

# PLANNING COMMISSION AGENDA NOVEMBER 12, 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**

**November 12, 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-15-116** Final Order for a tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive within the SFR-10 (single-family residential 10 dwelling units per gross acre) zoning district. (Sullivan Development LLC, Applicant; Neathamer Surveying, Agent)
- 30. Minutes**
- 30.1** Consideration for approval of minutes from the October 22, 2015, hearing.
- 40. Oral and Written Requests and Communications**
- 50. Public Hearings – Continuance Request**
- 50.1 LDS-15-118** Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within a SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) with PUD (Planned Unit Development) Zoning Overlay. Subject tentative plat consists of 5 Single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots. The site is generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane. (David & Elahe Young Family Trust, Applicant; Richard Stevens & Associates, Agent)
- New Business**
- 50.2 ZC-15-117** Request for a zone change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street. (Ryan Cantor, Mike Malepsy and James Kell, Applicants; Ryan Kantor, Agent)
- 50.3 ZC-15-127** Request for a zone change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on two parcels on the west side of Orchard Home Drive approximately 400 feet north of Westwood Drive (372W35DA Tax Lots 1300 & 1400). Housing Authority of Jackson County, Applicant; Scott Sinner Consulting, Inc., Agent)

- 50.4 **ZC-15-119** Consideration of a request for a change of zone from SFR-6 (Single Family Residential, six dwelling units per gross acre) to MFR-20 (Multiple-Family Residential, 20 dwelling units per gross acre) on approximately 1.12 acres generally located at the northeast corner of the intersection of Howard Avenue and Berrydale Avenue. (Michael & Carolyn Mabry, 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 TO RE-PLAT APPROVAL OF )  
 )  
COX ESTATES SUBDIVISION PHASE 2 [LDS-15-116] ) ORDER

ORDER granting approval of a request for tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive within the SFR-10 (single-family residential 10 dwelling units per gross acre) zoning district.

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 tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive 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 October 22, 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 request for tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive within the SFR-10 (single-family residential 10 dwelling units per gross acre) zoning district, 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 Cox Estates Subdivision Phase 2 stands approved per Planning Commission Report dated October 22, 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 to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive within the SFR-10 (single-family residential 10 dwelling units per gross acre) zoning district, is hereafter supported by the findings referenced in the Staff Report dated November 7, 2013.

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 12th day of November, 2015.

CITY OF MEDFORD PLANNING COMMISSION

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Planning Commission Chair

ATTEST:

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Planning Department Representative



## COMMISSION REPORT

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

Project      Re-Plat of Lots 13-16 of Cox Estates, Phase 2  
                  Applicant: Sullivan Development, LLC; Agent: Neathamer Surveying

File no.      LDS-15-116

Date          October 22, 2015

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### BACKGROUND

#### Proposal

Consideration of a tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive, within a 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	Vacant Single-family & Duplex Lots	

#### Surrounding Site Characteristics

North	SFR-6	Single-family homes
South	SFR-10	Single-family homes
East	SFR-6	Single-family homes
West	SFR-6	Vacant land, wetlands, single family homes

#### Related Projects

LDS-04-005 Cox Estates Phase 1 & 2  
 PLA-11-129 Property Line Adjustment, Lots 12 & 13

#### 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 lots were part of the Cox Estates Phase 1 & 2 Subdivision. The design of the approved subdivision required the inclusion of duplex lots in order to meet density requirements. The Final Order granting tentative approval of the subdivision was adopted by the Planning Commission on April 22, 2004. The final plat for Cox Estates Phase 1 final plat was approved on October 19, 2005, and the Final Plat for Cox Estates Phase 2 was approved on September 5, 2007. A subsequent property line adjustment (PLA-11-129) was approved in 2011, which moved the common property line of Lot 12

and 13 slightly to the south. The applicant is now requesting a re-platting of Phase 2 of Cox Estates Subdivision.

The required infrastructure improvements for Cox Estates Phase 2, including water and sanitary sewer, storm drain, pavement, curb and gutter have been fully developed. The subject lots of Cox Estates Phase 2 have not yet been constructed. The purpose of this re-platting application is to relocate the designated duplex lots of Cox Estates Phase 2 from Lots 15 and 16 to Lots 13 and 14.

The applicant's findings note that due to size of Lot 15 (6,006 sq. ft.) and Lot 16 (6,522 sq. ft.) and the configuration (45-foot and 50-foot lot street frontages), the design of a functional duplex units proved to be challenging. To remedy the subject design constraint, the applicant proposes to designate the larger lots of the subdivision, Lots 13 and 14 as the duplex lots. With this application, there are no proposed changes to the existing project density, property lines, right-of-way location or infrastructure improvement.

#### Agency Comments

The Public Works Department staff report states that the project developer will be required comply with conditions of the original approval of LDS-04-005. The final plat shall also provide a note indicating Lots 13 through 16 shall not have direct vehicular access to Lozier Lane, which is classified as a "Major Collector" street. A condition of approval has been included requiring the applicant to comply with Public Works report (Exhibit E).

The Medford Water Commission staff memo notes that there is no off-site or on-site water facility construction that is required. The existing lots within the re-plat already have metered water services installed. The developer shall coordinate with MWC for setting the meter into the existing meter box. A condition of approval has been included requiring the applicant to comply with MWC report (Exhibit F).

The Rogue Valley Sewer Services (RVSS) correspondence, dated September 21, 2015, indicates system development fees for the collection and interception system were collected with the development of Cox Estates Phase 2. However, fees collected on all four lots at construction of the subdivision were based just upon single family residential development.

Based upon discussions with RVSS, system development fees are collected concurrent with the development of a land division. Therefore, RVSS is requesting a condition of approval be included requiring the differential between the single-family unit and duplex-unit system development fees be paid prior to the issuance of any building

permit. A condition of approval has been included requiring the applicant to comply with the RVSS correspondence dated September 21, 2015 (Exhibit K).

No other issues were identified by staff or reviewing agencies.

#### **Public Comment**

James Catt indicated his support of the re-plat of Lots 13 through 16. Mr. Catt read his letter and submitted the letter into the record. Mr. Catt requested the Commission consider requiring the applicant to build single level duplexes and homes on Lots 13 through 16 and indicated concern regarding the width of Layla Drive. Mr. Catt requested that the Planning Commission create a no on-street parking zone on Layla Drive at the same time they approve the re-plat. Other members of the public spoke noting the same concerns as expressed in Mr. Catt's testimony.

Alex Georgevitch, City Engineer, responded that the streets are minor residential streets designed to serve 100 lots or less. The existing streets were built in accordance with the plans. Mr. Georgevitch expressed that he did not believe street parking was issue that the Planning Commission had authority on. Mr. Georgevitch did not see any issues with this development creating additional impact, since there is no change in density or number of homes. He noted that the Engineering Division does have a citizen request form that is available on the website where these issues may be raised. The Traffic Coordinating Committee will consider the request.

#### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Exhibit C) 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 LDS-15-116 per the staff report dated October 15, 2015, including Exhibits A through P.

#### **ACTION TAKEN**

The Commission adopted the findings as recommended by staff and directed staff to prepare to prepare a Final Order for approval of LDS-15-116 per the staff report dated October 15, 2015, including Exhibits A through P.

**EXHIBITS**

- A Conditions of Approval
- B Tentative Re-Plat of Lots 13-16 of Cox Estates Phase 2 received August 13, 2015
- C Applicant's Findings of Fact received August 13, 2015
- D Final Plat for Cox Estates Phase 2, recorded September 19, 2007
- E Public Works Department staff report dated, September 30, 2015
- F Water Commission comments dated September 22, 2015
- G Medford Building Department comments received August 28, 2015
- H Medford Fire Department report received September 3, 2015
- I Jackson County comments dated September 18, 2015
- J E-mail correspondences from ODOT, received September 28, 2015
- K Rogue Valley Sewer Services correspondences, dated September 18, 2015
- L Zoning Map with Aerial
- M Site Photo
- N Public Correspondence from James O. Catt, dated October 22, 2015
- O Public Correspondence from John & Leah Stelle, dated October 22, 2015
- P Photos of Layla Drive submitted by Linda Messal  
Vicinity map

**MEDFORD PLANNING COMMISSION**

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David McFadden, Chair

**PLANNING COMMISSION AGENDA:**

**OCTOBER 22, 2015  
NOVEMBER 12, 2015**

October 22, 2015

To:

Planning Department for City of Medford

Attn: Desmond McGeough & Commissioners

Re: File No : LDS- 15-116

new plat proposal for Layla Dr/Lozier Ln/ Sullivan Development

This letter is from John and Leah Stelle who reside currently at 1971 Layla Dr in Medford Oregon.

As current residents who would be directly affected by this revised new plat proposal we ask for your consideration on the following concerns:

We believe that this new plan does not meet all the facilities test especially regarding adequate parking, parking in street which is narrow already and would impede emergency and first response vehicles. We ask that you also create a NO ONSTREET Parking Zone on Layla Dr on the section of Layla where these duplexes will be built.

This plan would change the complete nature of our neighborhood of families in SFR homes. The impact would be significant. With higher density of occupants the noise level would also be greater.

We purchased our home with certain expectations of neighborhood of nice single family homes that would be safe and enjoyable for us and our 7 yr old foster child. This revised plan would cause great concern for the safety of the existing children of the families that have homes next to, across from and nearby these lots if multiple 2 story duplexes are built drawing more renters and higher density of dwellers.

We ask that only 2 duplexes be built on these lots and that they be single level so as not to ruin the continuity of the neighborhood and bring down the value of our existing SFR homes.

Thank you for your time and consideration.

John & Leah Stelle

1971 Layla Dr

Medford OR 97501

CITY OF MEDFORD  
EXHIBIT # 5N  
File # LDS-15-116  
1641

10/22/2015

James O. Catt  
1953 Layla Drive  
Medford, Or.  
97501

City of Medford  
Planning Department

Commissioners: My name is James O. Catt  
I am here in support of the re-plat of lots 13-16. Lots 13 and 14 are more suitable for duplexes.

Speaking for home owners boarding these lots 13-16 we ask for these considerations when approving this re-plat.

1. We ask the commission to encourage Sullivan Development, LLC to build single level duplexes and homes on lots #13-#16. This would continue the existing theme and atmosphere of the neighborhood. (Medford has an aging retirement type renters base and single level homes work with all types of renters)
2. The City of Medford has a Disaster Preparedness Plan and a first class First Responders support system. Layla Drive is 27 feet wide at its widest point. With cars parked on the street it is reduced to a single lane less than 11 feet in width. When campers, boats and utility trailers are parked on the street the driving lane can be reduced to less than 9 feet. Fire trucks are 10 feet 6 inches in width. I think you can see the problem with access in the case of fire or natural disaster. When a Fire truck is summoned it brings with it a support group of ambulances and other First Responder units. Their ability to enter and exit these areas is not possible at times.
3. Allowing on street parking in this area or any other area that has streets with a 27 foot width, the City of Medford is knowingly creating a dangerous situation for its citizens and First Responders. We ask that you create a No on Street Parking Zone on Layla Drive at the same time as you approve this re-plat.

