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Exhibit
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Medford City Council
City of Medford
411 W. Eighth Street
Medford, OR 97501

August 19, 2015

RECEIVED

AUG 20 2015

Planning Dept.

RE: CP-14-114 (MD-6)

Honorable Mayor and Council,

This rebuttal is provided to address the Starlite Lane neighbors' comments during the public hearing, and also to support the inclusion of MD-6, as recommended by the Planning Commission into the City of Medford Urban Growth Boundary.

It is our position and opinion that the recommendation from the Medford Planning Commission is sound, with a little elaboration on Goal 14 for all of the proposed inclusion lands. The Planning Staff used the ESA scoring as a tool to identify suitable lands for inclusion and make a recommendation to the Planning Commission for review and initiate public hearings. With this information from Staff, notice was sent to all interested parties for comment on the language, calculations and locations. DLCD and 1000 Friends of Oregon completed their review and made comments to both the Planning Commission and Staff. The Planning Commission did ruminate the issues and concerns that were presented. The Commission then made a decision that considered these comments and made the appropriate changes. Therefore, what is before you from the Planning Commission is acceptable by DLCD and also satisfies the concerns of 1000 Friends of Oregon. If there are any significant changes, these will need to be reevaluated based on the calculations and further justification with Goal 14.

During the public hearing we testified that the status of the properties within MD-6 and their existing uses will not change with their inclusion into the Medford UGB. The Starlite Lane properties cannot and will not be improved to urban standards until the individual property owners apply for, and are approved for, annexation and City of Medford zoning.

The neighbors' comments and concerns were: designated wetlands, hobby farms on 1-acre parcels (horse, sheep, goats, chickens and gardens), taxes will be raised, protect their wells, and preserve quality of life. In regards to the wetlands present on site, the applicant is aware of the potential wetland present. There is no water course designated as a stream or creek within MD-6. These wetlands are present due to the irrigation tail water, over-watering, and ponding in the lower areas. A wetland delineation will be required to be completed with the annexation application. This is true for all urban reserve lands proposed within the Medford UGB with potential wetlands identified on the Local Wetland Inventory mapping. In summation, the wetlands will be protected.

Their second concern is the hobby farms. The inclusion into Medford UGB will not have any impact on the pastures and gardens. The grazing of animals and gardening within the Medford UGB but outside the city limits, has been an accepted practice as seen on numerous other lands within the Medford UGB. Recent locations were at Springbrook Road and McAndrews Road where grazing of horses and grass hay have occurred. Another location is Carpenter Farms at Hillcrest Road and Foothill Road. These lands are actually within the Medford City Limits and have historically been farmed without significant impacts.

The neighbors' concern regarding the increase of taxes is not a correct statement. A telephone call to the Jackson County Assessor's Office confirmed that there will be no increase in property tax rates with these properties included into the Medford UGB. The tax code will change from 4-03 to 4-05; however, the taxing rate per \$1,000.00 for both tax codes are identical. There will be no increase in tax rates for being included into the Medford UGB. Any tax increase would only occur if they chose to be annexed.

The last concern of the neighbors is quality of life, wells and simplicity. The quality of life they enjoy today can be preserved on their properties. There will be no changes to their properties until the property is annexed into the City and acquire City zoning for future development. The abutting lands to the north and east of MD-6 are within the Medford UGB and are already planned for Heavy Industrial uses. The proposed commercial (CM) uses are less intensive than what can already be developed on these lands that are already in the Medford UGB.

The 71-acre area identified by the Planning Department and recommended by the Planning Commission for inclusion is a portion of MD-6, located north of South Stage Road along Starlight Lane and Reed Lane, and abutting the existing Medford Urban Growth Boundary towards the north and east. This portion of MD-6 also includes the Harry & David facilities towards the north which is a portion of property identified as T38S-R.1W-SEC.05, Tax Lot 2400 (approximately 27 acres), occupied by Harry and David Operations, Inc.

The inclusion of these 71 acres will enhance public health and safety for these employment lands within the vicinity. Additional public street connectivity can be provided with the identified lands and adjacent lands within the Medford UGB. As seen on the attached conceptual site plan, a new commercial street can connect to Anton Drive toward the north and an east/west commercial street can connect with the lands to the east. The potential for greater street connectivity can be accomplished with the identified inclusion properties, enhancing public safety for alternative routes to and from the Harry and David facilities. This will provide for greater potential of a master plan for streets, public facilities and potential uses.

