

**FINAL ORDER OF THE JUNCTION CITY PLANNING COMMISSION
ROLLING MEADOWS PUD
PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD-19-01)**

A. The Junction City Planning Commission finds the following:

- a. The applicant has submitted the application and preliminary plan as required by Chapter 17.65 of the Junction City Municipal Code.
- b. The Junction City Planning Commission opened a Public Hearing on February 20, 2019 after giving the required notice for public hearing per Chapter 17.150.080 of the Junction City Municipal Code.
- c. The Junction City Planning Commission followed the required procedure of approving a conditional use permit as required by Chapter 17.130 of the Junction City Municipal Code.

B. Conditions of Approval:

1. Prior to final PUD approval of each phase, the applicant will provide bonds or other securities as deemed necessary by the City to insure that each phase of the PUD is completed as approved. A performance bond, for each phase of the PUD shall be reviewed and approved by the City and shall include the following improvements as proposed with each phase:
 - Private Park improvements including play area and play equipment, 17.5 acre natural area, and walking trail system will be provided no later than Phase-III.
 - Wetland Enhancement Plan approved by Division of State Lands as associated with each phase of the development.
2. The proposed entry sign shall be installed as part of Phase-1 of the PUD, in accordance with a Junction City approved sign permit.
3. In order to ensure a park area is available to residents of the PUD as it develops, park areas shall be developed no later than Phase-III.
4. The applicant shall dedicate or donate to the City, or cause to be dedicated or donated to the City, by instrument approved by the City, the proposed 18.5 acre open space tract no later than preliminary Plat Approval for Phase-III.
5. Development and construction on the site shall conform substantially to the preliminary PUD plans submitted and PUD conditions approved by the Planning Commission (PUD-19-01). In addition the following applies:
 - Density of the proposed development shall not increase over the 15% adjustment allowed under 17.65.060(C)(2)(c)
 - Public park acreage shall not be less than that proposed

- Open space tracts and wetland preservation area acres shall not be less than that proposed
 - No panhandle lots shall be allowed
 - All development shall comply with Public Works Design standards and Variances to these standards as approved.
 - Minimum Setbacks for the R1 zoned parcels shall be allowed a reduction of 1 foot. A minimum side yard setback of 5 feet is allowed under 17.65.060(C)(2)(c)
6. The applicant shall record a dedicated reserve strip at the phase line on the subdivision plat prior to each final plat approval.
 7. Prior to Final PUD approval the applicant shall dedicate or cause to be dedicated, by instrument approved by the City, the proposed right-of-way for the extension of West 6th Avenue. The applicant shall construct West 6th Avenue to the phase line prior to subsequent Plat Approvals.
 8. All street stubs shown on each preliminary subdivision plat shall be provided with a Junction City Fire District approved turn-around prior to final plat approval.
 9. Street trees shown on the Master Plan Map shall be detailed in the required landscaping plan at the time of final PUD submittal.
 10. Where required, easements for utilities shall be dedicated on the final plat for each phase.
 11. 10th street shall be a full width street with curb, gutters, and sidewalk on the south side and curb and gutter at the minimum on the north side.
 12. The zone of benefits for the Oaklea Meadows pump station shall be paid in full prior to building permit issuance of the first phase of development.
 13. The applicant shall obtain all agency approvals are required by JCMC 17.160.050(G) prior to issuance of a building permit.

C. IT IS HEREBY ORDERED THAT the Junction City Planning Commission approves the planned unit development for a portion of tax lots 2400 and 2500 of Assessor's Map 15-04-31-00 with the conditions of approval listed above based on the following findings of fact:

Applicable criteria from of JCMC Chapter 17.65 Planned Unit Development are *listed in italics* and **findings are highlighted with bold font.**

17.65.030 General requirements.

The following general requirements will apply to planned unit developments:

- a. *A planned unit development shall be allowed in all zones as a conditional use according to the procedures set forth for such uses. Minimum site area shall be two acres to qualify for a PUD.*

This PUD Application is following the procedures set forth at JCMC 17.130.030 as required by this chapter. The subject properties collectively are 84.5 acres in size, therefore this provision is met.

- b. *As a condition of approval of a planned unit development, the planning commission may require the following:*

- (1) *A performance bond or other securities acceptable to the City to insure that a Planned Unit Development is completed as submitted.*

The applicant will provide an economic impact statement, study, and performance bond if deemed necessary by the planning commission. The PUD will propose over 19 acres of open space with pedestrian trails and a total of one acre park area for the use of the surrounding residents. Streets will be proposed to be constructed to City standard and dedicated to the City. Performance bonds or guarantees will be discussed with planning commission during the process of approval.

