Medford City Council Meeting

Agenda

April 6, 2017
12:00 Noon AND 7:00 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

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10. Roll Call

Introduction of McLoughlin Middle School Students of the Month

20. Approval or Correction of the Minutes of the March 16, 2017 Regular Meeting

30. Oral Requests and Communications from the Audience
Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

40. Consent Calendar

40.1 COUNCIL BILL 2017-26 A resolution affirming the Public Works Director's administrative decision requiring the repair of an unsafe sidewalk located at 60 Rose Avenue.

40.2 COUNCIL BILL 2017-27 An ordinance authorizing execution of a Quitclaim Deed in favor of Kids Unlimited to extinguish a storm drain and sanitary sewer easement located at 821 Riverside Avenue.

40.3 COUNCIL BILL 2017-28 An ordinance dedicating a strip of land as public right-of-way along Springbrook Road.

40.4 COUNCIL BILL 2017-29 An ordinance granting an ingress-egress easement to the owners of the property commonly known as 2985 Springbrook Road.

40.5 COUNCIL BILL 2017-30 A resolution authorizing the transfer of $150,000 from the Risk Management Contingency Account to the Risk Management Expenditures Account for liability claims and management expenses.

50. Items Removed from Consent Calendar

60. Ordinances and Resolutions

60.1 COUNCIL BILL 2017-31 An ordinance authorizing execution of Jurisdictional Transfer Agreement No. 820, for jurisdictional exchange of North Central Avenue between Rossanley Drive and North Pacific Highway from the Oregon Department of Transportation to the City of Medford.

60.2 COUNCIL BILL 2017-32 An ordinance authorizing execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Medford, Talent, Central Point, Ashland, Phoenix, and Jackson County for the joint management of Bear Creek Greenway.

70. Council Business

80. City Manager and Other Staff Reports

80.1 Rogue Disposal & Recycling update by Laura Leebrick

80.2 549C Strategic Plan by Brian Sjothun

80.3 Pavement Management Plan by Cory Crebbin

80.4 Further reports from City Manager

90. Propositions and Remarks from the Mayor and Councilmembers

90.1 Proclamations issued:
Arbor Month – April 2017
Fair Housing Month – April 2017
Water Conservation Month – April 2017

90.2 Further Council committee reports

90.3 Further remarks from Mayor and Councilmembers

100. Adjournment to the Evening Session

EVENING SESSION
7:00 P.M.

Roll Call

110. Oral Requests and Communications from the Audience
Comments will be limited to 4 minutes per individual, group or organization. PLEASE SIGN IN.

120. 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.

120.1 Consideration of an appeal of the Landmarks and Historic Preservation Commission approval of new signage for the building located at 14 North Central Avenue, within a C-C/CB/H (Community Commercial/Central Business District/Historic Preservation Overlay) zoning district. (HC-17-002) Land Use, Appeal

120.2 COUNCIL BILL 2017-33 A resolution authorizing the Transportation Facility Project to install sidewalks on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street. (TF-16-149) Land Use, Quasi-Judicial

120.3 COUNCIL BILL 2017-34 An ordinance approving a minor amendment to the Transportation System Plan (TSP) of the *Medford Comprehensive Plan* by updating the project description of the proposed expansion of Foothill Road. (CP-17-010) Land Use, Legislative

130. Ordinances and Resolutions

140. Council Business

150. Further Reports from the City Manager and Staff

160. Propositions and Remarks from the Mayor and Councilmembers

160.1 Further Council committee reports

160.2 Further remarks from Mayor and Councilmembers

170. Adjournment

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.1

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Consent Calendar
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-26
A resolution affirming the Public Works Director's administrative decision requiring the repair of an unsafe sidewalk located at 60 Rose Avenue.

SUMMARY AND BACKGROUND
An appeal of the Public Works administrative decision informing Ronald and Lahna Graham that the sidewalk fronting the property at 60 Rose Avenue is defective and needs to be repaired was considered by the City Council on March 16, 2017. The Council denied the appeal.

PREVIOUS COUNCIL ACTIONS
The Council voted to deny the appeal at the March 16, 2017 meeting.

ANALYSIS
Section 3.010 of the Medford Municipal Code requires owners of property within the city to inspect and maintain all sidewalks abutting their property in a condition safe for use by the public at all times. The code further states that if any property owner by his neglect to perform any duty required by this section causes injury or damage to any person or property, he shall be liable to the person suffering such injury or damage and indemnify the city for all damages it has been compelled to pay in such cases.

This property was re-inspected on March 20, 2017, and repairs made by homeowners were found to be acceptable.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
None.

TIMING ISSUES
None.

COUNCIL OPTIONS
Approve, modify or deny the resolution.

STAFF RECOMMENDATION
Staff recommends approval of the resolution.

SUGGESTED MOTION
I move to approve the resolution denying the appeal of an administrative decision regarding the defective sidewalk at 60 Rose Avenue.

EXHIBITS
Resolution

RESOLUTION NO. 2016-26

A RESOLUTION affirming the Public Works Director's administrative decision requiring the repair of an unsafe sidewalk located at 60 Rose Avenue.

WHEREAS, the Public Works Director's administrative decision requiring the repair of an unsafe sidewalk located at 60 Rose Avenue pursuant to section 3.010 of the Medford Municipal Code was appealed by property owners, Lahna & Ronald Graham; and

WHEREAS, a public hearing was held on March 16, 2017, and the City Council affirmed the Public Works Director's decision pertaining to the need to repair the unsafe sidewalk; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON:

Section 1. The City Council finds there is substantial evidence in the record affirming the Public Works Director's decision requiring the repair of an unsafe sidewalk located at 60 Rose Avenue.

Section 2. The property owners shall indemnify the City of Medford from any liability associated with the unsafe sidewalk.

Section 3. The appeal is hereby denied.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.2

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Consent Calendar
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-27
An ordinance authorizing execution of a Quitclaim Deed in favor of Kids Unlimited to extinguish a storm drain and sanitary sewer easement located at 821 Riverside Avenue.

SUMMARY AND BACKGROUND
Sewer and storm drain utilities in an easement were relocated in order to accommodate building construction at Kids Unlimited. This realignment has extinguished the City's need for the existing easement as shown on the attached map.

PREVIOUS COUNCIL ACTIONS
None.

ANALYSIS
Approval of this ordinance will extinguish the City of Medford easement for sewer and storm drain utilities. Public Works has determined that there is no need for this easement as a result of the relocation.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
None.

TIMING ISSUES
A private development project is under construction and this is the appropriate time to request such extinguishment.

COUNCIL OPTIONS
Approve, modify or deny the ordinance.

STAFF RECOMMENDATION
Staff recommends approval of the ordinance to extinguish the easement.

SUGGESTED MOTION
I move to approve the ordinance.

