

SITE PLAN & ARCHITECTURAL  
COMMISSION  
AGENDA  
FEBRUARY 5, 2016



Commission Members

Jeff Bender, Chair

Jim Quinn, Vice Chair

Jim Catt

Bill Chmelir

Tim D'Alessandro

Bob Neathamer

Marcy Pierce

Curtis Turner

Rick Whitlock

City Council Liaison - Dick Gordon

City Council Liaison Alt. - Eli Matthews

Regular Commission meetings are held on  
the first and third Fridays of every month

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380



# Agenda

Public Hearing

February 5, 2016

12:00 P.M.

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

- 
10. Roll Call.
    - 10.1 Election of Officers
  20. Consent Calendar/Written Communications.
    - 20.1 AC-15-156 Consideration of plans for the future development of Delta Center Phase 2, consisting of 30,570 square feet of commercial and office development on a 4.71 acre site, generally located 550 feet north of the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, approximately 200 feet west of Delta Waters Road within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district. Crater Lake Venture LLC, Applicant (Ron Grimes Architects, Agent).
  30. Minutes.
    - 30.1 Approval of minutes for the January 15, 2016, meeting.
  40. Oral and Written Requests and Communications.
  50. Public Hearings. None.
  60. Written Communications. None.
  70. Unfinished Business. None.
  80. New Business.
    - 80.1 Airport Revisions – §10.031
  90. Report from the Planning Department.
  100. Messages and Papers from the Chair.
  110. Propositions and Remarks from the Commission.
  120. City Council Comments.
  130. Adjournment.

BEFORE THE MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF SITE PLAN AND ARCHITECTURAL COMMISSION )  
FILE AC-15-156 APPLICATION FOR PROJECT REVIEW SUBMITTED ) ORDER  
BY CRATER LAKE VENTURE LLC. )

AN ORDER granting approval of plans for the future development of Delta Center Phase 2, consisting of 30,570 square feet of commercial and office development on a 4.71 acre site, generally located 550 feet north of the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, approximately 200 feet west of Delta Waters Road within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district.

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.285.
2. The Site Plan and Architectural Commission has duly held a public hearing on the matter of an application of plans for the future development of Delta Center Phase 2, consisting of 30,570 square feet of commercial and office development on a 4.71 acre site, generally located 550 feet north of the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, approximately 200 feet west of Delta Waters Road within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district, with a public hearing a matter of record of the Site Plan and Architectural Commission on January 15, 2016.
3. At the public hearing on said application, evidence and recommendations were received and presented by the Planning Department staff; and
4. At the conclusion of said public hearing, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded, granted approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of approval.

THEREFORE LET IT BE HEREBY ORDERED that the application of Crater Lake Venture LLC., stands approved subject to compliance with the conditions stated in the Commission Report dated January 15, 2016.

AND LET IT FURTHER BE OF RECORD that the action of the Site Plan and Architectural Commission approving this application is hereafter supported by the following findings:

- (a) That the proposed development, with the conditions of approval, complies with the applicable provisions of all city ordinances as determined by the staff review.

FINAL ORDER AC-15-156

- (b) That the proposed development is compatible with uses and development that exist on adjacent land, based upon information provided in the Applicant's Questionnaire and presented at the public hearing.

BASED UPON THE ABOVE, it is the finding of the Medford Site Plan and Architectural Commission that the project is in compliance with the criteria of Section 10.290 of the Land Development Code.

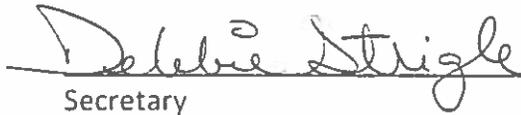
Accepted and approved this 5<sup>th</sup> day of February, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

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Site Plan and Architectural Commission Chair

ATTEST:

  
Secretary



**COMMISSION REPORT**

for a Type-C quasi-judicial decision: **Architectural and Site Plan Review**

PROJECT      Delta Center Phase 2  
                   Crater Lake Venture LLC, Applicant; Brian Westerhout, Ron Grimes  
                   Architects pc, Agent

FILE NO.      AC-15-156

DATE            January 15, 2016

**BACKGROUND**

Proposal

Consideration of plans for the future development of Delta Center Phase 2, consisting of 30,570 square feet of commercial and office development on a 4.71 acre site, generally located 550 feet north of the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, approximately 200 feet west of Delta Waters Road within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district.

Subject Site Characteristics

Zoning	I-L/PD	Light Industrial with Planned Unit Development Zoning Overlay
GLUP	GI	General Industrial
Use	Shopping Center	

Surrounding Site Characteristics

North	I-L/PD	Vacant Property Delta Center
	C-C	Retail uses
South	I-L/PD	Delta Center Phase I, Retail/Office
	I-L	Vacant Property
East	C-R	Shopping center, King Center Retail Development
West	I-L	Vacant Land – Future Highway 62 Bypass Rogue Valley International - Medford Airport

Related Projects

PUD-04-241	Delta Center Preliminary PUD Plan
Res. #05-172	Preliminary PUD Approval via stipulated Writ of Mandamus

AC-06-265	30,610 sq. ft. Building 7 commercial building, Best Buy (expired)
AC-06-266	57,078 sq. ft. Building 6 commercial building, Sportsman's Warehouse
AC-07-174	Buildings 1-5
AC-12-062	Texas Roadhouse Restaurant
AC-13-035	Buffalo Wild Wings Restaurant

#### Applicable Criteria

##### Medford Land Development Code (MLDC) §10.290

The Site Plan and Architectural Commission shall approve a site plan and architectural review application if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

- (1) The proposed development is compatible with uses and development that exist on adjacent land; and
- (2) The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in MLDC § 10.253.