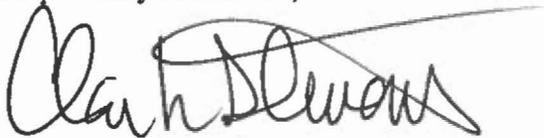
As part of the UGB Amendment proposal, the City of Medford established an analysis of candidate lands for evaluation, (ESA Scoring). The public facilities and utilities are either already existing within the proposed inclusion area or are in close proximity to be extended to the area to serve the future development of this employment area. The various departments for the City of Medford have analyzed the public facilities for this area and all facilities received high ratings for future extensions and future development.

The location of this 71-acre area planned for future employment opportunities is situated adjacent to other industrial and commercial operations within the current Medford UGB to the north and east. The potential for future development as a master plan with neighboring lands or a joint venture are endless and could be well served with the inclusion into the Medford UGB. The conceptual site plan demonstrates that this portion of MD-6 is very feasible for the orderly Medford UGB expansion request. As demonstrated herein and within Exhibit M, there are no significant impacts with the future development for commercial and industrial uses on the proposed inclusion area and surrounding lands.

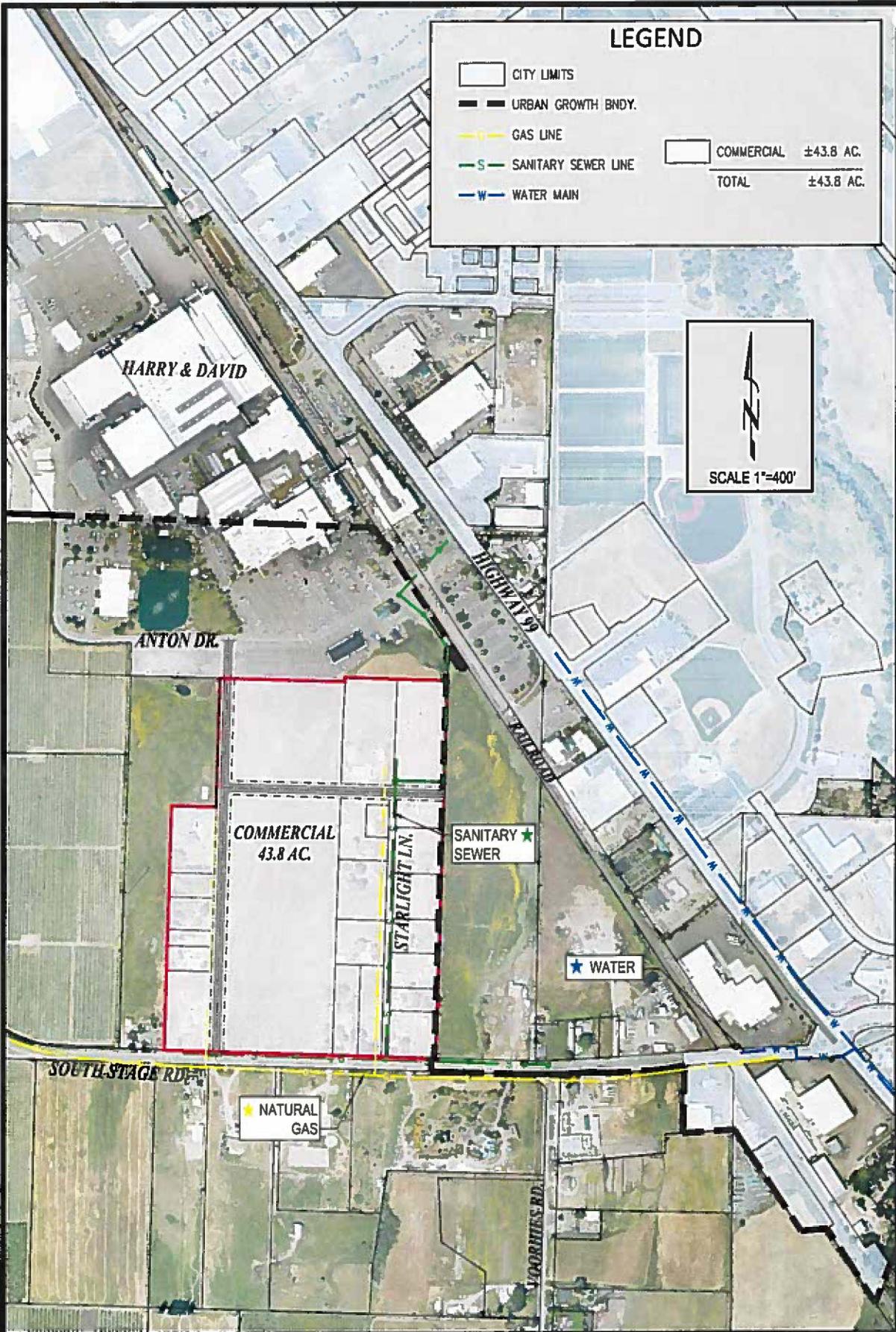
The recommendation from the Medford Planning Commission is valid for your approval. The Council can direct Staff to expand the findings addressing Goal 14 for all of the proposed inclusion lands. The Planning Staff made a recommendation to the Planning Commission for review and public hearings that were noticed to all interested parties for comment on the language, acreages and locations. DLCDC and 1000 Friends of Oregon completed their review and made comments to both the Planning Commission and Staff. The Planning Commission deliberated the issues and concerns that were presented. The Commission then made a decision that considered these comments and made the appropriate changes. Therefore, what is before you from the Planning Commission is acceptable by DLCDC and also satisfies the concerns of 1000 Friends of Oregon. If there are any changes these will need to be reevaluated based on the calculations and further justification with Goal 14. If there are no significant changes proposed, for the identified lands to be included within the Medford UGB, with an expansion of the findings addressing Goal 14 consistent with the Regional Plan Element within the Medford Comprehensive Plan, a successful appeal from a third party is unlikely.