The applicant has proposed wetland preservation along the western portion of the site. The trails and open spaces will connect residents to natural features of the site. The proposed wetlands enhancements are considered an amenity that will preserve the natural features of the area which will result in a development that is superior to what could be obtained through ordinary lot-by-lot development

According to Division of State Lands a permit is required for any restoration and enhancement within the wetlands. Therefore the applicant shall submit a copy of an approved DSL permit to the City prior to final PUD approval.

In order to ensure the wetland enhancements will be completed as the PUD develops, a wetland enhancement plan approved by DSL shall be submitted to the City for review and implemented with the phasing plan as submitted. A performance bond including wetlands enhancements approved by DSL shall be submitted to the city for review and approval prior to PUD Final Approval.

In order to ensure the PUD is developed as submitted, development and construction on the site shall conform substantially to the preliminary PUD plans submitted and conditions approved by the planning Commission. In addition the following applies:

- **Density of the proposed development shall not increase**
- **Public park acreage shall not be less than that proposed**
- **Open space tracts and wetland preservation area acres shall not be less than that proposed**
- **No panhandle lots shall be allowed**
- **All development shall comply with Public Works Design standards and Variances to these standards as approved.**

Street and other public improvements as part of Preliminary Subdivision approval will address in a separate Final Order reviewed and approved by the Planning Commission.

(b) An Economic Impact Statement if the Planned Unit Development is of a sufficient size and economic complexity.

The Planning Commission finds the proposed Planned Unit Development is not of a sufficient size or complexity to require an Economic Impact Statement

(c) An Environmental Impact Study if the Planned Unit Development is large enough to have critical impact upon the land and environment.

The planned unit development includes delineated wetlands that have been approved by DSL. In addition, the applicant has submitted a wetland enhancement plan that is required to be reviewed and approved by DSL. All traffic impacts will be reviewed by Lane County Transportation Engineering and impact to the City's storm water system is also being reviewed under the subdivision approval process. Therefore, the Planning Commission finds the impacts of the development will be sufficiently addressed and an Environmental Impact Study is not required.

(d) Areas for parks or playgrounds, sized according to prevailing statewide and local government standards, shall be permanently reserved within the PUD or provided for off site.

The current standards for park requirements are included in within the SUB-19-01 Final Order to be reviewed and approved by the Planning Commission.

(e) Streets be designed and constructed according to City standards and dedicated to the City.

Street design and construction will be reviewed during the preliminary subdivision approval process and will be required to be designed and constructed according to City standards and dedicated to the City.

(f) Easements for the orderly extension, maintenance, repair or replacement of public utilities.

All street frontages adjacent to lots will have a public utility easement (PUE). Easements for the extension and maintenance of public utilities will

be reviewed during the preliminary subdivision approval process and will be required to be designed and constructed according to City standards.

(g) Adequate guarantee must be provide to ensure permanent retention of common open space and recreation areas which may be required as conditions of PUD approval. This guarantee may be satisfied by creation of a nonprofit homeowners association to ensure maintenance of the area, or by development of the space to City specifications and acceptance of it by the City, in which case it would be available for general public use.

The common areas in the PUD, including the proposed public parks, will be dedicated to the City for public use and will be owned and maintained by the City.

(3) Whenever a Planned Unit Development is subject to the City's subdivision ordinance, the procedures and regulations of the subdivision ordinance shall apply.

The PUD application was submitted with a Preliminary Subdivision application. Since a subdivision application is required as part of this development, a condition of PUD approval is receipt of preliminary and final subdivision approval by the Planning Commission. A Phase-I Preliminary Subdivision Application has been submitted by the applicant. Therefore, this standard has been met.

17.65.060 Preliminary approval.

A. The applicant shall submit to the planning commission four copies of the preliminary plan map for the proposed planned unit development. The plan map shall show the following information:

- 1. Legally described property lines.*
- 2. Section lines.*
- 3. Existing streets, buildings, watercourses, tree masses, sanitary and storm sewers, water mains, culverts and other existing underground facilities.*
- 4. Location and size of the nearest water main and sewer outlet.*
- 5. Title of the proposed planned unit development and the name of the developer.*
- 6. Ownership of adjoining parcels within 300 feet of the proposed planned unit development.*
- 7. Contours referred to a city engineer's bench mark with intervals sufficient to determine the character and topography of the land to be developed.*

8. *North point, scale and date.*

9. *Location and size of all proposed streets, buildings, sanitary sewer or other sewage disposal facilities, water mains, stormwater facilities, sidewalks, parks, open spaces and signs.*

A preliminary development plan and existing conditions plan has been submitted that addresses the above requirements.

