

February 6, 2020

6:00 P.M.

Medford City Hall, Medford Room
411 W. 8th Street, Medford, Oregon

10. Roll Call

20. Recognitions, Community Group Reports

30. Oral Requests and Communications from the Audience

Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

40. Approval or Correction of the Minutes of the January 16, 2020 Regular Meeting

50. Consent Calendar

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

70.1 COUNCIL BILL 2020-12

An ordinance amending Section 8.807 of the Medford Municipal Code pertaining to Transient Lodging Tax.

70.2 COUNCIL BILL 2020-13

An ordinance authorizing Amendment No. 1 to the Naming Rights Agreement between U.S. Cellular and the City of Medford, and also authorizing a one-year extension of sports park naming rights in the amount of \$75,000 through March 21, 2021, with a mutual option for an additional one-year extension.

80. Public Hearings

Comments are limited to a total of 30 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. Appellants and/or their representatives are limited to a total of 30 minutes and if the applicant is not the appellant they will also be allowed a total of 30 minutes. All others will be limited to 4 minutes. PLEASE SIGN IN.

80.1 COUNCIL BILL 2020-14

An ordinance vacating street right-of-way for a portion of Austin Street between Pine Street and North Riverside Avenue. (SV-19-047) Land Use, Quasi-Judicial

80.2 COUNCIL BILL 2020-15

An ordinance vacating a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the southwest corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district. (SV-19-048) Land Use, Quasi-Judicial

80.3 COUNCIL BILL 2020-16

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan, and a Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and the Public Park Zone. (GLUP-19-005 & ZC-19-018) Land Use, Quasi-Judicial

90. Council Business

90.1 Proclamations issued: None

90.2 Committee Reports and Communications

a. Council Officers Update

100. City Manager and Staff Reports

100.1 STOP Data Results - Police Chief Clauson

100.2 420 Fund Applications – Ryan Martin

110. Adjournment



AGENDA ITEM COMMENTARY

DEPARTMENT: Finance

PHONE: (541) 774-2030

STAFF CONTACT: Ryan Martin, CFO/Deputy City Manager

AGENDA SECTION: Ordinances and Resolutions

MEETING DATE: February 6, 2020

COUNCIL BILL 2020-12

An ordinance amending Section 8.807 of the Medford Municipal Code pertaining to Transient Lodging Tax.

SUMMARY AND BACKGROUND

Council is requested to consider approval of a code change removing the five day remittance grace period from the Transient Lodging Tax (TLT) ordinance and other, minor clarification language.

In 2015, Council approved amendments to the Medford Municipal Code (MMC) to allow a five day grace period for TLT remittance. This made TLT payments due one month and five days after the end of the reporting month.

PREVIOUS COUNCIL ACTIONS

On November 19, 2015, Council Bill 2015-117 was approved amending the Transient Lodging Tax ordinance to allow a five day additional grace period for TLT remittance.

On August 20, 2019, Councilmembers and staff discussed the collection period of TLT at a G-3 meeting.

On December 12, 2019, Council agreed at a Study Session to amend the MMC to remove the five day grace period from the TLT ordinance.

ANALYSIS

After the MMC was amended to allow a five day grace period, many hoteliers each month began remitting TLT after the end of the month (and during the five day grace period). However, it fluctuated from month to month which hoteliers remitted payments before and after month end. This has caused difficulties in reporting, tracking, and budgeting.

Remittance due dates for seven comparable sized cities were researched. Of the seven, four cities have remittance due dates of the last day of the month subsequent to the reporting period, and three cities have a due date of the 15th day of the month subsequent to the reporting period. None of the seven cities included a postmark date.

We reached out to three groups that were supportive of the code change in 2015: Medford hoteliers, the Travel Medford Tourism Council, and the Chamber Board. Each group was supportive of the change back to having payments due by the end of the month. Medford hoteliers expressed they wanted good communication throughout the process and enough time to make any necessary changes to accommodate having payments due five days earlier.



Section 8.807(3) is revised to remove the five day grace period.

Section 8.807(4) is revised to clarify the language discussing the one-month extension. The change only clarifies language; it does not change the length of time of the extension.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Consistency of TLT revenue reporting will increase as there will be less lodging providers paying after month-end.

TIMING ISSUES

It was requested by Medford hoteliers that there be communication in advance about potential changes to the TLT ordinance. Eli Matthews of Travel Medford confirmed that an effective date of April 1, 2020 would suffice for Medford hoteliers.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance removing the five day grace period for TLT remittance and clarifying language for the one-month extension.

EXHIBITS

Ordinance

ORDINANCE NO. 2020-12

AN ORDINANCE amending Section 8.807 of the Medford Municipal Code pertaining to Transient Lodging Tax.

Section 1. Section 8.807 of the Medford Municipal Code is amended to read as follows:

8.807 Due Date; Returns and Payments.

(3) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Chief Financial Officer at his office either by personal delivery by mail or by any commercially reasonable means, including but not limited to electronic or telephonic transfer, or private delivery service (PDS). For purposes of determining delinquencies, the date of delivery is the **date the return and tax are received by the Chief Financial Officer.** ~~later of receipt of the return or receipt of the tax by the Chief Financial Officer. If the return is mailed, the postmark date from the United States Postal Service shall be considered the date of delivery for determining delinquencies. (PDS) shipping date may be treated as an equivalent to United States Postal Service for purposes of the postmark rule. If the return is delivered in person, it must be received on or before the due date during business hours. (8am-5pm, Monday-Friday). For purposes of imposing penalties and interest for delinquent filing, a 5 day grace period shall be given. This means that any return and tax remittance delivered within 5 days of the due date will not be assessed penalties and or interest.~~

(4) For good cause, the Chief Financial Officer may extend ~~for not to exceed one month~~ the time for making any return or payment of tax **for a period not to exceed one month.** No further extension shall be granted, except by the City Council upon appeal. Any lodging tax collector to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this ordinance.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor

NOTE: Matter in **bold** is new. Matter ~~struck out~~ is existing law to be omitted. Three asterisks (* * *) indicate existing law which remains unchanged by this ordinance but was omitted for the sake of brevity.

Ordinance No. 2020-12



AGENDA ITEM COMMENTARY

DEPARTMENT: Parks, Recreation, Facilities **AGENDA SECTION:** Ordinances and Resolutions
PHONE: (541) 774-2483 **MEETING DATE:** February 6, 2020
STAFF CONTACT: Rich Rosenthal, Director

COUNCIL BILL 2020-13

An ordinance authorizing Amendment No. 1 to the Naming Rights Agreement between U.S. Cellular and the City of Medford, and also authorizing a one-year extension of sports park naming rights in the amount of \$75,000 through March 21, 2021, with a mutual option for an additional one-year extension.

SUMMARY AND BACKGROUND

Council is requested to authorize Amendment No. 1 to the Naming Rights Agreement between U.S. Cellular and the City of Medford that authorizes a one-year extension of sports park naming rights in the amount of \$75,000 through March 31, 2021, with a mutual option for an additional one-year extension.

PREVIOUS COUNCIL ACTIONS

On June 15, 2006, Council approved Council Bill 2006-140, revising the naming-rights policy for facilities or areas within parks originally adopted by Council in December 2002.

On June 7, 2007, Council approved Council Bill 2007-122, approving a \$650,000 naming-rights agreement with U.S. Cellular for recognition opportunities at the Medford Sports and Community Park.

ANALYSIS

The City of Medford and U.S. Cellular entered into a \$650,000 naming-rights agreement for the Medford Sports and Community Park in June 2007, which was a record amount for an Oregon municipal sports park at the time. The agreement expires on March 31, 2020, and the parties negotiated the proposed Amendment No. 1 that contains the following terms and conditions:

- U.S. Cellular to provide \$75,000 for a one-year extension, effective April 1, 2020 through March 31, 2021.
- U.S. Cellular to have option for an additional one-year extension at \$75,000 or at another mutually agreeable fee and term.
- Parties will abide by the terms and conditions of the original 2007 agreement.

The amendment is beneficial to the City because the naming rights fee helps offset park expenses, and it provides staff additional time to negotiate a longer-term agreement with U.S. Cellular's new corporate management team, or to cultivate a new partner.



AGENDA ITEM COMMENTARY

The amendment continues to provide U.S. Cellular with exclusive sponsorship rights to the 15-field, 132-acre community park, including signage, advertising, promotional and merchandising considerations.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

City to receive \$75,000 in park promotion fees for 2020-21, with an option for an additional \$75,000 for 2021-22.

TIMING ISSUES

The current naming-rights agreement expires March 31, 2020, and the proposed amendment extends the term for up to two years.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve Amendment No. 1 to the Naming Rights Agreement with U.S. Cellular.

EXHIBITS

- Ordinance
- Amendment No. 1 to Naming Rights Agreement
- 2007 Naming Rights Agreement on file in the City Recorder's Office.

ORDINANCE NO. 2020-13

AN ORDINANCE authorizing Amendment No. 1 to the Naming Rights Agreement between U.S. Cellular and the City of Medford, and also authorizing a one-year extension of sports park naming rights in the amount of \$75,000 through March 21, 2021, with a mutual option for an additional one-year extension.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That Amendment No. 1 to the Naming Rights Agreement between U.S. Cellular and the City of Medford, on file in the City Recorder's office, as well as a one-year extension of sports park naming rights in the amount of \$75,000 through March 21, 2021, with a mutual option for an additional one-year extension, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor



AGENDA ITEM COMMENTARY

DEPARTMENT: Planning

AGENDA SECTION: Public Hearings

PHONE: (541) 774-2380]

MEETING DATE: February 6, 2020

STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director

COUNCIL BILL 2020-14

An ordinance vacating street right-of-way for a portion of Austin Street between Pine Street and North Riverside Avenue. (SV-19-047) Land Use, Quasi-Judicial

SUMMARY AND BACKGROUND

Council is requested to consider the vacation of street right-of-way for a portion of Austin Street between Pine Street and North Riverside Avenue. The vacated area will become part of the Kids Unlimited campus and increase safety for the children by eliminating through-traffic on Austin Street. (File No. SV-19-047)

PREVIOUS COUNCIL ACTIONS

On December 19, 2019, Council approved Council Bill 2019-130 to initiate the vacation process and set the public hearing date of February 6, 2020, for consideration of the matter.

ANALYSIS

The subject right-of-way lies between tracts of land that are owned by the applicant, Kids Unlimited of Oregon. Kids Unlimited operates a charter school on several parcels to the north of the subject site through a Conditional Use Permit. Kids Unlimited recently bought the property located at 801 N. Riverside, which lies directly south of the area proposed to be vacated; they plan to add services associated with the charter school to the existing building on this site. In order to provide for better and safer pedestrian connectivity and circulation, the applicant would like this section of right-of-way to be vacated, effectively closing Austin Street between N. Riverside Avenue and Pine Street. The applicant proposes to improve the Austin/Pine Street intersection in a way so that there is a sufficient turning radius for larger vehicles to safely negotiate the intersection. No transportation impacts were identified as part of this application.

The closure of this segment of Austin Street is not considered by the Liberty Park Neighborhood Plan; however, the Plan does recommend several improvements in the vicinity. The proposed locations for improvements as shown in the Liberty Park Neighborhood Plan are not intended to be exact at this point. Each proposed project will be looked at on an individual basis as part of the project implementation of the Liberty Park Plan. Planning and Urban Renewal staff did not identify any negative impacts stemming from the proposed street vacation on the Liberty Park Neighborhood Plan.

At the Planning Commission public hearing on January 9, 2020, the Commission forwarded a favorable recommendation to the City Council.



FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Under certain circumstances, ORS 271.130 would require the City to pay damages if an approved right-of-way vacation harmed the property values of affected properties. No such circumstances were identified during the public hearing process.

TIMING ISSUES

None.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Deny the ordinance as presented and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the vacation.

SUGGESTED MOTION

I move to adopt the ordinance authorizing the vacation of the Austin Street right-of-way from Pine Street to North Riverside Avenue, as recommended by the Planning Commission.

EXHIBITS

Ordinance

City Council Report, including Exhibits A through M

Vicinity Map

ORDINANCE NO. 2020-14

AN ORDINANCE vacating street right-of-way for a portion of Austin Street between Pine Street and North Riverside Avenue. (SV-19-047)

WHEREAS, the City Council of the City of Medford, Oregon, by Resolution No. 2019-126, accepted the petition initiating the vacation; and

WHEREAS, the City Council fixed 6:00 p.m. on February 6, 2020, in the Medford City Council Chambers, 411 W. 8th St., Medford, Oregon, as the time and place for hearing any objections to the proposed vacation of said area; and

WHEREAS, the City Recorder has given notice of the time and place for said hearing as required by law; and

WHEREAS, at the time and place set for hearing the City Council heard all objections to the proposed vacation; and

WHEREAS, on the basis of the facts and conclusions stated in the Staff Report dated January 14, 2020 on file in the Planning Department, the City Council has deemed it to be in the public interest that said area be vacated; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a street right-of-way for a portion of Austin Street between Pine Street and North Riverside Avenue, described in Exhibit A, attached hereto and incorporated herein, is hereby vacated, and the ownership of the said area hereby vacated shall become vested as provided by law.

Section 2. The Council finds and determines that written objections were not received from the owners of a majority of the area affected by the vacation.

Section 3. The Council finds and determines that the vacation of said area in the City of Medford is in the public interest and does not damage or cause a deterioration of the market value of any real property of non-consenting owners (if any) abutting the same or any portion thereof and that no damage on account thereof shall be allowed.

Section 4. The City Recorder is hereby directed to cause a certified copy of this ordinance, together with any map, plat, or other record showing the area, to be filed with the County Recorder

of Jackson County, Oregon.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

Mayor

State of Oregon)
County of Jackson)

On this ____ day of February, 2020, Gary H. Wheeler, as Mayor for the City of Medford, personally appeared before me and is known to me to be the person whose name is signed to this document, and acknowledges that he signed the document.

Notary Public for Oregon
My Commission expires:

RECEIVED

OCT 31 2019

PLANNING DEPT.

EXHIBIT "A"

LEGAL DESCRIPTION - AUSTIN STREET VACATION
KIDS UNLIMITED - 801 & 821 NORTH RIVERSIDE AVENUE
ASSESSOR'S MAP NO. 37 1W 19 CC, Tax Lot 3500 &
ASSESSOR'S MAP NO. 37 1W 19 CB, Tax Lots 3600 & 3700

A Public Street Vacation of that portion of Austin Street between North Riverside Avenue and Pine Street, lying adjacent to Tract B and Tract D of the lands described within Document No. 2005-002440 and that tract of land described within Document No. 2019-007321 of the Official Records in Jackson County, Oregon, lying situate within the Southwest Quarter of Section 19, Township 37 South, Range 1 West of the Willamette Meridian in the City of Medford, Jackson County, Oregon, being more particularly described and bounded as follows, to wit;

Beginning at the Northeast corner of Lot 3, Block 5, Meeker's Addition to the City of Medford, Oregon, recorded on November 8, 1888 in Volume 17, Page 1 of the Plat Records in Jackson County, Oregon; thence South 89°57'19" West, along the north line of said Block 5, 199.07 feet, to the west line of that ten foot strip of land vacated by City of Medford Ordinance No. 1999-177; thence North 19°18'38" West, along the northwesterly prolongation of said west line, 28.68 feet to a point of curvature; thence 22.09 feet along the arc of a 28.10 foot radius curve to the left, having a delta angle of 45°02'34" (Chord bearing North 41°49'55" West, 21.53 feet); thence North 00°02'39" West, 6.87 feet to the north line of Austin Street, common with the south line of Block 2, Edwards Addition to the City of Medford; thence North 89°57'19" East, along said south line, to a 5/8 inch iron pin at an angle point for a street dedication described in Document No. 2017-013017 of the Official Records in Jackson County, Oregon; thence North 34°06'33" East, 13.35 feet to a 5/8 inch iron pin along North Riverside Avenue; thence South 19°49'37" East, along a line being 33.00 feet southwesterly from and parallel with the centerline of said North Riverside Avenue, a distance of 38.30 feet to intersect the centerline of Austin Street; thence North 89°57'19" East, along said described centerline, 3.42 feet to a point being 30.00 feet at right angles to said centerline of North Riverside Avenue; thence South 18°37'26" East, parallel with and 30.00 feet southwesterly from said described centerline, 26.37 feet to the POINT OF BEGINNING.

Containing 10,031 square feet, more or less.

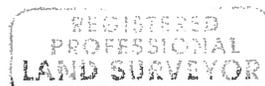
The Basis of Bearing for his description is the centerline of Austin Street as denoted on Survey No. 22478, on file in the office of the Jackson County Surveyor.

Prepared by:

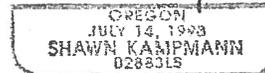
Shawn Kampmann
Professional Land Surveyor

Polaris Land Surveying LLC
P.O. Box 459
Ashland, Oregon 97520

Date: October 4, 2019



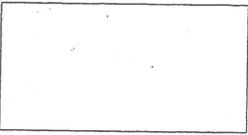
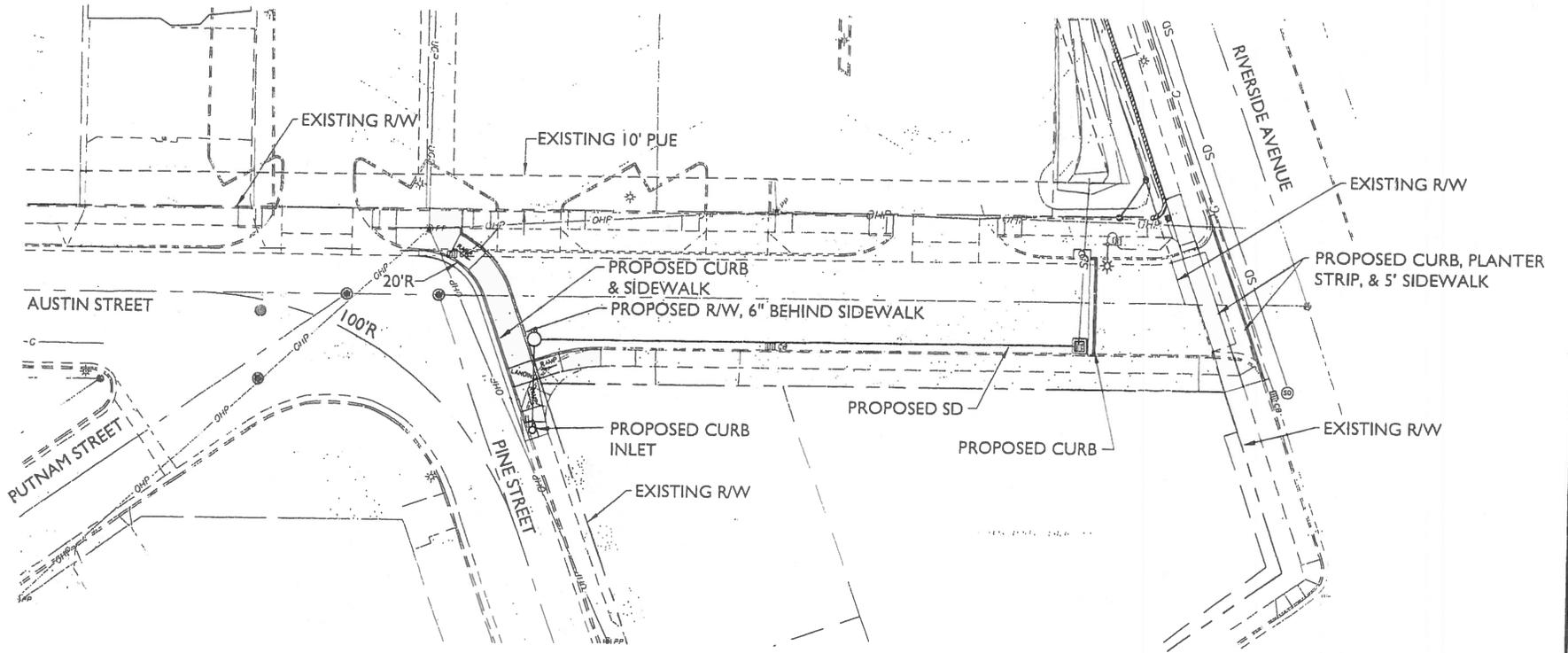
Shawn Kampmann



RENEWAL DATE: 6/30/21

s:\surveys\1000-15\Austin Street Vacation Legal.docx

SV 19-047 A



INDICATES AREA TO BE VACATED
(SEE SURVEY FOR DETAILED DESCRIPTION)

EXHIBIT C.1



NORTH
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.



P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-5268

CITY OF MEDFORD

KIDS UNLIMITED
CIVIL IMPROVEMENTS

AUSTIN STREET VACATION EXHIBIT

PLANNING DEPT.

PROJECT NO. 003704
DRAWING NO. C.1

RICH VARD

S: 19-047



CITY COUNCIL REPORT

for a Type-IV legislative decision: Right-of-Way Vacation

Project Kids Unlimited Street Vacation
Applicant: Kids Unlimited; Agent: Scott Sinner

File no. SV-19-047

To Mayor & City Council *for February 6, 2020 hearing*

From Steffen Roennfeldt Planner III

Reviewer Kelly Evans, Assistant Planning Director

Date January 14, 2020

BACKGROUND

Proposal

Consideration of a request for the vacation of a portion of Austin Street public right-of-way running roughly east to west from Pine Street to North Riverside Avenue within the C-C (Community Commercial) zoning district.

