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November 17, 2015

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VIA EMAIL

Mayor Gary Wheeler
Medford City Council
City Hall
411 W 8th St
Medford, OR 97501

RECEIVED
NOV 17 2015
PLANNING DEPT

Re: City of Medford ("City") Urban Growth Boundary ("UGB") Amendment – Responses to Additional Testimony

Dear Mayor Wheeler and Medford City Councilmembers:

This office represents Hillcrest Corporation ("Hillcrest"), the owner of approximately 246 acres of real property generally located east of Foothill Road and north of Hillcrest Road in the MD-4 urban reserve enclave surrounded by the City. The purpose of this letter is to respond to two exhibits entered into the record for this matter: (1) a transportation analysis prepared for the landowner of the MD-2 property; and (2) a City staff report dated October 13, 2015. As further explained below, neither one of these exhibits constitutes substantial evidence to support a conclusion to expand the UGB in the manner/location proposed by the respective exhibit.

1. Response to Transportation Analysis Prepared for the MD-2 Landowner.

The transportation analysis for MD-2 prepared by Southern Oregon Transportation Engineering, LLC ("SOTE") dramatically understates the true impacts of developing consistent with the Planning Commission's recommended plan for MD-2. For example, development in accordance with the City's plan for MD-2 will generate more than three times the number of daily trips and more than 50% more peak-hour traffic than would be developed under the MD-2 owner's plan for the same area. The reason the SOTE analysis understates the impacts is that the Planning Commission plan includes significantly more commercial acres than were proposed by the MD-2 owner, which will generate significantly more trips. Because the SOTE analysis did not evaluate the more intense City plan for the property, a reasonable person would not rely upon the SOTE

analysis to support the conclusion that adequate transportation facilities can be made available to serve the MD-2 property if it is added to the City's UGB.

In fact, for the reasons explained in the attached memorandum from Hillcrest's transportation expert, JRH Transportation Engineering, the transportation concerns associated with MD-2 undermine the Planning Commission's conclusion that including the area in the UGB expansion is consistent with the Statewide Planning Goal ("Goal") 14 factors. For example, the inability to cost-effectively mitigate the transportation impacts of development in MD-2 demonstrates that the City's transportation facilities will not have adequate capacity to serve the uses that are the basis for the UGB expansion over the planning period and will leave areas inside the UGB with inadequate transportation facilities.

Likewise, the inability to mitigate transportation impacts in this area will effectively prevent full development of MD-2, which is inconsistent with the efficient accommodation of the City's identified land needs.

For these reasons, the City Council should find that the SOTE analysis does not constitute substantial evidence to support including MD-2, as recommended under the Planning Commission's plan, in the UGB amendment.

2. Response to City Staff Memorandum with Options for 43 Unbuildable Acres.

The October 13, 2015 City staff memorandum proposing options to add 43 additional acres to the UGB amendment proposal is a worthy start to modifying the Planning Commission's deficient recommendations. However, the staff memorandum is lacking in two important ways.

First, it does not assess or compare the areas for consistency with the applicable Goal 14 rules. As such, this staff memorandum alone cannot constitute substantial evidence to support approval of any of these options. Additional analysis must be entered into the record to develop this substantial evidence and provide a basis for increasing the acreage in the proposal.

Second, the staff memorandum addresses the limited issue of adding 43 acres and does not comprehensively correct the errors made in the Planning Commission

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recommendation and previously raised on the record by Hillcrest and others. As such, the City Council should not adopt any of these options and should instead adopt a more comprehensive re-allocation of acreage in the proposal.

Please keep these points in mind as you further refine the UGB amendment proposal.
Thank you.

Very truly yours,

A handwritten signature in black ink, consisting of a large, sweeping loop followed by a long, horizontal tail stroke.

Steven L. Pfeiffer

Encl.

cc: Jim Huber (via email) (w/encl.)
Lori Cooper (via email) (w/encl.)
Client (via email) (w/encl.)

