

SITE PLAN & ARCHITECTURAL COMMISSION AGENDA JUNE 19, 2015



Commission Members

Jeff Bender, Chair

Jim Quinn, Vice Chair

Daniel Ames

Jim Catt

Bill Chmelir

Bob Neathamer

Alec Schwimmer

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

June 19, 2015

12:00 P.M.

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

10. Roll Call.

20. Consent Calendar/Written Communications (voice vote)

20.1 AC-15-013/E-15-060 Consideration of plans for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district. Oregon Architecture, Inc., Applicant; Mark McKechnie, Agent.

20.2 AC-15-028/E-15-029 Consideration of a request for approval of a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front setback, reduce width of 22 parking stalls, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Commercial-Service/Professional) zoning district. (Map 371W33BA Tax lots 5000, 5100, 5200) Asante, Applicant; CSA Planning, Ltd, Agent.

30. Minutes.

30.1. Approval or correction of the minutes for the June 5, 2015, meeting.

40. Oral and Written Requests and Communications.

50. Public Hearings.

Old Business.

50.1 AC-14-109 Consideration of a request for approval of a revision to the garage elevations for the 93,131 square foot City of Medford police station parking structure on 1.14 acres located between Ivy Street and Holly Street on the northwest side of 10th Street within the C-S/P/CB (Service Commercial/Professional Office/Central Business District Overlay) zoning district. City of

Medford Parks & Recreation Department, Applicant; ORW Architecture/David Wilkerson, Agent.

60. Written Communications.
70. Unfinished Business.
80. New Business.
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-15-013 APPLICATION FOR PROJECT REVIEW SUBMITTED) ORDER
BY OREGON ARCHITECTURE, INC.)

AN ORDER granting approval for consideration of a request for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district, as provided for in the Medford Land Development Code.

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 for consideration of a request for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district, with public hearings a matter of record of the Site Plan and Architectural Commission on April 3, May 1, May 15, and June 5, 2015.
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 Oregon Architecture Inc., stands approved subject to compliance with the conditions stated in the Commission Report dated June 5, 2015.

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:

FINAL ORDER AC-15-013

- (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.
- (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.

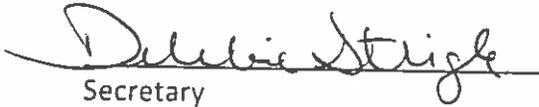
BASED UPON THE ABOVE, it is the finding of the Medford Site Plan and Architectural Commission that the project is in compliance with the criteria of Section 10.290 of the Land Development Code.

Accepted and approved this 19th day of June, 2015.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary

BEFORE THE SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)
)
OREGON ARCHITECTURE INC. [E-15-060])

ORDER

ORDER granting approval of a request for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district.

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.211 and 10.252; and
2. The Site Plan and Architectural Commission has duly held a public hearing on the request for consideration of a request for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district, with public hearings a matter of record of the Site Plan and Architectural Commission on April 3, May 1, May 15, and June 5, 2015.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception of Oregon Architecture, Inc. stands approved per the Commission Report dated June 5, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Site Plan and Architectural Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Commission Report dated June 5, 2015.

BASED UPON THE ABOVE, the Site Plan and Architectural Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 19th day of June, 2015.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary



COMMISSION REPORT

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

FILE NO. AC-15-013/ E-15-060

DATE June 05, 2015

BACKGROUND

Proposal

Consideration of plans for the construction of a 1,850 square foot coffee shop and a 2,200 square foot office building and an exception request to allow an 8-foot right-of-way dedication rather than 14-feet, on a 1.01 acre parcel located on the south side of Barnett Road between Black Oak Road and Murphy Road, within a C-C (Community Commercial) zoning district.

Subject Site Characteristics

Zoning	C-C	Community Commercial
GLUP	CM	Commercial
Use	Vacant	

Surrounding Site Characteristics

North	C-S/P	Hospital
South	C-C	Medical Offices
East	C-C	Medical Offices
West	C-C	Bank

Applicable Criteria

Medford Municipal Code

§10.290 Site Plan and Architectural Review Criteria

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.

§10.253 Criteria for Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.
- (2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.
- (3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.
- (4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Corporate Names

The application lists Barnett Stage LLC as the owner of the subject property. As per the State of Oregon Business Registry, Dan Thomas is listed as the registered agent.

ISSUES AND ANALYSIS

Background

This project proposal was originally brought before the Commission on April 03, 2015. In the original proposal the applicant's site design included a 1,850 square foot stand-alone Starbucks as well as a 3,285 square foot medical office building with a total of 29 parking spaces for the two uses. That hearing resulted in a continuance to allow the applicant time to adequately address a number of concerns raised by the Commission. The concerns and issues identified included right-of-way dedication, the location of the trash enclosure, pedestrian connections, vehicular access to the drive-thru lane, and adequate parking. The hearing was continued to May 15, 2015 and a revised staff report was produced. The changes proposed were not significant enough to satisfy the concerns of the Commission and the staff recommendation was for denial. The applicant requested an additional continuance and has again revised the site plan.

Revised Site Design

The applicant has submitted a revised site design. The revised plan includes a reduced size (2,200 square foot) office building in what is now labeled "future phase" of the site development. The original proposal included a 3,285 square foot medical office building which was then reduced to a 2,400 square foot general office building. The proposed Starbucks has remained constant at 1,850 square feet in each plan.

To summarize the changes since the Commission's initial review of this project: the location of the trash enclosure has been moved; right-of-way dedication has been shown; an exception has been filed; a number of parking spaces have been moved, relocated, and/or added; pedestrian paths have been considered; the turning radius to enter the drive-through lane has increased; and revised narrative/findings has been provided.

DECISION: *The Commission and applicant discussed that the office building, identified as a future phase on the site plan, would return to the Commission for approval. As there is not a specific tenant at this time and the needs of a tenant could require alternations to the building, approval for the office building was not included in the decision.*

Right-of-Way Dedication

The Public Works Report, provided to this Commission at the initial hearing, required right-of-way dedication along Barnett Road. In that Report, Public Works expressed that less right-of-way was actually needed than was required to be dedicated and for that reason they would support an exception to allow for the dedication of 8-feet of right-of-way rather than the full 14-feet as required by the Code. No right-of-way dedication was shown on the original plan.

The current plans depict an 8-foot right-of-way dedication (Exhibit B-5). The exception to allow for reduced right-of-way dedication (per the original Public Works Report) is included as a part of this request currently before the Commission. It can be found by the Commission that the exception adequately meets the approval criteria as it: is in harmony with the intent of the regulation, does not permit a prohibited use, is due to a unique circumstance in this particular location (due to the proximity of Larson Creek Trail), and is not the result of an illegal act.

Trash Enclosure

In a previous submittal before this Commission, the applicant had positioned the trash enclosure in a manner that would require the door to face and open to the south, beyond the subject property boundaries, requiring the garbage truck to block the drive aisle during pickup. The latest site design (Exhibit B-5) provides a much more suitable location for the trash enclosure. The proposal meets the requirements of Medford Land Development Code 10.781.

Pedestrian Connections

Based on the original submittal, this Commission expressed concern over the lack of pedestrian connections to surrounding development. The need for pedestrian connections, providing identified walkways connecting to the massive surrounding development, has been recommended by both staff and this Commission. Medford Land Development Code 10.773 requires that pedestrian walkways are provided *to connect with walkways, sidewalks, bikepaths, and other bicycle or pedestrian connections on adjacent properties.*

As a condition of approval for the Bank of the Cascades in 2006, the Commission required a pedestrian connection to the south property line. The applicant has not included a southern pedestrian connection, but has provided a new aerial depiction which illustrates pedestrian access for the overall site (Exhibit O). According to the revised narrative and findings, the applicant and developer explain that the *"only option available to the south is to dump pedestrians out at the intersection of the east-west access road and the driveway to the Orthopedic Building...[which] is an inherently unsafe location to put pedestrians."* (Exhibit I-1)

The site plan does include pedestrian connections between the buildings and to Barnett Road (Exhibit P). As required by Medford Land Development Code §10.775(2), the proposed pedestrian walkways are noted on the site plan as being of a different paving material (Exhibit B-5).

Drive-thru Lane

Based on the original submittal, the Commission expressed concern over the tight turning radius required to enter the drive-thru lane from the southern vehicular

entrance. Given the site design, it can be expected that most vehicles entering the site would be doing so from the traffic signal at Barnett Road and Medical Center Drive, thus utilizing the southern entrance and approaching from the east. The latest revised site plan does increase the distance from the shared drive aisle to the entrance of the drive-thru lane by several feet. However, the typical turning radius added to the site plan seems to indicate a need for vehicles to swing into the oncoming traffic lane of the shared access drive aisle in order to make the appropriate turn to enter the drive-thru. Certainly, it can be expected that some vehicles will be able to maneuver a much tighter turn than that depicted in the illustration, but it should be noted that it this movement could potentially be an issue.

Vehicle Parking

The applicant's site plan includes a total of 33 parking spaces plus stacking for at least five vehicles in the drive-thru lane.

Medford Land Development Code (MLDC) §10.743-1 outlines minimum and maximum parking standards by land use category. In situations with multiple uses, *the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately* (MLDC §10.741).

Starbucks is classified in the *Restaurant (with drive thru)* category, which requires a minimum of 12.0 spaces per 1,000 square feet of gross floor area plus 5.0 spaces for drive-thru window queue. This calculates to a minimum of 22 spaces plus 5 spaces in the drive-thru lane. The maximum parking allowed for this use is 14.0 spaces per 1,000 square feet of gross floor area, which equates to 26 spaces. Therefore, the required parking for the Starbucks building is 22 to 26 spaces plus at least 5.0 spaces for drive-thru window queue. The latest version of the site plan includes 24 spaces for Starbucks, as a part of the first phase of the project.

Differing from previous submittals, the additional building on the site has now been reduced in square footage to 2,200 square feet and changed from medical office to general office. The minimum and maximum parking required for the category *Office, General (under 4,000 square feet)* is 3.6 to 5.0 spaces per 1,000 square feet of gross floor area. (The parking standards provided on the applicant's site plan incorrectly identify the minimum parking for this use as 3.0 spaces per 1,000 square feet of gross floor area.) The applicable Code standards result in the proposed office building requiring 8 to 11 parking spaces. Nine spaces are proposed for the office building in a future phase of development.

It should be noted by the Commission that as there is no specific tenant identified for the office building. Uses other than *general office*, including uses as a small retail store, a pharmacy, a small restaurant, or a medical office could potentially meet the parking requirements of MLDC §10.743, when the site is evaluated as a whole. The sum of the

required parking spaces is 30 to 37 spaces, as currently calculated using the general office standards. If the proposed office building were changed to *Commercial Use: less than 25,000 square feet*, the sum adjusts to 32 to 38 spaces, which is still feasible with the proposed layout. Similarly, changing the office to *Office, Medical* adjusts the calculation just slightly to 32 to 38 spaces plus 1.0 space per doctor, still feasible, although limited, with the proposed layout.

Together, the Starbucks and general office building as proposed require a minimum of 30 parking spaces and 5 spaces for drive-up window queue. However, the location of the three angled parking stalls (designated as employee only), on the south east portion of the site, creates a potentially awkward and potentially dangerous situation for drivers utilizing the spaces and for cars travelling in the shared drive aisle. All backup movements would be conducted off the subject site, within the shared drive aisle access easement. Similarly, the spaces on the west side of the site near the office building can only be accessed via the Bank of the Cascades site.

The applicant explains in the written narrative and findings that the parking required exceeds what is actually necessary, based on similar projects in Oregon and Washington (Exhibit I-1). The requirement of MLDC §10.743 for *Restaurant (with drive thru)* is a minimum of 12.0 spaces per 1,000 square feet of gross floor area plus 5.0 spaces for drive-thru window queue, which is one space required for every 83 square feet of floor area, plus the drive-thru queue spaces. The applicant explains that this ratio is quite high, and Starbucks of the same size in other locations function adequately when parking is designed at a ratio of one space per 112 square feet up to one space per 156 square feet. These alternative ratios would result in a Starbucks parking minimum of 12 to 17 spaces plus 5.0 spaces for the drive-thru lane. While the current proposal meets the minimum standards of the Code, the applicant suggests that the Commission consider allowing a reduction in parking, which would allow the removal of the angled employee spaces at the southern portion of the site. Medford Land Development Code 10.743(3) provides authority to the Commission to approve proposals with less than the typically required parking, *if they find the applicant's detailed description of the proposed use demonstrates that the number of needed parking spaces is less than the minimum required.*

DECISION: *The Commission approved the applicant's request for less required parking for the Starbucks building. The Commission approved the proposed site plan with the removal of the three angled parking spaces along the southern boundary of the site. In addition, the Commission specifically approved outdoor seating for Starbucks in excess of 15 patrons.*

FINDINGS AND CONCLUSIONS

The proposal for this site has been reviewed and revised multiple times. While improvements to the overall site have been made, there remain aspects of the design that are less than ideal. As the Commission has already expressed a number of concerns, staff has prepared findings and conclusions to support the Commission's decision of either approval or denial.