Thank you for your consideration and written reply,

James O. Catt

CITY OF MEDFORD  
 SUBMIT # 0  
LDS-15-116  
16F1

CITY OF MEDFORD

EXHIBIT # P

File # LD9-15-116  
1 of 2

CITY OF MEDFORD  
EXHIBIT # ~~105 P~~  
File # LPS-15-116  
20FZ

# Vicinity Map

Application Name/Description:

**Re-plat of Cox Estates  
Phase 2**

Proposal:

**4 lot subdivision**

File Numbers:

**LDS-15-116**

Applicant:

**Sullivan Development, LLC**

Map/Taxlot:

**372W35DA**

**TL's 1007 - 1010**

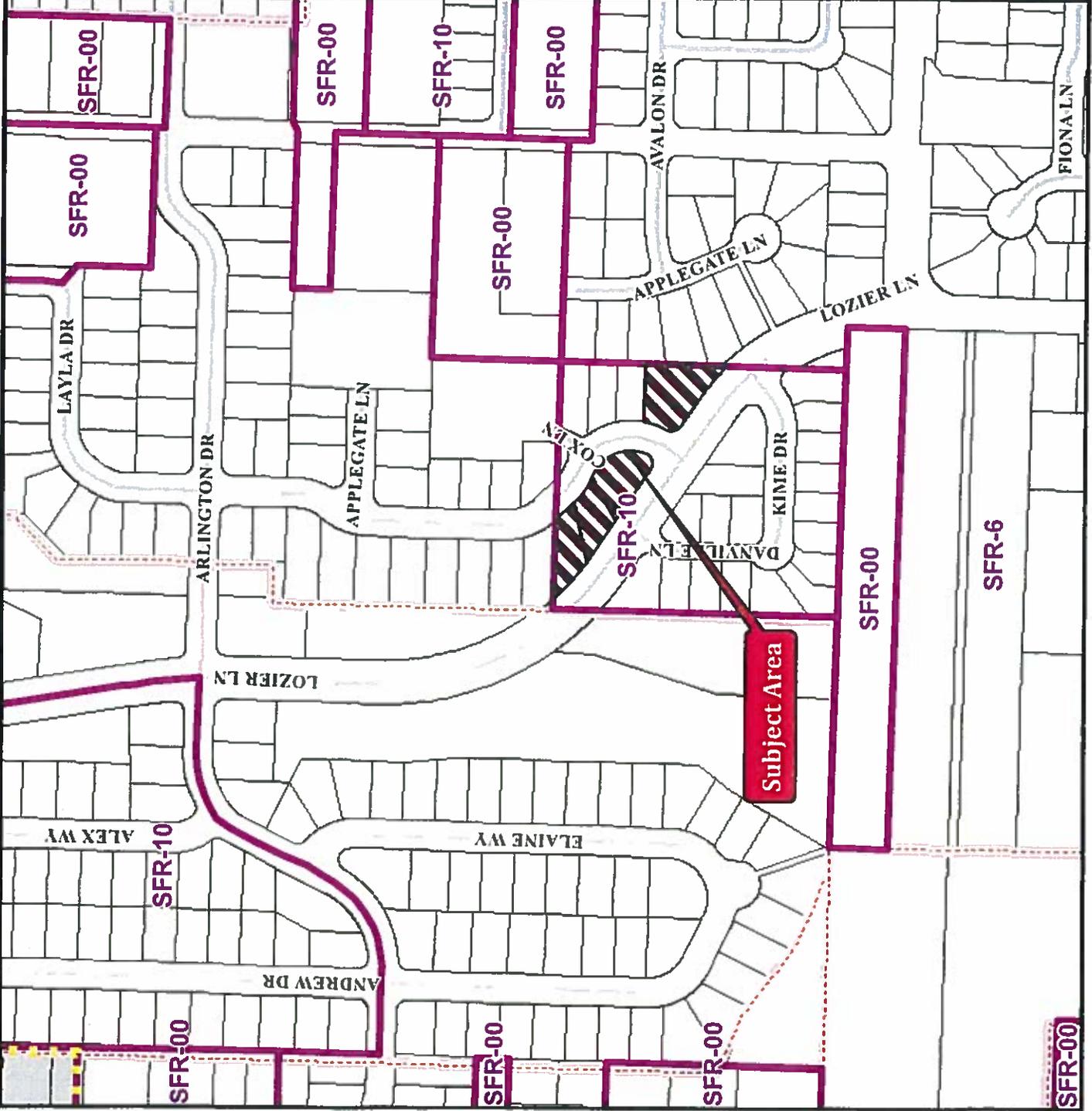
	Subject Area		Medford Zoning		UGB		Tax Lots		City Limits		PUD
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Area of Map



08/14/2015

## CITY OF MEDFORD PLANNING DEPARTMENT





## Planning Commission

# Minutes

from Public Hearing on **October 22, 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  
Patrick Miranda, Vice Chair  
Tim D'Alessandro  
Norman Fincher  
Joe Foley  
Bill Mansfield  
Mark McKechnie  
Jared Pulver

### Staff Present

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
Kevin McConnell, Deputy City Attorney  
Alex Georgevitch, City Engineer  
Terri Rozzana, Recording Secretary  
Desmond McGeough, Planner II

### Commissioners Absent

David Culbertson, Excused Absence

#### 10. Roll Call

#### 20. Consent Calendar/Written Communications.

**20.1 ZC-15-019** Final Order for 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)

Motion: Adopt the consent calendar.

Moved by: Vice Chair Miranda

Seconded by: Commissioner Fincher

Voice Vote: Motion passed, 7-1, with Commissioner McKechnie voting no.

#### 30. Minutes

**30.1.** The minutes for October 8, 2015, were approved as submitted.

#### 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 SV-15-101** Consideration of a request for the vacation of Farmington Avenue and Normil Terrace; segments of unimproved right-of-way within the southerly portion of the Cedar Landing Planned Unit Development, lying south of Cedar Links Drive and west of Foothill Road. (Cedar Investment Group LLC, Applicant; CSA Planning Ltd., Agent)

Chair McFadden inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. None were disclosed.

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

Desmond McGeough, Planner II, read the street vacation approval criteria and gave a staff report.

The public hearing was opened.

a. Craig Stone, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504-9173. Mr. Stone reported that he was appearing on behalf of Cedar Investment Group LLC. They are not the applicants in this matter. The City Council initiated this vacation under the request of CSA Planning Ltd.

The public hearing was closed.

**Motion:** The Planning Commission forwards a favorable recommendation to the City Council on application SV-15-101 per the staff report dated October 15, 2015, including Exhibits A through H.

**Moved by:** Vice Chair Miranda

**Seconded by:** Commissioner Foley

**Roll Call Vote:** Motion passed, 8–0.

**50.2 LDS-15-116** Consideration of a tentative plat to re-plat Lots 13-16 of Cox Estates Subdivision Phase 2, consisting of 0.75 net acres located on the northwest and northeast corners of Lozier Lane and Layla Drive within the SFR-10 (single-family residential 10 dwelling units per gross acre) zoning district. (Sullivan Development LLC, Applicant; Neathamer Surveying, Agent)

Chair McFadden inquired whether any Commissioners have a conflict of interest or ex parte communication they would like to disclose. None were disclosed.

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

Desmond McGeough, Planner II, read the land division criteria and gave a staff report.

Commissioner McKechnie asked Mr. McGeough to elaborate in detail the narrowing of the right-of-way on Layla Drive. Mr. McGeough replied that there is a bulb-out that tapers inward. A normal cross section is 28 feet paved, curb to curb. The bend is intended for traffic mitigation or common traffic measures.

Commissioner D'Alessandro asked where would the driveways connect with the pavement from these properties? Mr. McGeough deferred the question to the applicant. Mr. McKechnie stated that he did not think the City would allow them to put a driveway on Lozier. By default, the driveways would have to be on Layla Drive. Mr. McGeough agreed.

The public hearing was opened.

a. Scott Sinner, Sinner Consulting, Inc., 4401 San Juan Drive, Suite G, Medford, Oregon, 97504-9343. Mr. Sinner reported that Mr. Neathamer was on vacation and requested that Mr. Sinner represent Sullivan Development LLC at this evening's meeting. Mr. Sinner stated that he agrees with the staff report and all the comments made. They have discussed with Rogue Valley Sewer Services about sewer fees and the applicant is satisfied with that condition. Mr. Sinner addressed the parking issues. He and Mr. Sullivan met on-site today and they discussed what they can do to relieve some of the concerns. They are not changing or adding density. Two story structures are permitted in this zoning district. Mr. Sinner clarified that the right-of-way width is 55 feet which is the standard right-of-way requirements in the Code. The applicant will be using clustered driveways north of the traffic bulb. There will be no parking from the mailboxes to the traffic bulb. Parking and access is not allowed in the bulb. The development will create staggered and clustered parking approaches to maintain the flow of traffic. All driveway approaches will come off Layla Drive. Off street parking is very limited.

Commissioner McKechnie disclosed that Mr. Sinner was his neighbor but it would not affect his decision on this application.

Commissioner McKechnie asked when the duplexes are built will the driveways be combined to each side of the duplex to make one in the middle or put them on the opposite ends and put the units together? Mr. Sinner stated that he did not know.

b. James Catt, 1953 Layla Drive, Medford, Oregon, 97501. Mr. Catt is in support of the re-plat of Lots 13 through 16. Mr. Catt read his letter and submitted the letter into the record. The letter requests that the Planning Commission consider: 1) Requesting the applicant to build single level duplexes and homes on Lots 13 through 16; 2) Layla Drive is 27 feet wide at its widest point. With cars parked on the street it is reduced to single lane less than 11 feet in width. When campers, boats and utility trailers are parked on the street the driving lane can be reduced to less than 9 feet. Fire trucks are 10 feet 6 inches in width. When a fire truck is summoned it brings with it a support group of ambulance and other first responder units. Their ability to enter and exit these areas is

not possible at times; and 3) Allowing on-street parking in this area or any other area that has streets with a 27 foot width is creating a dangerous situation for its citizens and first responders. Mr. Catt requested that the Planning Commission create a no on-street parking zone on Layla Drive at the same time they approve the re-plat.

c. Shelli Campos, 1941 Layla Drive, Medford, Oregon, 97501. Ms. Campos agrees and is in support with Mr. Catt's testimony.

d. Leah Stelle, 1971 Layla Drive, Medford, Oregon, 97501. Ms. Stelle read her letter that was submitted into the record. Ms. Stelle's letter covers the same concerns as Mr. Catt's.

e. Tiffany Kirkpatrick, 1929 Layla Drive, Medford, Oregon, 97501. Ms. Kirkpatrick is in agreement with what the previous neighbors have testified.

f. Linda Messal, 341 Cox Lane, Medford, Oregon, 97501. Ms. Messal is also in agreement with Mr. Catt and the rest of her neighbor's testimonies. She has concerns with the health and safety of the neighborhood. She had an instance where she had to ask her neighbors to move their cars in order for an ambulance to get through. Ms. Messal took pictures that were submitted into the record of another instance where a truck on one side and a camper on the other side did not allow her get to her residence. She had to go around. Twenty-seven feet is not wide enough.

Alex Georgevitch, City Engineer, reported that the Public Works staff report does not have additional requirements. The streets are minor residential streets designed to serve 100 or less units in the code. The streets were built in accordance with the plans. The issue of parking, he does not believe, is an issue that the Planning Commission has authority over. He wants to make sure that if the neighborhood has issues they need to be contacting the Engineering Division and requesting any type of action like no parking or any other concerns they have. The Engineering Division has a citizen request form that is available on the website or they can call 541-774-2100. Mr. Georgevitch does not see any issues with this development impacting since there is no change in density, there is the exact number of homes, trip generations, etc. The Fire Department requires clustered driveways so there is parking only on one side of the street. The Fire Department tries to maintain 20 feet so they can have two way fire accesses.

Commissioner McKechnie asked if the bulb areas are painted? Mr. Georgevitch replied that they do not typically paint them.

Commissioner McKechnie asked if there were limitations on parking big rigs and what-not on City residential streets? Mr. Georgevitch replied not unless there is a prohibition that he is aware of. They have had to sign specific locations in the community.

Commissioner Pulver asked what is the width on Layla Drive? Mr. Georgevitch replied it is 28 feet curb to curb and a 55 foot right-of-way. Parking area is a 7 foot area. The Fire

Department wanted to either post no parking on one side or do staggered approaches so they can maintain their 20 feet through a neighborhood.

Commissioner Pulver asked Kevin McConnell, Deputy City Attorney to confirm Mr. Georgevitch's comment that the Planning Commission did not have the authority over parking issues.

Mr. McConnell read "6.370 Truck and Bus Parking Restrictions (1) No person shall park a motor truck, truck trailer, or commercial bus on a street in front of or within 100 feet of a hotel, apartment, residence building, City park or school between the hours of 9:00 p.m. and 7:00 a.m. During the remaining hours of the day, motor trucks, truck trailers and commercial buses may only park on residential streets of the City while in the process of loading or unloading persons or property to adjacent properties. This limitation does not apply to commercial and/or industrial zones." Mr. McConnell also read "6.345 Storing Vehicles or Objects on the Streets (2) No person owning or controlling any motor home, motor truck, truck trailer, manufactured dwelling, or manufactured structure, shall cause or permit it to be parked or maintained within one location on the right-of-way of any public street for longer than twenty-four consecutive hours." There are remedies.