#### Corporate Names

The application identifies Nash LLC and Crater Lake Ventures, LLC as owners. The Secretary of the State Business Registry lists Daniel A. Nash as the agent for Nash LLC and C. A. Galpin as the agent for Crater Lake Ventures, and Charles & Julie Martinez as members.

### **ISSUES AND ANALYSIS**

#### Background

The subject development received preliminary PUD approved (PUD-04-241, Exhibit "W") via a stipulated Writ of Mandamus, and as adopted by the Council August 18, 2005 by approval of Resolution No. 2005-172. The first two buildings of Phase 1 were approved by the Site Plan and Architectural Commission on December 1, 2006. These applications included Sportsman's Warehouse – Building 6 (AC-06-266), and a Best Buy – Building 7 (AC-06-265), in which plan approval eventually expired.

Buildings 1-5 of the Delta Center were approved by the Site Plan and Architectural Commission on November 2, 2007 (AC-07-174). The Planning Commission approved a request for revision to Building 5 on January 26, 2012. Texas Roadhouse - Building 5 (AC-12-062) was approved by the Site Plan & Architectural Commission on November 2,

2012. All buildings associated with the approval of AC-07-174, Delta Center Buildings 1-5, have all been constructed.

The Final PUD Plan for Phase 1 identified Building 7 as a 30,038 square foot retail building. A de minimis PUD revision request was made to change Building 7 from retail use to a restaurant, and to reduce the size of the structure to 5,979 square feet. The Planning Director forwarded the de minimus request to the Planning Commission for a determination of consistency with the Phase 1 Final PUD plan. The Planning Commission did find the changes to the Building 7 site to be consistent with the Delta Center Phase 1 Final PUD plan. On June 13, 2013, the Site Plan and Architectural Commission approved the site plan application for Buffalo Wild Wings restaurant (AC-13-035), which currently occupies the Building 7 site. Uses within Phase 1 include restaurants, sporting goods store, cell phone providers, a shipping store, an eye care provider, video game shop and a coffee shop.

The portion of Delta Center PUD (Phase 2) currently proceeding forward is described in the application narrative as consisting of two commercial buildings with associated site parking and landscaping, and four office building pad sites to be built at a later date. The total project square footage of the proposed with the Phase 2 site plan application is 30,570 square feet. The review of the site plan and architecture of the subject application by the Site Plan and Architectural Commission is a requirement by Condition 3 of the stipulated Writ of Mandamus, which provides the following:

“Prior to development of each building, (vertical construction), plans (site, building, landscape, etc.) shall be submitted for Architectural Commission review and approval per Land Development Code Section 10.295-10.296. Such review is in lieu of postponed Planning Commission review of designs as proposed by Sections 10.235(A)(2)(c) and 10.235(F)(2)” (Exhibit “U” pp.1-2).

#### Deviations from Approved Preliminary PUD

There are two significant discrepancies between the subject site plan for Phase 2 and the approved Preliminary PUD Plan, which is identified as Exhibit “A” in the court stipulated writ, and as adopted by the City Council through Resolution No. 2005-172.

The applicant’s narrative notes that Phase 2 of the Delta Center PUD will encompass commercial and office/professional space totaling 30,570 square feet. The two commercial buildings (Building 8 and Building 9) will comprise 17,700 square feet. Building 8 is a 9,300 square foot commercial/retail building. Building 9 is an 8,470 square foot commercial building with drive through. Buildings 10 through 13 will be office and professional buildings totaling 12,800 square feet. Based on the applicant’s

narrative, construction of Buildings 8 and 9 is intended to commence as soon as feasible. Office buildings (Building 10-13) will be built at a later date.

The first inconsistency with the approved Preliminary PUD Plan pertains to the 17,770 of commercial/retail space located within Phase 2. The approved Preliminary Plan for the Delta Center PUD (Exhibit "A" – Writ of Mandamus) only contemplated office uses and one small financial institution/restaurant building of 4,000 square feet. All commercial development identified in the Preliminary PUD Plan was located within Phase 1 of the development.

It should be noted that the Preliminary PUD for the Delta Center and Final PUD Plan for Phase 1 recognized Building 7 as a 30,038 square foot retail building. However, with the de minimis PUD revision in 2013, Building 7 changed from a commercial use to a restaurant use and reduced in size to 5,979 square feet. A restaurant less than 6,000 square feet is a permitted use in the I-L zoning district. Therefore, the Wild Wings Restaurant does not contribute to the overall commercial square footage permitted within the development through the approved PUD. There was a significant decrease in the commercial square footage of the project when the revision to Building 7 changed in use and size.

In essence, the applicant seeks to reallocate 17,770 square feet of permitted and unutilized commercial space, which was previously located within Building 7 of the Preliminary Plan and Final PUD Plan for Phase 1. The developer proposes that Building 8 and Building 9 within Phase 2 accommodate commercial and retail uses.