JRH TRANSPORTATION ENGINEERING

MEMORANDUM

October 22, 2015

TO: Steve Pfeiffer, Perkins-Coie

FROM: Jim Hanks, PE

SUBJECT: MD -2 Traffic Implications of
Coker Butte Plan Compared with Planning Commission's Land Use
Recommendation



RENEWS 6/30/17

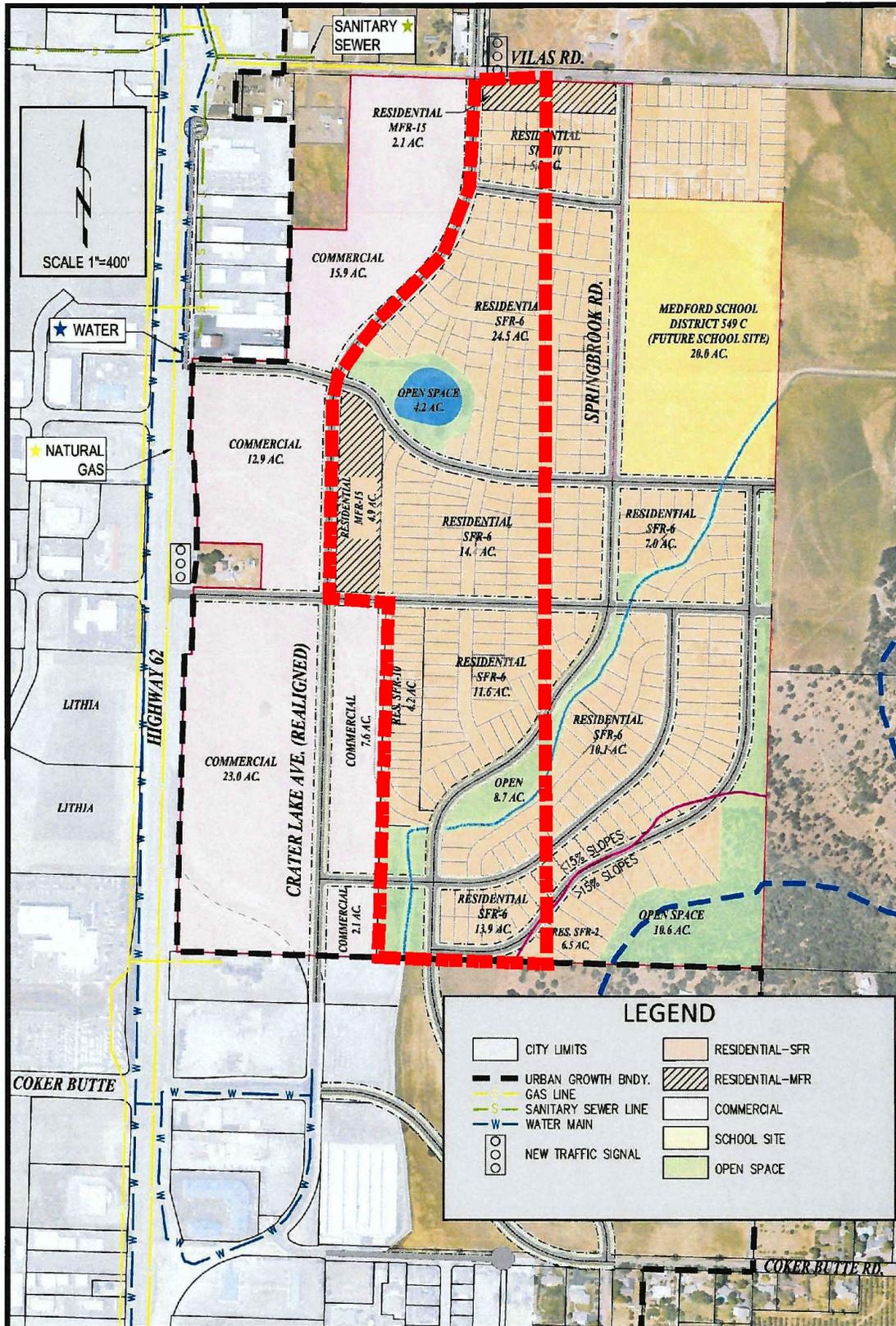
SUMMARY:

The Medford Planning commission recently recommended a General Land Use Plan (GLUP) map designation arrangement for Urban Reserve Area MD-2. That recommendation includes a significant increase in commercial land over what property owners had proposed for the area in the *Coker Butte Plan Community Project Master Plan* (Coker Butte Plan). As a consequence, traffic volumes projected for Coker Butte Plan area as originally submitted, do not provide for the current MD-2 configuration and now substantially understate what will actually occur.