§10.290 Site Plan and Architectural Review Criteria

- (1) The proposed development is compatible with uses and development that exist on adjacent land;

The Site Plan and Architectural Commission finds that there is sufficient evidence contained in the Applicant's narrative and findings to determine that the proposal is compatible with the uses and development on adjacent land.

OR

The Site Plan and Architectural Commission finds that the proposed development in AC-15-013 is not compatible with the development that exists on adjacent land as it has not been made to be functionally adequate in terms of pedestrian connectivity and vehicular access and maneuverability. Due to the issues associated with the proposed plans, the imposition of conditions is not sufficient to render this development proposal conforming to the approval criteria.

DECISION: *The Commission found sufficient evidence in the Applicant's narrative and findings to determine that the proposal is compatible with the uses and development on adjacent land.*

- (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 Site Plan and Architectural Commission finds 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 and through the approval of the requested exception for right-of-way dedication.

§10.253 Criteria for Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the

following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised.

The Site Plan and Architectural Commission finds that the proposed exception meets all of the criteria and the standards are satisfied.

ACTION TAKEN

Adopt the findings as recommended by staff and directed staff to prepare a Final Order for approval of AC-15-13 and E-15-060 per the Commission report dated June 05, 2015, including Exhibits A through U.

EXHIBITS

- A-2 Revised Conditions of Approval, dated June 05, 2015
- B-5 Revised Site Plan, received May 15, 2015
- C-1 Revised Landscape Plan, received February 06, 2015
- D-1 Revised Site Details, received April 24, 2015
- E Starbucks Roof Plan, Floor Plan, and Elevations, received January 30, 2015
- F-1 Revised Office Building Elevations, received April 24, 2015
- G Color Renderings of Building Elevations, received February 24, 2015
- H Proposed Materials, received February 24, 2015
- I-1 Applicant's Revised Narrative, received May 15, 2015
- J Public Works Staff Report, received March 18, 2015
- K Fire Department Report, received March 17, 2015
- L Building Department Memo, received March 18, 2015
- M Medford Water Commission Memo, received March 26, 2015
- N-4 Drainage Plan, received May 15, 2015
- O Aerial Site Plan – Large Site Area, received May 15, 2015
- P Aerial Site Plan – Specific Site Area, received May 15, 2015
- Q Applicant's Exception Narrative and Findings, received April 16, 2015
- R Public Works Staff Report – Exception, received May 28, 2015
- S Letter from Huycke O'Connor Jarvis, LLP received June 02, 2015
- T Site Design Sketch from Jeff Bender, received June 05, 2015
- U Applicant's Turning Radius Illustration, received June 05, 2015
Vicinity map

SITE PLAN AND ARCHITECTURAL COMMISSION

Jeff Bender, Chair

SITE PLAN & ARCHITECTURAL COMMISSION AGENDA:

JUNE 05, 2015

JUNE 19, 2015

EXHIBIT A-2

Starbucks and Office Building
AC-15-013/E-15-060
Revised Conditions of Approval
June 05, 2015

CODE REQUIREMENTS

1. Prior to issuance of the first building permit, the applicant shall:
 - a. Comply with the Public Works Department Memo received March 18, 2015 (Exhibit J).
 - b. Comply with the memo from the Medford Water Commission Memo dated March 26, 2015 (Exhibit M).
 - c. Submit a revised Landscape Plan which includes the total square footage of all landscaping areas and high water use landscape elements, as required by Medford Land Development Code section 10.780F(4).
2. Prior to installation of any signage, administrative sign permits must be submitted for review and approval to the Medford Planning Department.

JUN 02 2015

PLANNING DEPT.

Writer's Direct E-mail:
sbd@medfordlaw.netWriter's Assistant:
Leanne Perkins

HUYCKE
O'CONNOR
JARVIS, LLP

ATTORNEYS AT LAW

June 2, 2015

Via Email Cheryl.Adams@cityofmedford.org

Commissioners
Site Plan Architectural Committee
c/o Cheryl Adams
City of Medford Planning Department
200 South Ivy Street
Lausmann Annex
Medford, OR 97501

RE: AC-15-013/E-15-060

Dear Commissioners:

Our office represents Investor's One, LLC, the owner of property commonly referred to as the Black Oak Shopping Center, which abuts this project to the southwest. At the initial hearing, we raised several concerns regarding the subject application including: 1) that the applicant was relying upon overflow parking to the south without the requisite evidence of a deed, lease, contract or other written or recorded document to allow joint use as required by MLDC 10.744; 2) that the driveway to the west of the subject property is owned by my client and is subject to a revocable license granted to the bank, and my client wanted to ensure the record was clear that recorded legal access is from the signalized intersection at Medical Center Drive and/or Black Oak and not from this driveway to the west of the Bank of the Cascades site; and 3) that there will likely be significant pedestrian access to the site for which pedestrian safety should be considered.

As I will be unable to attend the rescheduled hearing on June 5, I request that this letter be included in the record. I have reviewed the revised application, and respond as follows:

With regard to the three employee spaces that back into the access easement, my client objects. The access easement is a 2-lane private roadway for pedestrian and vehicular access. This was a carefully negotiated agreement between all the property owners within the former Black Oak PUD to allow cross-access along the properties. Allowing parking which would back into this private easement increases the risk of accidents, to both pedestrians and vehicles, and potentially blocks essential

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**Also admitted in Idaho

CITY OF MEDFORD

EXHIBIT# SFILE # AC-15-013/ E-15-060

Commissioners
June 2, 2015
Page 2 of 2

access to the various properties within the former Black Oak PUD. Further, it is inconsistent with the intent of the easement which is to allow vehicular and pedestrian access, not parking and maneuvering.

With regard to overall parking, my client does not object so long as the application complies with Medford's parking standards and/or MLDC 10.744.

Yours truly,

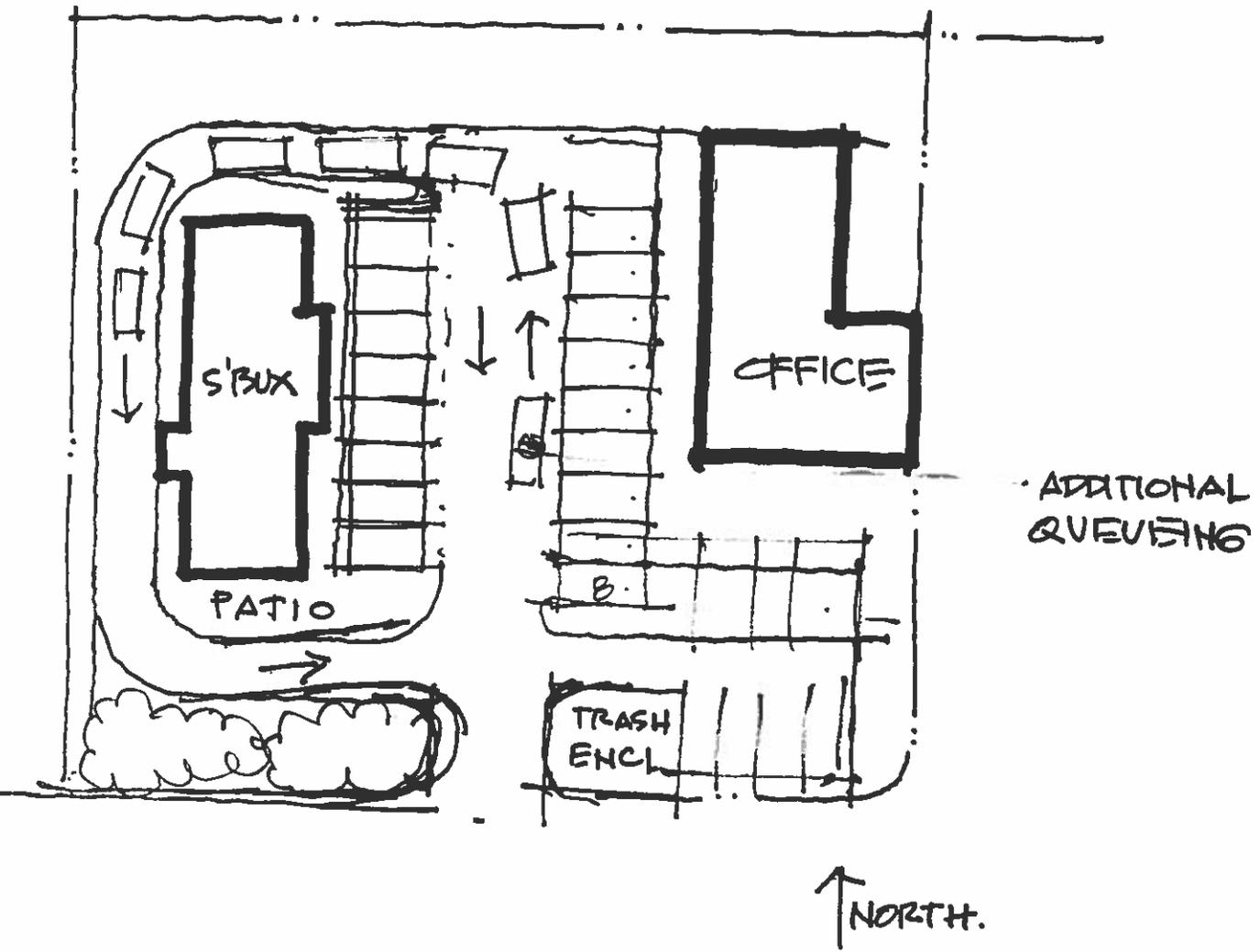
HUYCKE O'CONNOR JARVIS, LLP



SYDNEE B. DREYER

SBD:imp
cc: Client

RECEIVED
JUN 05 2015
PLANNING DEPT.



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-15-028 APPLICATION FOR PROJECT REVIEW SUBMITTED) ORDER
BY ASANTE)

AN ORDER granting approval for consideration of a request for a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front setback, reduce width of 22 parking stalls, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Commercial-Service/Professional) zoning district. (Map 371W33BA Tax lots 5000, 5100, 5200), as provided for in the Medford Land Development Code.

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 for consideration of a request for a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front setback, reduce width of 22 parking stalls, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Commercial-Service/Professional) zoning district. (Map 371W33BA Tax lots 5000, 5100, 5200), with public hearings a matter of record of the Site Plan and Architectural Commission on May 15 and June 5, 2015.
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 Asante stands approved subject to compliance with the conditions stated in the Commission Report dated June 5, 2015.

FINAL ORDER AC-15-028

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.
- (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.

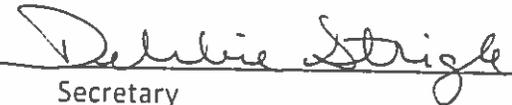
BASED UPON THE ABOVE, it is the finding of the Medford Site Plan and Architectural Commission that the project is in compliance with the criteria of Section 10.290 of the Land Development Code.

Accepted and approved this 19th day of June, 2015.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary

BEFORE THE SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)

ASANTE)

[E-15-029])

ORDER

ORDER granting approval of a request for a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front setback, reduce width of 22 parking stalls, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Commercial-Service/Professional) zoning district. (Map 371W33BA Tax lots 5000, 5100, 5200).

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.211 and 10.252; and
2. The Site Plan and Architectural Commission has duly held a public hearing on the request for consideration of a request for a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front setback, reduce width of 22 parking stalls, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Commercial-Service/Professional) zoning district. (Map 371W33BA Tax lots 5000, 5100, 5200), with public hearings a matter of record of the Site Plan and Architectural Commission on May 15 and June 5, 2015.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded granted exception approval and

directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception of Asante stands approved per the Commission Report dated June 5, 2015, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Site Plan and Architectural Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Commission Report dated June 5, 2015.

BASED UPON THE ABOVE, the Site Plan and Architectural Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

Accepted and approved this 19th day of June, 2015.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary



COMMISSION REPORT

for two Type-C quasi-judicial decisions: Site Plan and Architectural Review and three Exception requests

FILE NO. AC-15-028 / E-15-029

DATE June 5, 2015

BACKGROUND

Proposal

Consideration of a request for approval of a new four-story, 34,642 square foot medical office building and associated exception requests seeking relief to: permit encroachment of vehicle bumpers into the required front landscape bufferyard, waive right-of-way dedication for a planter strip along State Street, and waive right-of-way dedication for a bike lane along East Barnett Road. The subject site is located on the southwest corner of East Barnett Road and State Street on three parcels totaling 1.54 acres, within the C-S/P (Service Commercial/Professional Office) zoning district. (Map 371W33BA Tax lots 5000, 5100 5200)

Decision: At the public hearing the Applicant withdrew their exception request to reduce the width of 22 parking stalls located in the southeast corner of the site from the required nine feet to eight feet.