The second deviation pertains to several changes in the site plan design for Phase 2. Staff notes that the Buildings 8 and 9 are larger than shown in the Preliminary Plan. Office buildings are also oriented differently from the Preliminary PUD Plan. The reorientation of buildings and change in building size results in a site design layout for Phase 2 that planning staff finds aesthetically superior in comparison to the long linear buildings and parking configurations demonstrated in the approved Preliminary Plan.

The first condition of approval of the stipulated Writ of Mandamus provides the following:

*"All development of the property shall be in accordance with the PUD site plan, a copy of which is attached to the Stipulated Writ as Exhibit "A", subject to any modifications that result for further review processes set forth herein."*

Staff supports the commercial square footage reallocation into Phase 2 of the development and finds the proposed site plan design to be preferable to the approved PUD plan. However, staff also finds that changes in Phase 2 uses and changes in the

overall project design are not in accordance with the approved Preliminary PUD Plan as provided by Exhibit "A" of the stipulated Writ of Mandamus.

The reallocation of commercial development into Phase 2 and change in the overall PUD design are not issues that the Site Plan and Architectural Commission (SPAC) has authority to address within the context of a site plan review process. Staff reviewed the Writ but did not find language that suggesting that SPAC was provided any additional authority beyond Condition 3, which provides SPAC authority to consider individual building plans, architecture and landscaping for development in lieu of postponed Planning Commission review of designs as proposed by Sections 10.235(A)(2)(c) and 10.235(F)(2).

As noted above, staff supports the changes demonstrated in the subject site plan and recommends that the Commission approve the application as submitted. However, in forwarding a recommendation of approval on the subject plan, staff recommends and includes a condition of approval (Exhibit A) that requires the applicant to submit an application for revised Preliminary PUD Plan for review and consideration the Planning Commission as to cure inconsistencies with the currently approved Preliminary Development Plan. The amendment shall be approved by the Planning Commission prior to the submittal of building permits for Phase 2.

#### Site Plan (Exhibit E)

Phase 2 is located on a single tax parcel that is 4.71 acres in size. Generally, Phase 2 has no frontage on any classified street with exception of the far northeast point which touches Delta Waters Road. The site is just east of the future Highway 62 bypass. Delta Center PUD Phase 2 is proposed to include both commercial and professional office buildings. The two commercial buildings, Buildings 8 and 9, are centered in Phase 2 and generally oriented toward Phase 1. Buildings 8 and 9 are located just north of the primary east/west driveway access and located on the east and west side of the primary access drive that extends up to Excel Drive.

The two commercial buildings (Building 8 and Building 9) will comprise 17,700 square feet. Building 8 will contain 9,300 square foot of commercial/retail space. Building 9 is an 8,470 square foot commercial building with drive through. Buildings 10 through 13 will be office and professional buildings totaling 12,800 square feet. Two of the office pad sites are located east of the commercial buildings and two are located to the west side toward the Highway 62 bypass. Parking areas are well distributed throughout the Phase 2 development into smaller parking field units and would generally not be viewed as an expansive area of parking. A network of pedestrian pathways connect Buildings 8 and 9 to Phase I and to Delta Waters Road.

### Vehicle Access and Circulation

Vehicular access to between Delta Center Phase 2 and the public street system are provided at two locations. There is direct access to the terminus of Excel Drive, which provides access to the traffic control light at located the intersection of Lear Way and Delta Waters Road, northeast of the site. There is also a primary access driveway that provides right-in, right-out and left-in access to shopping center from Delta Waters Road, located on the east side of the development. Three internal north/south running drive aisles provide access to this primary access driveway located on the south side of Delta Center Phase 2.

### Discussion

In the deliberations regarding circulation, the existing driveway through Phase 2B shown on the site plan that connects to Excel Drive to the north was discussed. The applicant's agent provided three conceptual exhibits in his presentation pertaining to potential alternatives for how the access way may extend through Phase 2B in the future (Exhibit FF). In their motion for approval, the Site Plan and Architectural Commission acknowledged approval of the subject application was not to represent an approval of the driveway location through Phase 2B. In their motion for approval the Commission included language making a finding that the approval of the subject Phase B1 site plan does not constitute an approval of the location of the ingress and egress access drive access across Phase 2B.

### Parking

There is a minimum of 183 parking spaces required for this project and a maximum parking allowance of 229 spaces per the MLDC. The site plan indicates there are 193 spaces proposed, including 9 designated ADA parking spaces and 18 van/carpool spaces. The spaces are 19 feet in length and 9 feet in width. All drive aisles are two-way and meet or exceed the 24 foot width requirement of the MLDC. The parking area is visually interrupted by buildings, which are spread out upon the site. Drive aisle landscape area planters and frequent landscaping bulb-outs also break up the parking areas by providing landscaping materials that visually separate the small parking fields. Parking lot planters are dispersed throughout the parking areas and contain, at minimum, the landscaping area square footage specified in the Planting schedule of Subsection 10.746 (3) of the MLDC. The subject site plan meets and exceeds design requirements for parking specified in Section 10.745(3) of the MLDC.