Further, the Coker Butte Plan relies upon a number of required transportation improvements, which are excessively costly and physically constrained. Together, these facts call into question the ability of the existing and proposed transportation system to accommodate the actual projected traffic resulting from MD-2.

BACKGROUND:

The illustration on the next page shows the property owners' Coker Butte Plan. The area within the red dashed line indicates the additional CM Commercial and SC Service Commercial land use in the Planning Commission's recommended plan.



LEGEND

CITY LIMITS	RESIDENTIAL-SFR
URBAN GROWTH BNDY.	RESIDENTIAL-MFR
GAS LINE	COMMERCIAL
SANITARY SEWER LINE	SCHOOL SITE
WATER MAIN	OPEN SPACE
NEW TRAFFIC SIGNAL	



**COKER BUTTE DEVELOPMENT
CONCEPTUAL SITE PLAN**

Revised: 07-21-15 EHM

Exhibit “P” of the July 21, 2015 Planning Commission Report (for City Council’s August 6, 2015 hearing) contains the “Coker Butte Community Project” Conceptual Master Plan. The Plan consists of a combination of residential, commercial, school, parks, and open space uses. It also includes a traffic memo from Southern Oregon Transportation Engineering (SOTE), LLC analyzing the impacts of the development. Table 1, below, shows the land allocated to each land use in the plan and the traffic generated by it. The land use in Table 1 is directly from the Coker Butte Plan. Because the SOTE study does not provide trip generation information in its report, JRH Transportation Engineering (JRH) generated the traffic volumes using trip generation rates published by the Institute of Transportation Engineering.

TABLE 1 - MD-2 Coker Butte Development Conceptual Site Plan Trip Generation

Land Use	Acres	Description	ITE Code	Size		Daily Trips	PM Peak Trips
CM	61.5	Commercial	820	832,292	Square feet	17,428	4,022
UR	6.5	SFR -2	210	13	Dwellings	124	13
UR	81.1	SFR-6	210	487	Dwellings	4,632	496
UR	10.0	SFR- 10	210	100	Dwellings	952	102
UR	7.0	MFR-15	220	105	Dwellings	698	70
School	20.0	SCHOOL	520	600	Students	774	90
OS/Park	23.5	CITY PARK	411	23.5	Acres	44	4
209.6				TOTAL:		24,653	4,798

Table 2 shows the City’s proposed land use designations for MD-2. Both tables translate comprehensive plan designations into appropriate zoning matching the plan designation.

TABLE 2 - MD-2 Trip Generation for City Proposed Gross Acres

(Excludes Industrial north of Vilas)

Land Use	Acres	Description	ITE Code	Size		Daily Trips	PM Peak Trips
CM	93.0	Commercial	820	1,258,588	Square feet	62,478	5,605
SC - 3/4	30.0	General Office	710	505,900	Square feet	4,500	645
SC - 1/4	10.0	Medical/Dental Office	720	155,500	Square feet	6,140	435
UR	5.8	SFR -2	210	12	Dwellings	124	13
UR	72.9	SFR-6	210	437	Dwellings	4,632	496
UR	9.0	SFR- 10	210	90	Dwellings	952	102
UR	6.3	MFR-15	220	94	Dwellings	698	70
227.0				TOTAL:		79,525	7,367

EVALUATION:

The City’s proposal will generate more than three times the daily trips and more than fifty percent more peak-hour traffic than would be developed under the property owners’ plan as evaluated by SOTE. The City of Medford requires developers to evaluate commercial (CM) peak-hour at a rate of 150 trips per acre and service commercial (SC) peak-hour traffic at a rate of 50 trips per acre. Using the City of Medford’s procedure would change the commercial trips from the ITE value of 5605 to 13,950 for the 93 acres of CM designated commercial land, an additional increase of 8345 peak hour trips. Similarly, using the City’s procedure would change the commercial trips from the ITE value of 1,080 to 2,000 for the 40 acres of SC designated commercial land, an additional increase of 920 peak hour trips.

