



Nick Goodner

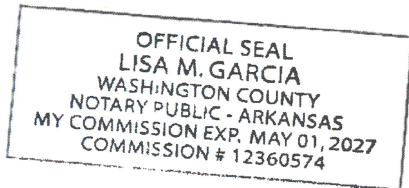
Walmart Inc. formerly Wal-Mart Stores, Inc., a
Delaware corporation.

STATE OF Arkansas)
County of Benton)ss.
)

This instrument was acknowledged before me on this 17 day of December, 2020 by

Nick Goodner

as of Walmart Inc. formerly Wal-Mart Stores, Inc., a Delaware corporation.



Lisa M. Garcia
Notary Public for Arkansas
My commission expires:

APPROVAL AND ACCEPTANCE BY THE City of Central Point

The City of Central Point hereby approves and accepts the foregoing easement this 22nd
day of December, 2020

CC. Clayton
Chris Clayton, City Manager

Walmart Inc.
Attn: Gary Withrow,
Walmart Real Estate Manager
c/o Chuck Martinez
222 NE Park Plaza Dr., Ste 116
Vancouver, WA 98684

File No.: 001
Grantor: Walmart Inc.
Project: Hamrick / Biddle Signal Upgrade
County: Jackson
Situs: 1777 E. Pine St. Central Point, OR 97502

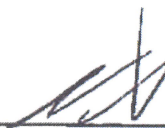
We accept the offer made in the City of Central Point's (City) **Offer Letter**, dated August 7, 2020, attached hereto and incorporated by reference, to purchase a portion of our property for the above-referenced project. We hereby accept \$119,171.00 for 11,741 square feet of land in fee for a total amount of \$119,200 (rounded).

At reasonable times, the City's representative may enter the portion of the property that is being purchased for the purpose of making surveys and studies.

Closing the transaction is contingent on the City obtaining Title Insurance in a form and manner acceptable to the City, the property being free of all other encumbrances and liabilities not acceptable to the City, final legal review by the City of all documents, and final project funding approval. We understand that final closing and disbursement will be performed by Fidelity National Title.

DATED this 17 day of December, 2020

SELLER:



Walmart Inc.

EXHIBIT "A"

**PURCHASE AREA
DESCRIPTION SHEET**

A portion of that real property described in Instrument Number 2005-034521, of the Official Records of Jackson County, Oregon, being located within Donation Land Claim Number 55, in the Southwest One-quarter of Section 1 and the Southeast One-quarter of Section 2, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Central Point, Jackson County, Oregon. The exterior boundary of the purchase area is more particularly described as follows:

Beginning at the southeast corner of said Instrument Number 2005-034521, being at the northwest corner of the intersection of East Pine Street and Hamrick Road; thence along the northerly right-of-way of East Pine Street the following courses and distances: South 89°36'06" West, 58.98 feet; thence South 87°15'44" West, 109.61 feet to the beginning of a curve concave to the north having a radius of 11,409.08 feet and a central angle of 01°27'00" (the long chord of which bears North 89°07'24" West, 288.72 feet); thence along the arc of said curve, 288.73 feet; thence North 88°23'54" West, 114.79 feet; thence leaving said right-of-way, North 00°00'00" East, 30.65 feet; thence North 90°00'00" East, 142.06 feet; thence South 00°00'00" West, 21.25 feet; thence North 88°48'18" East, 31.37 feet; thence South 89°04'48" East, 85.71 feet; thence South 89°29'04" East, 143.98 feet; thence North 87°15'44" East, 125.44 feet; thence North 57°26'40" East, 53.75 feet to the westerly right-of-way of Hamrick Road; thence along last said right-of-way, South 02°19'57" West, 44.31 feet to the Point of Beginning.

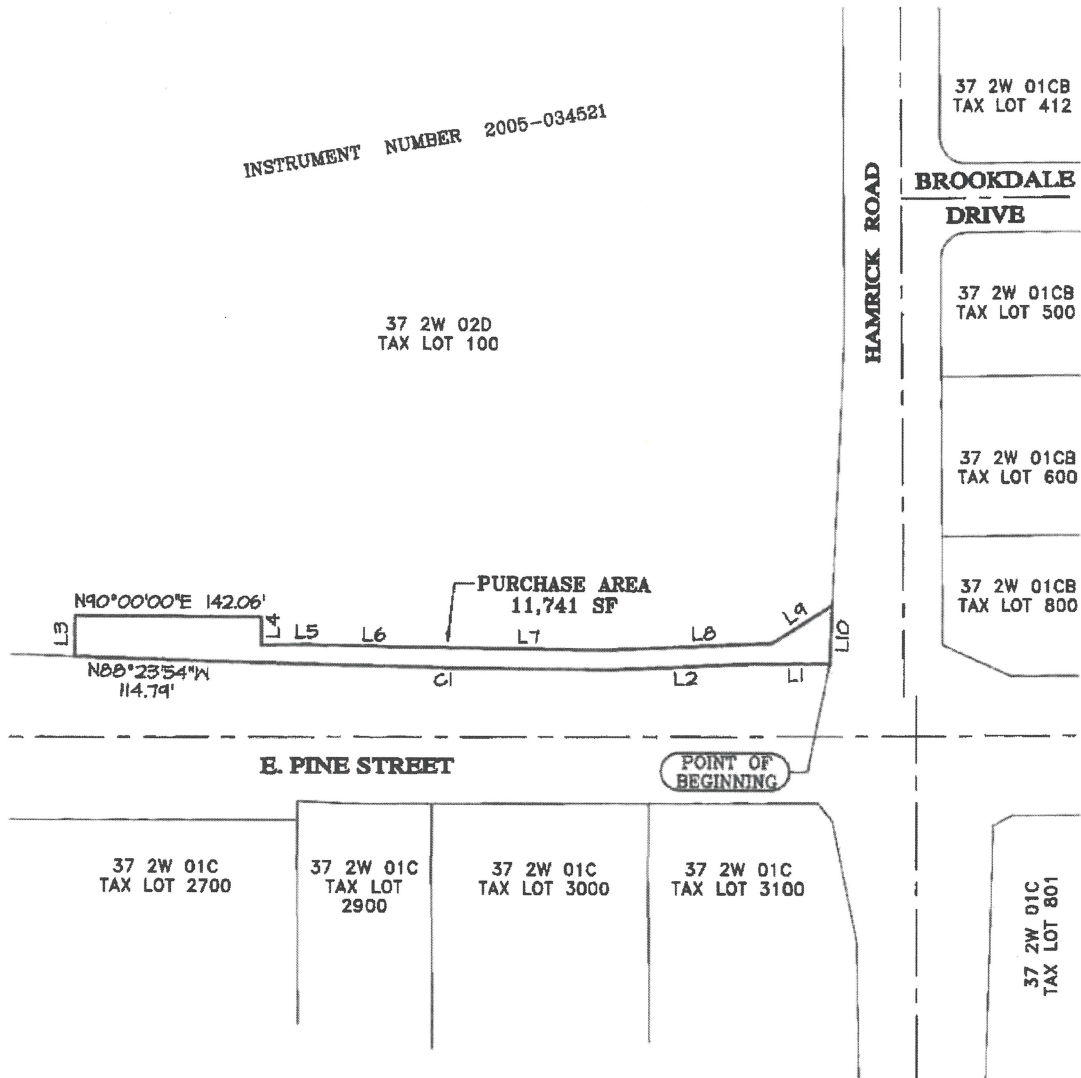
Said purchase area contains 11,741 square feet, more or less.

Basis of Bearings for this description is Geodetic North referenced to the NAD83 2011 (Epoch 2010.00) datum, projected onto the Oregon Coordinate Reference System, Grants Pass-Ashland zone (references: OAR 734-005-0005, 734-005-0010 and 734-005-0015(3)(p)). Note that the grid bearings listed herein do not equal geodetic bearings due to meridian convergence.

Prepared by: NEATHAMER SURVEYING, INC.
3126 State Street, Suite 203
PO Box 1584
Medford, OR 97501
Phone: (541) 732-2869
Fax: (541) 732-1382
Project: 09002-T-25

Date: June 15, 2020

EXHIBIT "B"



CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	01°27'00"	11409.08'	288.73'	N89°07'24"W	288.72'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S89°36'06"W	58.98'
L2	S87°15'44"W	109.61'
L3	N00°00'00"E	30.65'
L4	S00°00'00"W	21.25'
L5	N88°48'18"E	31.37'
L6	S89°04'48"E	85.71'
L7	S89°29'04"E	143.98'
L8	N87°15'44"E	125.44'
L9	N57°26'40"E	53.75'
L10	S02°19'57"W	44.31'

1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 19, 1994
ROBERT V. NEATHAMER
2675

Renewal Date 12/31/20

23587

SURVEY FOR:
WEST SIDE RIVER RD.
RESPONSE DIRECTION 9701

DATE:
FEBRUARY 4, 2023

SURVEY BY:
L. J. PINE & ASSOCIATES, P.C.
L. J. PINE, SURVEYOR
P.O. BOX 1427
PRINCETON, OREGON 97133
PHONE: (503) 770-2783
lp@ljpineandassociates.com

MAP OF SURVEY In the S.W. 1/4 of Sec. 1 & in the S.E. 1/4 of S.W. 2 T.15S. R.2W. E.M. Jackson County, Oregon

BASEMENTS FOR TOWER FOR 4000000000 (2021-22-14)
12 UTILITY EASEMENT FOR 100' R/W - OTHERS: NO SPECIFIC LOCATION
GIVEN BY DOCUMENT. THERE ARE OTHERS: POWER LINES RUNNING ALONG
THE SOUTH & EAST PROPERTY LINES THAT MAY BE THE SUBJECT OF THIS
EASEMENT.

SURVEY NARRATIVE TO COMPLETE WITH OLD RECORDS

SUBJECT: TO SURVEY AND UPGRADE THE CORNERS OF THAT TRACT FORTH IN DOC. 2000-004021,
DATED EXCEPTING THE R/W FOR DOC. 2020-040070, OREGON.

