

# PLANNING COMMISSION AGENDA OCTOBER 8, 2015



## Commission Members

Tim D'Alessandro  
David Culbertson  
Norman Fincher  
Joe Foley  
Bill Mansfield  
David McFadden  
Mark McKechnie  
Patrick Miranda  
Jared Pulver

Regular Planning Commission meetings  
are held on the second and fourth  
Thursdays of every month  
Meetings begin at 5:30 PM

## City of Medford

City Council Chambers  
411 W. Eighth Street, Third Floor  
Medford, OR 97501  
541-774-2380



## Planning Commission

# Agenda

**Public Hearing**

**October 8, 2015**

**5:30 PM**

**Council Chambers, City Hall, Room 300  
411 West Eighth Street, Medford, Oregon**

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- 10. Roll Call**
  - 20. Consent Calendar/Written Communications (voice vote)**
    - 20.1 LDS-15-095** Final Order of a request for tentative plat approval for Merlot Valley Subdivision, a 23-lot residential subdivision on 3.75 acres located on the west side of Kings Highway, approximately 200 feet south of Diamond Street, within the SFR-10 (Single Family Residential, 10 dwelling units per gross acre) zoning district. Mark McAlister, Applicant; (Richard Stevens & Associates, Inc., Agent).
  - 30. Minutes**
    - 30.1** Consideration for approval of minutes of the September 24, 2015, hearing.
  - 40. Oral and Written Requests and Communications**
  - 50. Public Hearings – New Business**
    - 50.1 DCA-15-103** Consideration of a Class "A" legislative code amendment to revise provisions in Chapter 10 of the Municipal Code.
    - 50.2 ZC-15-019** Consideration of a request for a zone change from SFR-4 (Single Family Residential, four dwelling units per gross acre) to MFR-30 (Multiple-Family Residential, 30 dwelling units per gross acre) on approximately 6.70 acres located at the southeast corner of Roberts Road and North Keene Way Drive. (Foursquare Gospel Church, Applicant; Richard Stevens & Associates, Agent).
  - 60. Reports**
    - 60.1** Site Plan and Architectural Commission
    - 60.2** Joint Transportation Subcommittee
    - 60.3** Planning Department
  - 70. Messages and Papers from the Chair**
  - 80. Remarks from the City Attorney**
  - 90. Propositions and Remarks from the Commission**
  - 100. Adjournment**
  - 110. Photographs for January Luncheon**

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF )  
 ) ORDER  
MERLOT VALLEY SUBDIVISION [LDS-15-095] )

ORDER granting approval of a request for tentative plat approval for Merlot Valley Subdivision.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for consideration of tentative plat approval for Merlot Valley Subdivision, a 23-lot residential subdivision on 3.75 acres located on the west side of Kings Highway, approximately 200 feet south of Diamond Street, within the SFR-10 (Single Family Residential, 10 dwelling units per gross acre) zoning district, with the public hearing a matter of record of the Planning Commission on September 24, 2015.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for Merlot Valley Subdivision stands approved per the Planning Commission Report dated September 24, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated September 24, 2015.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 8th day of October, 2015.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative



# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## PLANNING COMMISSION REPORT

for a Type-C quasi-judicial decision: Land Division (Subdivision)

Project Merlot Valley Subdivision  
 Applicant: Mark McAlister; Agent: Richard Stevens & Associates, Inc.

File no. LDS-15-095

Date September 24, 2015

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### BACKGROUND

#### Proposal

Proposed tentative plat for a two-phase, 23-lot residential subdivision on a 3.75 acre parcel located on the west side of Kings Highway, approximately 200 feet south of Diamond Street within the SFR-10 (single-family residential, 10 dwelling units per gross acre) zoning district.

#### Subject Site Characteristics

Zoning	SFR-10	Single-family residential – 10 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Single-family homes	

#### Surrounding Site Characteristics

North	SFR-10	Single-family homes
South	SFR-00	Single-family residential – 1 dwelling unit per existing lot
	SFR-4	Single-family residential – 4 dwelling units per gross acre
	SFR-10	Single-family homes
East	SFR-6	Single-family residential – 6 dwelling units per gross acre
West	SFR-00	Single-family homes
	SFR-10	Vacant land

#### Related Projects

LDS-07-062 Pear Valley Subdivision (approved/expired)

### Applicable Criteria

#### Medford Municipal Code Section 10.270, Land Division Criteria

The approving authority (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:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
- (2) 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;
- (3) 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;
- (4) 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 approving authority determines it is in the public interest to modify the street pattern;
- (5) 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;
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

### **ISSUES AND ANALYSIS**

#### Background and Prior Approvals

The subject properties were part of the Pear View Subdivision, approved by the Planning Commission in June of 2007 (LDS-07-062). The approval has since expired. Pear View Subdivision included an additional, adjacent tax lot to the west of the current proposal.

It was designed to contain 28 lots on 4.41 gross acres. Tax Lot 300 contained a dwelling that was removed in 2008 following the subdivision approval.

### Project Phasing

The applicant proposes to divide the project into two phases. Phase 1 includes Lots 1–10 and Phase 2 includes Lots 11–23.

### Site Development Standards

All proposed lots conform to the standards of the Medford Land Development Code (MLDC) for length, width, square footage, lot frontage, and access.

### Density

The allowable density for the 3.75 acre parcel is 23–37 units. The project is proposed with 23 lots, which is within the allowable range.

### Streets

#### *Circulation Plan*

The proposed subdivision lies within the adopted Southwest Medford Circulation Plan. The Circulation Plan identifies Kings Highway as a minor arterial and Diamond Street as a major collector. The Circulation Plan shows Lillian Street built to residential street standards from Diamond Street to the City's southern boundary located south of Sieber Lane. The Circulation Plan also shows an east–west street built to residential street standards that is consistent with the location of Nobility Drive to the east, but it does not show this street with an east–west connection to Kings Highway or to Hart Street. The applicant proposes to build Tannin Drive, the subdivision's east–west street, as a minor residential street.

The proposed subdivision complies with the Circulation Plan by providing the portion of Lillian Street that runs through the subject property. It is designed to accommodate future connections to the north and south. The applicant has designed Lillian Street as a minor residential street in conformance with MLDC 10.430.

#### *Intersection Spacing*

The applicant is unable to position Tannin Drive in such a way that it would meet the standards set forth at MLDC 10.426(D). The applicant does not own the property directly opposite of Nobility Drive, and therefore could not extend Nobility Drive west of Kings Highway. Further, Tannin Drive would be located too close to Nobility Drive if it were placed on the southern portion of the property.

The distance between the proposed intersection of Tannin Drive and Kings Highway and Nobility Drive and Kings Highway is 192.98 feet. This proposed location is 7.02 feet short of the 200-foot standard set forth at MLDC 10.426(D) for offset intersections. MLDC 10.426(D) allows the approval authority to grant relief from the 200-foot standard without the applicant filing for an exception if it finds that utilizing an offset of less than 200 feet is necessary to economically develop the property with the use for which it is zoned. Staff has determined that the proposal meets the criteria to permit the approval authority to grant relief from the 200-foot standard.

An additional factor in the proposed placement of Tannin Drive is a required 10-foot street side setback for the existing property to the north.

#### *Block Lengths*

Block perimeter lengths are consistent with the standards set forth at Table 10.426-1. The block length of Tannin Drive from Lillian Street to Kings Highway is 708 feet, exceeding block length standards by 48 feet. The block length of Diamond Street from Lillian Street to Kings Highway is 687 feet, exceeding block length standards by 27 feet. All other proposed block lengths comply with the standards set forth at Table 10.426-1.

MLDC 10.426(C)(3) permits block lengths to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A, B or D. Diamond Street from Lillian Street to Kings Highway exceeds the maximum block length at Table 10.426-1 by 4%. Tannin Drive from Lillian Street to Kings Highway exceeds the maximum block length at Table 10.426-1 by 7%. Staff has determined that the proposal satisfies street connectivity and formation of blocks provisions at 10.426 (A) and (B).

#### *Access*

Lots 1–6, 8, 10, 11, 13, 14, and 16–23 will take vehicular access off of Tannin Drive and Lillian Street. Lots 7, 9, 12, and 15 will take vehicular access from a minimum access easement that will connect to Tannin Drive.

The proposed street circulation is designed to ensure that there will be no direct access onto a collector or arterial street. The Public Works Department staff report stipulates that a note shall be placed on the final plat stating that no lot shall have direct vehicular access to Kings Highway, an arterial street (Exhibit F).

Staff finds that the proposal's street circulation design and connectivity pattern meets the standards set forth at MLDC 10.426.

### Wetlands

The Medford Local Wetland Inventory Map and Land Information System indicate there are no locally significant wetlands on the property.

### Committee Comments

No committee comments have been received with regard to the proposal as of September 15, 2015.

### Agency Comments

Agency comments are included at Exhibits F–M. There are adequate facilities to serve the development according to agency comments.

The Public Works Department staff report states that the project developer will be required to improve the portion of Kings Highway adjacent to the development. Required improvements include the west half plus 12 feet east of the centerline, or to the far edge of the existing pavement, whichever is greater, along the frontage of this development (Exhibit F).

## **FINDINGS AND CONCLUSIONS**

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

## **ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-15-095 per the Planning Commission report dated September 24, 2015, including Exhibits A through O.

## **EXHIBITS**

- A Conditions of Approval
- B Tentative Plat received September 1, 2015
- C Conceptual Grading & Storm Drainage Plan received September 1, 2015
- D Block Length Plan received September 1, 2015
- E Applicant's Findings of Fact received September 2, 2015
- F Public Works Department staff report received September 3, 2015
- G Medford Building Department comments received August 28, 2015
- H Medford Fire Department report received September 3, 2015
- I Memo from Address Technician received August 28, 2015
- J Rogue Valley Sewer Services comments received September 11, 2015
- K ODOT comments received August 27, 2015

- L Water Commission comments received September 15, 2015
- M Jackson County comments received September 8, 2015
- N Southwest Medford Circulation Map received July 8, 2015
- O Photos submitted by adjacent resident received September 24, 2015.  
Vicinity map

**MEDFORD PLANNING COMMISSION**

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David McFadden, Chair

**PLANNING COMMISSION AGENDA:**

**SEPTEMBER 24, 2015  
OCTOBER 8, 2015**

**RECEIVED**

SEP 27 2015

PLANNING DEPT.