EXHIBITS
Ordinance
Map

ORDINANCE NO. 2017-27

AN ORDINANCE authorizing execution of a Quitclaim Deed in favor of Kids Unlimited to extinguish a storm drain and sanitary sewer easement located at 821 Riverside Avenue.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of a Quitclaim Deed in favor of Kids Unlimited to extinguish a storm drain and sanitary sewer easement located at 821 Riverside Avenue, which is on file in the City Recorder's Office, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST:_____ _____

City Recorder Mayor

APPROVED_____, 2017. _____

Mayor

EXHIBIT "B"

EXTINGUISHMENT EASEMENT MAP

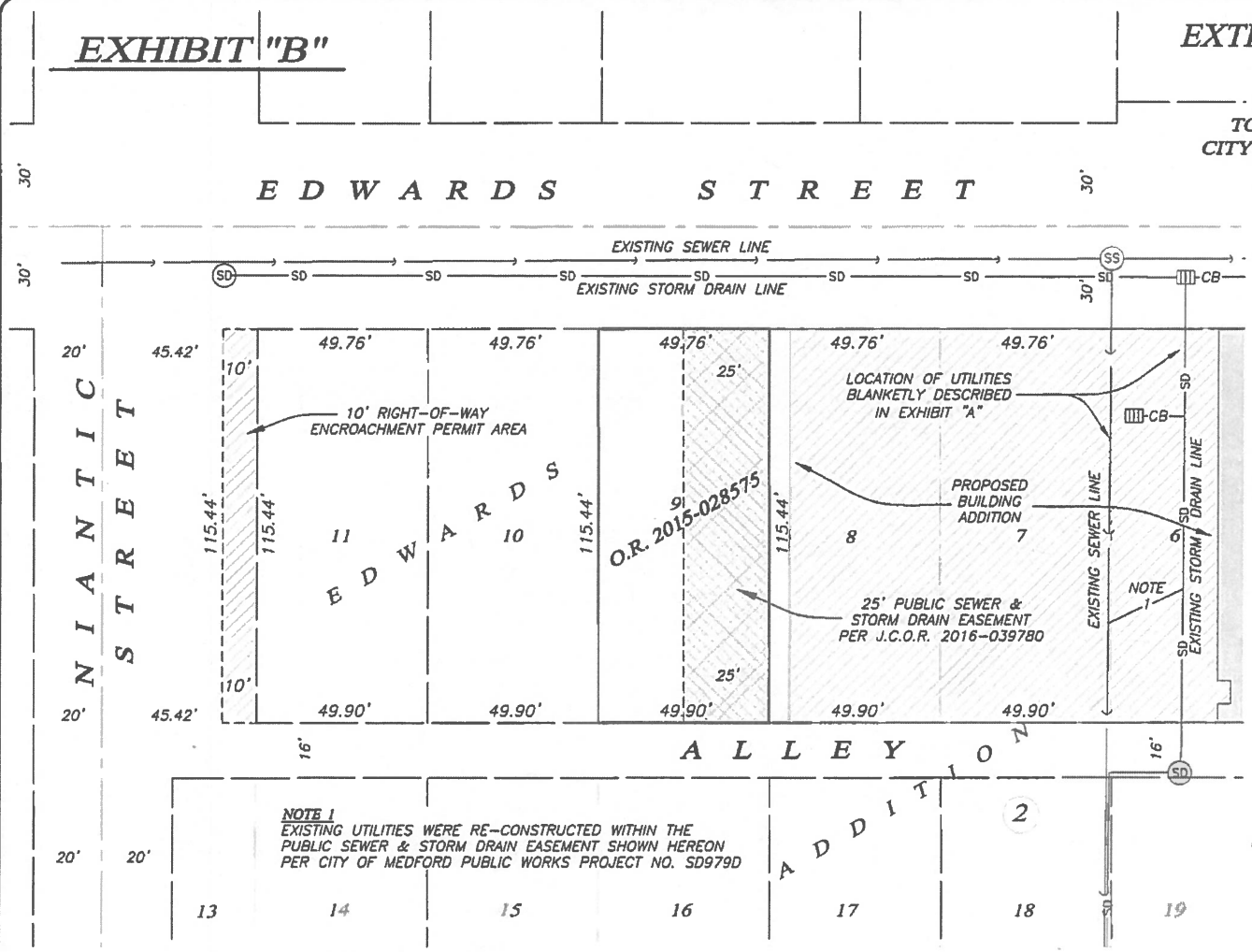
LYING SITUATE IN

SOUTHEAST QUARTER OF SECTION 24,
TOWNSHIP 37 SOUTH, RANGE 2 WEST, W.M.
CITY OF MEDFORD, JACKSON COUNTY, OREGON

FOR

Kids Unlimited of Oregon

821 North Riverside Avenue
Medford, Oregon



NOTE 1
EXISTING UTILITIES WERE RE-CONSTRUCTED WITHIN THE PUBLIC SEWER & STORM DRAIN EASEMENT SHOWN HEREON PER CITY OF MEDFORD PUBLIC WORKS PROJECT NO. SD979D

Assessor's Map No. 37 2W 24 DA, Tax Lot 16200

SCALE: 1" = 40'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 14, 1998
SHAWN KAMPMANN
2883 LS

RENEWAL DATE: 6/30/2017

SURVEYED BY:

POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009

DATE: NOVEMBER 28, 2016
PROJECT NO. 1000-15

POLARIS LAND SURVEYING

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.3

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Consent Calendar
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-28
An ordinance dedicating a strip of land as public right-of-way along Springbrook Road.

SUMMARY AND BACKGROUND
Springbrook Road was realigned from Delta Waters Road approximately 800' south as part of a Public Works street improvement project that was completed in August 2014. These improvements created the need to dedicate to the public portions of City owned property as public right-of-way.

PREVIOUS COUNCIL ACTIONS
Springbrook-Delta Waters Realignment project, P-1791, approved by City Council on December 20, 2012.

ANALYSIS
Approval of this ordinance designates City of Medford municipal property as public right-of-way.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
County recording fees.

TIMING ISSUES
None.

COUNCIL OPTIONS
Approve, modify, or deny the ordinance.

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to approve the ordinance dedicating public right-of-way on Springbrook Road.

EXHIBITS
Ordinance
Map

ORDINANCE NO. 2017-28

AN ORDINANCE dedicating a strip of land as public right-of-way along Springbrook Road.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a strip of land along Springbrook Road, as shown on the attached as Exhibit A and Exhibit C and incorporated herein, is hereby dedicated to the public use.

Section 2. That the City Recorder is hereby directed to cause a certified copy of this ordinance to be recorded in the official deed records of Jackson County, Oregon, and to deliver a copy thereof to the County Surveyor of Jackson County, Oregon.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST:_____ City Recorder

_____ Mayor

APPROVED_____, 2017.