Vicinity Map



Subject Site Characteristics

GLUP	CM	Commercial
Zoning	SFR-10	Single Family Residential – 6-10 dwelling units per gross acre
	C-C	Community Commercial
Use	Public Right-of-Way	

Surrounding Site Characteristics

<i>North</i>	Zone:	C-C
	Use:	Kids Unlimited
<i>South</i>	Zone:	C-C
	Use:	Kids Unlimited
<i>East</i>	Zone:	C-C
	Use:	Various Commercial Uses
<i>West</i>	Zone:	SFR-10
	Use:	Residential

Related Projects

CUP-16-022 Kids Unlimited Academy Conditional Use Permit

Applicable Criteria

Medford Municipal Code §10.228(D) – Vacation of Public Right-of-Way Approval Criteria

A request to vacate shall only be approved by City Council when the following criteria have been met:

(1) Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

(2) If initiated by petition under ORS 271,080, the findings required by ORS 271.120.

(3) If initiated by the Council, the applicable criteria found in ORS 271.130.

Authority

This proposal is a Type IV application for vacation of public right-of-way. The Planning Commission is authorized to act as the advisory agency to the City Council for vacations, providing a recommendation to the City Council, and with the City Council serving as the approving authority.

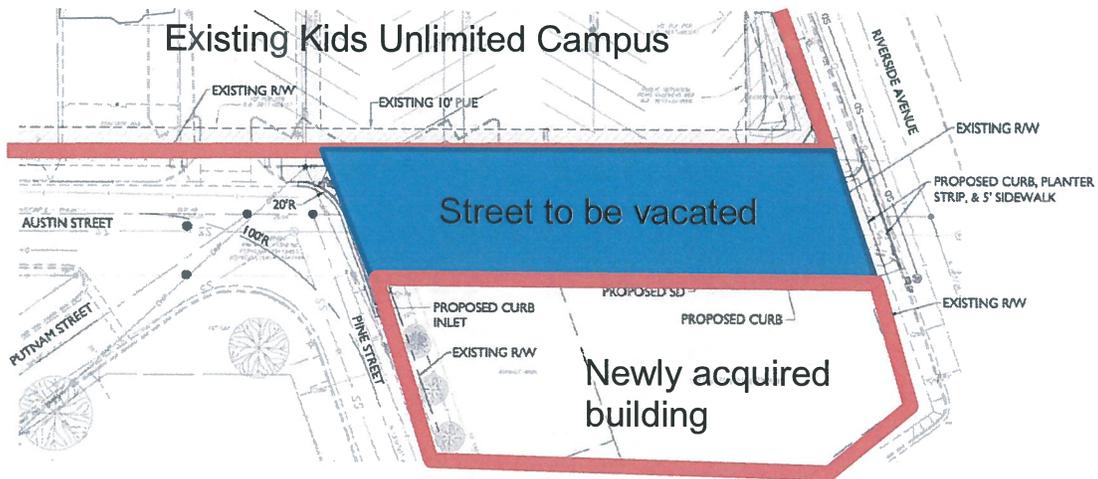
Corporate Names

The application lists Kids Unlimited of Oregon as the owner of the subject property. As per the State of Oregon Business Registry, Pat Huycke is listed as the registered agent, Chuck Martinez is listed as President, and Jamie Brindle is listed as Secretary.

ISSUES AND ANALYSIS

Background

The area to be vacated is located on Austin Street between Pine Street and North Riverside Avenue. Kids Unlimited, who is also the applicant, recently acquired land that lies to the south of the project area. Since Kids Unlimited now owns land on either side of the project area, the proposal is to fully integrate the southernmost building of the campus by vacating the public right-of-way that separates the newly acquired building from the rest of the campus.



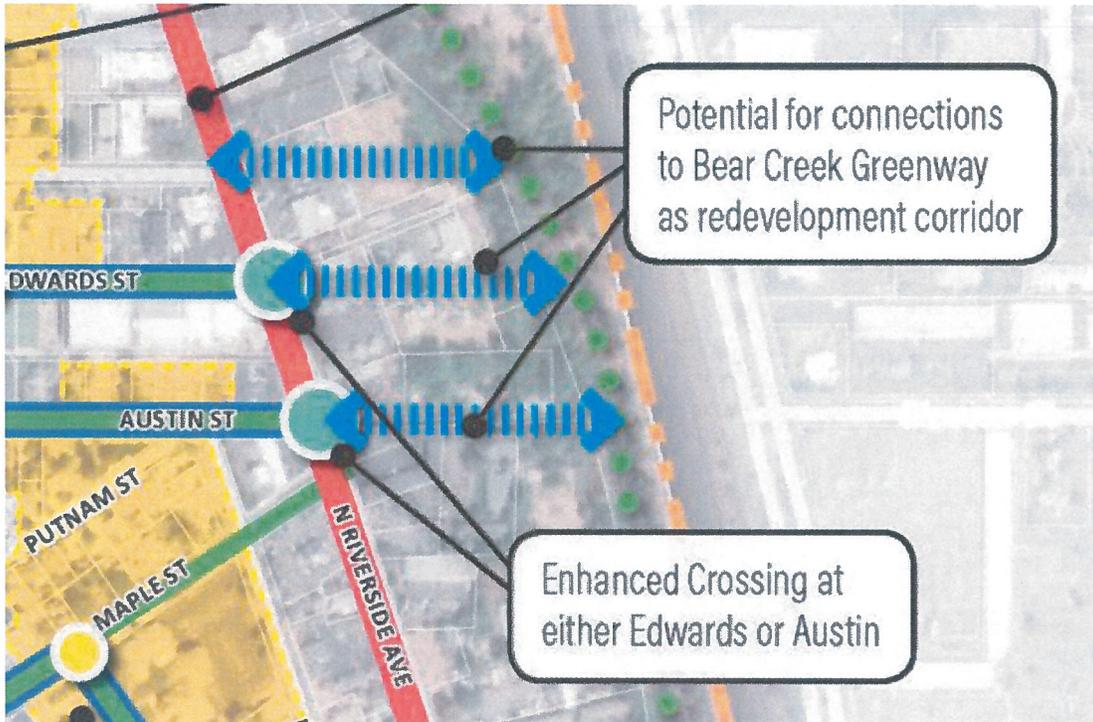
Project Summary

Upon the approval of the vacation, the applicant will install a sidewalk and planter strip along North Riverside Avenue to prevent any thru-traffic from North Riverside Avenue to Pine Street. The west end of the area to be vacated will be retained to provide for access to the existing parking lot.

Per the applicant, the primary objective of this street vacation is to link the two buildings and improve the safety of the children.

Liberty Park Neighborhood Plan

The Liberty Park Neighborhood Plan draft document from November 2019 shows two projects that may potentially be affected by this application: Project C2 shows an enhanced crossing at Austin Street and Riverside Avenue in conjunction with a potential crossing to the Bear Creek Greenway; Project BS-1 would relocate a bus stop to the intersection at Austin Street and Riverside Avenue.



Agency Comments

Per the agency comments submitted to staff (Exhibits I to L), it can be found that public facilities will not be impacted by the proposed vacation.

Committee Comments

No comments were received from a committee, such as BPAC.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit G) and recommends the City Council adopt the findings with one modification:

- The intersection at Edwards Street and North Riverside Avenue is not a signalized intersection.

RECOMMENDED ACTION

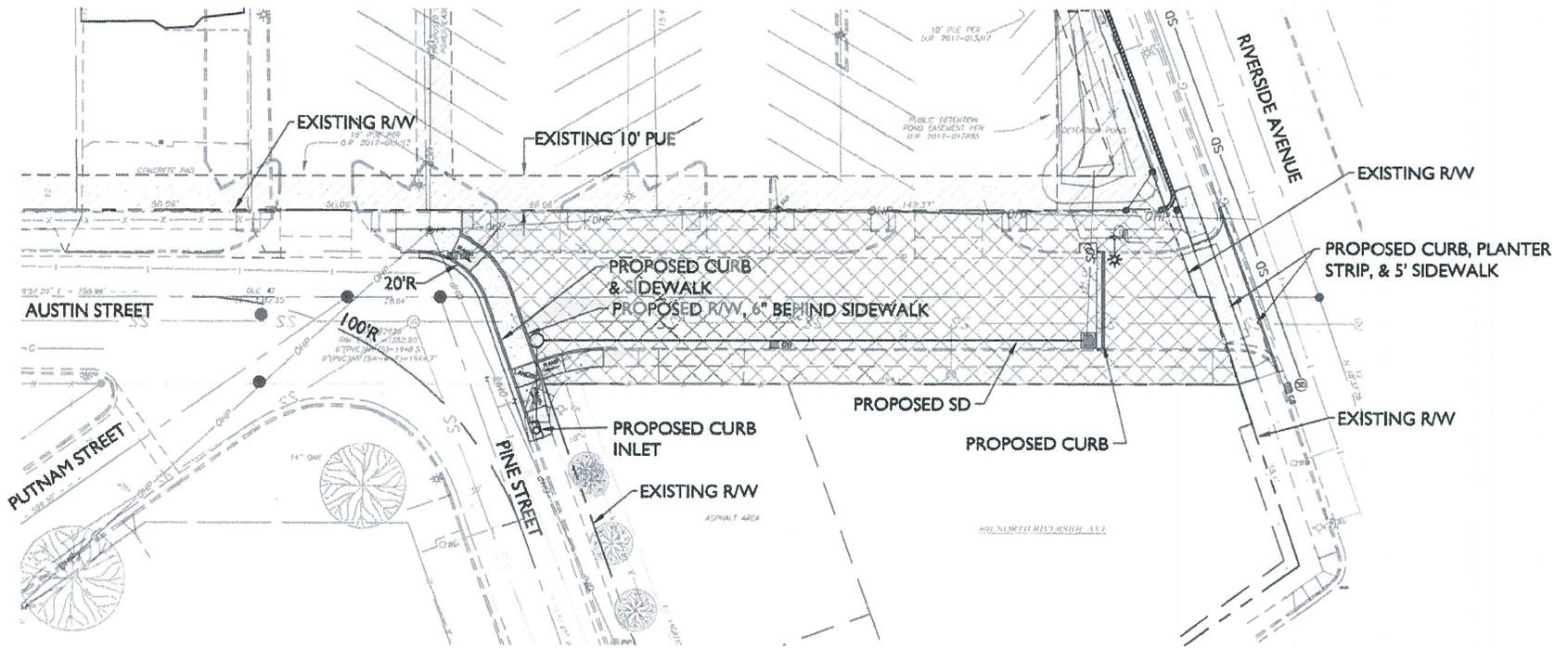
The Planning Commission recommends adopting SV-19-047 based on the analysis, findings, and conclusions per the City Council Report dated January 14, 2020, including Exhibits A through M.

EXHIBITS

- A Civil Improvements, received October 31, 2019
- B Survey Map, received October 31, 2019
- C Turn Analysis, received June 25, 2019
- D Assessor Map, received June 25, 2019
- E Utilities Map, received June 25, 2019
- F Legal Description, received June 25, 2019
- G Applicant's Findings of Fact, received June 25, 2019
- H Initiation Letter, received June 25, 2019
- I Public Works Staff Report, dated December 11, 2019
- J Medford Water Commission Memo, dated December 18, 2019
- K Building Department Memo, dated December 10, 2019
- L Medford Fire Report, dated December 11, 2019
- M Draft Minutes Excerpt from Planning Commission hearing on January 9, 2020
Vicinity map

CITY COUNCIL AGENDA:

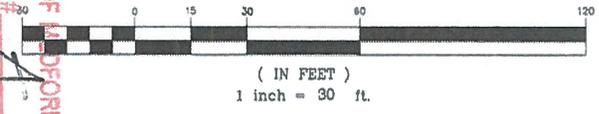
FEBRUARY 6, 2020



INDICATES AREA TO BE VACATED
(SEE SURVEY FOR DETAILED DESCRIPTION)

EXHIBIT C.1

NORTH
GRAPHIC SCALE



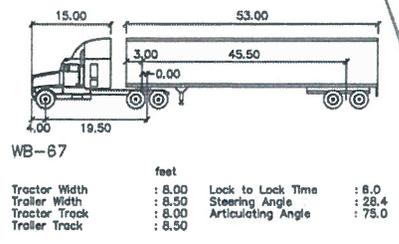
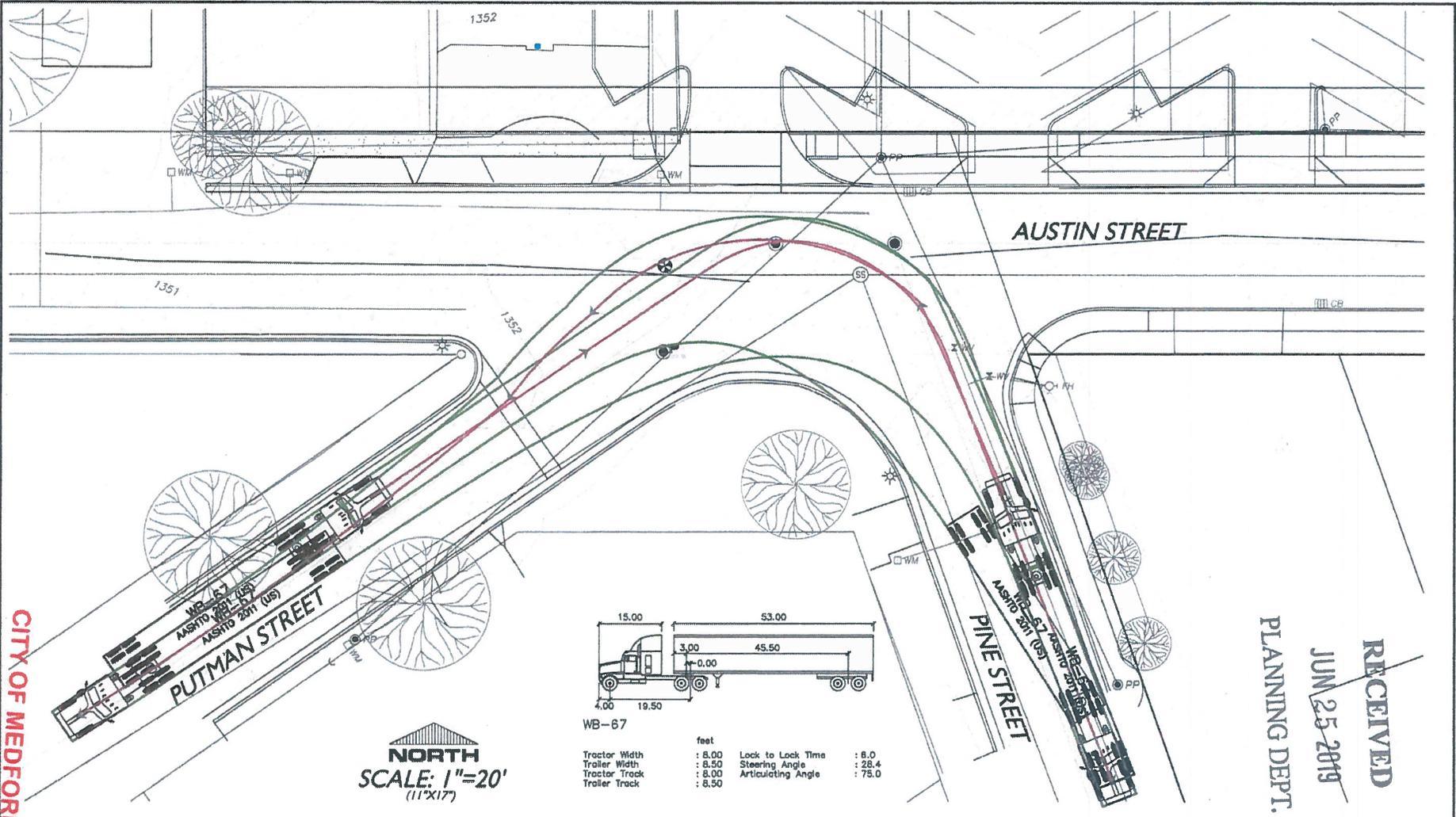
P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-6268

CITY OF MEDFORD
KIDS UNLIMITED
CIVIL IMPROVEMENTS
AUSTIN STREET VACATION EXHIBIT

RECEIVED
PLANNING DEPT.
PROJECT NO. 0013
DRAWING NO. 2018 C.1
DATE 08/23/18

File # 8-19-047
EXHIBIT # 1
CITY OF MEDFORD

CITY OF MEDFORD
EXHIBIT # C
FILE # SV-19-047



feet	
Tractor Width	: 8.00
Trailer Width	: 8.50
Tractor Track	: 8.00
Trailer Track	: 8.50
Lock to Lock Time	: 8.0
Steering Angle	: 28.4
Articulating Angle	: 75.0

RECEIVED
JUN 25 2019
PLANNING DEPT.

NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS, INC.	
KIDS UNLIMITED-AUSTIN STREET Auto TURN ANALYSIS (TRUCK ANALYSIS)	PROJECT NO: -
REV. CITY ENGINEER: _____ DATE: _____	DRAWING NO: 4 of 4
<small>HAZID: ALP04RUM ED00075.DWG PROJ: PP-17 PLOT DATE: 06/19/19</small>	

DRAWN BY: GSH	DATE: 06/18
CHECKED BY: MWK	DATE: 06/19
APPROVED BY:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

NO.	REVISION	DATE	BY



FOR ASSESSMENT AND TAXATION ONLY

N.W. 1/4 S.W. 1/4 SEC. 19 T. 37S. R. 1W. W.M.
JACKSON COUNTY
1" = 100'

371W19CB
MEDFORD

SEE MAP 37 1W 19B

CANCELLED TAX LOT NUMBERS
2300
2900A1
3200 ADDED TO 3300
601



CITY OF MEDFORD
EXHIBIT # 10
FILE # SV-19-047



Vacation Area

Abutting Properties

PLANNING DEPT.

JUN 25 2019

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371W19CB
MEDFORD

DOR CONVERSION October 6, 1999
REV July 23, 2016

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OCT 31 2019

PLANNING DEPT.

EXHIBIT "A"

LEGAL DESCRIPTION – AUSTIN STREET VACATION
KIDS UNLIMITED – 801 & 821 NORTH RIVERSIDE AVENUE
ASSESSOR'S MAP NO. 37 1W 19 CC, Tax Lot 3500 &
ASSESSOR'S MAP NO. 37 1W 19 CB, Tax Lots 3600 & 3700

A Public Street Vacation of that portion of Austin Street between North Riverside Avenue and Pine Street, lying adjacent to Tract B and Tract D of the lands described within Document No. 2005-002440 and that tract of land described within Document No. 2019-007321 of the Official Records in Jackson County, Oregon, lying situate within the Southwest Quarter of Section 19, Township 37 South, Range 1 West of the Willamette Meridian in the City of Medford, Jackson County, Oregon, being more particularly described and bounded as follows, to wit;

Beginning at the Northeast corner of Lot 3, Block 5, Meeker's Addition to the City of Medford, Oregon, recorded on November 8, 1888 in Volume 17, Page 1 of the Plat Records in Jackson County, Oregon; thence South 89°57'19" West, along the north line of said Block 5, 199.07 feet, to the west line of that ten foot strip of land vacated by City of Medford Ordinance No. 1999-177; thence North 19°18'38" West, along the northwesterly prolongation of said west line, 28.68 feet to a point of curvature; thence 22.09 feet along the arc of a 28.10 foot radius curve to the left, having a delta angle of 45°02'34" (Chord bearing North 41°49'55" West, 21.53 feet); thence North 00°02'39" West, 6.87 feet to the north line of Austin Street, common with the south line of Block 2, Edwards Addition to the City of Medford; thence North 89°57'19" East, along said south line, to a 5/8 inch iron pin at an angle point for a street dedication described in Document No. 2017-013017 of the Official Records in Jackson County, Oregon; thence North 34°06'33" East, 13.35 feet to a 5/8 inch iron pin along North Riverside Avenue; thence South 19°49'37" East, along a line being 33.00 feet southwesterly from and parallel with the centerline of said North Riverside Avenue, a distance of 38.30 feet to intersect the centerline of Austin Street; thence North 89°57'19" East, along said described centerline, 3.42 feet to a point being 30.00 feet at right angles to said centerline of North Riverside Avenue; thence South 18°37'26" East, parallel with and 30.00 feet southwesterly from said described centerline, 26.37 feet to the POINT OF BEGINNING.

Containing 10,031 square feet, more or less.

The Basis of Bearing for his description is the centerline of Austin Street as denoted on Survey No. 22478, on file in the office of the Jackson County Surveyor.

Prepared by:
Shawn Kampmann
Professional Land Surveyor

Polaris Land Surveying LLC
P.O. Box 459
Ashland, Oregon 97520

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Shawn Kampmann

OREGON
JULY 14, 1998
SHAWN KAMPMANN
02683LS

RENEWAL DATE: 6/30/21

Date: October 4, 2019

s:\surveys\1000-15\Austin Street Vacation Legal.docx

P. O. Box 459, Ashland, Oregon 97520 * Phone: (541) 482-5009 * Fax: (541) 488-0797
Mobile: (541) 601-3000 * www.polarisurvey.com

CITY OF MEDFORD
EXHIBIT # 7
File # SV 19-047

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JUN 25 2019

PLANNING DEPT.

