



# MEDFORD PLANNING

## PLANNING COMMISSION REPORT

for a Type-III quasi-judicial decision: **Land Division**

**Project** Stonegate Estates–Phase 2D  
Applicant: Homes by Charles Mahar, LLC; Agent: Richard Stevens & Associates, Inc.

**File no.** LDS-25-104

**Date** May 22, 2025

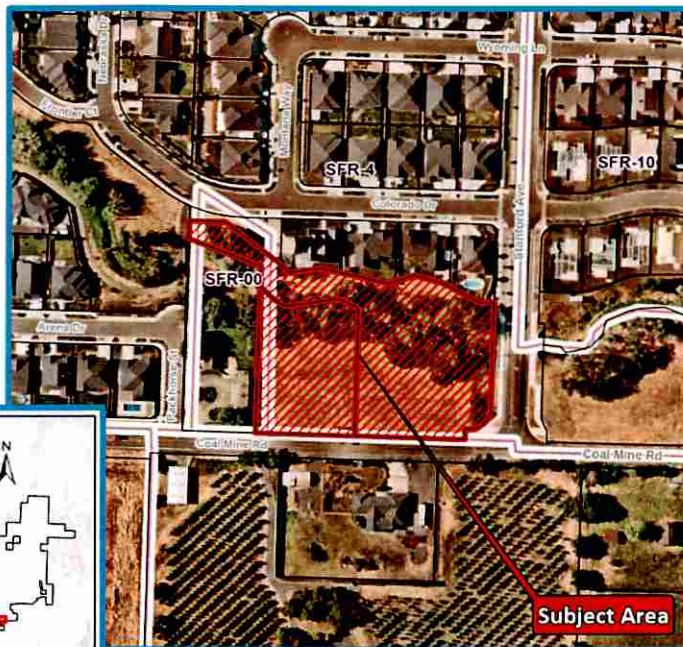
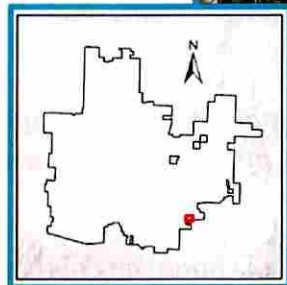
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### BACKGROUND

#### Proposal

Consideration of a request for tentative plat approval for Stonegate Estates, Phase 2D, a 4-lot residential subdivision proposed for duplexes. The site consists of two parcels totaling approximately 2.29 acres (2.84 acres) and located at the northwest corner of Stanford Avenue and Coal Mine Road. The properties are zoned SFR-4 (Single Family Residential–4 to 10 dwelling units per gross acre), and are within the Stonegate Estates PUD (371W34 TL 2600 & 371W34CA TL 326).

#### Vicinity Map



### **Subject Site Characteristics**

GLUP	UR (Urban Residential)
Zoning	SFR-4
Overlay	PUD (Planned Unit Development) SE Plan 17 (Standard Lot)
Use	Vacant

### **Surrounding Site Characteristics**

<i>North</i>	Zone:	SFR-4
	Use:	Low density residential
<i>South</i>	Zone:	EFU (Exclusive Farm Use)
	Use:	Winery
<i>East</i>	Zone:	SFR-4
	Use:	Vacant
<i>West</i>	Zone:	SFR-00 (Single Family Residential – 1 dwelling unit per parcel)
	Use:	Low density residential

### **Related Projects**

PUD-00-116, CUP-04-109, LDS-13-137, LDS-16-045, LDS-21-295

### **Applicable Criteria**

#### **Medford Municipal Code §10.202 – Land Division Approval Criteria**

*(5) Land Division Approval Criteria. The Planning Commission shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:*

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

- contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*
- (d) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the Planning Commission determines it is in the public interest to modify the street pattern;*
- (e) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
- (f) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

### **Approval Authority**

This is a Type III land use decision. The Commission is the approving authority under MLDC 10.110(4).

### **Corporate Names**

Charles Mahar is listed as the Registered Agent and Manager for Homes by Charles Mahar, LLC, according to the Oregon Secretary of State Business name database, with 1940 Knowles Road in Medford listed as its principal place of business.