Based on the information prepared by the City of Medford for the evaluation of public facilities, this area is a perfect candidate for inclusion into the Medford Urban Growth Boundary. This proposed inclusion area of MD-6 is an excellent area that should be included within the Medford UGB for future commercial and industrial development opportunities for the next 20 years. We are in full support of Staff and the Planning Commissions recommendation for all of the identified lands as proposed to be included into the Medford UGB with no changes to any of the locations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Clark Stevens", written over a horizontal line.

Richard Stevens & Associates, Inc.
Clark Stevens

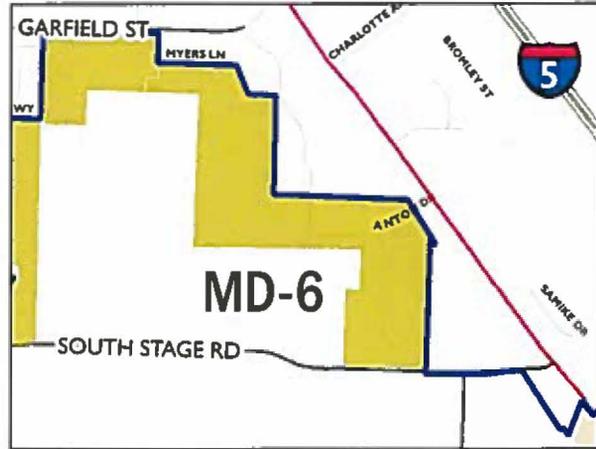


**MD-6
CONCEPTUAL SITE PLAN**

Revised: 10-7-14 EHM

MD-6

This area of 143 acres abuts the west side of the Bear Creek Corporation's facility, south of the city limits. The area is south of Garfield Avenue, west of Highway 99 and north of South Stage Road. It is bordered on two sides by the current City limits.



Approval of MD-6 as an urban reserve by the RPS Policy Committee was made contingent on the following Condition of Approval:

Prior to incorporation into the Urban Growth Boundary, a property line adjustment or land division shall be completed for Tax Lots 38-1W-05/2600 and 38-1W-06/100 so that the tax lot lines coincide with the proposed Urban Growth Boundary.

Figure 3.3-6. Area MD-6: Existing and Proposed Land Use Type by percent of area

	Current	Proposed	
Residential	23	—	gross acres
Aggregate	—	—	143
Resource	57	—	reasonably
Open Space/Parks	—	—	developable acres
Employment	21	100	131



This area was found to be suitable due to the following Goal 14 boundary location factors and resource land use impacts:

1. *Efficient Accommodation of Identified Land Needs.* Proximity to the existing urban growth boundary and municipal services renders the area suitable to accommodate the City's identified urban needs. Medford anticipates that this area will develop with new and expanded industrial uses along its eastern side, and residential uses along the western side. This area is critical because a significant portion of the area is intended to provide sufficient space for expansion for the Bear Creek Corporation facility. This is the only land that can accommodate this need. The area's size allows it to be master planned for efficient accommodation of a variety of urban uses.