BEFORE THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

**IN THE MATTER OF AN APPLICATION FOR
VACATION OF AUSTIN STREET RIGHT OF WAY
KIDS UNLIMITED OF OREGON APPLICANT
SCOTT SINNER CONSULTING, INC. AGENT**

)
) FINDINGS OF FACT
) AND
) CONCLUSIONS
) OF LAW

)

I. BACKGROUND INFORMATION

Applicants:

Kids Unlimited of Oregon
821 North Riverside Avenue
Medford, OR 97501

Chuck Martinez
Board President
222 NE Park Plaza Dr. Suite 116
Vancouver, WA 98684

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
541-772-1494
scottsinner@yahoo.com

Project Summary:

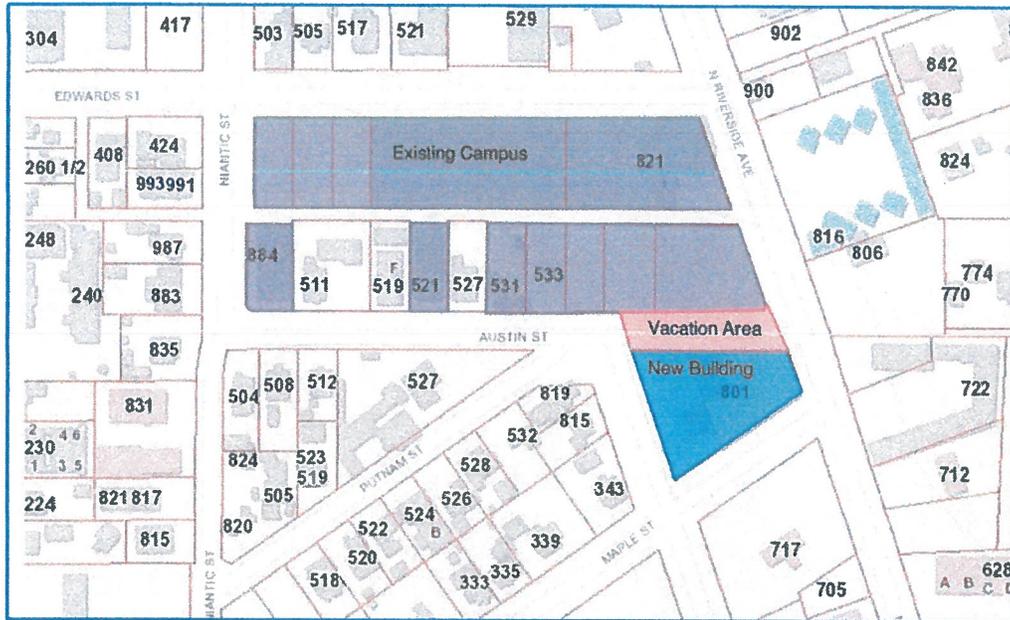
This application requests the vacation of a segment of the Austin Street from N. Riverside Avenue to Pine Street. This segment is a public right of way between two parcels owned by Kids Unlimited of Oregon (KU). The primary purpose of this request is to increase public safety.

KU operates a Charter School on a campus approved through a Conditional Use Permit. The campus is located on most of the properties on the north side of Austin Street.

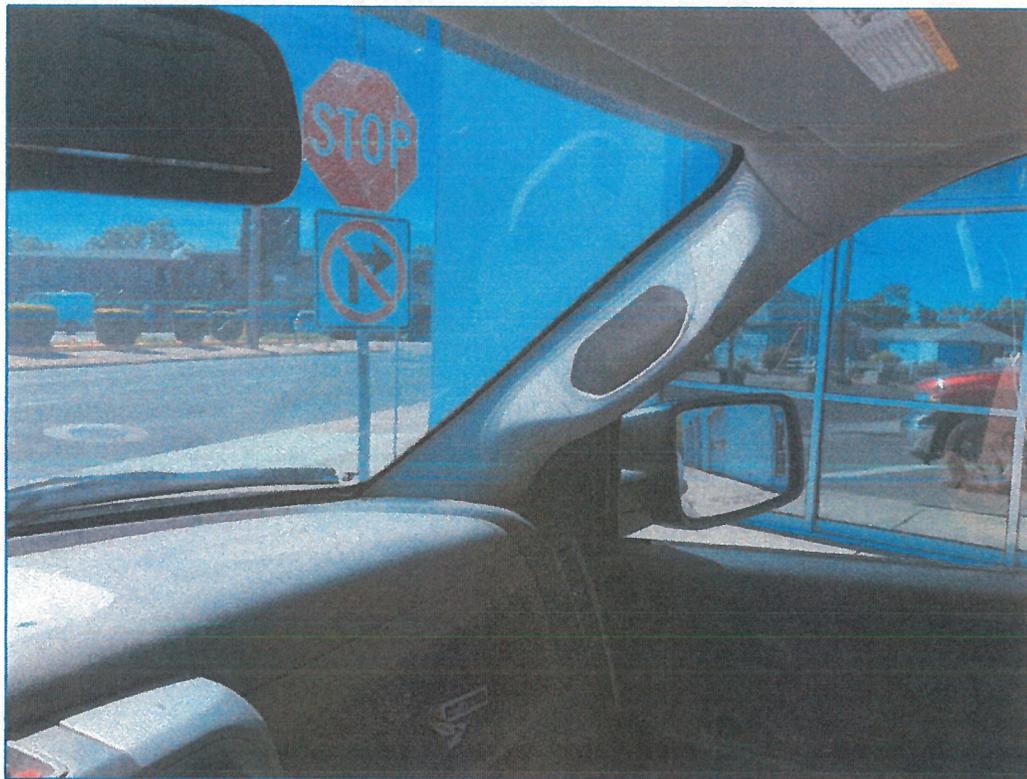
KU purchased the property located at 801 North Riverside and plans to add services associated with the Charter School.

5

FINDINGS OF FACT



The 801 Riverside building was built in 1957 and currently has no front setback. The oblique angle of the intersection and the zero setback results in significantly limited sight distance for vehicles entering N Riverside as seen in the image below in a vehicle stopped at the stop bar.



FINDINGS OF FACT

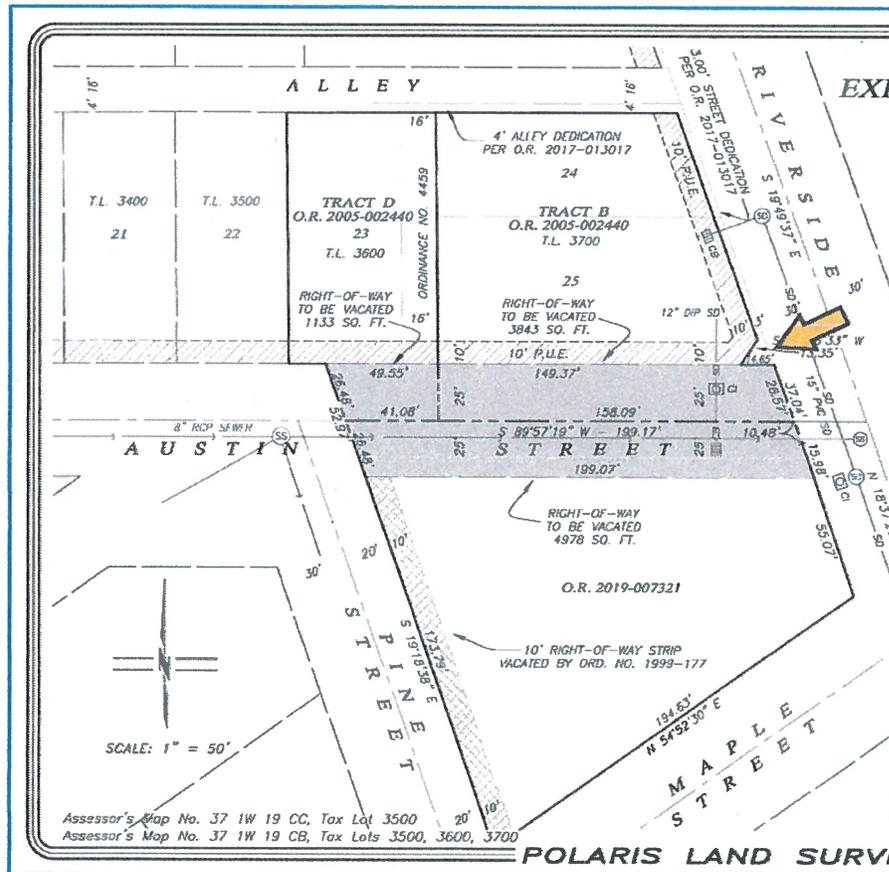
The circulation for the general public in the vicinity will be directed southbound to the Riverside and Maple intersection with substantially improved vision clearance, or to the signalized Edwards Riverside intersection. Both routes offer improved safety for the general public.

The primary objective for the vacation of the right of way is to link the two buildings and improve the safety of the children. There are no plans to build on the right of way.

Upon approval of this vacation of right of way KU plans to provide signage indicating Private Road and directional cues for KU related traffic.

KU has no plans to build on the vacated right of way and will work with the City to provide necessary easement for any public utilities in the current right of way.

The image below identifies a small area of existing right of way that is not included in this request to vacate at this time. In the event the City determines this area should be included in the vacation, the applicant will provide the appropriate legal description as required on the application form.



Approval Criteria

10.228 Vacation of Public Right-of-Way

(D) Vacation of Public Right-of-Way Approval Criteria. A request to vacate shall only be approved by City Council when the following criteria have been met:

(1) Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

(2) If initiated by petition under ORS 271.080, the findings required by ORS 271.120.

(3) If initiated by the Council, the applicable criteria found in ORS 271.130.

Findings of Fact

(1) Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

The Public Facilities Element of the Medford Comprehensive Plan (Comp Plan) identifies and provides goals and strategies for managing and providing public facilities. Those public facilities most impacted by the requested vacation of right of way are the Category A Facilities listed as follows:

- Water Service
- Sanitary Sewer Service
- Stormwater Management
- Transportation Systems

Water Service

The requested vacation will have no impact on the water *supply*. The Medford water supply is Big Butte Springs and the Rogue River, both are unaffected by this vacation.

The *delivery* of water in the service area is the important discussion in this application. The Medford Water Commission provided an exhibit indicating there are no public water facilities in the area of the requested vacation of right of way.

The adjoining properties are developed at or near urban densities and the existing public water lines in the area are adequate to serve the existing developments. The approval of the requested vacation of right of way will not impact the existing, or future water delivery systems.

Sanitary Sewer

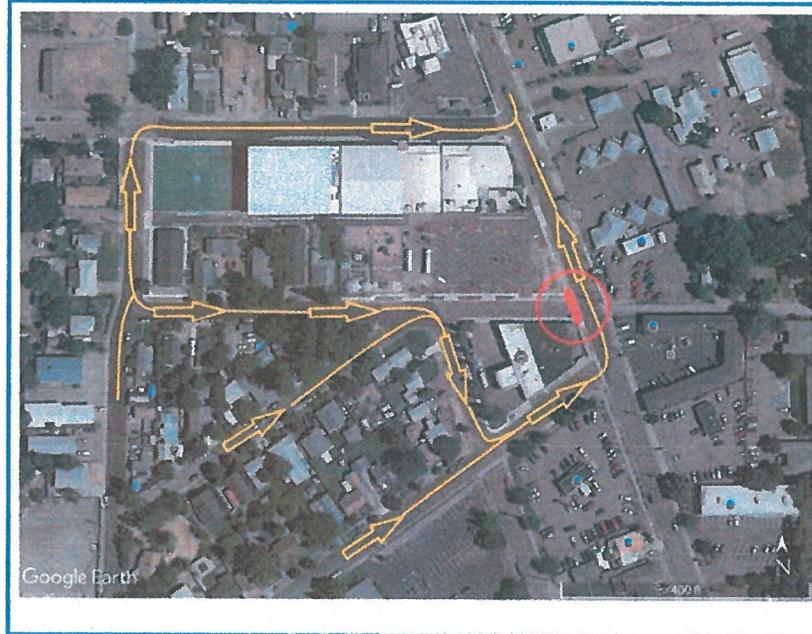
FINDINGS OF FACT

Streets and the Transportation System Plan (TSP)

The Comp Plan defers to the adopted TSP for the discussion of the transportation facilities for a vacation of right of way. The City has not adopted a circulation plan for this vicinity.

According to the functional street classification map within the TSP North Riverside is Classified as a major arterial street and Edwards Avenue, on the north side of the KU Campus, is classified as a minor collector. The Riverside / Edwards intersection is signalized.

Austin Street is not a classified street. The existing ROW has sidewalks but not bike lanes. The Austin / Riverside intersection has restricted vision clearance due to the oblique intersection angle and the zero building setback of the existing building.



The approval of the requested vacation will allow KU to utilize the vacated area for buses and student drop off. The general public will be directed to the signalized Edwards / Riverside intersection or to the Maple and Riverside with significantly improved sight vision clearance.

The current intersection spacing between Maple Street and Austin street is approximately 118 feet. The current spacing does not meet the current standards for intersection spacing in the Medford Land Development Code or the TSP. Eliminating the Austin / Riverside intersection will improve the flow of traffic on Riverside.

FINDINGS OF FACT

Block Length Ordinance. This section the maximum Block Length and Block Perimeter Length.

The approval of the vacation will not affect block length, but the block perimeter will be affected. The existing Block Perimeter Length is approximately 2,000 feet. The approval of the vacation will increase the block perimeter length to approximately 2,325 feet.

The Perimeter Block Length of 2,325 exceeds the standard of 2,100 feet for the residential zones but is well under the 2,880 foot maximum for the Community Commercial zones.

The MLDC provides relief from the standards in 10.426 (2) (i) where the proposed use is a public or private school. KU is a public charter school, therefore the request to vacation the segment of Austin Street is consistent with the Block Length Ordinance.

The City has not adopted a street circulation plan for the vicinity. The requested vacation will not negatively impact vehicular traffic on North Riverside. The vision clearance safety hazard of the Austin Street / Riverside intersection will be eliminated with the closure of this intersection.

The pre-existing nonconforming intersection spacing between Austin Street and Maple street will be eliminated.

The pedestrian facilities on Riverside will not be negatively impacted by the vacation of right of way and the proposed reconfiguration of Riverside travel lanes to provide bike lane(s) will be possible.

The approval of the vacation request will continue to allow long wheelbase vehicles to function in the vicinity on the existing functional movements.

The request will comply with the Block Length Ordinance contained within the MLDC.

The request is consistent for streets and the transportation system as detailed in the Comp Plan, Transportation System Plan and the Medford Land Development Code.

(2) If initiated by petition under ORS 271.080, the findings required by ORS 271.120.

This application is not initiated by petition.

FINDINGS OF FACT

(3) If initiated by the Council, the applicable criteria found in ORS 271.130.

This application is initiated by the City Council and subject to the criteria identified below:

(1) The City governing body may initiate vacation proceedings authorized by ORS 271.080 (Vacation in incorporated cities) and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110 (Notice of hearing), but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080 (Vacation in incorporated cities), object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.

(2) Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.

(3) No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.

(4) Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 §101]

Findings of Fact

- (1) *The City governing body may initiate vacation proceedings authorized by ORS 271.080 (Vacation in incorporated cities) and make such vacation without a petition or consent of property owners. Notice shall be given as provided by ORS 271.110 (Notice of hearing), but such vacation shall not be made before the date set for hearing, nor if the owners of a majority of the area affected, computed on the basis provided in ORS 271.080 (Vacation in incorporated cities), object in writing thereto, nor shall any street area be vacated without the consent of the owners of the abutting property if the vacation will substantially affect the market value of such property, unless the city governing body provides for paying damages. Provision for paying such damages may be made by a local assessment, or in such other manner as the city charter may provide.*

The applicant has submitted a letter requesting the City Council initiate the proposed vacation.

This application includes the mailing labels of the names of the owners of property in the affected area to provide these residents with the appropriate notification.

The applicant owns 100%, both sides of the requested right of way. The approval of the requested vacation will not negatively affect the value of the abutting property owners and there will be no need for the City to incur any liability or need to pay damages for reduced property values.

- (2) *Two or more streets, alleys, avenues and boulevards, or parts thereof, may be joined in one proceeding, provided they intersect or are adjacent and parallel to each other.*

This application requests a vacation involving a single street segment, Austin Street from North Riverside to Pine Street. No additional streets are requested to be vacated.

- (3) *No ordinance for the vacation of all or part of a plat shall be passed by the governing body until the city recording officer has filed in the office of the city recording officer or indorsed on the petition for such vacation a certificate showing that all city liens and all taxes have been paid on the lands covered by the plat or portion thereof to be vacated.*

OK.

FINDINGS OF FACT

- (4) *Any property owner affected by the order of vacation or the order awarding damages or benefits in such vacation proceedings may appeal to the circuit court of the county where such city is situated in the manner provided by the city charter. If the charter does not provide for such appeal, the appeal shall be taken within the time and in substantially the manner provided for taking an appeal from justice court in civil cases. [Amended by 1995 c.658 §101]*

The applicant owns 100% of the adjoining property associated with this application. The approval of this application will improve safety for all affected property owners by directing traffic away from the Austin / Riverside intersection which has very poor vision distance.

Application Summary and Conclusion:

The City Council can conclude this application for a vacation of right of way is consistent with the approval criteria contained within the Medford Land Develop Code. The application is complete with all required submittals, including a request for the City Council to initiate the vacation process.

These findings demonstrate the request is consistent with the Medford Land Development Code, the Public Facilities Element of the Medford Comprehensive Plan, the Medford Transportation System Plan and relevant sections of ORS 271.130, including the public noticing requirements.

The approval of the requested vacation and allowing the applicant to close the Austin Street / North Riverside intersection and limiting traffic to primarily Kid Unlimited school uses will not only improve the safety of the children and staff of the school, but also the safety of general public by directing traffic to intersections with substantially better vision clearance.

Respectfully
Scott Sinner



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

June 24, 2019

RECEIVED

JUN 25 2019

PLANNING DEPT.

Medford City Council
411 W 8th St Room 310
Medford, OR 97501

Councilors,

On behalf of Kids Unlimited of Oregon, I would like to request the City Council of Medford initiate a vacation of public right of way for the portion of Austin Street from the Riverside Avenue intersection to the Pine Street intersection.

Kids Unlimited of Oregon operates a Charter School at their 821 N Riverside Avenue. They have acquired the building at 801 N Riverside and seek to fully integrate the new building into their program.

The vacation of right of way will greatly improve the safety of the students moving around the campus.

Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-401-0917
Email scottsinner@yahoo.com

EXHIBIT #
FILE # SV-19-047



PUBLIC WORKS DEPARTMENT STAFF REPORT

Austin Street Vacation

Kids Unlimited, Inc.

Project: Consideration of a request for the vacation of a portion of Austin Street public right-of-way.

Location: Running roughly east to west from Pine Street to North Riverside Avenue within the C-C (Community Commercial) zoning district.

Applicant: Applicant, Kids Unlimited; Agent, Scott Sinner Consulting Inc.; Planner, Steffen Roennfeldt.

A. EASEMENTS

There is a public storm drain and a sanitary sewer main within this section of the right-of-way, but it is unknown whether there are any other public utilities within the right-of-way.

The City of Medford will reserve an easement for storm drain, sanitary sewer, and any other public utility improvements currently existing therein. The easement shall include the right to access, maintain, and construct these utilities within the easement area. No structures shall be built over the easement area.

B. STREETS

1. Public Improvements

a. Public Streets

The vacated section is proposed to be closed off from through traffic from Austin Street. The applicant shall ensure adequate right-of-way is provided to allow for the improvements as show on Exhibit C.1. The improvements shall be bonded for prior to Council action. All construction/improvements shall be completed within one year of the recording date of the vacation. Submittal of Public Improvement Plans to the City of Medford Engineering Division for review/approval is required.

There is an existing street light in that portion of public right-of-way. The owner of the property shall take ownership of the light including any power and maintenance, or shall remove the light at the Developers cost including delivery to City of Medford Service Center at 821 N. Columbus Ave, Medford OR 97501. Delivery shall be coordinated with the City's Transportation Electrical Inspector.

b. Access and Circulation

No access shall be allowed to any parcel from Riverside Avenue or Edwards Street. The school should plan on all access to the campus ultimately being from Austin and/or Niantic Streets.

C. 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. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. 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 governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). 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.

In order to properly maintain an updated infrastructure data base, the Surveyor of Record shall submit an as-built survey prior to the Final Inspection and, the Engineer of Record shall submit mylar "as-constructed" drawings to the Engineering Division within sixty (60) calendar days of the Final Inspection (walk through). Also, the engineer shall coordinate with the utility companies, and show all final utility locations on the "as built" drawings.

3. Construction and Inspection

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division.