_____ Mayor

State of Oregon)
County of Jackson)

On this _____ day of _____, 2017, Gary H. Wheeler as Mayor of 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:

EXHIBIT A

SPRINGBROOK-DELTA WATERS RD REALIGNMENT PROJECT P-1791
CITY OF MEDFORD

DEDICATION OF STREET RIGHT-OF-WAY

SPRINGBROOK ROAD

A STRIP OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 SOUTH, AND THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 37 SOUTH, RANGE 1 WEST WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON, AND BEING A PORTION OF THAT REAL PROPERTY DESCRIBED IN DEEDS TO THE CITY OF MEDFORD, RECORDED AS INSTRUMENT NUMBERS 1996-30920, 1998-001833, 1999-40552, 1990-01763, 2013-38951 AND BEING ALL THAT REAL PROPERTY DESCRIBED IN DEEDS TO THE CITY OF MEDFORD, RECORDED AS INSTRUMENT NUMBERS 2013-013467, 2013-013468, 2015-003340, 1996-41084, 2013-013749, 1997-32484, 2013-20812 OF THE OFFICIAL RECORDS OF JACKSON COUNTY; SAID STRIP BEING THAT PORTION OF SAID REAL PROPERTY INCLUDED IN A VARIABLE WIDTH STRIP LYING WESTERLY AND EASTERLY OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A BRASS DISK ON THE CENTERLINE OF SPRINGBROOK ROAD, BEING STATION 7+30.13 AS SHOWN ON COUNTY SURVEY NUMBER 21201, FILED AT THE JACKSON COUNTY SURVEYOR'S OFFICE; THENCE ALONG SAID CENTERLINE OF SPRINGBROOK ROAD SOUTH 01°32'10" WEST A DISTANCE OF 269.87 FEET TO CENTERLINE STATION 10+00.00 BEING THE INTERSECTION OF SPRINGBROOK ROAD AND DELTA WATERS ROAD AS SHOWN ON SURVEY NUMBER 21201; THENCE SOUTH 01°29'09" WEST A DISTANCE OF 177.22 FEET TO A POINT OF CURVATURE BEING CENTERLINE STATION 11+77.22; THENCE ALONG THE ARC OF A 350.00 FOOT RADIUS CURVE TO THE LEFT (THE CHORD TO WHICH BEARS SOUTH 23°42'06" EAST A DISTANCE OF 297.91 FEET) AN ARC DISTANCE OF 307.72 FEET TO A POINT OF REVERSE CURVATURE, BEING CENTERLINE STATION 14+84.94; THENCE ALONG THE ARC OF A 350.00 FOOT RADIUS CURVE TO RIGHT (THE CHORD TO WHICH BEARS SOUTH 23°42'06" EAST A DISTANCE OF 297.91 FEET) AN ARC DISTANCE OF 307.72 FEET TO A POINT OF TANGENCY BEING CENTERLINE STATION 17+92.66; THENCE SOUTH 01°29'09" WEST A DISTANCE OF 303.91 FEET TO THE END OF DESCRIBED CENTERLINE BEING STATION 20+96.57.

THE LENGTH AND WIDTH OF THE STRIP OF LAND REFERRED TO ABOVE ARE AS FOLLOWS:

Station	to	Station	Width Westerly of Center Line
9+51.83		9+69.85	30.00' in a straight line to 54.97'
9+69.85		10+29.81	54.97' in a straight line to 51.58'
10+29.81		10+40.91	51.58' in a straight line to 37.00'
10+40.91		15+97.21	37.00'
15+97.15		16+01.94	37.00' in a straight line to 30.00'
16+01.94		16+26.02	30.00'
16+26.02		16+40.18	30.00' in a straight line to 37.00'
16+40.18		17+63.62	37.00'
17+63.62		17+64.38	37.00' in a straight line to 28.96'

THE LENGTH AND WIDTH OF THE STRIP OF LAND REFERRED TO ABOVE ARE AS FOLLOWS:

Station	to	Station	Width Easterly of Center Line
9+50.17		9+70.15	30.00' in a straight line to 51.94'
9+70.15		10+30.19	51.94' in a straight line to 52.08'
10+30.19		10+47.26	52.08' in a straight line to 33.62'
10+47.26		10+60.13	33.62' in a straight line to 33.57'
10+60.13		12+03.92	33.57' in a straight line to 32.65'
12+03.92		12+04.31	32.65' in a straight line to 37.00'
12+04.31		16+75.00	37.00'

TOGETHER WITH: (DEDICATION OF SPRINGBROOK COURT)

A STRIP OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND BEING A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED TO THE CITY OF MEDFORD, RECORDED JANUARY 23, 1990 AS INSTRUMENT NUMBER 1990-01763 OF THE OFFICIAL RECORDS OF JACKSON COUNTY; SAID STRIP BEING THAT PORTION OF SAID PROPERTY INCLUDED IN A VARIABLE WIDTH STRIP LYING NORTHWESTERLY AND SOUTHEASTERLY OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT THE OF THE CENTERLINE OF SPRINGBROOK COURT BEING STATION 10+00 AS SHOWN ON COUNTY SURVEY NUMBER 21201, FILED AT THE JACKSON COUNTY SURVEYOR'S OFFICE; THENCE ALONG SAID CENTERLINE OF SPRINGBROOK COURT SOUTH 07°01'32" WEST A DISTANCE OF 36.35 FEET TO A POINT OF CURVATURE BEING CENTERLINE STATION 10+36.35; THENCE ALONG THE ARC OF 175.00 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD TO WHICH BEARS SOUTH 29°24'37" WEST A DISTANCE OF 133.29 FEET) AN ARC DISTANCE OF 136.74 FEET TO A POINT OF TANGENCY BEING CENTERLINE STATION 11+73.09; THENCE SOUTH 51°47'41" WEST A DISTANCE OF 32.06 FEET TO CENTERLINE STATION 12+05.15 BEING THE INTERSECTION OF SPRINGBROOK ROAD AND SPRINGBROOK COURT.

THE LENGTH AND WIDTH OF THE STRIP OF LAND REFERRED TO ABOVE ARE AS FOLLOWS:

Station	To	Station	Width Northwesterly of Center Line
11+02.00		11+50.16	19.50'
11+50.16		11+68.84	19.50' in a straight line to 34.33'

THE LENGTH AND WIDTH OF THE STRIP OF LAND REFERRED TO ABOVE ARE AS FOLLOWS:

Station	To	Station	Width Southeasterly of Center Line
11+35.00		11+75.00	37.00'

TOGETHER WITH: (DEDICATION OF SPRINGBROOK COURT)

A PORTION OF THAT REAL PROPERTY DESCRIBED IN DEED TO THE CITY OF MEDFORD LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND BEING RECORDED AS INSTRUMENT NUMBER 2013-38951 OF THE OFFICIAL RECORDS OF JACKSON COUNTY; SAID PORTION OF REAL PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND BEING A PORTION OF THAT REAL PROPERTY DESCRIBED IN THE DEED TO ROBERT W. AND SHIRLEY L. KNIGHT, RECORDED AUGUST 2, 1999 AS INSTRUMENT NUMBER 99-40552 OF THE OFFICIAL RECORDS OF JACKSON COUNTY: SAID PARCEL BEING THAT PORTION OF SAID PROPERTY LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE.

