



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2524

Phone: (503) 373-0050

First Floor/Costal Fax: (503) 378-6033

Second Floor/Director's Office: (503) 378-5518

Web Address: <http://www.oregon.gov/LCD>

NOTICE OF ADOPTED AMENDMENT

August 29, 2006

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Eagle Point Plan Amendment
DLCD File Number 003-06



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: September 13, 2006

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Bunny Lincoln, City of Eagle Point

<paa> ya



FORM 2

DEPT OF

DLCD NOTICE OF ADOPTION

AUG 23 2006

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18

**LAND CONSERVATION
AND DEVELOPMENT**

(See second page for submittal requirements)

Jurisdiction: SAGE Point

Local File No.:
(If no number, use none)

Date of Adoption: AUG. 22, 2006
(Must be filled in)

Date Mailed: AUG. 23, 2006
(Date mailed or sent to DLCD)

Date the Notice of Proposed Amendment was mailed to DLCD:

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

(Please Specify Type of Action)

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

BELOWE 10[±] ACRES IN EP GOLF COMMUNITY (PUO)

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same". If you did not give notice for the proposed amendment, write "N/A".

SAME

Plan Map Changed from: to:

Zone Map Changed from: to:

Location: ALTA VISTA ROAD AREA Acres Involved: 10[±]

Specify Density: Previous: New:

Applicable Statewide Planning Goals:

Was an Exception Adopted? Yes: No:

Does Adopted Amendment affect the areas in unincorporated Washington County where the

Zoning Code applies? Yes No

DLCD File No.: 003-06 (15326)

Did the Department of Land Conservation and Development receive a notice of Proposed

Amendment **FORTY FIVE (45) days prior to the first evidentiary hearing.** Yes: No:

If no, do the Statewide Planning Goals apply. Yes: No:

If no, did The Emergency Circumstances Require immediate adoption. Yes: No:

Affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **BUNNY LINCOLN** Area Code + Phone Number: **541-826-4212 x5 111**

Address: **P.O. Box 779** City: **EAGLE POINT**

Zip Code+4: **97524-0779** Email Address: **bunnylincoln@cityofeaglepoint.org**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO (2) Copies of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Submit **TWO (2) copies** the adopted material, if copies are bounded please submit **TWO (2) complete copies** of documents and maps.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the ANotice of Adoption is sent to DLCD.
6. In addition to sending the ANotice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can copy this form on to 8-1/2x11 green paper only; or call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to Mara.Ulloa@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST.**

ORDINANCE NO. 2006-06

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN LAND USE AND ZONING MAPS AND ADOPTING SPECIFIC ZONING CLASSIFICATIONS FOR PROPERTY LOCATED IN THE CITY OF EAGLE POINT, OREGON.

WHEREAS, application has been made to the City of Eagle Point for the rezoning of certain property within the Eagle Point Golf Community (PUD), with payment of required planning fees; and

WHEREAS, said application has been declared complete by the City; and

WHEREAS, all legally required notifications and advertisements have been made, with accompanying certifications; and

WHEREAS, the Planning Commission held a public hearing, August 15, 2006 in connection with said application and has forwarded its recommendation(s) for approval to the City Council (as shown by attached "Memo to Council"); and

WHEREAS, the City Council held a public hearing, August 22, 2006; and

WHEREAS, both hearings provided a forum for public testimony on the proposed zoning amendments; and

WHEREAS, such rezonings are subject to the provisions of the **Eagle Point Zoning Ordinance, Article IX - Amendments, Section 9.070 (C) - Ordinance**, which requires that rezones be effected by ordinance, including the adoption of related Findings of Fact, now, therefore,

THE CITY OF EAGLE POINT ORDAINS AS FOLLOWS:

Section 1 - Findings of Fact. The Council hereby adopts the **Findings of Fact** contained within the whole record, or as amended, with regard to the rezone:

Section 2. - Approval Conditions. The following approval conditions are attached to the subject rezone:

FUTURE DEVELOPMENT -

1. Any future development of this property shall comply with all relevant City rules and regulations. This shall include, but not be limited to, submittal of all required applications and payment of fees for same.

a. It shall be noted for the record that any future proposed development of this property shall be subject to a Traffic Impact Analysis review by the City.

2. These conditions shall be binding upon and inure to the benefit of the heirs, successors and assigns of the applicants. These conditions are not personal, but are for the benefit of all the land herein described, and shall be binding upon the developer and all successive owners of all or part of said property.

INDAVERTENT OMISSIONS -

1. Should the preceding conditions inadvertently omit any applicable item (as determined by the Planning Director) contained in any affected agency memo contained in the whole record, said condition shall be incorporated herein, with appropriate notice being provided to the developer.

IT SHALL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER TO COMPLY WITH THE APPROVAL CONDITIONS LISTED ABOVE. FAILURE TO SATISFY THE TERMS AND CONDITIONS OF ANY APPROVAL, SHALL CONSTITUTE GROUNDS FOR THE CITY TO TAKE ACTION WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, DENIAL OF PLAT SIGN-OFFS, PERMISSION TO PROCEED, ISSUANCE OF A STOP WORK ORDER ("RED TAGGING"), OR DENIAL OF CERTIFICATES OF OCCUPANCY.


Section 3 - Legal Description and Zoning Designation. The real property described below is hereby rezoned on the Comprehensive Plan Land Use Map and the Zoning Map and as specifically shown on the attached exhibit maps.

<u>Legal ID</u>	<u>Location</u>	<u>Comp Plan Zoning</u>	<u>Zoning</u>
361W10BB #4900	Poppy Village (Private Streets)	MD	R-3 (Med. Residential)
361W10BB #5023	Poppy Village (Private Streets)	HD	R-4 (High Residential)
361W03C #3904	Lucas Park	Public Open Space	Public Open Space
361W03CC #4400	Lucas Park	Public Open Space	Public Open Space
361W03CD # 100	Lucas Park	Public Open Space	Public Open Space
361W03D # 807	Lucas Park	Public Open Space	Public Open Space
361W10 # 900	Inn @ EP	Commercial MD	C-1 (4.22 acres - Inn) R-2 (Med. Residential) (5.62 acres - Homes)

Section 4. Effective Date. The Ordinance amendment shall become effective on October 12, 2006, thirty (30) days after formal adoption at its second reading (September 12, 2006) by the City Council.