Subject Site Characteristics

Zoning	C-S/P	Service Commercial/Professional Office
GLUP	SC	Service Commercial
Use	Vacant, except easterly portion of property is improved with off-street parking	

Surrounding Site Characteristics

North	C-S/P	Asante Rogue Regional Medical Center
South	C-S/P	Medical Offices
East	C-S/P	Medical Offices
West	C-C	(Community Commercial) Medical Offices, vacant parcel, Black Oak Shopping Center

Related Projects

None.

Applicable Criteria

Medford Municipal Code §10.290, Site Plan and Architectural Review Approval Criteria

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.*

Medford Municipal Code §10.253 Criteria for Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

- (1) *The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.*
- (2) *The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.*
- (3) *There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.*
- (4) *The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.*

ISSUES AND ANALYSIS

Scope of Project

The proposed 34,642 square foot medical office building will be located at the southwest corner of East Barnett Road and State Street directly across from Asante's Rogue Regional Medical Center. Also located in this area are the Southern Oregon Surgery Center, Southern Oregon Orthopedics, and Hematology Oncology Associates. Currently, the easterly portion of the site is improved with off-street parking that was used by hospital employees during a major hospital construction project that has since been completed. The subject site consists of three adjoining tax lots encompassing a total of 1.54 acres. As a condition of approval, the applicant will need to either consolidate the three existing parcels into one, or adjust the boundaries to preserve the three parcels while also complying with the standards of the *Medford Land Development Code*.

Site Plan (Exhibit I-1)

The subject site is bounded by East Barnett Road on the north with 351 linear feet of frontage and State Street on the east with 191 linear feet of frontage. East Barnett Road is identified in the *Transportation System Plan's (TSP) Medford Street Functional Classification Plan* as a Major Arterial Street while State Street is classified as a Commercial Street. Vehicle access to the site will be from State Street via a 24 foot wide driveway. A pedestrian walkway to the site will be provided off of East Barnett Road and connect to a public plaza described below. There is no such walkway provided from the State Street frontage. As a condition of approval, submittal of plans for building permits shall include a pedestrian walkway from State Street to the building entrance per MLDC Sections 10.772–10.776.

Decision: Applicant provided a revised Site Plan (Exhibit I-1) at the hearing that includes a pedestrian walkway off of State Street onto the subject site, and the Commission approved this revised Site Plan. The condition of approval regarding the pedestrian walkway has been removed.

Located in the northwest corner of the site, the building will be setback 10 feet from East Barnett Road, thus complying with the required building setback while also providing a 10 foot Public Utility Easement. The footprint of the building will encompass 9,805 square feet, or approximately 15% of the overall site. The first floor will have 5,035 net square feet with two open shell spaces for future clinical or medical office use. The first floor will also include the following shared amenities: a small employee plaza for respite adjacent to a staff entrance on the west side of the structure, indoor/outdoor bicycle parking, employee lockers and showers, two conference rooms, and a small coffee bar to be located near the main entrance. A four-story open lobby on the east side of the building will define the primary building entrance. Facing east towards State Street the main entrance will open onto a public plaza with a pedestrian walkway to East Barnett

Road. The plaza is designed to accommodate medical transit drop-off as well as provide an area of respite for patients and visitors. Plaza amenities will include raised seating, a recirculating water feature, several smaller water features, retaining walls, concrete pavers, and planting materials in various sizes and types. At the north end of the main entrance roof drainage will filter through a stormwater conveyance feature with integrated raised seating and plant material.

MLDC Section 10.808 requires that all new office buildings on parcels within 600 feet of an existing (or planned) major transit stop shall 1) provide a building entrance on the façade of the building nearest to and facing a street 2) the building shall be setback no more than 20 feet, and 3) no parking shall be permitted between the building and the transit street. As stated above, the proposed building entrance is to be located on the east façade facing State Street, not East Barnett Road. The building is proposed to be setback only 10 feet, and no parking is proposed between the building and East Barnett Road. MLDC Section 10.808(4) gives the Commission the authority to approve an exception to one or more of these requirements if strict compliance is not possible due to terrain or other physical conditions, or direct, convenient and safe access to transit is otherwise adequately provided. In the City's adopted *Transportation System Plan (TSP)*, *Figure 7-1 Medford Designated Major RVTD Transit Routes and Stops* indicates a major transit stop at the corner of East Barnett Road and Murphy Road, approximately 400 feet east of the subject site. The location of the building entrance is on the east elevation, and the major transit stop is located east of the subject site. The entrance is accessible via a public plaza with a pedestrian walkway that connects to East Barnett Road. Directional signage will be located at the sidewalk to indicate the walkway to the main entrance so that pedestrians are able to clearly identify the location of the entrance.

Decision: At the public hearing the Commission approved the east-facing entrance finding that it will adequately provide direct, convenient and safe access to the major transit stop.

The second through fourth floors will provide space for neurologists employed by the Asante Physician Partners group, Physical Therapy, Spine treatment, and X-Ray departments operating under the existing Asante Hospital license. Physician's practice spaces will also be provided for Southern Oregon Neurological & Spine Associates. The second floor will be 8,802 net square feet, the third floor will be 8,855 net square feet, and the fourth floor will be 8,267 net square feet. The west side of the fourth floor will feature an open air terrace with bamboo decking tiles, moveable lounge furniture, café tables and chairs, and steel planters.

The trash, transformer, and propane storage enclosures will be located in the southwest corner of the site near the employee plaza and entrance.

Parking will be located on the east and south sides of the site. Internal drive aisles will allow for two-way vehicle maneuverability with the exception of the spaces proposed in the southeast corner which are angled 50-degree spaces with a one-way drive aisle. Handicap parking will be located adjacent to the main entrance. Staff notes that 10% of employee parking spaces are to be designated as carpool/vanpool spaces. As a condition of approval, submittal of plans for building permits shall include carpool/vanpool spaces per MLDC Section 10.809.

Exception Requests

Decision: At the public hearing the applicant withdrew one of their four exception requests. The following section has been revised to include only the three remaining exception requests.

The applicant is requesting three exceptions to standards of the *Medford Land Development Code* (MLDC). The first exception is to permit encroachment of vehicle bumpers into the required landscape bufferyard along East Barnett Road. MLDC Section 10.746(9) requires a 10-foot landscaping buffer where parking, vehicle maneuvering, or loading areas abut a public street – as is the case for the proposed project on both the East Barnett Road and State Street frontages. MLDC Section 10.746(18) provides for vehicle encroachment into a required yard but specifically prohibits vehicle encroachment into a bufferyard. The request for relief to MLDC Section 10.746(18) will be discussed in detail further in this report within the criteria compliance section.

In the second exception the applicant seeks relief from the right-of-way dedication requirement of 6.5 feet along State Street. Per MLDC Section 10.429 the total right-of-way width for a commercial street is 63 feet. The applicant is required to comply with the half width of right-of-way for a commercial street, which is 31.5 feet. The existing half width is 25 feet. The request for relief to MLDC Section 10.429 will be discussed in detail in the criteria compliance section.

The third exception request is another request for relief from the right-of-way dedication requirement of 14 feet along East Barnett Road. Per MLDC Section 10.428 the total right-of-way width for a major arterial street is 100 feet. The applicant is required to comply with the half width of right-of-way for a major arterial street, which is 50 feet. The existing half width is 36 feet. The request for relief to MLDC Section 10.428 will be discussed in detail in the criteria compliance section.

Elevations and Materials (Exhibits X and Y)

The new medical office will be a contemporary building compatible with buildings recently constructed in the area. In order to emphasize a connection with nature, the exterior foundation treatment and retaining walls will be gray and orange stone (El Dora-

do, Ponderosa Cliffstone) and the soffits will be rift cut cedar. The landscape benches, planters, and fountain will be a Pepper Brown Granite.

The building's primary massing elements include contemporary features such as steel columns, a high performance aluminum panel rainscreen cladding system, a glass curtain wall with extruded aluminum members and a storefront system. The rainscreen cladding system is a form of double wall construction that uses an outer layer, in this case a flat metal panel in a silver color called Adrienne Mist II, that sits away from the building's outside walls allowing moisture to easily drain away from the building providing better moisture management and energy efficiency. Each section of the glass curtain wall will be comprised of three types of glass, the upper portion a band of black spandrel glass, the main window a glazed, tempered glass, and the lower portion a glazed spandrel glass with frits that will help reduce solar heat gain. The ground floor storefront system with large windows includes an aluminum entrance with glass automatic sliding doors. Rigid insulation will prevent energy leakage, and the building's curtain wall, skylights, and four-story open lobby will bring natural light into the building's interior thus reducing the need for artificial light. The natural light will be filtered via aluminum mesh banners and horizontal aluminum sunshades on the building's south and east sides further reducing solar heat gain. The roof will house mechanical equipment screened with ribbed metal panels in a bronze color called Snail Shell. This project is to be LEED Certified, with a goal to achieve LEED silver.

Signage

Proposed signage is not part of this review. The applicant shall submit sign permit applications for all signage associated with this development.

Landscaping (Exhibit W)

A total of 13,993 square feet of the 1.54 acre site is proposed to be landscape area, which is approximately 21% of the total site area. The landscape plan proposes 350 square feet (0.5% of the total site area) of high water use landscaping area, well below the commercial/office maximum of 30% per MLDC Section 10.780(G)(5). The existing sidewalk along the subject site's frontage on East Barnett Road will be removed and a new planter strip and sidewalk will be installed. The proposed landscape plan provides 12 street trees and 254 shrubs in the new planter strip along East Barnett Road. There is no planter strip proposed along State Street.

The landscape plan provides for 10 foot wide landscape bufferyards along East Barnett Road and State Street as required in MLDC Section 10.746(9). Four trees and 25 shrubs are required for every 100 feet of frontage, minus driveway entries per MLDC Section 10.797(4). In addition, MLDC Section 10.797(3) allows plant materials in planter strips to count towards the street frontage landscaping requirements. Per Code, 14 trees and 88

shrubs are required along East Barnett Road, with 10 trees and 327 shrubs provided per the landscape plan. Given the 12 street trees that will be planted in the planter strip along East Barnett Road, Staff is comfortable with the amount of trees proposed in the landscape bufferyard. Seven trees and 42 shrubs are required along State Street and the landscape plan provides for six trees and 271 shrubs. As a condition of approval, the applicant shall provide one additional tree along the State Street frontage.

Interior parking lot landscaping will be spread throughout the site. Code requires 500 square feet of interior parking lot landscaping per 24 parking spaces. Therefore, the required square footage for 126 parking stalls is 2,625 square feet. The landscape plan demonstrates a total of 4,122 square feet of interior parking lot landscaping, which significantly exceeds the minimum standard. The west and south perimeters of the site will be augmented with a narrow landscape buffer ranging from two to seven feet in width. Staff notes that the site abuts C-C (Community Commercial) zoning on the west side, and C-S/P zoned property on the south. Therefore, there is no Code requirement for a landscaped buffer along the perimeter of the site.

The Parks Department memo (Exhibit JJ) indicates the requirement for additional trees along the East Barnett Road frontage. However, as stated above, staff is comfortable with the amount of trees in the frontage landscaping area given the number of trees that will be planted in the planter strip. Landscape plans shall be submitted with building permits demonstrating street trees that have been chosen from the Parks Department's Selected Street Tree List (updated April 2014).

The proposed landscaping exceeds City requirements in nearly every way. Plant selection is based on native or adapted plants and trees that are unique to this area. This will result in reduced reliance on irrigation. Overall, the landscaping emphasizes a strong connection to nature and will be an attractive addition to the area.

Concealments

The HVAC equipment will be located on the roof within a structure of ribbed metal panels in a bronze color. HVAC will be fully screened and concealed from view per Code requirements. The site plan demonstrates that the trash dumpsters along with propane storage will be located in a 10 foot tall enclosure made out of ribbed metal panels with ribbed metal panel clad swinging steel gates. This enclosure along with a similar enclosure for the electrical transformers will be located in the southwest corner of the site.

Lighting

The light fixture schedule (Exhibit V) demonstrates the application of parking lot lights around the perimeter of the parking lot. The applicant's Findings of Fact and Conclusions of Law (Exhibit D) indicate that the fixtures only project down to provide for dark

sky compatibility. In addition, these fixtures have a highly controllable system to prevent light from spilling onto adjacent properties, and include motion sensors that will dim lighting to 50% when the parking lot is unused. Walkways leading to the entrances will be lit with high efficiency recessed wall luminaires built into the sides of the retaining/seat walls along the walkways. Low voltage LED flood lights will be located in landscaping areas on the west and east sides of the building to provide accent lighting. LED Flex Tape lighting will be placed around the raised seating and water features to provide accent lighting.

Per the Public Works Department Staff Report (Exhibit GG-1), one new 310 watt HPS street light and base mounted cabinet shall be installed on the south side of East Barnett Road at the site.