Mr. Sinner clarified that this is the relocation of two approved duplex lots to two other larger lots. Mr. Sinner agrees with Mr. Georgevitch's comments. The applicant is going to try and do everything they can to cluster the driveways and relieve the situation as much as they can with their approaches.

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-15-116 per the staff report dated October 15, 2015, including Exhibits A through M and letters submitted at the meeting as Exhibit N and Exhibit O.

Moved by: Vice Chair Miranda

Seconded by: Commissioner McKechnie

Commissioner Pulver thanked the residents that came tonight. Their input is valuable. Hopefully they have received adequate direction on who to take their issues to.

Commissioner Fincher seconded Commissioner Pulver's comments.

Friendly amendment made by Commissioner Fincher: Include the submitted photographs as part of the record and labeling them Exhibit P.

Commissioner Foley echoed Commissioner Pulver's comments.

Roll Call Vote: Motion passed, 8-0.

**60. Reports****60.1 Site Plan and Architectural Commission.**

Commissioner D'Alessandro reported that the Site Plan and Architectural Commission met on Friday, October 16, 2015, but he deferred his report to Kelly Akin, Principal Planner, since he was not present at that meeting.

Ms. Akin reported that the Site Plan and Architectural Commission heard three projects. They heard a 5900 square foot office building on Barnett at North Phoenix, Joseph Office Park. It was approved. They heard a replacement coffee kiosk of the Human Bean on Stewart and Holly. It was approved. The third item was a 5100 square foot warehouse building for RV Concepts. It also was approved.

**60.2 Report of the Joint Transportation Subcommittee. None.****60.3 Planning Department**

Kelly Akin, Principal Planner, reported that Monday, October 26, 2015, the Planning Commission will have a study session. Discussion will be on reorganizing Article II of the Land Development Code.

There is an AFFH training that has to do with Fair Housing. There is a new federal law. The training will be held Wednesday, November 11, 2015, in the Medford Room at 5:30 p.m. Staff will send an email as a reminder to the Planning Commissioners.

There is business scheduled for the Planning Commission on Thursday, November 12, 2015. Thursday, November 26, 2015 is Thanksgiving. There is business scheduled for Thursday, December 10, 2015. Thursday, December 24, 2015 is Christmas eve and that meeting will be cancelled.

Last week the City Council initiated a street vacation at Holly and Garfield. The City Council heard more information on the Urban Growth Boundary. The record is still open. They continue to receive information.

City Council had a study session today on the Urban Growth Boundary with Planning staff.

Their November 5, 2015, City Council meeting is cancelled.

On November 19, 2015, City Council will hear the housekeeping amendment, the vacation that the Planning Commission heard this evening, an annexation and an appeal of a Site Plan and Architectural Commission decision. The Commission decided they did not have jurisdiction to hear an item.

**70. Messages and Papers from the Chair. None.****80. Remarks from the City Attorney. None.****90. Propositions and Remarks from the Commission. None.****100. Adjournment**

The meeting was adjourned at 6:50 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

110. Photographs for January Luncheon.

Due to all members were not present for photographs for the January Luncheon, the photograph session has been rescheduled to the Thursday, November 12, 2015, Planning Commission meeting.

Submitted by:

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Terri L. Rozzana  
Recording Secretary

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David McFadden  
Planning Commission Chair

Approved: November 12, 2015



# Planning Department

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

## STAFF REPORT – CONTINUANCE REQUEST

for a Type-C quasi-judicial decision: Land Division

Project West Meadows Village Subdivision  
Applicant: David & Elahe Young Family Trust  
Agent: Richard Stevens & Associates, Inc.

File no. LDS-15-118

To Planning Commission *for November 12, 2015 hearing*

From Kelly Akin, Principal Planner *ka*

Date November 5, 2015

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### PROJECT DESCRIPTION

Consideration of a tentative plat application for a mixed-use development to be known as West Meadows Village, consisting of a total of 15 lots on 9.14 acres within the SFR-10 (Single-Family Residential – 10 dwelling units per gross acre) and MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zone districts, with the PUD (Planned Unit Development) Zoning Overlay. Subject tentative plat consists of 5 single-family lots, 5 duplex lots, 2 commercial lots and 3 multi-family lots. The site is generally located on the east side of Lozier Lane on the north and south sides of Meadows Lane.

### REQUEST

The applicant requests that the item be continued to December 10, 2015, to allow time to perfect the proposed street alignments.

### EXHIBITS

- A Continuanance Request, received November 4, 2015  
Vicinity Map

PLANNING COMMISSION AGENDA:

NOVEMBER 12, 2015

# Continuance Request

To:  Landmarks and Historic Preservation Commission  
 Planning Commission  
 Site Plan and Architectural Commission

RE: Project Name: West Meadows Village Land Division  
File No(s): LDS-15-118

I am the  applicant  authorized agent for the above referenced project. Please continue the public hearing for the above referenced file to either:

the December 10<sup>th</sup> 2015 meeting,  
(hearing date)

or

for a period of \_\_\_\_\_ calendar days.

Reason for request: street alignments

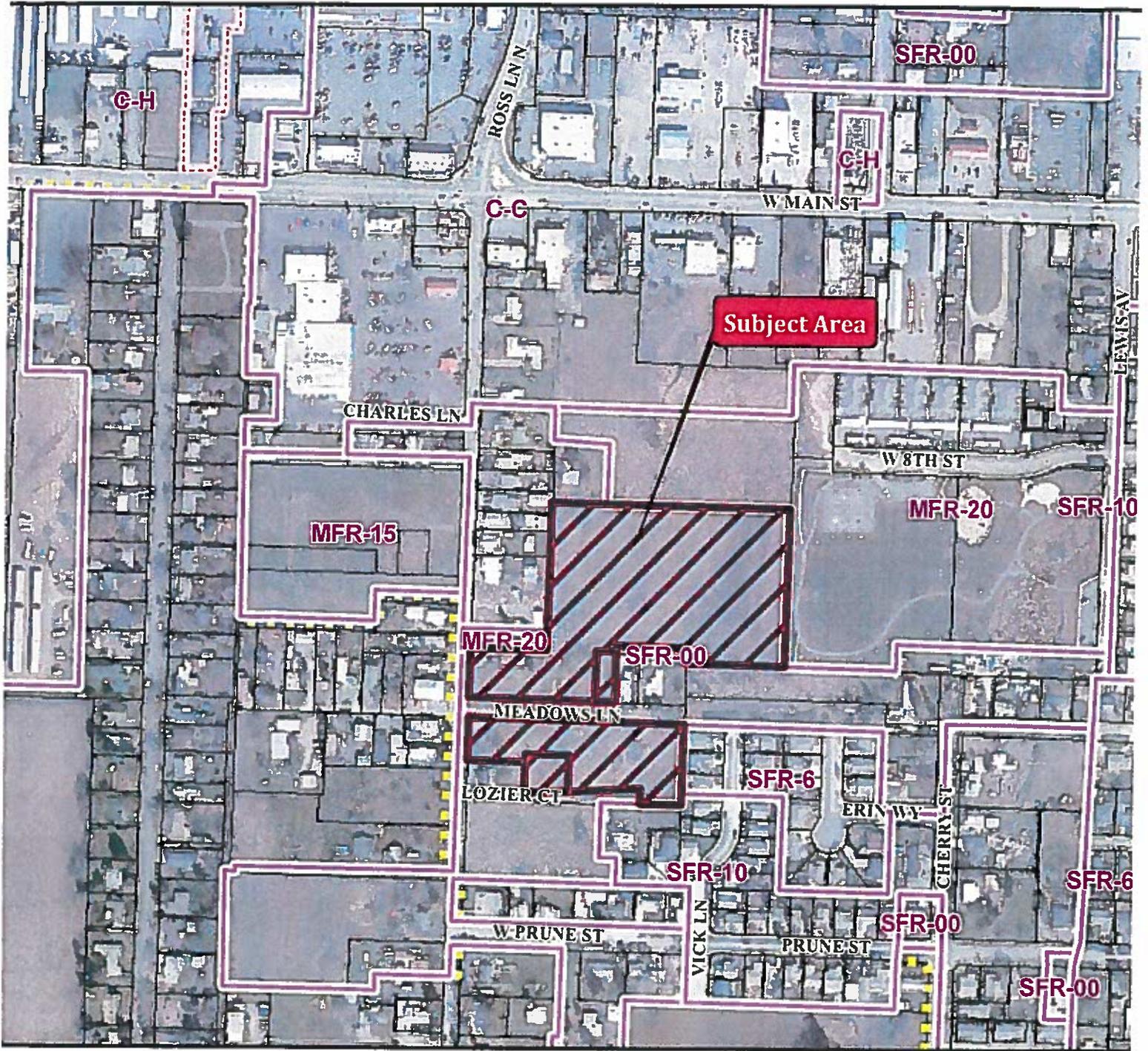
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This request is made pursuant to ORS 227.178(5).

Thank you,

Clark Stevens 11/3/15  
Signature Date

Clark Stevens  
Print Name

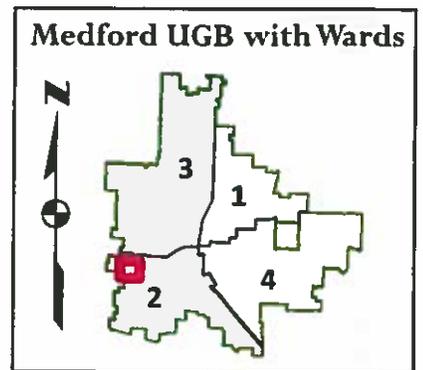


Project Name:  
**West Meadows Village**

Map/Taxlot:  
**372W26DA TL's 2200 & 2900**  
**372W26DD TL's 900 & 1000**



-  Subject Area
-  Medford Zoning
-  Tax Lots
-  PUD





**STAFF REPORT**

For a Type-C quasi-judicial decision: Zone Change

PROJECT Kantor / Malepsy / Kell Zone Change  
Applicants: Ryan Kantor, Mike Malepsy, and James Kell

FILE NO. ZC-15-117

TO Planning Commission *for November 12, 2015 hearing*

FROM Sarah Sousa, Planner IV

REVIEWER Kelly Akin, Principal Planner *KA*

DATE November 5, 2015

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**BACKGROUND**

Proposal

Request for a zone change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street.

Subject Site Characteristics

Zoning SFR-10  
GLUP SC (Service Commercial)  
Use Vacant

Surrounding Site Characteristics

North	SFR-10	Single family homes
South	C-S/P	Commercial uses
East	C-N	Neighborhood Commercial zone district, commercial uses
West	C-S/P	Commercial uses

Related Projects

CP-15-022 General Land Use Plan Map Amendment

Applicable Criteria

**ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227**

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

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

### Background

On May 21, 2015, the City Council adopted an ordinance changing the General Land Use Plan designation of the subject properties from Urban Residential (UR) to Service Commercial (SC). The property owners now seek to change the zoning on the same three properties from the current residential zone to a commercial zone.

### Transportation System Plan

As part of the approval, a demonstration must be made that the change of zone is consistent with the Transportation System Plan (TSP). The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian. A review of the subject properties determines the Rogue Valley International Medford Airport is located less than 3 miles to the north. Water and rail transportation is not available in Medford. Interstate 5 is approximately a half a mile to the west of the subject properties. All three properties have frontage upon East Jackson Street, designated as a Major Collector Street in the TSP.

### General Land Use Plan Designation

The General Land Use Plan designation for the subject property is Service Commercial. The Comprehensive Plan specifies that the proposed Service Commercial and Professional Office zoning is an appropriate zone under that designation.

### Agency Comments

#### *Public Works Department*

The Public Works Staff Report addresses sanitary sewer capacity, storm drainage facilities, and the transportation system (Exhibit B). The report states there are down gradient sanitary sewer capacity issues for this site but the proposed change in zoning will reduce the potential future sanitary sewer flow from the subject properties. With regard to storm drainage, the site lies within the Bear Creek East Drainage Basin. The subject properties will be required to provide stormwater quality and detention at the time of development. Last, a Traffic Impact Analysis was not required as part of the subject application and the Public Works Department is not recommending conditions of approval pertaining to streets or street capacity.