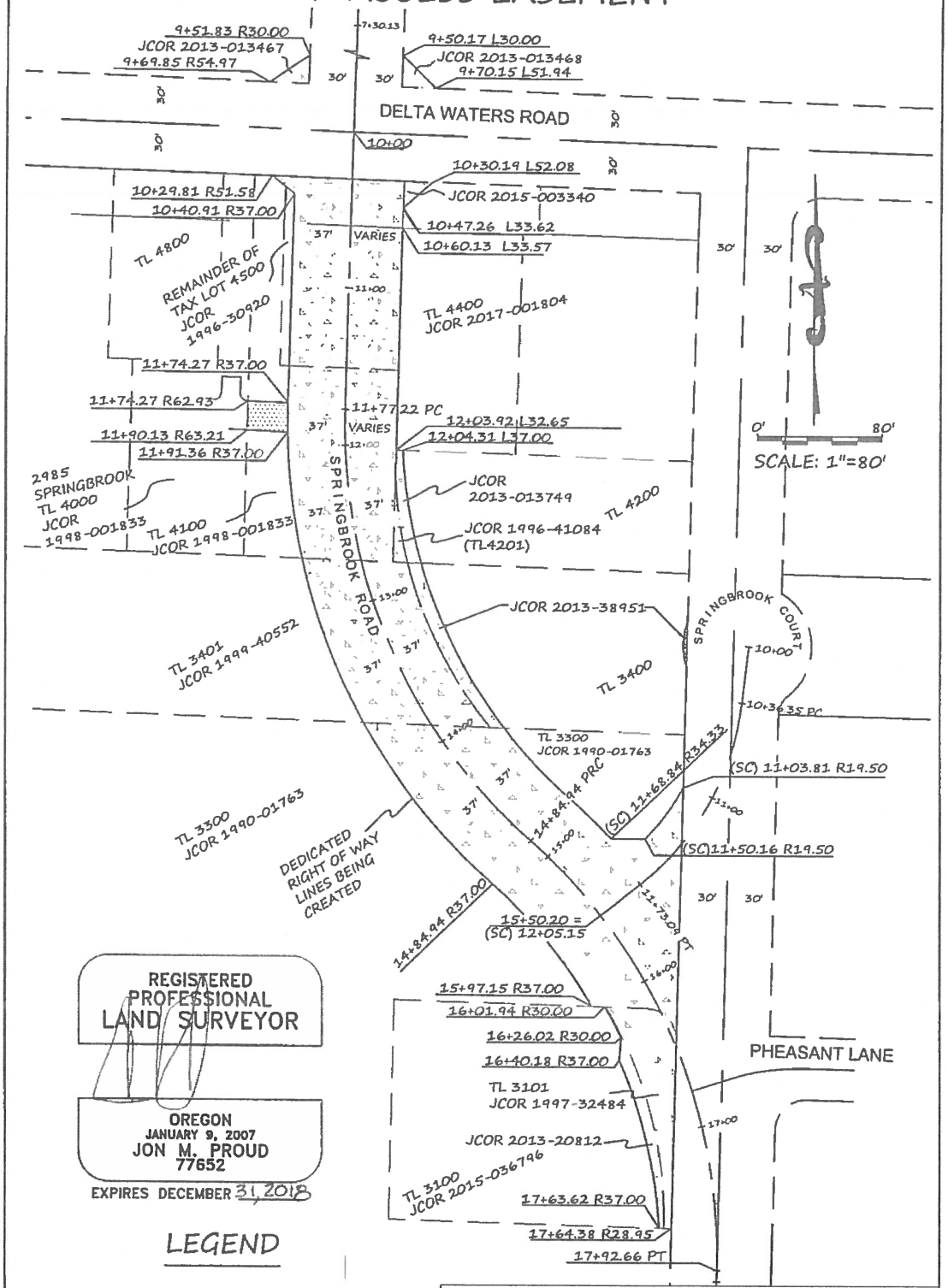
COMMENCING AT SPRINGBROOK COURT ENGINEER'S STATION 10+00 AS SHOWN ON COUNTY SURVEY NUMBER 21201, SAID LOCATION BEING THE RADIUS POINT OF A 42.50 FOOT CURVE; THENCE ALONG A RADIAL BEARING NORTH 68°27'28" WEST A DISTANCE OF 42.50 FEET, TO A POINT ON THE EASTERLY LINE OF SAID INSTRUMENT NUMBER 99-40552, AND THE POINT OF BEGINNING OF DESCRIBED LINE; THENCE LEAVING SAID EASTERLY LINE, ALONG THE ARC OF A 42.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A DELTA ANGLE OF 40°06'46" (THE CHORD TO WHICH BEARS SOUTH 01°29'09" WEST A DISTANCE OF 29.15 FEET) AN ARC DISTANCE OF 29.75 FEET TO THE AFOREMENTIONED EASTERLY LINE OF INSTRUMENT NUMBER 99-40552, AND THE END OF DESCRIBED LINE.

BEARINGS BASED ON COUNTY SURVEY NUMBER 21201 FILED AT THE JACKSON COUNTY SURVEYOR'S OFFICE.

THE GRAPHIC DEPICTION OF THE ABOVE DESCRIPTION IS SHOWN ON EXHIBIT "C" ATTACHED HERETO.

EXCEPT THEREFROM ANY PROPERTY DESIGNATED AS PUBLIC RIGHT OF WAY.

EXHIBIT C
SPRINGBROOK ROAD RIGHT OF WAY DEDICATION AND ACCESS EASEMENT



LEGEND

	AREA DESCRIBED IN STRIP DESCRIPTION FOR DEDICATION (EXHIBIT "A")
	AREA DESCRIBED IN STRIP DESCRIPTION INGRESS-EGRESS EASEMENT (EXHBIT "B")
(SC)	SPRINGBROOK COURT
(JCOR)	JACKSON COUNTY OFFICIAL RECORDS

371W17BA, 371W08CD

CITY OF MEDFORD - SURVEYING DEPARTMENT

EXHIBIT "C"

SPRINGBROOK ROAD DEDICATION AND ACCESS EASEMENT

WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A & B"

DRAWN BY ZPE	DATE 3/13/17	PROJECT NO. P-1791
CHECKED BY JP	DATE 3/13/17	
NOTE	DATE	SHEET NO. 1 OF 1
NOTE	DATE	
NOTE	DATE	
NOTE	DATE	

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.4

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Consent Calendar
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-29
An ordinance granting an ingress-egress easement to the owners of the property commonly known as 2985 Springbrook Road.