Parking

Decision: At the public hearing, the applicant submitted a revised site plan showing a total of 123 parking spaces. The following section has been revised based on the revised number of spaces.

In total, the proposed medical office building provides 123 parking stalls, which is 43 spaces less than the minimum of 166 required by Code. There are two ways parking can be reduced, and both of them have been employed in this application. First, MLDC Section 10.743(3) gives the approving authority the ability to allow exceptions to the number of parking spaces for specific uses without the applicant having to apply for an exception

"...if they find that the applicant's detailed description of the proposed use demonstrates that the number of needed parking spaces is less than the minimum required or more than the maximum allowable based upon one or both of the following:

- (a) An explanation why the characteristics of the proposed use require a different off-street parking standard than what is otherwise required.*
- (b) An analysis providing parking data for the same business or a similar use within the city that demonstrated a need for a different off-street parking standard than what is otherwise required."*

In accordance with Section 10.743(3)(b), the applicant has submitted a parking demand evaluation from Southern Oregon Transportation Engineering (Exhibit CC). The evaluation was based on analysis provided by TVA Architects working with HealthLab Medical Planning. They were able to project the average number of staff and patients that would be occupying Levels 2 – 4 and then used that projection as a basis to identify the number of building users projected for the first floor, which does not yet have a tenant but is

anticipated to be a similar medical office use. Their evaluation results in 135 total users at full capacity, and with one parking space per user, 135 total parking spaces.

The second way that required parking can be reduced is found in MLDC Section 10.743(4). This section allows parking to be reduced by five percent for each activity that is proposed per project (up to a maximum of 10%). These activities include:

- (1) Providing showers and lockers for employees who commute by bicycle or foot;
- (2) Providing twice as many covered, secured bicycle parking spaces as required by this code;
- (3) Providing a public plaza adjacent to a transit route which is within one quarter mile of a major transit stop on that route. The plaza must be open to the public, and at least 300 square feet in size, exclusive of connecting walkways.

The site plan provides for showers and lockers for employees on the first floor of the new medical office building. In addition, a public plaza will be located on the eastern side of the building adjacent to the main entrance. This plaza will be within 450 feet of a major transit stop on the north side of East Barnett Road, along the hospital's frontage. The plaza is more than 300 square feet in size, and will be open to the public. By providing these features, the required parking can be reduced by 10%. Taking the parking evaluation result that indicated a need for 135 total parking spaces at full capacity, the 10% reduction results in 122 total parking spaces. The project provides 123 total parking spaces. Using the Code required 166 spaces, the 10% reduction would result in 149 total parking spaces.

Per MLDC 10.743(3), it is within the Commission's authority to determine whether 123 spaces are sufficient for this site.

Decision: At the public hearing the Commission voted to approve 123 parking spaces based upon applicant's parking demand analysis.

Parking spaces are shown to be nine feet wide by 19 feet long with 24 foot two-way drive aisles. The applicant is requesting a two foot vehicle bumper encroachment into landscape areas for all parking throughout the site. MLDC Section 10.746(18) provides for vehicle bumper encroachment under two circumstances: 1) the parking space length may be reduced by two feet and encroachment may occur when adjacent to a seven foot pedestrian walkway, 2) the parking space length may be reduced by two feet and encroachment may occur into a required yard if an additional two feet of yard is provided. Encroachment into a bufferyard is prohibited. All vehicle bumper encroachment proposed is acceptable with the exception of the encroachment into the landscape bufferyard along the East Barnett Road frontage. The applicant has requested an

Exception for this encroachment, and it will be discussed in detail further in this report within the criteria compliance section.

Per the Site Plan, outdoor bicycle parking is provided on the west side of the building in the employee plaza, and indoor parking is located adjacent to the staff lockers. Loop bike racks are proposed (Exhibit Z). The Code requires 15 bicycle parking spaces, and the applicant will be providing 28 spaces (assuming two bicycles per loop).

As previously discussed, no designated employee carpool/vanpool spaces are provided. The code requires that 10% of employee spaces be so designated. As a condition of approval, submittal of plans for building permits shall include carpool/vanpool spaces per MLDC Section 10.809.

This project requires six accessible parking spaces, one of which shall be designated as a "Wheelchair User Only" space, and the revised Site Plan complies with this requirement.

Utilities

The applicant's Site Plan narrative (Exhibit B) indicates that at the north side of the main entry the roof drainage will be filtered through a stormwater conveyance feature. This feature will integrate raised seating and plant material to provide an area of respite. The Public Works Staff Report (Exhibit GG-1) notes that a drainage plan showing the entire site with sufficient elevations to determine runoff direction to the drainage system shall be submitted with the first building permit application. All catch basins shall meet Department of Environmental Quality requirements. The project will also require storm water quality and detention facilities in accordance with MLDC Sections 10.481 and 10.729. A condition of approval has been included requiring the applicant to comply with the Public Works Staff Report dated June 4, 2015.

The subject site is within the City of Medford sanitary sewer service area. There is an 18-inch sanitary sewer in Barnett Road. The applicant proposes to connect to 8-inch sanitary sewer along the southerly property line at a location where the sewer is on adjoining property. The Public Works Staff Report notes that the applicant may need to obtain an easement from the adjoining property if one doesn't already exist, or make the connection to the east on the applicant's own property. Any unused sewer laterals within the project frontage at the main shall be capped. A condition of approval has been included requiring the applicant to comply with the Public Works Staff Report dated June 4, 2015.

The Medford Water Commission (MWC) has provided a Staff Memo (Exhibit HH) providing the conditions of approval for the subject development. Off-site water line installation is not required for the development. The applicant's civil engineer shall coordinate with MWC engineering staff regarding the layout of on-site public water facility im-

provements. A condition of approval has been included requiring the applicant to comply with the MWC Staff Memo dated April 20, 2015.

Committee Comments

No comments were received from a committee.

FINDINGS OF FACT

SPAR Criteria

Approval Criterion 1

The applicant's Narrative (Exhibit B) and Findings of Fact and Conclusions of Law (Exhibit D) thoroughly document the proposed building's compatibility with adjacent uses and development. The Site Plan and Architectural Commission can find that this proposal meets Criterion 1.

Approval Criterion 2

Exhibit A contains Conditions of Approval which the applicant shall satisfy in order to comply with provisions of the Code. Either the Site Plan and Architectural Commission approves the parking analysis demonstrating the need for reduced parking spaces, the building orientation towards State Street rather than East Barnett Road and the four exceptions requested, or the application is required to comply with all applicable provisions of the Code. Under both scenarios the Site Plan and Architectural Commission can find that the proposal meets Approval Criterion Two.

Decision: At the public hearing, the Commission approved the parking analysis and reduced parking spaces, the east-facing building orientation and the three exception requests (applicant withdrew one request at the hearing).

Exception Criteria

In regards to the applicant's requests for exceptions, Staff recommends that the Commission adopt Staff's findings provided herein, as well as the applicant's Findings (Exhibit I). Each exception request will be discussed separately for purposes of clarity.

Exception #1 – Encroachment of vehicle bumpers into the required yard/landscape buffer along East Barnett Road

The applicant has requested approval of an exception regarding encroachment of vehicle bumpers into the 10-foot wide landscape buffer along East Barnett Road as required by MLDC Section 10.746(9) which states that where parking, vehicle maneuvering or

loading areas abut a public street, such a buffer shall be provided. The exception request pertains to a two-foot encroachment spanning 18 parking spaces. MLDC Section 10.746(18) allows for vehicle encroachment but specifically prohibits encroachment into a bufferyard. Per the applicant's Findings, they propose to mitigate the encroachment into the landscape buffer by increasing the amount of plants in the buffer. This would meet the intention of the buffer which is to provide a landscape screen between the public right-of-way and the parking lot.

Exception criterion 1 requires that the granting of an exception shall be in harmony with the general purpose and intent of the regulations imposed by the Code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.

Staff concurs with the applicant's findings that the general purpose and intent of the regulation is to provide visual screening of the parking lot from the street. The applicant is proposing to provide a denser landscape buffer than is required by Code. Allowing the encroachment with the added plant materials is an acceptable alternative to that required by Code because it will provide comparable (or better) screening. Staff adds that another purpose and intention of the regulation is to provide pervious surface for stormwater detention. The bumper overhang will not have any effect on the stormwater detention function of said buffer. Therefore, this exception will be in harmony with the general purpose and intent of the regulations imposed by this Code for the C-S/P zone and will not be injurious to the general area or otherwise detrimental to the health, safety and general welfare or adjacent natural resources. Therefore, the Commission concludes that this request is consistent with Criterion 1.

Criterion 2 pertains to the permissibility of the use proposed. This exception request is specific to the landscape buffer and is unrelated to the permissibility of the use proposed. Therefore, Criterion 2 is concluded to be inapplicable.

Criterion 3 pertains to the unique or unusual circumstances that apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard (in this case prohibiting encroachment into the landscape buffer) would result in peculiar, exceptional, and undue hardship on the owner. The applicant's findings indicate their existing office located nearby at 2900 State Street is inadequate in size and function and they are seeking to build the new building. Staff notes that the existing building is 14,234 square feet and sits on 1.58 acres, while the proposed building is 34,642 square feet to be placed on 1.54 acres. The applicant contends that the north-south dimensions of the property make it difficult to supply the required double-loaded parking and that the dimensions of the property are somewhat unique and unusual and consti-

tute circumstances that do not typically apply elsewhere. Staff points out that each of the subject parcels zoned C-S/P are 23,858 square feet, 21,344 square feet, and 21,780 square feet in size. The minimum lot size for a C-S/P parcel is 7,000 square feet. In addition, the minimum lot width in the C-S/P zone is 70 feet, and depth is 100 feet. All three subject parcels exceed minimum width and depth. Staff does agree that the strict application of the standard for which this exception is being requested would result in fewer parking stalls, and a smaller building, which would not accommodate the applicant's needs. The applicant's findings indicate that the location, directly across from the hospital, is appropriate for a more intensive use than would otherwise be permitted. If the Site Plan and Architectural Commission agrees with the applicant's findings, then Criterion 3 is satisfied.

Decision: At the public hearing, the Commission approved the exception request as well as the applicant's findings regarding Exception Criterion 3.

Criterion 4 states that the need for an exception cannot be as a result of an illegal act. The applicant's findings indicate that there were no illegal acts that created the need for this exception. Therefore, Criterion 4 is satisfied.

Exception #2—Reduced Width of 22 Parking Spaces at 50-Degree Angles

Decision: At the public hearing the applicant withdrew their request for this exception.

~~MLDC Section 10.746(16) identifies the required width and length of parking spaces based upon the parking angle. Per the Site Plan (Exhibit I 1), in the southeast corner of the site there are 22 parking stalls that are angled at 50 degrees and half are designated as compact car spaces. The Code requires each space (including compact) to be nine feet wide. The applicant is proposing to make these 22 spaces eight feet wide.~~

~~In their Findings the applicant asserts that the general purpose and intention of this regulation relates to automobile paint and other potential damage from a parking space that isn't wide enough to accommodate a vehicle. The applicant argues that even a nine foot wide parking space is not wide enough for the largest automobiles. Thus, both widths are inadequate. In addition, the applicant asserts that compact cars tend to be smaller, and the reduced parking stall width will not be a problem for compact cars. However, 11 of the affected spaces are regular parking stalls for which a reduced width will be a problem. The applicant notes that a "redesign of this portion of the site would be expected to eliminate...spaces on a project that is not oversupplied for parking." Staff points out that in the parking section of this Staff Report, the parking demand analysis showed a need for 122 parking spaces, and 126 are being provided. While it may be true that nine foot wide parking spaces are not adequate, reducing them to eight feet would only exacerbate an already untenable situation. Staff recommends that the width of~~

~~these 22 parking spaces comply with the Code requirement of nine feet. While this will result in the loss of up to five spaces, according to the applicant's parking demand analysis this particular medical office use only needs 122 spaces and on street parking is available.~~

~~Criterion 1 requires that the granting of an exception shall be in harmony with the general purpose and intent of the regulations imposed by the Code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. Should the Commission agree with Staff, then the Commission can find that this exception is not in harmony with the general purpose and intent of the regulations imposed by this Code for the C S/P zone. The only connection parking stall width has to this provision is in regards to the general welfare of automobile body and paint, which can be damaged when cars are parked too close together. Therefore, the Commission can conclude that this exception request is not consistent with Criterion 1.~~

~~Criterion 2 pertains to the permissibility of the use proposed. This exception request is specific to the width of 22 parking spaces and is unrelated to the permissibility of the use proposed. Therefore, Criterion 2 is concluded to be inapplicable.~~

~~Criterion 3 pertains to the unique or unusual circumstances that apply to the site that warrant the need for the exception. Similar to the discussion above under the first exception request, the applicant's findings indicate that the east-west dimensions of the site make it difficult to supply required parking and provide standard and compact stalls that meet the required nine foot width. If this exception is not approved, they will be required to eliminate parking stalls, a situation the applicant would like to avoid given the increasing numbers of compact, subcompact, and micro-cars that would not have a problem with a smaller parking stall width. Staff notes that half of the 22 parking stalls would be regular size stalls that would be negatively affected by the reduced parking stall width. Also, the applicant's parking demand analysis resulted in a need for 122 parking spaces, and 126 spaces are proposed. In addition, on street parking is available. Therefore, the Commission can conclude that this exception request is not consistent with Criterion 3.~~

~~Criterion 4 states that the need for an exception cannot be as a result of an illegal act. The applicant's findings indicate that there were no illegal acts that created the need for this exception. Therefore, Criterion 4 is satisfied.~~

Exception #3 – Relief from Right-of-Way Dedication on State Street

In the third exception request the applicant seeks relief from the Public Works right-of-way dedication requirement of six-and-one-half feet (park strip) along State Street. Per

MLDC Section 10.429 the total right-of-way width for a commercial street is 63 feet. The applicant is required to comply with the half-width of right-of-way for a commercial street, which is 31.5 feet. The existing half-width is 25 feet.