*Medford Water Commission*

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

Summary

Staff has reviewed the zone change request and finds that it meets the approval criteria in Medford Land Development Code Section 10.227. The proposal is consistent with the Transportation System Plan (TSP) and the GLUP designation. In regards to facility adequacy, the agency reports in Exhibits B & D demonstrate that Category A Urban Facilities are available or can and will be made available to serve the site.

**FINDINGS AND CONCLUSIONS**

Staff has reviewed the Applicant's Findings (Exhibit A) and recommends the Commission adopt the findings as presented.

**RECOMMENDED ACTION**

Adopt the Applicant's Findings and direct staff to prepare a Final Order for approval of ZC-15-117 per the staff report dated November 5, 2015, including Exhibits A through G.

**EXHIBITS**

- A Applicant's Findings of Fact received August 27, 2015
- B Public Works Department Staff Report received October 21, 2015
- C Medford Fire Department Report received October 21, 2015
- D Medford Water Commission memo received October 22, 2015
- E Email from the Oregon Department of Transportation received October 14, 2015
- F General Land Use Map
- G Jackson County Assessor's Map received August 27, 2015  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**NOVEMBER 12, 2015**

Findings of Fact

From Approval Criteria 10.227

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AUG 27 2015

PLANNING DEPT.

1) Each of the three properties that are a part of this proposal are .11 acre in size for a total acreage the proposed zone change is only .33 acre. In June of 2015 these properties were designated SC on the GLUP map, ordinance Cp-15-022. Therefore the property is consistent with the GLUP designation.

Due to the small amount of property involved and the commercial uses already in the area no traffic impact analysis was required. East Jackson, to the south, is designated as an arterial. Mae and Marie Streets, to the west and east, are normal residential streets. There is a new paved alley between Mae and Marie, which may be accessed by two of the three properties, and a new sewer line. The trip difference between the current SFR10 zoning and the proposed CSP zone is negligible. Again the lack of need for a traffic impact analysis supports this change and that it is consistent with the TSP.

Approval criteria (!) a-d do not apply to CSP zone.

(1) e (i) The subject property has been sited on the GLUP map with a GLUP Map designation of SC.

(iii) The properties are located with CSP zones to the south along E. Jackson, to the west across from Mae Street, and to the east across from Marie Street. These are the only properties on East Jackson in this area that are not commercially zoned.

2) a Applicant has been informed that storm drainage, sanitary sewer, and water facilities are adequate in the area for the minor change of usage of this proposal. The high CSP use already in the area also supports the change.

b Streets that serve the properties are adequate and no additional improvements are needed and no traffic impact analysis was required.

CITY OF MEDFORD  
EXHIBIT #   A    
File #   ZC-15-117



Continuous Improvement Customer Service

**CITY OF MEDFORD**

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OCT 21 2015

PLANNING DEPT.

L.D. Meeting Date: 10/14/2015

File Number: ZC-15-117

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
Kantor Zone Change**

**Project:** Request for a zone change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street; Ryan Kantor, Mike Malepsy, James Kell, Applicants (Ryan Kantor, Agent). Sarah Sousa, Planner.

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 East Jackson Street and in the alley adjacent to the parcels. It is not clear where the existing buildings on this site are connected. There are down gradient sanitary sewer capacity issues for this site. However, the proposed change in zoning will reduce the potential future sanitary sewer flow from this site. Therefore, the zone change is acceptable.

**II. Storm Drainage Facilities**

This site lies within the Bear Creek East Drainage Basin. The City of Medford does not have existing storm drain facilities in the immediate area other than the existing curb and gutter

system. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development.

### **III. Transportation System**

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per MMC 10.461 (3).

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs



# 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

**RECEIVED**

OCT 21 2015

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 10/21/2015

From: Fire Marshal Kleinberg

Report Prepared: 10/16/2015

File #: ZC - 15 - 117

### Site Name/Description:

Request for a zone change from SFR-10 (Single Family Residential - 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street; Ryan Kantor, Mike Malepsy, James Kell, Applicants (Ryan Kantor, Agent). Sarah Sousa, 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.



BOARD OF WATER COMMISSIONERS

**Staff Memo**

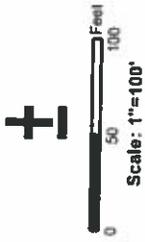
**RECEIVED**  
OCT 22 2015  
PLANNING DEPT

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** ZC-15-117  
**PARCEL ID:** 371W19DD TL's 8400, 8500 & 8600  
**PROJECT:** Request for a zone change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street; Ryan Kantor, Mike Malepsy, James Kell, Applicants (Ryan Kantor, Agent). Sarah Sousa, Planner.  
**DATE:** October 21, 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 is not required
6. MWC-metered water service does exist to these properties. There are three (3) ¾-inch water meters; one water meter serves each tax lot.
7. Access to MWC water lines for connection is available. There is a 6-inch water line in both Mae Street and Marie Street.



**Water Facility Map  
for  
ZC-15-117**

**Legend**

- A Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps

**Water Meters:**

- 4 Active Meter
- 4 On Well
- 4 Unknown
- 4 Vacant

**Water Valves:**

- E Butterfly Valve
- G Gate Valve
- R Tapping Valve

**Water Mains:**

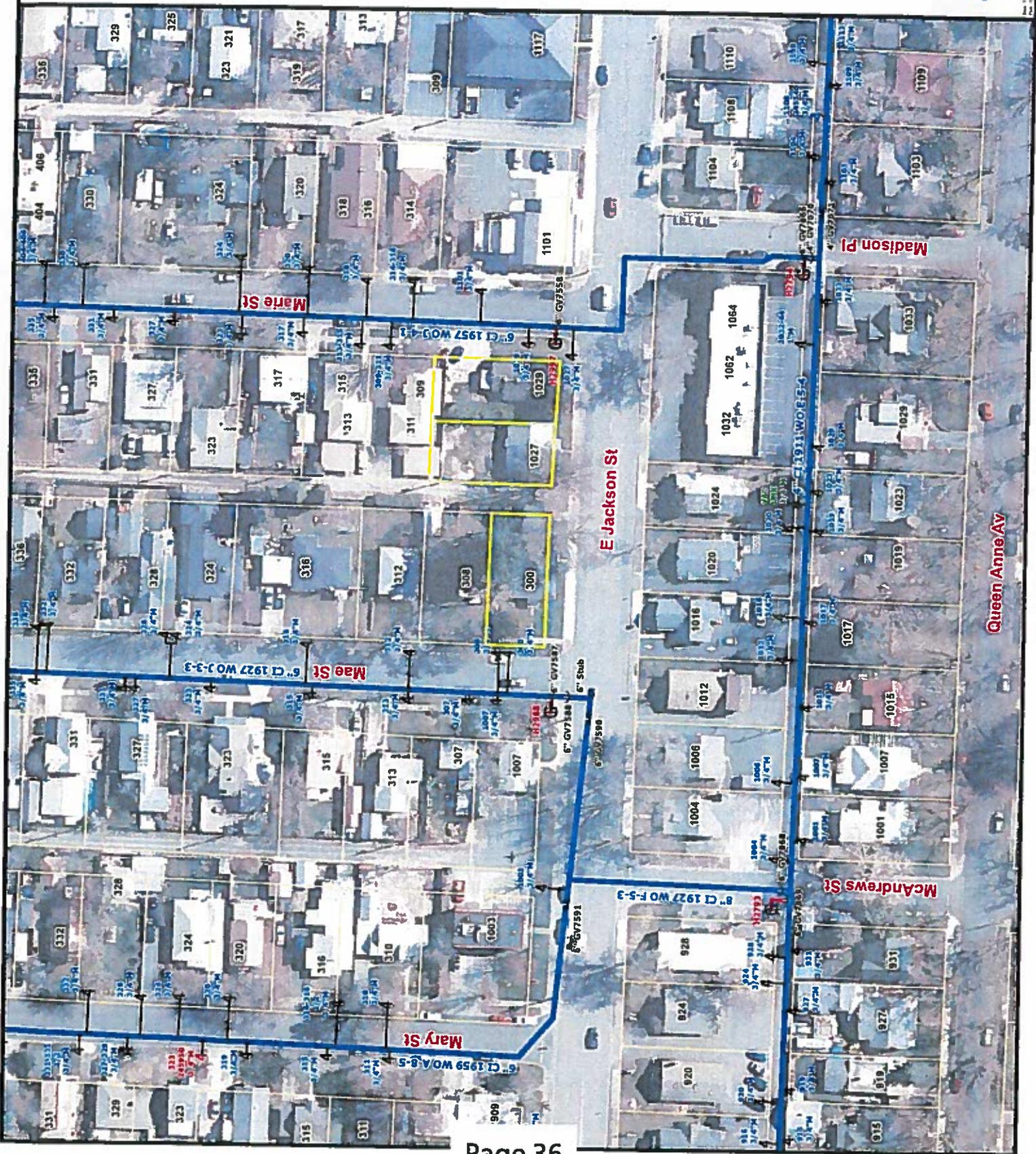
- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

**Boundaries:**

- Urban Growth Boundary
- City Limits
- Tax Lots

**MWC Facilities:**

- Control Station
- Pump Station
- Reservoir



**Sarah K. Sousa**

---

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>  
**Sent:** Wednesday, October 14, 2015 2:39 PM  
**To:** Sarah K. Sousa  
**Subject:** ZC-15-117

**RECEIVED**

OCT 14 2015

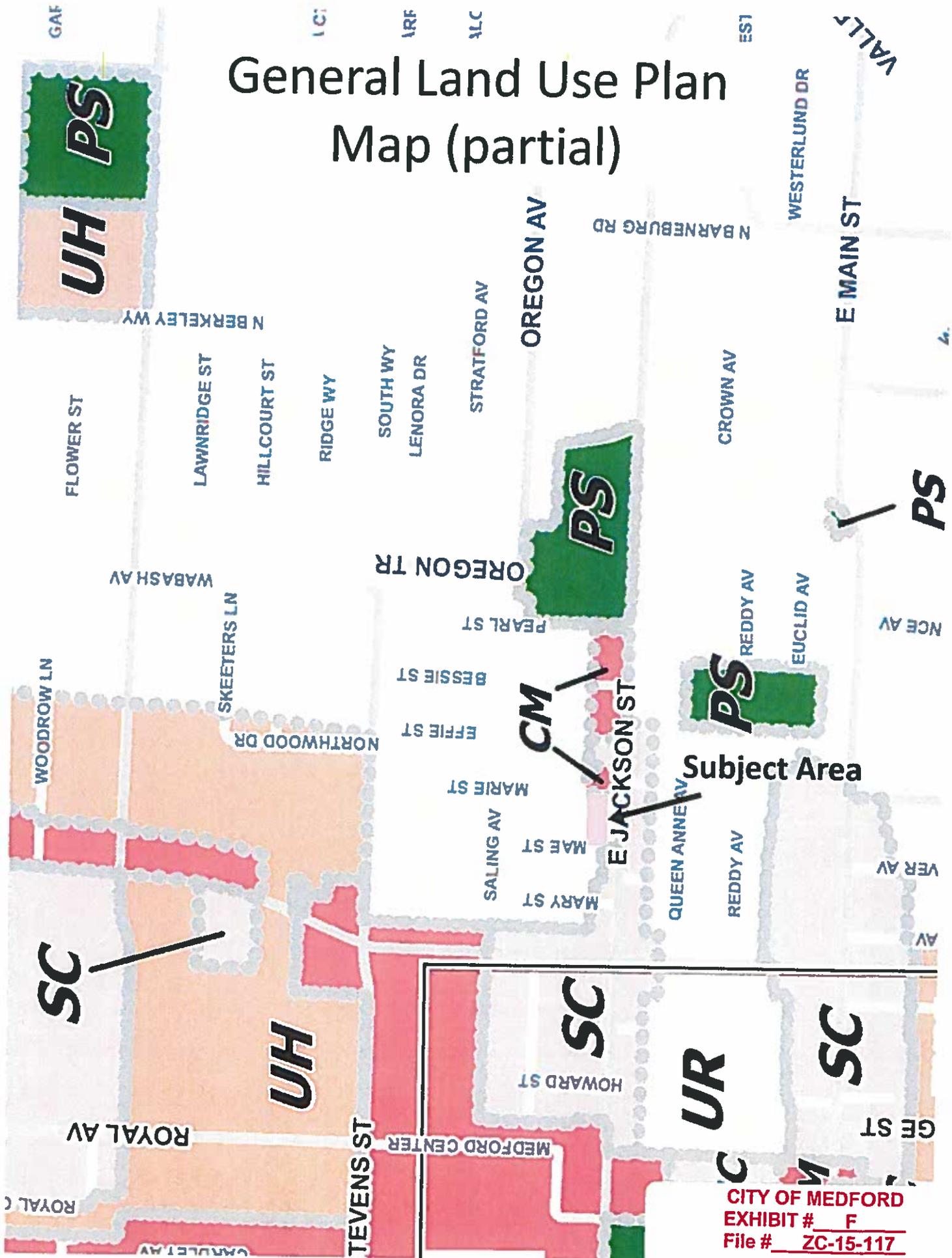
PLANNING DEPT.