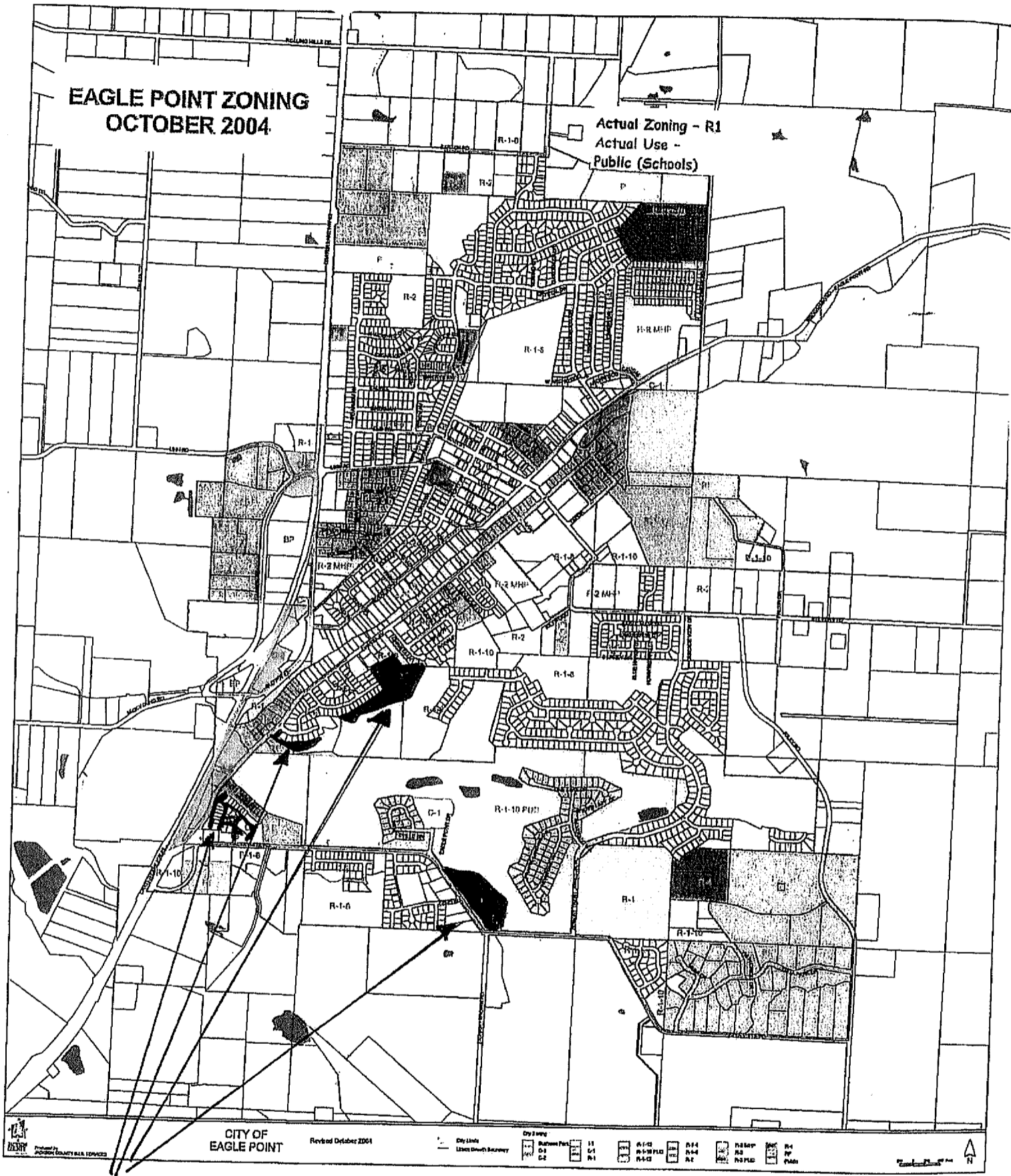
PASSED by the Council and signed by me in open session in authentication of its passage this 22nd day of August, 2006.


Presiding Officer

ATTEST:

Recorder

APPROVED by me this 22nd day of August, 2006.

MAP(S)



■ - ZONE CHANGE PROPERTIES
 ALL PROPERTIES LOCATED IN EAGLE POINT GOLF COMMUNITY PUD



**AUSLAND
BUILDERS
CONSTRUCTION
SERVICES**

3935 Highland Avenue
Grants Pass, Oregon 97526
Telephone 541.476.3788
Facsimile 541.476.2313

OS 03 41579
CS 03 40344

Project Location
775 Alta Vista Road
Eagle Point
Jackson County, Oregon
Map No. 36-01W-10
Tax Lot 900

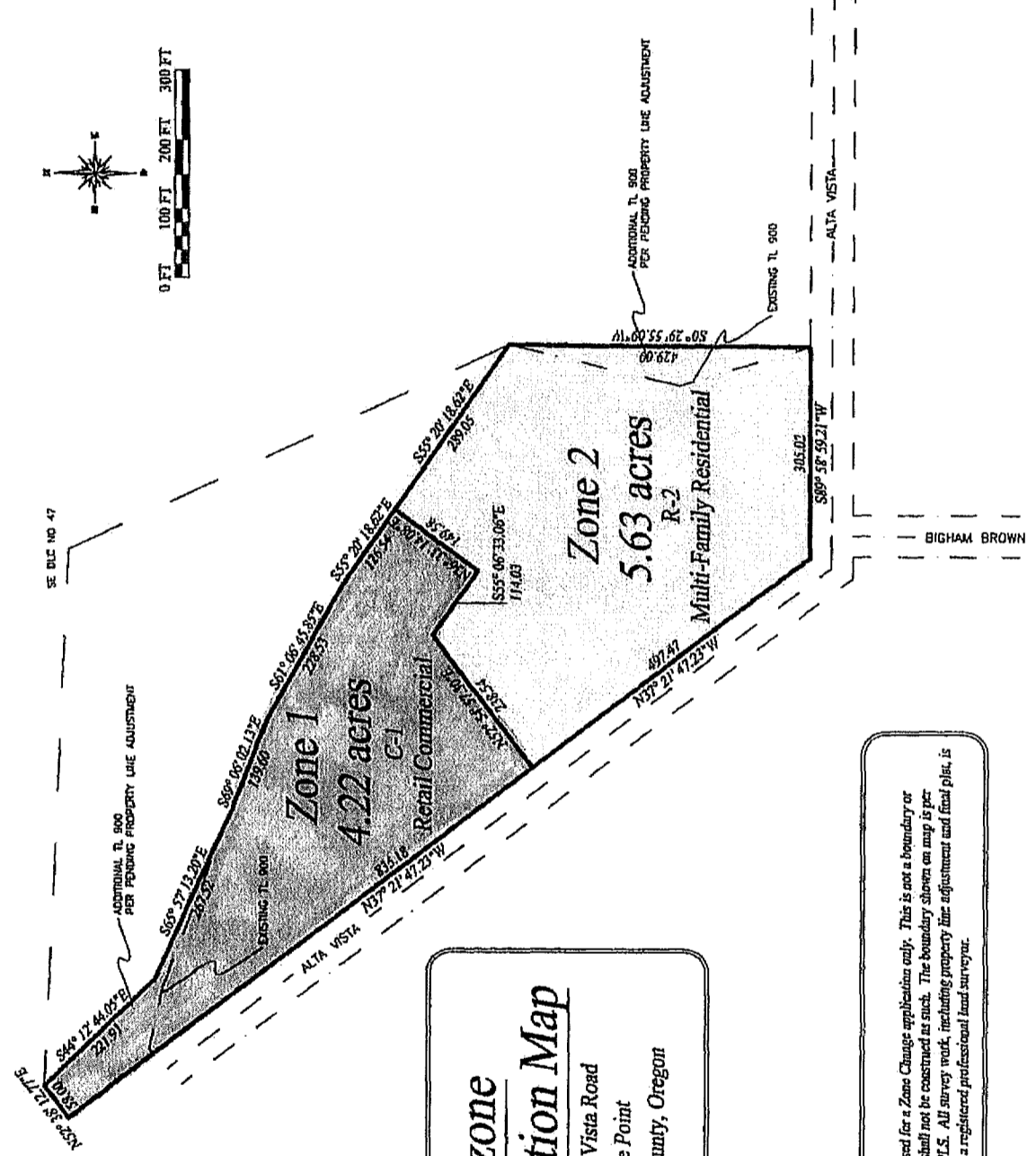
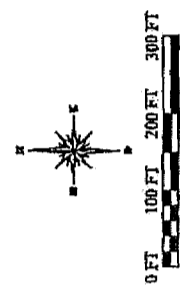
Owner
Im at Eagle Point, LLC
5200 Telegraph Road
Ventura, CA 93003

Owner's Representative
Kathy Ausland, PE
Ausland Builders, LLC
3935 Highland Avenue
Grants Pass, OR 97526
(541)476-3788 ext. 109



Renewed Date: 12/28/07

Date: June 6, 2006



**Rezone
Application Map**
775 Alta Vista Road
Eagle Point
Jackson County, Oregon

Note:
This map is to be used for a Zone Change application only. This is not a boundary or ALTA survey and shall not be construed as such. The boundary shown on map is per Richard Tompkin, P.E. All survey work, including property line adjustment and final plat, is to be performed by a registered professional land surveyor.