B. A preliminary plan program or outline of the following shall accompany the preliminary plan map:

1. *Proposed ownership and maintenance of streets.*

All onsite streets will be developed as Local Streets following the requirements of the Junction City Code and will be dedicated to the City with the filing of the final plat.

2. *Drafts of appropriate restrictive covenants and drafts of documents providing for the maintenance of any common space, or required dedications or reservations of public open spaces and any dedications of development rights.*

A separate document is being submitted that provide an outline of the preliminary CC&R's as well as the H.O.A. agreement for the first three phases of the development.

3. *A list of the types of buildings proposed.*

All buildings within the low density residential zone will be single family residential structures. The types and sizes of the medium and high density developments will be identified in the future when the design review or subdivision approvals are applied for. Because the development is being proposed with multiple phases, approval of each phase will require an additional subdivision approval and hearing through Junction City. Specifics of the types of buildings proposed will be included at that time.

4. *The amount of land area to be devoted to the various types of buildings and a calculation of the average residential density per net acre.*

As required by the City, the development of the master plan identifies 1 acre of High Density residential (R3), 9 acres of Medium Density residential (R2), and the remainder being approximately 40 acres of Low Density residential. The application is proposing 333 lots, of which the 9 acres of R2 and one acre of R3 can accommodate multiple families per lot. Therefore the approximate residential density calculation per acre is $406 \text{ residential units} / 85 \text{ acres} = 4.8 \text{ residential units per acre}$.

5. *The nature of all proposed signs.*

A subdivision entry sign is proposed at both entrances to the subdivision. The design and details of the sign will be identified with a sign permit application once construction of the subdivision has commenced.

6. All landscaping plans.

Landscaping will consist of street trees identified on the preliminary plan, and specific landscaping of the open space areas to be designed with the final engineering drawings.

7. Plans or written statements regarding grades of proposed streets, width and type of pavement, type of sanitary sewer or other sewage disposal facilities and any grading plans.

The grades of all proposed streets will be relatively flat, with no grade exceeding 4%. The onsite streets will be designed as Local Streets, with pavement widths of 36 feet and paved with asphalt concrete. All lots will be developed with City sanitary sewer service, with underground sewer mains connecting to the pump station that was recently installed with the Reserve at Junction City development. Grading will be relatively light with no cut or fill exceeding 3 feet. The existing topography of the site is relatively flat.

8. A stage development schedule setting forth a schedule thereof if the final development plan is to be developed in stages.

The subdivision is proposed to be developed in seven phases. The timeline for construction of each phase is listed on the preliminary master plan.

JCMC 17.65.060 (C) Upon receiving the preliminary plan map and program, the Planning Commission shall review the proposed Planned Unit Development and shall seek to determine that all of the following conditions are met:

- (1) The Planned Unit Development will be consistent with the Comprehensive Plan of the City. Specifically, this includes:
 - (a) Information indicating how the housing provided in the PUD relates to Junction City area housing needs. All PUD proposals may, consistent with the density allowed by underlying zoning, propose housing concepts including townhouses, condominium-owned multi-family units, mixtures of housing types and lot sizes, multi-plex construction, mobile homes or other kinds of dwellings manufactured off site.

The PUD is being submitted following the requirements from Junction City that the property provide 1 acre of High Density residential, 9 acres of Medium Density residential, and the remainder of the developable property being approximately 40 acres of Low Density residential not including street right of way, open space, or parks. The PUD will propose a mix of the

allowable housing types following the requirements of the underlying zoning.

The applicant is proposing 278 Low Density Residential parcels, 54 Medium Density Residential parcels, and 1 High Density Residential parcel in the rolling Meadows PUD on varying lot sizes, which will provide a variety of home ownership opportunities for future residents. The City is expected to have a growing demand for housing with the construction of the planned hospital and planned prison. The proposed PUD will provide a range of housing opportunities for new city residents. The density proposed on the site is consistent with density range allowed for PUDs by the City's Comprehensive Plan.

(b) Description of the municipal service and utilities needed at initial and later phases of PUD occupancy, and whether it is consistent with the City's capital facilities plan.

The application package dated December 18, 2018 includes a phasing plan (Sheet MP1) and a projected development schedule for the proposed PUD. The sanitary pump station constructed in The Reserve at Junction City, Phase I (Oaklea Meadows) was sized to accommodate the needs of the proposed development. Water service is available from the existing adjacent water lines. The proposed storm system will be a combination of storm pipes and low impact development practices, including bio-swales, as proposed by the applicant. All of the services and utilities are of adequate size and quality to serve the proposed 333-lot PUD.