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the Developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: SV-19-047
PARCEL ID: 371W19CC TL 3500, and 371W19CB TL 3600 & 3700
PROJECT: Consideration of a request for the vacation of a portion of Austin Street public right-of-way running roughly east to west from Pine Street to North Riverside Avenue within the C-C (Community Commercial) zoning district; Applicant, Kids Unlimited; Agent, Scott Sinner Consulting Inc.; Planner, Steffen Roennfeldt.
DATE: December 18, 2019

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

CONDITIONS

1. No Conditions.

COMMENTS

1. There is No Water Line in Austin Street.

CITY OF MEDFORD
EXHIBIT # 7
File # SV19-047



0 25 50 100 Feet
 Scale: 1" = 100'

Water Facility Map for SV-19-047

December 18, 2019

Legend

- ⊙ Air Valve
- Sample Station
- Fire Service
- ⊕ Hydrant
- ▲ Reducer
- ⊠ Blow Off
- ⬇ Plug-Caps

Water Meters:

- ⊙ Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- ⬇ Butterfly Valve
- ⊙ Gate Valve
- ⊙ Tapping Valve

Water Mains:

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

Boundaries:

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

MWC Facilities:

- C Control Station
- P Pump Station
- R Reservoir



MEDFORD WATER COMMISSION

Page 43



MEDFORD

BUILDING SAFETY

MEMORANDUM

To: Steffen Roennfeldt, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: Kids Unlimited, Applicant; Scott Sinner Consulting, Inc., Agent
Date: December 10, 2019
Subject: SV-19-047_Vacation of Public Right-of-Way_Kids Unlimited

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. Building Department has no comments regarding the vacation.

CITY OF MEDFORD
EXHIBIT # K
File # SV 19-047

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/4/2019
Meeting Date: 12/11/2019

LD File #: SV19047

Planner: Steffen Roennfeldt

Applicant: Kids Unlimited

Site Name: n/a

Project Location: Austin Street public right-of-way running roughly east to west from Pine Street to North Riverside Avenue

Project Description: Consideration of a request for the vacation of a portion of Austin Street public right-of-way running roughly east to west from Pine Street to North Riverside Avenue within the C-C (Community Commercial) zoning district;

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted with no additional conditions or requirements.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org

CITY OF MEDFORD
 EXHIBIT # L
 File # SV-19-047

The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000); Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt. **The applicant requests this item be continued to the February 13, 2020 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the February 13th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on February 13th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued LDS-19-076, per the applicant's request, to the Thursday, February 13, 2020 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 7-0-0.

New Business

→ **50.2 SV-19-047** Consideration of a request for the vacation of a portion of Austin Street public right-of-way running roughly east to west from Pine Street to North Riverside Avenue within the C-C (Community Commercial) zoning district; Applicant, Kids Unlimited; Agent, Scott Sinner Consulting Inc.; Planner, Steffen Roennfeldt.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Jordan disclosed that his employer provides insurance for Kids Unlimited and he has no involvement in the purchase of the insurance or the servicing of the insurance. Chair McKechnie disclosed that Scott Sinner is his neighbor but would not affect his decision on this matter.

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

Steffen Roennfeldt reported that the Vacation of Public Right-of-way approval criteria can be found in the Medford Land Development Code Section 10.228(D). The applicable criteria were addressed in the staff report, included with the property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Commissioner Culbertson asked, was it reviewed how the ingress and egress to the parking lot would be affecting traffic coming off Riverside Avenue? If blocking off the one road right before it

there is only one access. Currently, they can go in on the road and turn right into the parking lot. Mr. Roennfeldt deferred the question to the applicant.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Medford, Oregon 97504. Mr. Sinner reported that the Public Works is requiring no access off Riverside Avenue. Stopping traffic coming through there is a great safety issue for the campus and provides more parking spaces. The applicant's circulation plan comes in from the streets in the back.

Mr. Sinner reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission based on the findings and conclusions that all of the applicable criteria are met or are not applicable, forwards a favorable recommendation to the City Council for approval of SV-19-047 per the staff report dated January 2, 2020, including Exhibits A through M.

Moved by: Vice Chair Foley

Seconded by: Commissioner Jordan

Roll Call Vote: Motion passed, 7-0-0.

50.3 SV-19-048 Consideration of a request for the vacation of a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district (371W32B3605). Applicant, Lariot Corporation; Agent, Berghausen Consulting Firm Engineers, Inc.; Planner, Dustin Severs.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Jordan disclosed that Lariot Company is insured with his employer and he has no interactions regarding the purchase or servicing of the account.

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

Dustin Severs, Planner III reported the Vacation of Public Right-of-way approval criteria was addressed in the previous staff report. Ms. Severs gave a staff report.

The public hearing was opened.



Project Name:

**Vacation of Public
 Right-of-Way**

Map/Taxlot:

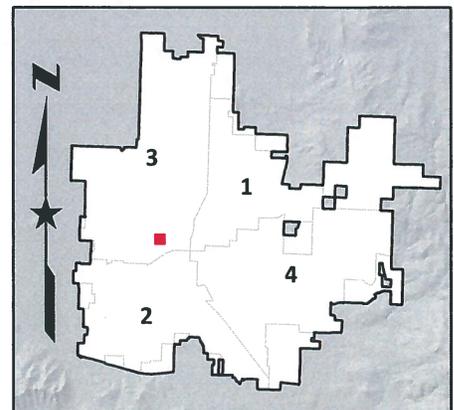
**371W19CC TL 3500
 371W19CB TL 3600 & 3700**

0 60 120
 Feet

Legend

-  Subject Area
-  Zoning Districts
-  Tax Lots

06/26/19





AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director

AGENDA SECTION: Public Hearings
MEETING DATE: February 6, 2020

COUNCIL BILL 2020-15

An ordinance vacating a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the southwest corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district. (SV-19-048)

SUMMARY AND BACKGROUND

Council is requested to consider a request to vacate a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the southwest corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district. (File No. SV-19-048)

PREVIOUS COUNCIL ACTIONS

On December 5, 2019, Council approved Council Bill 2019-126 establishing a public hearing date of February 6, 2020, for consideration of the matter.

ANALYSIS

On April 5, 2019, the Site Plan & Architectural Commission (SPAC) approved the construction of a 2,849 square foot KFC restaurant to be located on the subject property. Included in the applicant's SPAC submittals was a topographic survey map which identified a 15-foot wide PUE running through the lot where the future building is proposed to be constructed. Accordingly, a condition of approval was added to the SPAC approval, requiring the applicant to obtain approval for the vacation of the PUE prior to the issuance of a building permit for vertical construction.

Per MLDC 10.288(A-B), a request to vacate a PUE is subject to the vacation provisions of the Code, and is required to be in accordance with Oregon Revised Statutes procedures.

The applicant is initiating the vacation process for the PUE by petition under MLDC 10.228(C) and ORS 271.080. The property is located within a three-lot partition plat, and pursuant to ORS 271.080, the consent of the owners of two-thirds in area of the property embraced within such plat is required. The applicant has provided the written consent of the requisite property owner(s) within the subject plat, along with written approval from all affected private utility providers.

On June 6, 2019, the applicant submitted their construction plans to the Building Safety Department, but the Planning Department's sign-off on the building permit is on hold until the vacation of the PUE has been approved by City Council.

At the Planning Commission public hearing on January 9, 2020, the Commission forwarded a favorable recommendation to the City Council for the proposed vacation.



FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.

TIMING ISSUES

The vacation of the Public Utility Easement is necessary in order to release building plans for the project and keep the development of the site moving forward.

COUNCIL OPTIONS

- Approve the ordinance as presented.
- Modify the ordinance as presented.
- Deny the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the vacation.

SUGGESTED MOTION

I move to adopt the ordinance authorizing the vacation of the 15-foot wide Public Utility Easement (PUE), as recommended by the Planning Commission.

EXHIBITS

- Ordinance
- City Council Report, including Exhibits A-G
- Vicinity Map

ORDINANCE NO. 2020-15

AN ORDINANCE vacating a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the southwest corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district. (SV-19-048)

WHEREAS, the City Council of the City of Medford, Oregon, by Resolution No. 2019-126, accepted the petition initiating the vacation; and

WHEREAS, the City Council fixed 6:00 p.m. on February 6, 2020, in the Medford City Council Chambers, 411 W. 8th St., Medford, Oregon, as the time and place for hearing any objections to the proposed vacation of said area; and

WHEREAS, the City Recorder has given notice of the time and place for said hearing as required by law; and

WHEREAS, at the time and place set for hearing the City Council heard all objections to the proposed vacation; and

WHEREAS, on the basis of the facts and conclusions stated in the Staff Report dated January 14, 2020 on file in the Planning Department, the City Council has deemed it to be in the public interest that said area be vacated; now, therefore,

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the southwest corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district, described in Exhibit A, attached hereto and incorporated herein, is hereby vacated, and the ownership of the said area hereby vacated shall become vested as provided by law.

Section 2. The Council finds and determines that written objections were not received from the owners of a majority of the area affected by the vacation.

Section 3. The Council finds and determines that the vacation of said area in the City of Medford is in the public interest and does not damage or cause a deterioration of the market value of any real property of non-consenting owners (if any) abutting the same or any portion thereof and that no damage on account thereof shall be allowed.

Section 4. The City Recorder is hereby directed to cause a certified copy of this ordinance, together with any map, plat, or other record showing the area, to be filed with the County Recorder of Jackson County, Oregon.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020

Mayor

State of Oregon)
County of Jackson)

On this ____ day of February, 2020, Gary H. Wheeler, as Mayor for the City of Medford, personally appeared before me and is known to me to be the person whose name is signed to this document, and acknowledges that he signed the document.

Notary Public for Oregon
My Commission expires:

SURVEY FOR:
GALPIN GANG LLC
744 CARDLEY AVE, #100
MEDFORD, OR 97504

DATE:
FEBRUARY 22, 2019

SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OREGON 97535
PHONE: (541) 772-2782
EMAIL: ljfriar@charter.net

PARTITION PLAT NO. P-17-2019

Located in the N.W. 1/4 & S.W. 1/4 of Sec. 32, T.37S, R.1W, W.M.
in the City of Medford, Jackson County, Oregon
(File No. LDP-17-131)
(Validation of Parcels per O.R.S. 92.176)

LEGEND:

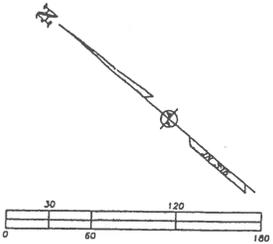
- = FD. 1" IRON PIN PER FS705.
- = FD 5/8" IRON PIN & ALUM CAP MKD. 000T RIGHT OF WAY PER FS21255 OR AS NOTED.
- = FD. 5/8" IRON PIN & ALUM. CAP MKD. AS NOTED PER FS21477.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. HARVEY LS1990 PER FS12761 OR 13449
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. HUCK LS2023 PER FS21419.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. KAISER LS803 PER FS11001.
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC. PER FS21892
- = SET 5/8" X 24" IRON PIN & PLASTIC CAP M.K.D. L.J. FRIAR & ASSOC
- JCDR = JACKSON COUNTY DEED RECORDS.
- ORJCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON
- WC = WITNESS CORNER
- () = DEED RECORD DATA PER V.365, P.352, JCDR. OR AS NOTED
- FS = FILED SURVEY #.
- X- = FENCE LINE.
- < > = RECORD DATA PER 2012 COUNTY RE-ESTAB NOTES
- M = METERS.
- LI/C1 = SEE COURSE DATA TABLE.
- PE1 = 50' WIDE POWER EASEMENT PER V.345, P.306, JCDR.
- PU = PUBLIC UTILITY EASEMENT PER THIS PLAT (UNLESS NOTED).
- WE1 = APPROX LOCATION OF 20' WIDE WATER LINE EASEMENT PER V.531, P.42, JCDR.
- DP1 = OLD PROPERTY LINE, BEING ELIMINATED.
- SCCS = RECORD DATA PER V.201, P.202, JCDR.
- SCS = SOUTH GATEWAY CENTER SUBDIVISION (FS13449).
- RSS = SEWER EASEMENT PER DOC. 2018-028332, ORJCO.
- SCH = SPIRAL CHORD.
- WE2 = WATER MAIN & FACILITIES EASEMENT PER DOC. 2016-032877, ORJCO.
- TP = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION, NOT RESET.
- RSP = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION, NOT RESET.
- SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- RST = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION.
- SET BRASS TAG MKD. L.J. FRIAR & ASSOC. & MAG NAIL IN CONCRETE.
- RSW = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION.
- SET BRASS WASHER MKD. L.J. FRIAR & ASSOC. & 4.5" MAG NAIL IN NEW ASPHALT.
- RM = REFERENCE MONUMENT.
- PCS = POINT OF HORIZONTAL CURVE TO SPIRAL CURVE.
- PSC = POINT OF SPIRAL CURVE TO HORIZONTAL CURVE.
- PT = POINT OF TANGENT.
- PS = POINT OF SPIRAL CURVE.
- JCS# = REFERS TO MONUMENT PER FS21477.
- MWC = EASEMENT FOR WATER FACILITIES PER DOC. 2018-034001, ORJCO.

COURSE DATA TABLE

NUM	BEARING	DISTANCE
L1	S72°40'24"W	33.39
L2	N48°06'27"W	39.84
L3	S23°59'20"W	19.52
L4	N55°57'23"W	22.50
L5	S09°55'52"W	114.92
L6	N52°09'05"E	65.17
L8	N34°08'51"W	25.94
L9	N56°06'10"W	48.06
L10	N15°28'46"W	50.30
L11	N72°08'59"E	45.00
L12	N72°38'34"E	40.58
L13	N17°21'26"W	35.10

COURSE DATA TABLE

NUM	DELTA	ARC	RADIUS	CHORD
C1	27°19'30"	363.32	761.81	N45°55'39"E 359.88
C2	11°56'25"	158.76	761.81	N46°52'42"E 158.47
C3	06°44'30"	89.64	761.81	N58°13'09"E 89.59
C4	08°38'35"	114.92	761.81	N36°35'12"E 114.81
C5	30°10'04"	335.99	638.12	N47°21'05"E 332.12
C6	02°24'50"	141.82	3366.14	S26°02'34"W 141.81
C7	20°35'00"	273.68	761.81	N42°33'24"E 272.21



SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

PURPOSE: TO SURVEY AND MONUMENT THE CORNERS OF THREE PARCELS CREATED THROUGH A LAND PARTITION. SEE CITY OF MEDFORD FILES LDP-17-131. THIS PLAT WILL ALSO SERVE TO VALIDATE THESE PARCELS UNDER O.R.S. 92.176. THE INTENT OF FS21892 & DOCUMENT NO. 2016-015304, ORJCO WAS TO FOLLOW THE EXISTING R/W OF GARFIELD STREET AS SET FORTH IN DOCUMENT NO. 2006-013916 ORJCO. HOWEVER CURVE DATA ALONG THE GARFIELD STREET RIGHT OF WAY WAS INADVERTENTLY LEFT OFF FS21892 AND DOCUMENT NO. 2016-015304, ORJCO ALTHOUGH THE INTENT REMAINS CLEAR TO FOLLOW THE R/W PER DOCUMENT NO. 2006-013916, ORJCO. THIS PLAT WILL SERVE TO CORRECT THIS CURVE INFORMATION INADVERTENTLY LEFT OFF THE ABOVE MENTIONED TWO ITEMS.

PROCEDURE: FROM CONTROL ESTABLISHED BY THIS OFFICE DURING FS21892 MADE TIES TO ADDITIONAL MONUMENTS AS SHOWN ON SHEET 2 & 3 TO CONTROL THE EXTERIOR OF THE SUBJECT TRACTS. COMPUTED THE SWLY CORNER OF THE VACATED BELKNAP ROAD (DOC. 2017-041883, ORJCO) AND SET MONUMENT AS SHOWN ON SHEET 3. THE CENTERLINE OF GARFIELD STREET & CENTER DRIVE AS SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES AS THIS SURVEY HELD THE EXISTING RIGHT OF WAY MONUMENTS WHICH IN THEIR FOUND POSITION AS THE BEST EVIDENCE OF THE RIGHT OF WAYS OBTAINED BY THE STATE OF OREGON. BELKNAP ROAD WAS HELD AS MONUMENTED ON THE SOUTH PER FS11001 AND ON THE NORTH BY MONUMENTS PER SCGS & FS21255. THIS RESULTS IN THE NORTH & SOUTH LINE NOT BEING PARALLEL TO EACH OTHER AND VARYING R/W WIDTHS. THIS IS ALSO THE CASE FOR THE SECTION OF CENTER DRIVE BETWEEN PARCELS 1 & 2, AS STATED ABOVE, I FEEL THE MONUMENTS TO BE THE BEST AVAILABLE EVIDENCE AS TO THE LOCATION OF BELKNAP ROAD. NUMEROUS MONUMENTS FOUND OR SET DURING FS21892 HAVE BEEN DESTROYED BY RECENT CONSTRUCTION. MONUMENTS WERE RESET IN THE POSITIONS TIED DURING FS21892. THE POSITIONS OF THOSE THAT LIE UNDERNEATH NEW BUILDINGS ARE SHOWN IN THEIR TIED LOCATIONS.

EASEMENTS PER FIRST AMERICAN PRELIM. TITLE REPORT 7169-2886470 DATED 6-28-2018

EASEMENT FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY PER VOL. 286, PG. 593 & VOL. 290, PG. 84, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENTS, COVENANTS, CONDITIONS, LIENS AND CHARGES AS SET FORTH IN THE DECLARATION OF CONSTRUCTION, OPERATION AND RECIPROCAL EASEMENT AGREEMENT PER DOC 93-10811, DOC 93-44290, DOC 94-27332, DOC 95-09656, DOC 95-34946, DOC 95-22558, DOC 00-00250, DOC 2005-037480 & DOC 2008-039496, ORJCO. (BLANKET OVER LOTS 16 & 17 SCGS (BEING PARCEL 3 OF THIS PLAT, TL4801, TL4802 & TL4708.))

RESTRICTIVE COVENANTS PER DOC 98-32832, ORJCO. (BLANKET OVER LOTS 16 & 17 SCGS (BEING PARCEL 3 OF THIS PLAT, TL4801, TL4802 & TL4708.))

ABUTTER'S EASEMENTS OF ACCESS TO RELOCATED GARFIELD STREET & CENTER DRIVE RELINQUISHED BY DOC. 2005-055426, ORJCO. AFFECTE PARCELS 2 & 3 OF THIS PLAT.

SLOPE & UTILITY EASEMENT PER DOC 2005-055426, ORJCO. (SHOWN)

PUBLIC UTILITY EASEMENT PER SCGS. (SHOWN)

WATER MAIN & FACILITIES EASEMENT PER DOC 2016-032877, ORJCO. (SHOWN)

PUBLIC UTILITY EASEMENT PER DOC 2017-028000, ORJCO. (SHOWN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 149, PG. 143, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 152, PG. 557, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 174, PG. 453, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 243, PG. 82, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 261, PG. 51, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 345, PG. 306, JCDR. (NOT ON SUBJECT PROPERTY BUT SHOWN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 378, PG. 345, JCDR. (SPECIFIC LOCATION NOT GIVEN)

SANITARY SEWER EASEMENT PER VOL. 424, PG. 198, JCDR. (NOT ON SUBJECT PROPERTY)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 438, PG. 169, JCDR. (SPECIFIC LOCATION NOT GIVEN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 477, PG. 175, JCDR. (SPECIFIC LOCATION NOT GIVEN)

CHANNEL CHANGE EASEMENT PER VOL. 501, PG. 420, JCDR. (NOT ON SUBJECT PROPERTY)

LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER VOL. 502, P194, JCDR. (NOT ON SUBJECT PROPERTY)

PIPELINE EASEMENT PER VOL. 531, PG. 42, JCDR. (NOT ON SUBJECT PROPERTY BUT SHOWN)

EASEMENT FOR ELECTRIC TRANSMISSION PER VOL. 550, PG. 439 & VOL. 556, PG. 168, JCDR. (SPECIFIC LOCATION NOT GIVEN)

RIGHT OF ENTRY EASEMENT PER DOC 75-02642, ORJCO. (NOT ON SUBJECT PROPERTY)

SANITARY SEWER EASEMENT PER DOC 75-03418 & 77-04534, ORJCO. (NOT ON SUBJECT PROPERTY)

BIKEWAY EASEMENT PER DOC 01-17201, ORJCO. (NOT ON SUBJECT PROPERTY)

LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER DOC. 2006-013916, ORJCO. (AFFECT PARCELS 1 & 2 OF THIS PLAT)

ACCESS EASEMENT TO CENTER DRIVE PER DOC 2018-012453, ORJCO. (SPECIFIC LOCATION NOT GIVEN)

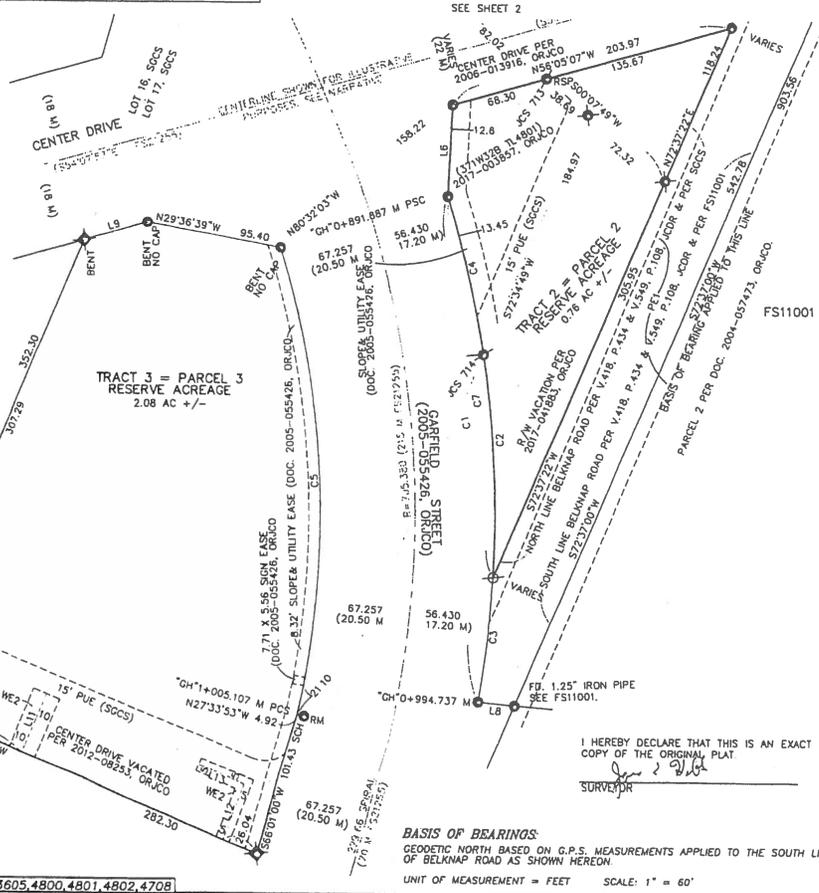
SIGN EASEMENT PER DOC 2018-012453, ORJCO. (SPECIFIC LOCATION NOT GIVEN)

LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER DOC 2005-053916, ORJCO. (AFFECTS TL4708)

SLOPE & UTILITY EASEMENT PER DOC 2005-053916, ORJCO. (NOT ON SUBJECT PROPERTY)

SEWER EASEMENT PER DOC. 2018-026332, ORJCO. SHOWN

WATER FACILITIES EASEMENT PER DOC. 2018-034001, ORJCO. SHOWN.