In the Finding's the applicant indicates that Public Works will never add park strips to State Street. In their Staff Report, Public Works states that since traffic volumes on State Street are minimal and speeds are low they do not see the need to separate the sidewalk and street via a park strip. Public Works has no objection to eliminating this requirement.

Criterion 1 requires that the granting of an exception shall be in harmony with the general purpose and intent of the regulations imposed by the Code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The purpose and intent of MLDC Section 10.429 is to provide street standards for commercial streets. However, in the case of State Street, the street is fully built-out and there is not sufficient right-of-way to provide planter strips in the future. Therefore, this exception request is in harmony with the general purpose and intent of the regulations imposed by this Code for the C-S/P zone, and for State Street specifically. This exception is not injurious to the general area, nor is it detrimental to the health, safety and general welfare or adjacent natural resources. Therefore, the Commission can conclude that this exception request is consistent with Criterion 1.

Criterion 2 pertains to the permissibility of the use proposed. This exception request is specific to a required right-of-way dedication and is unrelated to the permissibility of the use proposed. Therefore, Criterion 2 is concluded to be inapplicable.

Criterion 3 pertains to the unique or unusual circumstances that apply to the site that warrant the need for the exception. The applicant's findings indicate that other lands along State Street are also lacking park strips. It is both unique and unusual for there to be a segment of a street that is fully improved to a previous City standard. If the applicant were required to dedicate the right-of-way it would result in peculiar, exceptional and undue hardship because it would substantially reduce the amount of parking the site could accommodate. The Commission can conclude that the exception request is consistent with Criterion 3.

Criterion 4 states that the need for an exception cannot be as a result of an illegal act. The applicant's findings indicate that there were no illegal acts that created the need for this exception. Therefore, Criterion 4 is satisfied.

Decision: The Commission approved this exception request.

Exception #4 – Relief from Right-of-Way Dedication on East Barnett Road

Currently, the Site Plan shows an eight-foot dedication along the south side of East Barnett Road. In the fourth exception request the applicant seeks relief from the Public Works requirement of an additional six-foot (bike lane) right-of-way dedication along East Barnett Road. Per MLDC Section 10.428 the total right-of-way width for a Major Arterial Street is 100 feet. The applicant is required to comply with the half width of right-of-way for a Major Arterial, which is 50 feet. The existing half width is 36 feet.

In the Finding's the applicant indicates that Larson Creek Greenway is being developed as the primary route for bicyclists traveling east-west, thereby removing the need to add bicycle lanes to East Barnett Road which would have been a herculean effort. Public Works has no objection to eliminating this requirement.

Criterion 1 requires that the granting of an exception shall be in harmony with the general purpose and intent of the regulations imposed by the Code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The purpose and intent of MLDC Section 10.428 is to provide street standards for Major Arterial streets. However, in the case of East Barnett Road, the street is fully built-out and there is not sufficient right-of-way to provide bike lanes in the future. Instead, the City is focusing its efforts on developing Larson Creek Greenway as an alternative route for bicyclists. Therefore, this exception request is in harmony with the general purpose and intent of the regulations imposed by this Code for the C-S/P zone, and for East Barnett Road specifically. This exception is not injurious to the general area, nor is it detrimental to the health, safety and general welfare or adjacent natural resources. Therefore, the Commission can conclude that this exception request is consistent with Criterion 1.

Criterion 2 pertains to the permissibility of the use proposed. This exception request is specific to a required right-of-way dedication and is unrelated to the permissibility of the use proposed. Therefore, Criterion 2 is concluded to be inapplicable.

Criterion 3 pertains to the unique or unusual circumstances that apply to the site that warrant the need for the exception. The applicant's findings indicate that other recent development in the area received approvals for this same exception. It is both unique and unusual for there to be a street that is fully improved but lacking bike lanes. If the applicant were required to dedicate the right-of-way it would result in peculiar, exceptional and undue hardship because it would substantially reduce the amount of parking the site could accommodate. The Commission can conclude that the exception request is consistent with Criterion 3.

Criterion 4 states that the need for an exception cannot be as a result of an illegal act. The applicant's findings indicate that there were no illegal acts that created the need for this exception. Therefore, Criterion 4 is satisfied.

Decision: The Commission approved this exception request.

RECOMMENDED ACTION

The Commission's options are as follows:

- Agree with the applicant's parking demand analysis and approve the reduced number of parking spaces per MLDC Section 10.743(3), or disagree with the analysis and require 151 parking spaces per MLDC Section 10.743-1.
- Find that the east-facing entrance is appropriate and direct, convenient and safe access to the major transit stop will be provided per MLDC Section 10.808(4), or disagree and require the building entrance to be oriented towards East Barnett Road per MLDC Section 10.808(1).
- Agree with Staff and applicant's findings that a two foot encroachment of vehicle bumpers into the landscape buffer along East Barnett Road will be adequately mitigated by providing denser landscaping and approve the Exception request, or disagree and deny the Exception request.
- Agree with Staff's findings that the requested exception for reduced parking stall width for 22 parking stalls located in the southeast corner of the site does not meet the exception criteria, and deny the Exception request, or agree with the applicant's findings that even a nine foot width is not adequate, that an eight foot width will be adequate for 11 of the 22 spaces to be designated for compact cars, and that an eight foot width will not be detrimental for 11 of the 22 spaces to be regular spaces and approve the Exception request.

Decision: At the public hearing the applicant withdrew this Exception request.

- Agree with Staff and applicant's findings that relief from the right-of-way dedication on State Street for a planter strip meets the exception criteria and approve the Exception request, or disagree and deny the Exception request.
- Agree with Staff and applicant's findings that relief from the right-of-way dedication on East Barnett Road for a bike lane meets the exception criteria and approve the Exception request, or disagree and deny the Exception request.

Decision: The Commission agreed with the applicant's parking demand analysis and approved the reduced number of parking spaces; approved the east-facing building entrance finding that it will adequately provide direct, convenient and safe access to the major transit stop; approved the exception request regarding the two-foot vehicle bumper encroachment into the landscape buffer on East Barnett Road finding that it will

be adequately mitigated by providing denser landscaping; and approved both exceptions for relief from right-of-way dedications along East Barnett Road and State Street.

Directed staff to prepare Final Orders for approval of AC-15-028/E-15-029 per the Commission Report dated June 5, 2015, including Exhibits A through LL.

EXHIBITS

- A-1 Revised Conditions of Approval dated June 5, 2015
- B Applicant's Project Narrative dated January 22, 2015
- C Applicant's Demonstration of Compliance dated May 14, 2015
- D Applicant's Findings of Fact and Conclusions of Law received May 15, 2015
- E SPAC Review Set Cover Sheet dated February 13, 2015
- F Site Demolition Plan C3.00 dated February 13, 2015
- G Grading and Utility Plan West C3.01 dated February 13, 2015
- H Grading and Utility Plan East C3.02 dated February 13, 2015
- I-1 **Revised Site Plan A100 dated May 18, 2015**
- J Site Enclosures and Site Signage A101 dated February 13, 2015
- K Level 01 Floor Plan A201 dated February 13, 2015
- L Level 02 Floor Plan A202 dated February 13, 2015
- M Level 03 Floor Plan A203 dated February 13, 2015
- N Level 04 Floor Plan A204 dated February 13, 2015
- O Roof Plan A205 dated February 13, 2015
- P Exterior Elevations A401–A404 dated February 13, 2015
- Q Planting Plan West L400 dated February 13, 2015
- R Planting Plan East L410 dated February 13, 2015
- S Planting Plan Level 4 Terrace L420 dated February 13, 2015
- T Planting Details L640 dated February 13, 2015
- U Electrical Site Plan E101 dated February 2, 2015
- V Light Fixture Schedule E200 dated February 2, 2015
- W Preliminary Planting Plan
- X Colored Elevations
- Y Colors and Materials
- Z Loop Bike Rack Specifications
- AA Outdoor Bench Specifications – MultipliCITY
- BB Outdoor Trash Receptacle Specifications – MultipliCITY
- CC Letter from Southern Oregon Transportation Engineering dated February 11, 2015 Re: Parking Demand for Medical Office
- DD Letter from HealthLab dated April 23, 2015 Re: Clarification of Structure Type
- EE Aerial Photo with Medford Zoning received February 17, 2015
- FF Photo Key Map & Site Photos received February 17, 2015
- GG-1 Revised Public Works Department Staff Report dated June 4, 2015**
- HH Staff Memo from Medford Water Commission dated April 20, 2015

- II Land Development Report from Medford Fire Department dated April 13, 2015
- JJ Interoffice Memo from Parks and Recreation Department dated April 22, 2015
- KK Memo from Medford Building Department dated April 21, 2015
- LL Figure 7-1 from the Transportation System Plan: Medford Designated Major RVTD Transit Routes and Stops
Vicinity Map

SITE PLAN AND ARCHITECTURAL COMMISSION

Jeff Bender, Chair

SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:

JUNE 5, 2015

JUNE 19, 2015

EXHIBIT A-1

Asante Neuroscience Institute
AC-15-028/ E-15-029
Conditions of Approval
June 5, 2015

DISCRETIONARY

1. Apply the alternative parking analysis provided by the applicant (Exhibit CC).

CODE CONDITIONS

1. The applicant shall:
 - a. Comply with the Public Works Staff Report, dated June 4, 2015; (Exhibit GG-1).
 - b. Comply with the Medford Water Commission Staff Memo dated April 20, 2015; (Exhibit HH).
 - c. Comply with the Land Development Report from Medford Fire Department, prepared March 11, 2015. (Exhibit II).
 - d. Submit a Property Line Adjustment application to consolidate or adjust the property lines under the building.
 - e. Submit plans for building permits that show employee carpool/vanpool parking spaces in compliance with Section 10.809.
 - f. Submit plans for building permits that include a revised Landscape Plan showing one additional street tree along State Street. All street trees shall be chosen from the Parks Department's Selected Street Tree List.
 - g. Submit sign permit applications for all signage associated with this development.

RECEIVED

JUN 05 2015

ANNING DEPT.



