



STAFF REPORT

STAFF REPORT April 10, 2020

AGENDA ITEM: (File No. PAR-20001)

Consideration of a Tentative Partition Plan application to consolidate several underlying lots in the General Commercial (GC) zoning district in the Transit Oriented Development (TOD) District. The project site is located at 234 & 250 North Front Street and is identified on the Jackson County Assessor's Map as 37S 2W 03DC, Tax Lots 2101, 2103 and 2200. **Applicant:** MDP Investments LLC; **Agent:** Neathamer Surveying, Inc.

STAFF SOURCE:

Justin Gindlesperger, Community Planner II
Eileen Mitchell, Community Planner I

BACKGROUND:

The project site consists of three (3) tax lots that are underlain by five (5) lots that were created as part of the Plat of Central Point and the Oak Park Addition to Central Point. In addition to the platted lots, there is a deed line that aligns with the common boundary between Tax Lot 2101 and 2103. The purpose of the application is to consolidate and reconfigure the property boundaries underlying the tax lots to eliminate property boundary conflicts with the existing structure and to facilitate a proposed expansion of the facility. The proposal accomplishes the following:

- Consolidates Tax Lots 2101 and 2103, consolidates the underlying platted lots to correspond with the tax lot boundary, and removes the deed line to eliminate the conflict with the existing structure; and
- Consolidates the underlying platted lots for Tax Lot 2200 to correspond with the tax lot boundary.

As shown in Table 1, the proposed lot consolidation are consistent with the lot dimension standards for the General Commercial district.

Table 1. Proposed Lot Consolidation

	Current Lot Area (ac)	Required Lot Area (ac)	Proposed Lot Area (ac)	Proposed Lot Area (ft³)
Tax Lot 2101	0.16	N/A	0.28	12,406
Tax Lot 2103	0.12	N/A		
Tax Lot 2200	0.3	N/A	0.32	14,283

ISSUES:

There are no issues with the proposed lot consolidation.

FINDINGS:

The proposed partition has been reviewed against, and found to comply with, all applicable sections of 16.36 and 17.65 of the Central Point Municipal Code and found to comply as conditioned in the Staff Report dated April 10, 2020.

CONDITIONS OF APPROVAL:

Within one (1) year after approval of the Tentative Partition Plan, and prior to building permit issuance for any site or building improvements, the Applicant shall survey the partition and submit a Final Plat in conformance with the approved tentative plan.

ATTACHMENTS:

Attachment "A" – Project Location
Attachment "B" – Tentative Property Line Adjustment Map
Attachment "C" – Applicant's Findings

ACTION:

Consider the Tentative Partition Plan application 1) approve; 2) approve with conditions; or 3) deny the application.

RECOMMENDATION:

Approve the Tentative Partition Plan application per the Staff Report dated April 10, 2020.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

**BEFORE THE CITY OF CENTRAL POINT
PLANNING COMMISSION**

**IN THE MATTER OF AN APPLICATION
FOR THE TENTATIVE PLAT APPROVAL
FOR A MINOR PARTITION IN THE CITY
OF CENTRAL POINT.**

APPLICANT: MDP Investments, LLC.
250 N. Front Street
Central Point, OR, 9702

AGENT: Neathamer Surveying, Inc.
P.O. Box 1584
Medford, OR 97501

A. BACKGROUND INFORMATION

The subject properties are located at 234 and 250 North Front Street, between Maple Street and Laurel Street (Jackson County Assessor's Map Number 37 2W 03DC, Tax Lots 2101, 2103 and 2200). The site and surrounding properties are located within the General Commercial (GC) zoning district.

The properties are fully developed and occupied by the transmission service and repair business known as Dusty's Transmissions. Underlying the three tax lots are several platted lots that were created by the Plat of Central Point and the Oak Park Addition to Central Point. Portions of the original platted lot and deed lines run through the buildings located on the properties.

Pursuant to discussions between this office and city staff, it was decided that a partition would be the appropriate solution to resolve the matters relating to the existing lot and deed lines by removing those lines that run through the structures.

B. SCOPE, PURPOSE, AND OVERVIEW OF THE APPLICATION

The purpose of this application is to re-plat and consolidate the properties into two parcels by removing the original platted lot lines and the existing deed line between Tax Lots 2101 and 2103.