RECORDED: CORNERS WERE TIES TO MONUMENTS OF RECORD AS SHOWN HEREON TO CONTROL
THE TYP AND THE SUBJECT TRACT. THE R/W FOR DOC. 2020-040070, DATED WAS COMPOSED USING A
COMBINED ADJUSTMENT OF THE RECORD COURSES AND THE FIELD MEASUREMENTS BETWEEN THE S.W. & N.E.
CORNERS TO VERIFY THE POSITION OF THE MONUMENT PREVIOUSLY TIED AT THE CORNER. THE R/W
CURRENT CORNER MONUMENT IS NOW UNRECOVERABLE DUE TO TREE SHADE AND CORNER TIES FROM THE 2020
ALIGNED TIES. TIED BY CORNER FOR THE MONUMENT TO THE NORTH, THE FOUND 1.2" R/W FROM
NORTHERLY FROM THE R/W CORNER OF THE SUBJECT TRACT IS SHOWN TO BE A 1.2" R/W FROM THE
SOUTHERLY. AFTER EXAMINING AROUND THE PIPE AND NOT FINDING THE R/W FOR THE 1.2" R/W FROM THE
AND RECORD DISTANCE FROM THE PREVIOUSLY TIED MONUMENT TO THE R/W CORNER, IT IS MY OPINION THAT
THIS PIPE WAS DRIVEN OVER THE R/W PIPE AND IS ACCEPTED FOR THIS SURVEY.

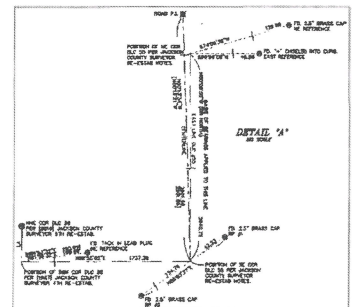
LEGEND:

- ① = 1/2" COUNTY SURVEYOR'S BRASS CAPED MONUMENT FOR (EAST) RE-250070.
- ② = 1/2" R/W PIPE (SECOND 1/2" R/W PIPE FOR F21871, ET. AL.
- ③ = 1/2" R/W PIPE FOR F21871.
- ④ = 1/2" R/W PIPE, SEE F21871, ET. AL.
- ⑤ = 1/2" R/W PIPE AND PLASTIC CAP WITH MONUMENT L21113 FOR F21700.
- ⑥ = 1/2" R/W PIPE AND PLASTIC CAP WITH JACKSON COUNTY TIE & PINE DOC FOR F21888.
- ⑦ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 FROM LEGEND FOR F21888.
- ⑧ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑨ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑩ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑪ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑫ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑬ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑭ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑮ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑯ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑰ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑱ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑲ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ⑳ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉑ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉒ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉓ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉔ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉕ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉖ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉗ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉘ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉙ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉚ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉛ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉜ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉝ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉞ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㉟ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊱ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊲ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊳ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊴ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊵ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊶ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊷ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊸ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊹ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊺ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊻ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊼ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊽ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊾ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.
- ㊿ = 1/2" R/W PIPE AND PLASTIC CAP WITH L21113 & TIE FROM LEGEND FOR F21888.

- ① = JACKSON COUNTY DEED RECORD.
- ② = JACKSON COUNTY DEED RECORD.
- ③ = JACKSON COUNTY DEED RECORD.
- ④ = JACKSON COUNTY DEED RECORD.
- ⑤ = JACKSON COUNTY DEED RECORD.
- ⑥ = JACKSON COUNTY DEED RECORD.
- ⑦ = JACKSON COUNTY DEED RECORD.
- ⑧ = JACKSON COUNTY DEED RECORD.
- ⑨ = JACKSON COUNTY DEED RECORD.
- ⑩ = JACKSON COUNTY DEED RECORD.
- ⑪ = JACKSON COUNTY DEED RECORD.
- ⑫ = JACKSON COUNTY DEED RECORD.
- ⑬ = JACKSON COUNTY DEED RECORD.
- ⑭ = JACKSON COUNTY DEED RECORD.
- ⑮ = JACKSON COUNTY DEED RECORD.
- ⑯ = JACKSON COUNTY DEED RECORD.
- ⑰ = JACKSON COUNTY DEED RECORD.
- ⑱ = JACKSON COUNTY DEED RECORD.
- ⑲ = JACKSON COUNTY DEED RECORD.
- ⑳ = JACKSON COUNTY DEED RECORD.
- ㉑ = JACKSON COUNTY DEED RECORD.
- ㉒ = JACKSON COUNTY DEED RECORD.
- ㉓ = JACKSON COUNTY DEED RECORD.
- ㉔ = JACKSON COUNTY DEED RECORD.
- ㉕ = JACKSON COUNTY DEED RECORD.
- ㉖ = JACKSON COUNTY DEED RECORD.
- ㉗ = JACKSON COUNTY DEED RECORD.
- ㉘ = JACKSON COUNTY DEED RECORD.
- ㉙ = JACKSON COUNTY DEED RECORD.
- ㉚ = JACKSON COUNTY DEED RECORD.
- ㉛ = JACKSON COUNTY DEED RECORD.
- ㉜ = JACKSON COUNTY DEED RECORD.
- ㉝ = JACKSON COUNTY DEED RECORD.
- ㉞ = JACKSON COUNTY DEED RECORD.
- ㉟ = JACKSON COUNTY DEED RECORD.
- ㊱ = JACKSON COUNTY DEED RECORD.
- ㊲ = JACKSON COUNTY DEED RECORD.
- ㊳ = JACKSON COUNTY DEED RECORD.
- ㊴ = JACKSON COUNTY DEED RECORD.
- ㊵ = JACKSON COUNTY DEED RECORD.
- ㊶ = JACKSON COUNTY DEED RECORD.
- ㊷ = JACKSON COUNTY DEED RECORD.
- ㊸ = JACKSON COUNTY DEED RECORD.
- ㊹ = JACKSON COUNTY DEED RECORD.
- ㊺ = JACKSON COUNTY DEED RECORD.
- ㊻ = JACKSON COUNTY DEED RECORD.
- ㊼ = JACKSON COUNTY DEED RECORD.
- ㊽ = JACKSON COUNTY DEED RECORD.
- ㊾ = JACKSON COUNTY DEED RECORD.
- ㊿ = JACKSON COUNTY DEED RECORD.

BASES OF BEARINGS:
TRUE NORTH BASED ON G.P.S. MEASUREMENTS APPLIED TO THE EAST LINE OF D.L.C. 35 AS SHOWN
UNIT OF MEASUREMENT = FEET SCALE: 1" = 40'

NO.	DESCRIPTION	DATE
1	1/2" R/W PIPE	12/15/22
2	1/2" R/W PIPE	12/15/22
3	1/2" R/W PIPE	12/15/22
4	1/2" R/W PIPE	12/15/22
5	1/2" R/W PIPE	12/15/22
6	1/2" R/W PIPE	12/15/22
7	1/2" R/W PIPE	12/15/22
8	1/2" R/W PIPE	12/15/22
9	1/2" R/W PIPE	12/15/22
10	1/2" R/W PIPE	12/15/22
11	1/2" R/W PIPE	12/15/22
12	1/2" R/W PIPE	12/15/22
13	1/2" R/W PIPE	12/15/22
14	1/2" R/W PIPE	12/15/22
15	1/2" R/W PIPE	12/15/22
16	1/2" R/W PIPE	12/15/22
17	1/2" R/W PIPE	12/15/22
18	1/2" R/W PIPE	12/15/22
19	1/2" R/W PIPE	12/15/22
20	1/2" R/W PIPE	12/15/22
21	1/2" R/W PIPE	12/15/22
22	1/2" R/W PIPE	12/15/22
23	1/2" R/W PIPE	12/15/22
24	1/2" R/W PIPE	12/15/22
25	1/2" R/W PIPE	12/15/22
26	1/2" R/W PIPE	12/15/22
27	1/2" R/W PIPE	12/15/22
28	1/2" R/W PIPE	12/15/22
29	1/2" R/W PIPE	12/15/22
30	1/2" R/W PIPE	12/15/22
31	1/2" R/W PIPE	12/15/22
32	1/2" R/W PIPE	12/15/22
33	1/2" R/W PIPE	12/15/22
34	1/2" R/W PIPE	12/15/22
35	1/2" R/W PIPE	12/15/22
36	1/2" R/W PIPE	12/15/22
37	1/2" R/W PIPE	12/15/22
38	1/2" R/W PIPE	12/15/22
39	1/2" R/W PIPE	12/15/22
40	1/2" R/W PIPE	12/15/22
41	1/2" R/W PIPE	12/15/22
42	1/2" R/W PIPE	12/15/22
43	1/2" R/W PIPE	12/15/22
44	1/2" R/W PIPE	12/15/22
45	1/2" R/W PIPE	12/15/22
46	1/2" R/W PIPE	12/15/22
47	1/2" R/W PIPE	12/15/22
48	1/2" R/W PIPE	12/15/22
49	1/2" R/W PIPE	12/15/22
50	1/2" R/W PIPE	12/15/22
51	1/2" R/W PIPE	12/15/22
52	1/2" R/W PIPE	12/15/22
53	1/2" R/W PIPE	12/15/22
54	1/2" R/W PIPE	12/15/22
55	1/2" R/W PIPE	12/15/22
56	1/2" R/W PIPE	12/15/22
57	1/2" R/W PIPE	12/15/22
58	1/2" R/W PIPE	12/15/22
59	1/2" R/W PIPE	12/15/22
60	1/2" R/W PIPE	12/15/22
61	1/2" R/W PIPE	12/15/22
62	1/2" R/W PIPE	12/15/22
63	1/2" R/W PIPE	12/15/22
64	1/2" R/W PIPE	12/15/22
65	1/2" R/W PIPE	12/15/22
66	1/2" R/W PIPE	12/15/22
67	1/2" R/W PIPE	12/15/22
68	1/2" R/W PIPE	12/15/22
69	1/2" R/W PIPE	12/15/22
70	1/2" R/W PIPE	12/15/22
71	1/2" R/W PIPE	12/15/22
72	1/2" R/W PIPE	12/15/22
73	1/2" R/W PIPE	12/15/22
74	1/2" R/W PIPE	12/15/22
75	1/2" R/W PIPE	12/15/22
76	1/2" R/W PIPE	12/15/22
77	1/2" R/W PIPE	12/15/22
78	1/2" R/W PIPE	12/15/22
79	1/2" R/W PIPE	12/15/22
80	1/2" R/W PIPE	12/15/22
81	1/2" R/W PIPE	12/15/22
82	1/2" R/W PIPE	12/15/22
83	1/2" R/W PIPE	12/15/22
84	1/2" R/W PIPE	12/15/22
85	1/2" R/W PIPE	12/15/22
86	1/2" R/W PIPE	12/15/22
87	1/2" R/W PIPE	12/15/22
88	1/2" R/W PIPE	12/15/22
89	1/2" R/W PIPE	12/15/22
90	1/2" R/W PIPE	12/15/22
91	1/2" R/W PIPE	12/15/22
92	1/2" R/W PIPE	12/15/22
93	1/2" R/W PIPE	12/15/22
94	1/2" R/W PIPE	12/15/22
95	1/2" R/W PIPE	12/15/22
96	1/2" R/W PIPE	12/15/22
97	1/2" R/W PIPE	12/15/22
98	1/2" R/W PIPE	12/15/22
99	1/2" R/W PIPE	12/15/22
100	1/2" R/W PIPE	12/15/22