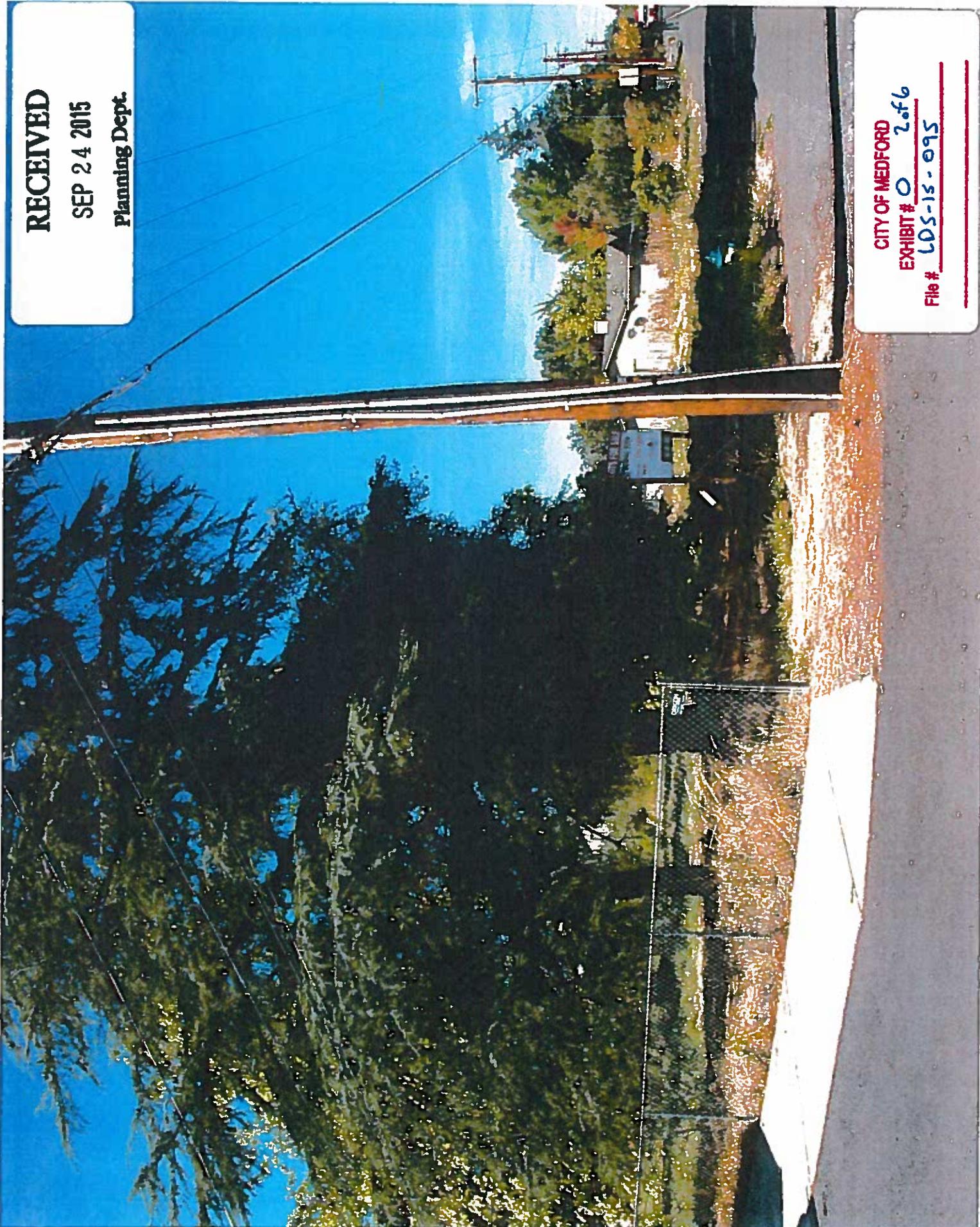


CITY OF MEDFORD

EXHIBIT # 0166

File # 105-15-095

**RECEIVED**  
**SEP 24 2015**  
**Planning Dept.**

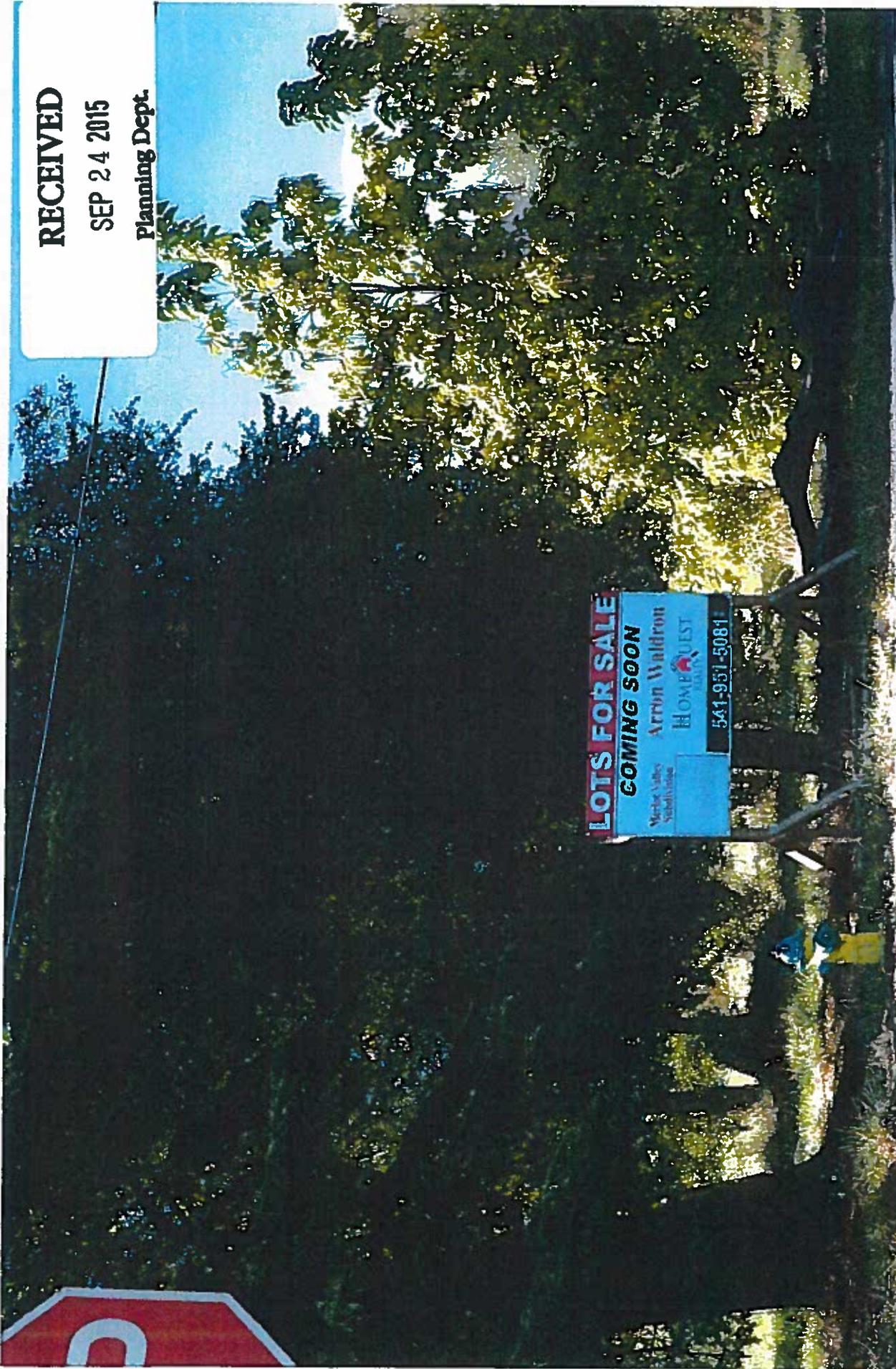


**CITY OF MEDFORD**  
**EXHIBIT # 0 2 of 6**  
**File # 6DS-15-095**

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Planning Dept.



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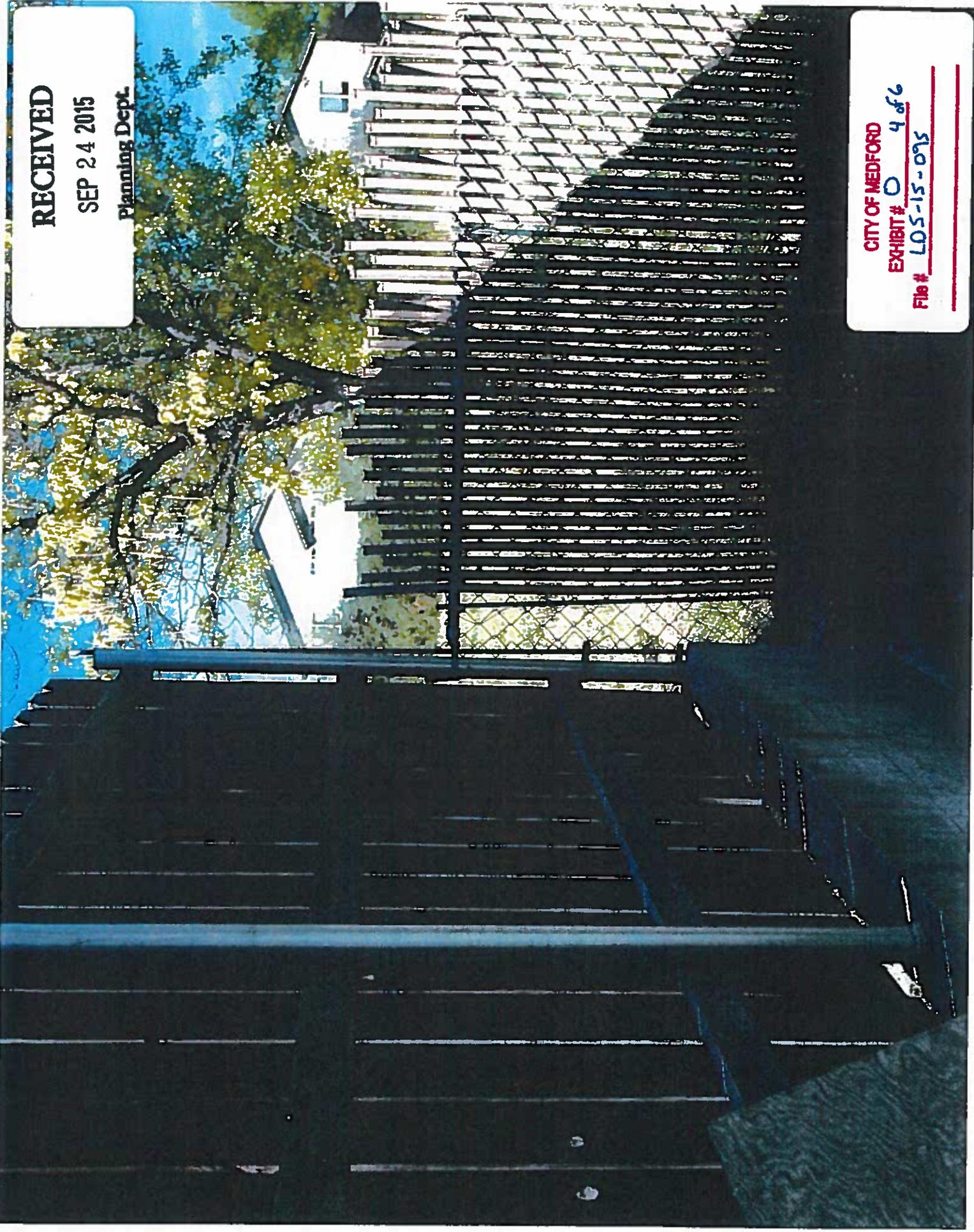
EXHIBIT # 0 3 of 6