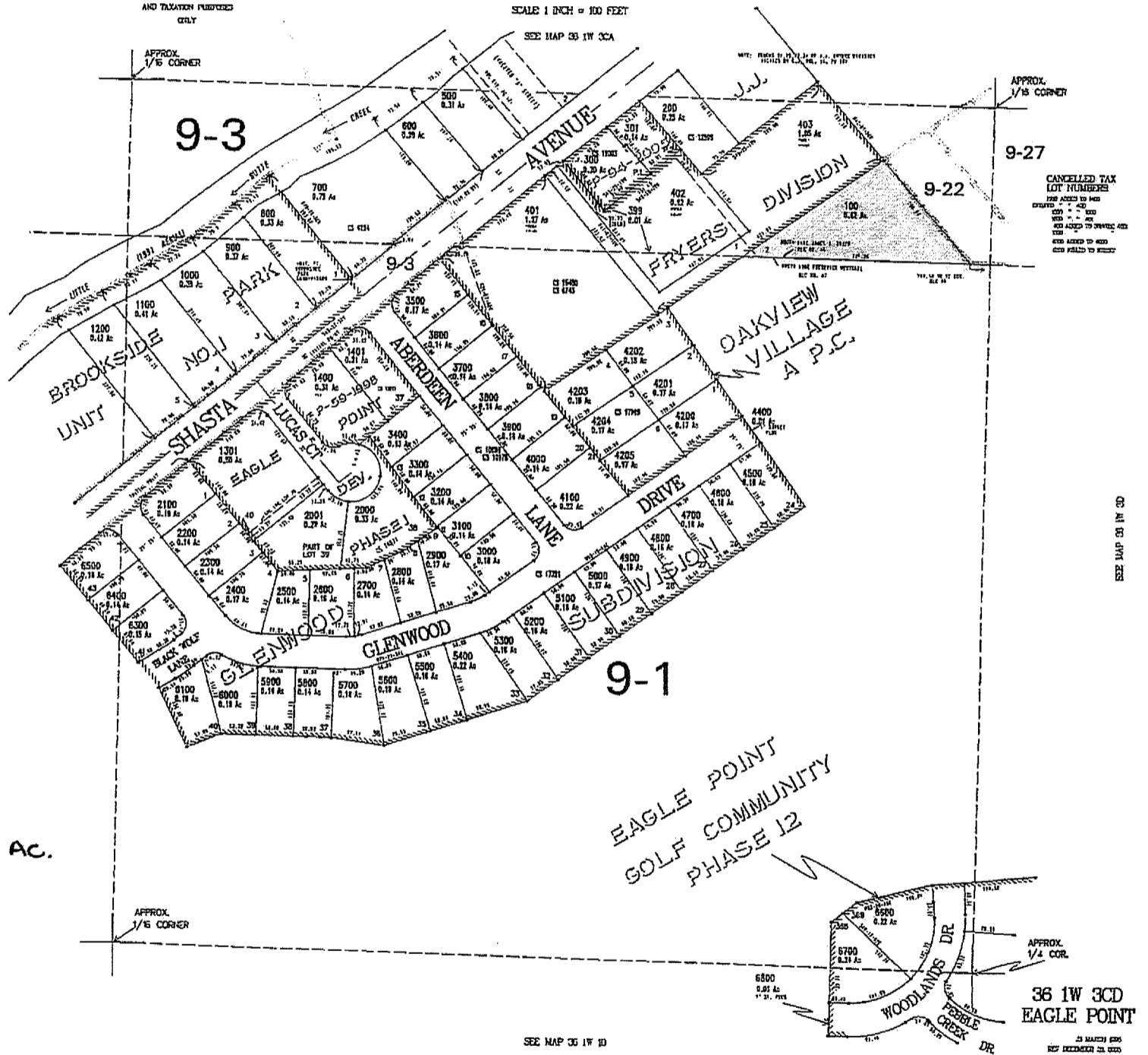
361W03CD
pdf created
06/16/2006 07:02:27

SE 1/4 SW 1/4 SEC3 T36S. R1W. WM
JACKSON COUNTY

36 1W 3CD
EAGLE POINT

IMPORTANT
THIS MAP FOR ASSESSMENT
AND TAXATION PURPOSES
ONLY

SCALE 1 INCH = 100 FEET



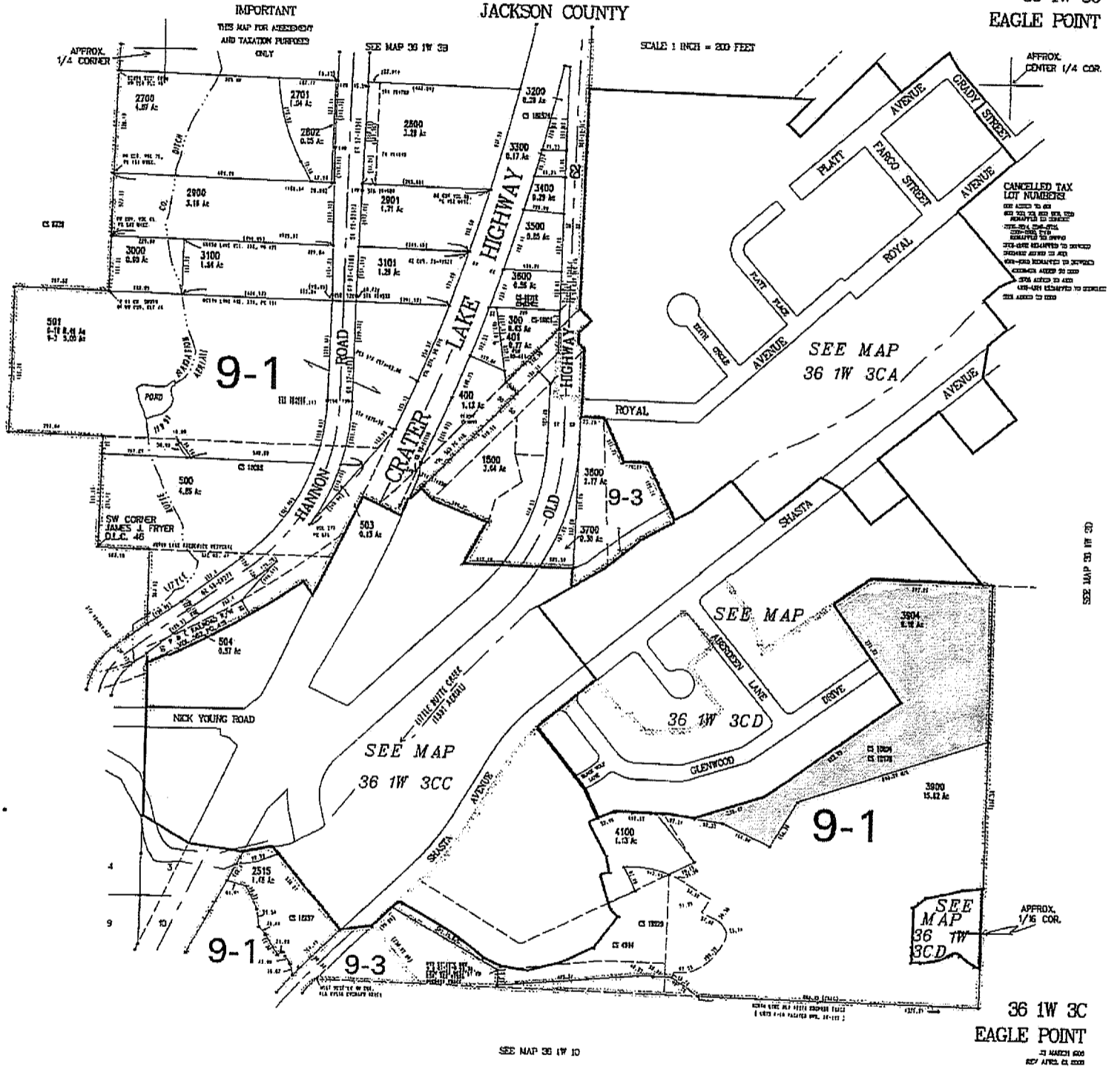
R-1-8 TO
PUBLIC PARK
.62 AC.
(PUD)