PROFESSIONAL
LAND SURVEYOR
L. J. PINE
DATE: 2/4/23
PROJECT: WEST SIDE RIVER RD.
JACKSON COUNTY, OREGON

FILED
2/23/23
By: Surveyor L. J. Pine
JACKSON COUNTY
SURVEYOR

23587



PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Florida corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned



744 NE 7th Street, Grants Pass, OR 97526
(541)476-1171 FAX (541)476-1174

PRELIMINARY REPORT

TITLE OFFICER: Trudy Lycett

ORDER NO.: 470321079846

TO: National Title Group, LLC
4131 N Central Expy, Suite 450
Dallas, TX 75204

OWNER/SELLER: Wal-Mart Inc., a Delaware corporation, successor by name change and f/k/a Wal-Mart Stores, Inc., a Delaware corporation

BUYER/BORROWER: Housing Authority of Jackson County, a public corporation

PROPERTY ADDRESS: 1777 E Pine Stree, Central Point, OR 97502

EFFECTIVE DATE: December 14, 2021, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2006	\$ 7,500,000.00	\$ 11,850.00
Owner's Standard		
Proposed Insured: Housing Authority of Jackson County, a public corporation		
Government Lien Search		\$ 90.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

Fee Simple

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Wal-Mart Inc., a Delaware corporation, successor by name change and f/k/a Wal-Mart Stores, Inc., a Delaware corporation

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF CENTRAL POINT, COUNTY OF JACKSON, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

Commencing at a point for the Southeast corner of Donation Land Claim No. 55 in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said point being on the center line of Hamrick Road; thence North 00° 15' 21" West along said centerline, 811.14 feet; thence South 89° 53' 40" West 35.00 feet to a point on the Westerly right of way line of said Hamrick Road, said point being on the Northerly boundary of tract described in Instrument No. 76-04905 of the Deed Records of said Jackson County; disc for the INITIAL POINT OF BEGINNING; thence along said right of way line South 00° 15' 21" East 141.08 feet; thence South 03° 33' 34" West 150.33 feet; thence South 00° 15' 21" East 250.00 feet; thence South 02° 36' 09" West 100.27 feet; thence South 02° 33' 39" West 145.02 feet to a point of intersection with the Northerly right of way line of Pine Street; thence along said Northerly right of way line South 89° 53' 40" West 58.98 feet; thence South 87° 33' 18" West 109.61 feet; thence North 89° 30' 18" West 18.49 feet; thence along the arc of a 11409.15 foot radius curve to the right (the long chord to which bears North 88° 47' 02" West 270.23 feet) an arc distance of 270.24 feet; thence North 88° 06' 20" West 144.10 feet; thence along the arc of a 11509.16 foot radius curve to the left (the long chord to which bears North 89° 06' 20" West 401.73 feet) an arc distance of 401.75 feet; thence South 89° 53' 40" West 65.90 feet; thence North 87° 14' 36" West 74.51 feet; thence leaving said Northerly right of way line North 16° 41' 50" West 115.03 feet; thence North 04° 16' 10" West 659.92 feet to a point on the aforementioned Northerly boundary of tract described in Instrument No. 76-04905; thence North 89° 53' 40" East along said boundary 1243.96 feet to the initial point of beginning.

Excepting therefrom that portion deeded to the City of Central Point, recorded December 23, 2020, document No. 2020-049070, Jackson County Official Records.

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. City Liens, if any, in favor of the City of Central Point.
7. Regulations, levies, liens, assessments, rights of way and easements of Rogue Valley Sewer Service District.
8. Regulations, including levies, liens, assessments, water and irrigation rights and easements for ditches and canals of the Rogue River Valley Irrigation District.
9. Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Bear Creek.
10. Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.
11. Rights of the public, riparian owners and governmental bodies as to the use of the waters of Bear Creek and the natural flow thereof on and across that portion of the subject land lying below the high water line of said waterway.
12. Rights of the public and governmental agencies in and to any portion of said land lying within the boundaries of streets, roads, and highways.
13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: PacifiCorp, an Oregon corporation
Purpose: Public Utilities
Recording Date: January 13, 1995
Recording No: 95-01094

14. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
15. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:

Name of Corporation: Wal-Mart Inc., a Delaware corporation

- a) A Copy of the corporation By-laws and Articles of Incorporation
- b) An original or certified copy of a resolution authorizing the transaction contemplated herein
- c) If the Articles and/or By-laws require approval by a 'parent' organization, a copy of the Articles and By-laws of the parent
- d) A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

16. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.

ADDITIONAL REQUIREMENTS/NOTES:

- A. Unpaid Property Taxes are as follows:

Fiscal Year: 2021-2022
Amount: \$54,933.90, plus interest, if any
Levy Code: 0607
Account No.: 10195947
Map No.: 372W02D 100

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

- B. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- C. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.
- D. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Housing Authority of Jackson County, a public corporation

WARNING REGARDING DEED OR CONTRACT TO TAX-EXEMPT GOVERNMENTAL TRANSFEREE.
Oregon law prohibits the county recording officer from recording a deed or contract to a tax-exempt governmental transferee, unless the deed or contract is accompanied by a certificate of payment of ad valorem county taxes. The certificate must be attested by the county assessor using a form prescribed by the Oregon Department of Revenue. Failure to allow adequate time for obtaining a certificate of payment may delay recording. This requirement is contained in Chapter 96, Oregon Laws 2015, effective Oct. 5, 2015.

- E. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.
- F. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- G. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.
- H. Note: Recording charge per document for:
Josephine County - \$91.00 for the first page, \$5.00 for each additional page
Jackson County - Deed \$97.00 for the first page, \$5.00 for each additional page. All other documents \$114.00 for the first page, \$5.00 for each additional page.

E-recording fee is an additional \$5.00 per document.
- I. Please send Recording Packages to: Recording Department, 497 Oakway Road, Suite 400, Eugene, OR 97401.
Email address: OR-TTC-MedfordRecorder@ticortitle.com

EXHIBIT ONE
2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions or location of any improvement erected on the land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the Insured Claimant;

- (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
- (c) resulting in no loss or damage to the Insured Claimant;
- (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
- (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and **DO NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2021

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We may share your Personal Information with affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, visit FNF's [Opt Out Page](#) or contact us by phone at (888) 934-3354 or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