### Pedestrian Walkways

The stipulated Writ of Mandamus, Condition 4, requires the development to provide a pedestrian route providing a connection for all buildings within Phase 2 to Delta Waters

Road. Building 8 and 9 address this item. However, on the site plan it appears that there is no pedestrian connection between the office buildings (Building 10 through 13) to Delta Water Road by connecting the buildings with a pedestrian crossing to Building 8 and 9 over the parking area driveways and thus to Delta Waters Road. Condition 4 further requires that final site and landscape plans provide improved pedestrian walkways and connectivity consistent with Section 10.772 through 10.776.

The provisions of Section 10.776 note that pedestrian walkways shall be separated from the parking area at crossings by a change in grade, application of different paving materials speed bumps or with landscaping. The site plan does not provide any note regarding the pedestrian crossings. The appearance on the site plan seems to indicate that it is striped with paint; however the applicant narrative does provide that the roadway crossings are clearly denoted with texture and color. As to assure that the building plan set meets Section 10.776 and Condition 4 of the Writ, staff has included a condition of approval requiring the pedestrian connection of all buildings to Delta Waters Road via a pedestrian pathway and that building plans demonstrate the materials utilized in complying with Section 10.776 of the MLDC.

#### Landscape Plan (Exhibit F)

The applicant has submitted a landscape plan that can be found to comply with the requirements of MLDC Sections 10.746 regarding parking area planter and with Section 10.780 of the Municipal Code. The subject landscape plan does demonstrate the sparing use of turf on the west side of the main drive aisle between Buildings 8 and 9. The landscape design is intended to be low maintenance and water use of turf or other high water usages. The Parks Department Memo (Exhibit AA), dated December 30, 2015, recommends that the Commission approve the Landscape Plan as submitted.

#### Elevations (Exhibits H,K,L,O)

The applicant is currently proposing the construction of the two commercial buildings which will be built of the same material palette used in Phase 1. The proposed elevations are richly embellished with various building materials including: split faced CMU block, plaster finish, cultured stone veneer and structural steel. Aluminum store front glazing systems will be used throughout both buildings.

As discussed in the applicant's questionnaire, the proposed buildings are not considered large structures. However, façades are broken up by the use of offset and changes in plane. Materials with different textures and colors will also be used to accentuate changes in the plane and create visual interest. Overall, the buildings are visually interesting and seamlessly integrate into the existing built environment of Phase 1 of the Delta Center.

## Concealments

### *HVAC Screening*

Buildings 8 and 9 utilize a parapet style low slope roof construction that will conceal equipment mounted on the roof top. HVAC units will not be visible from public streets, parking areas or pedestrian pathways.

### *Trash Enclosure*

The site plan sheet for Phase 2 (Exhibit E) includes a detail exhibit of the trash enclosure. The applicant is proposing cultured stone, split face block and 4 inch solid CMU cap block finish. The front of the trash enclosure is screened with a solid metal panel. The subject fixtures will fully screen the trash facilities.

## Dedications and Public Improvements

### *Streets*

Delta Waters Road at the northeast tip of the Delta Center PUD is classified as a Major Arterial Street, which requires a 50-foot half street right-of-way width. Prior to construction, the developer shall dedicate sufficient public right-of-way paralleling Delta Waters Road along the eastern frontage to comply with the half-width right-of-way requirement of 50 feet. The Public Works Report (Exhibit W) notes it appears that 10 feet of right-of-way dedication will be needed. No street improvements are required for Delta Waters Road.

Excel Drive, located immediately north of the Delta Center PUD and terminating at the northern property line, is currently improved with curb, gutter, sidewalk and street lights. The Public Works Report (Exhibit W) indicates that no additional right-of-way is required. A valley gutter shall be placed at the end of terminus of Excel Drive to delineate termination of public right-of-way. A condition of approval has been included requiring the applicant to comply with all conditions provided within the Public Works Report dated December 30, 2015 (Exhibit W).

### *Sanitary Sewer, Storm Drain & Water Quality*

This site lies within the Medford sewer service area. All public sanitary sewers shall be constructed to the standards of the State Department of Environmental Quality (DEQ) in addition to the standards adopted by the City of Medford. The developer shall provide one service lateral to the lot. If the sanitary sewer system of this phase serves multiple tax lots, then the sewer will need to be constructed as a public system. The utility plan identifies that the lateral will connect to a sewer main that the City will be relocating. The timing of the sewer relocation has not yet been determined.

The storm water and detention facilities for this project are required to comply with MLDC Sections 10.481 and 10.729. Per the Public Works Report, a comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff and also elevations of the proposed drainage system, shall be submitted with the first building permit application for approval. All area catch basins shall meet DEQ requirements, which include a down-turned elbow and sump. A condition of approval has been included requiring the applicant to comply with all conditions provided within the Public Works Report dated December 30, 2015 (Exhibit W).

#### *Water*

The Staff Memo from the Medford Water Commission (MWC) notes that planning, design and construction will be done in accordance with MWC regulations governing water service and standards for water facilities, fire protection systems and backflow prevention devices. Should the property be divided, all parcels shall be required to have metered water service prior to a recordation of a final plat. Installation of on-site water lines for the project is required and shall be installed in paved travel lanes. A 10-foot wide "Access and Maintenance Easement" will be required over all water facilities outside of public right-of-way. A condition of approval has been included requiring the applicant to comply with MWC Staff Memo dated December 15, 2015 (Exhibit X).