(c) Indication that the streets required off-site are provided already, or planned and funded by appropriate city or county agencies. Sufficient access will be required to meet vehicular movement and storage generated by the proposed development. Continuity with future streets in adjoining developments and dedication of sufficient arterial street right-of-way for the proposed development and other developments generally anticipated in the capital facilities plan.

The applicant will be constructing street improvements along Oaklea Drive for the proposed PUD in accordance with Lane County Public Works Conditions of Approval (Included). The streets in Phase I will be constructed to City standards and will provide access to the new neighborhood. Sixth Avenue, proposed to be constructed with Phase I, will be extended west of Oaklea Drive into the site and will provide the first street connection into the PUD. Tenth Avenue, proposed to be constructed with Phase VI and VII, will be extended west of Oaklea Drive into the site and will provide a second street connection into the PUD. All proposed streets will be dedicated to the City upon recordation of the final plat(s) and will be reviewed under the preliminary subdivision approval process.

(d) Assurance that if density of the development in the PUD's initial stages does not warrant public sewer or water connections, that the layout allows for later increases of density to a level that makes such connections financially feasible.

Not applicable. Sewer and water connections will be constructed with the PUD's initial phase (Phase I).

(e) Deed restrictions to support future assessments to provide services necessary for urban densities of development.

Not applicable. No deed restrictions are needed as all services necessary for the proposed density will be provided with construction of the site.

(2) The Planned Unit Development can be developed in harmony with the surrounding area, and between uses within PUD itself. Specifically:

(a) Height, bulk and density of buildings not radically different from those anticipated on adjacent or facing properties. Exceptions could be made if the PUD were in a transitional area between a higher-intensity district and a lower-intensity residential district.

Property south of the site is agricultural and located outside of the urban growth boundary. The single family residential homes will provide an appropriate transition to the undeveloped land.

Property west of the site is zoned as Public Land (PL). The single family detached homes, and open space areas will provide a compatible transition along this side of the neighborhood.

Within the PUD, the higher density residential uses (proposed Medium Density (M), and High Density (H) Designations) have been clustered in the northeast portion of the neighborhood to match the existing development patterns as approved within the Comprehensive Plan.

(2) Preservation of natural and cultural assets within the area.

The applicant has proposed wetland preservation around the periphery of the site. The trails and open spaces will connect residents to natural features of the site. No impacts are proposed to the wetlands or Flat Creek riparian corridor.

According to Division of State Lands a permit is required for any restoration and enhancement within the wetlands. Therefore the applicant shall submit a copy of an approved DSL permit to the City prior to final PUD approval.

The proposed wetlands enhancements are an amenity that will preserve the natural features of the area which will result in a development that is superior to what could be obtained through ordinary lot-by-lot development. In order to ensure the amenities proposed will be available as the PUD develops, the wetland enhancement plan shall be implemented with the phasing plan as submitted.

(c) Density bonuses of 15 percent may be granted by the Planning Commission as an incentive to go through the PUD process, and providing at least three of the following:

- (a) Landscaping.*
- (b) Public open space.*
- (c) Provision of low cost housing.*
- (d) Enhancement of public enjoyment of natural or cultural assets on site.*
- (e) Solar energy protection.*

The Planning Commission finds that the applicant has provided landscaping, public open space, and enhancement of public enjoyment of natural assets onsite, which complies with the policies of the JCMC and Comprehensive Plan and therefore have agreed to allow the density to exceed 5.0 dwelling units per net acre.

JCMC Chapter 17.10.030 Lot Size. In an R1 zone, the lot size shall be as follows:

- (1) The minimum lot area shall be 6,000 square feet.*
- (2) The minimum lot width shall be 60 feet and 35 feet for cul-de-sac lots.*

The applicant is proposing modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family detached homes, the requested minimum lot area is 5,000 square feet; the requested minimum lot width is 50 feet at the front building line and 35 feet at the front building line for cul-de-sac lots.

JCMC Chapter 17.10.040 Setback Requirements. Except as provided in JCMC 17.95.060, in an R1 zone, the yards, measured from the property line to the foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

- (1) The front yard shall be a minimum of 18 feet to the front façade of the house and a minimum of 20 feet to the garage. Covered, but unenclosed porches shall be allowed to be a minimum of 10 feet from the property line, as long as*

it does not encroach into a public utility easement (See Appendix A, Diagram 4).

(2) Each side yard shall be a minimum of 6 feet, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet.

(3) The rear yard shall be a minimum of 15 feet. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of 4 feet.

The applicant is requesting modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family detached homes, the requested setback for interior side yards is 5 feet, and 10 feet for street side yards.