EXHIBIT "A" - PROPOSED CITY OF CENTRAL POINT ALIGNMENT PLAN FOR GEBHARD ROAD

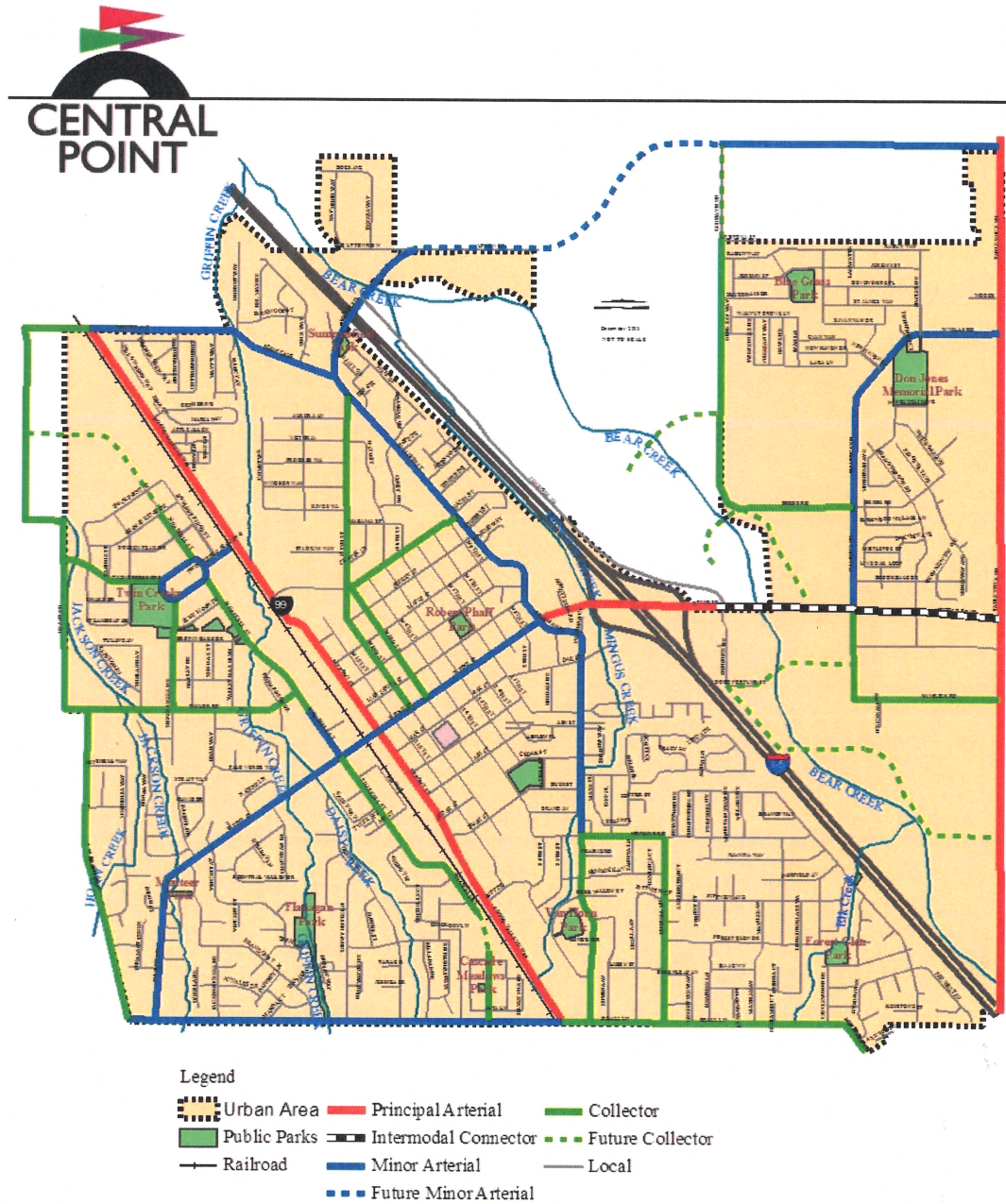


Figure 7.1
Functional Classification & Street Network Map
2008-2030

EXHIBIT 11

EXHIBIT "A" – PROPOSED CITY OF CENTRAL POINT ALIGNMENT PLAN
FOR GEBHARD ROAD

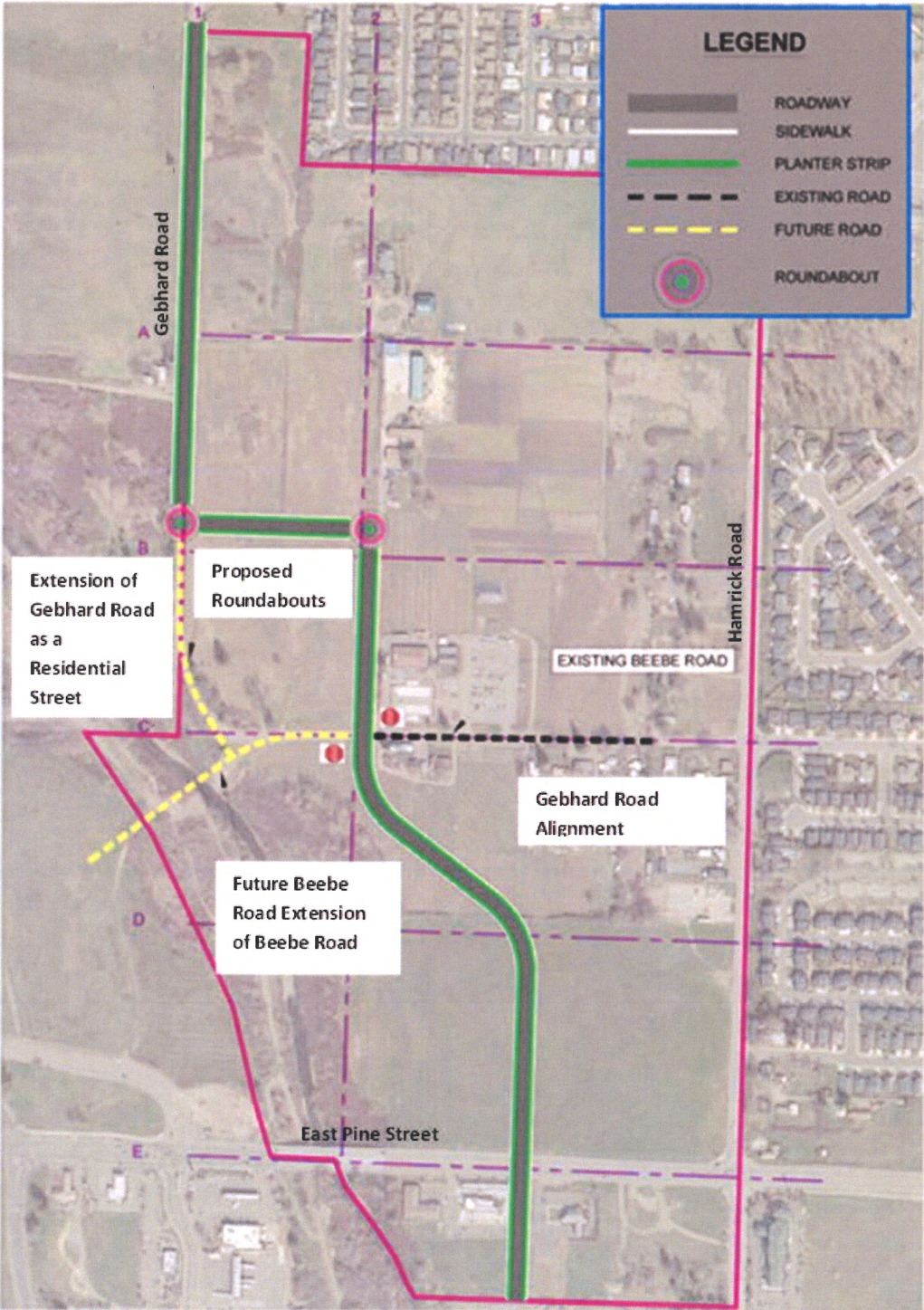


Figure 7.1.1 Gebhard Road Alignment

EXHIBIT "A" – PROPOSED CITY OF CENTRAL POINT ALIGNMENT PLAN FOR GEBHARD ROAD

7.2.2.2 Year 2020 Roadway Deficiencies: By 2020 it is projected that sixteen (16) intersections will exceed performance standards during one or both peak hours without any improvements. This represents 46% of the City's key intersections. The results of the operational analysis for the Year 2020 scenario are summarized in Table 7.3. The table lists each intersection within the study area separately, with the corresponding mobility standard for A.M. and P.M. conditions. The following identifies each of the sixteen intersections and a general description of the improvements needed to meet a minimum LOS "D":

1. **Table Rock Road & Vilas Road.** Widen to increase capacity. The intersection is shown to exceed performance standards by the year 2020. Adding an eastbound lane to allow a dual eastbound left turn movement and shared through-right turn movement mitigates the intersection in the year 2020. Additional widening is required to mitigate for the future year 2030 conditions.
2. **East Pine Street, Table Rock Road to I-5.** An additional westbound through lane will eventually be required based on projected traffic volumes.
3. **Gebhard Road Extension.** By Year 2020, it is forecast that Gebhard Road, *a designated collector street*, will be extended *southerly* to intersect with E. Pine Street approximately 700 feet west of Hamrick Road (*Figure 7.1*). *The proposed routing and alignment of the Gebhard Road extension is illustrated in Figure 7.1.1 and is expected to be improved as the area develops²¹. The specific alignment of Gebhard Road m be further refined as needed, but will generally follow the routing as illustrated in Figure 7.1.1.* In addition to the extension of Gebhard Road, its intersection with East Pine Street ~~would~~ *will* need to be signalized *as the commercial property along East Pine Street is developed. Both the signalization of Gebhard Road at East Pine Street and the southerly extension of Gebhard Road are compliant with ODOT's IAMP 33²².*
4. **Beall Lane & Hwy. 99.** Add protected-permissive phasing to the eastbound and westbound left turn movements. The intersection is shown to exceed performance standards by the year 2020. Changing to protected-permissive phasing mitigates the intersection through future year 2030 conditions during both A.M. and P.M. peak hours.
5. **Hwy. 99 & Pine Street.** Widen Pine Street. The intersection exceeds performance standards by the year 2020. Possible improvements at that time include striping the eastbound movements to include an exclusive left turn and two through lanes with a shared right-turn, as well as adding protected-permissive phasing to the eastbound and westbound left-turn movement.
6. **Hamrick Road & East Pine Street & Table Rock Road/Biddle Road.** Major capacity improvements are necessary for these intersections to accommodate heavy left-turn volume demand and added traffic due to developments along East Pine Street that will use existing and proposed cross-streets versus direct access to East Pine Street.

²¹ *Gebhard Road Alignment Study, August 13, 2015, City of Central Point.*

²² *Gebhard Road Intersection Traffic Impact Analysis, City of Central Point, June 4, 2015, JRH Transportation Engineering*

After Recording, Return to:

Grantor:

Housing Authority of Jackson County
2251 Table Rock Road
Medford, OR 97501

Grantee:

City of Central Point
140 South Third Street
Central Point, OR 97502

RESERVATION OF RIGHT OF WAY

The Housing Authority of Jackson County hereby reserves for future dedication as right-of-way for the future extension of Gebhard Road to the City of Central Point, a municipal corporation of the State of Oregon, the area on, over, and under the following described property:

See Exhibit A

The true and actual consideration for this reservation includes approval of a pending partition plat showing the approximate alignment of the future 76-foot wide future Gebhard Road right-of-way.

See Exhibit B

The City of Central Point hereby accepts this reservation on behalf of the public with the express understanding of the parties that, at the time of the dedication of the right-of-way, the terms of that dedication, including the allocation of cost for development of the right-of-way, will be negotiated and agreed upon by the parties taking into account the level of right-of-way involved and development plans generally. Notwithstanding the foregoing, the City of Central Point recognizes that the development of the right-of-way as a collector level roadway is a qualified capacity increasing transportation improvement for which the City of Central Point will pay just compensation if said roadway is constructed in conjunction with the development of the subject property or, alternatively, if the City opts to construct the road extension as a stand-alone public improvement project prior to actual development of the subject property.

This agreement shall bind and inure to the benefit of the parties hereto, as well as their successors and assigns.

Dated: _____, 2024

HOUSING AUTHORITY OF JACKSON COUNTY

EXHIBIT
12

STATE OF OREGON)
) ss
County of Jackson)

On _____ 2024, personally appeared before me _____ who
acknowledged the foregoing instrument to be their voluntary act and deed on behalf of the Housing
Authority of Jackson County.

Notary Public for Oregon
My commission expires: _____

Dated: _____, 2024

CITY OF CENTRAL POINT

STATE OF OREGON)
) ss
County of Jackson)

On _____ 2024, personally appeared before me _____ who
acknowledged the foregoing instrument to be their voluntary act and deed on behalf of the City of
Central Point.

Notary Public for Oregon
My commission expires: _____

Exhibit A

Commencing at a point for the Southeast corner of Donation Land Claim No. 55 in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, said point being on the center line of Hamrick Road; thence North 00° 15' 21" West along said centerline, 811.14 feet; thence South 89° 53' 40" West 35.00 feet to a point on the Westerly right of way line of said Hamrick Road, said point being on the Northerly boundary of tract described in Instrument No. 76-04905 of the Deed Records of said Jackson County; disc for the INITIAL POINT OF BEGINNING; thence along said right of way line South 00° 15' 21" East 141.08 feet; thence South 03° 33' 34" West 150.33 feet; thence South 00° 15' 21" East 250.00 feet; thence South 02° 36' 09" West 100.27 feet; thence South 02° 33' 39" West 145.02 feet to a point of intersection with the Northerly right of way line of Pine Street; thence along said Northerly right of way line South 89° 53' 40" West 58.98 feet; thence South 87° 33' 18" West 109.61 feet; thence North 89° 30' 18" West 18.49 feet; thence along the arc of a 11409.15 foot radius curve to the right (the long chord to which bears North 88° 47' 02" West 270.23 feet) an arc distance of 270.24 feet; thence North 88° 06' 20" West 144.10 feet; thence along the arc of a 11509.16 foot radius curve to the left (the long chord to which bears North 89° 06' 20" West 401.73 feet) an arc distance of 401.75 feet; thence South 89° 53' 40" West 65.90 feet; thence North 87° 14' 36" West 74.51 feet; thence leaving said Northerly right of way line North 16° 41' 50" West 115.03 feet; thence North 04° 16' 10" West 659.92 feet to a point on the aforementioned Northerly boundary of tract described in Instrument No. 76-04905; thence North 89° 53' 40" East along said boundary 1243.96 feet to the initial point of beginning.