I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.
SURVEYOR

BASIS OF BEARINGS:
GEODETIC NORTH BASED ON G.P.S. MEASUREMENTS APPLIED TO THE SOUTH LINE OF BELKNAP ROAD AS SHOWN HEREON.
UNIT OF MEASUREMENT = FEET SCALE: 1" = 60'

REGISTERED PROFESSIONAL LAND SURVEYOR

J. J. Friar
OREGON
JULY 17, 1985
JAMES E. HBB5
7234
RENEWAL DATE 6-30-19

FILED
Date 4/24/19 By RB
This Survey Consists Of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

*** APPROVALS ***

PARTITION PLAT NO. P-17-2019
Located in the N.W. 1/4 & S.W. 1/4 of Sec. 32, T.37S, R.1W, W.M.
in the City of Medford, Jackson County, Oregon
(File No. LDP-17-131)
(Validation of Parcels per O.R.S. 92.176)

*** RECORDER'S CERTIFICATE ***

CITY OF MEDFORD
(File No. LDP-17-131)
(Also Validation of Parcels per O.R.S. 92.176)

I certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved.

FILED FOR RECORD THIS 29th DAY OF April, 2019
AT 9:58 O'CLOCK A.M. AND RECORDED AS PARTITION PLAT NO. P-17-2019
OF "RECORD OF PARTITION PLATS" OF JACKSON COUNTY, OREGON.
INDEX VOLUME 30, PAGE 17 & DOC. #2019-011236, ORJC.

Planning Director APRIL 24, 2019 Date

EXAMINED AND APPROVED as required by ORS 92.100 as of APRIL 2, 2019

EXAMINED AND APPROVED THIS DAY APRIL 8, 2019

EXAMINED AND APPROVED as required by ORS 92.100 (d) and Oregon Laws 2015 Chapter 96 as of April 29th, 2019

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES as required by ORS 92.095 have been paid as of April 29, 2019

Assessor, Department of Assessment

Tax Collector

C.A. GALPIN, *** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS THAT C.A. GALPIN GANG, LLC, NASH HOLDINGS, LLC, SAYDEE #1, LLC AND ROGUE CREDIT UNION (FKA ROGUE FEDERAL CREDIT UNION) ARE THE OWNERS IN FEE OF THE LAND SHOWN HEREON, MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAVE PARTITIONED THE SAME INTO THE PARCELS AS SHOWN ON SHEETS 2 AND 3. GALPIN GANG, LLC & NASH HOLDINGS, LLC DO HEREBY DEDICATE TO THE CITY OF MEDFORD THE PUBLIC UTILITY EASEMENTS SHOWN ON SHEET 2.

C.A. GALPIN MEMBER, INDIVIDUAL GALPIN GANG, LLC; GENE PELHAM, REPRESENTATIVE ROGUE CREDIT UNION; DANIEL A. NASH, MEMBER NASH HOLDINGS, LLC

BARRY THIRIOT, MANAGER SAYDEE #1, LLC

STATE OF OREGON) ss. COUNTY OF JACKSON)
PERSONALLY APPEARED THE ABOVE NAMED C.A. GALPIN AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF GALPIN GANG, LLC.
DATED THIS 29th DAY OF February, 2019

STATE OF OREGON) ss. COUNTY OF JACKSON)
PERSONALLY APPEARED THE ABOVE NAMED GENE PELHAM AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF ROGUE CREDIT UNION.
DATED THIS 28th DAY OF March, 2019

Terry Speedling, Notary Public - Oregon
Commission No. 962811
Commission Expires June 5, 2021

Darra M. Converse, Notary Public - Oregon
Commission No. 962852
Commission Expires May 18, 2021

STATE OF OREGON) ss. COUNTY OF JACKSON)
PERSONALLY APPEARED THE ABOVE NAMED DANIEL A. NASH AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF NASH HOLDINGS, LLC.
DATED THIS 26th DAY OF February, 2019

STATE OF Oregon) ss. COUNTY OF Jackson)
PERSONALLY APPEARED THE ABOVE NAMED BARRY THIRIOT AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF SAYDEE #1, LLC.
DATED THIS 26th DAY OF February, 2019

Terry Speedling, Notary Public - Oregon
Commission No. 962811
Commission Expires June 5, 2021

Terry Speedling, Notary Public - Oregon
Commission No. 962811
Commission Expires June 5, 2021

SURVEY FOR: GALPIN GANG LLC, 744 CARDLEY AVE, #100, MEDFORD, OR 97504

SURVEY BY: L.J. FRIAR & ASSOCIATES, P.C. CONSULTING LAND SURVEYORS, P.O. BOX 1947, PHOENIX, OREGON 97535

DATE OF SURVEY: FEBRUARY 22, 2019

SHEET INDEX: SHEET 1: SIGNATURES, SHEET 2: PARCEL 1, SHEET 3: PARCELS 2 & 3

Christine D. Walker, COUNTY CLERK; Gear Shingler, DEPUTY; COUNTY SURVEYOR FILE NO. 22805

*** SURVEYOR'S CERTIFICATE ***

I, JAMES E. HIBBS, A REGISTERED LAND SURVEYOR OF THE STATE OF OREGON, HEREBY CERTIFIES THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME, AND CONFORMS WITH THE REGULATIONS FOR PARTITIONS, AND REPRESENTS LAND, THE EXTERIOR OF WHICH BEING ACCURATELY DESCRIBED AS FOLLOWS:

TRACT 1: Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road and the INITIAL POINT OF BEGINNING; thence North 71°32'07" East, 109.81 feet; thence North 38°52'57" West, 372.47 feet; thence North 51°02'23" East, 266.89 feet; thence North 38°57'31" West, 332.26 feet to the Northwesterly line of that property deeded for right of way purposes per Document No. 2006-013916, Official Records of Jackson County, Oregon; thence along the exterior of said right of way the following ten courses: South 48°47'39" West, 95.02 feet to an angle point; thence North 46°06'27" West, 39.84 feet to an angle point; thence along the arc of a 3366.14 foot radius curve to the left having a central angle of 02°24'50", a distance of 141.82 feet (the long chord of which bears South 26°02'34" West, 141.81 feet) to a point of spiral; thence along the arc of a spiral curve to the left the chord of which bears South 23°33'55" West, 227.04 feet to a point of tangent; thence South 22°55'35" West, 153.07 feet to an angle point; thence South 22°56'29" West, 85.29 feet to an angle point; thence South 17°35'46" West, 110.88 feet to an angle point; thence South 55°57'23" East, 22.50 feet to an angle point; thence South 56°06'10" East, 238.97 feet to the Northerly line of Belknap Road; thence along said Northerly line, North 72°37'00" East, 310.08 feet to the initial point of beginning.

TRACT 2: Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road; thence along the Northerly line there, South 72°37'00" West, 310.08 feet to the intersection of the Northeasterly line of Center Drive set forth in Document No. 2006-013916, said Official Records; thence South 72°29'36" West, 92.53 feet to the intersection of the Northerly line of said Belknap Road with the Southwesterly line of said Center Drive and the true point of beginning; thence continue along said Northerly line, South 72°37'22" West, 118.24 feet to the Southwest corner of Parcel 1 per Volume 365, Page 352, said Deed Records; thence along the Southerly line Belknap Road vacated per Document No. 2017-041883, said Official Records, South 72°37'22" West, 305.95 feet to the Southeasterly line of Garfield Street per Document No. 2005-055426, said Official Records; thence along said Southeasterly line, the following two courses: along the arc of a 761.81 foot radius curve to the left having a central angle of 20°35'00", a distance of 273.68 feet (the long chord of which bears North 42°33'24" East, 272.21 feet); thence North 52°09'05" East, 65.17 feet to the Southwesterly line of said Center Drive; thence along said Southwesterly line, South 56°05'07" East, 203.97 feet to the true point of beginning.

TRACT 3: Beginning at the Northwest corner of Lot 17 of SOUTH GATEWAY CENTER SUBDIVISION, according to the official plat, now of record, in Jackson County, Oregon; thence South 72°34'13" West, 45.01 feet to the centerline of Center Drive vacated per Document No. 2012-08253, said Official Records; thence along said centerline, South 17°25'28" East, 282.30 feet to the Northwesterly line of Garfield Street per Document No. 2005-055426, said Official Records; thence along said Northwesterly line, the following three courses: along the arc of a spiral curve to the left the chord of which bears North 60°10'00" East, 101.43 feet; thence along the arc of a 638.12 foot radius curve to the left having a central angle of 30°10'04", a distance of 335.99 feet (the long chord of which bears North 47°21'05" East, 332.12 feet); thence North 29°36'39" West, 95.40 feet to the Southwesterly line of said Center Drive; thence along said Southwesterly line, North 56°06'10" West, 46.06 feet to the North line of said Lot 17; thence along said North line, South 72°34'13" West, 307.29 feet to the point of beginning.

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON JULY 17, 1986
JAMES E. HIBBS 2234
RENEWAL DATE 8-30-19

FILED
Date 4/29/19 By JB
This Survey Consists Of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

*** AFFIDAVIT OF CONSENT ***
FROM FIRST INTERSTATE BANK RECORDED AS DOCUMENT NO. 2019-011235, ORJC.

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.
James E. Hibbs
SURVEYOR

SHEET 1 OF 3 1321704



CITY COUNCIL REPORT

for a Type-IV Legislative decision: Vacation

Project Lariot Vacation
Applicant: Applicant, Lariot Corporation; Agent, Berghausen Consulting Firm Engineers

File no. SV-19-048

To Planning Commission *for 2/6/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

Date January 23, 2020

BACKGROUND

Proposal

Consideration of a request for the vacation of a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district (371W32B3605).

Vicinity Map



Subject Site Characteristics

GLUP C-R (Regional Commercial)
Zoning CM (Commercial)
Overlay None
Use Vacant

Surrounding Site Characteristics

<i>North</i>	Zone:	C-R
	Use(s):	Rogue Valley Credit Union parking lot
<i>South</i>	Zone:	SFR-00 (Single Family Residential, one dwelling unit per existing lot)
	Use(s):	Vacant
<i>East</i>	Zone:	C-R
	Use(s):	South Center shopping center
<i>West</i>	Zone:	C-R
	Use(s):	Pacific Power substation

Related Projects

SV-17-039 Partial vacation of Belknap Road
LDP-17-131 Partition
AC-18-126 SPAC approval of a 2,849 square foot KFC restaurant

Applicable Criteria

Medford Municipal Code §10.228(D) – Vacation of Public Right-of-Way Approval Criteria

A request to vacate shall only be approved by City Council when the following criteria have been met:

(1) Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

(2) If initiated by petition under ORS 271,080, the findings required by ORS 271.120.

(3) If initiated by the Council, the applicable criteria found in ORS 271.130.

Approval Authority

This proposal is a Type IV application for the vacation of a Public Utility Easement. The Planning Commission is authorized to act as the advisory agency to the City Council for vacations, providing a recommendation to the City Council. City Council is the final approving authority.

ISSUES AND ANALYSIS

Background

On April 5, 2019, the Site Plan & Architectural Commission (SPAC) approved the construction of a 2,849 square foot KFC restaurant to be located on the subject property. Included in the applicant's SPAC submittals was a topographic survey map which identified a 15-foot wide PUE running through the lot where the future building is proposed to be constructed. Accordingly, a condition of approval was added to the SPAC approval, requiring the applicant to obtain approval for the vacation of the PUE prior to the issuance of a building permit for vertical construction.

Per MLDC 10.288(A-B), a request to vacate a PUE is subject to the vacation provisions of the Code, and is required to be recorded into the public record in accordance with Oregon Revised Statutes procedures.

The applicant is initiating the vacation process for the PUE by petition under MLDC 10.228(C) and ORS 271.080. The property is located within a three-lot partition plat, and pursuant to ORS 271.080, the consent of the owners of two-thirds in area of the property embraced within such plat is required. The applicant has provided the written consent of the requisite property owner(s) within the subject plat, along with written approval from all affected private utility providers.

On June 6, 2019, the applicant submitted their construction plans to the Building Safety Department, but the Planning Department's sign-off on the building permit is on hold until the vacation of the PUE has been approved by City Council.

On December 5, 2019, City Council approved Council Bill 2019-126 and set the public hearing date of February 6, 2020, for the subject request.

Agency Comments

Per the agency comments submitted to staff (Exhibits E-G), it can be found that the public facilities will not be impacted by the proposed vacation.

Committee Comments

No comments were received from a committee, such as BPAC.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

The criteria that apply to vacations are in Medford Municipal Code Section 10.228(D)

Vacation Criteria. A request to vacate shall be approved by the approving authority (City Council) when the following criteria have been met:

Criterion (1): Compliance with the Public Facilities Element of the Comprehensive Plan, including the Transportation System Plan.

Findings

A review of the goals and policies in the Comprehensive Plan that relate to public facilities, transportation and the Transportation System Plan (TSP) do not apply to public easements.

Conclusion

This criterion is not applicable to the project.

Criterion (2): If initiated by petition under ORS 271.080, the findings required by ORS 271.120.

Findings

The application was initiated by petition per the requirements in ORS 271.080(2).

Conclusion

The submitted application contains the requisite material and provides a petition conforming to the standards of ORS 271.080, including the written consent of the property owners within the subject plat, and written approval from all affected utility providers. This criterion is satisfied.

Criterion (3): If initiated by the Council, the applicable criteria found in ORS 271.130.

Findings

The application was initiated by petition per the requirements in ORS 271.080(2).

Conclusion

This criterion is not applicable to the project.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, the Planning Commission forwarded a favorable recommendation to City Council for approval of SV-19-048 per the staff report dated January 2, 2020, including Exhibits A through G.

EXHIBITS

- A Applicant's Legal description and exhibit map, received October 23, 2019.
- B Applicant's Findings of Fact and Conclusions of Law, received October 23, 2019.
- C Applicant's vicinity map, received October 23, 2019.
- D Partition plat (LDP-17-131) submitted by applicant, received October 23, 2019.
- E Public Works staff report, received December 18, 2019.
- F Medford Water Commission report, received December 18, 2019.
- G Medford Fire Department memo, received December 18, 2019.
Vicinity Map

CITY COUNCIL AGENDA:

FEBRUARY 6, 2020

Vacation of 15' PUE

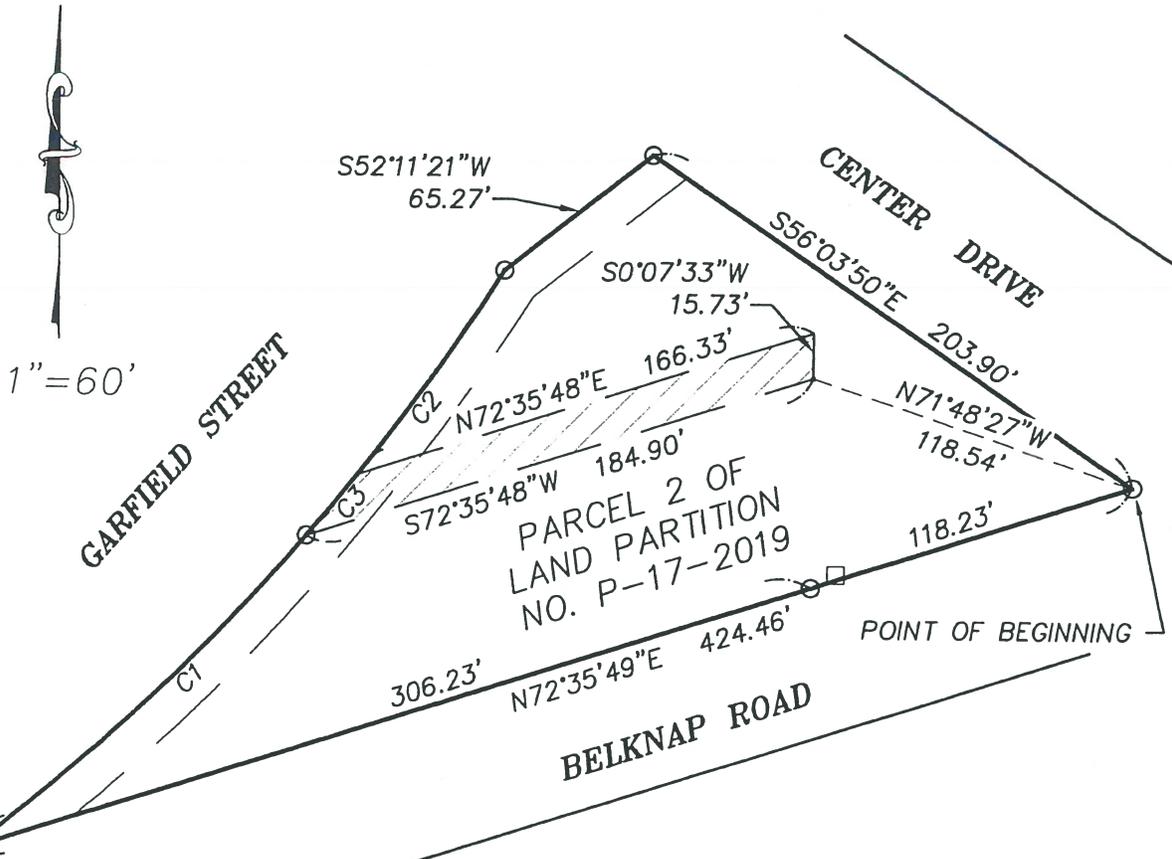
A parcel of land situated in Parcel 2 of Land Partition No. P-17-2019, said Parcel 2 is situated in the NW1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian. Being more particularly described as follows:

Commencing at the most easterly corner of said Parcel 2, Thence North $71^{\circ}48'27''$ West, 118.54 feet to the TRUE POINT OF BEGINNING; Thence South $72^{\circ}35'48''$ West, 184.90 feet to a point on the easterly right-of-way line of Garfield Street, said point bears North $46^{\circ}52'00''$ East, 158.93 feet from the most southwesterly point of said Parcel 2; Thence along said right-of-way line, along the arc of a 761.81 radius curve to the left, through a central angle of $2^{\circ}05'06''$ (the long chord of which bears North $39^{\circ}50'12''$ East, 27.72 feet) an arc distance of 27.72 feet; Thence leaving said right-of-way line, North $72^{\circ}35'48''$ East, 166.33 feet; Thence South $00^{\circ}07'33''$ West, 15.73 feet to the point of beginning.

Basis of bearings is Grid North of the Oregon Coordinated Reference System, Grants Pass – Ashland Zone as per Record of Survey No. 21477 on file at the Jackson County Surveyors Office.

CITY OF MEDFORD
EXHIBIT # A(1 of 2)
FILE # SV-19-048

VACATION OF 15' PUE



Curve Table					
Curve #	Radius	Length	Delta	Chord Direction	Chord Length
C1	761.81	159.22'	11°58'29"	N46°52'00"E	158.93'
C2	761.81	114.79'	8°38'00"	N36°33'45"E	114.68'
C3	761.81	27.72'	2°05'06"	N39°50'12"E	27.72'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Keith R. Rhine

OREGON
JULY 11, 2000
KEITH R. RHINE
58985

RENEWAL DATE: 12-31-20

R-C
RHINE-CROSS
GROUP

RHINE-CROSS GROUP LLC

ENGINEERING - SURVEYING - PLANNING
112 N 5th ST - SUITE 200 - P.O. BOX 909
KLAMATH FALLS, OREGON 97601

Phone: (541) 851-9405

Fax: (541) 273-9200

admin@rc-grp.com

CITY OF MEDFORD

EXHIBIT # A(2052)

FILE # SV-19-048

RECEIVED
OCT 23 2019
PLANNING DEPT.