File # LD5-15-095

**RECEIVED**

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**Planning Dept.**



**CITY OF MEDFORD**

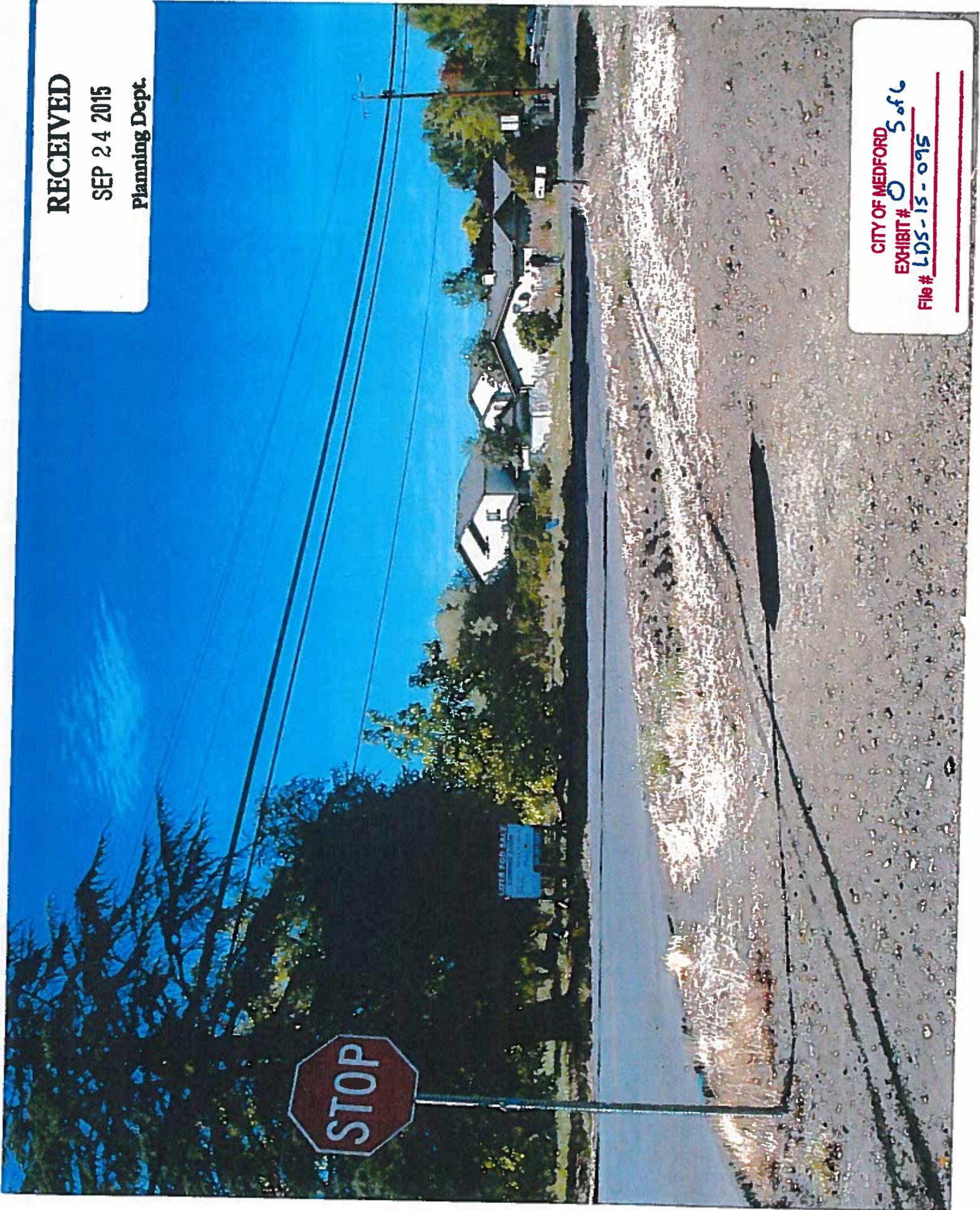
**EXHIBIT # 0 4 of 6**

**File # L05-15-075**

RECEIVED

SEP 24 2015

Planning Dept.



CITY OF MEDFORD  
EXHIBIT # 05 of 6  
File # LD5-15-095

**RECEIVED**  
**SEP 24 2015**  
**Planning Dept.**



**CITY OF MEDFORD**  
**EXHIBIT # 0686**  
**File # L05-15-095**



# Minutes

from Public Hearing on **September 24, 2015**

The regular meeting of the Planning Commission was called to order at 5:33 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

**Commissioners Present**

David McFadden, Chair  
Tim D'Alessandro  
David Culbertson  
Norman Fincher  
Joe Foley  
Bill Mansfield  
Mark McKechnie  
Jared Pulver

**Staff Present**

Bianca Petrou, Assistant Planning Director  
John Adam, Principal Planner  
Kevin McConnell, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Terri Rozzana, Recording Secretary  
Aaron Harris, Planner II  
Sarah Sousa, Planner IV

**Commissioners Absent**

Patrick Miranda, Vice Chair, Excused Absence

10. **Roll Call**

20. **Consent Calendar/Written Communications.**

**20.1 LDP-15-092** Final Order of a request for a partition to create two parcels from 1.82 gross acres located approximately 250 feet north of O'Hare Parkway between Heathrow Way and Biddle Road, within the I-L/PD (Light Industrial/Planned Unit Development) zoning district. (Mandell Landing LLC, Applicant; Hoffbuhr & Associates, Inc., Agent)

**20.2 LDS-15-073 / E-15-099** Final Order of a request for tentative plat approval for Spring Creek Subdivision, a 9-lot residential subdivision located on the southwest corner of North Ross Lane and Finley Lane and an Exception to the required right-of-way dedication for a 1.99 acre property zoned SFR-6 (Single Family Residential – 6 dwelling units per gross acre). (Tony and Tory Nieto, Applicant; Farber Surveying, Agent)

**20.3 DCA-15-104** Review of final draft of text amendment that the City Council will consider at its October 1, 2015, meeting concerning regulation of marijuana-based businesses. (City of Medford, Applicant)

Commissioner Mansfield stated that it was his understanding that the Planning Commission intended to pull agenda item 20.3 out of the consent calendar and deal with it separately.

John Adam, Principal Planner, stated that agenda item 20.3 was delayed because he and Kevin McConnell, Deputy City Attorney were working on a final draft. It was too late to get it in on the consent calendar before the packet was sent out. It was emailed to the Planning Commissioners on Monday, September 21, 2015, for their review. The changes incorporated the vote of the Commission and a few technical changes. It is not named on the consent calendar.

Commissioner Pulver pulled agenda item 20.3 for discussion.

Motion: Adopt items 20.1 and 20.2 of the consent calendar.

Moved by: Commissioner Pulver

Seconded by: Chair McFadden

Voice Vote: Motion passed, 8-0.

**20.3 DCA-15-104** Review of final draft of text amendment that the City Council will consider at its October 1, 2015, meeting concerning regulation of marijuana-based businesses. (City of Medford, Applicant)

Mr. Adam stated that several terms were changed in order to match the State and their regulatory powers and that the retail use would be a conditional use permit.

Commissioner Mansfield asked if staff was going with the same recommendations with a few technical changes on what the Planning Commission voted on at their last meeting? The features that Commissioner Mansfield likes are prohibiting any activity outdoors and the conditional use permit. Mr. Adam reported that the general provisions that applied to all marijuana-related businesses remain in place. They have to be inside a secure building. All grows are indoors. No external display.

Mr. McConnell stated that there will probably be multiple changes done at the City Council level. Licensees will obey State and local laws and maintain any license that is required by the State. The City Council maybe imposing hours of operation on marijuana retailers and dispensaries. Anyone interested in knowing about marijuana and more, they can attend the October 1, 2015, City Council meeting.

Commissioner Pulver stated that he was surprised that the Planning Commission came to a recommendation so rapidly at their last meeting. Staff has done a great job crafting a framework for a difficult and new subject matter. He struggles to see how the Planning Commission can effectively do what they are being asked to do when the OLCC has not put rules to date. He thinks they are being asked to make sure what is being done in the City is for the benefit of the City. What they are being asked to recommend to the City Council, he is not sure that the conditional use permit is the appropriate mechanism to accomplish what they are trying to accomplish. When reading the conditional use permit criteria, how somebody is going to navigate that with a

professional planner, could get murky real quick. This is a very big deal. If he was asked to vote again today he thinks he would vote differently.

Chair McFadden stated the options that the Planning Commission has this evening is that they can make a motion to 1) Accept the consent calendar item and move it forward to City Council or 2) Deny the consent calendar item and move it back to staff for further discussion. There may be other options but those are two that could be done. Has the Planning Commission been asked by the City Council to bring this to them by a certain date? Mr. Adam reported that the City Council was firm on a date they wanted to see this item. They want it by October 1, 2015.

Mr. McConnell stated that at the City Council and Planning Commission joint study session he specifically asked the City Council when would they like to see this and they said as soon as possible. It is set to be heard on October 1, 2015.

Commissioner Foley asked what would the Planning Commission like to know before they move this forward that they do not know today? He is not sure of the next steps they could take. He was a little disappointed that they did not get public input as they had anticipated, hoping to get somewhat educated by the public's feeling about this but there was none. With the excellent work that staff did, it is his opinion, they have a workable framework to start from and see where it goes when it gets to the City Council.

Commissioner Pulver stated that with a conditional use permit in place these things could show up wherever they want. The road to get there might be more difficult. He would make it similar to liquor stores. At a minimum there needs to be time, place and manner restrictions in place.

Motion: Accept 20.3 as part of the consent calendar.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Foley

Commissioner Culbertson asked if the motion included the correction of the numbering of the items and technical corrections that were made. Commissioner McKechnie replied it included all changes.

Roll Call Vote: Motion failed, 4-4, with Commission Fincher, Commissioner Mansfield, Commissioner Pulver and Commissioner D'Alessandro voting no.

Mr. McConnell reported that the Planning Commission is required to make a recommendation. It does not have to be a favorable one. If the Planning Commission wanted to make a recommendation putting forth a lot of what Commissioner Pulver has stated, the Planning Commission could do that. This came before the Planning Commission as a zone change text amendment. That is what the City Council wanted to take a look at and the Code requires that the Planning Commission make a recommendation before the City Council sees it. This Commission has the authority to

go beyond just looking at the chart and SIC Codes in this zone text amendment. If there are broader issues that they would like the City Council to address they can do that. Whether or not marijuana should be legalized in the City of Medford is something, if the Commission wants to explore, they can do that. Or they can recommend an unfavorable recommendation based on other reasons.

Commission D'Alessandro asked if the Planning Commission could recommend part of this item and recommend the City Council disregard another portion?

Mr. McConnell stated that he is not telling the Planning Commission what to do. They could say looking at what staff did, as far as the zoning and the SIC Code classification, looks great but other than that the Planning Commission has serious issues with marijuana being legalized in the City of Medford. The Planning Commission does not know what the rules are going to be at the State level. The Planning Commission recommends that the City waits to address this issue until the rules from the State come forth. He is not telling the Planning Commission what to do. This is the time the Planning Commission needs to think about what they want to do and what to recommend to the City Council.