SUMMARY AND BACKGROUND
Springbrook Road was realigned from Delta Waters Road approximately 800' south as part of a Public Works street improvement project that was completed in August 2014. These improvements created the need to create a private ingress/egress easement across city-owned property for the use of the property commonly known as 2985 Springbrook Road.

PREVIOUS COUNCIL ACTIONS
Springbrook-Delta Waters Realignment project, P-1791, approved by City Council on December 20, 2012.

ANALYSIS
Approval of this ordinance grants a private ingress-egress easement across City of Medford municipal property for the use and benefit of property commonly known as 2985 Springbrook Road.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
County recording fees.

TIMING ISSUES
None.

COUNCIL OPTIONS
Approve, modify, or deny the ordinance.

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to approve the ordinance granting an ingress-egress easement at 2985 Springbrook Road.

EXHIBITS
Ordinance
Map

ORDINANCE NO. 2017-29

AN ORDINANCE granting an ingress-egress easement to the owners of the property commonly known as 2985 Springbrook Road.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That an ingress-egress easement, on file in the City Recorder's office, is hereby granted to the owners of property commonly known as 2985 Springbrook Road.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

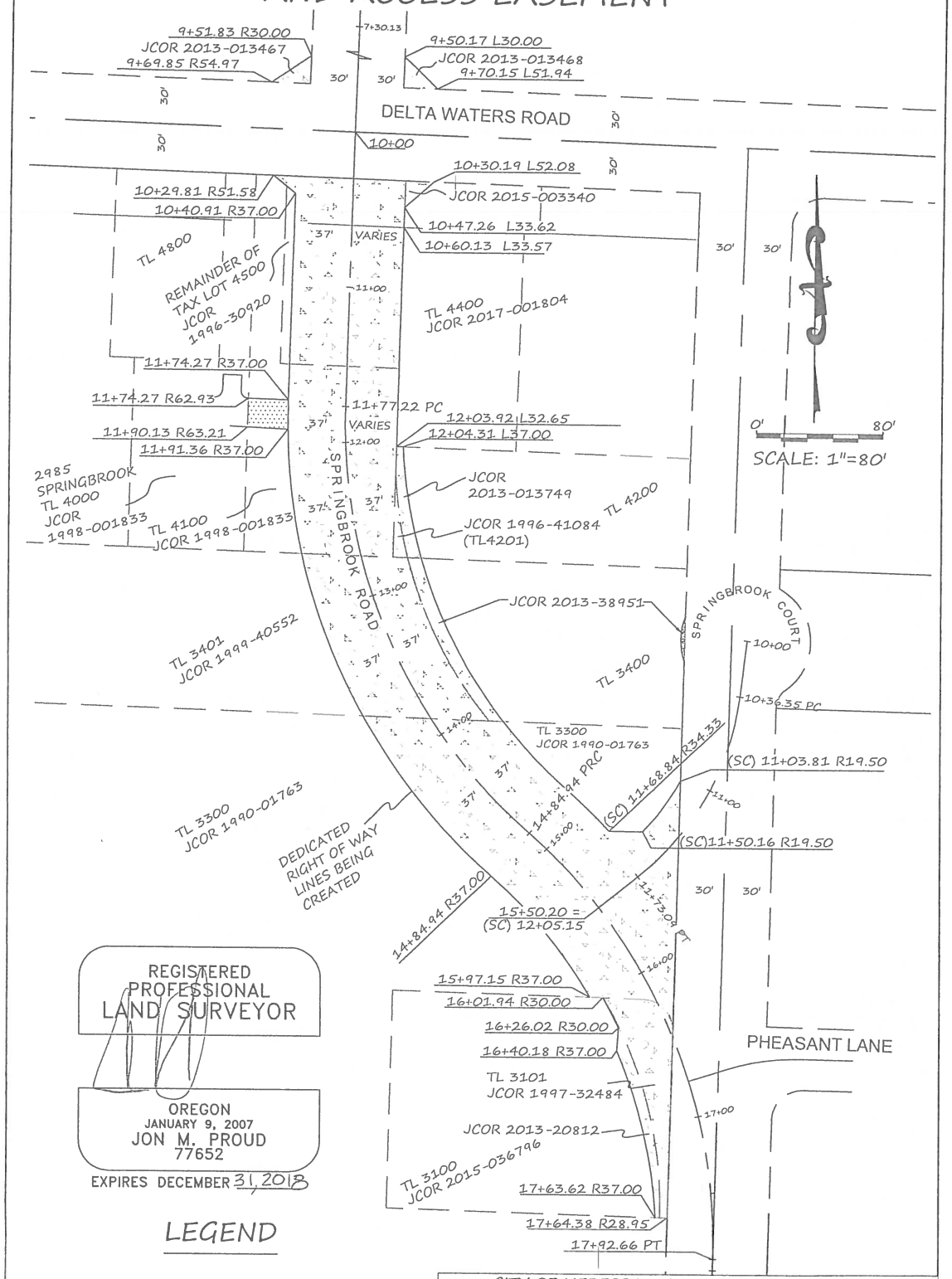
ATTEST:_____ _____

City Recorder Mayor

APPROVED_____, 2017. _____

Mayor

EXHIBIT C
SPRINGBROOK ROAD RIGHT OF WAY DEDICATION AND ACCESS EASEMENT



REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JANUARY 9, 2007
JON M. PROUD
77652
EXPIRES DECEMBER 31, 2018

LEGEND

AREA DESCRIBED IN STRIP DESCRIPTION FOR DEDICATION (EXHIBIT "A")

AREA DESCRIBED IN STRIP DESCRIPTION INGRESS-EGRESS EASEMENT (EXHIBIT "B")

(SC) SPRINGBROOK COURT

(JCOR) JACKSON COUNTY OFFICIAL RECORDS

371W17BA, 371W08CD

CITY OF MEDFORD - SURVEYING DEPARTMENT

EXHIBIT "C"

SPRINGBROOK ROAD DEDICATION AND ACCESS EASEMENT

WRITTEN DESCRIPTION ATTACHED AS EXHIBIT "A & B"

DRAWN BY: ZPE	DATE: 3/13/17	PROJECT NO. P-1791
CHECKED BY: JP	DATE: 3/13/17	
NOTE:	DATE:	
NOTE:	DATE:	SHEET NO. 1 OF 1
NOTE:	DATE:	
NOTE:	DATE:	

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 40.5

DEPARTMENT: Finance
PHONE: 541-774-2030
STAFF CONTACT: Alison Chan, Finance Director

AGENDA SECTION: Consent Calendar
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-30
A resolution authorizing the transfer of $150,000 from the Risk Management Contingency Account to the Risk Management Expenditures Account for liability claims and management expenses.