#### External Agency Review Comments

##### *ODOT (Exhibit BB)*

ODOT has review the site plan and determined that this application will not significantly affect state transportation facilities under the State Transportation Planning Rule.

##### *Department of State Lands (Exhibit CC)*

The Local wetlands inventory identifies wetlands on the subject property. However, a Department of State Lands permit will not be required for the proposed project. Wetland impacts on the property were mitigated in 2009, per DSL files AU34732 and M2995.

##### *Jackson County Rogue International-Medford Airport (Exhibit DD)*

A signed Avigation, Noise and Hazard Easement is on file with the County; however, an FAA form, Notice of Proposed Construction or Alteration, must be submitted to the FAA for review and approval prior to development. A condition of approval has been included requiring the applicant to comply with the e-mail correspondence submitted by Jackson County, dated December 22, 2015.

*Avista* (Exhibit EE)

There is an existing common utility trench within a PUE on the south side of this phase. A natural gas service is available from this location. The developer should plan on extending gas and other utility services to ensure and provide utility services to future phases of the development.

No other issues were identified by staff.

Committee Comments

No comments were received from a committee such as BPAC.

**FINDINGS OF FACT**

MLDC 10.290

1. *The proposed development is compatible with uses and development that exist on adjacent land;*

The Commission can find that there is sufficient evidence contained in the Applicant's Questionnaire and the Staff Report to determine that the proposal is compatible with the uses and development on adjacent land. This criterion is satisfied.

2. *The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in MLDC § 10.253.*

The Commission can find that the proposal can be made to comply with the applicable provisions of the Code with the imposition of conditions of approval contained in Exhibit A. No Exception is needed. This criterion is satisfied.

**FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's narrative 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 AC-15-156 per the staff report dated January 8, 2016, including Exhibits A through EE.

## **ACTION TAKEN**

**Adopt the Findings as recommended by staff and direct staff to prepare a Final Order for approval of AC-15-156 per the staff report dated January 8, 2016, including Exhibits A through EE, and including the following:**

**Commission makes a finding that approval of the subject application does not approve the location of the ingress and egress access drive access across Phase 2B providing access to Excel Drive.**

## **EXHIBITS**

- A Conditions of Approval, dated January 8, 2016
- B Applicant's Questionnaire and code compliance check sheet, received November 11, 2015
- C Delta Center Phase 2 Project Cover Sheet, received November 11, 2015
- D Delta Center Overall Site Plan, received November 11, 2015
- E Delta Center Phase 2 Site Pan, received November 11, 2015
- F Delta Center Phase 2 Landscape Pan, received November 11, 2015
- G Intentionally Omitted
- H Building 8 Perspective rendering, received November 11, 2015
- I Building 8 Floor Plan, received November 11, 2015
- J Building 8 Roof Plan, received November 11, 2015
- K Building 8 Elevations, received November 11, 2015
- L Building 9 Perspective rendering, received November 11, 2015
- M Building 9 Floor Plan, received November 11, 2015
- N Building 9 Roof Plan, received November 11, 2015
- O Building 9 Elevations, received November 11, 2015
- P Conceptual Utility Plan, received November 11, 2015
- Q Conceptual Grading and Stormwater Drainage Plan, received November 11, 2015
- R Parking Light Photometric Plan, received November 11, 2015
- S Site Photos, received November 11, 2015
- T Resolution No. 2005-172 supporting and stipulated Writ of Mandamus, Passed August 28, 2005
- U Circuit Court stipulated Writ of Mandamus with attached Exhibit "A", PUD Site Plan, acknowledged by City Attorney's Office on August 24, 2005.
- V Un-skewed PUD Site Plan, accurately depicting the site design layout of Exhibit "A" contained in the of stipulated Writ of Mandamus
- W Medford Public Works Department Staff Report, dated December 30, 2015
- X Medford Water Commission Memorandum, dated December 30, 2015
- Y Medford Fire Department Report, prepared December 21 2015
- Z Building Department Memo, dated December 29, 2015
- AA City of Medford Parks Department Memo, dated December 30, 2015

- BB Agency Response from Oregon Department of Transportation, received January 6, 2016.
- CC Department of State Lands Wetlands Notification Response, received January 7, 2016
- DD Jackson County – Rogue International Airport Agency Response, received December 22, 2015
- EE Avista Utilities Agency Response, received December 18, 2015
- FF **Conceptual public access easement exhibits, extending through Phase 2B to Excel Drive**

**SITE PLAN AND ARCHITECTURAL COMMISSION**

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**Jeff Bender, Chair**

**SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:**

**JANUARY 15, 2016  
FEBRUARY 5, 2016**

OLD NAVY

DELTA WATERS ROAD

DELTA WATERS ROAD

EXISTING BUILDING

EXISTING PUBLIC RIGHT OF WAY

EXISTING EXCEL DR

PROJECT BOUNDARY

PROPOSED PUBLIC ACCESS EASEMENT (TEMPORARY LOCATION)

26'

26'

TEMPORARY PUBLIC ACCESS EASEMENT. PERMANENT LOCATION TO BE DETERMINED WITH FUTURE PROPOSED SITE LAYOUT

PROPOSED PUBLIC ACCESS EASEMENT LOCATION

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS

EXISTING PARKING LOT

EXISTING BUILDING

PARKING LOT

CITY OF MEDFORD

EXHIBIT #

FILE #

AC-15-156

10P3

PROPOSED PUBLIC ACCESS EASEMENT

38'

EXISTING DRIVE AISLE

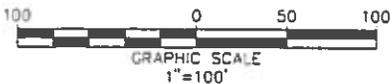
EXISTING DRIVE AISLE

BUFFALO WILD WINGS

DELTA CENTER BUSINESS PARK EXISTING PHASE 1 IMPROVEMENTS

SONIC

NORTH



P.O. BOX 1724 - MEDFORD, OREGON 97501  
PH (541) 779-5288 FAX (541) 779-3139

CONSTRUCTION ENGINEERING CONSULTANTS, INC.