ASANTE

SONSA

STATE STREET
THE NEUROSCIENCE INSTITUTE
2810 E. BARNETT RD., MEDFORD, OREGON

STATE STREET

GMP SET

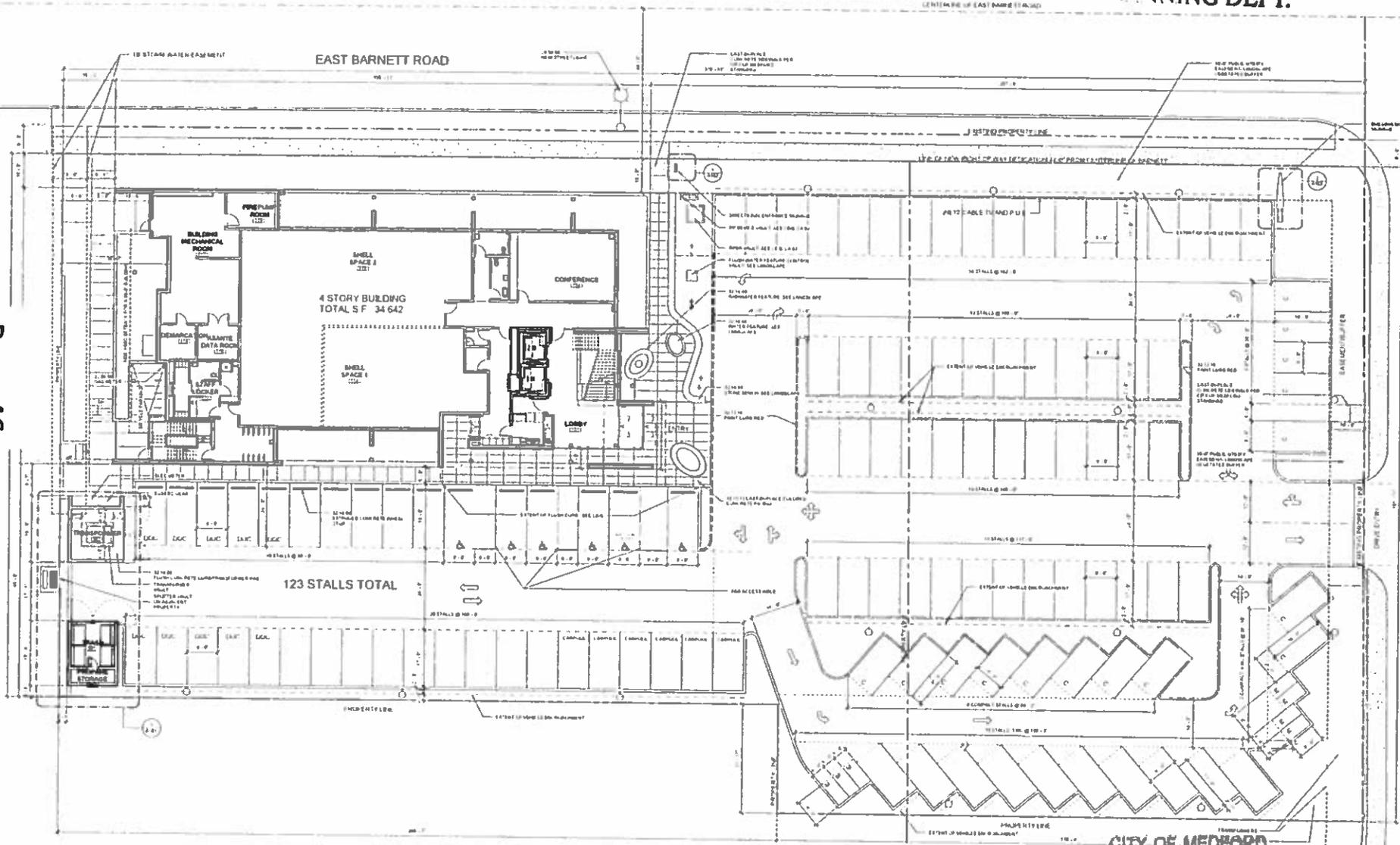
SITE PLAN

A100



05.10.15

Page 46



1 SITE PLAN

CITY OF MEDFORD

EXHIBIT # I-1

File # AC-15-028/E-15-029



Continuous Improvement Customer Service

RECEIVED

JUN 04 2015

PLANNING DEPT.

CITY OF MEDFORD

Revised Date: 6/4/2015

File Number: AC-15-028/E-15-029

PUBLIC WORKS DEPARTMENT STAFF REPORT
ASANTE – NEUROSCIENCE INSTITUTE

Project: Consideration of plans for the construction of a 34,642 square foot medical office building and four Exceptions: 1. To reduce number of off-street parking spaces, 2. To waive requirement to place building entrance nearest to and facing Barnett Road (a designated transit route), 3. To allow encroachment of vehicle bumpers into required street frontage landscaping, and 4. To waive right-of-way dedication along State Street, on 3 parcels totaling 1.54 acres within the C-S/P zoning district.

Location: The southwest corner of East Barnett Road and State Street.

Applicant: ASANTE

NOTE: The items listed here shall be completed and accepted prior to the respective issuances of permits and certificates:

Prior to issue of the first building permit, the following items shall be completed and accepted:

- Barnett Road right-of-way and PUE dedications
- Submittal and approval of plans for site grading and drainage, and detention.
- Completion of all public improvements, if required. The applicant may provide security for 100% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.

Prior to issue of Certificate-of-Occupancy for completed structures, the following items shall be completed and accepted:

- Paving of all on-site parking and vehicle maneuvering areas
- Certification by the design engineer that the stormwater quality and detention system was constructed per the approved plan.
- Completion of all public improvements

A. **STREETS**

1. **Dedications**

East Barnett Road is classified as a major arterial street, and in accordance with Medford Land Development Code (MLDC) Section 10.428, it requires a total right-of-way width of 100 feet. Prior to issuance of any permit for construction, the developer shall dedicate for public right-of-way, sufficient width of land along the East Barnett Road frontage of this development to comply with the half width of right-of-way for a major arterial street, which is 50 feet. The existing right-of-way south of the centerline appears to be 36 feet. **The amount of additional right-of-way needed appears to be 14 feet.** (MLDC 10.451).

The Developer has requested an Exception to the City's right-of-way standards on Barnett Road to reduce the amount of right-of-way to be dedicated from 14 feet to 8 feet. The 6 feet of reduction would mean the elimination of a bike lane on Barnett Road in the future. Public Works and Planning has been involved with creating a multi-use path along Larson Creek parallel to Barnett Road and approximately 500 feet south, to provide bike facilities in this area in-lieu of Barnett Road. Based on this work, **Public Works does not anticipate it will try to provide bike lanes on Barnett in the future, and would have no objection to this request.**

The developer will receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedication on East Barnett Road, per the methodology established by the MLDC 3.815. **Should the developer elect to have the value of the land be determined by an appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order of the Site Plan and Architectural Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

State Street is classified as a commercial street, and in accordance with Medford Land Development Code (MLDC) Section 10.429, it requires a total right-of-way width of 63 feet. Prior to issuance of any permit for construction, the developer shall dedicate for public right-of-way, sufficient width of land along the State Street frontage of this development to comply with the half width of right-of-way for a major arterial street, which is 31.5 feet. The existing right-of-way west of the centerline appears to be 25 feet. **The amount of additional right-of-way needed appears to be 6.5 feet.** (MLDC 10.451).

The Applicant has submitted an Exception Application with findings to not dedicate any additional right-of-way on State Street. As indicated in the findings, the street is currently constructed to commercial street standards, with the exception that existing sidewalks are curbside and no planter strips are provided nor is there sufficient right-of-way to provide them in the future. Since traffic volume on State Street is minimal and speeds are low, Public Works doesn't see the need to provide separation between the sidewalk and the street. **Public Works has no objections to eliminating the requirement to provide right-of-way for future planter strips on State Street.**

In accordance with MLDC 10.471, the property owner shall dedicate a 10 foot wide public utility easement (PUE) adjacent to the right-of-way line on East Barnett Road and State Street.

The right-of-way and PUE dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: right-of-way and PUE dedications, a copy of a current lot book report, preliminary title report, or title policy; a mathematical closure report (if applicable), and the Planning Department file number, all for review and signature acceptance by the City Engineer prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the areas dedicated.

2. Public Improvements

a. Public Streets

All standard street section improvements have been completed on East Barnett Road and State Street, including pavement, curb and gutter and sidewalk. The existing sidewalk along Barnett Road in front of the most westerly parcel within this Development is in very poor condition. The grading and utility plans provided for this project indicate new sidewalk is to be constructed along East Barnett Road. The Developer shall construct a 5 foot sidewalk with a 10 foot planter strip along East Barnett Road as part of this project.

b. Street Lights and Signing

The Developer shall install one (1) new 310 watt HPS street light and base mounted cabinet (BMC) power supply on the south side of East Barnett Road at the site. Power may be provided from the existing street light recently installed with the Southern Oregon Surgery Center project located east of Medical Center Drive.

- If the existing BMC is used, the Developer shall install a new underground conduit and wire from the existing street light to feed a new junction box to also be installed by the Developer at the location of the new street light.
- Developer shall protect and preserve all existing street lighting, power supply, and appurtenances. Street SDC credits will also be available for this street light in accordance with the MLDC, Section 3.815. The Developer's engineer shall verify that the existing circuits can handle the load of the new lights or modify the existing BMC to add an additional circuit.
- The street light is required to be completed and turned on prior to first building permit, or provide security for 100% of construction costs and sign a Land Development Agreement, if a building permit is desired prior to constructing the light.
- The Developer shall provide a public improvement plan and calculations for the street light and BMC showing all wiring and conduit runs, street light, and BMC.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided by Medford Public Works Department and paid for by Developer.

c. Pavement Moratoriums

East Barnett Road was overlaid in August of 2014, and is under a moratorium for street cuts until August of 2019. No cuts shall be allowed in East Barnett Road. There is no moratorium for street cuts on State Street.

3. Access and Circulation

Driveway access to the proposed development site shall comply with MLDC 10.550. The driveway approach on State Street shall have 20 foot curb radii, concrete valley gutters and ADA ramps at the throat of each driveway.

4. MLDC Section 10.668 Analysis

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless: (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose, and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and are supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. Rough proportionality between the required dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Also, the City is allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

East Barnett Road:

The additional right-of-way will provide the needed width for a future planter strip and bike lane on East Barnett Road. If the Exception is approved, then the additional 8 feet will just be for a future 10 foot wide planter strip. East Barnett Road is a 35 mile per hour facility, which currently carries approximately 16,000 vehicles per day. The 10' planter strip moves pedestrians

a safe distance from the edge of the roadway. East Barnett Road will be the primary route for pedestrians traveling to and from this development.

Dedication of the PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in previous adjacent developments to provide a transportation system that meets the needs for urban level services.

The City assesses System Development Charges (SDC's) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

B. SANITARY SEWERS

This site lies within the Medford sewer service area. There is an 18-inch diameter sanitary sewer in Barnett Road and an 8-inch diameter sanitary sewer along the southerly property line of this development. The proposed Grading and Utility Plan indicates this Development will connect to the sewer along the south property line at a location where the sewer is on the adjoining property. The Developer may need to obtain an easement from the adjoining property if one doesn't already exist, or make the connection to the east on the Developer's own property.

The Developer shall cap any other remaining unused sewer laterals within the project frontage at the main.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval. All area catch basins shall meet Department of Environmental Quality (DEQ) requirements, which include a down-turned elbow and sump.

The Developer shall provide copies of either a Joint Use Maintenance Agreement or a private stormdrain easement for any stormwater draining onto or from adjacent private property.

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development shall be submitted with the building permit application for approval.

Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

Stormwater quality and detention facilities shall be required in accordance with MLDC Section 10.481 and 10.729.

4. Certification

Upon completion of the project, and prior to certificate of occupancy of the building, **the developer's design engineer shall certify that the construction of the stormwater quality and detention system was constructed per plan.** Certification shall be in writing and submitted to the Engineering Division of Public Works. Reference Rogue Valley Stormwater Quality Design Manual, Appendix I, Technical Requirements.

5. Wetlands

The Developer shall contact the Division of State Lands for the approval or clearance of the subject property with regards to wetlands and/or waterways, if they are present on the site.

6. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. General Conditions

1. Design Requirements and Construction Drawings

All public improvements shall be constructed in accordance with the "Engineering Design Standards for Public Improvements", adopted by the Medford City Council. Copies of this document are available in the Public Works Engineering office.

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the Site Plan and Architectural Commission's Final Order, together with all pertinent details and calculations. The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval.

Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

3. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the Department of Public Works prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans. Pre-qualification is required of all contractors prior to application for any permit to work in the public right-of-way.

4. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

5. System Development Charges

Buildings in this development are subject to street, sanitary sewer collection, treatment, and stormdrain system development charges (SDC). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Larry Beskow/Doug Burroughs
Revised on 6-4-15 by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL ASANTE – NEUROSCIENCE INSTITUTE

AC-15-028/E-15-029

A. Streets

1. Street Dedications to the Public:

Dedicate 14 feet of additional public right-of-way or provide an Exception.

Dedicate 10 foot Public Utility Easement (PUE) along frontage of Barnett & State Street.

2. Improvements:

Remove and replace broken sidewalk on Barnett Road.

The Developer shall construct one (1) new street light on the south side of Barnett Road.

The Developer shall construct a new radius driveway on State Street

A Pavement moratorium is currently in effect on Barnett Road.

B. Sanitary Sewer:

Ensure or construct separate individual sanitary sewer connection on site or obtain easement from adjoining site.

Cap remaining laterals at the main.

C. Storm Drainage:

Provide a comprehensive grading and drainage plan.

Provide water quality and detention facilities, calculations and O&M Manual.

Provide engineers certification of stormwater facility construction.

Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

The above summary is for convenience only and does not supersede or negate the full report in any way. If there is any discrepancy between the above list and the full report, the full report shall govern. Refer to the full report for details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection.



REVISED STAFF REPORT

for a Type-C quasi-judicial decision: Revision to Approved Site Plan

PROJECT Medford Police Station – Revision to Garage Elevations
 Applicant: City of Medford Parks & Recreation Department (ORW Architects, Agent)

FILE NO. AC-14-109

TO Site Plan and Architectural Commission *for June 19, 2015 hearing*

FROM Kelly Akin, Principal Planner *KA*

DATE June 12, 2015

BACKGROUND

Proposal

Consideration of a request for approval of a revision to the garage elevations for the 93,131 square foot City of Medford police station parking structure on 1.14 acres located between Ivy Street and Holly Street on the northwest side of 10th Street within the C-S/P/CB (Service Commercial/Professional Office/Central Business District Overlay) zoning district.