MAPFILE C:\WORKSPACE\361W03CD PLATGRA
CREATED WEDNESDAY DECEMBER 20, 2005 3:01 PM By KIMYS

361W03C
pdf created
06/16/2006 07:00:19

SW 1/4 SEC3 T36S R1W. WM.
JACKSON COUNTY

36 1W 3C
EAGLE POINT



METAFLE C:/WORKSPACE/361W03C PLATGTR
CREATED WEDNESDAY APRIL 20, 2006 10:10 AM BY NIKKPAJ

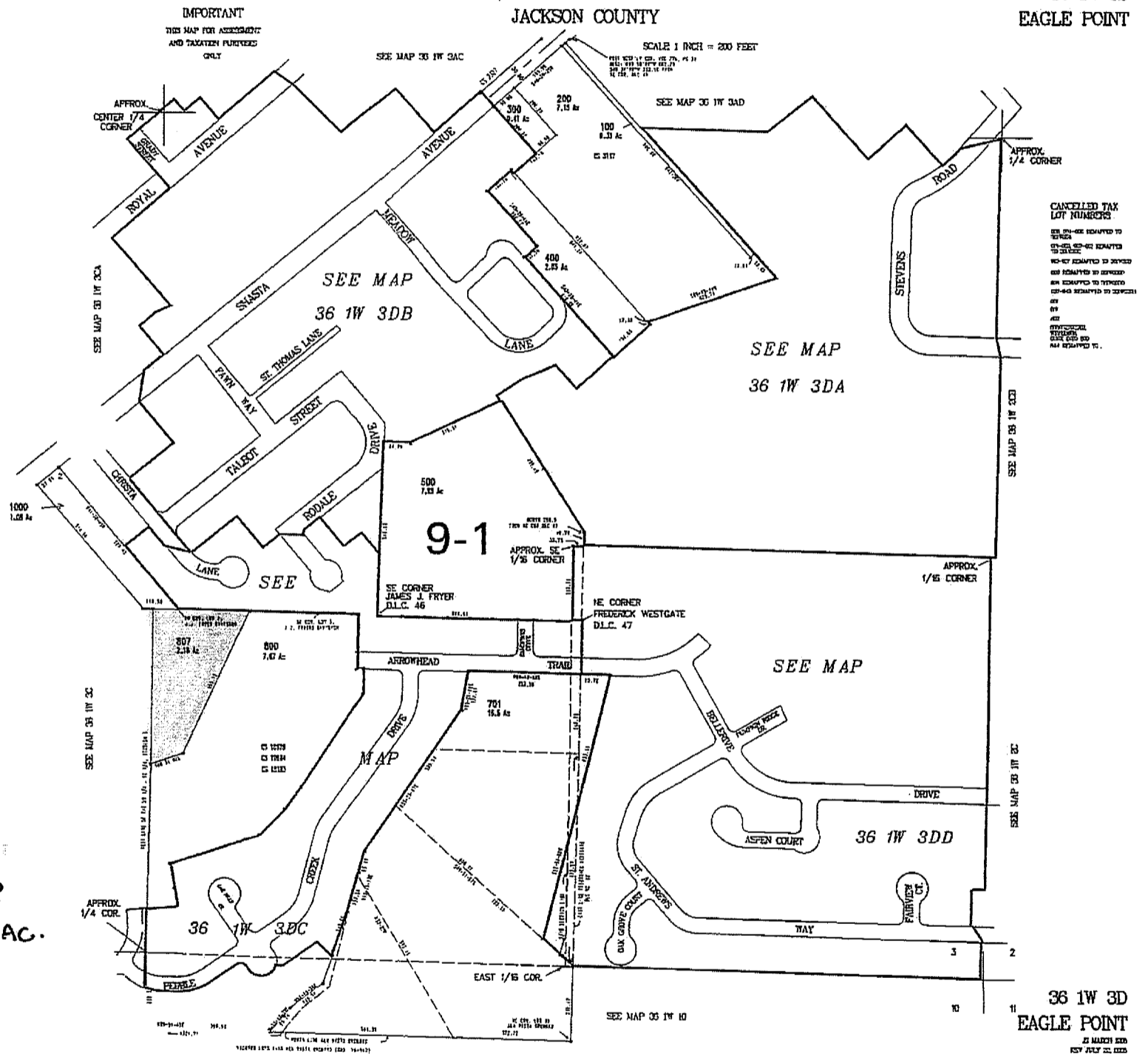
R-1-8 TO
PUBLIC PARK
6.18 AC.
(PUD)