Clark Stevens is listed as Registered Agent, President, and Secretary for Richard Stevens & Associates, Inc.

## **ISSUES AND ANALYSIS**

### **Background**

#### *Site Conditions*

The subject property consists of two parcels totaling approximately 2.29 acres. The property is fronted by Coal Mine Road, classified as a Major Collector street, along its southerly boundary; and Stanford Avenue, classified as a Major Collector street, fronts the site along its easterly boundary.



*Street improvements:* Per the staff report submitted by the Public Works Department (Exhibit J), the developer will be required to provide a widened sidewalk, 10-feet in width, along the frontage of Coal Mine Road to continue the proposed bike and pedestrian path to the existing curb ramp at the intersection of Stanford Avenue. No additional street improvements along Standford Avenue, however, are required.

*Environmental constraints:* The northerly portion of the site is encumbered by the Riparian Corridor of Larson Creek. Pursuant to MLDC 10.920-928, all development within a riparian corridor—measured 50 feet horizontally from the top-of-bank—is prohibited, excepting a Conditional Use Permit, per the procedures outline in MLDC 10.925.

*Southeast Overlay:* The subject site is also located within the Southeast (S-E) Overlay District. In addition to all applicable City regulations, the site is also subject to the S-E Overlay regulations and the adopted Southeast Plan, as outlined in MDLC 10.370-385. Phase 2D is located within the Southeast Plan's Sub-area 17, which allows for standard lots in the SFR-4 and SFR-6 zone with a permitted density range of 2.5 to 6.0 dwelling units per gross acre.

*Project History*

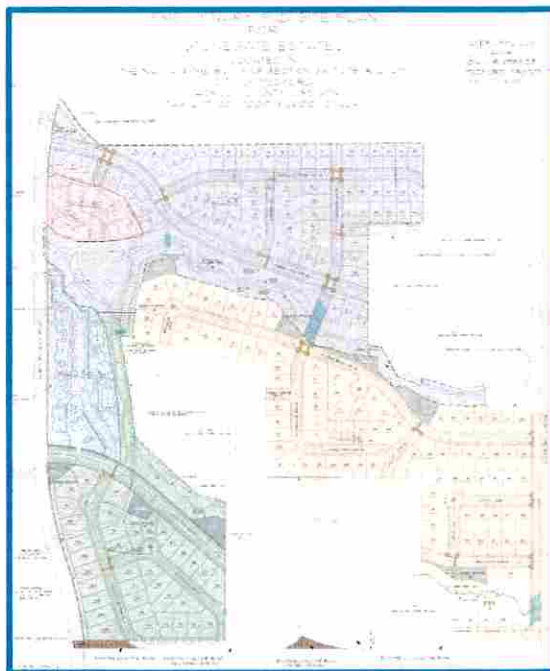
FILE #	DATE APPROVED	DESCRIPTION
PUD-00-116	2002	Stonegate Estates PUD
LDS-02-083	2002	Tentative Plat approval for Stonegate Estates Phase 1
LDS-03-254	2003	Stonegate Estates Phase 1 (conditions revised)
CUP-04-109	2004	Approval of a Conditional Use Permit (CUP) regarding Larson Creek Riparian Corridor
AC-06-147	2006	SPAC approval for Phase 4 (condominiums) (built out)
AC-06-248	2006	SPAC approval for Phase 5 (condominiums/townhouses) (built out)
PUD-00-116	2010	Termination of Phase 3 of the Stonegate Estates PUD
LDS-13-137	2014	Tentative Plat approval for Stonegate Estates Phase 2A, 2B, and 2C
LDS-13-137	2015	Final Plat approval for Stonegate Estates Phase 2A, 2B, and 2C
LDS-16-045	2016	Tentative Plat approval for Stonegate Estates Phase 2D (expired)
LDS-21-295	2021	Tentative Plat approval for Stonegate Estates Phase 2D (expired)

On January 10, 2002, the Planning Commission approved the Stonegate Estates Planned Unit Development (PUD-00-116), a master plan for the development of a 67.2-acre site with a mixture of residential housing types. Originally, the Stonegate Estates PUD encompassed five phases. With the termination of Phase 3 in 2010, however, the overall PUD area decreased from 67.2 acres to 55.5 acres.