9-14-2019

PROPOSAL WITH FINDINGS AND FACTS

Proposal:

Consideration of a request for the vacation of a Public Utility Easement located on Parcel 2 of Land Partition No. P-17-2019. (See attached legal description and map).

FINDINGS AND FACTS:

1) Compliance with the Public Facilities Element of the Comprehensive Plan, Including the Transportation System Plan:

A review of the goals and policies of the Comprehensive Plan that relate to the "Facilities Element of the Comprehensive Plan" for the vacation of Public Utility Easement (PUE's) do not apply to the category of Public Utility Easements. Therefore, this criterion is not applicable to the project.

2) If initiated by petition under ORS 271.080, the findings required by OR 271.120:

The application is being initiated by petition which includes written consent from the property owner within the subject plat that owns 2/3's of the property. Therefore only one property owner is needed to complete the "Consent to Vacate". (Included)

3) If initiated by petition under ORS 271.080, the findings required by OR 271.120: This request to vacate the PUE is being initiated by petition and requires written approval from all affected utility providers. Consent to vacate petitions have been provided to Pacific Power and Light, Charter Communications, Avista Utilities and Century Link. Once these consent forms have been returned they will be submitted to the City of Medford for inclusion into this PUE vacation request.

No other goals in the Comp Plan are applicable to this request for a Public Utility Easement Vacation.

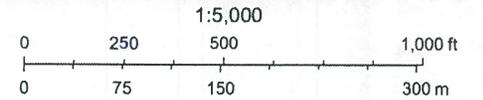
City of Medford Map



Page 63

CITY OF MEDFORD
EXHIBIT # C
FILE # SV-19-048
Taxlots

9/12/2019 11:28:15 AM



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, City of Medford

*** APPROVALS ***

PARTITION PLAT NO. P-17-2019

Located in the N.W. 1/4 & S.W. 1/4 of Sec. 32, T.37S, R.1W, W.M. in the City of Medford, Jackson County, Oregon (File No. LDP-17-131)

*** RECORDER'S CERTIFICATE ***

FILED FOR RECORD THIS 29th DAY OF April, 2019 AT 9:58 O'CLOCK A.M. AND RECORDED AS PARTITION PLAT NO. P-17-2019 OF "RECORD OF PARTITION PLATS" OF JACKSON COUNTY, OREGON. INDEX VOLUME 30, PAGE 17 & DOC. #2019-011236, ORJCO.

CITY OF MEDFORD (File No. LDP-17-131) (Also Validation of Parcels per O.R.S. 92.176)

I certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved. (Validation of Parcels per O.R.S. 92.176)

Planning Director APRIL 24, 2019 Date

EXAMINED AND APPROVED as required by ORS 92.100 as of APRIL 2, 2019

City Surveyor

EXAMINED AND APPROVED THIS DAY APRIL 8, 2019

City Engineer

EXAMINED AND APPROVED as required by ORS 92.100 (d) and Oregon Laws 2015 Chapter 96 as of April 29th, 2019

Assessor, Department of Assessment

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES as required by ORS 92.095 have been paid as of April 29, 2019

Tax Collector

C.A. GALPIN, *** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS THAT GALPIN GANG, LLC, NASH HOLDINGS, LLC, SAYDEE #1, LLC AND ROGUE CREDIT UNION (FKA ROGUE FEDERAL CREDIT UNION) ARE THE OWNERS IN FEE OF THE LAND SHOWN HEREON, MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAVE PARTITIONED THE SAME INTO THE PARCELS AS SHOWN ON SHEETS 2 AND 3. GALPIN GANG, LLC & NASH HOLDINGS, LLC DO HEREBY DEDICATE TO THE CITY OF MEDFORD THE PUBLIC UTILITY EASEMENTS SHOWN ON SHEET 2.

C.A. GALPIN, GALPIN MEMBER & INDIVIDUAL; GENE PELHAM, REPRESENTATIVE; DANIEL A. NASH, MEMBER

BARRY THIRIOT, MANAGER; TERRY SPEEDLING, NOTARY PUBLIC - OREGON

STATE OF OREGON) SS. COUNTY OF JACKSON) PERSONALLY APPEARED THE ABOVE NAMED C.A. GALPIN AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF GALPIN GANG, LLC. DATED THIS 28th DAY OF February, 2019.

Terry Speedling, Notary Public - Oregon; Commission No. 962811; Commission Expires June 5, 2021

STATE OF OREGON) SS. COUNTY OF JACKSON) PERSONALLY APPEARED THE ABOVE NAMED DANIEL A. NASH AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND WAS SIGNED ON BEHALF OF NASH HOLDINGS, LLC. DATED THIS 26th DAY OF February, 2019.

Terry Speedling, Notary Public - Oregon; Commission No. 962811; Commission Expires June 5, 2021

SURVEY FOR: GALPIN GANG LLC, 744 CARDLEY AVE, #100, MEDFORD, OR 97504

SURVEY BY: L.J. FRIAR & ASSOCIATES, P.C. CONSULTING LAND SURVEYORS, P.O. BOX 1947, PHOENIX, OREGON 97535

DATE OF SURVEY: FEBRUARY 22, 2019

SHEET INDEX: SHEET 1: SIGNATURES; SHEET 2: PARCEL 1; SHEET 3: PARCELS 2 & 3

*** SURVEYOR'S CERTIFICATE ***

I, JAMES E. HIBBS, A REGISTERED LAND SURVEYOR OF THE STATE OF OREGON, HEREBY CERTIFIES THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME, AND CONFORMS WITH THE REGULATIONS FOR PARTITIONS, AND REPRESENTS LAND, THE EXTERIOR OF WHICH BEING ACCURATELY DESCRIBED AS FOLLOWS:

TRACT 1: Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road and the INITIAL POINT OF BEGINNING; thence North 71°32'07" East, 109.81 feet; thence North 38°52'57" West, 372.47 feet; thence North 51°02'23" East, 266.89 feet; thence North 38°57'31" West, 332.26 feet to the Northwesterly line of that property deeded for right of way purposes per Document No. 2006-013916, Official Records of Jackson County, Oregon; thence along the exterior of said right of way the following ten courses: South 48°47'39" West, 98.02 feet to an angle point; thence North 46°08'27" West, 39.84 feet to an angle point; thence along the arc of a 3366.14 foot radius curve to the left having a central angle of 02°24'50", a distance of 141.82 feet (the long chord of which bears South 26°02'34" West, 141.81 feet) to a point of spiral; thence along the arc of a spiral curve to the left the chord of which bears South 23°33'55" West, 227.04 feet to a point of tangent; thence South 22°55'35" West, 153.07 feet to an angle point; thence South 22°56'29" West, 85.29 feet to an angle point; thence South 17°35'46" West, 110.88 feet to an angle point; thence South 55°57'23" East, 22.50 feet to an angle point; thence South 56°06'10" East, 238.97 feet to the Northerly line of Belknap Road; thence along said Northerly line, North 72°37'00" East, 310.08 feet to the initial point of beginning.

TRACT 2: Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road; thence along the Northerly line there, South 72°37'00" West, 310.08 feet to the intersection of the Northeasterly line of Center Drive set forth in Document No. 2006-013916, said Official Records; thence South 72°29'36" West, 92.53 feet to the intersection of the Northerly line of said Belknap Road with the Southwesterly line of said Center Drive and the true point of beginning; thence continue along said Northerly line, South 72°37'22" West, 118.24 feet to the Southwest corner of Parcel 1 per Volume 365, Page 352, said Deed Records; thence along the Southerly line Belknap Road vacated per Document No. 2017-041883, said Official Records, South 72°37'22" West, 305.95 feet to the Southeasterly line of Garfield Street per Document No. 2005-055428, said Official Records; thence along said Southeasterly line, the following two courses: along the arc of a 761.81 foot radius curve to the left having a central angle of 20°35'00", a distance of 273.68 feet (the long chord of which bears North 42°33'24" East, 272.21 feet); thence North 52°09'05" East, 65.17 feet to the Southwesterly line of said Center Drive; thence along said Southwesterly line, South 56°05'07" East, 203.97 feet to the true point of beginning.

TRACT 3: Beginning at the Northwest corner of Lot 17 of SOUTH GATEWAY CENTER SUBDIVISION, according to the official plat, now of record, in Jackson County, Oregon; thence South 72°34'13" West, 45.01 feet to the centerline of Center Drive vacated per Document No. 2012-08253, said Official Records; thence along said centerline, South 17°25'28" East, 282.30 feet to the Northwesterly line of Garfield Street per Document No. 2005-055428, said Official Records; thence along said Northwesterly line, the following three courses: along the arc of a spiral curve to the left the chord of which bears North 66°01'00" East, 101.43 feet; thence along the arc of a 638.12 foot radius curve to the left having a central angle of 30°10'04", a distance of 335.99 feet (the long chord of which bears North 47°21'05" East, 332.12 feet); thence North 29°36'39" West, 95.40 feet to the Southwesterly line of said Center Drive; thence along said Southwesterly line, North 56°06'10" West, 46.06 feet to the North line of said Lot 17; thence along said North line, South 72°34'13" West, 307.29 feet to the point of beginning.

REGISTERED PROFESSIONAL LAND SURVEYOR James E. Hibbs

FILED Date 4/29/19 By JB This Survey Consists Of: 3 sheet(s) Map 0 page(s) Narrative JACKSON COUNTY SURVEYOR

*** AFFIDAVIT OF CONSENT *** FROM FIRST INTERSTATE BANK RECORDED AS DOCUMENT NO. 2019-011235, ORJCO.

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT. James E. Hibbs SURVEYOR

Page 64

FILE # SV-19-048

EXHIBIT # D FINE RECORD (1053)

SURVEY FOR:
GALPIN GANG LLC
744 CARDLEY AVE, #100
MEDFORD, OR 97504

DATE:
FEBRUARY 22, 2019

SURVEY BY:
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OREGON 97535
PHONE: (541) 772-2782
EMAIL: ljfriar@charter.net

PARTITION PLAT NO. P-17-2019

Located in the N.W. 1/4 & S.W. 1/4 of Sec. 32, T.37S, R.1W., W.M.
in the City of Medford, Jackson County, Oregon
(File No. LDP-17-131)
(Validation of Parcels per O.R.S. 92.176)

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

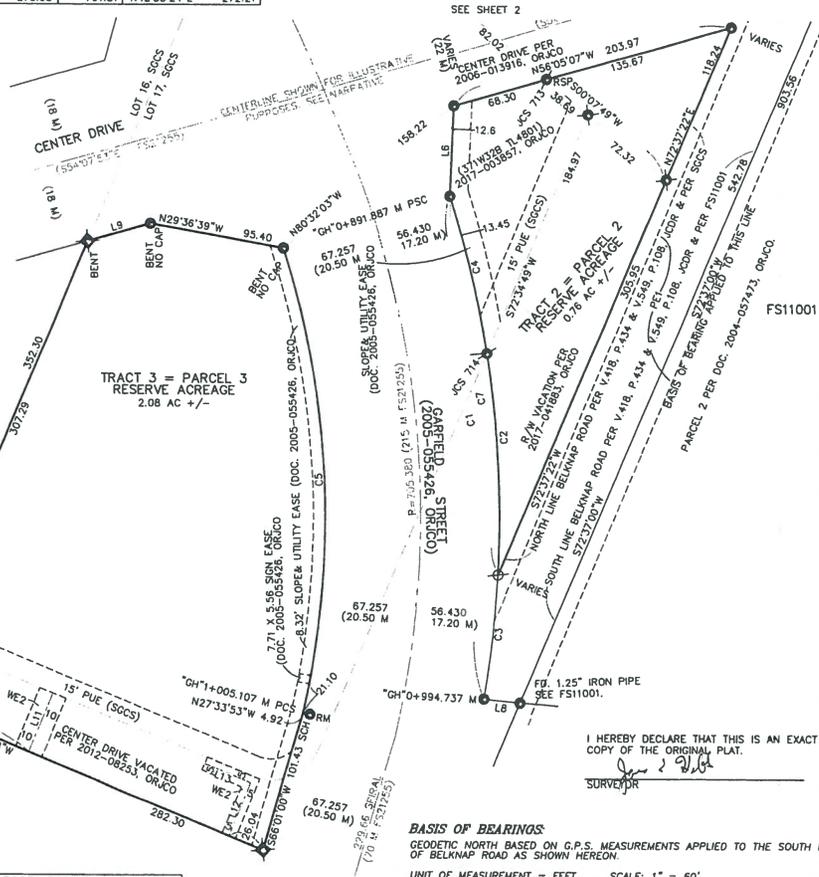
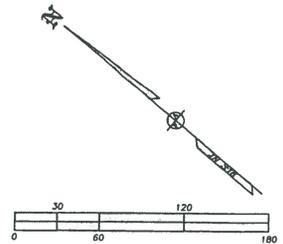
PURPOSE: TO SURVEY AND MONUMENT THE CORNERS OF THREE PARCELS CREATED THROUGH A LAND PARTITION. SEE CITY OF MEDFORD FILES LDP-17-131. THIS PLAT WILL ALSO SERVE TO VALIDATE THESE PARCELS UNDER O.R.S. 92.176. THE INTENT OF FS21892 & DOCUMENT NO. 2018-015304, ORJCO WAS TO FOLLOW THE EXISTING R/W OF GARFIELD STREET AS SET FORTH IN DOCUMENT NO. 2006-013916, ORJCO. HOWEVER CURVE DATA ALONG THE GARFIELD STREET RIGHT OF WAY WAS INADVERTENTLY LEFT OFF FS21892 AND DOCUMENT NO. 2018-015304, ORJCO ALTHOUGH THE INTENT REMAINS CLEAR TO FOLLOW THE R/W PER DOCUMENT NO. 2006-013916, ORJCO. THIS PLAT WILL SERVE TO CORRECT THIS CURVE INFORMATION INADVERTENTLY LEFT OFF THE ABOVE MENTIONED TWO ITEMS.

PROCEDURE: FROM CONTROL ESTABLISHED BY THIS OFFICE DURING FS21892 MADE TIES TO ADDITIONAL MONUMENTS AS SHOWN ON SHEET 2 & 3 TO CONTROL THE EXTERIOR OF THE SUBJECT TRACTS. COMPUTED THE SWLY CORNER OF THE VACATED BELKNAP ROAD (DOC. 2017-041883, ORJCO) AND SET MONUMENT AS SHOWN ON SHEET 3. THE CENTERLINE OF GARFIELD STREET & CENTER DRIVE AS SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES AS THIS SURVEY HELD THE EXISTING RIGHT OF WAY MONUMENTS PER FS21255 IN THEIR FOUND POSITION AS THE BEST EVIDENCE OF THE RIGHT OF WAYS OBTAINED BY THE STATE OF OREGON. BELKNAP ROAD WAS HELD AS MONUMENTED ON THE SOUTH PER FS11001 AND ON THE NORTH BY MONUMENTS PER SCS & FS21255. THIS RESULTS IN THE NORTH & SOUTH LINE NOT BEING PARALLEL TO EACH OTHER AND VARYING R/W WIDTHS. THIS IS ALSO THE CASE FOR THE SECTION OF CENTER DRIVE BETWEEN PARCELS 1 & 2. AS STATED ABOVE, I FEEL THE MONUMENTS TO BE THE BEST AVAILABLE EVIDENCE AS TO THE LOCATION OF BELKNAP ROAD. NUMEROUS MONUMENTS FOUND OR SET DURING FS21892 HAVE BEEN DESTROYED BY RECENT CONSTRUCTION. MONUMENTS WERE RESET IN THE POSITIONS AS TIED DURING FS21892. THE POSITIONS OF THOSE THAT LIE UNDERNEATH NEW BUILDINGS ARE SHOWN IN THEIR TIED LOCATIONS.

- LEGEND:**
- = FD. 1" IRON PIN PER FS705.
 - = FD. 5/8" IRON PIN & ALUM. CAP MKD. ODOT RIGHT OF WAY PER FS21255 OR AS NOTED.
 - ⊗ = FD. 5/8" IRON PIN & ALUM. CAP MKD. AS NOTED PER FS21477.
 - ⊙ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. HARDEY LS1990 PER FS12761 OR 13449.
 - ⊠ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. HUCK LS2023 PER FS21419.
 - ⊚ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. KAUSER LS803 PER FS11001.
 - ⊛ = FD. 5/8" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC. PER FS21892.
 - ⊜ = SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
 - JCDR = JACKSON COUNTY DEED RECORDS.
 - ORJCO = OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
 - WC = WITNESS CORNER.
 - () WC = DEED RECORD DATA PER V.365, P.352, JCDR. OR AS NOTED.
 - FS = FILED SURVEY #.
 - X- = FENCE LINE.
 - < > = RECORD DATA PER 2012 COUNTY RE-ESTAB NOTES.
 - M = METERS.
 - L1/C1 = SEE COURSE DATA TABLE.
 - PE1 = 50' WIDE POWER EASEMENT PER V.345, P.306, JCDR.
 - FUE = PUBLIC UTILITY EASEMENT PER THIS PLAT (UNLESS NOTED).
 - WE1 = APPROX. LOCATION OF 20' WIDE WATER LINE EASEMENT PER V.531, P.42, JCDR.
 - DPL = OLD PROPERTY LINE BEING ELIMINATED.
 - RECD = RECORD DATA PER V.201, P.502, JCDR.
 - SCS = SOUTH GATEWAY CENTER SUBDIVISION (FS13449).
 - RSS = SEWER EASEMENT PER DOC. 2018-028332, ORJCO.
 - SCH = SPIRAL CHORD.
 - WE2 = WATER MAIN & FACILITIES EASEMENT PER DOC. 2016-032877, ORJCO.
 - TP = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION. NOT RESET.
 - RSP = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION. SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
 - RST = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION. SET BRASS TAG MKD. L.J. FRIAR & ASSOC. & MAG NAIL IN CONCRETE.
 - RSW = MONUMENT TIED DURING FS21892 DESTROYED BY CONSTRUCTION. SET BRASS WASHER MKD. L.J. FRIAR & ASSOC. & 4.5" MAG NAIL IN NEW ASPHALT.
 - RM = REFERENCE MONUMENT.
 - PCS = POINT OF HORIZONTAL CURVE TO SPIRAL CURVE.
 - PSC = POINT OF SPIRAL CURVE TO HORIZONTAL CURVE.
 - PT = POINT OF TANGENT.
 - PS = POINT OF SPIRAL CURVE.
 - JCS = REFERS TO MONUMENT PER FS21477.
 - MWC = EASEMENT FOR WATER FACILITIES PER DOC. 2018-034001, ORJCO.