SUMMARY AND BACKGROUND
Risk Management is requesting a $150,000 transfer from the Risk Management Contingency to Risk Management expenditures for liability claims.

PREVIOUS COUNCIL ACTIONS
None

ANALYSIS
A $150,000 transfer from the Risk Management Fund Contingency planned for that purpose is needed to fund ordinary self-insured liability claims management expenses through the current biennium ending June 30, 2017. Claims management expenses are greater than originally budgeted as a function of normal claim development in a program of self-insurance at the maturity level of the City's. The claims experience is reasonable for the size, structure, and program the City self-insures. The Risk Management Fund (Fund 03) has a contingency balance that far exceeds the City's three month policy, planned as such in anticipation of transfers of this type and purpose. A three month contingency for the Risk Management Fund would be $400,000, but Fund 03 has a $1,500,000 contingency. This is first transfer for Fund 03 during the biennium and no additional transfers are anticipated for this budget period.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
Transfers from Contingency do not change the budget total.

TIMING ISSUES
Transfer is needed prior to June 30, 2017 in order for the risk fund to complete the fiscal year and biennium in balance.

COUNCIL OPTIONS
Approve, modify or deny the budget transfer.

STAFF RECOMMENDATION
Approve the budget transfer.

SUGGESTED MOTION
I move to approve the transfer of $150,000 from Risk Management Fund (03) Contingency to the Risk Management expenditures for liability claims and management expenses.

EXHIBITS
Resolution

RESOLUTION NO. 2017-30

A RESOLUTION authorizing the transfer of $150,000 from the Risk Management Contingency Account to the Risk Management Expenditures Account for liability claims and management expenses.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that:

The transfer of $150,000 from the Risk Management Contingency Account to the Risk Management Expenditures Account for liability claims and management expenses, as shown on Exhibit A attached and incorporated herein by reference, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

CITY OF MEDFORD **Appropriation Modifications per ORS 294.463(1)**

Requesting Department: Human Resources (Risk)

Biennium: FY15/16 - FY16/17

Date of Proposed Council Action: 4/6/2017

Date: March 27, 2017

Explanation of Requested Transfer: See AIC

Account Number	Description	Project Number	Debit	Credit
003-1503-613.21-14	Damage claims		150,000	
003-1608-614.99-00	Contingency			150,000
TOTALS			**150,000**	**150,000**

Requested by _____ Department Head

Approved by _____ City Manager

Appropriation Modification Risk Jan 17.xlsx, Supplement Presented

EXHIBIT A

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 60.1

DEPARTMENT: Public Works
PHONE: (541) 774-2100
STAFF CONTACT: Cory Crebbin, Public Works Director

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-31
An ordinance authorizing execution of Jurisdictional Transfer Agreement No 820, for jurisdictional exchange of North Central Avenue between Rossanley Drive and North Pacific Highway from the Oregon Department of Transportation to the City of Medford.

SUMMARY AND BACKGROUND
This agreement proposes the City of Medford accept jurisdiction of North Central Avenue between Rossanley Drive and North Pacific Highway (Highway 99) upon approval by the Oregon Transportation Commission (OTC). The Oregon Department of Transportation (ODOT) will pay the City of Medford $75,000 for future street maintenance upon execution of this agreement.

PREVIOUS COUNCIL ACTIONS
The Council last accepted right-of-way from ODOT on December 1, 2005.

ANALYSIS
ODOT no longer requires this roadway as a part of the State Highway System. Transferring jurisdiction to the City of Medford will allow North Central Avenue to be maintained and access developed to City standards. The roadway is being transferred in its current condition, which meets the City's current construction standards. ODOT will pay the City of Medford $75,000 in consideration of the City's agreement to accept all liability and maintenance responsibilities for North Central Avenue.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The $75,000 of revenue will be allocated to the street maintenance fund.

TIMING ISSUES
None.

COUNCIL OPTIONS
Approve, modify or deny the resolution.

STAFF RECOMMENDATION
Staff recommends approval of the resolution.

SUGGESTED MOTION
I move to approve the resolution authorizing the jurisdictional transfer of North Central Avenue between Rossanley Drive and North Pacific Highway (Highway 99).

EXHIBITS
Resolution
Map
Agreement on file in the City Recorder's Office.

ORDINANCE NO. 2017-31

AN ORDINANCE authorizing execution of Jurisdictional Transfer Agreement No. 820, for jurisdictional exchange of North Central Avenue between Rossanley Drive and North Pacific Highway from the Oregon Department of Transportation to the City of Medford.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of Jurisdictional Transfer Agreement No. 820, for jurisdictional exchange of North Central Avenue between Rossanley Drive and North Pacific Highway from the Oregon Department of Transportation to the City of Medford, which agreement is on file in the City Recorder's office, is hereby authorized.