As conditioned above, the proposed PUD can be made similar in scale, bulk, and density to those in the surrounding neighborhood.

JCMC Chapter 17.15.030 Lot Size.

In a R2 zone, the lot size shall be as follows:

In an R2 zone, the minimum lot size shall be as follows:

A. The minimum lot area for single-family dwellings shall be 5,000 square feet.

B. The minimum lot area for two-family dwellings (duplexes) shall be 7,000 square feet.

C. The minimum lot area for multiple-family dwellings shall be 7,500 square feet.

D. The minimum lot depth shall be 75 feet.

E. The minimum lot width shall be 50 feet and 35 feet for cul-de-sac lots.

The applicant is requesting modifications to the above standards through the PUD process as permitted by JCMC 17.65.010. For the single family attached homes, the requested minimum lot area is 4,500 square feet from 5,000. No other changes to this standard are proposed.

JCMC Chapter 17.15.040 Setback Requirements. This standard applies to multi-family, townhomes, neighborhood commercial developments, and residential care homes and residential care facilities. Except as provided in JCMC 17.95.060 in an R2 zone the yards, measured from the property line to the

foundation of the building with a maximum projection of three feet into any setback area as defined in JCMC 17.10.070, shall be as follows:

- A. *The front yard shall be a minimum of 18 feet to the front facade of the house and a minimum of 20 feet to the garage. Covered but unenclosed porches shall be allowed to be a minimum of 10 feet from the front property line, as long as they do not encroach into a public utility easement and comply with the vision clearance standards in JCMC 17.95.090 (see Appendix A, Diagram 4).*
- B. *Each side yard shall be a minimum of six feet, measured from the foundation, except that on corner lots, the side yard on the street side shall be a minimum of 15 feet measured from the foundation.*
- C. *The rear yard shall be a minimum of 15 feet, measured from the foundation. An exception shall be permitted where an accessory dwelling unit, garage, or other accessory structure is located at the rear lot line abutting an alley, in which case the setback shall be a minimum of four feet.*
- D. *In the case of a duplex residential use on a corner lot where primary vehicular access is provided from two streets, then both yards abutting the street shall be considered the front yard with appropriate front yard setbacks (20 feet from property line to foundation of building). Setbacks for rear yards are measured separately for each residential dwelling opposite the front yard (see Appendix A, Diagram 2).
[Ord. 1116 § 1, 2003; Ord. 1037§ 1, 1997;
Ord. 950 § 18, 1991.]*

The applicant is requesting modifications to these standards through the PUD process as permitted by JCMC 17.65.010. For the R-2 proposed parcels, the applicant is proposing a 10 foot side yard setback where lots abut a public street, and a 5 foot side setback between buildings and property lines not abutting a street. No changes to the rear yard setback requirements are being proposed.

*JCMC 17.15.060 Lot Coverage. In an R2 zone, buildings shall not occupy more than 50 percent of the lot area.
[Ord. 1116 § 1, 2003; Ord. 950 § 20, 1991.]*

The applicant is not seeking a modification to the lot coverage standards, therefore this criterion has been met.

(3) The time table for the completion of the Planned Unit Development is within reason.

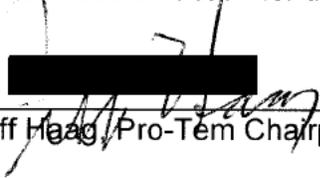
The applicant's compliance narrative includes a projected development schedule for each of the project phases as shown on Sheet MP1 in the application package. Construction of the last phase is expected to be complete by 2026. The final plat for each phase of the PUD will be reviewed through the subdivision plat approval process.

A final subdivision plat for the last phase of the subdivision/PUD shall be submitted within 20 years of the submittal of Phase II unless an extension is approved by the City. As conditioned, the Planning Commission finds the development schedule as proposed is within reason.

- D. This approval shall become final on the date this decision and supporting findings of fact are signed by the Chairperson of the Junction City Planning Commission. An appeal of the Planning Commission's decision must be submitted to the City Council within 12 days of this Final Order being mailed to all opponents. Appeals may be made by filing written notice with the city and paying the fee equal to the average cost as prescribed by the City Council and cost of the written transcripts up to \$500, plus one-half the cost over \$500. If no appeal is taken within the 12-day period, the decision of the Planning Commission shall be final. An appeal of the City Council's decision must be submitted to the Land Use Board of Appeals within 21 days of the Council's decision becoming final.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the City to respond to the issue precludes an action for damages in circuit court.

Signature: _____


Jeff Heag, Pro-Tem Chairperson of the Junction City Planning Commission

Approval Date: _____

2-20-2019