36 1W 3C
EAGLE POINT
20 MARCH 2006
027 APRIL 20 2006

361W03D
pdf created
06/16/2006 07:03:48

SE 1/4 SEC3 T36S. R1W. W.M.
JACKSON COUNTY

36 1W 3D
EAGLE POINT



METATILE C/MORISPACE/301WOOD PLAT/DRA
CREATED FRIDAY JULY 22 2005 10:16 AM BY LYONSJA

36 1W 3D
EAGLE POINT
22 JULY 22 2005

361W10
pdf created
06/16/2006 07:03:04

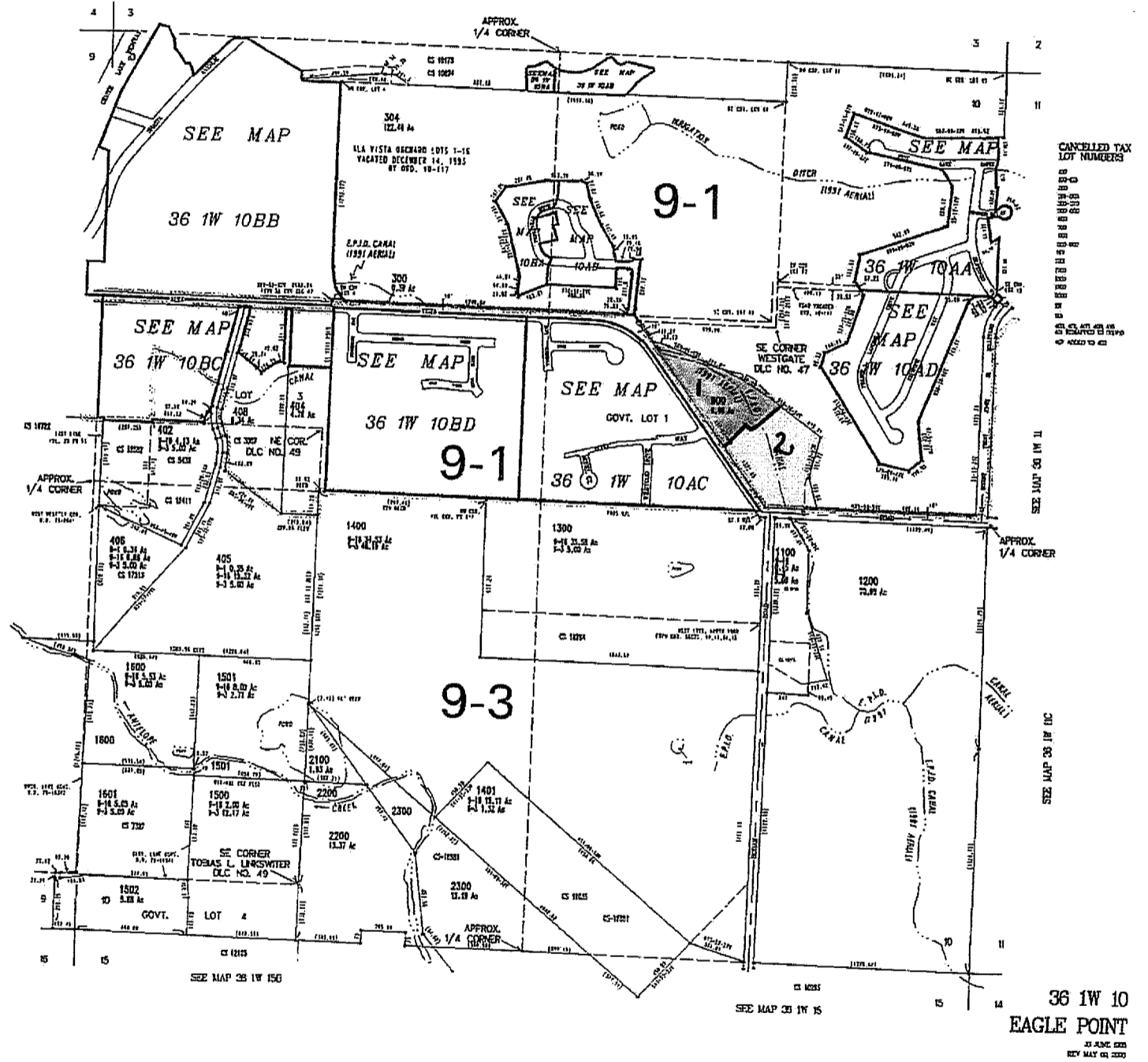
SEC 10 T36S. R1W. W.M.
JACKSON COUNTY

36 1W 10
EAGLE POINT

IMPORTANT
THIS MAP FOR ASSESSMENT
AND TAXATION PURPOSES
ONLY

SCALE 1 INCH = 400 FEET

SEE MAP 35 1W 0C



METAFILE C:/WORKSPACE/361W10 PLAT.GRA
CREATED TUESDAY MAY 09, 2006 11:20 AM BY JOHNSONH

1-R-1-10 TO
Commercial
4.22 AC.

2-R-1-10 TO
R-2
5.63 AC.
(PUD)