DELTA CENTER BUSINESS PARK  
PUBLIC ACCESS EASEMENT  
EXHIBIT

AI

DATE: 1-11-16

OLD NAVY

DELTA WATERS ROAD

DELTA WATERS ROAD

EXISTING BUILDING

EXISTING PUBLIC RIGHT OF WAY

EXISTING EXCEL DR

PROJECT BOUNDARY

FUTURE PUBLIC ACCESS EASEMENT. EXACT LOCATION & ALIGNMENT TO BE DETERMINED WITH FUTURE PHASE LAYOUT

26'

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS EXHIBIT # 2023

PROPOSED PUBLIC ACCESS EASEMENT

38'

EXISTING DRIVE AISLE

EXISTING DRIVE AISLE

BUFFALO WILD WINGS

DELTA CENTER BUSINESS PARK EXISTING PHASE 1 IMPROVEMENTS

SONIC

NORTH

100 0 50 100

GRAPHIC SCALE 1"=100'



P.O. BOX 1724 - MEDFORD, MA 01905-1724

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CONSTRUCTION ENGINEERING CONSULTANTS, INC.

DELTA CENTER BUSINESS PARK FUTURE PUBLIC ACCESS EASEMENT EXHIBIT

A2

DATE: 1-15-16

DELTA WATERS ROAD

DELTA WATERS ROAD

EXISTING EXCEL DR

EXISTING PUBLIC RIGHT OF WAY

PROJECT BOUNDARY

EXISTING BUILDING

POSSIBLE ROUND-ABOUT INTERSECTION IMPROVEMENT

FUTURE PUBLIC ACCESS EASEMENT. EXACT LOCATION & ALIGNMENT TO BE DETERMINED WITH FUTURE PHASE LAYOUT

EXISTING PARKING LOT

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS

DELTA CENTER BUSINESS PARK PROPOSED PHASE 2 IMPROVEMENTS OF MEDFORD EXHIBIT # "FF" File # 30F3

EXISTING BUILDING

EXISTING PARKING LOT

PROPOSED PUBLIC ACCESS EASEMENT

38'

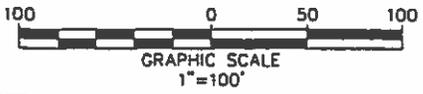
EXISTING DRIVE AISLE

EXISTING DRIVE AISLE

BUFFALO WILD WINGS

DELTA CENTER BUSINESS PARK EXISTING PHASE 1 IMPROVEMENTS

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CONSTRUCTION ENGINEERING CONSULTANTS, INC.

DELTA CENTER BUSINESS PARK  
FUTURE PUBLIC ACCESS  
EASEMENT EXHIBIT

A3



## Site Plan and Architectural Commission

# Minutes

From Public Hearing on January 15, 2016

The regular meeting of the Site Plan and Architectural Commission was called to order at noon in the Council Chambers on the above date with the following members and staff in attendance:

### Commissioners Present

Jeff Bender, Chair  
Jim Quinn, Vice Chair  
Jim Catt  
Bill Chmelir  
Tim D'Alessandro  
Bob Neathamer  
Rick Whitlock  
Dick Gordon, City Council liaison

### Staff Present

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
John HuttI, Deputy City Attorney  
Desmond McGeough, Planner III  
Debbie Strigle, Recording Secretary

### Commissioners Absent

#### 10. Roll Call.

20. Consent Calendar/Written Communications. (voice vote). None.

#### 30. Minutes.

30.1 The minutes for the December 18, 2015, meeting, were approved as submitted.

40. Oral and Written Requests and Communications. None.

#### 50. Public Hearings.

John HuttI, Deputy City Attorney, read the rules governing the public hearings.

#### New Business.

50.1 AC-15-156 Consideration of plans for the future development of Delta Center Phase 2, consisting of 30,570 square feet of commercial and office development on a 4.71 acre site, generally located 550 feet north of the intersection of Crater Lake Highway (OR 62) and Delta Waters Road, approximately 200 feet west of Delta Waters Road within an I-L/PUD (Light Industrial/Planned Unit Development Overlay) zoning district. Crater Lake Venture LLC, Applicant (Ron Grimes Architects, Agent).

Chair Bender asked for any potential conflicts of interest or ex-parte communications. There were none.

Desmond McGeough, Planner III, read the approval criteria, and gave a PowerPoint presentation of the January 8, 2016 Staff Report. Staff recommended approval.

Commissioner Whitlock questioned why this application did not go to the Planning Commission first to get the approvals required under the Writ of Mandamus. He also wanted to know if staff had any concerns that this Commission's actions might in any way tie the hands of the Planning Commission when they look at the revised uses.