Excepting therefrom that portion deeded to the City of Central Point, recorded December 23, 2020, document No. 2020-049070, Jackson County Official Records

PARTNERS

DAVID B. PARADIS
MARK R. WEAVER
DOMINIC M. CAMPANELLA
JENNIFER E. NICHOLLS
CARLETTE A. KRUSE
MARK Y. TUAI

ASSOCIATE

CAMERON M. LYON

BROPHY SCHMOR LLP
ATTORNEYS AT LAW

201 West Main Street, 5th Floor
P.O. Box 128
Medford, Oregon 97501
TELEPHONE: (541) 772-7123
FAX: (541) 772-7249

www.brophylegal.com
jnicholls@brophylegal.com



Client focused since 1942

CARL M. BROPHY, 1923-2008

March 10, 2024

VIA HAND DELIVERY

Planning Department
City of Central Point
140 S 3rd St
Central Point, OR 97502

Re: Partition Application for 1777 E Pine St

Dear Ms. Holtey:

As legal counsel to the Housing Authority of Jackson County ("HAJC"), we submit this letter in support of the pending partition application regarding 1777 E Pine and, specifically, HAJC's request to defer improvements.

The application before the City simply requests that one parcel be divided into two. There is no pending development plan, and it is premature to require a commitment to certain improvements before an actual development plan is presented. We suspect that the City's insistence on certain improvements is based solely on speculation as to what these plans may request in the future.

Oregon law makes it clear that municipalities cannot impose exactions on a landowner as a condition of approving a partition application based on speculation as to future development. This was the precise situation presented to the Court of Appeals in *Schultz v. City of Grants Pass*, 131 Or App 220 (1994). In that case, the City sought to impose exactions on the landowner as a condition of a partition because of the potential scope of future development. No actual plans were presented to the City. The Court rejected the City's position, stating:

The city imagined a worse-case scenario – assuming that petitioners would, at some undefined point in the future, attempt to develop their land to its full development potential of as many as 20 subdivided residential lots, further assuming that petitioners would obtain all the necessary permits and approvals – and on the basis of that scenario, it calculated the impacts of the development and tailored conditions to address them.

EXHIBIT
13

Id., 131 Or App at 228. In other words, it was premature to condition approval of the partition on certain improvement when the application sought nothing more than partitioning one lot into two. *Id.*, 131 Or App at 228.

This is effectively the same situation presented to the City in the pending partition application – splitting one lot into two. We appreciate that this parcel may be developed in the future, but, respectfully, the conversation about improvements should be deferred until those plans are presented to the City. At that time, the City will be better positioned to evaluate the scope of necessary improvements based on the actual development plans.

Regardless, the exactions proposed (namely dedicating valuable land and expending a significant amount of money on these improvements) are not proportional to the impact to the property. Exactions must be related to the impact of the proposed development in both nature and extent. *Id.*, 131 Or App 228. As noted above, presently, there is no *proposed development*. The subject parcel is currently bare land and, therefore, there is no connection between its current condition and deeding thousands of feet of frontage property to the City. As we trust you are aware, Oregon law requires “rough proportionality” between the conditions and the development. *Id.*, 131 Or App 220, 226 (“The [US Supreme Court] explained that the ‘required degree of connection’ between the conditions and the impact of the proposed development is one of ‘rough proportionality’”) (citing *Dolan v. City of Tigard*, 512 US 374, 385-91 (1994); see *cf Hallmark Inns & Resorts Inc v. City of Lake Oswego*, 193 Or App 24, 36 (2004) (City met the “rough proportionality” test when comparing the actual development at issue and projected occupancy thereof to the City’s requirement that a pathway be developed)).

It is our legal opinion that the City should defer all improvements until such time that an actual development plan is presented to the City. The pending application is a request to partition one lot into two – just as in *Schultz* – and it is premature to speculate as to potential future development and the resulting improvements that may be necessary.

This request is also consistent with the City code. Consistent with the code, should the City exercise its discretion and defer these improvements, HAJC will either agree to certain improvements or sign a deferred improvement agreement. See Central Point Municipal Code Section 16.36.030(c). These improvements may include reserving a right of way for the extension of Gebhard Road and dedicating the existing Pine and Hamrick arterial frontage subject to payment of compensation. Given the absence of a development plan and HAJC’s proffered concession, this should satisfy the City’s needs and warrant a deferral on this minor partition application.

Thank you for your attention to this matter.

Very truly yours,

BROPHY SCHMOR LLP

Jennifer E. Nicholls

JN/

cc: Eric Hill, HAJC
Raul Woerner, CSA Planning



ROGUE VALLEY
SEWER SERVICES
CLEAN WATER - HEALTHY COMMUNITIES

Attachment 5

April 12, 2024

City of Central Point Planning Department
155 South Second Street
Central Point, Oregon 97502

Re: PAR-23002, Housing Authority, 37S 2W 02D, Tax Lot 100.

There is an existing 8 inch sewer main along Hamrick Road to the east and an existing 15 inch sewer along Beebe Road to the north. Sewer service for future development can be had by sewer main extension from either main. Future development must comply with RVSS standards.

Feel free to call me if you have any questions.

Sincerely,

Nicholas R Bakke, PE
District Engineer



JACKSON COUNTY

Roads

Roads Engineering

Nancy Coates
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6261
Fax: (541) 774-6295
coatesn@jacksoncountyor.gov
www.jacksoncounty.org

Attachment 6

April 22, 2024

Attention: Stephanie Powers
City of Central Point Planning
140 south Third Street
Central Point, OR 97502

RE: A Tentative Partition Plan
East Pine Street - a County-maintained road at this location.
at Hamrick Road - a City-maintained road at this location.
Planning File: PAR-23002; 37-2W-02D Tax Lot 100.

Stephanie:

Thank you for the opportunity to comment on this Tentative Partition Plan to divide the property into two (2) parcels totaling 7.7 acres and 13.6, respectively. The site is located at 1777 East Pine Street at the intersection of East Pine and Hamrick Road. The site is identified on the Jackson County Assessor's Map as 37-2W-02D, Tax Lot 100.

Jackson County Roads offers the following comments:

1. The applicant should be aware that as an arterial facility carrying over 30,000 trips daily, the County is concerned with the operations of East Pine Street following the development. Limiting access to the new section of Gebhard Road to a right-in, right-out and a left-in through a raised median should be given strong consideration in the Traffic Impact Study.
2. Jackson County's General Administration Policy #1-45 sets forth the County's position as it relates to the management of County roads located within existing or proposed city limits or Urban Growth Boundaries (UGB). The County has no current plans for improvements to East Pine Street. Jackson County Roads recommends that the city request road jurisdiction.
3. We concur with any City of Central Point requested right-of-way dedication and/or frontage improvements.
4. The County road approach spacing standard for arterials is 300'.
5. Utility Permits are required from Roads for any utility work within the county road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.

6. If County storm drainage facilities are utilized, the applicant's registered engineer shall verify that the drainage system has adequate capacity to accept additional runoff from this development. Jackson County Roads shall review, comment and approve the hydraulic report including the calculations and drainage plan. Capacity improvements or on-site detention, if necessary, shall be installed at the expense of the applicant.
7. Construction plans shall be prepared in accordance with the "Standards and Specifications for County Roads" (also known as the County Road Standards).
8. The applicant shall submit construction drawings to Jackson County Roads and obtain County permits if required.
9. The radius for road intersection along an arterial road shall be a minimum thirty-foot radius. The road approach shall be perpendicular to East Pine Street and aligned directly across from a road approach on the other side of the road if possible.
10. Jackson County Roads would like to be notified of future development proposals, as permits may be required.
11. Per Oregon Revised Statute 209.150, any survey monuments of record removed, disturbed or destroyed within the permit area must be referenced prior to construction and replaced after construction by a registered professional land surveyor. All costs associated with this surveying work are the responsibility of the permit holder.
12. East Pine Street is a County Minor Arterial and is maintained by the County. The Average Daily Traffic count was 13,346 for eastbound lanes 525 west of Hamrick Road on July 07, 2020 and 15,355 for westbound lanes on July 07, 2020 825 feet west of Hamrick Road.
13. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.
14. Please contact the Oregon Department of Transportation for comments.

Sincerely,



Nancy Coates
Construction Manager

PUBLIC WORKS STAFF REPORT

April 16, 2024

AGENDA ITEM: Housing Authority Partition (PAR-23002)

A Tentative Partition Plan to divide the property into two (2) parcels totaling 7.7 acres and 13.6, respectively. The property is located at 1777 East Pine Street at the intersection of East Pine and Hamrick Road. The Jackson County Assessor's Map identifies the site as 37S 2W 02D, Tax Lot 100.

Agent: CSA Planning, LTD (Raul Woerner)

Applicant: Jackson County Housing Authority

Traffic:

The Applicant is proposing a two-lot partition with no associated development proposal. A Traffic Impact Analysis (TIA) is not required for the partition.

Existing Infrastructure:

Water: There is a 12-inch water line on Hamrick Road and East Pine Street
Streets: Hamrick Road is a three-lane Minor Arterial with no sidewalks. East Pine Street is a five-lane major arterial with no sidewalks.
Stormwater: There is an existing 36-inch Storm Drain line on the south side of East Pine Street. Jackson County owns a parallel line on the North side of Pine Street.

Background:

The Applicant proposes a two-lot partition for future land development. The Applicant is showing a right-of-way reservation for the future extension of Gebhard Road through the subject site.

Issues:

The main issue with this site is future access to the site, which has frontage on and is located at the intersection of East Pine Street (Major Arterial) and Hamrick Road (Minor Arterial). The Transportation System Plan (TSP) identifies the future extension Gebhard Road, a City Collector Street, through the site to East Pine Street, as well as traffic signal installation at the intersection of Gebhard and East Pine Street. Since there is no land development proposal at this time the Applicant is proposing a right-of-way reservation instead of a right-of-way dedication across Proposed Parcels 1 and 2 (Attachment A).

The right-of-way reservation assures that all parties are on notice of the future right-of-way to be dedicated. Per the Jackson County Surveyor, the right-of-way reservation shall be recorded as a separate document and illustrated on the final plat. Right-of-way dedication and improvements will be negotiated as part of future land development applications. The proposed tentative plan and right-of-way reservation show an incorrect alignment for Gebhard Road at the north end of Proposed Parcel 2. It will be necessary to revise the right-of-way reservation and illustrate the correct location on the final plat prior to final plat approval (Attachment B).