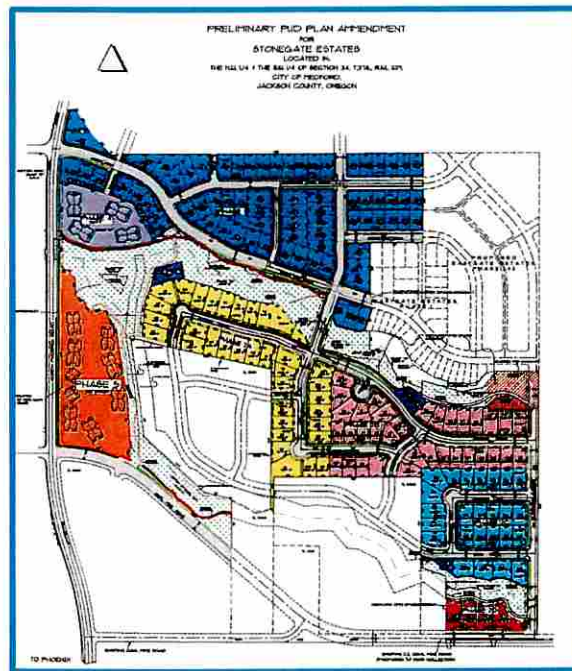
On October 19, 2004, a Conditional Use Permit (CUP) was approved by the Planning Commission for encroachments into the Larson Creek Greenway, including the construction of a storm drainage system, pedestrian/bike paths and bridges, and street crossings affecting two forks of Larson Creek, which flow through the site and are designated as greenways on the Southeast Plan (CUP-04-109). The applicant

received approval of the greenway path, pedestrian bridges, and vehicular bridges for the entire project. As noted previously, Phase 3 of the PUD was terminated by the Planning Commission in 2010. As such, the Greenway improvements associated with Phase 3 are now tied to Phase 2. Once the greenway improvements are completed and accepted by the Medford Parks Department, the greenway will be dedicated to the City of Medford.

On October 14, 2010, the Planning Commission approved the termination of a portion of Stonegate Estates Phase 3. Originally, Stonegate Estates PUD encompassed 67.2 acres and included a minimum density of 263 units and a maximum density of 424 units. With the termination of Phase 3 in 2010, the density range for the project became 234 minimum/378 minimum. The number of units proposed for the entire project is 299. Partial development of the greenway along the South Fork of Larson Creek was also originally part of Phase 3 of the Stonegate PUD. When Phase 3 was terminated from the PUD, however, the requirement to construct the greenway along the phase boundaries was moved to Phase 2.



*Original Preliminary PUD Plan (Exhibit Q)*



*Amended Preliminary PUD Plan (Exhibit R)*

On May 19, 2016, the Planning Commission approved the tentative plat for LDS-16-045. With that action, Phase 2 was proposed to be further subdivided into four phases (Phase 2A to 2D). This tentative plat, however, has since expired.