Sarah,

Thank you for sending agency notice of a request for a zone change from SFR-10 (Single Family Residential – 10 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on three lots on East Jackson Street between Mae Street and Marie Street with addresses of 300 Mae Street, 1027 E. Jackson Street, and 1029 E. Jackson Street. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

**Don Morehouse**  
**Senior Transportation Planner**  
**ODOT Region 3, District 8 (Rogue Valley Tech Center)**  
**Ph: (541) 774-6399**  
**Fax: (541) 774-6349**  
**Donald.Morehouse@odot.state.or.us**

# General Land Use Plan Map (partial)



CITY OF MEDFORD  
 EXHIBIT # F  
 File # ZC-15-117

MAE

RECEIVED 9800  
AUG 27 2015  
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MARIE

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10500	
CS 18562	

60'

20'

60'

100'

40'

20'

APPROX.  
1/16 COR.

JACKSC

CITY OF MEDFORD  
EXHIBIT # G  
File # ZC-15-117



# City of Medford Planning Department

Vicinity  
Map

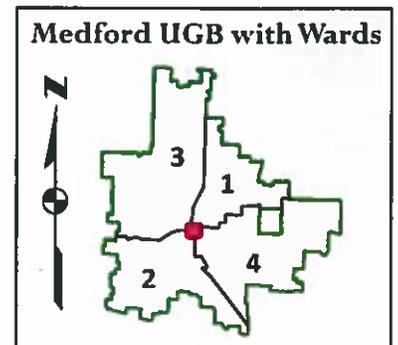
File Number:  
**ZC-15-117**



Project Name:  
**Jackson Street Zone Change  
(SFR-10 to C-S/P)**

Map/Taxlot:  
**371W19DD  
TL's 8400, 8500 & 8600**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  PUD



09/01/2015



# 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      Housing Authority of Jackson County Zone Change  
Applicant: Housing Authority of Jackson County Agent  
Agent: Scott Sinner Consulting, Inc.

FILE NO.      ZC-15-127

TO              Planning Commission *for November 12, 2015 hearing*

FROM          Sarah Sousa, Planner IV

REVIEWER     Kelly Akin, Principal Planner *h*

DATE           November 5, 2015

### BACKGROUND

#### Proposal

Request for a zone change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on two parcels on the west side of Orchard Home Drive approximately 400 feet north of Westwood Drive (372W35DA Tax Lots 1300 & 1400).

#### Subject Site Characteristics

Zoning        SFR-6  
GLUP         UH (Urban High Density Residential)  
Use            Vacant

#### Surrounding Site Characteristics

North        SFR-00      Vacant  
South        SFR-6       Single family homes  
East         SFR-6       Single family homes  
West         SFR-6       Single family homes

Related Projects

A-04-270 Annexation  
ZC-05-263 Zone Change (SFR-00 to SFR-6)  
LDS-07-112 Subdivision (expired)  
CP-13-032 GLUP Map Amendment (UGBA)

Applicable Criteria

**ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227**

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

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**

### Background

At the time of annexation in 2005, the subject property was given a holding zone of SFR-00 (Single Family Residential, one dwelling unit per existing lot) (A-04-270). Following annexation, two land use applications were submitted and approved: a zone change to the current SFR-6 zone in 2005 (ZC-05-263) and a 16-lot subdivision in 2007 (LDS-07-112). The subdivision approval has since expired.

On December 4, 2014, the City Council adopted an ordinance changing the General Land Use Plan (GLUP) designation of approximately 500 acres throughout the Urban Growth Boundary in order to increase development capacity. At that time the GLUP designation for the subject property was changed from Urban Residential (UR) to Urban High Density Residential (UH).

### Issues/Analysis

Staff has reviewed the zone change request and finds that it meets the approval criteria in Medford Land Development Code Section 10.227. The proposed MFR-20 zone district is permitted within the UH GLUP designation, and the proposal is consistent with the Transportation System Plan (TSP). In regards to facility adequacy, the agency reports in Exhibits B, D, and E demonstrate that Category A Urban Facilities are available or can and will be made available to serve the site.

## **FINDINGS AND CONCLUSIONS**

Staff has reviewed the Applicant's Findings (Exhibit A) and recommends the Commission adopt the findings as presented.

## **RECOMMENDED ACTION**

Adopt the Applicant's Findings and direct staff to prepare a Final Order for approval of ZC-15-127 per the staff report dated November 5, 2015, including Exhibits A through I.

**EXHIBITS**

- A Applicant's Findings of Fact received September 11, 2015
- B Public Works Department Staff Report received October 21, 2015
- C Medford Fire Department Report received October 21, 2015
- D Medford Water Commission memo received October 22, 2015
- E Letter from Rogue Valley Sewer Services received October 9, 2015
- F Email from the Oregon Department of Transportation received October 14, 2015
- G General Land Use Map
- H Southwest Medford Circulation Map received September 11, 2015
- I Jackson County Assessor's Map received September 11, 2015  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**NOVEMBER 12, 2015**

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

IN THE MATTER OF AN APPLICATION FOR )  
A ZONE CHANGE FOR THE PROPERTIES IDENTIFIED AS )  
T372W35DA TAX LOTS 1300, 1400, )  
HOUSING AUTHORITY OF JACKSON COUNTY )  
SCOTTSINNER CONSULTING, INC. AGENT )

FINDING OF FACT **RECEIVED**  
AND  
CONCLUSIONS SEP 11 2015  
OF LAW PLANNING DEPT.

I. BACKGROUND INFORMATION

Applicant:

Housing Authority of Jackson County  
Jason Elsey  
2251 Table Rock Road  
Medford, OR 97501  
[Jason@hajc.net](mailto:Jason@hajc.net)

Agent:

Scott Sinner Consulting, Inc.  
4401 San Juan Dr. Suite G  
Medford, OR 97504  
[scottsinner@yahoo.com](mailto:scottsinner@yahoo.com)

Property 1:

37 2W 35 DA TL 1300  
Housing Authority of Jackson County  
1634 Orchard Home Drive  
Medford, OR 97501  
SFR-6 current zoning  
2.32 net acreage

Property 2:

37 2W 35 DA TL 1400  
Housing Authority of Jackson County  
Adjacent to 1634 Orchard Home Drive  
Medford, OR 97501  
SFR-6 current zoning  
.35 net acreage

CITY OF MEDFORD  
EXHIBIT #   A    
File #   ZC-15-127

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Project Summary:

The subject properties are currently zoned SFR-6 units per acre and the applicant seeks approval for this application to rezone the properties to the MFR-20 zoning district. The net acreage of the subject properties totals 2.67 acres and the gross acreage is 2.74 acres.

The General Land Use Plan Map designation for the property was changed from Urban Residential (UR) to Urban High Density (UH) in 2015 through City Council action. The approval of this application would rezone the property to the MFR-20 zoning district.

Approval Criteria:

The relevant approval criteria for the requested zone change from SFR-6 to SFR-10 are within MLDC 10.227 as provided below:

*10.227 Zone Change Criteria*

*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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*

*(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 (1) of the following ways:*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

*(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 (1) 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 (1) 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 (2) 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 or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:*

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

*(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.*

---

*(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.)*

Findings of Fact:

The Oregon Transportation Planning Rule requires a jurisdiction considers all modes of transportation in a land use decision. A review of this property determines water and rail transportation are not available.

The subject properties are 7.1 miles from the Rogue Valley International Airport, and 2.64 miles from Interstate Highway 5 (I-5). The subject properties have frontage on Orchard Home Drive.

Referring to the adopted South West Circulation Plan within the adopted Transportation System Plan (TSP), Orchard Home Drive is classified as a Major Collector street. Orchard Home Drive,, when fully improved to the standards identified in the MLDC will include bicycle lanes and sidewalks to promote both bicycle and pedestrian modes of transportation.

These standards are consistent with the adopted Medford Transportation System Plan, therefore also consistent with the Oregon Transportation Planning Rule.

The General Land Use Plan Map (GLUP) map designation for the subject properties is the UH Urban High Density Residential designation. The UH designation allows for the MFR-20 and MFR 30 zoning districts. The requested zone change proposed with this application is the MFR-20 zoning district and is consistent with the GLUP designation.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Conclusions of Law:

The Planning Commission can conclude this application is consistent with the adopted Medford Transportation System Plan and also the Oregon Transportation Planning Rule, and the MFR-20 zoning district is appropriate within the UR GLUP designation.

*(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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*

*(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.*

Findings of Fact:

In preparing this application the Medford Public Works Department was contacted to determine the ability to access the existing public storm drainage facilities in the area. According to Roger Thom of the Public Works Department the property has direct access to an existing storm drainage facility at the western side of the property. Future development will be subject to the current City requirements for storm water control and treatment and there is adequate capacity for the proposed zone change.

The subject property is within the Rogue Valley Sewer Service (RVS) territory. According to Carl Tappert of RVS the sanitary sewer facilities have adequate capacity for the purposes of the requested zone change. Future development of the properties will require the extension of facilities in accordance with the standards for development at the time of development.

Rodney Grehn of the Medford Water Commission indicated the Medford Water Commission provides municipal water for this area and there is adequate capacity for the requested zone change. Future development of the properties will require the extension of facilities in accordance with the standards for development at the time of development.

Conclusions of Law:

The Planning Commission can conclude the subject property has access to public facilities for stormwater, sanitary sewer, and domestic water, and these facilities have adequate capacity for the approval of the proposed zone change.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

*(b) Adequate streets and street capacity must be provided in one (1) 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 (1) 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 (1) 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 (2) 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.*

Findings of Fact:

The subject properties currently have frontage and access from Orchard Home Drive. Orchard Home Drive is classified as a major collector on the Adopted Southwest

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:

Medford Circulation Plan. The adopted Transportation System Plan for the City of Medford indicates a Major Collector street section requires a total Right of Way width of 74 feet at full development.

Attached with this application is the required Traffic Impact Analysis Form completed by Peter Mackprang of the Public Works Department. The form indicates there are no requirements for an additional Traffic Impact Analysis.

Further development of the property will include conditions to improve the public street frontages to the current standards contained in the MLDC and the TSP.

The higher order streets in the vicinity are improved or have adequate capacity as defined by MLDC 10.225 (2) (b) (i) and the frontage streets will be improved to the current city standards with future development consistent with MLDC 10.225 (2) (b) (ii).

Conclusions of Law

The Planning Commission can conclude the streets in the vicinity of the requested zone change have adequate capacity as defined in MLDC 10.227 (2).

*(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 or 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.*

Findings of Fact:

**BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD:**

In preparing this application for a zone change from the SFR-6 zoning district to the MFR-20, the agencies were queried and the replies indicated any limitations identified in MLDC 10.227 (2) (c) will not be necessary as the facilities are available for the requested zone change from SFR-6 to SFR-10.

**Conclusions of Law**

The Planning Commission can conclude the Category A public facilities are available without limitations or restrictions for the requested zone change.

**Application Summary and Conclusion:**

This application identifies the relevant approval criteria contained in the MLDC for a zone change from the SFR-6 zoning district to the MFR-20 zoning district.

The Findings of Fact demonstrate consistency with the Oregon Transportation Planning Rule, the Medford Transportation System Plan and the General Land Use Plan Map.

The Category A Facilities are currently available or can be made available as described in the MLDC for the purposes of approval of the requested zone change.

On behalf of the applicant, I respectfully request the approval of this application.