Given high traffic volumes on both Hamrick Road and East Pine Street, access is likely to be limited to right-in/right-out and possibly left-in on Hamrick Road. Similar restrictions are likely on East Pine Street until a signal can be installed at the intersection of Gebhard and East Pine Street. It is important to note there may be restrictions on trips generated on Proposed Parcel 2 if it develops before Proposed Parcel 1. Determination of traffic impacts and potential future access limits and associated trip caps, if applicable, will be pursuant to a TIA in accordance with CPMC 17.05.900.

Conditions of Approval:

The following conditions shall be satisfied:

1. Right of Way Reservation. Prior to final plat approval, the applicant shall submit an amended right of way reservation for Gebhard Road to conform with the TSP for the configuration of Gebhard Road;
2. Final Plat. Prior to final plat approval the plat map shall be amended to show the correct alignment for the Gebhard Road extension per the TSP.
3. Recorded Documents. Within 30-days of recording the right-of-way reservation and the final plat, a copy of the recorded right-of-way reservation and a copy of the final plat shall be provided to the Planning and Public Works Department. Building permits for any construction or land development shall not be issued until copies of the recorded documents are received.

Attachments:

- A. Proposed Right-of-Way Reservation
- B. Gebhard Road Extension/TSP

**PLANNING DEPARTMENT SUPPLEMENTAL FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

File No.: PAR-23002

**Before the City of Central Point Planning Commission
Consideration of a Tentative Partition Plan for 1777 East Pine Street**

Applicant:	)	Findings of Fact
Housing Authority of Jackson County	)	and
2251 Table Rock Road	)	Conclusion of Law
Medford, OR 97501	)	

**PART 1
INTRODUCTION**

The applicant submitted a tentative partition plan application to divide a 21.12 acre property at 1777 East Pine Street into two (2) parcels for sale and future land development ("Application"). At the time the Application was submitted, the property was located within the Tourist and Office Professional (C-4) zoning district.

Tentative partition plans are typically reviewed using Type II procedures set forth in CPMC 17.05.300. In accordance with CPMC 17.05.300(B)(3)(a), this application is being processed using Type III procedures for the following reasons:

1. The property involves land planned and zoned for employment use and has frontage on East Pine Street;
2. This particular site is located at the intersection of two arterial streets and is within the influence area for the I-5 interchange;
3. There has been substantial public interest in development of this property and properties in the vicinity that justifies the opportunity for participation in a public hearing.

The determination to apply Type III procedures to the Application is consistent with the City's approach to other projects along the East Pine Street corridor and is not unique to this application. Type III applications are reviewed in accordance with procedures provided in Section 17.05.400, which provides the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

The standards and criteria for the proposal are set forth in CPMC Title 16, Subdivisions and CPMC 17.44, Tourist and Office Professional Zone. The following findings address each of the standards and criteria as applies to the subdivision tentative plan.

The Applicant submitted Findings of Fact and Recommended Conclusions of Law that addressed the following standards and criteria:

- CPMC 16.36.030 – Major and Minor Land Partition Requirements
- CPMC 16.20 – Streets and Other Ways—Design Standards
- CPMC 16.24 – Blocks and Lots—Design Standards

The City of Central Point adopts the Applicant's Findings, which are attached to the Planning Department Staff Report dated May 7, 2024 as Attachment 4 (with the exception of Exhibit 13 thereto which consists of a legal opinion on illegal exactions for the reason that the City has not conditioned any public improvements or dedication with this application) and the following supplemental findings addressing:

- CPMC 16.36.020 – Major and Minor Partition Application and Review
- CPMC 16.10 – Tentative Plans
- CPMC 17.44 – Tourist and Office Professional Zone (C-4)
- CPMC 17.05.400 – Type III Procedures

PROJECT BACKGROUND

The proposed tentative plan is on property located within the C-4 zoning district on 21.12 acres at 1777 East Pine Street ("Project Site"). The Project Site is vacant and has frontage on East Pine Street (south), Hamrick Road (east), Bear Creek riparian area (west) and rural residential lots and farmland (north). The proposal does not include any land development activities. The Applicant's objective is to partition the property to sell for future development.

The City's Transportation System Plan (TS) identifies the future extension of Gebhard Road through the Project Site to East Pine Street (Project No. 267). The Applicant proposes a Right-of-Way Reservation to illustrate the location of the future right-of-way to be dedicated and improved at the time of future land development or as otherwise negotiated between the owner(s) and the City.

According to the Public Works Department and Rogue Valley Sewer Services (RVSS), all utilities are available for future extension to the site.

Page 119 of 132

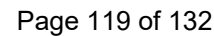
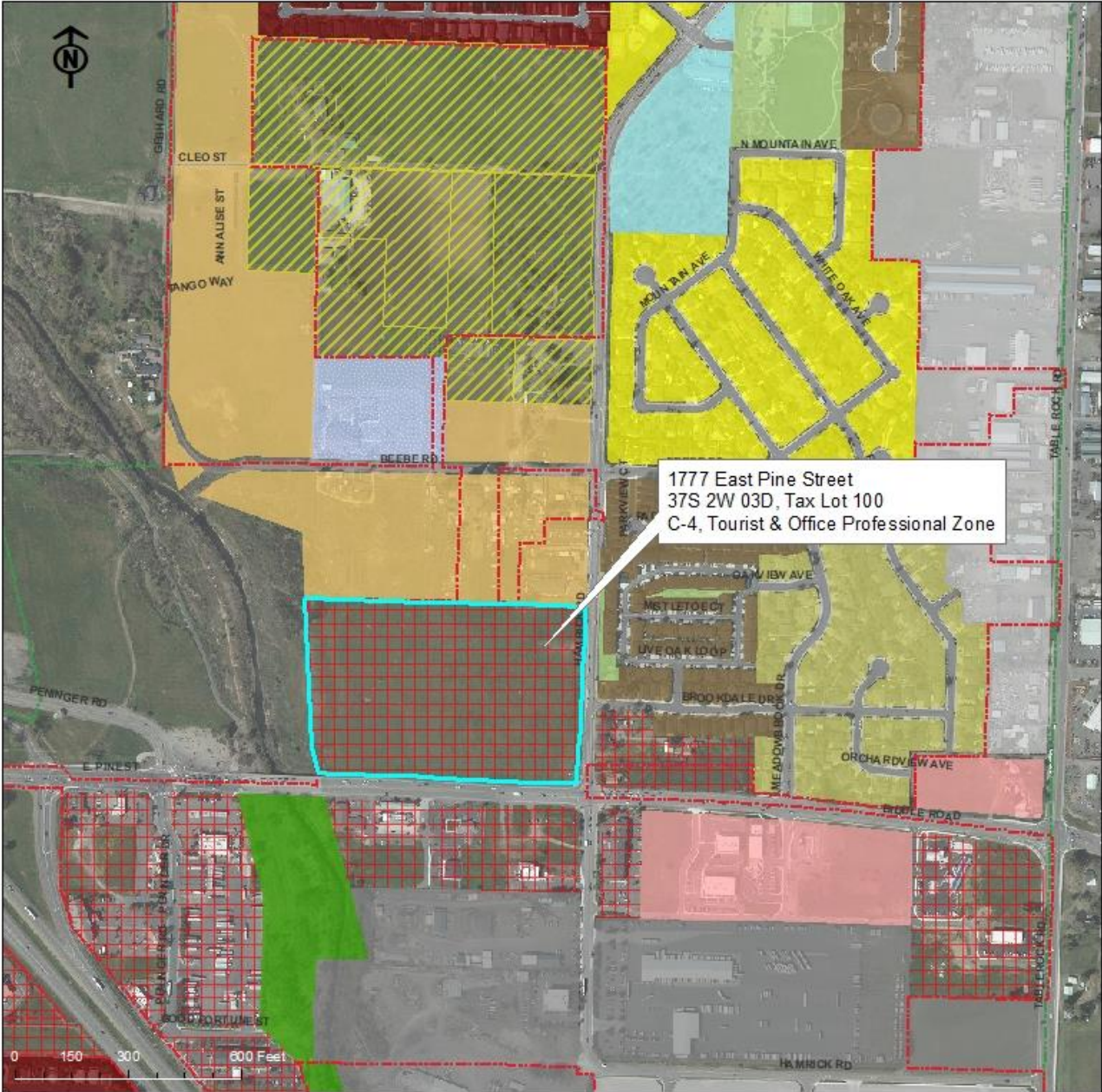


Figure 2. Vicinity Map



- Legend**
- Central Business District Overlay
 - city limits
 - Updated UGB (2022)
 - Zoning Districts
 - BCG = Bear Creek Greenway
 - C-2 (M) = Commercial - Medical District
 - C-4 = Tourist and Office
 - C-5 = Thoroughfare Commercial
 - CN = Neighborhood Commercial
 - Civic
 - ETOD Civic*
 - EC = Employment Commercial (TOD)
 - GC = General Commercial (TOD)
 - HMR = High Mix Residential/Commercial (TOD)
 - LMR = Low Mix Residential (TOD)
 - ETOD LMR*
 - M-1 = Industrial
 - M-2 = Industrial General
 - MMR = Medium Mix Residential (TOD)
 - ETOD MMR*
 - OS = Open Space/ Parks
 - R-3 = Multiple Family Residential
 - R-2 = Two-Family Residential
 - R-1-6 = SF Residential - 6,000
 - R-1-8 = SF Residential - 8,000
 - R-1-10 = SF Residential - 10,000
 - R-L = Low Density Residential



Official Zoning Map

PART 2 SUBDIVISIONS

Title 16 of the Central Point Municipal Code (CPMC) establishes standards and criteria for land division applications including tentative plans, final plats and partitions. The sections of CPMC 16 applicable to the Application are:

Chapter 16.36 – Major and Minor Partitions

CPMC 16.10.010 Approval of Major and Minor Land Partitions Required

No person shall partition land within the city without first obtaining approval from the City for the partitioning of land.

***Finding CPMC 16.10.010:** As demonstrated in the Planning Department Supplemental Findings and the Applicant's Findings, the proposed tentative partition plan has been reviewed by the City and all affected agencies as necessary to recommend approval of the partition.*

***Conclusion CPMC 16.10.010:** Consistent.*

CPMC 16.36.020 Application and Review

Applications and review for the partitioning of land shall conform to all of the requirements and follow the same procedure applicable to the subdivision of land as set forth in this title.