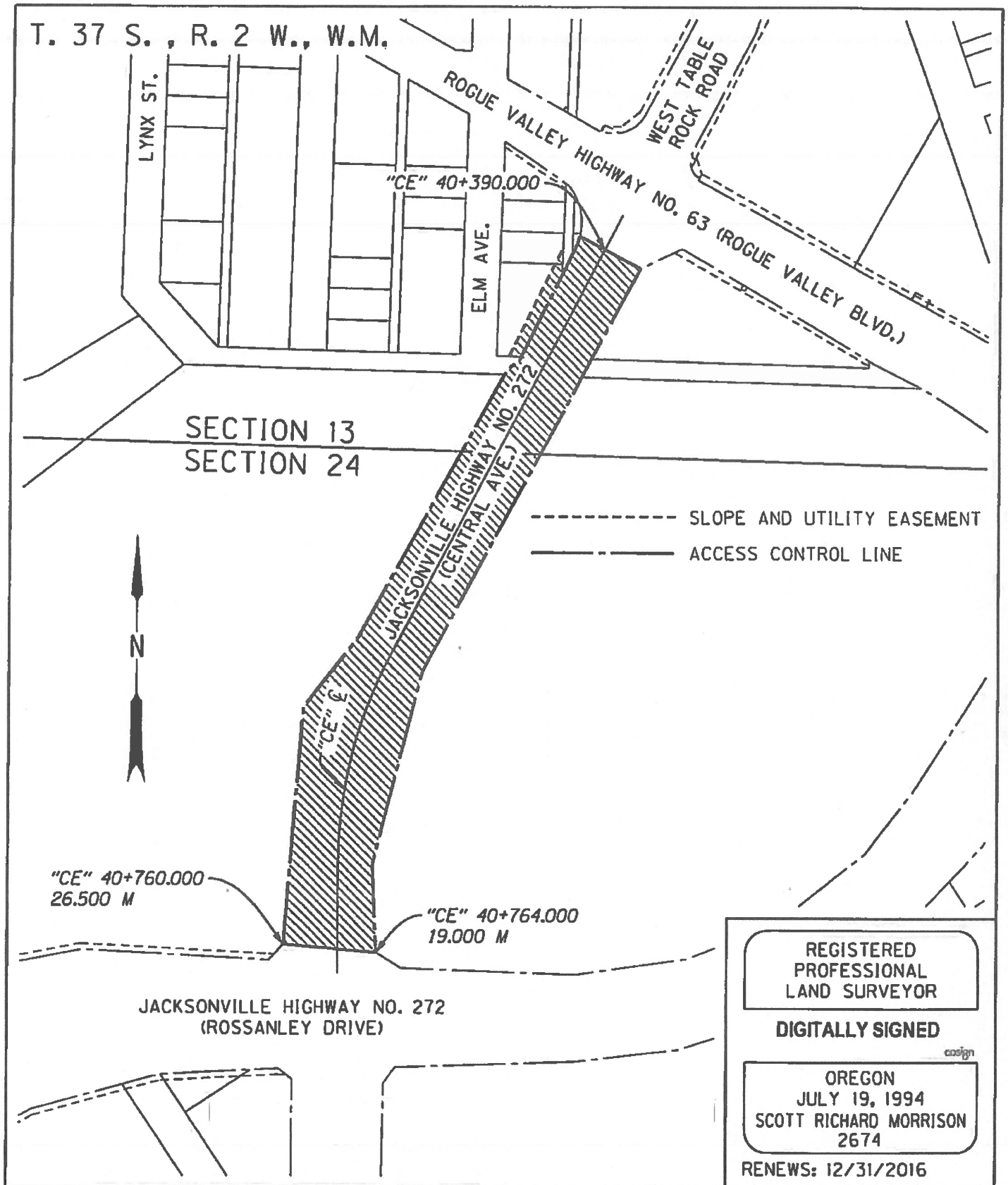
PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2017. _____

Mayor



OREGON DEPARTMENT OF TRANSPORTATION JURISDICTIONAL TRANSFER NO. 820 EXHIBIT B	SECTION	HWY. 238 - JACKSON STREET, UNIT 1 (MEDFORD)	
	HIGHWAY	JACKSONVILLE HIGHWAY	
	COUNTY	JACKSON COUNTY	SCALE 1" = 200'
	SEE DRAWINGS 1A-23-1 & 1A-23-2		DATE SEPTEMBER, 2016

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 60.2

DEPARTMENT: Parks and Recreation **AGENDA SECTION:** Ordinances and Resolutions
PHONE: (541) 774-2483 **MEETING DATE:** April 6, 2017
STAFF CONTACT: Rich Rosenthal, Director

COUNCIL BILL 2017-32
An ordinance authorizing execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Medford, Talent, Central Point, Ashland, Phoenix, and Jackson County for the joint management of Bear Creek Greenway.

SUMMARY AND BACKGROUND
The proposed amendment extends and modifies the current Joint Powers Agreement for the maintenance and management of the Bear Creek Greenway through 2021.

PREVIOUS COUNCIL ACTIONS
On Feb. 7, 2008, City Council approved Council Bill 2008-26 authorizing ordinance of an intergovernmental agreement for the joint management of the Bear Creek Greenway corridor.

ANALYSIS
Jackson County is requesting City Council approval of an amendment to the Joint Powers Agreement (JPA) that serves as the Bear Creek Greenway management plan for the 22-mile pathway traversing the county through the cities of Medford, Central Point, Talent, Phoenix and Ashland.

The primary objectives of the Plan are to:

- Jointly provide for the consistent financial support, management, promotion and maintenance of the greenway.
- Create a mechanism and set aside funding for staffing and major maintenance.
- Delineate responsibility of each jurisdiction for routine maintenance.
- Form Joint Powers Committee as decision-making body for funds and project priorities.
- Preserve investment in major infrastructure such as pavement, signage, trail counters and bridges.

The Joint Powers Commission (JPC) drafted the proposed management plan amendment to address the current needs of trail users. Two needs outside the current adopted model that were identified are maintenance standard consistency and volunteer/event coordination.

To create consistency in maintenance standards across jurisdictions and to provide development and coordination of volunteer efforts, the JPC included in the amended management plan funding for the following:

- Volunteer/Special Event Coordinator
- Community Justice Crew maintenance along the entire greenway performing brushing, leaves, and refuge disposal

In 2015-16, Jackson County successfully piloted a one-year Community Justice Crew maintenance program on county maintained sections. The amendment incorporates this model across all jurisdictions in hopes of providing users with a consistent trail experience and providing a more regular presence along all sections of the Bear Creek Greenway.

The JPC also identified a need to fund a staff position to coordinate special events and volunteer efforts. This position will handle all Bear Creek Greenway related requests ranging from races to cleanup days. Individuals or groups interested in using the Bear Creek Greenway for these reasons would be directed

to this coordinator.

Each City and Jackson County pay a proportional share of the aggregate management cost based on the distance of trail within their respective jurisdiction. The revised fees represent a net increase of $29,091 per year, which has been factored into the Parks Maintenance Division budget request for the FY17-19 biennium. The division has made adjustments within the line-item for these services by lowering the number of hours that will be contracted with the Community Justice Crew for the same maintenance that was previously paid for by the City. There is no net increase in this line item for the FY17-19 biennial budget.

Table 1 – City of Medford's Annual JPA Bear Creek Greenway Management Dues

Current Agreement	Proposed Revised Fee	Difference
$33,980	$63,071	$29,091

In the nine years since the multi-jurisdictional adoption of the Joint Powers Agreement, Medford's jurisdictional dues ($297,050) have helped leverage nearly $2 million in local, state and federal grant funds for improvement projects along the entire greenway.

The Medford Parks and Recreation Commission reviewed the proposal and unanimously recommends City Council approval. All other jurisdictions have approved the amendment.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
If approved, JPA funding costs will be $63,071 annually pending approval of the FY17-19 biennial budget.

TIMING ISSUES
Staff wishes to have ordinance prior to start of the next biennial budget due to financial impact.

COUNCIL OPTIONS
Approve or deny the ordinance.

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to approve of the amendment to the Joint Powers Agreement for the maintenance and management of the Bear Creek Greenway.