Mr. McGeough said he did not believe the Planning Commission's hands would be tied when they looked at the revised uses. He said those buildings can be used as office buildings, and said Mr. Huttli might be a better responder to the question. In regards to this application going before the Planning Commission first, Mr. McGeough said he believed that made the most sense but when applications are received, the department is obligated to process them. He stated that at today's meeting the decision would be simply to review the architecture, design, and layout. Mr. McGeough stated staff is comfortable with conditions and if the Planning Commission has another take on it, then perhaps this application was submitted at risk.

John Huttli, Deputy City Attorney, stated staff's position is that the applicant would need both a Planned Unit Development (PUD) revision and a site plan. He added the timing is really up to the applicant. Mr. Huttli reiterated that staff does have to process an application when they receive it.

Commissioner Whitlock commented he liked this development although he felt perhaps the application should have gone before the Planning Commission first before bringing it to this Commission. He added that if staff was comfortable with the application, he was as well.

The public hearing was opened and the following testimony was given:

a) Brian Westerhout, agent for the applicant, explained they brought the application to this Commission first because of the marketing development process. He said people want to know what their buildings are going to look like. To start marketing the spaces they needed to create a "look" for the buildings and have confirmation that the "look" would be acceptable.

Mr. Westerhout spoke briefly to the buildings and their uses, commercial credits, and the PUD. He added they did not have any objections to the conditions regarding the pedestrian walkways.

Mr. Westerhout reserved time for rebuttal.

Commissioner Whitlock asked if all 193 parking spaces would be constructed along with Building 8 or if there is a specific phasing plan. Mr. Westerhout pointed out that they would like to build the parking lots for Buildings 10, 11, 12, and 13 at the time of their construction. He commented that currently they plan on constructing Buildings 8 and 9 simultaneously.

b) Curt Burrill, Medford, Oregon, testified that he was also here on behalf of several other property owners to the left of this project. Their concerns were with the site plan and access to the development. He stated they would voice their concerns to the Planning Commission as well. Mr. Burrill stated the Writ of Mandamus that had been approved in 2004 was done because this development was denied by the Planning Commission for several reasons. Mr. Burrill cited traffic and circulation as being important aspects of this development. He went on to talk about the access out of the development and what had been discussed in previous years. Mr. Burrill expressed their desire to see a circulation plan that would make it easier for the public to come from the end of Excel Drive into the Delta Center, Phase 1 and 2.

Commissioner Whitlock asked if Mr. Burrill's concerns were relevant to this Commission's actions. Mr. Huttli replied that the questions are relevant but it would be appropriate for this Commission, in their approval, to say that by approving this, the Commission is not approving the future Phase 2B or committing to the circulation plan to the extent it goes into future development area. That way it could be further developed with more input from all the parties at a later time. Mr. Huttli remarked that it is important to know what this Commission is deciding today and what they are not.

Commissioner Whitlock asked for Mr. Burrill's response. Mr. Burrill responded he would like to believe there's adequate room in Phase 2B to make a connection that would be an improvement to the

development. He stated that he and Mr. Galpin had a discussion and he is confident they will work together to come to a design they are comfortable with.

Mr. Westerhout stated they do have some concepts they have been looking at with regards to the connection. He talked to the circulation issue and pointed out two possible circulation plans. One included a round-about and the other was the same plan without a round-about.

The public hearing was closed.

Motion: Adopt the Findings as recommended by staff and direct staff to prepare a Final Order for approval of AC-15-156 per the staff report dated January 8, 2016, including Exhibits A through EE, and including the following:

- Make a finding to make it clear that this approval does not approve the ingress and egress access across Phase 2B.

Moved by: Commissioner Whitlock

Seconded by: Commissioner Neathamer

Commissioner Whitlock reiterated that it makes him uncomfortable when this Commission is making design decisions before the Planning Commission has had the opportunity to look at the changes that have to be made for this plan to take place. He said it would be very helpful if the Planning Commission had its approval and this Commission had a revised plan before making the more site specific determinations that this Commission is asked to make.

Commissioner Whitlock commented that this application is a tremendous improvement to the previous plan. He said he appreciated the willingness of the developer to work with the neighbors to improve the aesthetics of the ingress and egress.

Chair Bender expressed his appreciation of Commissioner Whitlock’s conscientiousness. He said the nature of the approval is such that the Planning Commission should still be able to make any decisions and changes they need to in order to move this project forward.

Roll Call Vote: Motion passed, 7-0

60. Written Communications. None.

70. Unfinished Business. None.

80. New Business.

90. Report from the Planning Department.

90.1. Ms. Akin reported that the Planning Commission recommended some changes to City Council regarding the airport. Recommendations included incorporating the airport’s Master Plan into the Comprehensive Plan, and some associated revisions to the Land Development Code and Zoning Map. She stated staff had recommended the elimination of Site Plan and Architectural Commission review over projects that are inside the airport’s fence for structures that are not for general public use. Ms. Akin displayed the text changes on the screen and gave a brief overview.

Chair Bender felt the changes were fine. He commented that most of the non-public facilities this Commission has seen have been of little comment by the Commission as a whole. He added that if a project was more public in nature, then the Commission would always like to see those.