Scott Sinner  
Scott Sinner Consulting, Inc.





Continuous Improvement Customer Service

**CITY OF MEDFORD**

**RECEIVED**  
OCT 21 2015  
PLANNING DEPT

Revised Date: 10/21/2015  
File Number: ZC-15-127

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Housing Authority Zone Change**

**Project:** Request for a zone change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on two parcels on the west side of Orchard Home Drive approximately 1150 feet north of Sunset Drive (372W35DA Tax Lots 1300 & 1400). Housing Authority of Jackson County, Applicant (Scott Sinner Consulting, Inc., Agent). Sarah Sousa, Planner.

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 Rogue Valley Sewer Service (RVSS) area. The applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

**II. Storm Drainage Facilities**

This site lies within the Little Elk Creek Drainage Basin. The City of Medford has existing storm drain facilities in Orchard Home Drive. In addition, Little Elk Creek runs in close proximity or possibly through this parcel. This site would be able to connect to these facilities at the time of development. Some locations may require easements. This site will be required to provide stormwater quality and detention at time of development.

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P:\Staff Reports\CP, DCA, & ZC\ZC only\ZC-15-127 Orchard Home Dr. - Housing Authority\ZC-15-127 Staff Report-Revised.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 #   B**  
**File #   ZC-15-127**

### III. Transportation System

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per MMC 10.461 (3).

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs  
Revised by: Jodi K. Cope



# 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**

OCT 21 2015

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 10/21/2015

From: Fire Marshal Kleinberg

Report Prepared: 10/16/2015

File #: ZC - 15 - 127

### Site Name/Description:

Request for a zone change from SFR-6 (Single Family Residential - 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential - 20 dwelling units per gross acre) on two parcels on the west side of Orchard Home Drive approximately 1150 feet north of Sunset Drive (372W35DA Tax Lots 1300 & 1400). Housing Authority of Jackson County, Applicant (Scott Sinner Consulting, Inc., Agent). Sarah Sousa, 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.



BOARD OF WATER COMMISSIONERS

**Staff Memo**

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

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

**SUBJECT:** ZC-15-127

**PARCEL ID:** 372W35DA TL's 1300 & 1400

**PROJECT:** Request for a zone change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on two parcels on the west side of Orchard Home Drive approximately 1150 feet north of Sunset Drive (372W35DA Tax Lots 1300 & 1400); Housing Authority of Jackson County, Applicant (Scott Sinner Consulting, Inc., Agent). Sarah Sousa, Planner.

**DATE:** October 21, 2015

**RECEIVED**  
OCT 22 2015  
PLANNING DEPT

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 NOT exist to this property.
7. These parcels are currently located within MWC's "Gravity" Pressure Zone.
8. Access to MWC water lines for connection is available. There are existing "Gravity" pressure zone water lines in Orchard Home Drive and Cunningham Avenue.



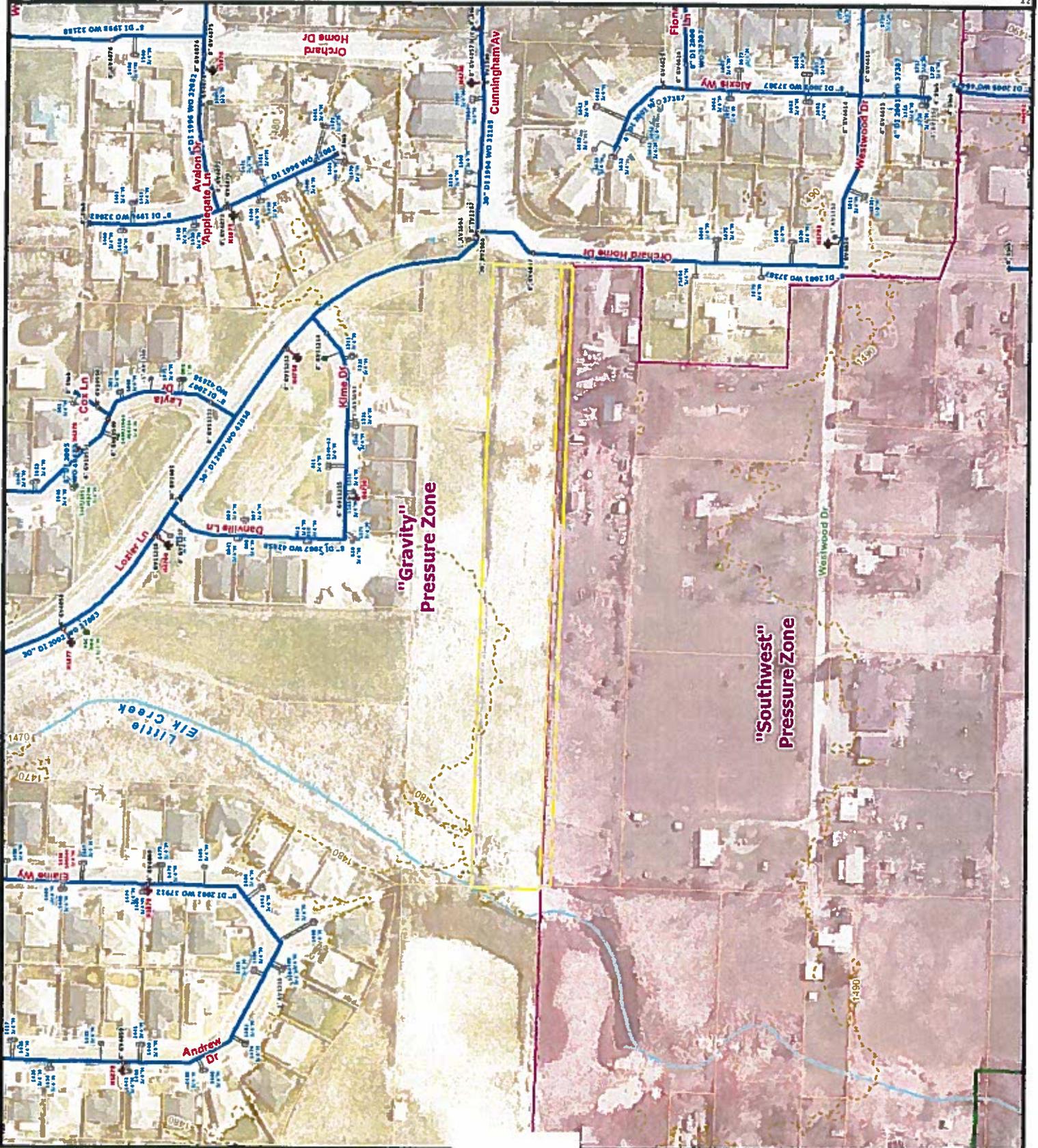
# Water Facility Map for ZC-15-127

## Legend

- A Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:
  - 4 Active Meter
  - 1 On Well
  - 4 Unknown
  - 4 Vacant
- Water Valves:
  - E Butterfly Valve
  - Gate Valve
  - R Tapping Valve
- Water Mains:
  - Active Main
  - Abandoned Main
  - Reservoir Drain Pipe
  - Pressure Zone Line
- Boundaries:
  - Urban Growth Boundary
  - City Limits
  - Tax Lots
- MWC Facilities:
  - Control Station
  - Pump Station
  - Reservoir



MEADOW WATER COMMISSION  
 1000 S. 10th Street, Suite 100, Phoenix, AZ 85006  
 Phone: (602) 258-1234 Fax: (602) 258-1235  
 Website: www.meadowwater.com





RECEIVED

OCT 09 2015

PLANNING DEPT.

## ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005  
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

October 9, 2015

Medford Planning Department  
411 West 8th Street  
Medford, Oregon 97501

**Re: ZC-15-127, Housing Authority of Jackson County Zone Change, Tax Lots 1300, 1400  
Map 372W35DA (REF: LDS-07-112, ZC-05-263;)**

ATTN: Sarah,

The subject property is currently served by a connection to the 10 inch sewer main on Orchard Home Drive. There is adequate capacity to serve the proposed increased density.

Feel free to call me if you have any questions regarding this project.

Sincerely,

Carl Tappert P.E.  
Manager

K:\DATA\Agencies\MEDFORD\PLANNING\Zone Change\2015\ZC-15-127\_Housing  
Authority.doc

CITY OF MEDFORD  
EXHIBIT #   E    
File #   ZC-15-127

**Sarah K. Sousa**

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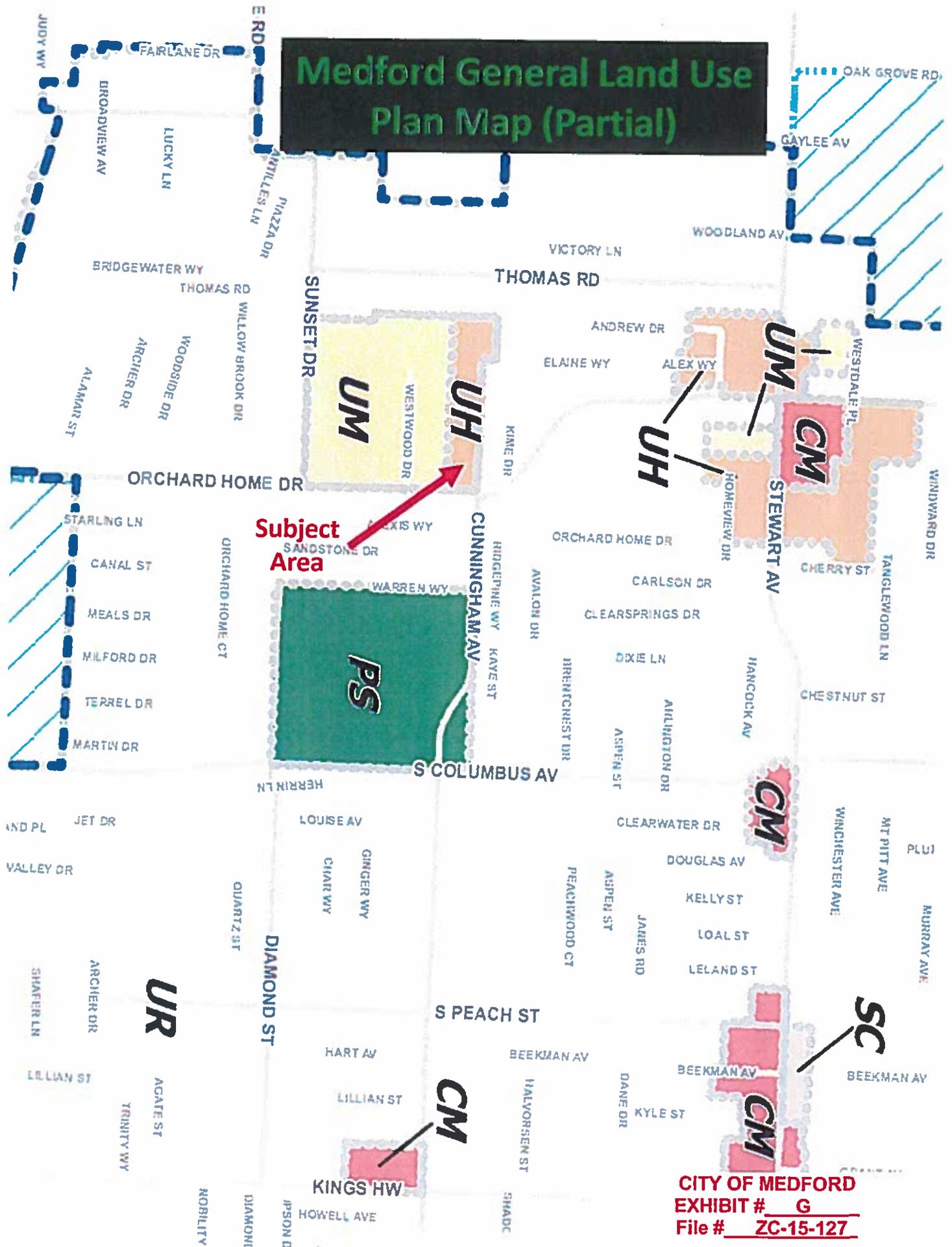
**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>  
**Sent:** Wednesday, October 14, 2015 2:42 PM  
**To:** Sarah K. Sousa  
**Subject:** ZC-15-127