36 1W 10
EAGLE POINT
2006
REV MAY 09 2006

361W03CC
pdf created
06/16/2006 07:01:08

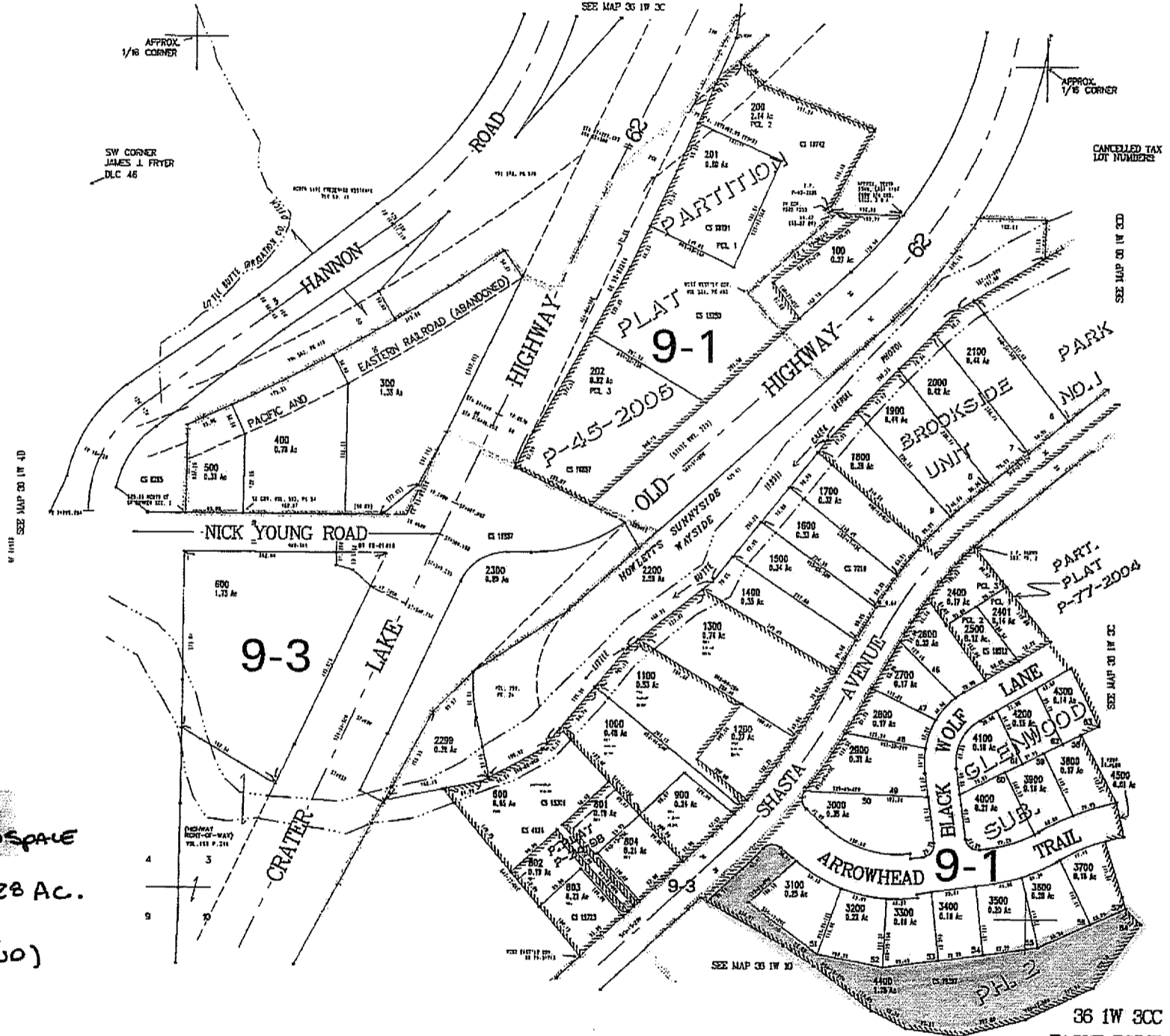
IMPORTANT
THIS MAP FOR ASSESSMENT
AND TAXATION PURPOSES
ONLY

JACKSON COUNTY

EAGLE POINT

SCALE 1 INCH = 100 FEET

SEE MAP 36 19 30

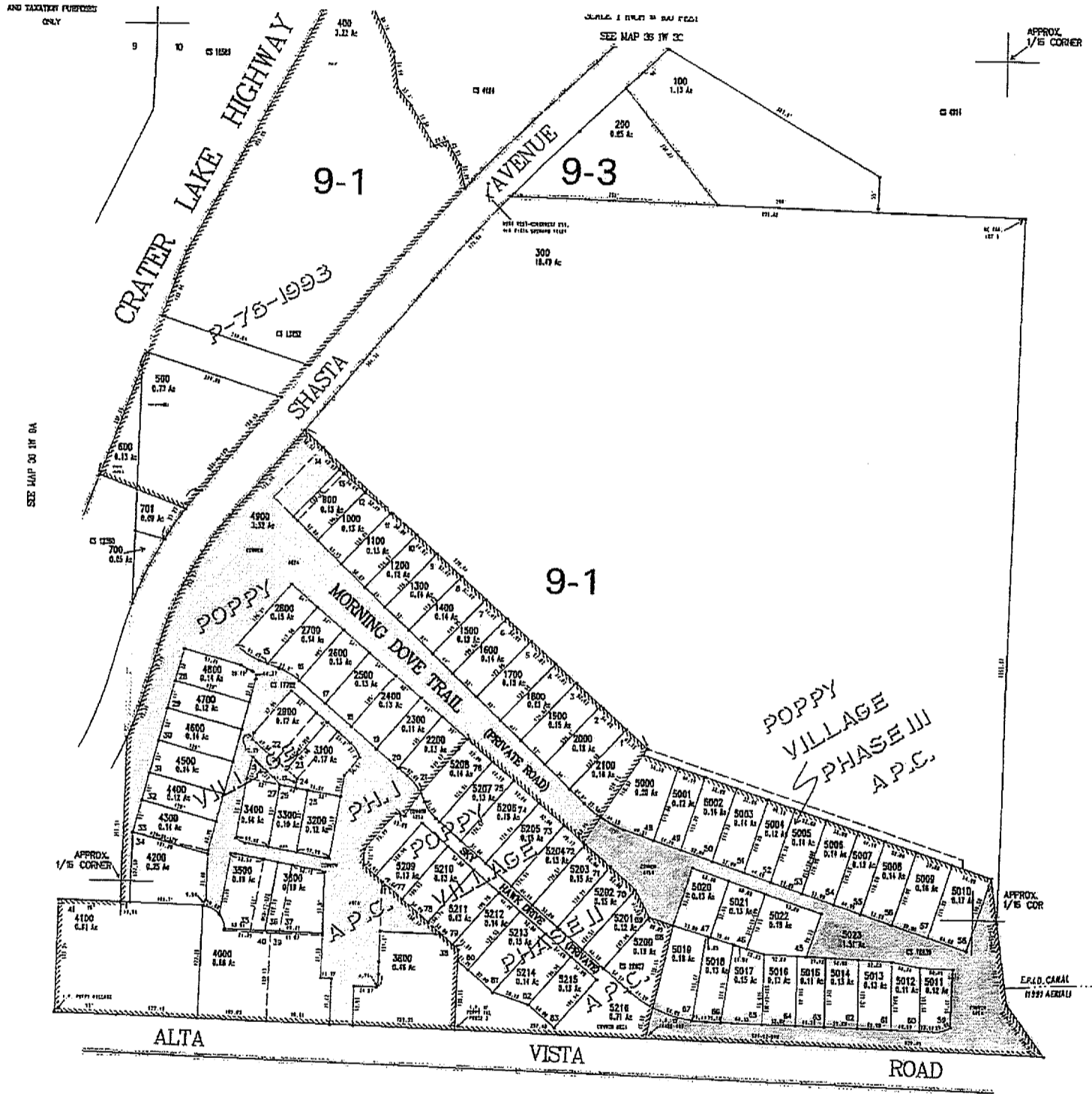


METAFLE C:/MORISPACE/361W03CC PLATORA
CREATED MONDAY MAY 22, 2006 9:45 AM BY KIRKPAAJ

R-2 TO
PUBLIC OPEN SPACE
128 AC.
(Pool)

36 1W 3CC
EAGLE POINT
MAY 22 2006
9:45 AM

361W10BB
pdf created
06/16/2006 06:59:11



CANCELLED TAX
LOT NUMBERS
400 ADDED TO 400
200 ADDED TO 200
100 ADDED TO 100
200 ADDED TO 200
200 ADDED TO 200

SEE MAP 35 1W 10

SIEMAFLE C/HORSPACE/201W10BB PLAT/ORA
CREATED TUESDAY MARCH 14, 2006 10:48 AM By GIS/SH/ID

C-1 TOR#
3.52 AC.

C-1 TO R3
1.51 AC.
(PUD)

361W10BB
EAGLE POINT
APRIL 12, 2006
REV MARCH 14, 2006

APPROVAL CRITERIA

Planning Application
Procedural and Approval Criteria

TYPE: REZONE

COMPREHENSIVE PLAN

COMPREHENSIVE PLAN LAND USE MAP
AMENDMENTS

ZONING ORDINANCE

ARTICLE III - ZONING DISTRICTS

ARTICLE IX - AMENDMENTS (ZONING MAP)

Section 9.010	General
Section 9.020	Initiation of Amendment
Section 9.030	Application
Section 9.040	Planning Commission Procedure
Section 9.050	Planning Commission Action
Section 9.060	City Council Procedure
Section 9.070	City Council Action

OTHERS RELEVANT

STAFF REPORT

STAFF REPORT

For: David Hussell, City Administrator
From: Bunny Lincoln, Planner
Date: 8/4/06
File No.: O4/05-01:CPC/ZCH
Applicant: Kelsy Ausland
Owner: The Inn @ Eagle Point LLC
Agents: Kelsy Ausland
Ausland Builders
Request: Amendments to the Comprehensive Plan and Zoning Map within the Eagle Point Golf Community; Eagle Point, Oregon.

APPLICATION:

Application for **Comprehensive Plan Map amendment** and **zone change** approval in the Eagle Point Golf Community (EPGC) - A Planned Unit Development (PUD), with the following allocations from the total of approximately 10 acres:

<u>Legal ID</u>	<u>Location</u>	<u>Comp Plan Zoning</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>
361W10BB #4900	Poppy Village (Private Streets)	Commercial	Commercial	R-3 (Med. Residential)
361W10BB #5023	Poppy Village (Private Streets)	Commercial	Commercial	R-4 (High Residential)
361W03C #3904	Lucas Park	Medium Residential	R-1-8 (PUD)	Public Open Space
361W03CC #4400	Lucas Park	Medium Residential	R-2	Public Open Space
361W03CD # 100	Lucas Park	Medium Residential	R-1-8 (PUD)	Public Open Space
361W03D # 807	Lucas Park	Medium Residential	R-1-8 (PUD)	Public Open Space
361W10 # 900	Inn @ EP	Medium Residential	R-1-10 (PUD)	Commercial (4.22 acres - Inn) R-2 (Med. Residential) (5.62 acres - Homes)

The proposed zone changes are designed to:

1. Designate Lucas Park as public property since it has been donated to the City.
2. Redesignate the zoning for the residential portion of Poppy Village to its actual development standard of "residential".
3. Allow for the future siting of a lodging facility within the EPGC. **NOTE:** Any such proposed development will be subject to any/all applicable land use approval requirements.

I. APPLICABLE CRITERIA

A. FINDINGS OF CONFORMANCE WITH THE EAGLE POINT COMPREHENSIVE PLAN.

A minor revision to the Land Use Plan Map is one which focuses on specific individual properties and will not have a significant impact beyond the immediate area of the change. Minor revisions to the Plan Map will be considered subject to the procedures used by the City when hearing zone change requests (**EP Zoning Ordinance – Article IX – Amendments**).

Amendments to the Plan Map may be initiated by the City or through standard land use application by an individual/multiple property owners or agents thereof.

The proposed amendment(s) must further comply with relevant sections of the Comprehensive Plan.

1) **Chapter VII – TRANSPORTATION** - requires that the City consult with ODOT and Jackson County when proposing any zone changes that affect the Highway system...

FINDING(S): Both ODOT and Jackson County were noticed on the proposed zone change and have submitted memos of "no comment" on the matter.

2) **Chapter VII – ECONOMY** - states that the citizens have indicated a real need for increased commercial opportunities. This has been evidenced throughout the past three decades in every citizen survey that the City has conducted. (pg. 124.)

All of the commercial land in the adopted master site plan for the EP Golf Community has not been utilized due to the development of the Poppy Village townhouses over what had originally been designated for commercial development.

FINDING(S): The implementation of the proposed zone change will allow for the aforementioned expansion of business opportunities within the UGB.