Motion: The Planning Commission agrees that what staff did with the zoning and the SIC Code classification is great but they have serious issues with marijuana being legalized in the City of Medford. The Planning Commission does not know what the rules are going to be at the State level and recommends that the City waits to address this issue until the rules from the State come forth.

Moved by: Commissioner Mansfield

Seconded by:

Friendly amendment made by Commissioner Foley: That more definitive time, place and manner restrictions should be considered in order to move forward.

Commissioner Mansfield withdrew his motion. It has died from a lack of a second. He hopes that someone will make a motion eventually that the Commission can vote yea or nay on.

Motion: The Planning Commission forwards what staff has presented in consent calendar item 20.3 with the modification that conditional use permits be removed from the retail component and permitted with special regulations. The Planning Commission forwards an unfavorable recommendation that they think it is important that time, place and manner regulations be considered before any moratorium be lifted. The City Council needs to wait to see what OLCC rule making body put forth as a final regulation.

Moved by: Commissioner Pulver

Seconded by: Commissioner Mansfield

Roll Call Vote: Motion passed, 5–3, with Commission Fincher, Commissioner Mansfield, and Commissioner McKechnie voting no.

30. Minutes

30.1. The minutes for September 10, 2015, were approved with the following corrections: 1) Commissioner McKechnie stated that on agenda item 50.3, the vote was recorded as 8-1 with Commissioner Pulver recusing himself. The vote should be 8-0-1 with Commissioner Pulver recusing himself; and 2) Commissioner Foley stated that he had one minor correction that he sent in an email to the Recording Secretary, Terri Rozzana. On page 4 of 11 it reads: "Commissioner Foley asked if it was appropriate to put a sunset clause on the process since it is a new industry..." It was changed to read: "Commissioner Foley asked if it was appropriate to put a sunset clause on the conditional use permit process since it is a new industry and they do not know enough about it? Mr. McConnell stated that it would be a possible line they could explore."

40. Oral and Written Requests and Communications. None.

Kevin McConnell, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – New Business

50.1 LDS-15-095 Consideration of a request for tentative plat approval for Merlot Valley Subdivision, a 23-lot residential subdivision on 3.75 acres located on the west side of Kings Highway, approximately 200 feet south of Diamond Street, within the SFR-10 (Single Family Residential, 10 dwelling units per gross acre) zoning district. (Mark McAlister, Applicant; Richard Stevens & Associates, Inc., Agent)

Chair McFadden inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. Commissioner Fincher stated that he has a conflict with this application and recused himself.

Chair McFadden inquired whether anyone in attendance wishes to question the Commission as to conflicts of interest or ex-parte contacts. None were disclosed.

Aaron Harris, Planner II, read the land division criteria and gave a staff report.

Commissioner McKechnie asked if Lillian were to be extended would the City require a street to be put in? Mr. Harris deferred the question to Alex Georgevitch, City Engineer. Mr. Georgevitch reported that it is his opinion that this development does not preclude a future street connection.

Commissioner Pulver asked if the applicant was applying for an exception? Mr. Harris reported that they are not applying for an exception. It would be the approval authority granting relief from the standards to allow the block lengths to exceed the standards.

Commissioner Pulver asked that according to the Southwest Circulation Plan Nobility is not intended to connect and Lillian is intended to serve the job, is that correct? Mr.

Georgevitch reported that the Southwest Circulation Plan is supposed to show a general framework, not all streets. There was a recent approved development that is pushing all the way to the UGB that will connect with the new street, labeled Marsh that runs north and south.

Commissioner Pulver asked if one of the requirements is that some improvements be made to Kings Highway? Mr. Georgevitch stated that was correct. Commissioner Pulver asked how does that work? Mr. Georgevitch replied that improvements are conditioned for that section of Kings Highway. This development will receive SDC credits from the City on the construction of that section of Kings Highway.

Mr. Harris reported that the Planning Commission has the authority to grant the relief for the length of street from Lillian to Nobility where they do not meet the 200 foot standard. That is an action that the Planning Commission needs to take. The Code provides the language to grant relief to the block length standard.

Commissioner McKechnie asked if the Planning Commission needs to modify the recommended action? Mr. Harris agreed.

The public hearing was opened.

a. Megan LaNier, Richard Stevens & Associates, P. O. Box 4368, Medford, Oregon, 97501-0168. Ms. LaNier reported that Mr. Harris summed everything up on this application. In regards to the block length, the Code states that block lengths are permitted to exceed the maximum as long as they do not exceed it by 20%. The applicant determined they were able to satisfy that condition. They are over by approximately 11%.

b. David West, complete address was not given or was legible. There are mature trees on the property being discussed this evening that are over 200 years old. Are the trees going to be protected? He is concerned with the increased traffic. He requests that the applicant install a privacy fence.

Ms. LaNier stated it is her understanding that at the time of development the fence is generally installed. It is something that can be negotiated with the developer. It is also her understanding that the developer is planning on installing a 6 foot fence along the boundary line. Ms. LaNier confirmed that access is to the north of the property.

The public hearing was closed.

**Motion:** The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-15-095 per the staff report dated September 18, 2015, including Exhibits A through M and add additional language to grant relief to the block length standard.

Moved by: Commissioner McKechnie

Seconded by: Commissioner Foley

Roll Call Vote: Motion passed, 7-0-1, with Commissioner Fincher recusing himself.

## 60. Reports

### 60.1 Site Plan and Architectural Commission.

Commissioner D'Alessandro reported that the Site Plan and Architectural Commission met on Friday, September 18, 2015. They had a lengthy debate over a cross-access easement for a proposed Starbucks in the Black Oak Shopping Center. The Site Plan and Architectural Commission voted that they did not have jurisdiction. The other project they heard was consideration of plans for the construction of a 44-unit multi-family residential project located on the east side of Crater Lake Avenue, between Roberts Road and Brookhurst Street. The Commission approved the application.

### 60.2 Report of the Joint Transportation Subcommittee. None.

### 60.3 Planning Department

Bianca Petrou, Assistant Planning Director, reported that the Planning Commission study session scheduled for Monday, September 28, 2015, has been cancelled.

The Planning Commission meeting on October 8, 2015 will hear a zone change and the housekeeping issues. The lot legality and lot issues are being removed from the housekeeping items.

The City Council on October 1, 2015, in addition to discussing the marijuana-related businesses will have their 5<sup>th</sup> meeting on the UGB amendment. The record is still open for written testimony. One of the issues that came up was that a local consultant suggested that maybe staff had not figured the land need correctly and had some suggestions for adding more land based on how staff calculated agricultural bufferyards. He thought they could get up to 120 acres. Staff received a letter from the State saying that staff over counted about 60 acres. Now the City Council is waiting for staff to come back with a recommendation of either adding 120 acres or subtracting 60 acres.

On September 17, 2015, the City Council had a lengthy discussion on the fire stations. They did not get to too much of the UGB discussion. Hopefully, at their October 1, 2015, meeting they will put the UGB amendment before the marijuana discussion.

Also, regarding the UGB amendment, the City Council wanted to question some of the department heads about facility adequacy. They were also interested in talking to staff about how to make some of the promises binding of the property owners who wanted to make it into the UGB if they include those properties. At one point the Mayor suggested that they hoped to have made a decision by November.

### 60. Messages and Papers from the Chair. None.

### 70. Remarks from the City Attorney. None.

### 80. Propositions and Remarks from the Commission. None.

90. Adjournment

The meeting was adjourned at 7:07 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Rozzana  
Recording Secretary

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David McFadden  
Planning Commission Chair

Approved: October 8, 2015



**STAFF REPORT**

for a Class-A legislative decision: **Development Code Amendment**

Project Housekeeping Amendments 2015  
File no. DCA-15-103  
To Planning Commission *for 10/08/2015 hearing*  
From Carla Angeli Paladino, Planner *IVCAP*  
Reviewer John Adam, Principal Planner *JA*  
Date October 1, 2015

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**BACKGROUND**

Proposal

This proposal will amend the Medford Land Development Code, Chapter 10 of the Municipal Code to specifically: (see Exhibit A).

1. Clarify when duplexes are allowed in the SFR-10 zoning district. (Section 10.713)
2. Amend the off-street parking table and include the number of parking spaces required for duplex and townhouse structures. (Section 10.743)
3. Allow for driveways to count toward the off-street parking requirement. (Section 10.746)
4. Amend the criteria related to development code amendments. (Section 10.184)
5. Delete the definition of private and public garages. (Section 10.012)

History

Five years ago the Planning Department annually began bringing text amendments forward regarding topics identified as needing clarification or revisions in the Municipal Code. This was started in order to make corrections to the code in order to better explain and implement the code requirements.

The Planning Commission held a study session on Monday, September 14, 2015, to discuss these amendments. The original building height amendment that was included in this series was removed in order to revise the language and discuss the proposal with the development community. In addition, the lot legality amendment was pulled in order to work with the City Surveyor on the language. Both will be brought forward once they are ready.

### Authority

This proposed plan authorization is a Class-A legislative amendment of Chapter 10 of the Municipal Code. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to Chapter 10 under Medford Municipal Code §§10.102–122, 10.164, and 10.184.

### **ANALYSIS**

The amendments cover a range of topics looking at residential parking standards, changes to definitions and criteria, and duplexes in the SFR-10 zoning district. These topics were identified as needing clarification or changes based on questions and projects reviewed by staff. These code amendments serve to revise and strengthen the code in order to make the provisions clearer and more understandable for both staff and the community. The modifications are seen as positive changes to the code.

### **FINDINGS AND CONCLUSIONS**

The criteria that apply to code amendments are in Medford Municipal Code §10.184(2). The criteria are rendered in italics; findings and conclusions in roman type.

*Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:*

*10.184 (2) (a). Explanation of the public benefit of the amendment.*

#### Findings

Overall the proposed changes help to clarify, amend, and improve the existing Development Code. Specifically, the duplex standards in the SFR-10 zoning district are explained and clearly identify when such a structure is permitted.

The residential parking standards are amended to include the number of spaces for both duplex and townhouse structures, two types of uses that currently do not have parking standards identified in the parking table.

One of the proposed amendments will allow for paved parking spaces within the required yard (setbacks) to count toward the off-street parking requirement for the use. This change will allow for existing paved areas to meet the parking need with-

out having to pave an additional area on the parcel outside of the required yard (setback) area. The ability to use existing paved area has the potential to reduce the amount of impervious surface created on the parcel which is better for storm water runoff and aesthetic purposes.

Code amendments such as this application are subject to approval criteria. One of the criteria "Conformity with applicable Statewide Planning Goals and Guidelines" is viewed as redundant as the City's Comprehensive Plan has been acknowledged as meeting statewide goals and the code is a means to regulate the goals within the Comprehensive Plan.

Definitions for private and public garages are proposed to be deleted as they unnecessarily restrict the size of garages. Other standards such as lot coverage and setbacks will help to regulate the square footage of garages located on a parcel.