Commissioner Whitlock expressed his concerns that the role of this Commission, relative to aesthetics, could be weakened if a development was taking place within visual proximity of other types of businesses. He commented that it seemed like there are portions of the airport that could have significant impact on public areas.

Mr. Huttli asked if these text changes would exclude signs from the development permit of the non-public structures. Ms. Akin replied that Code Section §10.031 is the exemption to the development permit. She said a development permit is what comes after a body has made a decision and when the conditions of approval have been satisfied. She added that signs would still apply.

Commissioner Quinn felt that if the words "aviation-related" were added to the text language it would help to define that the office buildings could not be used for anything other than aviation purposes. Mr. Huttli responded that as part of the airport's Master Plan, everything has to be for airport use.

After more discussion, the consensus of the Commission seemed to be that the exemption language seemed too broad as it did not appear to take into account location and proximity to the fence, and also public exposure these types of facilities might have.

It was decided that this issue come back to this Commission for further discussion at their next meeting.

90.2 Ms. Akin reported that Aaron Harris, Planner II, left the department and will be working for the City of Corvallis. She announced that Liz Conner has joined the department as a Planner I.

90.3 Ms. Akin stated there would be business for both the February 5<sup>th</sup> and February 19<sup>th</sup> meetings.

90.4 Ms. Akin said that City Council had adopted an overlay revision to the Limited Service Overlay. She reported they had also approved a vacation at Holly and Garfield, and initiated an alley vacation between Park and Oakdale, just north of Dakota.

90.5 Ms. Akin reported that the Urban Growth Boundary Expansion record is still open and there will be a study session with City Council on February 25, 2016.

90.6 Ms. Akin announced that Commissioner Ames had resigned. She said City Council appointed Curtis Turner as Commissioner to replace that position.

90.7 Ms. Akin informed the Commission that elections for Chair and Vice Chair would take place at the next regular meeting on February 5<sup>th</sup>.

90.8 Ms. Akin reminded the Commissioners of the Boards and Commissions Appreciation Luncheon that will take place on January 29<sup>th</sup> at the Country Club.

90.9 Ms. Akin announced that Mr. Huttli had resigned from the City. Mr. Huttli accepted a position in Curry County as the Curry County Counsel.

Mr. Huttli thanked the Commissioners for all their time and effort in serving the city of Medford. He said it had been a pleasure, privilege, and honor to work with all the Commissioners and staff.

Commissioner Neathamer commented he had always enjoyed working with Mr. Huttli over the years and he would be missed.

100. **Messages and Papers from the Chair.** None.

110. **Propositions and Remarks from the Commission.**

110.1 Commissioner Whitlock congratulated Mr. Huttli on his new position and wished him the best of luck. He added that Mr. Huttli had been a real asset to the City of Medford and thanked him for his tremendous service.

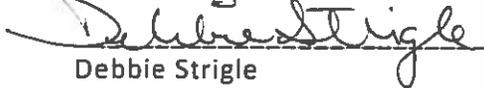
120. **City Council Comments.**

120.1 Councilmember Gordon briefly gave some background information on newly appointed Commissioner Curtis Turner and pointed him out sitting in the audience. He stated that City Council had also appointed Marcy Pierce to this Commission and gave a brief background on her.

**130. Adjournment.**

130.1 The meeting was adjourned at approximately 1:25 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:



Debbie Strigle  
Recording Secretary

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Jeff Bender  
Site Plan and Architectural Commission Chair

Approved: February 5, 2016



**MEMORANDUM**

**Subject** Proposed exemption from development permit for buildings inside airport security fence  
**To** Site Plan and Architectural Commission  
**From** John Adam, Principal Planner  
**Date** January 20, 2016

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**PROPOSAL**

In the act of adopting the updated airport master plan and amending Chapter 10 to incorporate revised provisions, staff thought it would be a good idea to include a new provision exempting structures from site plan review that were within the airport security fence and were not for general public use. Hangars and sheds would be exempt, the terminal would not be. The following excerpt shows the proposed text amendment underlined.

10.031 Exemptions from the Development Permit Requirement.

A. An exemption from the development permit requirement does not exempt the use or development from compliance with the applicable standards of this chapter, including but not limited to access, parking, riparian protection, and landscaping.

\* \* \*

C. The following uses or developments do not require a development permit.

\* \* \*

(11) Airport accessory structures, including hangars, aircraft storage, maintenance facilities, warehouse storage, and office buildings, to be located on airport property within the secured fence area (as shown on the Medford Zoning Map) not intended for public use.

## RATIONALE

Site plan and architectural review looks at “the functional and aesthetic adequacy of development,” which means the Commission is tasked with reviewing architecture, circulation, and interaction with public traffic. Staff suggests that the situation within the security fence is different from a typical site. Although there may be architectural and on-site circulation considerations inside the security area, their significance fades when you consider the airport’s surroundings—industrial zoning and uses, for the most part—and the distance most of the airport is from public streets and casual public view. The impact of airport traffic is already well established by a limited set of ingress/egress points in the secure perimeter, so interactions between the “site” and public streets cannot reasonably be improved by continuing to require building-by-building site plan review.

Staff believed that the potential impact of new buildings on city aesthetics and circulation is minimal, and so proposed this change as a way to streamline the process for this particular public agency.