The "Employment" section of the chapter states, "The sense of community as well as the City's fiscal integrity would both be enhanced if additional employment opportunities could be provided within the City." (pg. 130.)

FINDING(S): The implementation of the proposed zone change meet will the criteria addressed in the stated goals and policies of the Comprehensive Plan's Economic Element.

3) **Chapter XIII – CITIZEN INVOLVEMENT** - requires that the City provide ongoing, legal notifications to its citizens, including opportunity to be heard in a public forum, for all matters related to the land use decision making process. Furthermore, the same informational and public hearing procedures shall be followed with respect to all affected agencies and organizations. (pg. 178.)

FINDING(S): The City has provided such notifications and public testimony opportunities throughout the process for the approval of the proposed zone change amendment(s), and will continue to do so until the matter is formally concluded.

4) **Chapter XV – REVIEW AND AMENDMENTS PROCEDURES** - The process for adopting major amendments/revisions to the Comprehensive Plan Land Use Map are outlined in the Element. The Planning Commission may hold a hearing and submit recommendations to the Council. The Commission hearing must be advertised in the newspaper for two weeks prior to the initial hearing. The City Council must hold a public hearing on the proposed amendment. The Council hearing must also be advertised twice in the newspaper.

A majority vote of the Council is required to enact a Comprehensive Plan amendment. (pg. 185.)

FINDING(S): The City has followed the prescribed notification and hearing process for this matter.

B. FINDINGS OF CONFORMANCE WITH THE EAGLE POINT ZONING ORDINANCE.

1) **Article IX – Amendment(s)** allows the City to amend the Zoning Map and Ordinance whenever such a change is found to be warranted for the benefit of the community. The City may initiate such an amendment on its own, or, as in this case, standard land use application may be made to the City by an individual/multiple property owners or agents thereof.

Legal notifications must be made to the State Department of Land Conservation and Development, as well as all those agencies/individuals entitled to them.

Public hearings are held before both the Planning Commission and City Council.

Any amendment(s) are adopted by Ordinance.

FINDING(S): All required legal notification, advertisements and public hearings have been held in conjunction with the approval process or the proposed amendment(s).

Section 9.010 states that the zoning map may be amended whenever the public necessity and convenience and general welfare require such amendment.

FINDING: While ordinance text amendments require compliance with several criteria, changes to the zoning map are subject only to a finding of public necessity, convenience, and general welfare.

The Eagle Point Golf Community master site plan was approved as a Planned Unit Development (PUD) in 1992. Implicit in the approval was the concept that, over

time, the development would be refined to utilize the highest and best use of the land, meeting the demands of the changing residential and economic markets in the most innovative and creative manner while remaining within the bounds of the approved master zoning designations and protecting the general health, safety and welfare of Eagle Point.. PUDs are designed to allow for this creativity and flexibility, combined with “outside the box” design and development, yet remaining within the bounds of code compliance. The incorporation of a lodging component into the Golf Course has always been part of the overall concept, although its specific siting has never been delineated until now.

While technically defined as a “zone change” by the State (and therefore subject to the legal requirements associated with same) , the “shifting” of zoning within the Golf Course PUD, and the assignment of a “Public Land” classification to Lucas Park is not found by the City to create any greater impacts upon existing services, systems and socio-economic conditions than were first envisioned by the City in 1992. This “net 0” impact philosophy has been supported by John Renz, local DLCDC Representative, ODOT and Jackson County in their “no comment” memorandums, and by the fact that entities such as Rogue Valley Sewer, Medford Water Commission and Fire District #3, while all being legally notified, have not filed any comments whatsoever.

FINDING: The proposed zone “changes” do not create any negative impacts upon the City and are, in fact, found to be beneficial to Eagle Point in that the proposed future development of the Inn at Eagle Point will add to the socio-economic base of the City in a positive, well planned and designed manner.

STAFF SUMMARY/RECOMMENDATIONS:

Based upon Staff Findings, the Planning Commission may determine that the standards for **Comprehensive Plan Amendment** and **Zone Change** approval have been met by virtue of a complete application submittal and all related Ordinance compliance. If developed to Recommended Condition standards, the proposed map amendments will meet all criteria for an affirmative decision. Further, it will not create any negative effects upon adjoining neighborhood(s) or City services/facilities. Staff recommends that the **Findings** contained in the whole record be adopted and the proposed **Comprehensive Plan Amendment** and **Zone Change** be approved with the following conditions:

RECOMMENDED CONDITIONS:

VI. CONCLUSION

1. The proposal has been found to be consistent with the Comprehensive Plan Map.
2. The proposal has been found to be consistent with the requirements of the Zoning Ordinance.
3. All legal notifications have been satisfied with respect to the application.
4. The application was declared complete.
5. No concerns have been expressed by any affected agencies. (ODOT and Jackson County Parks & Roads)

VI. RECOMMENDED CONDITIONS:

1. Any future development of this property shall comply with all relevant City rules and regulations. This shall include, but not be limited to, submittal of all required applications and payment of fees for same.

a. It shall be noted for the record that any future proposed development of this property shall be subject to a Traffic Impact Analysis review by the City.

2. These conditions shall be binding upon and inure to the benefit of the heirs, successors and assigns of the applicants. These conditions are not personal, but are for the benefit of all the land herein described, and shall be binding upon the developer and all successive owners of all or part of said property.

INDAVERTENT OMISSIONS –

1. Should the preceding conditions inadvertently omit any applicable item (as determined by the Planning Director) contained in any affected agency memo contained in the whole record, said condition shall be incorporated herein, with appropriate notice being provided to the developer.

IT SHALL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER TO COMPLY WITH THE APPROVAL CONDITIONS LISTED ABOVE. FAILURE TO SATISFY THE TERMS AND CONDITIONS OF ANY APPROVAL, SHALL CONSTITUTE GROUNDS FOR THE CITY TO TAKE ACTION WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, DENIAL OF PLAT SIGN-OFFS, PERMISSION TO PROCEED, ISSUANCE OF A STOP WORK ORDER ("RED TAGGING"), OR DENIAL OF CERTIFICATES OF OCCUPANCY.

DECISION:

A. The **Planning Commission** may consider the following actions at the public hearing:

1. Adopt the Staff and Applicant Findings and recommend approval of Comprehensive Plan Map Amendment and Zone Change.
2. Adopt the Staff and Applicant Findings and recommend approval of Comprehensive Plan Map Amendment and Zone Change with conditions
3. Recommend Denial of the map amendment and zone change.
4. Continue the hearing.

B. The **City Council** may consider the following actions at the public hearing

1. Approve the amendments.
2. Deny the amendments.

3. Approve the amendments with conditions.
4. Enlarge or diminish the zone district or reclassify the district to a district other than the district requested.
5. Refer the matter back to the Planning Commission for further consideration.
6. Postpone action on the amendments to a time specified providing additional information is required and the applicants or their representatives agree to such postponement.

**APPLICANT'S
FINDINGS**



3935 Highland Avenue
Grants Pass, Oregon 97526

Telephone 541.476.3788
Facsimile 541.476.2313

2003 Daily Journal of
Commerce Oregon/
Washington Top Projects
Award

2004 Josephine County
Commissioners' Best New
Restaurant Award

2004 Grants Pass City
Council Developers Award

2005 Grants Pass City
Council Developers Award

June 8th, 2006

City of Eagle Point
Attn: Bunny Lincoln
P.O. Box 779
Eagle Point, OR 97524

RE: Eagle Point Zone Changes / Comp Plan Amendment

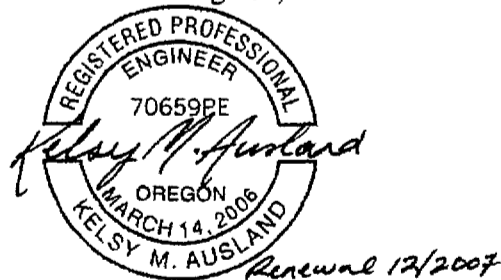
Greetings,

This application for zone change and comprehensive plan map amendment serves as the formal procedure under which to execute the trading and redesignation of certain zones within the boundaries of the existing Eagle Point Golf Community planned unit development (PUD). The trading and redesignation is proposed in a manner such that the total acreage of commercial and residential zonings remains unchanged, with the exception of "Lucas Park", currently zoned residential. The subject application proposes redesignating that acreage as "public/open space".