### Conclusions

The proposed changes serve to help clarify the code provisions. These types of changes help make administering and understanding the code easier and clearer for both staff and the general public. Criterion 10.184 (2)(a) is found to be satisfied and serves the public interest.

*10.184 (2) (b). The justification for the amendment with respect to the following [five] factors:*

1. *Conformity with applicable Statewide Planning Goals and Guidelines.*

### Findings

The proposal complies with the applicable Statewide Planning Goals and Guidelines through acknowledgement of the City's Comprehensive Plan that implements the Statewide Goals. Specific Goals such as Citizen Involvement and Land Use Planning are covered with the amendment providing a public process for the amendments to be reviewed and commented on by citizens. Specific goals addressed by the Comprehensive Plan are provided in the following criterion.

### Conclusions

Based on conformity with the Comprehensive Plan, the amendment conforms with the Statewide Planning Goals and Guidelines. Criterion 10.184(2)(b)(1) is found to be satisfied.

- 2. Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.*

#### Findings

The goals outlined below identify some of the topics covered with the proposed Development Code amendments.

*Environmental Element, Goal 1: To improve and maintain the quality of life in Medford by using land use planning strategies that have positive effects on the natural environment.*

*Housing Element Goal: To provide for the housing needs of citizens of Medford.*

The amendments provide opportunities to provide for duplex development, a different housing type from the allowed single family residential use. A change to the parking standards help to clarify needed parking for attached housing types. The proposed change to allow for the existing paved driveway to count toward required off-street parking spaces will help reduce the amount of impervious surface created on a parcel.

#### Conclusions

The proposed amendments broadly address some of the goals of the Comprehensive Plan and assist in carrying out the vision of the Plan through implementation of the Development Code regulations. Criterion 10.184 (2)(b)(2) is found to be satisfied.

- 3. Comments from applicable referral agencies regarding applicable statutes or regulations.*

#### Findings

The proposal was provided to applicable referral agencies and departments identified in Section 10.146 of the Code. Also, the amendments were e-mailed to the Department of Land Conservation and Development as required by state law. The amendments under review were discussed with Planning staff and during a Planning Commission study session. No written comments were received on the proposed changes.

#### Conclusions

Opportunities for comments were provided to applicable referral agencies and no comments were received regarding the amendments. Criterion 10.184(2)(b)(3) is found to be satisfied.

4. *Public comments.*

Findings

The amendments are posted on the City's website in order to provide citizens an opportunity to review and comment on the proposed changes. No formal written comments have been received to date. Staff did speak with a resident on the phone about the amendment related to the driveway counting toward off-street parking requirements. The resident voiced he was in favor of the proposed change.

Conclusions

The amendments have been made available for public review and comments. A study session, a public meeting was held with the Planning Commission to discuss the proposal and explain the changes. Criterion 10.184(2)(b)(4) is found to be satisfied.

5. *Applicable governmental agreements.*

Findings

There are no governmental agreements that apply to the proposed code amendments.

Conclusions

Criterion 10.184 (2)(b)(5) is not applicable to this application.

**RECOMMENDED ACTION**

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, initiate the amendment and forward a favorable recommendation for adoption of DCA-15-103 to the City Council per the staff report dated October 1, 2015, including Exhibits A and B.

**EXHIBITS**

- A Proposed amendment
- B Planning Commission Study Session Minutes, Monday, September 14, 2015

**PLANNING COMMISSION AGENDA:**

**OCTOBER 8, 2015**

# Exhibit A

## Proposed amendment

Deleted text is ~~struck through~~; added text is underlined

### 10.713 Duplex Dwellings.

The following standards apply to the development of duplex dwellings within the various residential districts. See Article III, Sections 10.308 through 10.312 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

DUPLEX DWELLINGS						
Two attached dwelling units on an individual lot or divided by a lot-line						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
SPECIAL STANDARDS	A duplex SHALL be divided by a lot-line AND be on a corner lot.	A duplex SHALL be divided by a lot-line.	A duplex is permitted on a lot of 6,000 sq-ft or less <del>ONLY if the duplex was legally existing or the application for development had been accepted prior to May 15, 2003.</del> <u>A duplex need not be divided by a lot-line.</u> <u>A duplex is permitted on a lot if it meets the density calculation</u>	A duplex is permitted on lots between 5,000 and 12,500 square feet in size.		
MINIMUM AND MAXIMUM DENSITY FACTOR RANGE (See 10.708)	2.5 to 4.0 dwelling units per gross acre	4.0 to 6.0 dwelling units per gross acre	6.0 to 10.0 dwelling units per gross acre	10.0 to 15.0 dwelling units per gross acre	15.0 to 20.0 dwelling units per gross acre	20.0 to 30.0 dwelling units per gross acre
LOT AREA RANGE (SQUARE FEET)	8,500 to 18,750 each half	6,000 to 12,500 each half	6,000* to 12,500* <small>(Minimum of 8,712 square feet needed for duplex)</small>	5,000* to 12,500*		
MAXIMUM COVERAGE FACTOR (See 10.706)	40%					
MINIMUM INTERIOR LOT WIDTH	75 feet each half	60 feet each half	50 feet*			
MINIMUM CORNER LOT WIDTH	75 feet each half	60 feet each half	60 feet*			
MINIMUM LOT DEPTH	90 feet					

<b>DUPLEX DWELLINGS</b>						
Two attached dwelling units on an individual lot or divided by a lot-line.						
DEVELOPMENT STANDARDS	SFR-4	SFR-6	SFR-10	MFR-15	MFR-20	MFR-30
MINIMUM LOT FRONTAGE	15 feet each half		30 feet*			
MINIMUM FRONT YARD BUILDING SETBACK	20 feet EXCEPT 15 feet IF vehicular access to the garage is parallel to the street					
MINIMUM STREET SIDE YARD BUILDING SETBACK	10 feet EXCEPT 20 feet for vehicular entrances to garages or carports					
MINIMUM SIDE YARD BUILDING SETBACK	4 feet PLUS ½ foot for each foot in building height over 15 feet					
MINIMUM REAR YARD BUILDING SETBACK	4 feet PLUS ½ foot for each foot in building height over 15 feet EXCEPT 10 feet IF the rear property line abuts a collector or arterial street					
MAXIMUM HEIGHT (See 10.705)	35 feet					
BUFFERYARD SETBACK	8 feet from bufferyard to any doors on a dwelling unit					
<p>Where the duplex is REQUIRED to be divided by a lot-line (SFR-4 and SFR-6), THEN the standards pertain to each half separately. For the other zoning districts, the * indicates standards that are divided in half IF the duplex is to be divided by a lot-line. Where the duplex is permitted without being divided by a lot-line, THEN two DETACHED dwelling units are permitted in lieu of the duplex.</p>						
<p><i>The terms used herein, such as lot width, lot depth, front yard, etc., are defined in Article I, Section 10.012.</i></p>						

**10.743 Off-Street Parking Standards.**

Table 10.743-1 – City of Medford Minimum and Maximum Parking Standards			
Land Use Category	Parking Standards are based on number of spaces per 1,000 Square Feet of Gross Floor Area (unless otherwise noted)		
	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (outside of Downtown Parking District)**	All Other Zones	All Zones
<u>Residential Duplex</u>	<u>1 space per dwelling unit</u>	<u>2 spaces per dwelling unit</u>	<u>n/a</u>
<u>Residential Townhouse</u>	<u>1 space per dwelling unit</u>	<u>2 spaces per dwelling unit</u>	<u>n/a</u>

**10.746 General Design Requirements for Parking.**

(10) Parking, Required Yard. Parking and loading spaces and their maneuvering area shall not be located in a required yard, except as follows:

(a) In a SFR or MFR zone, parking lots with more than three (3) spaces that do not back directly into the street may encroach to within ten (1) feet of a street right-of-way.

(b) When creating a common driveway with an adjacent parcel.

(c) At a single-family residence in a SFR zone, paving may be located within a required side or rear yard.

(d) Paved driveways located in a required front yard, street side yard, or rear yard off of an alley may be counted toward the off-street parking requirement for the lot or parcel. The paved area shall meet the dimensional requirements for a parking space and shall not be located within a public right-of-way.

**Section 10.184 Class “A” Amendment Criteria.**

(2) Land Development Code Amendment. The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

- (a) Explanation of the public benefit of the amendment.
- (b) The justification for the amendment with respect to the following factors:
  - ~~(1) Conformity with applicable Statewide Planning Goals and Guidelines.~~
  - ~~(2) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.~~
  - ~~(3) Comments from applicable referral agencies regarding applicable statutes or regulations.~~
  - ~~(4) Public comments.~~
  - ~~(5) Applicable governmental agreements.~~

**Section 10.012**

**Garage.** A building, or portion thereof, used or intended to be used for the parking and storage of motor vehicles.

~~**Garage, private.** A building or a portion of a building, not more than 1000 square feet in area, in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept.~~

~~**Garage, public.** Any garage other than a private garage.~~

**Exhibit B**  
**Minutes**  
**Planning Commission Study Session**  
**Monday, September 14, 2015**

[Cover sheet]

The study session of the Medford Planning Commission was called to order at noon in the Lausmann Annex Room 151-157 on the above date with the following members and staff in attendance:

**Commissioners Present**

David McFadden, Chair  
Patrick Miranda, Vice Chair  
David Culbertson  
Norman Fincher  
Joe Foley  
Bill Mansfield  
Mark McKechnie  
Jared Pulver

**Staff Present**

Jim Huber, Planning Director  
Bianca Petrou, Assistant Planning Director  
Kelly Akin, Principal Planner  
John Adam, Senior Planner  
Kevin McConnell, Deputy City Attorney  
Carla Paladino, Planner IV

**Commissioners Absent**

Tim D'Alessandro, Excused Absence

**Subject:**

**1. DCA-15-103 Housekeeping 2015**

Carla Paladino, Planner IV, reported that the Planning Department proposed six text amendments to Chapter 10 of the Land Development code. These are code sections that staff has identified that need clarification or revisions in order to more effectively administer the code provisions.

**1. Clarify if duplexes are allowed in SFR-10 zone regardless of density.**

Duplexes are permitted in SFR-10 but must meet density. It does not need to be separated by a lot line.

Chair McFadden asked if there would need to be an adjustment for corner lots? Ms. Paladino reported that there is no distinction in SFR-10 for corner lots. Usually corner lots are larger.

**2. Clarify attached units and related parking.**

Add duplex and townhouse to the parking table. Allow required front yard to count for parking.

Commissioner McKechnie asked if the property line is back to back to the sidewalk? Ms. Paladino replied yes.

3. Amend calculation of required yard.

Building height calculation for required side and rear yard on detached single family dwelling. The current code is the yard is determined by height of front wall of building.

Option #1 – Increase measurement from 15 feet to 18 feet and calculate each side; and  
Option #2 – Use stories instead of height

CSA Planning sent in two options: Option #1 is to change the ½ foot rule to a ¼ foot rule; and Option #2 splits it per zone.