C. CRITERIA AND FINDINGS OF FACT - TITLE 16 - SUBDIVISIONS

The following sections of Title 16 SUBDIVISIONS of the Central Point Municipal Code (CPMC) are found to be relevant to the subject application:

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.

FINDINGS OF FACT

A check in the amount of \$3,100.00 has been included in the submittal package for the filling fee.

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.

FINDINGS OF FACT

The tentative plan was drafted on a 24" x 36" sheet at a scale of one-inch equals 20 feet, which was determined to suitable for legibility and review purposes.

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;

B. Date, northpoint, and scale of drawing;

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;

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

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

FINDINGS OF FACT

The subject application is for a two-parcel minor partition that is not officially recognized by name, and a name is not required or proposed.

The submitted plan complies with all the requirements of Sections 16.10.030 B-D of the CPMC. Additionally, a title report, which included the legal description of the property has been included with the application.

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;

B. Contour lines related to some established benchmark 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;

C. The location of at least one temporary benchmark within the plat boundaries;

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

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

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

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;

H. Zoning on and adjacent to the tract.

FINDINGS OF FACT

The existing conditions as stated in Sections 16.10.040 A-G of the CPMC are included on the tentative plan. A temporary benchmark will be established prior to construction. The subject property and those surrounding the property are all zoned General Commercial (GC).

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;

B. Easements, showing the width and purpose;

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

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

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

FINDINGS OF FACT

The additional information as stated in Sections 16.10.050 B, C and E of the CPMC are included on the tentative plan. As no streets are being proposed in this application, and both parcels will continue to be used for commercial purposes, items A and D are not applicable.

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.

FINDINGS OF FACT

The properties in their entirety have been included in the application. Furthermore, the subject properties are already fully developed and owned by the applicant. As such, the approval of this application will not create partial development of the subject properties.

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 unsubdivided land ownerships adjacent to the proposed subdivision and showing how proposed streets may be connected to existing streets;

B. Proposed deed restrictions in outline form;

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;

D. The approximate location and size of all proposed and existing water and sewer lines and storm drainage systems. (Ord. 1650(part), 1990).

FINDINGS OF FACT

A. A vicinity map has been included on the associated Tentative Plan.

B. There are no proposed deed restrictions for the proposed parcels.

C. There are no streets that are being proposed in this application.

D. Services for water, sewer and storm already exist on the properties and are shown on the attached tentative plan. No additional services are being proposed at this time.

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.

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.

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.

FINDINGS OF FACT

No additional streets or right-of-way dedications are proposed at this time.

D. CRITERIA AND FINDINGS OF FACT – TITLE 17 - ZONING

The following sections of Title 17 ZONING of the Central Point Municipal Code (CPMC) are found to be relevant to the subject application:

17.65.050 Zoning regulations—TOD District

Based on Table 2 in Section 17.65.050 of the CPMC, the following standards apply to the GC zoning district:

<i>Development Requirements</i>	<i>GC</i>
<i>Minimum density</i>	<i>NA</i>
<i>Maximum density</i>	<i>NA</i>
<i>Minimum lot area</i>	<i>NA</i>
<i>Minimum lot width</i>	<i>NA</i>
<i>Minimum lot depth</i>	<i>NA</i>
<i>Front building setback (min./max.)</i>	<i>0 feet / 15 feet</i>
<i>Side building setback</i>	<i>0 feet</i>
<i>Corner building setback (min/max.)</i>	<i>15 feet / 30 feet</i>
<i>Rear building setback</i>	<i>0 feet</i>
<i>Maximum building height</i>	<i>60 feet</i>
<i>Maximum lot coverage</i>	<i>100%</i>

(Note: Table has been reduced to include content relevant to the subject project.)

FINDINGS OF FACT

Pursuant to the above table, there are not any density, lot area, width or depth standards that apply to the subject properties.

The properties are developed and currently meet the side, rear and corner building setbacks as shown on the attached tentative plan. It should be noted that the structure located on proposed Parcel 1 is over the maximum front yard setback of 15-feet. However, the approval of this application will solve the issues surrounding the lot and deed lines that run through the existing structures and will not make the front building setback more non-conforming.

E. ULTIMATE CONCLUSION

The Planning Commission concludes that the subject application is consistent with the relevant criteria for a land division found in Titles 16 and 17 of the Central point Municipal Code and can therefore be approved.

Respectfully Submitted,

Neathamer Surveying, Inc.


Nathan Ruf, CFM

Dated: February 27, 2020