NUM	BEARING	ARC	DISTANCE
L1	S72°40'21"W		33.39
L2	N48°06'27"W		39.84
L3	S23°59'20"W		19.52
L4	N55°57'23"W		22.50
L5	S09°55'52"W		114.92
L6	N52°09'05"E		65.17
L8	N34°08'51"W		25.94
L9	N56°06'10"W		46.06
L10	N15°26'46"W		50.30
L11	N72°08'59"E		45.00
L12	N72°38'34"E		40.58
L13	N17°21'26"W		35.10

NUM	DELTA	ARC	RADIUS	CHORD
C1	27°19'30"	363.32	761.81	N45°55'39"E 359.88
C2	11°56'25"	158.76	761.81	N46°52'42"E 158.47
C3	06°44'30"	89.64	761.81	N56°13'09"E 89.59
C4	08°38'35"	114.92	761.81	N36°35'12"E 114.81
C5	30°10'04"	335.99	638.12	N47°21'05"E 332.12
C6	02°24'50"	141.82	3366.14	S26°02'34"W 141.81
C7	20°35'00"	273.68	761.81	N42°33'24"E 272.21



EASEMENTS PER FIRST AMERICAN PRELIM. TITLE REPORT 7169-2886470 DATED 6-28-2018

- EASEMENT FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY PER VOL 266, PG 593 & VOL 290, PG 84, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENTS, COVENANTS, CONDITIONS, LIENS AND CHARGES AS SET FORTH IN THE DECLARATION OF CONSTRUCTION, OPERATION AND RECIPROCAL AGREEMENT PER DOC 93-10811, DOC. 93-44280, DOC. 94-27332, DOC. 95-09865, DOC 96-34946, DOC 99-22558, DOC 00-00250, DOC 2005-037480 & DOC 2008-039496, ORJCO. (BLANKET OVER LOTS 16 & 17 SCS (BEING PARCEL 3 OF THIS PLAT, TL4801, TL4802 & TL4708.))
- RESTRICTIVE COVENANTS PER DOC 98-32832, ORJCO. (BLANKET OVER LOTS 16 & 17 SCS (BEING PARCEL 3 OF THIS PLAT, TL4801, TL4802 & TL4708.))
- ABUTTER'S EASEMENTS OF ACCESS TO RELOCATED GARFIELD STREET & CENTER DRIVE RELINQUISHED BY DOC. 2005-055426, ORJCO. AFFECTE PARCELS 2 & 3 OF THIS PLAT.
- SLOPE & UTILITY EASEMENT PER DOC 2005-055426, ORJCO. (SHOWN)
- PUBLIC UTILITY EASEMENT PER SCS. (SHOWN)
- WATER MAIN & FACILITIES EASEMENT PER DOC 2016-032877, ORJCO. (SHOWN)
- PUBLIC UTILITY EASEMENT PER DOC 2017-028000, ORJCO. (SHOWN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 149, PG 143, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 152, PG 557, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 174, PG 453, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 243, PG 82, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 261, PG 51, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 345, PG 306, JCDR. (NOT ON SUBJECT PROPERTY BUT SHOWN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 376, PG 345, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- SANITARY SEWER EASEMENT PER VOL 424, PG 198, JCDR. (NOT ON SUBJECT PROPERTY)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 438, PG 169, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 477, PG 175, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- CHANNEL CHANGE EASEMENT PER VOL 501, PG 420, JCDR. (NOT ON SUBJECT PROPERTY)
- LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER VOL 502, P194, JCDR. (NOT ON SUBJECT PROPERTY)
- PIPELINE EASEMENT PER VOL 531, PG 42, JCDR. (NOT ON SUBJECT PROPERTY BUT SHOWN)
- EASEMENT FOR ELECTRIC TRANSMISSION PER VOL 550, PG 439 & VOL 556, PG 168, JCDR. (SPECIFIC LOCATION NOT GIVEN)
- RIGHT OF ENTRY EASEMENT PER DOC 75-02642, ORJCO. (NOT ON SUBJECT PROPERTY)
- SANITARY SEWER EASEMENT PER DOC 75-03418 & 77-04534, ORJCO. (NOT ON SUBJECT PROPERTY)
- BIKEWAY EASEMENT PER DOC 01-17201, ORJCO. (NOT ON SUBJECT PROPERTY)
- LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER DOC. 2006-013916, ORJCO. (AFFECT PARCELS 1 & 2 OF THIS PLAT)
- ACCESS EASEMENT TO CENTER DRIVE PER DOC 2018-012453, ORJCO. (SPECIFIC LOCATION NOT GIVEN)
- SIGN EASEMENT PER DOC 2018-012453, ORJCO. (SPECIFIC LOCATION NOT GIVEN)
- LIMITED ACCESS PROVISIONS TO STATE HIGHWAY PER DOC 2005-053916, ORJCO. (AFFECTS TL4708)
- SLOPE & UTILITY EASEMENT PER DOC 2005-053916, ORJCO. (NOT ON SUBJECT PROPERTY)
- SEWER EASEMENT PER DOC. 2018-026332, ORJCO. SHOWN.
- WATER FACILITIES EASEMENT PER DOC. 2018-034001, ORJCO. SHOWN.

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.
SURVEYOR

BASIS OF BEARINGS:
GEODETIC NORTH BASED ON G.P.S. MEASUREMENTS APPLIED TO THE SOUTH LINE OF BELKNAP ROAD AS SHOWN HEREON.
UNIT OF MEASUREMENT = FEET SCALE: 1" = 60'

REGISTERED PROFESSIONAL LAND SURVEYOR

Jos J. Friar
OREGON
JULY 17, 1988
JAMES E. HIBBS
2234
RENEWAL DATE 6-30-19

FILED
Date 4/22/19 By RB
This Survey Consists Of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

FILE # SV-19-048
EXHIBIT # 112053
CITY OF MEDFORD



PUBLIC WORKS DEPARTMENT STAFF REPORT

PUE Vacation – Garfield Street at Center Drive (TL 3605)

KFC Restaurant

Project: Consideration of a request for the vacation of a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel.

Location: Located at the corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district (371W32B3605).

Applicant: Applicant, Lariot Corporation; Agent, Berghausen Consulting Firm Engineers, Inc.; Planner, Dustin Severs.

Public Works takes no exception to the request to vacate the subject existing public-utility-easement, with the condition that sign-offs shall be obtained from all applicable utility companies to confirm they have relocated their facilities out of the area to be vacated.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

CITY OF MEDFORD
EXHIBIT # E
FILE # SV-19-048



BOARD OF WATER COMMISSIONERS
Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: SV-19-048
PARCEL ID: 371W19CC TL 3500, and 371W19CB TL 3600 & 3700
PROJECT: Consideration of a request for the vacation of a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district (371W32B3605). Applicant, Lariot Corporation; agent, Berghausen Consulting Firm Engineers, Inc.; Planner, Dustin Severs
DATE: December 18, 2019

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

CONDITIONS

1. No Conditions.

COMMENTS

1. There is a 24-inch water line located in the Public ROW south of this parcel. (See attached Water Facility Map)



0 25 50 100 Feet
Scale: 1:1,200

Water Facility Map
City of Medford
Planning Application:
SV-19-048
(371W32B3605)
Dec 18, 2019

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- (H) Blow Off
- Plug-Caps

Water Meters:

- Action Meter
- On Wall
- Unknown
- Vacant

Water Valves:

- Buzarty Valve
- Gate Valve
- Isoping Valve

Water Mains:

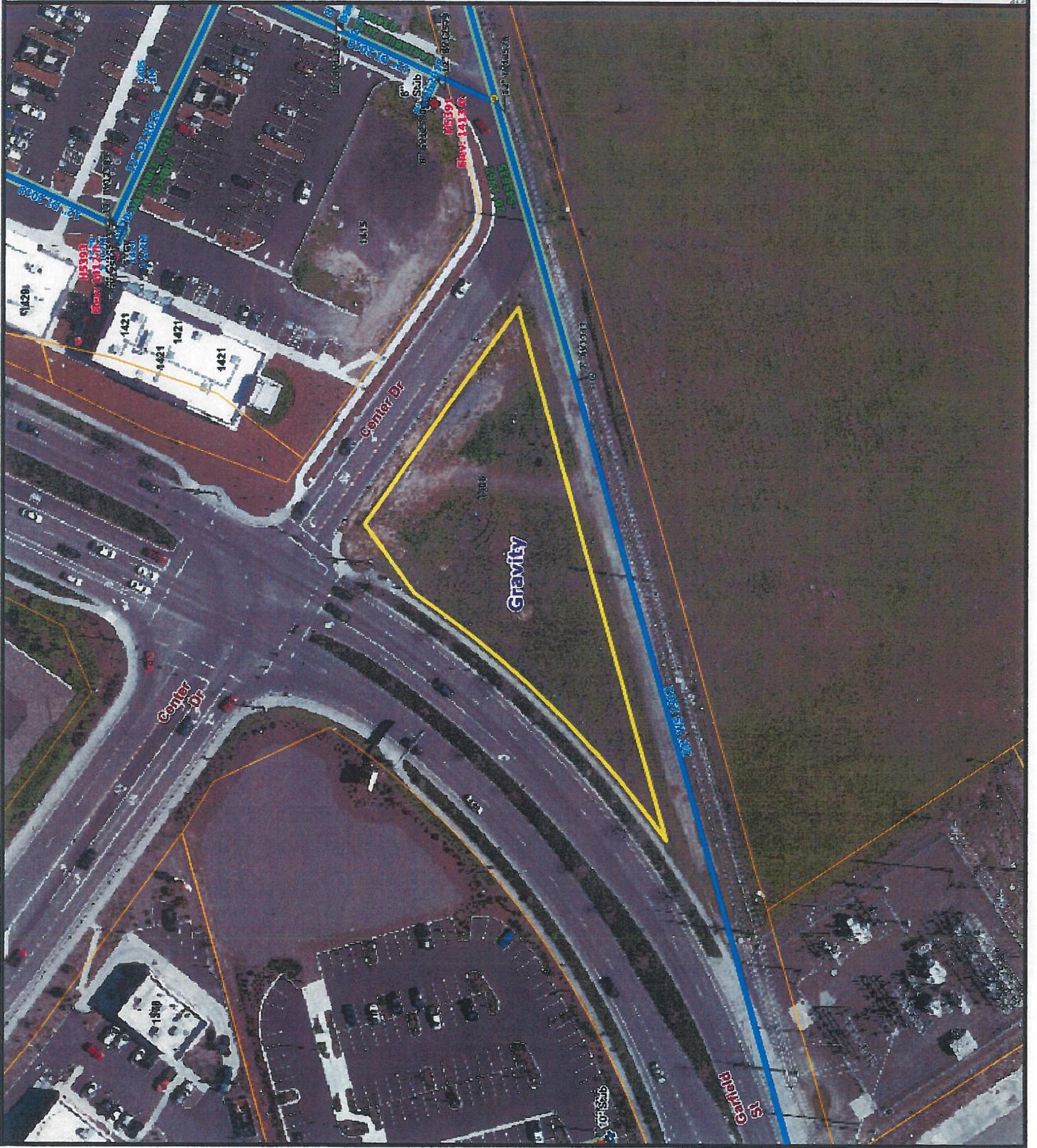
- Active Main
- Abandoned Main
- Reservoir Draft Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

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





Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 12/13/2019
Meeting Date: 12/18/2019

LD File #: SV19048

Planner: Dustin Severs

Applicant: Lariot Corporation

Site Name: n/a

Project Location: Corner of Garfield Street and Center Drive

ProjectDescription: Consideration of a request for the vacation of a 15-foot wide Public Utility Easement (PUE) on a single 0.76-acre parcel located at the corner of Garfield Street and Center Drive in the Regional Commercial (C-R) zoning district (371W32B3605).

Specific Development Requirements for Access & Water Supply

Conditions

Table with 2 columns: Reference, Description. Row 1: Approved, Approved as submitted with no additional conditions or requirements.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



Project Name:

**Vacation of Public
Utility Easement**

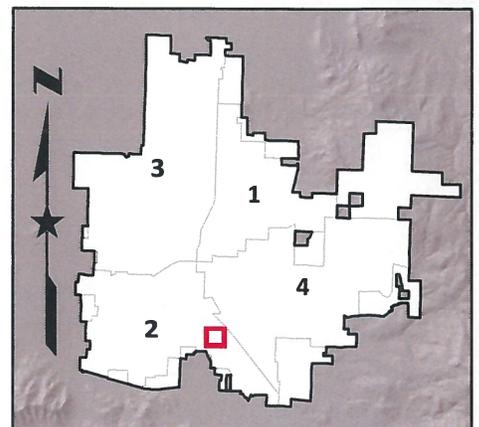
Map/Taxlot:

371W32B TL 3605



Legend

-  Subject Area
-  Tax Lots





AGENDA ITEM COMMENTARY

DEPARTMENT: Planning

AGENDA SECTION: Public Hearings

PHONE: (541) 774-2380

MEETING DATE: February 6, 2020

STAFF CONTACT: Matt Brinkley, AICP CFM, Planning Director

COUNCIL BILL 2020-16

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan, and a Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and the Public Park Zone. (GLUP-19-005 & ZC-19-018)

SUMMARY AND BACKGROUND

Council is requested to consider a General Land Use Plan (GLUP) Map amendment and a Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and the Public Park zone.

On December 12, 2019, the Planning Commission voted 7-0 in favor of recommending approval to the City Council of the GLUP amendments and zone changes during the public hearing. (File No. GLUP-19-005 & ZC-19-018)

PREVIOUS COUNCIL ACTIONS

On June 7, 2018, Council adopted Council Bill 2018-52 approving the Parks Zone, which was applied to publicly owned park properties in Medford.

ANALYSIS

In 2018, the City adopted the Public Parks Zone (P-1), which was created to differentiate parks and trails from residential, commercial, and industrial uses. Once approved, it was applied to 144 publicly owned parks and trail properties in Medford.

The proposal is to update the GLUP map related to the Parks and Schools designation and the corresponding Public Parks zone to recently acquired parkland. This includes changing 10 properties from their current GLUP designation to the Parks and Schools designation and also changing the zoning on these properties to the Public Parks zone.

The subject properties include: 1) Cedar Landing Open Space, 2) Lone Pine Park Addition, 3) Village Center Park, 4) Liberty Park, and 5) Larson Creek Trail segments. All of these properties are recently owned by the City or County and operating or designated as a park or trail.

The proposal is consistent with the City's Comprehensive Plan and the process outlined in Chapter 10 of the Medford Municipal Code.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None.



TIMING ISSUES

None.

COUNCIL OPTIONS

Approve the ordinance as presented.

Modify the ordinance as presented.

Decline to approve the ordinance and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

SUGGESTED MOTION

I move to approve the ordinance authorizing the change of the General Land Use Plan Map designations and zone changes described in the Council Report dated January 30, 2020, as recommended by the Planning Commission.

EXHIBITS

Ordinance

Council Report, including Exhibits A through H

ORDINANCE NO. 2020-16

AN ORDINANCE approving a minor amendment to the General Land Use Plan (GLUP) Map of the *Medford Comprehensive Plan*, and a Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and the Public Park Zone. (GLUP-19-005 & ZC-19-018)

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a minor amendment to the General Land Use Plan (GLUP) Map of the *Medford Comprehensive Plan* and a Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and the Public Park Zone, is hereby approved.

Section 2. The approval is based upon the Findings of Fact and Conclusions of Law included in the Planning Commission Report dated January 30, 2020.

PASSED by the Council and signed by me in authentication of its passage this ____ day of February, 2020.

ATTEST: _____
City Recorder

Mayor

APPROVED _____, 2020.

Mayor



COUNCIL REPORT for a Type IV legislative decision: **Major General Land Use Plan map amendment & Major Zone Change**

Project Annual Parks Mapping Update
File no. GLUP-19-005 & ZC-19-018
To City Council *for 02/06/2020 hearing*
From Planning Commission via Sarah Sousa, Planner IV
Reviewer Carla Angeli Paladino, Principal Planner
Date January 30, 2020

BACKGROUND

Proposal

The proposal is a General Land Use Plan map amendment and Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and Public Parks Zone.

Related projects

DCA-16-072 Public Parks Zoning Amendment

Authority

This proposed plan authorization is a Type IV legislative Major General Land Use Plan map amendment and Major Zone Change. The Planning Commission is authorized to recommend, and the City Council to approve, major amendments to the General Land Use Plan map and zoning map under Medford Municipal Code Section 10.220.

History

In 2018, the City adopted the Public Parks Zone (P-1), which was created to differentiate parks and trails from residential, commercial, and industrial uses. Once approved, it was applied to 144 publicly owned parks and trail properties in Medford.

It is the Planning Department's intent to update the City's General Land Use Plan (GLUP) map and Zoning map annually, or as necessary, to change recently acquired parkland to the Parks and Schools GLUP designation and Public Parks zone.

ANALYSIS

The Parks and Schools General Land Use Plan designation is applied to properties that contain publicly owned parks or schools. The City’s corresponding zoning to that designation for park properties is the Public Parks zone. The proposed project includes adding these designations to 10 properties. These properties relate to 1) Cedar Landing Open Space, 2) Lone Pine Park Addition, 3) Village Center Park, 4) Liberty Park, and 5) Larson Creek Trail segments. All of the properties are parks or portions of parks or trail segments that are publicly owned. The table below shows the existing designations and zoning with the proposed changes.

The Howard Memorial Sports Park property on North Ross Lane was originally included in the project. However, since the property is not yet owned by the City, it is not eligible for the Public Parks zone. The Public Parks zone can only be applied to publicly owned properties.

A public hearing was held before the Planning Commission on the project on December 12, 2019. The Commission recommended unanimously to approve the GLUP amendments and Major Zone changes.

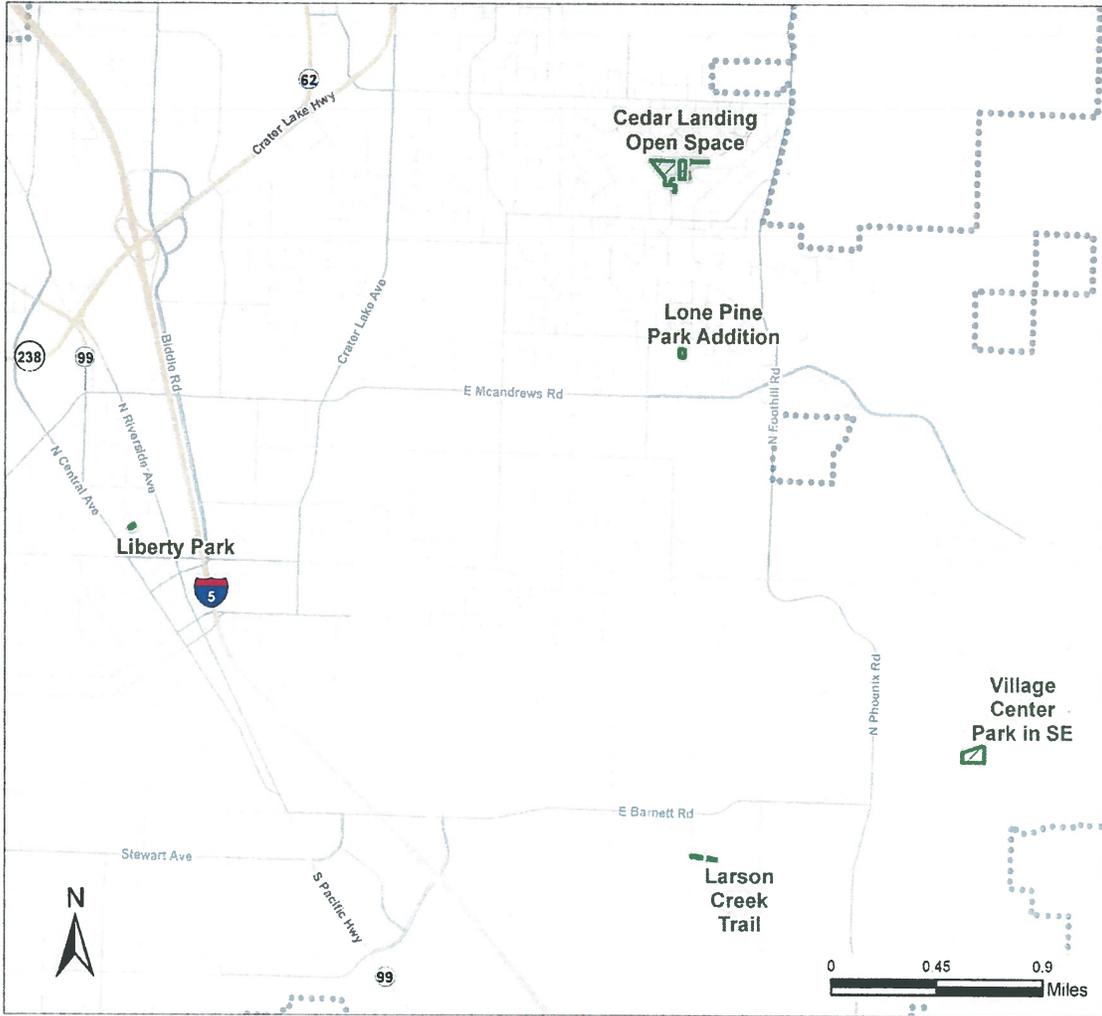
GLUP & ZONE CHANGES						
Property Description	Map/Tax Lot #(s)	Existing GLUP	Proposed GLUP	Existing Zone	Proposed Zone	Owner
Lone Pine Park Addition	371W21BA 701	UR	PS	SFR-4	P-1	City of Medford
Cedar Landing Open Space	371W16BD 211, 214 371W16BC 100, 200	UR	PS	SFR-4	P-1	City of Medford
Village Center Park	371W27 1203	UH	PS	MFR-20	P-1	City of Medford
Liberty Park	372W24DD 15100 & 15200	CM	PS	SFR-10	P-1	City of Medford
Larson Creek Trail	371W33BA 1700	UR	PS	SFR-10	P-1	Jackson County
Larson Creek Trail	371W33BA 2800	SC	PS	C-S/P	P-1	Jackson County



MEDFORD
OREGON

Annual Parks Mapping Updates

Parks Taxlots - PS GLUP/P-1 Zoning Proposed



Legend

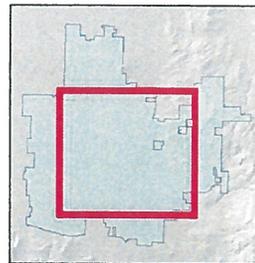


Parks Taxlots - PS GLUP/P-1 Zone Proposed



Urban Growth Boundary

MAPLOT	Description
371W16BC100	Cedar Landing Open Space
371W16BC200	Cedar Landing Open Space
371W16BD211	Cedar Landing Open Space
371W16BD214	Cedar Landing Open Space
371W21BA701	Lone Pine Park Addition
371W271203	Village Center Park in SE
371W33BA1700	Larson Creek Trail
371W33BA2800	Larson Creek Trail
372W24DD15100	Liberty Park
372W24DD15200	Liberty Park



Date: 1/14/2020

FINDINGS AND CONCLUSIONS

Applicable criteria

Major Type IV Amendments are listed in Medford Municipal Code Section 10.220. For Major Zoning Map Amendments, Section 10.220(B) refers to the approval criteria for Land Development Code Amendments in Section 10.218. For Major General Land Use Plan map amendments, the section redirects to the "Review and Amendments" chapter of the Comprehensive Plan.

The criteria are set in *italics* below; findings and conclusions are in roman type.