Commissioner Mansfield asked what does the industry desire and also the interest of staff administering it? What recommendations do they have to these various options as to which one they prefer? Ms. Paladino reported the simplest one is the story one, unless it gets complicated with slope or walkout basement. The definition of story covers all that. Staff does not get paper plans anymore. It is all electronic and scaling from there. Hopefully, measurements will be given with the plans submitted. This is Option #2 from staff.

Kelly Akin, Principal Planner, stated that they need to be careful that they have had a minimum 4 foot setback for a long time. They do not want to make their minimum 5 or 6 feet because then they have 90% of the City as non-conforming.

Commissioner Foley asked what were the ramifications of non-conformities? Ms. Akin reported that it is something else to manage. They are messy.

Commissioner Pulver stated that a higher density in the higher zones resonated with him. Also, possibly closer lot line on one side allowing the neighbor to have a larger lot. He is thinking possibly a total of 12 feet side yard setback.

Commissioner Culbertson asked why SFR-10 was in this group and not classified with a medium density with 15? The footprint on those is so small. John Adam, Principal Planner, reported that medium density designation and the MFR-15 were late comers to this scheme. They had low density and high density. When the medium was created it may have been envisioned that SFR-10 would someday be moved into that category.

Jim Huber, Planning Director, reported that staff considered moving SFR-10 into the GLUP designation UM. In doing GIS work they found there were over a thousand lots with SFR-10 zoning. It is doable but it would be a huge zone change application. It is not a priority at this time. It is his opinion that it would be very controversial.

Ms. Paladino stated that she has heard a range of items but not one specific option. Is this something that the Planning Commission would like to pull from this and discuss it more or have staff bring back something different or point to and run with? She has

heard talking to builders about this, looking at a combination of story plus the height, looking at the total number, buffer between SFR-6 and SFR-10 zones. She is asking the Planning Commission for direction.

Commissioner Mansfield repeated himself that it is time to hear from the industry.

Commissioner Foley requested staff to bring back some scenarios of this impact on existing developed neighborhoods.

Commissioner Culbertson asked if anyone liked the calculation of ½ foot per foot over 18 as opposed to trying to go to some sort of uniform single story so many foot setback?

Vice Chair Miranda reported that he likes the simplification. It is easy to manage, enforce, track and adjust. He leans towards that option.

Ms. Paladino stated that maybe the question is if one goes to a two-story in an existing neighborhood what is a reasonable setback for the neighbor that may not have a two-story.

4. Lot Legality.

Outlines a process to validate an illegal lot; reference statutes; identify actions and dates that created lawful lots and list types of unauthorized lots.

5. Amend development code amendment criteria.

Remove Criterion #1 – Conformity with applicable Statewide Planning Goals and Guidelines.

6. Delete the definition of private garage.

Remove private and public garage from the definition section.

Commissioner Foley asked when will the marijuana-related business code amendment go before the City Council? Mr. Akin reported October 1, 2015 or October 15, 2015.

The meeting was adjourned at 1:05 p.m.

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Submitted by:

Terri L. Rozzana, Recording Secretary



# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## STAFF REPORT

for a Type-C quasi-judicial decision: **Zone Change**

**Project** Four Square Gospel Church Zone Change  
Applicant: Four Square Gospel Church;  
Agent: Richard Stevens & Associates, Inc.

**File no.** ZC-15-019

**To** Planning Commission

*for 10/08/2015 hearing*

**From** Jennifer Jones, Planner III

**Reviewer** Kelly Akin, Principal Planner *ka*

**Date** October 01, 2015

### BACKGROUND

#### Proposal

Zone change from SFR-4 (Single Family Residential, 4 dwelling units per gross acre) to MFR-30 (Multiple-Family Residential, 30 dwelling units per gross acre) of approximately 6.70 acres located at the southeast corner of Roberts Road and North Keene Way Drive.

#### Subject Site Characteristics

**Zoning** SFR-4  
**GLUP** UH Urban High Density Residential  
**Use** Undeveloped

#### Surrounding Site Characteristics

**North** SRF-4 Single Family Homes  
**South** SFR-4 North Medford High School  
**East** SFR-4 Single Family Homes  
**West** SFR-4/MFR-20 Fire Station; Multi-Family Residential

Applicable Criteria

Medford Land Development Code (MLDC) §10.227.

*The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation.*

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
  - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
  - (b) Adequate streets and street capacity must be provided in one of the following ways:
    - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
    - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
    - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street

project is deemed to be fully funded when one of the following occurs:

- (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
  - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
  - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

## ISSUES AND ANALYSIS

### Project Summary

The subject property consists of two parcels totaling approximately 6.7 acres just north of North Medford High School. The site is partially developed with Four Square Gospel Church, but otherwise remains vacant and undeveloped.

The applicant has submitted Findings of Fact (Exhibit B) concluding that the proposed MFR-30 zoning is consistent with the General Land Use Plan Map (GLUP) designation and demonstrating that urban services and facilities are available to serve the subject property. The MFR-30 zoning district is an allowable zone within the Urban High Density Residential (UH) GLUP designation.

### *Traffic Impact Analysis*

A traffic impact analysis (TIA) was required as part of the subject application (Exhibit C). The TIA analyzed the traffic impacts of changing the zoning from SFR-4 to MFR-30 on the subject property. The TIA shows that the trip generation will increase from 286 trips for SFR-4 to 1,490 trips MFR-30. There are no intersections in the study that are significantly impacted by the proposed development for the years 2015, 2019, and 2023. No additional turn lanes are required. There are no safety concerns for intersections in the study area. City of Medford Traffic Engineering staff reviewed the TIA and recommends approval (Exhibit D).

### *Urban Services and Facilities*

Roberts Road is a major collector and is currently constructed to the appropriate standards, with the exception of planter strips. Keene Way Drive is a local residential street, built 48-foot wide curb-to-curb, which exceed the minimum standards for this street classification.

Water facilities have adequate capacity to serve the subject property at the proposed density, according to the Medford Water Commission (Exhibit G).

The subject property lies within the City of Medford Sewer Service area. The proposed zone change would potentially increase flows to the sanitary sewer system significantly. The downstream sanitary sewer system is subject to a number of capacity constraints currently. The Public Works Report recommends that the applicant stipulate to only develop an equivalent of 28 single family residential units, in order to not exceed the current zoning limitations (Exhibit H).

The conclusion can be made that all of the zone change criteria have been met.

#### **FINDINGS AND CONCLUSIONS**

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

#### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-15-019 per the staff report dated October 01, 2015, including Exhibits A through H.

#### **EXHIBITS**

- A Conditions of Approval, dated October 01, 2015
- B Applicant's Findings of Fact, received February 10, 2015
- C Traffic Impact Analysis, Executive Summary, received February 10, 2015
- D Traffic Engineering Memo, received May 07, 2015
- E Building Department Memo, received June 03, 2015
- F Fire Department Report, received June 03, 2015
- G Medford Water Commission Memo, received June 04, 2015
- H Public Works Report, received June 03, 2015  
Vicinity Map

**PLANNING COMMISSION AGENDA:**

**OCTOBER 08, 2015**

**EXHIBIT A**

**Four Square Gospel Church Zone Change  
ZC-15-019  
Conditions of Approval  
October 01, 2015**

**The applicant shall:**

- 1. Comply with the Medford Water Commission Memo received June 04, 2015 (Exhibit G).**
- 2. Comply with the Public Works Report received June 03, 2015 (Exhibit H).**

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF  
MEDFORD, JACKSON COUNTY, OREGON:**

RECEIVED  
FEB 10 2015  
PLANNING DEP

**IN THE MATTER OF AN APPLICATION FOR )  
A CHANGE IN ZONING DESIGNATION FOR )  
6.70 ACRES OF LAND, LOCATED AT THE )  
SOUTHEAST CORNER OF ROBERTS ROAD )  
AND KEENE WAY DRIVE; FOUR SQUARE )  
GOSPEL CHURCH, THE APPLICANTS )  
RICHARD STEVENS & ASSOCIATES, INC. )  
AGENTS )**

**FINDINGS OF FACT**

**I. RECITALS PERTAINING TO THE PROPERTY:**

**PROPERTY OWNERS:**

Foursquare Gospel Church  
2234 Roberts Road  
Medford, OR 97504

**AGENT:**

Richard Stevens & Associates, Inc.  
PO Box 4368  
Medford, OR 97501  
(541) 773-2646

**PURPOSE:**

The purpose of the application is to change the Zoning Designation on the property from Medford Single Family Residential -4 (SFR-4) to City of Medford Multiple Family Residential zoning 30 dwelling units (MFR-30) on two parcels described as T.37S-R.1W-17CA, TL 2700 and T.37S-R.1W-17CB, TL 4500 totaling 6.70 net acres. This will allow the applicant the ability to file a development plan on the vacant portion of the property. The Comprehensive Plan designation for the site is UH, Urban High Density Residential, which allows for the MFR-30 zoning designation.

Ownership of the properties is by Foursquare Gospel Church, also the applicants. A copy of the legal description (Deed) for this property, as well as the appropriate plat maps are attached as exhibits to these findings.

## **II. APPLICABLE CRITERIA:**

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.225 through 10.227 of the Land Development Code. A review of Section 10.226 indicates that an application for a Zone Change must contain the following:

- 1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.**
- 2. An Assessor's map with the proposed zone change area identified.**
- 3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.**
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.**
- 5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.**

### **FINDING:**

The Planning Commission finds that this application for a change in zoning designation from SFR-4 to MFR-30, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.

**FINDINGS IN COMPLIANCE WITH SECTION 10.227 OF THE  
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

*(1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*

*(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*

**1. CONSISTENCY WITH OAR 660, DIVISION 12: TRANSPORTATION**

The adopted Medford Transportation Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies are responsible for transportation planning to address all modes of travel including vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long term needs.

More specifically, there are provisions within Chapter 660 that apply to the Comprehensive Plan and land use regulation amendments.

These provisions are contained in OAR 660-012-0060, which states:

*1) If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).*

*b) Change standards implementing a functional classification system, or*

*c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

*2) If a local government determines that there would be a significant affect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendments meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to the congestion. A plan or land use regulation amendment significantly affects a transportation facility if it:*

*a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.*

b) *Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.*

c) *Amending the TSP to modify the planned junction, capacity or performance standards of the transportation facility.*

d) *Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.*

e) *Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.*

3) *Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:*

(a) *In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;*

(b) *Development resulting from the amendment will at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;*

(c) *The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and*

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a propose amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsection (a) through (c) of the section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below:

(b) Outside of interstate interchange areas, the following are considered planned facilities improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or service that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected, a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government or transportation service provider responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 105, 205 and 405;

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) *The interchange area as defined in the Interchange Area Management Plan adopted as a amendment to the Oregon Highway Plan.*

(e) *For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).*

Discussion:

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this amendment.

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The site is accessible by motor vehicle from Roberts Road and Keene Way Drive.

An evaluation of the subject property and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicates that there are basically two transportation issues that should be addressed:

Access Management:

The subject property is located along Keene Way Drive (designated as a residential street) and south of Roberts Road (designated as a collector street). The future development of this property will primarily take access from Keene Way Drive. The future development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective Access Management.