This project to swap zones is a collaborated effort between the City of Eagle Point, the Inn at Eagle Point, LLC, and the Eagle Point Golf Club, LLC. Under the proposal, property from within the portion of private streets and common area of the Poppy Village townhomes currently zoned commercial, will become medium and high-density residential. Property developed as "Lucas Park" currently zoned residential, will become "public/open space". Undeveloped property at 775 Alta Vista Way adjacent to the Eagle Point Golf Course club house (shown as the "Beaver Creek" site on the original, approved master site plan) currently zoned R1-10 (PUD) (Single-family Residential), will become C-1 (Commercial) and R-2 (Medium-density Residential).

Refer to details consolidated by Bunny Lincoln at the City of Eagle Point for specifics on the zone change, including legal descriptions of the lots involved with appropriate zoning and size information. Please feel free to contact me should you have any questions at (541)476-3788.

With Best Regards,



OR: 151579
CA: 863744

Kelsy M. Ausland, P.E.
Ausland Builders, LLC

Come see what is new in our community at www.AuslandBuilders.com



3935 Highland Avenue
Grants Pass, Oregon 97526

Telephone 541.476.3788
Facsimile 541.476.2313

2003 Daily Journal of
Commerce Oregon/
Washington Top Projects
Award

2004 Josephine County
Commissioners' Best New
Restaurant Award

2004 Grants Pass City
Council Developers Award

2005 Grants Pass City
Council Developers Award

June 6th, 2006

City of Eagle Point
Attn: Bunny Lincoln
P.O. Box 779
Eagle Point, OR 97524

RE: Rezone Application

Greetings,

Attached are the application materials for a "Rezone" at 775 Alta Vista Road (36-1W-10 TL 900). The subject property is located within Eagle Point Golf Community planned unit development and is zoned R-1-10. The site is currently undeveloped and bordered by Eagle Point Drive to the north, Alta Vista Road to the south and southwest, and the golf course to the northeast.

This application is for a rezone to transfer 4.22 acres of unused C-1 commercial zone and 5.63 acres unused R-2 residential zone from within the PUD to the subject property. No net increase in the originally approved acreage for C-1 Commercial or R-2 Residential zoning within the PUD limits is occurring as a result of this land use action. Please note that a property line adjustment is pending between Eagle Point Golf Club LLC and Inn at Eagle Point LLC that will adjust the total site from 9.43 acres to 9.85 acres.

Please contact me should you have any questions at (541)476-3788.

With Best Regards,



Kelsy M. Ausland
Planning Coordinator
Ausland Builders, LLC

Encl.

cc. Aaron Ausland, Stephen Brown, Cris Galpin, Kim Hatch

OR: 151579
CA: 863744

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GALPIN & ASSOCIATES

March 6, 2006

Dave Hussell
City Administrator
City of Eagle Point
PO Box 779
Eagle Point, OR 97524

Re: Eagle Point Golf Community

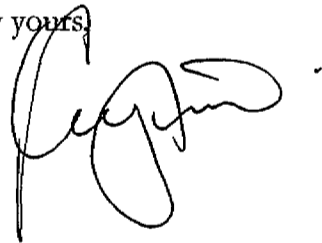
Dear Mr. Hussell,

Please accept this letter as a request to arrange the zoning granted the Eagle Point Golf Community development. As per the approval which permitted the arranging of the zones "inside" the development boundaries, we request that a portion of the R 2 zone located in Area A be transferred to Area B. Also, a portion of the Commercial of Area C, be transferred to Area B. A plot plan for your review is enclosed. The location and topography located in the requested transfer is more suitable for the uses in the zone.

Respectfully yours,

Cris Galpin

Enclosures

A handwritten signature in black ink, appearing to read "Cris Galpin", written over the typed name and extending slightly to the right.

AGENCY COMMENTS

Bunny Lincoln

From: PYLES David [David.PYLES@odot.state.or.us]
Sent: Thursday, July 06, 2006 3:00 PM
To: Bunny Lincoln
Subject: RE: Golf Course Rezone info

Bunny:

ODOT has no comment on the golf course rezone project. Thank you for noticing ODOT Development Review.

We look forward to working with Eagle Point on future projects.

David
David J. Pyles, *Development Review Planner*
ODOT Region 3 / District 8
Rogue Valley Area Office
100 Antelope Road
White City, OR 97503
(541) 774-6399 phone
(541) 774-6349 fax

Bunny Lincoln

From: John Renz [John.Renz@state.or.us]
Sent: Tuesday, June 20, 2006 8:00 AM
To: Bunny Lincoln
Subject: Re:

Bunny:

I don't need a staff report. I know what the city is doing and have no problems with it. It is very unlikely I would write comments on just moving the zoning around. So take it easy and don't send me a staff report.

>>> "Bunny Lincoln" <bunnylincoln@cityofeaglepoint.org> 6/19/2006 2:36

>>> PM >>>

Hi, John,

I just talked to Larry French and he says we need to give you a Staff Report to go along with the big zone change submittal for the Golf Course PUD. Could you give me some sort of idea what you would prefer?

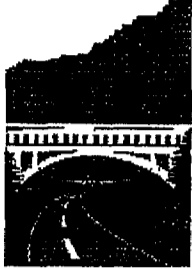
Our position is that there is no impact from all the changes, and we need the commercial lodging badly from an economic/social standpoint. We are simply moving some zoning around (Yes, we know it's a "rezone" by definition), and designating the lands in Lucas Park as "Public", since they have been dedicated to the City. (It's also a great way to give us more allowance for residential development in another area without increasing traffic densities).

Speaking of which, ODOT has already given us a memo to the effect that the zone changes will not create additional ADT's to an extent that will generate negative impacts on their system.

Looking forward to hearing from you,

Bunny

Bunny Lincoln
Eagle Point Planning & Building Depts.
PO Box 779
Eagle Point OR 97524
541-826-4212 Ext. 111
bunnylincoln@cityofeaglepoint.org
www.cityofeaglepoint.org



JACKSON COUNTY

Roads

Roads

Eric Niemeyer, PE
Traffic & Development Engineer

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6290
Fax: (541) 774-6295
eniemeyel@jacksoncounty.org
www.jacksoncounty.org

July 28, 2006

Bunny Lincoln, Planner
City of Eagle Point
P.O. Box 779
Eagle Point, OR 97524

RE: Development off Alta Vista Road - a county-maintained section of road.
Planning File: 05/06-24:CPC/ZCH.

Dear Bunny:

Thank you for the opportunity to comment on this request for amendments to the Comprehensive Plan Land Use and Zoning Maps. The amendment is classified as major (affecting more than one parcel), and is found by the City to have a "net 0" impact on City services and systems. The rezone application is being made as part of a future land use application for a master planned development to create a lodging facility (hotel and cottages) and townhouses on the Eagle Point Golf Course. The Planned Unit Development (PUD) overlay zoning for the entire Golf Course Community will remain unchanged. Jackson County Roads and Parks has no comment.

If you have any questions or need further information feel free to call me at 774-6230.

Sincerely,

Eric Niemeyer, PE
Traffic & Development Engineer