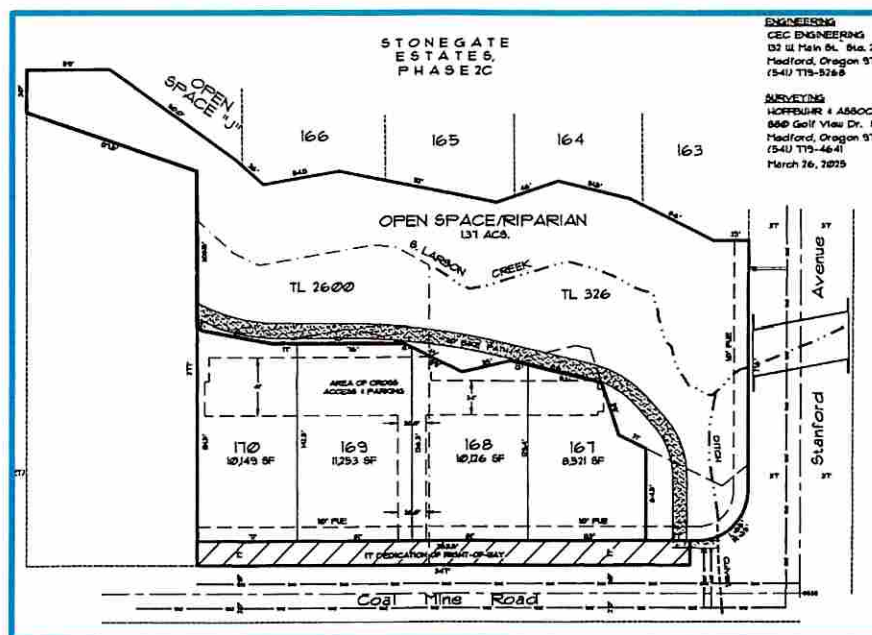
In 2021, the Planning Commission again approved Stonegate Estates–Phase 2. As with LDS-16-045, this tentative plat has expired.

With the subject application, the Preliminary PUD Plan is still valid, and all conditions of approval related to the construction of the greenway, including the construction of a bridge, apply to this application as this is the final phase of the Stonegate Estates PUD.

### *Subject Proposal*

As stated above, Phase 2D is the final phase of Stonegate PUD. With the subject application, the applicant is proposing a four-lot residential subdivision. The subject site contains wetlands and an identified Greenway. Once completed, the Greenway may be accepted by the City of Medford Parks Department for maintenance.

The plat shows a shared driveway taking access from Coal Mine Road, with a shared driveway and a cross access and parking easement providing access to all four lots. As stated in their submitted report (Exhibit J) Public Works is supportive of this shared driveway configuration.



### Density

**SFR-4 Density Table (MLDC 10.373)**

Minimum /Maximum Density	Allowed	Shown
2.5 to 4 dwelling units per gross acre	2 min. – 6 max.	4

The tentative plat shows four lots. Based on 0.92 acres of developable land, the creation of four lots falls within the minimum/maximum range permitted for standard lots within Sub-Area 17 of the Southeast Plan, per MLDC 10.373.

## Development Standards

**Single Family Residential Site Development Table (MLDC 10.710)**

<b>SFR-4 Zone</b>	<b>Lot Area (Square Feet)</b>	<b>Minimum Lot Width (Interior)</b>	<b>Minimum Corner Lot Width</b>	<b>Minimum Lot Depth</b>	<b>Minimum Lot Frontage</b>
<b>Required</b>	6,500 to 18,750	60 feet	70 feet	90 feet	30 feet
<b>Shown</b>	8,521 to 11,253	+60 feet	n/a	+90 feet	+30 feet

As shown in the Site Development Table above, it can be found that the four proposed lots, as identified on the submitted plat, meet all the dimensional standards for lots within the SFR-4 zoning district, per MLDC 10.710.

## Stonegate Greenway

Development of the Stonegate PUD included the construction of a storm drainage system, pedestrian/bike paths and bridges, and street crossings affecting the two forks of Larson Creek. These forks are identified as the Middle and South Forks of Larson Creek. The North Fork is north of Barnett Road and is not affected by this project.

Partial development of the greenway along the South Fork of Larson Creek was originally part of Phase 3 of the Stonegate PUD. When Phase 3 was terminated from the PUD, however, the requirement to construct the greenway along the phase boundaries was moved to Phase 2.

The original design of the greenway consisted of a pathway connecting Coal Mine Road to the south with Brentwood Drive (now Utah Drive) to the northeast and the residential development of Phase 5. The design also included a bridge across the South Fork Larson Creek. This path has not yet been constructed.

As required in the original PUD approval, a Conditional Use Permit (CUP-04-109) was applied for and approved by the Planning Commission in 2004 and the greenway features were determined to be consistent with the PUD.

Condition No. 3 of the CUP stated the following: "Prior to final plat approval for the respective phases of the PUD, the applicant shall install all landscaping and greenway features per the approved plans or provide assurances for installation within 12 months in the form of an agreement secured by cash deposit, surety bond, or letter of credit, subject to approval and acceptance by the City."