***Finding CPMC 16.36.020:** See Findings for CPMC 16.10, Tentative Plans.*

***Conclusion CPMC 16.36.020:** Consistent.*

CPMC 16.36.040 Flag Lots

No partition shall be approved in which a flag lot, as defined in this title, is created unless:

- A. The parent and flag lot, excluding the flag pole, whether fee title or an easement, shall comply with the minimum lot size, lot dimension, and setback requirements for the zoning district in which the lots are located;
- B. The flag pole shall be no less than twenty feet wide and paved to private standards as set forth in the Standard Specifications and Uniform Details, city of Central Point public works department;
- C. No fence, structure, or any other physical obstacle shall be placed within the flag pole; and
- D. A maximum of two lots are allowed access from a flag pole.

***Finding CPMC 16.36.040:** The proposed tentative partition plan does not include creation of a flag lot as defined in Title 16.*

Conclusion CPMC 16.36.040: *Not applicable.*

CPMC 16.36.050 Approval

Approval of applications for the partitioning of land, including approval of tentative plans and final plats and filing or recording, shall conform to all of the requirements and follow the same procedure applicable to those for the subdivision of land as set forth in this title.

Finding CPMC 16.36.050: *As demonstrated in the findings for CPMC 16.10 and 16.36, including those herein and CPMC 16.36.030 in the Applicant's Findings, the proposed Minor Partition demonstrates conformance with the same requirements and procedure for subdivisions.*

Conclusion CPMC 16.36.050: *Consistent.*

Chapter 16.10 - Tentative Plans.

CPMC 16.10.010 Submission of application – Filing fee.

The applicant shall submit an application and tentative plan together with improvement plans and other supplementary material as may be required to indicate the development plan and shall submit ten copies to the city together with a filing fee defined in the city's adopted planning application fee schedule. The diagrams submitted shall consist of three copies at the scale specified in Section 16.10.020 and one copy in an eight-and-one-half-inch by eleven-inch format.

Finding CPMC 16.10.010: *The applicant submitted the tentative plan application along with the required \$3,100 application fee on September 19, 2023. The submittal was reviewed and a notice of incomplete application was mailed on October 3, 2023. Supplemental materials were submitted on March 18, 2024, which was reviewed and accepted as complete on March 21, 2024 for review in accordance with the submittal requirements in CPMC 16.10, CPMC 17.05, and CPMC 17.44.*

Conclusion CPMC 16.10.010: *Consistent.*

CPMC 16.10.015 Application and review--Fees.

Applications and review thereof shall conform to the provisions of Chapter 17.05 and all applicable city ordinances and laws of the state. All costs of administrative and legal staff time costs, plans checks, construction inspection, preparation of agreements, in excess of the filing fee, shall be borne by the applicant and paid upon billing by city. Failure to pay such costs as billed shall constitute grounds for denial of final plat approval or building permits.

Finding CPMC 16.10.015: *See Finding CPMC 16.10.010.*

Conclusion: 16.10.015: *Consistent.*

CPMC 16.10.020 Scale.

The tentative plan shall be drawn on a sheet eighteen by twenty-four inches in size or a multiple thereof at a scale of one inch equals one hundred feet or, for areas over one hundred acres, one inch equals two hundred feet, and shall be clearly and legibly reproduced.

Finding CPMC 16.10.020: *The tentative plan is drawn on a sheet that is thirty-six inches by twenty-four inches and at a scale of one-inch equals sixty feet, which is clearly and legibly produced relative to the project area.*

Conclusion CPMC 16.10.020: *Consistent.*

CPMC 16.10.030 General information.

The following general information shall be shown on or included with the tentative plan:

- A. Proposed name of the subdivision. This name must not duplicate or resemble the name of another subdivision in the county;

Finding CPMC 16.10.030(A): *The proposed tentative plan is for a Minor Partition, not a subdivision. The partition name is the legal description of the Project site, which is unique.*

Conclusion CPMC 16.10.030(A): *Complies.*

- B. Date, north point, and scale of drawing;

Finding CPMC 16.10.030(B): *The tentative plan was drawn on October 9, 2023 and includes the scale and north arrow.*

Conclusion CPMC 16.10.030(B): *Consistent.*

- C. Location of the subdivision by section, township, and range, and a legal description sufficient to define the location and boundaries of the proposed tract or the tract designation or other description according to the records of the county assessor;

Finding CPMC 16.10.030(C): *Figure 1 provides the section, township and range (37 2W 02D, Tax Lot 100) and Figure 2 provides a site Vicinity Map. Combined with the legal description submitted with the application, these items define the location and boundaries of the project site.*

Conclusion CPMC 16.10.030(C): *Consistent.*

- D. Names and addresses of the owner or owners, applicant and engineer or surveyor;

Finding CPMC 16.10.030(D): *The applicant is listed on the tentative plan (Figure 1) as HAJC and the surveyor is listed as L.J. Friar and Associates out of Phoenix, Oregon.*

Conclusion CPMC 16.10.030(D): *Consistent.*

- E. A title report indicating all interests of record in the property which is the subject of the application.

Finding CPMC 16.10.030(E): *A title report prepared by Ticor Title on December 16, 2021 was provided with the original submittal on September 19, 2021.*

Conclusion CPMC 16.10.030(E): *Consistent.*

CPMC 16.10.040 Existing conditions.

The following existing conditions shall be shown on the tentative plan:

- A. The location, widths and names of all existing or platted streets or other public ways within or adjacent to the tract, easements, railroad rights-of-way and such other important features within or adjacent to the tract as may be required by the city;

Finding CPMC 16.10.040(A): *The tentative plat illustrates the location and width of Hamrick Road, which is east of and adjacent to the project site, and East Pine Street, which is south of and adjacent to the project site. There are no existing easements on the site.*

Conclusion CPMC 16.10.040(A): *Consistent.*

- B. Contour lines related to some established bench mark or other datum as approved by the city when the city determines that the nature of the topography or size of the subdivision requires such data. Contour lines shall have the following minimum intervals:

1. Two-foot contour intervals for ground slopes less than five percent;
2. Five-foot contour intervals for ground slopes exceeding five percent;

Finding CPMC 16.10.040(B): *Figure 1 includes 1-foot contours. The slope of the property is less than five percent.*

Conclusion CPMC 16.10.040(B): *Consistent.*

- C. The location of at least one temporary bench mark within the plat boundaries;

Finding CPMC 16.10.040(C): *The tentative plat submittal (Figure 1) provides the basis of survey including the bearings and elevations.*

Conclusion CPMC 16.10.040(C): *Consistent.*

D. Location and direction of all watercourses and drainage systems;

Finding CPMC 16.10.040(D): *There is a 36-inch storm drain line in East Pine Street that can be extended to the site. The tentative plan illustrates the FEMA Flood Zones (AE, X(Shaded) and X(Unshaded) associated with Bear Creek to the west.*

Conclusion CPMC 16.10.040(D): *Consistent.*

E. Natural features, such as rock outcroppings, marshes and wooded areas;

Finding CPMC 16.10.040(E): *Per staff site visits and aerial imagery, the project site contains some vegetation including grasses, wildflowers and some shrubs, but it primarily consists of a flat, open grass field. There are no rock outcroppings or wetland areas on the project site.*

Conclusion 16.10.040(E): *Consistent.*

F. Existing uses of the property, including location of all existing structures which the subdivider proposes to leave on the property after platting;

Finding CPMC 16.10.040(F): *The property is currently developed with a single family residential structure that the applicant proposes to leave on the site and will be incorporated into the subdivision lot design.*

Conclusion CPMC 16.10.040(F): *Consistent.*

G. The location within the subdivision and in the adjoining streets and property of existing sewers and water mains, culverts and drain pipes, and all other existing or proposed utilities to be used on the property to be subdivided and invert elevations of sewers at points of probable connections;

Finding CPMC 16.10.040(G): *As shown on the Tentative Plan (Figure 1), the applicant identifies the location of existing infrastructure adjacent to the subject property relative to existing conditions and proposed infrastructure that is available for future development. This is verified in the Public Works Staff Report dated April 16, 2024.*

Conclusion CPMC 16.10.040(G): *Consistent.*

H. Zoning on and adjacent to the tract.

Finding CPMC 16.10.040(H): *Zoning designations on the project site and adjacent properties are denoted on the Vicinity Map (Figure 2) and in the Applicant's Findings (Attachment 4 in the Staff Report dated May 7, 2024).*

Conclusion CPMC 16.10.040(H): *Consistent.*

CPMC 16.10.050 Additional information.

The following additional information shall also be included on the tentative plan:

- A. Streets, showing location, width, proposed names, approximate grades and approximate radii of curves and the relationship of all streets to any projected streets as shown of any development plan adopted by the city;

Finding CPMC 16.10.050(A): *The proposed tentative plan (Figure 1) identifies future right-of-way to be dedicated and improved for Gebhard Road consistent with TSP Project No. 267. Since there is no development proposal associated with the tentative plan, no internal streets are proposed to be dedicated or improved at this time.*

Condition CPMC 16.10.050(A): *Not applicable.*

- B. Easements, showing the width and purpose;

Finding CPMC 16.10.050(B): *As shown on the Tentative Plan (Figure 1), no easements are proposed since there is no development application associated with the proposed partition. However, the Tentative Plan illustrates a proposed Right-of-Way Reservation to put all parties on notice that Gebhard Road, a City Collector, will be dedicated and improved as part of future land development applications.*

Conclusion CPMC 16.10.050(B): *Consistent.*

- C. Lots, showing approximate dimensions, area of smallest lot or lots and utility easements and building setback lines to be proposed, if any;

Finding CPMC 16.10.050(C): *See Finding CPMC 16.10.050(B).*

Conclusion CPMC 16.10.050(C): *Consistent.*

- D. Sites, if any, proposed for purposes other than dwellings;

Finding CPMC 16.10.050(D): *As stated in the Applicant's Findings, no development proposal is associated with the proposed tentative partition plan. No use will occupy the site until a land development application is submitted, considered and approved.*

Conclusion CPMC 16.10.050(D): *Not applicable.*

- E. Area in square footage of each lot and the average lot area.

Finding CPMC 16.10.050(E): *The parcel area for the each of the proposed lots is provided on the tentative plan (Figure 1).*

Conclusion CPMC 16.10.050(E): *Consistent.*

CPMC 16.10.060 Partial development.

When the property to be subdivided contains only part of the tract owned or controlled by the applicant, the city may require a development plan of a layout for streets, numbered lots, blocks, phases of development, and other improvements in the undivided portion, indicating inter-relationship with the portion sought to be divided. The city shall have authority to require that any adjacent parcel or parcels owned or controlled by the applicant but not included in the proposed subdivision boundaries be included in the development whenever inclusion of such parcel or parcels would be an appropriate extension of the development and in the best interests of the public, considering the development plan and the relationship between the surrounding area and the area of proposed development.