Subject Site Characteristics

Zoning	C-S/P/CB	Service Commercial/Professional Office/Central Business District Overlay
GLUP	CC	City Center
Use	Police headquarters and parking garage under construction	

Surrounding Site Characteristics

North	C-S/P/CB	Jackson County Health Services and Parking Garage
South	C-S/P	Offices
East	C-S/P/CB/H	Offices, one property on the National Register of Historic Places
West	C-S/P/CB	City Hall and Lausmann Annex

Related Projects

E-14-110

Applicable Criteria

Medford Municipal Code §10.290

SITE PLAN AND ARCHITECTURAL REVIEW APPROVAL CRITERIA

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.*

ISSUES AND ANALYSIS

Background

The Site Plan and Architectural Commission conducted a public hearing on the proposal to construct a 47,240 square foot police station and four-story, 93,131 square foot parking structure on November 7, 2014, and adopted the Final Orders of approval on November 21, 2014. The subject site is on the north side of 10th Street, extending between Holly and Ivy Streets. The applicant subsequently submitted an application for a building permit; construction is currently underway.

On April 13, 2015, the applicant submitted a request to revise the garage elevations. This decision is limited to that revision request; no conditions of approval or other decisions will be revised as a result of this action.

The applicant explains that the revision request is made in an effort to keep the project within budget. From Exhibit A:

Since this design (Exhibit B) is not the preferred option of ORW or the project team, we also are preparing an alternate design. If the project cost comes in under budget (or if the budget is increased for some reason), then the city can choose to build this preferred design, as shown in the attached "Add Alternate Bid" (Exhibit C) images. This Alternate Bid option represents the design that is preferred by both the project team and the City Council, and it is very similar to what was submitted last year for Site Plan approval.

Change Analysis

This proposal was originally scheduled for hearing on May 15, 2015. In that report, staff identified the lack of any architectural treatment in the “Base Bid” alternative, particularly on the 10th Street elevation as an issue. 10th Street is an important corridor as the southerly boundary of Medford’s downtown and the Central Business District. After reviewing the staff report, the applicant requested that the Commission continue the public hearing. Staff and the applicant met to discuss the proposal and the concerns identified in the report. The result of the discussion was a significant change to the “Base Bid” proposal.

There are again two options that have been presented. Each proposal reduces the number of steel beams that create three vertical “shadow lines” near the top of the structure. Staff notes that both proposals include a mesh fabric from ground to the top of the structure as originally approved, similar to the Jackson County garage adjacent to the north. However, the mesh weave is proposed to be smaller than the County facility. The most significant changes proposed are the reduction of the amount of brick façade treatment, which varies between the two proposals.

The revised “Base Bid” is identified as Exhibit B. This proposal shows the most significant reduction in the amount of the façade treatment, but in staff’s opinion presents an acceptable level of interest at the street level. The preferred alternative, or “Add Alternate Bid”, are the elevations most similar to those originally approved and are included as Exhibit C.

The intent of requesting two façade treatments is to allow some flexibility in construction. As noted above, the requested revision is a budget consideration. The preferred option is the “Add Alternate Bid” and will be constructed if the budget allows; if not, the “Base Bid” will be constructed.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

MLDC 10.290 Site Plan and Architectural Review Criteria

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*

The Commission previously found that the continuation of the materials from the police station to its parking facility was compatible with the neighborhood. The Commission can find that the close weave of the proposed mesh fabric will give an opaque appearance and solid feel to the structure. The brick façade application continues the use of materials from the police station building. Additionally, the treatment at the ground level provides interest at the pedestrian level. Reducing the amount of façade material used does not materially affect the prior decision. The Commission can find that the proposal to revise the elevations meets this criterion.

(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 proposal does not alter the Commission’s Findings from November 21, 2014. No additional findings are required for this criterion.

RECOMMENDED ACTION

Adopt the Findings as recommended by staff and adopt the Final Order for approval of the revision to AC-14-109 per the staff report dated June 12, 2015, including Exhibits A through D.

EXHIBITS

- A Revision Request Letter received April 13, 2015
- B Proposed Base Bid Elevations received June 12, 2015
- C Proposed Alternate Bid Elevations received June 12, 2015
- D Approved Site Plan received October 27, 2014
Vicinity map

SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:

MAY 15, 2015

JUNE 5, 2015

JUNE 19, 2015

RECEIVED
APR 13 2015
PLANNING DEPT



April 6, 2015

Kelly Akin
City of Medford Planning Department
200 South Ivy Street
Medford, Oregon 97501

Re: Proposed Architectural Changes to Medford Police Station (AC-14-109)

Dear Kelly:

As you know, the design of this project has continued to evolve since we obtained Site Plan approval for this project last year. As part of this process, the city's project team directed us to make several changes to the design, in order to keep the project on budget. One of these changes involves the exterior design of the Secure Vehicle Circulation facility (SVC), the structured parking component of the project. This design is noticeably different than what was submitted for Site Plan approval, as shown on the attached "Base Bid" images. This Base Bid option represents a design that fits within the project budget.

Since this design is not the preferred option of ORW or the project team, we also are preparing an alternate design. If the project cost comes in under budget (or if the budget is increased for some reason), then the city can choose to build this preferred design, as shown in the attached "Add Alternate Bid" images. This Alternate Bid option represents the design that is preferred by both the project team and the city council, and it is very similar to what was submitted last year for Site Plan approval.

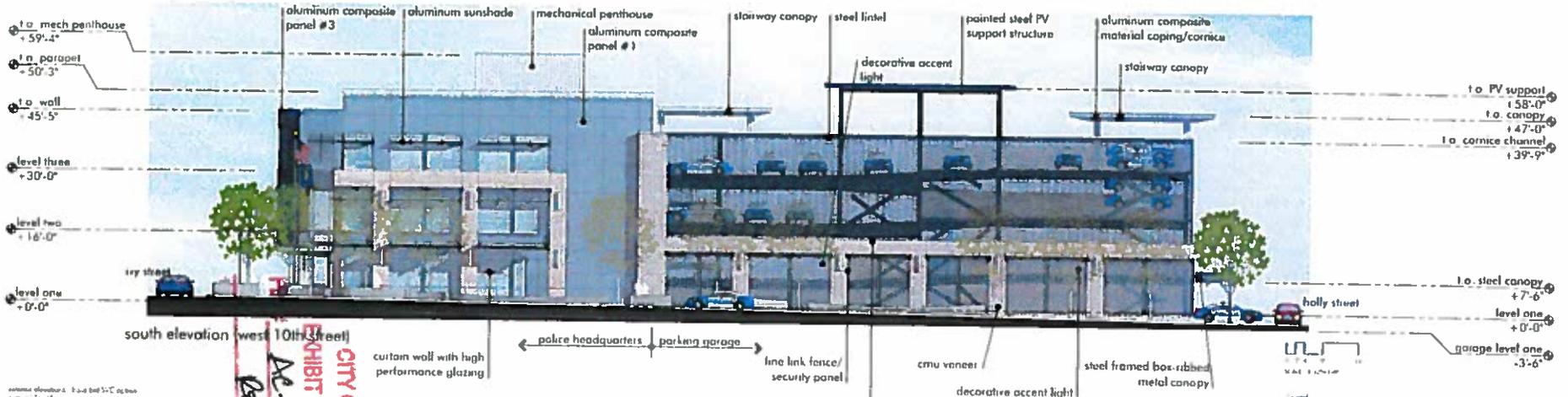
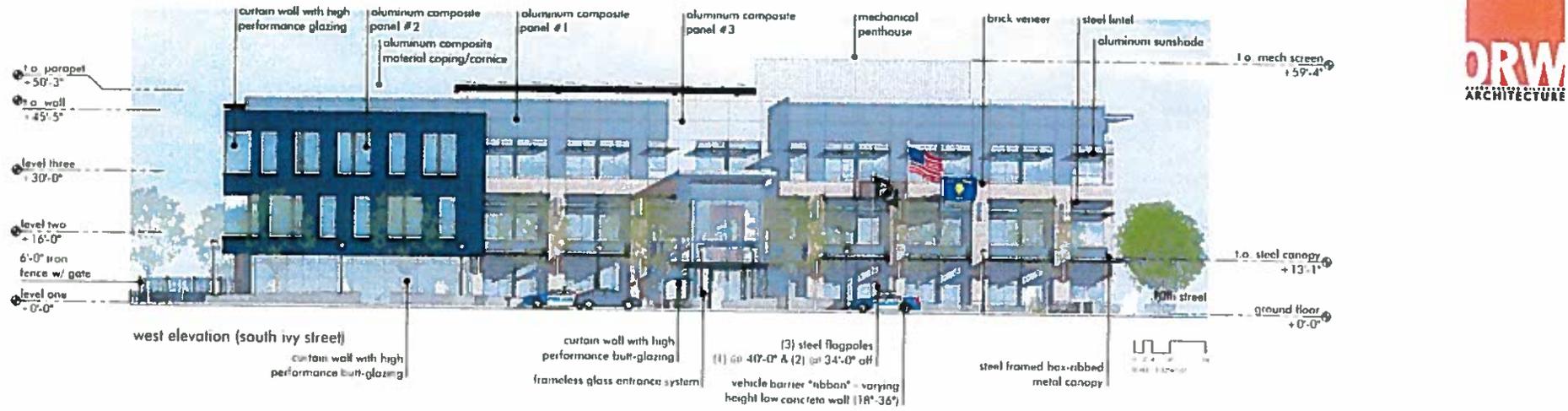
Via this letter, we are submitting both alternate designs for SPAC approval. At this time, we do not know which option the city can afford, so we would like approval of both. Due to the project schedule, we cannot delay this decision until the final bids are received. Instead, we would like to get SPAC's approval of both options. We will notify you of the option that is selected, for your records.

Please let us know what the next steps are in this process.

Respectfully submitted,


J. David Wilkerson, II AIA LEED-AP
Principal

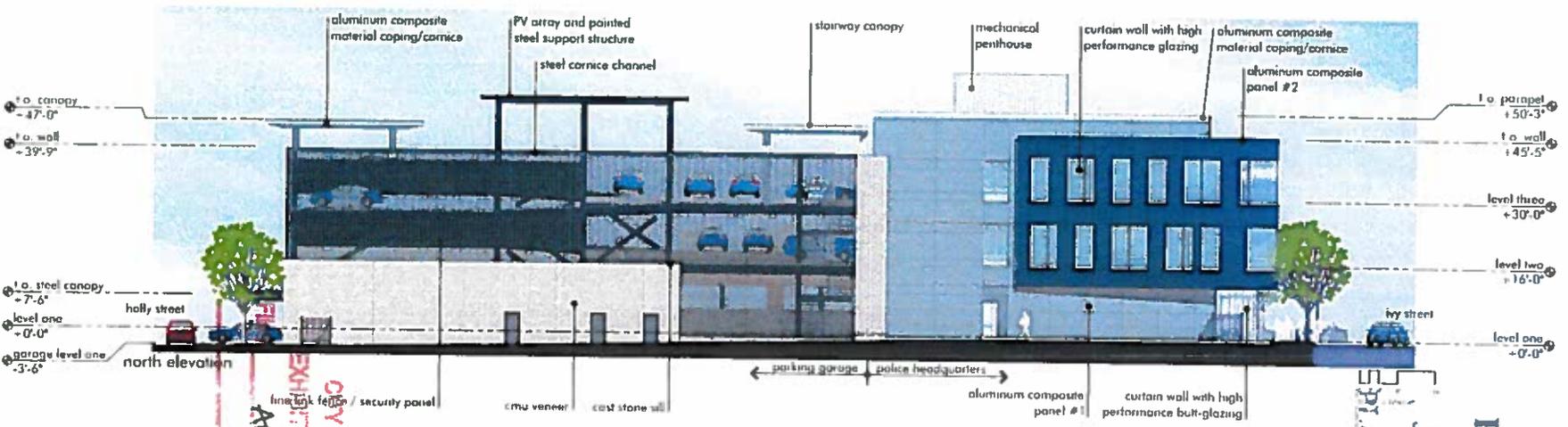
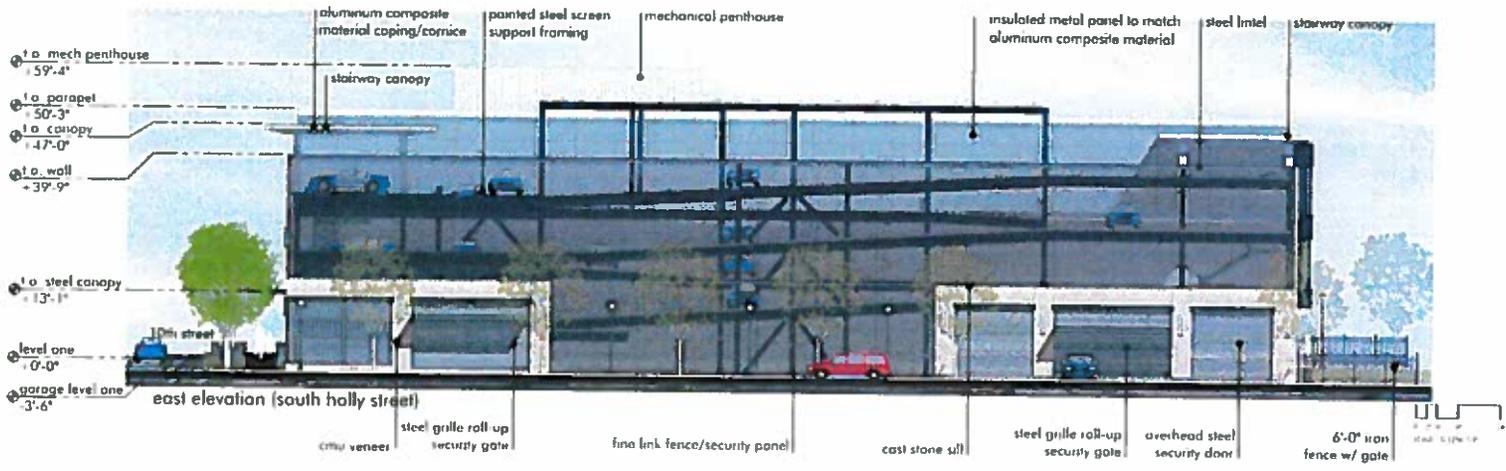
CITY OF MEDFORD
EXHIBIT # A
File # AC-14-109
REVISION