Sarah,

Thank you for sending agency notice of a request for a zone change from SFR-6 (Single Family Residential – 6 dwelling units per gross acre) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) on two parcels on the west side of Lozier Lane at the intersection of Cunningham Avenue and Lozier Lane (372W35DA Tax Lots 1300 & 1400) We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

**Don Morehouse**  
**Senior Transportation Planner**  
**ODOT Region 3, District 8 (Rogue Valley Tech Center)**  
**Ph: (541) 774-6399**  
**Fax: (541) 774-6349**  
**Donald.Morehouse@odot.state.or.us**

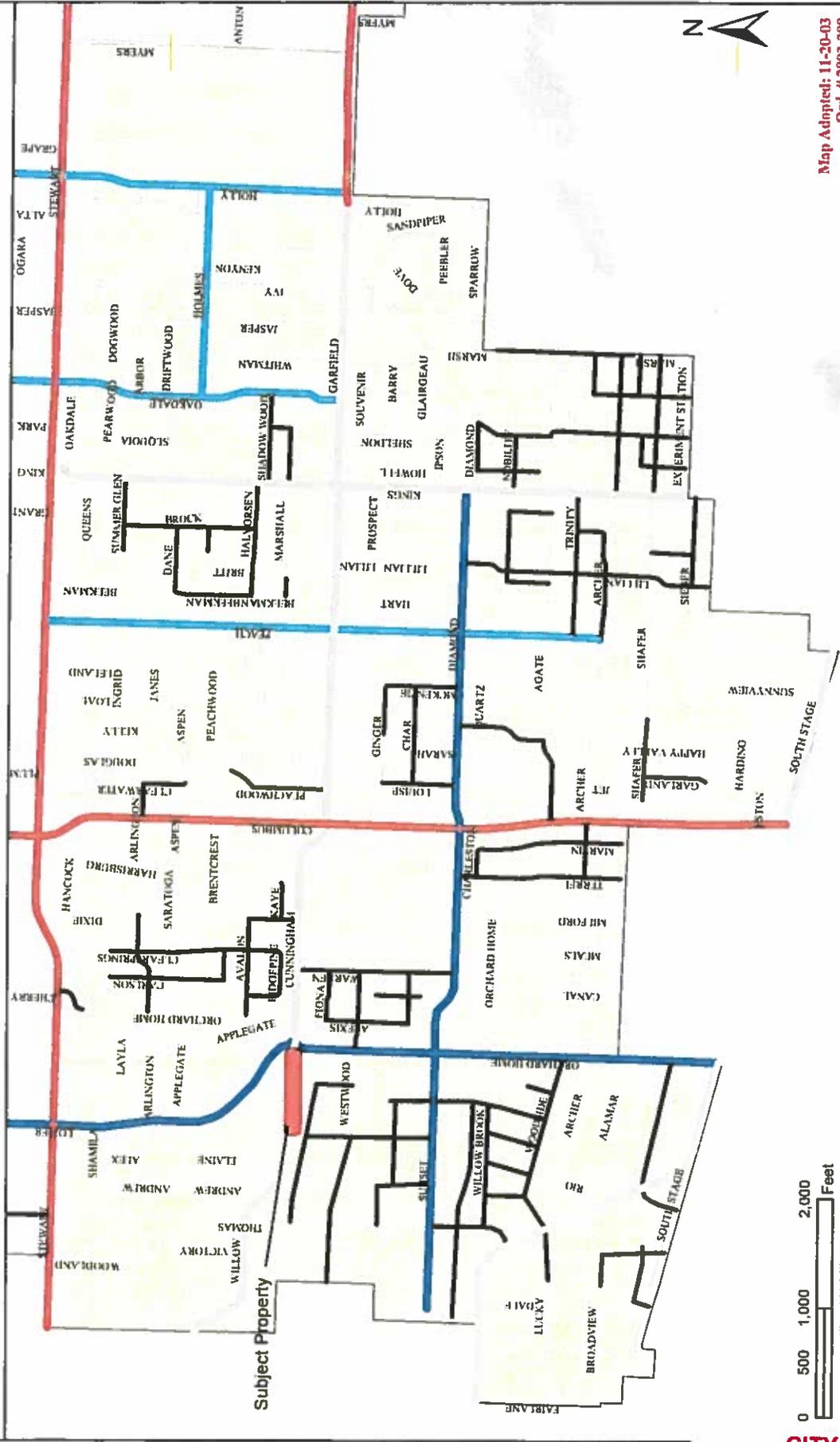
# Medford General Land Use Plan Map (Partial)



**Subject Area**

**CITY OF MEDFORD**  
**EXHIBIT #   G**  
**File #   ZC-15-127**

# Adopted Southwest Medford Circulation Plan



Map Adopted: 11-20-03  
 Ord. # 2003-299  
 Map Printed: 1-29-04

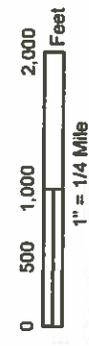
The Geographic Information System (GIS) data used in this map was derived from the City of Medford and Oregon County. The City and Oregon County are not responsible for the accuracy of the data. The user assumes all responsibility for the use of the data. THE CITY OF MEDFORD AND OREGON COUNTY ARE NOT RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS ARISING FROM THE USE OF THIS INFORMATION. THE CITY OF MEDFORD AND OREGON COUNTY ARE NOT RESPONSIBLE FOR ANY DAMAGE TO PROPERTY OR PERSONS ARISING FROM THE USE OF THIS INFORMATION.



UGB  
 Adopted Circulation  
 Plan Area

### Street Classifications

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Residential
- Other Streets



CITY OF MEDFORD  
 EXHIBIT #   H    
 File #   ZC-15-127  

I:\Project Files\Planning\Circulation Plans\Southwest\Southwest Circulation Plan.mxd





City of Medford  
**Planning Department**

Vicinity  
 Map

File Number:  
**ZC-15-127**



Project Name:

**Housing Authority of J. Co. -  
 Zone Change (SFR-6 to MFR-20)**

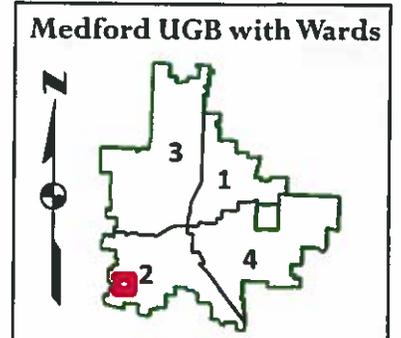
Map/Taxlot:

**372W35DA TL's 1300 & 1400**



10/27/2015

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





# 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 Mabry Zone Change  
 Applicant: Michael/Carolyn Mabry

FILE NO. ZC-15-119

TO Planning Commission *for November 12, 2015 hearing*

FROM Tracy Carter, Planner II

REVIEWER Kelly Akin, Principal Planner *KA*

DATE November 5, 2015

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### BACKGROUND

#### Proposal

Consideration of a request for a change of zone from SFR-6 (Single Family Residential, six dwelling units per gross acre) to MFR-20 (Multiple-Family Residential, 20 dwelling units per gross acre) on approximately 1.12 acres located on the north side of Berrydale Avenue approximately 300-feet from Howard Avenue.

#### Subject Site Characteristics

Zoning SFR-6  
 GLUP UH (Urban High Density Residential)  
 Use Existing single family homes

#### Surrounding Site Characteristics

North	SFR-6	Single family homes
South	SFR-6	Single family homes
	MFR-20	Multi-Family Residential
East	SFR-6	Single family homes
	MFR-20	Manufactured homes
West	SFR-6	Single family homes

Applicable Criteria

**ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227**

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

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 1.12 acres located just north of Berrydale Avenue and east of Howard Avenue. The site is partially developed with two single family homes.

The applicant has submitted Findings of Fact (Exhibit B) concluding that the proposed MFR-20 zoning is an allowable zone within the Urban High Density (UH) GLUP designation. Urban services and facilities are available to serve the subject property, with the exception of sanitary sewer. The applicant has stipulated to develop no more than the equivalent of seven single family residential units as a condition of approval until the downstream sanitary sewer system is improved with sufficient capacity to serve the potential future development, whether by a developer or the City of Medford. The Public Works Staff Report (Exhibit C) is discussed below.

### *Traffic Impact Analysis*

The Public Works Staff Report (Exhibit C) states that a Traffic Impact Analysis was not required as part of the subject application due to the low number of trip generation.

### *Urban Services and Facilities*

The subject property lies within the City of Medford Sewer Service area. The proposed zone change has the potential to increase flows to the sanitary sewer system significantly. The downstream sanitary sewer system currently has a number of capacity constraints. The Public Works Report recommends that the applicant stipulate to only develop an equivalent of seven single family residential units in order to not exceed the current zoning limitations, or that the Developer make improvements to the downstream sanitary sewer system to alleviate the capacity constraints, or that the Commission deny the request (Exhibit C).

Storm drain facilities are available to serve the subject site (Exhibit C).

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

With the exception of sanitary sewer facilities, the conclusion can be made that all of the zone change criteria have been met. The Commission may apply a condition of

approval limiting the number of units that may be constructed until adequate capacity becomes available.

#### **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-15-119 per the staff report dated November 5, 2015, including Exhibits A through G.

#### **EXHIBITS**

- A Conditions of Approval dated November 5, 2015
- B Applicant's Revised Findings of Fact received October 29, 2015
- C Public Works Department Staff Report received October 14, 2015
- D Medford Fire Department Report received October 14, 2015
- E Medford Water Commission Staff Memo received October 21, 2015
- F Oregon Department of Transportation email received October 15, 2015
- G Memo from Building Department received October 9, 2015  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**NOVEMBER 12, 2015**

**EXHIBIT A**

Mabry Zone Change  
ZC-15-119  
Conditions of Approval  
November 5, 2015

**DISCRETIONARY CONDITIONS**

1. Accept the applicant's stipulation to develop no more than the equivalent of seven single family residential units until the downstream sanitary sewer is improved with sufficient capacity to serve the potential future development.

**CODE REQUIRED CONDITIONS**

2. Within 30-days of the approval of the Final Order, the applicant shall produce a restrictive covenant, in a form acceptable to the City Attorney, and record such covenant for each of the subject properties stipulating to only develop an equivalent of seven single family residential units until the downstream sanitary sewer system is improved with sufficient capacity to serve the potential future development.
3. Comply with the Public Works Report received October 14, 2015 (Exhibit C).

CITY OF MEDFORD  
EXHIBIT # A  
File # ZC-15-119

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

IN THE MATTER OF AN APPLICATION FOR )  
A CHANGE OF ZONING DESIGNATION ON )  
A 1.12-ACRE TRACT OF LAND, LOCATED )  
ON THE NORTH SIDE OF BERRYDALE )  
AVENUE, EAST OF HOWARD AVENUE; )  
MICHAEL & CAROLYN MABRY, )  
APPLICANTS; RICHARD STEVENS & )  
ASSOCIATES, INC., AGENT )

**RECEIVED**  
OCT 20 2015  
PLANNING DEPT.

**FINDINGS OF FACT**

**I. BACKGROUND INFORMATION:**

**APPLICANTS:** Michael & Carolyn Mabry  
233 Berrydale Ave.  
Medford, OR 97501

**AGENT:** Richard Stevens & Associates, Inc.  
P.O. Box 4368  
Medford, OR 97501  
(541) 773-2646

**APPLICATION:** A request for a zone change from Single Family Residential (SFR-6) to Multiple Family Residential (MFR-20), consistent with the Comprehensive Plan designation for the site, which is Urban High Density Residential. The subject tract, described as T.37S-R.2W-S.13CB, Tax Lots 2408 & 2500, is 1.18 gross acres (1.12 net acres). The subject tract is located on the north side of Berrydale Avenue, east of Howard Avenue, in the City of Medford, Oregon. The abutting lands are used for residential purposes, and are zoned SFR-6 & MFR-20. The area to be rezoned is adjacent to properties that have been developed to the extent that water, sewer, street improvements and other public facilities have been extended into the area.

CITY OF MEDFORD  
EXHIBIT # B  
FD# ZC-15-119

## II. APPLICABLE CRITERIA:

**Section 10.226, Application Form:** *A zone change application shall contain the following items:*

- 1) *Vicinity map drawn at a scale of 1" = 1,000' identifying the proposed area of change.*

**Discussion:**

A vicinity map can be found in Exhibit A.