Medford Land Development Code Section 10.218

The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:

(A) Explanation of Public Benefit

Findings

The proposed changes are intended to benefit the public. The Public Parks zone helps to identify the location of parks throughout the city on the zoning map. This makes them more transparent to the citizens of Medford as to the location of parks as well as the land use expected. The current zoning on the subject properties are generally commercial or residential, which is not a clear indication of actual use. The Public Parks zone clarifies that a park, not a commercial or residential operation, exists on these properties.

Conclusions

The zone change proposal clarifies the location of parks and trails in Medford by showing parkland on the zoning map. This helps the general public understand the location of parks and trails while also providing a more accurate description of how land is being used. This criterion is satisfied.

(B) The justification for the amendment with respect to the following factors:

(1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.

Findings

Goal 4: To coordinate park and recreation planning, acquisition, maintenance, and development in the City of Medford to serve a broad spectrum of citizen and institutional interests.

The proposed zone change conforms to Goal 4 in the Comprehensive Plan as described above. New and expanded parks, trails, and facilities within the Public Parks zone have a specific land use review called the Park Development

Review. This review does not contemplate the use since that is already established through zoning, whereas in other zones, parks require a Conditional Use Permit. This provides more assurance that park facilities can be built to serve the citizens of Medford.

Conclusions

The Public Parks zone, as applied to park properties, conforms to the Goals and Policies of the Comprehensive Plan that requires coordination of park planning and development. This criterion is satisfied.

(2) Comments from applicable referral agencies regarding applicable statutes or regulations.

Findings

The proposal was provided to applicable referral agencies and departments as well as the Department of Land Conservation and Development. Comments were received from the following:

- Medford Public Works Department confirmed that all of the sites, except the Lone Pine Park addition, would be able to connect to storm drainage facilities. At the time of development, the Lone Pine Park addition would require evidence of a storm water easement to Lone Pine Creek. In regards to sewer, sufficient capacity exists to serve the sites. The Public Works Department also confirmed that no traffic impact analysis is required for any of the subject sites.
- Medford Building Department stated in a memo that there are no comments at this time until construction is proposed.
- Medford Fire Department submitted a report with no additional conditions or requirements.
- Medford Water Commission supplied a memo stating there are no comments or conditions for the project.
- Medford Parks and Recreation Department provided comments that the Department supported the project but requested to eliminate the Howard Memorial Sports Park property. Since the property is not currently owned by the City, it is not eligible for the Public Parks zone.

Conclusions

The only change requested by the referral agencies was by the Parks Department. As a result, staff eliminated the Howard Sports Park property from the list of subject properties. This criterion is satisfied.

(3) Public Comments

Findings

Staff went over the proposal at a study session with the Planning Commission on November 25, 2019. The Commission had no questions or concerns. Notices to property owners within 200 feet of all of the subject properties were sent out. Information on the project is also available on the City's website. No letters in support or opposition have been submitted regarding the project. In addition, no one testified at the public hearing before the Planning Commission on December 12, 2019.

Conclusions

Information about the project has been made available to the public via public hearing notices, the City's website, as well as via a Planning Commission study session and hearing. To date, no public input has been received. This criterion is satisfied.

(4) Applicable governmental agreements

Findings

There are no governmental agreements that apply to the proposed General Land Use Plan map amendment or Major Zone change.

Conclusions

This criterion is not applicable to this proposal.

Comprehensive Plan, Review and Amendments chapter: Amendments to Map Designations shall be based on the following [criteria 1-7]:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*

Findings

The proposed changes from the residential and commercial designations of Urban Residential, Urban High Density Residential, Commercial, and Service Commercial no longer adequately describe the use of the subject properties that are all developed as parks or trails. Land available for public parks and trails is identified within the Leisure Services Plan of the Comprehensive Plan. The subject properties have been identified as either existing or planned parks or trails. At this time all have been developed as such. The Comprehensive Plan specifies that the Parks and Schools designation is appropriate for existing and proposed public parks.

Conclusions

There is no significant change in one or more Goal, Policy, or Implementation Strategy driving this amendment. However, the proposal is consistent with the Comprehensive Plan in that land for parks shall be designation appropriately with the Parks and Schools General Land Use Plan. This criterion is met.

2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*

Findings

Medford is the largest city in Southern Oregon and a regional provider of park and recreational facilities. As the population of the Rogue Valley continues to increase, the demand for park facilities increases. According to the Leisure Services Plan, Medford falls short of the median 6.4 acres of parkland per 1,000 persons for higher density urban communities. As of 2015, Medford was deficient of developed neighborhood parks by approximately 27 acres. The properties being converted to the Parks and Schools designation are developed parks, land adjacent to a developed park, or an existing or planned trail. It is important to designate and protect this parkland to be consistent with Medford's goal of providing an adequate supply of parks and open space for the community.

Conclusions

The City's population growth along with the demand to provide regional facilities, places a high demand for parkland. The subject properties are all developed as parks or trails. The Parks and Schools designation is the most appropriate for the subject properties. This criterion is met.

3. *The orderly and economic provision of key public facilities.*

Findings

All of the subject properties are developed as a park or trail, facilities are already available to the sites. Development permits have been issued for Lone Pine Park, Cedar Landing (open space areas have since been dedicated to the City), Liberty Park, Village Center Park, and the Larson Creek Trail. All have gone through a Planned Unit Development or Conditional Use Permit review prior to development. Issues related to inadequate facilities would have been raised as part of the development permit process. All have been subsequently developed as a park or trail.

Conclusions

If facilities such as water and sewer were not available to the subject sites, they would not have been able to develop as parks. However, all of the subject properties have gone through land use reviews and been allowed to develop as a park or trail. The process of changing the land use designation of the properties is a formal acknowledgment of what has already been developed on the sites. This criterion is met.

4. *Maximum efficiency of land uses within the current urbanizable area.*

Findings

The change of the General Land Use Plan map designation to Parks and Schools is an appropriate distribution of land. All of the subject properties have already been determined to be suitable for a park or trail through a land use process. The City evaluates the General Land Use Plan map changes to ensure there is not a significant change to decrease the amount of needed land, especially high density residential. Only one site is changing from Urban High Density Residential to the Parks and School designation. That site is now Village Park in the Southeast, which is a 3.23 acre property. When the Southeast Plan was adopted, this particular property was designated for residential units, not for a park.

It is best to accurately reflect the use of the land as a park with the Parks and Schools designation rather than count it inappropriately towards residential or commercial land.

Conclusions

The distribution of land classifications is monitored in order to keep the supply of needed land as determined in the recently adopted Urban Growth Boundary Amendment. A total of 11.24 acres are proposed to be changed to the Parks and Schools designation, most of which is low density residential land. The re-designation of land to Park and Schools is more precise description of the land. This criterion is met.

Environmental, energy, economic, and social consequences.

Findings

The designation change to Parks and Schools does not have a negative impact on the environmental, energy, and social consequences. Parkland contains more open space with natural vegetation and planted landscaping. This is a positive environmental and energy impact over commercial and residential uses, which would include denser development with more impervious surface and greater impacts on city facilities. The social consequences of parkland is positive as it provides the public with recreational opportunities as well as places to meet with

friends and family for passive and active activities. Only .42 acres is changing from a commercial designation. This is a minor impact on commercial and economic opportunities. Of that land, .23 acres is Liberty Park and .19 is within the Larson Creek Greenway, a linear strip of land between other sections of the trail.

Conclusions

The Parks and Schools General Land Use Plan designation does not have a negative impact on the environmental, energy, economic, and social consequences. This criterion is met.

5. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*

Findings

General Land Use Plan Map - Goal 1: To maintain and update the City of Medford General Land Use Plan Map.

It is the intent of the Planning Department to update the General Land Use Plan map every year with recently obtained parkland in order to accurately reflect all public parks and trails on the General Land Use Plan map.

Conclusions

The proposed changes will reflect an accurate update of parkland in the City, consistent with Goal 1 of the General Land Use Plan map section of the Comprehensive Plan. This criterion is satisfied.

6. *All applicable Statewide Planning Goals.*

Goal 1—Citizen Involvement

Findings

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed General Land Use Plan map amendments by the Planning Commission and City Council.

Conclusions

By following standard notification and comment procedures, the City provided adequate opportunities for citizen input. Goal 1 is satisfied.

Goal 2— Land-use Planning

Findings

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code. These are the bases for decisions and actions.

Conclusions

The proposed amendments to the General Land Use Plan adheres to the land use process identified in the City's code, which in turn complies with the Statewide Planning goal. Goal 2 is satisfied.

Goal 3—Agricultural Lands does not apply in this case.

Goal 4—Forest Lands does not apply in this case.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.

Goal 6—Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards does not apply in this case.

Goal 8—Recreation Needs

Findings

This goal relates to the City's responsibility for meeting the community's recreational needs today and into the future. The Leisure Services Plan within the Comprehensive Plan describes the number and types of parks and trails the City requires. The General Land Use Plan map changes to incorporate recently built parks or newly acquired parkland to the Parks and Schools designation is part of the process by which the City calculates the number of recreational acres within the City to ensure compliance with this goal.

Conclusions

The proposed changes support this goal. Goal 8 is satisfied.

Goal 9—Economic Development does not apply in this case.

Goal 10—Housing does not apply in this case.

Goal 11—Public Facilities and Services does not apply in this case.

Goal 12—Transportation does not apply in this case.

Goal 13—Energy Conservation does not apply in this case.

Goal 14—Urbanization does not apply in this case.

Goals 15-19 do not apply to this part of the State.

RECOMMENDED ACTION

The Planning Commission recommends adopting GLUP-19-005 and ZC-19-018 based upon the analysis, findings, and conclusions per the Council Report dated January 30, 2020, including Exhibits A-H.

EXHIBITS

- A Medford Public Works Department Staff Report (GLUP Amendment) received November 20, 2019
- B Medford Public Works Department Staff Report (Zone Change) received November 20, 2019
- C Medford Building Department Memo received November 20, 2019
- D Medford Fire Department Report received November 20, 2019
- E Medford Water Commission Memo received November 20, 2019
- F Medford Parks and Recreation Department Memo received November 20, 2019
- G Planning Commission Study Session minutes from November 25, 2019
- H Planning Commission meeting minutes from December 12, 2019

CITY COUNCIL AGENDA:

FEBRUARY 6, 2020



PUBLIC WORKS DEPARTMENT STAFF REPORT

GLUP Amendment (11 Park Properties)

Parks & School GLUP Designation

Project: The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

Applicant: City of Medford

Planner: Sarah Sousa, Planner IV – Long Range Division

I. Sanitary Sewer Facilities

Wes Howard Memorial Sports Park is located in within the Rogue Valley Sewer Service (RVSS) area. The Applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve these parks under the proposed zoning.

For all other park locations, there is sufficient capacity in the sanitary sewer to allow the zone changes without conditions.

II. Storm Drainage Facilities

The City of Medford has existing storm drain facilities in the park areas. These sites, with the exception of Lone Pine Park addition, would be able to connect to drainage facilities at the time of development. These parks may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

For the Lone Pine Park addition, the Developer shall provide evidence of storm drainage easements to Lone Pine Creek prior to development.

III. Transportation System

No traffic impact analysis (TIA) will be required for these zone changes. The proposed application doesn't meet the requirements for a TIA, per Medford Municipal Code (MMC), Section 10.461.

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

The above report is based on the information provided with the General Land Use Plan Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional 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 shall be provided with a Development Permit Application.

City of Medford

200 South Ivy Street, Medford, OR 97501

541-774-2100

cityofmedford.org

P:\Staff Reports\CP, DCA, & ZC\GLUP\GLUP-19-005_ZC-19-018 Convert Park Properties to GLUP Designation_Parks Zoning\GLUP-19-005 Staff Report.docx Page 2 of 2



PUBLIC WORKS DEPARTMENT STAFF REPORT

Major Zone Change (11 Park Properties)

Parks Zoning

Project: The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

Applicant: City of Medford

Planner: Sarah Sousa, Planner IV – Long Range Division

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

I. Sanitary Sewer Facilities

Wes Howard Memorial Sports Park is located in within the Rogue Valley Sewer Service (RVSS) area. The Applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve these parks under the proposed zoning.

For all other park locations, there is sufficient capacity in the sanitary sewer to allow the zone changes without conditions.

II. Storm Drainage Facilities

The City of Medford has existing storm drain facilities in the park areas. These sites, with the exception of Lone Pine Park addition, would be able to connect to drainage facilities at the time of development. These parks may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

For the Lone Pine Park addition, the Developer shall provide evidence of storm drainage easements to Lone Pine Creek prior to development.

III. Transportation System

No traffic impact analysis (TIA) will be required for these zone changes. The proposed application doesn't meet the requirements for a TIA, per Medford Municipal Code (MMC), Section 10.461 (3).

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

The above report is based on the information provided with the Zone Change Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional 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 shall be provided with a Development Permit Application.



MEMORANDUM

To: Sarah Sousa, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: City of Medford, Applicant
Date: November 20, 2019
Subject: GLUP-19-005/ZC-19-018_Annual parks Zoning Updates

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2019 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

Fees are based on valuation. Please contact Building Department front counter for estimated fees at (541) 774-2350 or building@cityofmedford.org.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or chad.wiltrout@cityofmedford.org.

General Comments:

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



4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. No construction proposed. No other comments at this time.

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 11/13/2019

Meeting Date: 11/20/2019

LD File #: GLUP19005 **Associated File #1:** ZC19018

Planner: Sarah Sousa

Applicant: City of Medford

Site Name: N/A

Project Location: N/A

ProjectDescription: The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Description
Approved	Approved as submitted with no additional conditions or requirements.

Construction General Information/Requirements

Development shall comply with access and water supply requirements in accordance with the Oregon Fire Code in affect at the time of development submittal. Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (fire hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

Design and installation shall meet the Oregon requirements of the International Fire, Building, Mechanical Codes and applicable NFPA Standards.

Medford Fire-Rescue, 200 S Ivy St. Rm 180, Medford OR 97501 541-774-2300

www.medfordfirerescue.org



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: GLUP-19-005/ZC-19-018

PARCEL ID: 11 Park Properties (371W16BC100, 371W16BC200, 371W16BD211, 371W16BD214, 371W21BA701, 371W271203, 371W33BA1700, 371W33BA2800, 372W231300, 372W24DD15100, and 372W24DD15200.

PROJECT: The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone. Applicant: City of Medford, Planner: Sarah Sousa.

DATE: November 20, 2019

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

CONDITIONS

1. No Conditions

COMMENTS

1. No Comments



MEMORANDUM

To: Sarah Sousa, Planning Department

From: Haley Cox, Parks Planner

Date: November 20, 2019

Subject: GLUP-19-005/ZC-19-018

The Parks Department has reviewed the proposal, and with the exception of the Howard Memorial Sports Park, which is not publicly owned, we support the Planning Department's initiative to rezone public park parcels and amend the General Land Use Plan Map to reflect these uses.

PLANNING COMMISSION STUDY SESSION MINUTES



November 25, 2019

12:00 P.M.

Lausmann Annex, Room 151

200 S. Ivy Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
Jeff Thomas

Staff Present

Eric Mitton, Deputy City Attorney
Carla Paladino, Principal Planner
Sarah Sousa, Planner IV

Commissioners Absent

David McFadden, Unexcused Absence
E.J. McManus, Excused Absence
Jared Pulver, Excused Absence

20. Subject

20.1 ZC-19-018 / GLUP-19-005 City Initiated Zone Change / Annual Parks Zone Updates

Sarah Sousa, Planner IV reported that the City changed the General Land Use Plan Designation of approximately 500 acres as part of the Urban Growth Boundary Amendment process in 2014. The purpose was to improve the efficiency of the land. While the General Land Use Plan map designation of those area were changed, the City did not follow up with corresponding zone change.

In order to follow through with that process while also encouraging more housing, the Planning Director came up with the City-Initiated Zone Change Program. City staff processes zone changes on behalf of property owners free of cost (property owners have to consent in writing). Eligible properties for the program would be properties that were changed to a higher density residential designation as part of the UGB process; and around an acre in size or less.

Staff sent two rounds of letters out to eligible property owners, held meetings with interested parties, collected written consents to rezone (23 properties included), and met with a traffic engineer who is providing a scope of work to evaluate potential impacts of the rezones.

Consents are from four properties in the Coker Butte / Springbrook area. They are zoned SFR-00 and eligible for MFR-15 zoning.

There are thirteen consents from properties on Charlotte Ann Road. They are zoned SFR-00 and eligible for MFR-20 zoning.

There are five consents from properties on Westwood and Orchard Home zoned SFR-6 and eligible for MFR-15 and MFR-20 zoning. There is one consent from a property on Stewart Avenue with the zoning SFR-00 and eligible for MFR-20 zoning.

Commissioner Culbertson asked, wasn't one of the properties an application that came before the Planning Commission to change to MFR-30 or was it MFR-20? Ms. Sousa replied it is MFR-15. Carla Paladino stated that properties south of Westwood are UM and would be MFR-15.

Commissioner Mansfield asked, has there been property owners that staff approached that have said no they do not want to change? Ms. Sousa replied yes. Commissioner Mansfield asked, is that a large or small number? Ms. Sousa replied there have only been a few.

There are two more properties interested on Charlotte Ann Road.

The next steps is that staff is waiting for results of a traffic analysis. They anticipate begin processing zone changes in early 2020.

Vice Chair Foley asked, what does processing zone changes mean? Will they come before the Planning Commission? Ms. Sousa replied yes. However, they are considered a major zone change so the City Council is the deciding body.

Chair McKechnie asked, is there criteria for the acre or less? Ms. Sousa replied yes. Chair McKechnie asked, do platted lots owned by the same people fit this criteria? Ms. Sousa responded that the owners that live in that area (Charlotte Ann Road) received letters encouraging them to participate. The front properties are designated for Commercial. Chair McKechnie's understanding is that Habit for Humanity owns four lots. Ms. Sousa replied that she knows they own two but may own more. Chair McKechnie asked, does staff combine those to determine whether or not they meet the acre or less criteria? Ms. Sousa responded they have a few that are over an acre. They are trying to keep them an acre or less. Chair McKechnie asked, what if they are owned by the same owner. Ms. Sousa replied they are treated individually.

Ms. Sousa reported staff is working on an Annual Parks Zoning Update. The City adopted the Parks Zone in 2018. It was applied to publicly owned trails and parks in Medford. The Planning Department will be doing annual updates to add the Parks and Schools GLUP and the Parks Zone

to newly acquired parkland or trails. Adding the Parks and Schools General Land Use Plan designation and the corresponding Parks Zone to the following properties:

MAPLOT	Description
371W16BC100	Cedar Landing Open Space
371W16BC200	Cedar Landing Open Space
371W16BD211	Cedar Landing Open Space
371W16BD214	Cedar Landing Open Space
371W21BA701	Lone Pine Park Addition
371W271203	Village Center Park in SE
371W33BA1700	Larson Creek Trail
371W33BA2800	Larson Creek Trail
372W24DD15100	Liberty Park
372W24DD15200	Liberty Park

Staff will present this to the Planning Commission on Thursday, December 12, 2019 and City Council hearing on Thursday, February 6, 2019 for final.

100. Adjournment

101. The meeting was adjourned at approximately 12:12 p.m.

Submitted by:

Terri L. Richards
Recording Secretary

PLANNING COMMISSION MINUTES



December 12, 2019

5:30 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

The regular meeting of the Planning Commission was called to order at 5:30 PM in the Medford City Hall, Council Chambers, 411 West 8th Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
David McFadden
E.J. McManus
Jeff Thomas

Staff Present

Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Madison Simmons, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Terri Richards, Recording Secretary
Dustin Severs, Planner III
Sarah Sousa, Planner IV

Commissioner Absent

Jared Pulver, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).

20.1 PUD-19-002 Final Order of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 110, a mixed-use structure, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential - 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt.

20.2 ZC-19-017 Final Order of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400); Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

Motion: The Planning Commission adopted the consent calendar as submitted.

→ 50.3 ZC-19-018 / GLUP-19-005 The proposal includes a General Land Use Plan (GLUP) Map Amendment and Major Zone Change to convert 11 existing park properties to the Parks and Schools (PS) designation and the Parks (P-1) zone. Applicant, City of Medford; Planner, Sarah Sousa.

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

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

Sarah Sousa, Planner IV reported the General Land Use Plan approval criteria can be found in the Medford Land Development Code Section 10.218. The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Sousa gave a staff report. Ms. Sousa reported that staff received two revised Public Works Department Staff Reports. There were 11 park properties to be converted but now it is 10 removing the West Howard Memorial Sport Park off the list. It is not eligible for the Public Park Zone yet because it is not owned by the City. The two revised staff reports will be entered into the record as Exhibit A-1 and Exhibit B-1.

The public hearing was opened and there being no testimony the public hearing was closed

Motion: The Planning Commission, based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forwards a favorable recommendation for approval of GLUP-19-005 and ZC-19-018 to the City Council per the staff report dated December 5, 2019, including Exhibits A through G and replacing Exhibit A with Exhibit A-1 and Exhibit B with Exhibit B-1.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-0-0.

50.4 CP-19-004 A legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan. Applicant, City of Medford; Planner, Carla Paladino.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Vice Chair Foley disclosed that he was on the Liberty Park Neighborhood Advisory Committee but it would not affect his decision.

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