2. *Orderly and Economic Provision of Public Facilities and Services.* This area is readily serviceable with water, sewer and storm drainage facilities.

South Stage Road is currently a minor arterial and is planned to become a major arterial of critical east-west connection, not only for the City of Medford but for regional traffic as well. South Stage Road, a Minor Arterial, defines this area's southern boundary. Garfield Avenue, a Major Arterial, defines its northern boundary. Holly Street, a Minor Collector, is planned to extend to South Stage Road. Garfield Avenue has directly connects to South Pacific Highway and to Interstate 5. South Stage Road has directly connects to South Pacific Highway. These existing and planned streets are part of the Medford Transportation System Plan and the Regional Transportation Plan. This area is critical to the long-term transportation plans for a well connected grid street network in this area.

3. *ESEE Consequences.* The overall comparative ESEE consequences of an Urban Reserve boundary in this area is positive, based upon the following:
 - a. **Economic.** The comparative economic consequence of including these lands is positive because urban development economic benefits are expected to far outweigh the benefits from potential agricultural production especially where the land owners have stated their intentions to remove this area as part of the long-term agricultural production plans. If inclusion of this land supports the continued long-term success and expansion of Bear Creek Corporation, then the economic consequences could be extremely beneficial where agricultural production here could be replaced with high value agricultural production elsewhere in the region and Bear Creek Corporation would create additional employment and basic sector industry through expansion.
 - b. **Social.** The comparative social consequences correlates with positive economic consequences as it facilitates job opportunities and will extend existing business areas and neighborhoods in a logical fashion.
 - c. **Environmental.** The comparative environmental consequences are expected to be slightly positive as there are no major identified environmental impacts from urbanization in this area and some air quality benefits may be derived from intensified urban uses in an area where there are already intensive urban uses that can support alternative transportation and reduced VMT.
 - d. **Energy.** The comparative energy consequences are expected to be slightly positive and correlated with the transportation efficiency benefits

from concentrated employment and residential growth in a central location that is already well served by regional transportation facilities.

4. *Compatibility of the Proposed Urban Uses with Nearby Agriculture and Forest Activities Occurring on Farm and Forest Land Outside the Urban Growth Boundary-* MD-6 includes 23 acres that were recommended by the RLRC as part of the commercial agricultural resource base. However, the area also contains both rural and industrial exception lands. While the MD-6 boundary does include agricultural land, it results in a logical boundary to plan Urban Reserves for the exception lands while leaving significant acreage in MD-H.a that are not identified as suitable for Urban Reserve. Impacts on nearby agricultural uses would mainly be expected to the west where MD-H.a is not identified as Urban Reserve. Buffering techniques in this area are critical to assure the MD-H.a area can remain a viable agricultural area. South Stage Road adequately buffers this area from the nearby orchards to the south thereby minimizing conflicts between urban and agricultural uses.

MD-6 is currently leased for cattle grazing and growing hay, and is at a convergence of Class I through IV agricultural soils. However, the majority of the soils throughout MD-6 are Class IV. Bear Creek Corporation has removed the historic orchard areas from their long-term agricultural plans due to impacts from surrounding urbanization. Existing and planned long-term transportation connections necessary for the city have already impacted existing agricultural operations which are expected to increase as the City continues to urbanize the nearby and surrounding lands. There are no reasonable alternatives to MD-6 that would use less or have less effect on resource land. This is because the boundary is logical for including the exception areas as required under the Urban Reserve rule and for creating a logical and efficient urban area that allows for north-south street connection(s). This especially true when considering that some of the agricultural lands are included to provide for future expansion of Bear Creek Corporation; the health and on-going vitality of Bear Creek Corporation has more effect on resource land than does urbanization of a small area of agricultural land near the Bear Creek Corporation campus.

Commercial Agricultural Resource Base Status: 23 acres of MD-6 were recommended as part of the commercial agricultural base by the RLRC. However, the balanced Goal 14 decision made at the second state agency review in December, 2007 was that the case for eventual urbanization of MD-6, summarized above, was more compelling than the one for maintaining it in agricultural use.