The combined increase for both CM and SC designated land would then be 9,265 peak hour trips. An average freeway lane at capacity carries approximately 2,000 cars per hour.

Even ignoring the City required rates, increased traffic using ITE rates has several implications. Because the Coker Butte traffic study relies on transportation projects that are not planned or budgeted to meet standards, there is a strong possibility that they will not be on line to meet development demands. These projects, essential to the development of MD-2, include:

- Solving the regional bottleneck at Poplar and Highway 62,
- Improvements and realignment to Crater Lake Avenue,
- Extension of Springbrook Road north to MD-2, and
- Improvements to County roads extending north and east of MD-2.

All of these have significant physical and/or financial impediments to their construction. Because of the complexity and impacts resulting from any possible solution, no financially feasible solution is available for Poplar and Highway 62. The Planning Commission's layout for the Crater Lake Avenue realignment as it passes through MD-2 goes through two wetlands. For Springbrook Road to connect to MD-2 from the south it will have to be aligned to avoid jurisdictional wetlands and a costly crossing of Garrett Creek would be required. The County roads to the west and north of MD-2 will remain outside the urban growth boundary. Urban levels of traffic will be introduced over roads designed for lesser rural and farm demands. These improvements would need to meet urban standards, however there is not a mechanism to fund or build urban roadways outside the Urban Growth Boundary.

The SOTE traffic memo includes SYNCHRO transportation analysis results for 2035 Coker Butte Plan completion. Without the full implications of the Planning Commission proposal being analyzed, and assuming that all necessary roadways are built, the SOTE study predicts that the following intersections will operate at Level-of-Service D at the end of the 20-year planning horizon in 2035:

- Crater Lake Avenue and Delta Waters Road,
- Highway 62 and Delta Waters Road,
- Highway 62 and Vilas Road, and
- Highway 62 and King Center/Owens Drive.

A complete estimation of the traffic generated by the Planning Commission's proposal is highly likely to conclude those intersections would not meet either the City or ODOT's adopted performance standards. Even with the property owners' proposed Coker Butte Plan, the transportation system will require the completion of a number of unfunded and/or unplanned projects.

The implications of the lack of sufficient roadway capacity are important for both policy and financial reasons. On a policy level, in Oregon, no land-use change can be made unless it meets the standards of the Oregon Transportation Planning Rule, OAR 660-012 (TPR). A land-use change, broadly stated, is a change in the comprehensive plan designation or the zoning of a parcel.

The TPR requires assurance that by the end of the planning horizon, the land-use change will not cause any transportation facility to exceed its adopted performance standard. If a facility is already over the performance standard, it must provide assurance that it will not become worse after the change. In addition, all improvements needed to assure compliance with the Transportation Planning Rule must be securely funded prior to any land use change. MD-2's extensive dependency on roadways that are neither funded nor planned makes it difficult to obtain that assurance in the proximate future.

As applied to the UGB amendment proceedings, the projected traffic impacts of developing MD-2 and the challenges in cost-effectively mitigating such impacts calls into question whether the City can reasonably conclude that MD-2 is consistent with the Goal 14 locational factors.

CONCLUSION:

For MD-2, the cost of providing the transportation improvements required to meet adopted standards will be substantial. The technical and policy issues regarding them add to the difficulty. The uncertainty over the true traffic impacts and the ability to cost-effectively mitigate such impacts calls into question whether including MD-2 in the UGB is consistent with the Goal 14, including the orderly and economic provision of public facilities and services.