The applicants submit that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

**Trip Generation Potential:**

The existing use, on a portion of the site, is the church facility. Approximately 5 acres of the site will have the future multiple family uses south of the church along Keene Way Drive. The future development of the site with multiple family dwellings will exceed the 250 ADT threshold and the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS). Ms. Kimberly Parducci, with Southern Oregon Transportation Engineering, has prepared a TIS for the subject properties, that is accompanying this application.

Based on the results of this TIS there is sufficient capacity on the local street system for the proposed change of zoning and future development for attached multiple family dwellings.

This issue, as part of the overall traffic management plan for this area, can be found to be consistent with the existing traffic facilities, the City of Medford TSP and ODOT.

**CONCLUSION:**

**The City of Medford concludes that based on the information contained herein this application is consistent with the intent of the Statewide Transportation Planning Rule and the adopted Medford TSP:**

- 1. The site is within an incorporated city with an adopted and acknowledged Comprehensive Plan.**
- 2. The properties total 6.70 net acres. The TIS prepared by Southern Oregon Transportation Engineering demonstrates that there is sufficient capacity on the local street system to support the future development. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as MFR-30.**
- 3. The zone change does not significantly affect the overall transportation capacity, including the I-5 Interchanges or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the site with the MFR-30 zoning.**

**FINDING:**

**The City of Medford finds that this application for a change of zoning to MFR-30 is consistent with the City of Medford TSP and OAR 660-012-0060, Transportation Planning Rule, which are in compliance with**

**Section 10.227(1) MLDC.** Based on the TIS by Southern Oregon Transportation Engineering, there are no adverse impacts contemplated on the I-5 Interchanges, the Highway 62 intersections, or the local street system.

**CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:**

A review of the General Land Use Plan Map for the City of Medford and Ordinance No. 2014-154 indicates that this area of the City is designated on the General Land Use Plan Map as "Urban, High Density Residential" (UH). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the "Urban High Density Residential" Designation are: MFR-20 and MFR-30, consistent with the provisions of Section 10.306 of the Medford Land Development Code.

The proposed zoning district for the subject property is MFR-30. There are no locational standards for the Multiple Family Residential zoning districts. This district is consistent with the UH designation as identified on the GLUP map.

**FINDING:**

**As the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and delineated on the General Land Use Plan Map as Urban High Density Residential, the MFR-30 zoning requested is found to be consistent with the General Land Use Plan Map. This application is in compliance with Section 10.227(1) MLDC.**

**2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES**

The second criteria for a zone change is:

*"It shall be demonstrated that Category A urban services and facilities are available or can and will provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan."*

The Medford Comprehensive Plan, Public Facilities Element, provides the list of Category "A" services and facilities to be considered. These are:

- Water Service
- Sanitary Sewer and Treatment
- Storm Drainage and
- Streets, Transportation Facilities

**Water Service:**

Water service is provided by the Medford Water Commission, which is currently serving the subject properties and the urban uses in the vicinity. There is an existing 6-inch main line located along Roberts Road with an 8 inch water main line located within Keene Way Drive. Extension and development of a looped water system within the property is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon further urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a design capacity of the water treatment plant to serve approximately 185,000 persons. Adequate water capacity exists to serve the subject site.

Water service for fire protection will be a requirement of the design considerations. The placement of fire hydrants and other fire safety features will be accomplished during the development review process.

**Sanitary Sewer:**

Sanitary Sewer service is provided by the City of Medford. There is currently an 8 inch line along Roberts Road, that currently serves residences in the vicinity. There is also an 8-inch main line along Keene Way Drive. These collection lines are available to be extended to serve the future development of the site. The Sanitary Sewer collection system is adequate to accommodate the proposed change in density. Additional sewer service connection will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the Regional Water Reclamation Facility (RWRF). The plant presently treats approximately 16.7 mgd. The treatment capacity of the plant is approximately 20 mgd with a peak wet weather flow of 60 mgd. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

The development of the property requires system development charges which are dedicated to the maintenance of main lines along with the expansion of the regional plant. This assures that the future sewage transmission lines and treatment at the plant remains available.

**Storm Drainage:**

At the time of development storm sewer will be collected in an underground collection system and will be designed in accordance with the City of Medford Master Storm Sewer Program.

The subject site lies within the Lone Pine Creek Drainage Basin. Currently, there is a 15-inch line along Roberts Road and a 30-inch line along Keene Way Drive, providing storm drainage for the area. The development of the site will require an integrated storm sewer system, with a maximum of 0.25 CFS discharge. The construction drawings prepared for the development of this property will provide the engineering to provide the storm sewer system in accordance with the City of Medford.

**Streets:**

The existing use, on a portion of the site, is the church facility. Approximately 5 acres of the site will have the future multiple family uses south of the church along Keene Way Drive. The future development of the site with multiple family dwellings will exceed the 250 ADT threshold and the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS). Ms. Kimberly Parducci, with Southern Oregon Transportation Engineering, has prepared a TIS for the subject properties, that is accompanying this application.

Based on the results of this TIS there is sufficient capacity on the local street system for the proposed change of zoning and future development for attached multiple family dwellings.

The following traffic counts, as related by the Medford Engineering Department, reflects the year 2014 traffic volumes.

**Roberts Road-**

west of Keene Way Dr.	6,100 ADT
west of Springbrook Rd.	6,800 ADT

These streets have ample capacity in their present form to accommodate the projected vehicle trips from the development of the site. Construction of arterial and collector streets are the responsibility of the City of Medford. The future construction of dwelling units will be charged a system development fee for the improvements of arterial and collector streets.

**CONCLUSION:**

**Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the property, as water distribution system improvements have already been in place on the property; sanitary sewer service is available to the site and capacity at the Regional Reclamation Facility is adequate to accommodate the area; that based on the TIS report there is sufficient capacity on the existing local street system to accommodate the proposed use, and that the storm drainage facilities are adequate and will be in compliance with the Medford Master Storm Drain Plan.**

**FINDING:**

**The City of Medford finds that there are adequate Category “A” public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as MFR-30.**

**SUMMARY AND CONCLUSIONS:**

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. A review of the application, the above Conclusions and Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map per Ordinance 2014-154 and is consistent with the Medford TSP, Oregon Transportation Planning Rule.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.1W-SEC.17CA, Tax Lot 2700 and T.37S-R.1W-SEC.17CB, TAX LOT 4500 as MFR-30 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

Richard Stevens & Associates, Inc.

RECEIVED

FEB 10 2015

PLANNING DEPT.

# MFR-30 Zone Change

## Traffic Impact Analysis

January 30, 2015

Prepared By:

*SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC*



CITY OF MEDFORD  
EXHIBIT # C  
File # ZC-15-019

## **I. EXECUTIVE SUMMARY**

### **Summary**

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from single family residential (SFR-4) to multi-family residential (MFR-30) on the southeast corner of Roberts Road and Keene Way Drive in Medford, Oregon. The development includes 6.70 acres (7.48 gross acres) on Township 37S Range 1W Section 17CB tax lot 4500 and 371W17CA tax lot 2700.

Access to the site is provided from both Roberts Road and Keene Way Drive, but is only planned from Keene Way Drive. Under MFR-30 zoning the site has the potential to develop up to 224 dwelling units and generate 1,490 average daily trips (ADT) with 139 trips occurring during the p.m. peak hour. The distribution of 139 p.m. peak hour trips to the transportation system impacts two intersections involving collectors and or arterials with 25 or more peak hour trips.

Study area intersections were evaluated under existing year 2015, design year 2019, and future year 2023 no build and build conditions to determine what impacts the proposed zone change will have on the transportation system.

### **Conclusions**

The findings of the traffic impact analysis conclude that the proposed zone change from SFR-4 to MFR-30 can be approved without causing any adverse impacts to the transportation system. Intersection operations and safety was evaluated to address development impacts to the surrounding area. Results of the analysis show the following:

1. All study area intersections operate acceptably under existing year 2015, design year 2019, and future year 2023 no-build and build conditions during the p.m. peak hour.
2. Left and right turn lane criterion is not shown to be met on Keene Way Drive at the project access under design year 2019 or future year 2023 build conditions.
3. There were no safety concerns as a result of 95<sup>th</sup> percentile queue lengths or crash histories.

The proposed zone change application is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. Streets that serve the subject property will accommodate projected p.m. peak hour traffic volumes within acceptable levels of service.

**RECEIVED**

**MAY 07 2015**

**PLANNING DEPT.**

**CITY OF MEDFORD**  
**INTEROFFICE MEMORANDUM**

**DATE:** May 6, 2015  
**TO:** Doug Burroughs, Development Services Coordinator  
**FROM:** Public Works Traffic Engineering, ptm  
**SUBJECT:** ZC 15-019 Foursquare Gospel Church MFR-30 Zone Change Traffic Impact Analysis

The Public Works Department has received a Traffic Impact Analysis (TIA) for the proposed Zone Change on the Foursquare Gospel Church property located at 2200 and 2234 Roberts Rd, which was prepared by Southern Oregon Transportation Engineering, LLC.

The report analyzes the traffic impacts of changing the zoning from SFR-4 to MFR-30 on parcel 371W17CB 4500 and 371W17CA 2700 comprising 6.70 acres (7.48 acres gross).

The report shows that the trip generation will increase from 286 trips for SFR-4 to 1490 trips for MFR-30.

The report shows that there are no intersections in the study area that are significantly impacted by the proposed development for the years 2015, 2019 and 2023. No additional turn lanes are required. There are no safety concerns for intersections in the study area.

Traffic Engineering staff recommends approval of the proposed zone change from SFR-4 to MFR-30.

CITY OF MEDFORD  
EXHIBIT # D  
File # ZC-15-019

# Memo



RECEIVED  
JUN 08 2015  
PLANNING DEPT.

**To:** Jennifer Jones, Planner, Planning Department  
**From:** Tanner Fairrington, Building Department (541) 774-2352  
**CC:** Foursquare Gospel Church, Applicant; Richard Stevens & Associates, Agent  
**Date:** June 2, 2015  
**Re:** June 3, 2015 LDC Meeting: ZC-15-019 – Item #1

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**Please Note:**

*This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.*

*Fees are based on valuation. Please contact the front counter for estimated fees.*

*If you have questions, please contact the Building Department at (541) 774-2350 or [building@cityofmedford.org](mailto:building@cityofmedford.org). Tanner Fairrington can be contacted directly at (541) 774-2352 or [tanner.fairrington@cityofmedford.org](mailto:tanner.fairrington@cityofmedford.org).*

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Code and Design Information" on left side of screen; click on "Design Criteria"; and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" on left side of screen for information.
3. A site excavation and grading permit will be required for any excavation that exceeds 50 cubic yards.