Since the proposed development is the final part of Phase 2, as well as the entire Stonegate PUD, and construction of the greenway has yet to take place, a condition

of approval, incorporating the above-cited CUP condition of approval has been added to Exhibit A.

The pathway adjacent to the north of the proposed residential lots in Phase 2D was introduced to the PUD as part of the 2016 PUD & CUP revision and will also have to be completed prior to final plat approval for Phase 2D.

Regarding the bike path, Public Works report (Exhibit J) reads as follows:

The paved meandering bike and pedestrian paths within the riparian corridor(s), that are not adjacent to public streets, shall be 12-feet-wide with a minimum of 30-foot turning Page 2 of 12 radii, and a structural section corresponding to a TI of 3.5. The said paths are also to be used by Department of Public Works vehicles for access to maintain Larson Creek. If the bike and pedestrian paths are not on City owned property, the Developer shall provide an easement for them.

Additional comments from the Parks Department regarding the layout, maintenance, and dedications can be found in Exhibit M.

### **Agency Comments**

#### *Jackson County Roads (Exhibit N)*

Coal Mine Road is a County maintained Local Road. In their report, Jackson County Roads included eleven comments on the proposed development.

Prior to final plat approval, the applicant will be required to comply with all applicable requirements of Jackson County Roads.

#### *Oregon Department of Fish and Wildlife (Exhibit O)*

The Oregon Department of Fish and Wildlife (ODFW) has submitted several comments with the previous land use actions. With this application, ODFW's email states they are "not supportive of removing what appears to be several mature riparian trees and other vegetation from within the riparian setback." In corresponding with the applicant's agent, it was explained that there will be no disturbance, changes, grading, proposed north of the creek.

Prior to final plat approval, the applicant will be required to comply with all applicable requirements of ODFW.

### **Neighbor Comments**

Staff received two letters from neighbors (Exhibits U and V).

### **Committee Comments**

No comments were received from a committee, such as the Active Transportation Advisory Committee (ATAC).

No other issues were identified by staff.

### **DECISION**

**At the public hearing held on May 15, 2025, the Commission voted to approve the request while adding into the record two new Exhibits:**

**Exhibit U: Neighbor letter (McLennan)**

**Exhibit V: Neighbor letter (Strum)**

### **FINDINGS AND CONCLUSIONS**

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

### **ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of LDS-25-104 per the Planning Commission report dated May 22, 2025, including Exhibits A through V.

### **EXHIBITS (NEW EXHIBITS IN **BOLD**)**

- A Conditions of Approval, dated May 15, 2025.
- Applicant Submittals**
- B Findings of Fact and Conclusions of Law, received April 3, 2025.
- C Tentative Plat, received April 3, 2025.
- D Conceptual Grading & Drainage Plan, received April 3, 2025.
- E Conceptual Utility Plan, received April 3, 2025.
- F Zoning and GLUP Maps (2 pages), received April 3, 2025.
- G Recorded documentation, received April 3, 2025.
- H Topographic Map, received April 3, 2025.
- I Riparian Planting Plan, received April 3, 2025.
- Agency Comments**
- J Public Works Report, received April 30, 2025.
- K Medford Water Commission Memo, received April 30, 2025.
- L Fire Department Report, received April 30, 2025.
- M Parks Department Report, received April 25, 2025.

- N Jackson County Roads Report, received April 17, 2025.
- O ODFW Comments, received April 18, 2025.
- P Talent Irrigation District Report, received April 29, 2025.

**Miscellaneous**

- Q Original Preliminary PUD Plan
- R Revised Preliminary PUD Plan
- S Southeast Plan
- T Leisure Services Plan
- V Vicinity map
- U **Neighbor letter (McLennan)**
- V **Neighbor letter (Strum)**

**MEDFORD PLANNING COMMISSION**

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Mark McKechnie, Chair

**PLANNING COMMISSION AGENDA:**

**MAY 22, 2025  
JUNE 12, 2025**