- 2) *Assessor's map with proposed zone change area identified.*

**Discussion:**

An assessor's map can be found in Exhibit A.

- 3) *Legal description of area to be changed. Legal description shall be prepared by a licensed surveyor or title company.*

**Discussion:**

The legal description of both properties can be found in Exhibit B.

- 4) *Property owner's names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.*

**Discussion:**

The mailing labels can be found in Exhibit B.

- 5) *Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.*

**Discussion:**

Section 10.227 is addressed below within these findings.



**Conclusion:**

The City of Medford concludes that the applicant has submitted the required information, and has addressed Section 10.227, in compliance with Section 10.226 MLDC.

**FINDING:**

The City of Medford finds that the applicant has submitted the required information, consistent with Section 10.226.

**Section 10.227, Zone Change Criteria:** *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.*

**Discussion:**

A review of the General Land Use Plan Map indicates that the subject tract is designated on the General Land Use Plan Map as 'Urban High Density Residential' (UH). The proposed zoning district for the subject tract is MFR-20. The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that MFR-20 is a permitted zoning district within the UH designation, consistent with the provisions of Section 10.306 of the Medford Land Development Code. Due to the proposed zoning, Sections (1)(a-d) are not applicable.

**Conclusion:**

The City of Medford concludes that the proposed zone is consistent with the General Land Use Plan Map designation, and Sections (1)(a-d) are not applicable.

**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.*
    - (A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
    - (B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*
    - (C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*



The current zoning of the subject tract is SFR-6, and the gross acreage is 1.18 acres; therefore, a maximum of 7 single family dwelling units (du) is allowed ( $1.18 \text{ acres} \times 6 \text{ du/acre} = 7.08$ , or 7 du when rounded down to the nearest whole number). Per the 9<sup>th</sup> Edition ITE Manual, the current ADTs for a single family dwelling are 9.52, and the current ADTs for an apartment are 6.63. Therefore, the ADTs for the current zoning of the subject tract are calculated to be 66.64 ADTs ( $7 \text{ du} \times 9.52 \text{ ADT/du}$ ). Upon rezoning the property to MFR-20, the maximum density allowed will be 23 dwelling units ( $1.18 \text{ acres} \times 20 \text{ du/acre} = 23.6$ , or 23 du when rounded down to the nearest whole number). The potential ADTs for the proposed change of zoning are calculated to be 152.49 ADTs ( $23 \text{ du} \times 6.63 \text{ ADT/du}$ ). Therefore, the ADTs will increase by 85.85 ( $152.49 \text{ ADTs} - 66.64 \text{ ADTs} = 85.85$  additional ADTs), which will NOT significantly affect an existing or planned transportation facility. This is further supported on Page 10 of the application form by City of Medford's Associate Traffic Engineer identifying the proposed zone change as NOT requiring a Traffic Impact Analysis.

**Conclusion:**

The City of Medford concludes that the proposed zone change is consistent with the TSP and Oregon Transportation Planning Rule and will not significantly affect an existing or planned transportation facility.

**FINDING:**

The City of Medford finds that the proposed zone change is consistent with the General Land Use Plan Map, the TSP and Oregon Transportation Planning Rule and will not significantly affect an existing or planned transportation facility. This application is in compliance with Section 10.227(1) MLDC.

- 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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*

**Discussion:**

The Medford Comprehensive Plan, Public Facilities Element, provides the list of Category "A" services and facilities to be considered, which are water service, sanitary sewer, storm drainage, and streets.

**Water Service:** Water service is provided by the Medford Water Commission, which is currently serving the subject tract and the urban uses in the vicinity. There is an existing



6-inch main line located along Berrydale Avenue. Extension and development of a looped water system within the subject tract is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject tract 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 tract, as seen in the October 21, 2015 Staff Memo from Medford Water Commission (Exhibit B).

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 Berrydale Avenue that serves residences in the vicinity. This collection line is available to be extended to serve the future development of the subject tract. Additional sewer service connection will be extended to the subject tract by the owner/developer consistent with existing regulations.

The Public Works Department's Staff Report (Exhibit B) states that there is not currently enough capacity in the downstream sanitary sewer system to serve all of the potential units. However, there is currently sufficient capacity to allow for an equivalent of 7 SFR units. Therefore, the applicants agree to develop no more than the equivalent of 7 SFR units as a condition of approval until the downstream sanitary sewer system is improved with sufficient capacity to serve the potential future development, whether by a developer or the City of Medford.

Sewage treatment is provided by the Regional Water Reclamation Facility (RWRF). 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.

Development of the subject tract 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:** The subject tract lies within the Elk Creek Basin. Currently, there are existing ditches and culverts providing storm drainage for the area. The construction drawings that will be prepared for the development of this property will provide the engineering of the storm sewer system in accordance with the City of Medford.

**Streets:** Berrydale Avenue, a local street, is identified as currently having 900 ADTs, and presently has ample capacity to accommodate the projected vehicle trips from the



development of the site. The future construction of dwelling units will be charged a system development fee for the improvements of arterial and collector streets.

The current zoning of the subject tract is SFR-6, and the gross acreage is 1.18 acres; therefore, a maximum of 7 single family dwelling units (du) is allowed (1.18 acres x 6 du/acre = 7.08, or 7 du when rounded down to the nearest whole number). Per the 9<sup>th</sup> Edition ITE Manual, the current ADTs for a single family dwelling are 9.52, and the current ADTs for an apartment are 6.63. Therefore, the ADTs for the current zoning of the subject tract are calculated to be 66.64 ADTs (7 du x 9.52 ADT/du). Upon rezoning the property to MFR-20, the maximum density allowed will be 23 dwelling units (1.18 acres x 20 du/acre = 23.6, or 23 du when rounded down to the nearest whole number). The potential ADTs for the proposed change of zoning are calculated to be 152.49 ADTs (23 du x 6.63 ADT/du). Therefore, the ADTs will increase by 85.85 (152.49 ADTs – 66.64 ADTs = 85.85 additional ADTs), which is NOT a significant amount to trigger a Traffic Impact Analysis. This is further supported on Page 10 of the application form by City of Medford's Associate Traffic Engineer identifying the proposed zone change as NOT requiring a Traffic Impact Analysis.

#### **CONCLUSION:**

Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the future development of the subject tract. Sanitary sewer service is available to the site and capacity is currently sufficient to accommodate for an equivalent of 7 SFR units. The applicants agree as a condition of approval to develop no more than the equivalent of 7 SFR units until the downstream sewer capacity is improved. Storm drainage will be engineered and designed in accordance with the requirements of the City of Medford upon development of the subject tract. Based on the potential additional ADTs being less than 250, a Traffic Impact Analysis is not required for the proposed change of zoning adjacent to Berrydale Avenue, and sufficient capacity exists.

#### **FINDING:**

The City of Medford finds that there are adequate Category "A" public facilities available and with exception to the downstream sanitary sewer, sufficient capacity exists to extend these facilities to serve the proposed zoning of MFR-20 and future development of the subject tract. Sufficient capacity of the downstream sewer system currently exists to serve the equivalent of 7 SFR units; therefore, the applicants agree as a condition of approval to develop no more than the equivalent of 7 SFR units until the downstream sewer capacity is improved. This application is in compliance with Section 10.227(2) MLDC.

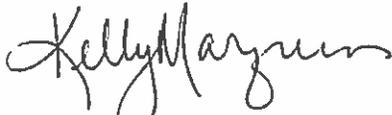


### III. SUMMARY AND CONCLUSIONS:

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, Findings of Fact, and supporting documentation attached demonstrates that this application complies with the applicable standards of the Land Development Code, and is consistent with the GLUP map, Medford TSP, and Oregon Transportation Planning Rule.

The applicant respectfully requests that the City of Medford designate the subject tract, identified as T.37S-R.2W-S.13CB, Tax Lots 2408 and 2500 as MFR-20 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,



RICHARD STEVENS & ASSOCIATES, INC.





**not exceed current zoning limitations, or the Developer make improvements to the downstream sanitary sewer system to alleviate the capacity constraints.**

## **II. Storm Drainage Facilities**

This site lies within the Little Elk Creek Drainage Basin. The City of Medford has existing storm drain facilities in Berrydale Avenue (ditch), Howard Avenue (pipe) and DeBarr Avenue (pipe). This site would be able to connect to these facilities at the time of development. Some locations will require easements. This site will be required to provide stormwater quality and detention at time of development.

## **III. Transportation System**

No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per MMC 10.461 (3).

No conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs



# 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**

**OCT 14 2015**

**PLANNING DEPT.**

## LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 10/14/2015

From: Fire Marshal Kleinberg

Report Prepared: 10/05/2015

File #: ZC - 15 - 119

### Site Name/Description:

Consideration of a request for a change of zone from SFR-6 (Single Family Residential, six dwelling units per gross acre) to MFR-20 (Multiple-Family Residential, 20 dwelling units per gross acre) on approximately 1.12 acres generally located at the northeast corner of the intersection of Howard Avenue and Berrydale Avenue; Michael & Carolyn Mabry, Applicants (Richard Stevens & Associates, Inc., Agent). Tracy Carter, 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.

CITY OF MEDFORD  
EXHIBIT # D  
File # ZC-15-119



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**RECEIVED**

OCT 21 2015

PLANNING DEPT.

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

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

**SUBJECT:** ZC-15-119

**PARCEL ID:** 372W13CB TL's 2408& 2500

**PROJECT:** Consideration of a request for a change of zone from SFR-6 (Single Family Residential, six dwelling units per gross acre) to MFR-20 (Multiple-Family Residential, 20 dwelling units per gross acre) on approximately 1.12 acres generally located at the northeast corner of the intersection of Howard Avenue and Berrydale Avenue; Michael & Carolyn Mabry, Applicants (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner.

**DATE:** October 21, 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 is two (2) ¾-inch water meters that serves these two parcels located at 233/235 & 237 Berrydale Avenue.
7. Access to MWC water lines for connection is available. There is a 6-inch water line in Berrydale Avenue.



Scale: 1"=100'

# Water Facility Map for ZC-15-119

## 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:
  - Control Station
  - Pump Station
  - Reservoir



Medford Water Commission  
1000 N. Pacific Highway, Medford, Oregon 97504  
Phone: 541-754-2200 Fax: 541-754-2201  
www.medfordwater.com



**Tracy R. Carter**

---

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>  
**Sent:** Tuesday, October 13, 2015 4:04 PM  
**To:** Tracy R. Carter  
**Subject:** ZC-15-119

**RECEIVED**

OCT 15 2015

PLANNING DEPT.

Tracy,

Thank you for sending agency notice of a consideration of a request for a change of zone from SFR-6 (Single Family Residential, six dwelling units per gross acre) to MFR-20 (Multiple-Family Residential, 20 dwelling units per gross acre) on approximately 1.12 acres generally located at the northeast corner of the intersection of Howard Avenue and Berrydale Avenue. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

**Don Morehouse**  
**Senior Transportation Planner**  
**ODOT Region 3, District 8 (Rogue Valley Tech Center)**  
**Ph: (541) 774-6399**  
**Fax: (541) 774-6349**  
**Donald.Morehouse@odot.state.or.us**

CITY OF MEDFORD  
EXHIBIT # F  
File # ZC-15-119

**Tracy R. Carter**

---

**From:** Chad E. Wiltrout  
**Sent:** Friday, October 09, 2015 4:13 PM  
**To:** Tracy R. Carter  
**Subject:** LDC memo

**RECEIVED**  
OCT 09 2015  
PLANNING DEPT.

Hi Tracy,

There are no comments for the zone change (ZC-15-119) for the LDC meeting on 10/14/15.

Thanks,

*Chad Wiltrout*  
Assistant Building Safety Director  
Building Division  
P- 541-774-2363  
F- 541-618-1707  
[Chad.wiltrout@cityofmedford.org](mailto:Chad.wiltrout@cityofmedford.org)

CITY OF MEDFORD  
EXHIBIT # G  
File # ZC-15-119

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Project Name:  
**Mabry Zone Change  
(SFR-6 to MFR-20)**

Map/Taxlot:  
**372W13CB TL's 2408 & 2500**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  PUD



09/01/2015