CITY OF MEDFORD  
EXHIBIT # E  
File # ZC-15-019



# Medford Fire Department

200 S. Ivy Street, Room #180  
Medford, OR 97501  
Phone: 774-2300; Fax: 541-774-2514;  
E-mail [www.fire@ci.medford.or.us](mailto:www.fire@ci.medford.or.us)

RECEIVED

JUN 03 2015

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Jennifer Jones

LD Meeting Date: 06/03/2015

From: Fire Marshal Kleinberg

Report Prepared: 06/02/2015

File #: ZC - 15 - 19

### Site Name/Description:

Request for a zone change from SFR-4 (Single Family Residential, four dwelling units per gross acre) to MFR-30 (Multiple-Family Residential, 30 dwelling units per gross acre) of approximately 6.70 acres located at the southeast corner of Roberts Road and North Keene Way Drive; Foursquare Gospel Church, Applicant (Richard Stevens & Associates, Inc., Agent). Jennifer Jones, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

JUN 04 2015



BOARD OF WATER COMMISSIONERS

PLANNING DEPT.

**Staff Memo**

**TO:** Planning Department, City of Medford

**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer

**SUBJECT:** ZC-15-019

**PARCEL ID:** 371W17CA TL 2700, 371W17CB TL 4500

**PROJECT:** Request for a zone change from SFR-4 (Single Family Residential, four dwelling units per gross acre) to MFR-30 (Multiple-Family Residential, 30 dwelling units per gross acre) of approximately 6.70 acres located at the southeast corner of Roberts Road and North Keene Way Drive; Foursquare Gospel Church, Applicant (Richard Stevens & Associates, Inc., Agent). Jennifer Jones, Planner.

**DATE:** June 4, 2015

I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

**COMMENTS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There are three (3) ¾-inch water meters along the south side of Roberts Road that serve on-site building located at 2200, 2218, and 2234 Roberts Road..
7. Access to MWC water lines for connection is available. There is 6-inch water main in Roberts Road, and there is also an 8-inch water main in N Keene Way Drive.



Scale: 1"=150'

**Water Facility Map  
for  
ZC-15-019**

**Legend**

- ▲ Air Valve
- Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⌋ Blow Off
- ⬇ Plugs-Caps

**Water Meters:**

- ⊙ Active Meter
- On Well
- Unknown
- Vacant

**Water Valves:**

- ⊗ Butterfly Valve
- ⊕ Gate Valve
- ⊙ Tapping Valve

**Water Mains:**

- Active Main
- - - Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

**Boundaries:**

- ▭ Urban Growth Boundary
- ▭ City Limits
- ▭ Tax Lots

**MWC Facilities:**

- C** Control Station
- P** Pump Station
- R** Reservoir



The map is based on a digital ortho-aerial photograph. Medford Water Commission is not responsible for any errors or omissions. Medford Water Commission is not responsible for any errors or omissions. Medford Water Commission is not responsible for any errors or omissions.



Continuous Improvement Customer Service

CITY OF MEDFORD

L.D. Meeting Date: June 3, 2015  
File Number: ZC-15-019

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
For Four Square Church Zone Change**

**Project:** Request for a zone change from SFR-4 (Single Family Residential, four dwelling units per gross acre) to MFR-30 (Multiple-Family Residential, 30 dwelling units per gross acre) of approximately 6.28 acres (approximately 7.09 gross acres) located at the southeast corner of Roberts Road and North Keene Way Drive.

**Applicant:** Four Square Gospel Church

The Medford Land Development Code (MLDC), Section 10.227 (2) requires a zone change application demonstrate Category A urban services and facilities are available or can and will be provided to adequately serve the subject property. The Public Works Department reviews zone change applications to assure the Category A urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City's sewer service boundaries, storm drains, and the transportation system.

**I. Sanitary Sewer Facilities**

This site lies within the City of Medford Sewer Service area. There is an existing 8 inch sanitary sewer in Roberts Road and North Keeneway Drive. It appears the existing building on this site is already connected to the 8 inch sanitary sewer on Roberts Road.

**The existing zoning is SFR-4, which would allow approximately 28 units. The proposed zoning to MFR-30 would allow approximately 201 units and has the potential to increase flows to the sanitary sewer system significantly. The downstream sanitary sewer system currently has a number of capacity constraints, and based on this information the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop an equivalent of 28 SFR units so the total sewer flows do not exceed current zoning limitations.**

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P:\Staff Reports\CP, DCA, & ZC\ZC only\ZC-15-019, 4-Square Church, N. Keeneway Dr\ZC-15-019, 4-Square Church, N. Keeneway, Staff Report-DB.docx Page 1

PUBLIC WORKS DEPARTMENT  
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET  
MEDFORD, OREGON 97501  
[www.ci.medford.or.us](http://www.ci.medford.or.us)

TELEPHONE (541) 774-2100  
FAX (541) 774-2552

CITY OF MEDFORD  
EXHIBIT # H  
File # ZC-15-019

## II. Storm Drainage Facilities

This site lies within the Lone Pine Creek Drainage Basin. The City of Medford has existing storm drain facilities in North Keeneway Drive and Roberts Road. This site would be able to connect to these facilities at time of development. This site will be required to provide stormwater quality and detention at time of development.

## III. Transportation System

Roberts Road is a major collector street along the northerly boundary of this site. It is maintained by the City of Medford, and is currently constructed to major collector standards, with the exception it does not have planter strips. It has a 60 foot right-of-way along the northerly boundary of this parcel.

Keene Way Drive, along the westerly boundary of this parcel, is a local residential street. It is maintained by the City of Medford, and is constructed with a 48 foot wide curb to curb section. The right-of-way along this parcel varies from 70 feet wide to 69 feet wide near the north end.

The Public Works Department has received a Traffic Impact Analysis (TIA) for the proposed Zone Change, on the Foursquare Gospel Church property, located at 2200 and 2234 Roberts Road, which was prepared by Southern Oregon Transportation Engineering, LLC.

The report analyzes the traffic impacts of changing the zoning from SFR-4 to MFR-30 on parcel 371W17CB 4500 and 371W17CA 2700 comprising 6.28 acres (7.09 acres gross).

The report shows that the trip generation will increase from 286 trips for SFR-4 to 1490 trips for MFR-30.

The report shows that there are no intersections in the study area that are significantly impacted by the proposed development for the years 2015, 2019 and 2023. No additional turn lanes are required. There are no safety concerns for intersections in the study area.

Prepared by: Larry Beskow, 6-1-15  
Revised by: Doug Burroughs,



# Vicinity Map

Application Name/Description:

**Foursquare Gospel Church**

Proposal:

**Zone Change:**

**SFR-4 to MFR-30**

File Numbers:

**ZC-15-019**

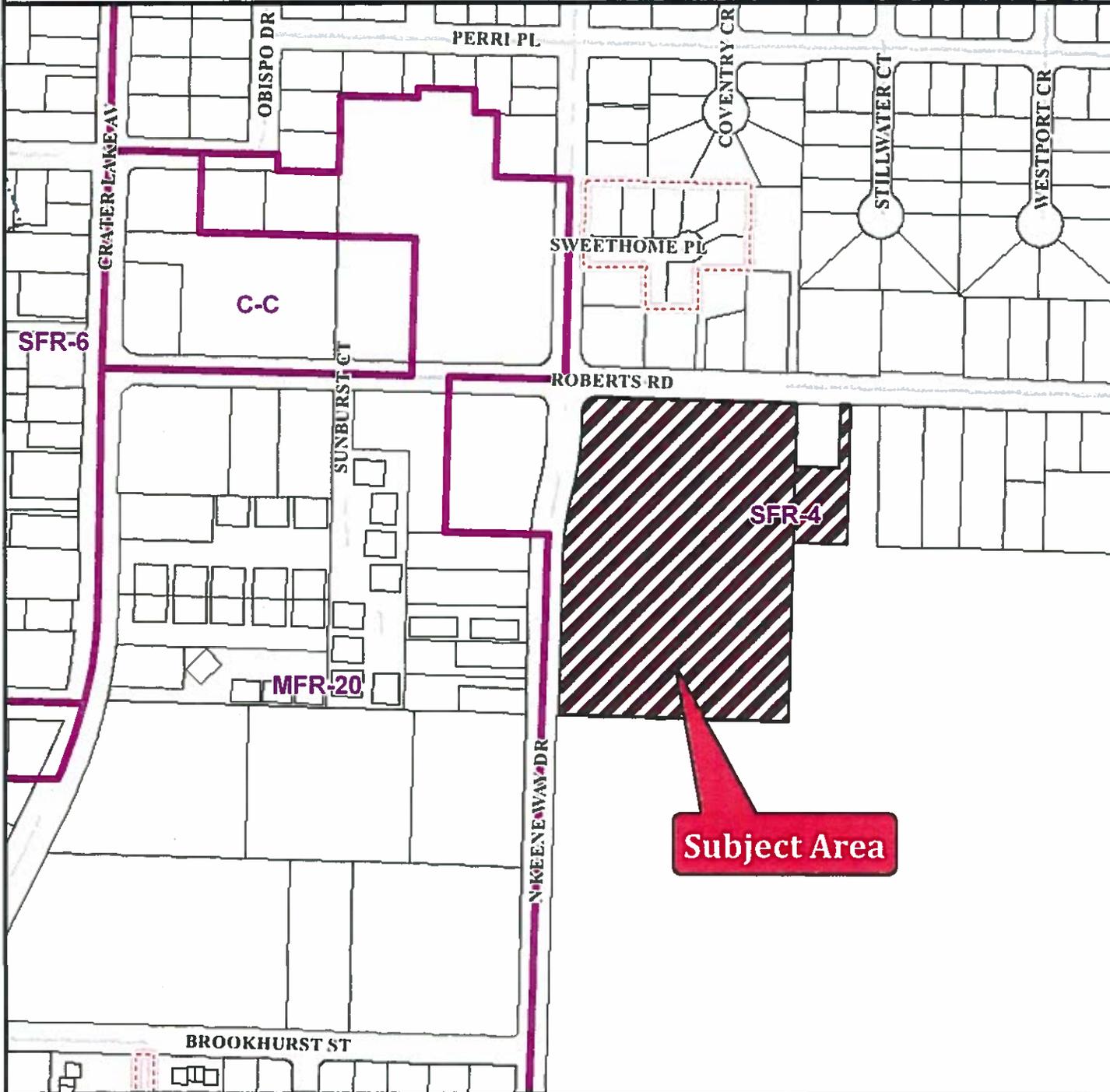
Applicant:

**Foursquare Gospel Church**

Map/Taxlot:

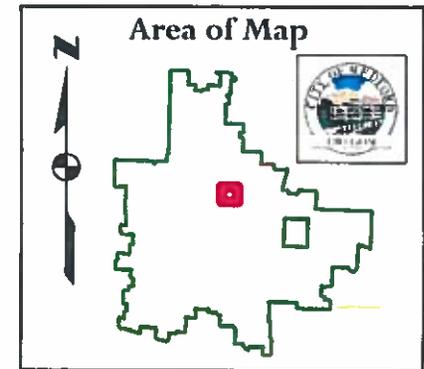
**371W17CA TL 2700**

**371W17CB TL 4500**



-  Subject Area
-  Medford Zoning
-  UGB
-  Tax Lots
-  City Limits
-  PUD

**Subject Area**



02/12/2015