medford police station
corner of 10th and Ivy
12 June 2015

CITY OF MEDFORD
EXHIBIT # B | 02
AC-14-109
REVISION

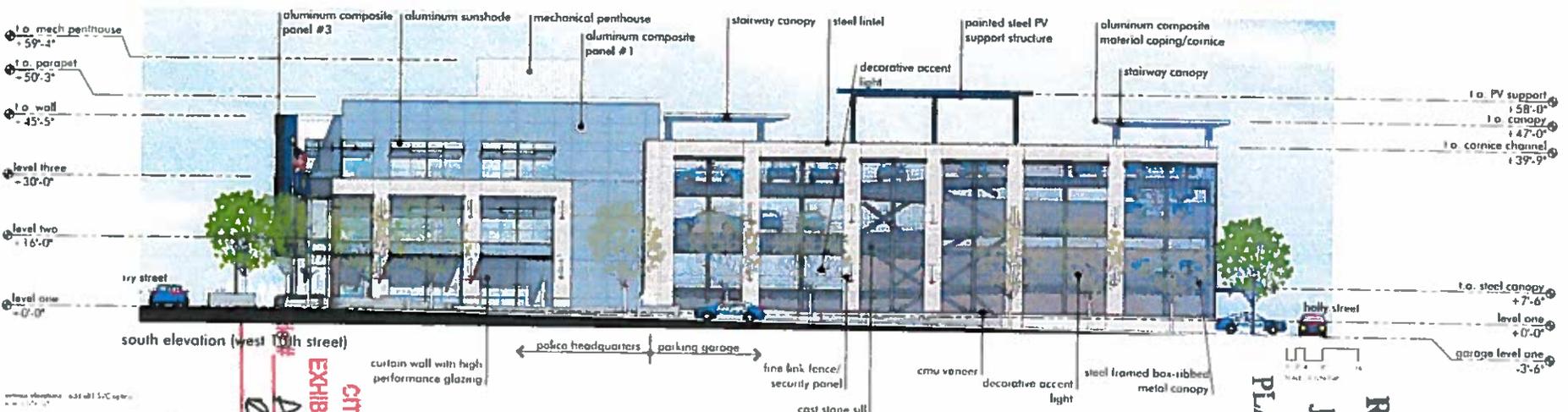
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JUN 12 2015
PLANNING DEPT



medford police station
corner of 10th and Ivy
12 June 2015

EXHIBIT # B 2 OF 2
AC-14-109
REVISIONS
CITY OF MEDFORD

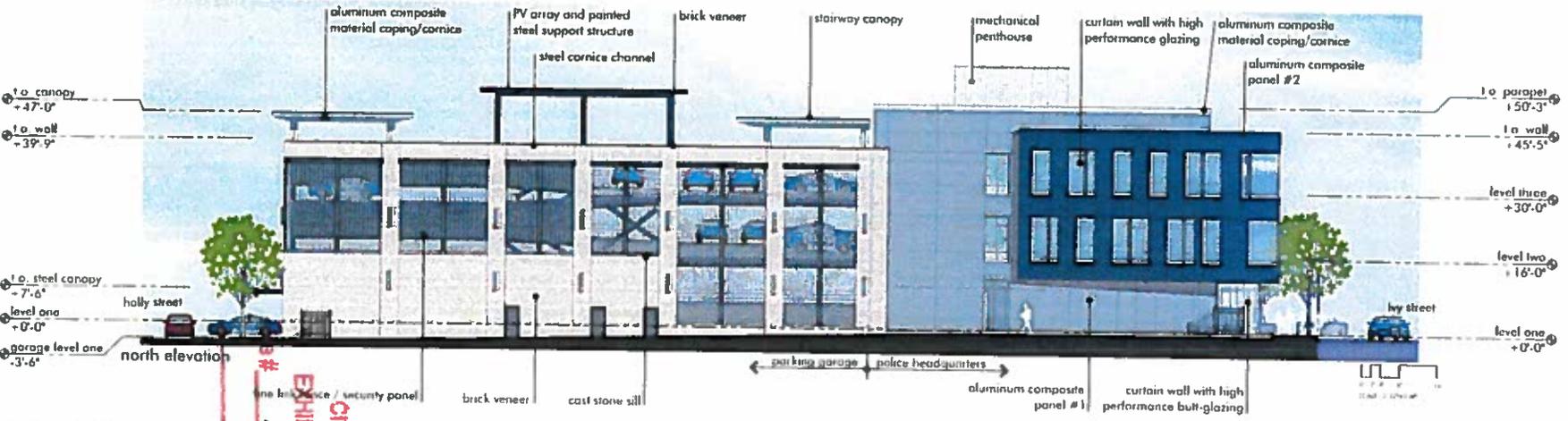
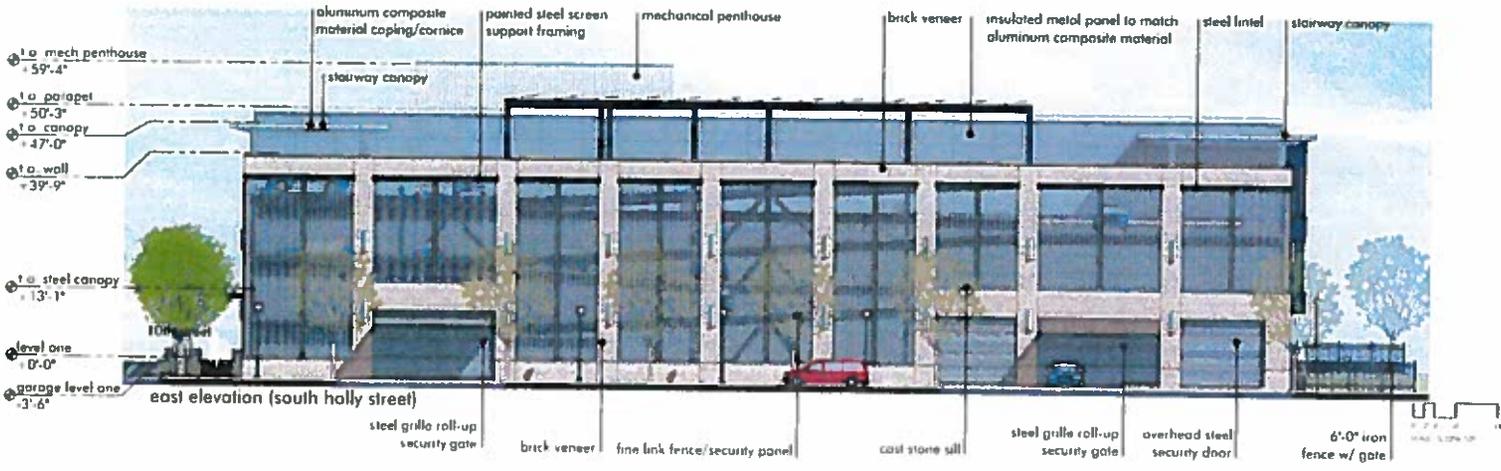
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medford police station
corner of 10th and ivy
12 June 2015

CITY OF MEDFORD
EXHIBIT # C 102
AP-14-109
DESIGN

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JUN 12 2015
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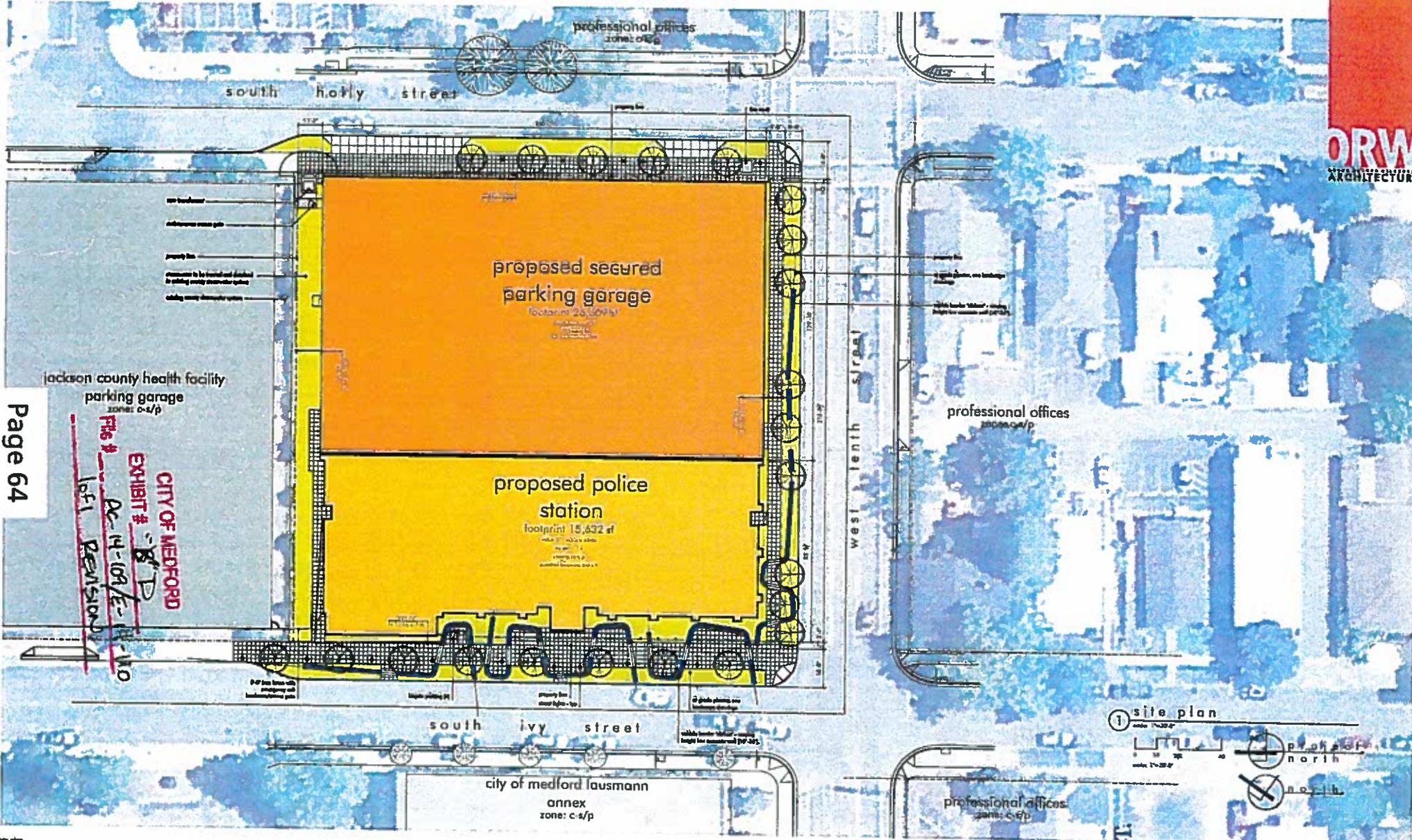
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medford police station
corner of 10th and Ivy
12 June 2015

CITY OF MEDFORD
EXHIBIT # C 2012
AE-14-109
Revision

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CITY OF MEDFORD
 EXHIBIT # **101**
 PC 14-109/E-14-110
 10/1 REVISION 1

site plan
 max 7'-0" x 7'-0"
 medford police station
 corner of 10th and ivy
 19 september 2014

RECEIVED
 OCT 27 2014
 PLANNING DEPT.