Finding CPMC 16.10.060: *The Application is owned by the HAJC in its entirety. Adjacent lands are owned by other parties per records of the Jackson County Assessor. No land development is proposed at this time. Notwithstanding, the Applicant has proposed a right-of-way reservation to notify all parties of the future required right-of-way for Gebhard Road per TSP Project No. 267.*

Conclusion CPMC 16.10.060: *Not Applicable.*

16.10.070 Explanatory information.

Any of the following information may be required by the city and, if it cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:

- A. A vicinity map showing all existing subdivisions, streets and un-subdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets may be connected to existing streets;

Finding CPMC 16.10.070(A): *The proposed partition splits the property into two parcels for sale and future land development. The site abuts public right-of-way to the east and south and Bear Creek to the west. Figure 1 illustrates the existing lot configuration for the adjacent properties. The extension of Gebhard Road beyond the project site to the north is shown in the TSP.*

Conclusion CPMC 16.10.070(A): *Consistent.*

- B. Proposed deed restrictions in outline form;

Finding CPMC 16.10.070(B): *The proposed partition includes a right-of-way reservation, which is shown on the tentative plan and in the application materials.*

Conclusion CPMC 16.10.070(B): *Consistent.*

- C. Approximate centerline profiles showing the proposed finished grade of all streets, including the extensions for a reasonable distance beyond the limits of the proposed subdivision;

Finding CPMC 16.10.700(C): *Street profiles are not provided with the tentative plan application because no street construction is proposed.*

Conclusion CPMC 16.10.070(C): *Not applicable.*

- D. The approximate location and size of all proposed and existing water and sewer lines and storm drainage systems.

Finding CPMC 16.10.070(D): *The approximate location of existing water, sanitary sewer and storm drainage systems are included with the tentative plan application. No utilities are proposed to be extended to the site until a subsequent land division and/or land development application is submitted. Until that time, the required location and size needed is unknown.*

Conclusion CPMC 16.10.070(D): *Not applicable.*

CPMC 16.10.080 Tentative plan approval.

- A. Approval of the tentative plan shall not constitute final acceptance of the final plat of the proposed subdivision or partition for recording; however, approval of the tentative plan shall be binding upon city for the purpose of the approval of the final plat if the final plat is in substantial compliance with the tentative plan and any conditions of approval thereof. A tentative plan approval shall expire and become void one year from the date on which it was issued unless the final plat has been approved pursuant to Chapter 16.12 or an application for extension is filed and approved subject to the requirements of Section 16.10.100 and Chapter 17.05.
- B. When it is the intent to develop a tentative plan and record a final plat in phases, the city, at the time of tentative plat approval, may authorize a time schedule for platting the various phases in periods exceeding one year, but in no case shall the total time period for platting all phases be greater than five years without review of the tentative plan for compliance with the current code and comprehensive plan. Each phase so platted shall conform to the applicable requirements of this chapter. Phases platted after the passage of one year from approval of the tentative plan will be required to modify the tentative plan as necessary to avoid conflicts with changes in the comprehensive plan or this chapter.

Finding CPMC 16.10.080: *Upon receipt of a final plat application within the required time limitation per CPMC 16.12 or CPMC 16.10.100 and 17.05, the City will evaluate the final plat application to assure that the final plat is substantially the same as the tentative plan and that all conditions have been met.*

Conclusion CPMC 16.10.080: *Consistent.*

CPMC 16.10.090 Conditions on tentative plan approval.

The city may attach to any tentative plan approval given under this chapter specific conditions deemed necessary in the interests of the public health, safety or welfare, including but not limited to the following:

- A. Construction and installation of any on-site or off-site improvements, including but not limited to sidewalks, curbs, gutters, streets, street signs and street lights, traffic control signs and signals, water, storm drainage, sanitary sewer, and park and recreation improvements. In requiring off-site improvements, the city shall find that said improvements are reasonably related to the development and would serve a public purpose such as mitigating negative impacts of the proposed development.
- B. All improvements required under this subsection shall be made at the expense of the applicant, and shall conform to the provisions of the Standard Specifications and Uniform Standard Details for Public Works Construction in the City of Central Point, Oregon, however, the city, in its discretion, may modify such standards and determine site-specific design, engineering and construction specifications when appropriate in the particular development;
- C. An agreement by the owner of the property to waive, on his or her behalf, and on behalf of all future owners of the land, any objection to the formation of a local improvement district which may be formed in the future to provide any of the improvements specified in subsection A of this section;
- D. An agreement by the owner of the property to enter into a written deferred improvement agreement, providing that one or more of the improvements specified in subsection A of this section shall be made by the owner at some future time to be determined by the city;
- E. Any agreement entered into pursuant to subsections B or C of this section shall be recorded in the county recorder's office and shall be intended to thereafter run with the land, so as to bind future owners of the lands affected. Any and all recording costs shall be borne by the applicant;
- F. Any other conditions deemed by the city to be reasonable and necessary in the interests of the public health, safety or welfare.

Finding CPMC 16.10.090: Conditions of approval attached to the tentative plan include revising the Right-of-Way Reservation alignment to coincide with the adopted TSP alignment for Gebhard Road across Proposed Parcel 2. This right-of-way reservation is required to be recorded and the location provided on the final plat, which will be recorded. This will provide notice on the title of the future right-of-way dedication requirement for Gebhard Road, which is deferred since the impact of the Minor Partition is not commensurate with requiring dedication and improvement of a Collector Street with no end user(s) at this time.

Conclusion CPMC 16.10.090: Consistent.

PART 3 ZONING ORDINANCE

The purpose of Title 17 of the CPMC is to encourage the most appropriate use of land, promote orderly growth of the city, and promote public health, safety, convenience and general welfare. The sections of CPMC 17 applicable to the application are:

Chapter 17.05, Applications and Types of Review Procedures

This Chapter establishes standard decision-making procedures that enable the city, the applicant, and the public to review applications and participate in the local decision making process. There are four (4) types of review procedures, Type I, II, III, and IV that are applied to land use and development applications in Table 17.05.100.1. It also establishes when a Traffic Impact Analysis (TIA) is required.

Finding CPMC 17.05: *As identified in Table I, Section 17.05.100.1 a partition tentative plan is reviewed using Type II procedures; however, pursuant to CPMC 17.05.300(B)(3)(a), the Application has been processed using Type III procedures. As evidenced by the mailed and posted notice documents in Exhibit “A” to these Findings, the application has been noticed and processed in accordance with the Type III review procedures per Section 17.05.400. Per Section 17.05.900, a TIA for nonresidential development is required when Average Daily Trips (ADT) exceed 250. No land development or use is proposed; therefore 0 trips are proposed and a TIA is not required at this time.*

Conclusion CPMC 17.05: *Complies.*

Chapter 17.44 – C-4, Tourist and Office Professional Zone

The purpose of the C-4 zoning district is to provide for the development of concentrated tourist commercial and entertainment facilities to serve both local residents and traveling public, and also for the development of compatible professional office facilities. Development in this zone maximizes ease of access and visibility from Interstate 5, Major Arterial Streets (i.e. East Pine Street), the Expo, Airport and Downtown. Land development standards for the C-4 zone are set forth in CPMC 17.75.035, Table 17.75.01

Finding CPMC 17.75.035: *The proposed tentative plan has been reviewed in accordance with the applicable lot dimension standards provided in Table 17.75.01 for the C-4 zone, which was the effective zoning designation at the time the application was submitted.*

Table 1. Commercial Site Development Standards

Standard	C-4	Proposed Tentative Plan
Minimum Lot Area		
Interior Lot	N/A	13.62 acres
Corner Lot	N/A	7.71 acres
Maximum Lot Area		

Interior Lot	12,000 square feet	13.62 acres
Corner Lot	N/A	7.71 acres
Minimum Lot Width		
Interior Lot	N/A	436.07 feet
Corner Lot	N/A	1068.09 feet
Minimum Lot Depth		
Interior Lot	N/A	909.06 feet
Corner Lot	N/A	278.44 feet

As shown in Table 1, above, the tentative plan proposes 2 parcels on 21.12 acres. The proposed parcels are consistent with the lot dimension, width and depth requirements for the C-4 zone as demonstrated on the Tentative Plan. Residential density, setbacks, lot coverage and building height do not apply since not land development application is associated with the tentative partition plan.

Conclusion CPMC 17.20: *Consistent.*

PART 4 SUMMARY CONCLUSION

As evidenced in Planning Department Supplemental Findings, the proposed tentative plan application for Minor Partition Plan at 1777 East Pine Street complies with the applicable criteria set forth in Title 16 and Title 17 of the Central Point Municipal Code.

PLANNING COMMISSION RESOLUTION NO. 919

**A RESOLUTION OF THE PLANNING COMMISSION APPROVING A TENTATIVE PLAN TO
DIVIDE A 21.12 ACRE PROPERTY AT 1777 EAST PINE STREET INTO TWO (2) PARCELS**

(File No: PAR-23002)

WHEREAS, the applicant has submitted a tentative partition plan application to create a two (2) lot partition in the C-4, Tourist and Office Professional zoning district, on property identified on the Jackson County Assessor's map as 37S 2W 02D, Tax Lot 100, Central Point, Oregon; and

WHEREAS, the tentative partition plan does not include concurrent review of a land development application;

WHEREAS, the tentative plan parcels have street frontage for future access and all utilities available to the site;

WHEREAS, the Applicant has proposed a right-of-way reservation to notify future parties of the requirement to dedicate and improve Gebhard Road through the site at the time of development, consistent with the Transportation System Plan Project No. 267;

WHEREAS, the application has been found to be consistent with the applicable approval criteria set forth in Title 16, Subdivisions and Title 17, Zoning, and per conditions noted in the Staff Report dated May 7, 2024; and

WHEREAS, on May 7, 2024, at a duly noticed public hearing, the City of Central Point Planning Commission considered the Applicant's request for Tentative Partition Plan approval.

NOW, THEREFORE, BE IT RESOLVED:

Section 1: The City of Central Point Planning Commission hereby approves the Tentative Partition Plan application for File No. PAR-23002, subject to the conditions stated in the Planning Department Staff Report dated May 7, 2024, attached hereto as Exhibit A.

Section 2: This decision is based upon the Planning Department Staff Report dated May 7, 2024, attached hereto as Exhibit A, including all attachments thereto with the exception of Exhibit 13 in Attachment 4 as the City is not imposing conditions requiring exactions as part of this application, the foregoing documents to be incorporated herein by reference.

PASSED by the Planning Commission and signed by me in authentication of its passage this 7th day of May, 2024.

Planning Commission Chair

ATTEST:

City Representative