EXHIBITS
Ordinance
Bear Creek Greenway Management Plan 2017-2022
Amendment No. 1 to Intergovernmental Agreement
2008 Joint Powers Agreement on file in the City Recorder's Office

ORDINANCE NO. 2017-32

AN ORDINANCE authorizing execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Medford, Talent, Central Point, Ashland, Phoenix, and Jackson County for the joint management of Bear Creek Greenway.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

That execution of Amendment No. 1 to the Intergovernmental Agreement between the City of Medford, Talent, Central Point, Ashland, Phoenix, and Jackson County for the joint management of Bear Creek Greenway, which is on file in the City Recorder's office, is hereby authorized.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2017. _____

Mayor

Bear Creek Greenway Management Plan 2017-2022

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Bear Creek Greenway Background

The Bear Creek Greenway is a currently 20-mile paved, multi-use trail that connects the cities of Ashland, Talent, Phoenix, Medford and Central Point. The Greenway is continuous from the Ashland Dog Park to the Dean Creek Frontage Road near the Seven Oaks Interchange on I-5, north of Central Point. The trail provides a separated route from cars, with only two at-grade road crossings. The trail parallels I-5, Highway 99 and Bear Creek and provides Rogue Valley residents and visitors to the area a close-in spot for bird watching and wildlife viewing, as well as exercise and general recreation.

There are benches along the trail as well as several city parks along the route that provide parking, restrooms, drinking water, and picnic tables. The Cities and County share responsibility for routine maintenance of the trail and work jointly to accomplish major maintenance and management of the Bear Creek Greenway.

The long-term goal is to extend the trail south through Ashland and on to Emigrant Lake, and to extend north to the tunnel at Kirtland Road, which provides the "golden spike" connection with the proposed 30-mile Rogue River Greenway trail, connecting to Gold Hill, Rogue River and Grants Pass.

The Bear Creek Greenway is the spine of the non-motorized transportation system in the Bear Creek Valley, providing people with an option to take trips by bike instead of by car. It provides our largest regional urban park through our most populated areas in Southern Oregon, providing a close to home place to connect with nature. It enhances the livability of the region and is often cited as an important amenity considered by people relocating to our area. An annual average of 250 trips per day are taken at any given point along the trail, making the trail as busy as many local streets and roads.

It truly is a gem that deserves the best continued care and investment possible.

Purpose & Need

The Bear Creek Greenway trail and the associated properties along the corridor represent over four decades worth of investment and labor and provide a tremendous asset to the Rogue Valley. Protecting this investment and providing the best possible maintenance and management of the resource is in the best interest of the health of our residents, our communities, and our watershed.

That being said, budgets and staff resources are limited, and investments need to be made strategically and implemented efficiently. In that light, the jurisdictions that manage the trail joined forces in 2008 and signed the Bear Creek Greenway Joint Powers Agreement (JPA), with the mission "to jointly provide for the consistent financial support, management, promotion and maintenance of the greenway." The JPA created a mechanism and set aside funding for staffing and major maintenance, and delineated responsibility boundaries for routine maintenance.

The concept for the JPA and the management and funding model was identified in the "Bear Creek Greenway Management Plan: 2005-2010," completed December of 2006 by the Rogue Valley Council of Governments. The plan also loosely identifies some management goals but doesn't specify projects or programs.

Like its predecessor, the Bear Creek Greenway Management Plan: 2017-2022 is intended to provide the background and framework for the Bear Creek Greenway Joint Powers Agreement. As such, this plan addresses the following:

- Jurisdiction boundaries: designates each city's and the county's responsibility for segments of trail
- Routine maintenance: designates desired level of service and analyzes opportunities for collaborating on routine maintenance efforts
- Major/facility wide maintenance: identifies specific projects that are needed to keep the pavement and bridges in good repair
- Facility wide improvements: identifies projects that are facility-wide in nature (i.e. signage, amenities, etc.)
- Staffing: identifies staff needs
- Funding: identifies funding levels for each jurisdiction based on total need identified, using a formula based on population and lane miles
- Operations: identifies special event standards and permitting, proposes changes to ordinance
- Implementation: provides a framework for the Joint Powers Committee

These elements provide a roadmap for the Greenway during the next five years that will guide maintenance, management and investments based on current needs, as well as identify roles and responsibilities for the jurisdictions.

Jurisdiction Boundaries

Under the Joint Powers Agreement, each city maintains the portions of the Bear Creek Greenway within their Urban Growth Boundaries (UGB) and the County maintains the areas outside of any UGB, with the exception of the City of Ashland, which maintains a portion of the trail parallel to their UGB.

It should be noted that trail corridor maintenance responsibility is based on jurisdiction boundaries not on property ownership. Issues outside of the 30' wide trail corridor are the responsibility of the property owner. Jurisdictions responsible for routine maintenance may want to complete projects outside of the 30' corridor and should check property ownership and consult with the property owner before doing so.

For this 2016 update, boundaries have been clearly identified and trail segment lengths measured, resulting in minor changes to the mileage. In addition, UGB's have been expanded in two areas resulting in changes to the Bear Creek Greenway jurisdiction boundary:

- Phoenix UGB expansion north of Fern Valley
- Central Point expansion north to the Blackwell Road/Highway 140 area

These revised boundaries add separate, discontinuous sections of management for Jackson County and Central Point, and also result in a very short segment for Jackson County north of Phoenix. If the current system of maintenance is retained, in areas such as these, jurisdictions should consider trading miles and/or compensating each other for work in their section to gain efficiencies.

2016 Bear Creek Greenway Management Responsibility Extents

Note: Total **Central Point trail mileage=2.25**; total **Jackson County trail mileage=5.25**.

Jurisdiction	Description	Approximate Mile Marker	Mileage (20 total)
Ashland	Dog Park to South Valley View	8.0-10.0	2.0
Jackson County	South Valley View to Welcome to Talent sign	10.0-11.5	1.5
Talent	Welcome to Talent sign to Suncrest Road	11.5-13.5	2.0
Jackson County	Suncrest Road to Anderson Creek (+1/8th of a mile)	13.5-15.25	1.75
Phoenix	Anderson Creek to .25-miles north of Fern Valley	15.25-16.75	1.5
Jackson County	.25-miles north of Fern Valley to Glenwood Road	16.75-17.25	.5
Medford	Glenwood Road to Table Rock Road	17.25-24.25	7.0
Central Point	Table Rock Road to Pine Street	24.25-25.5	1.25
Jackson County	Pine Street to Upton Road	25.5-27.0	1.5
Central Point	Upton Road to Dean Creek Road	27.0-28.0	1.0

Routine Maintenance

Routine maintenance refers to the day-to-day activities by staff, contractors/community justice crews, and volunteers to keep the trail clear and free of debris, vegetation and damage. It is a critical element of both real and perceived safety of trail users, and can help foster positive community perceptions of the trail; people are less likely to vandalize and far more likely to utilize a well-maintained trail.

The Bear Creek Greenway is not realizing its full potential for use and community support because there is a common perception, especially in certain areas, that the trail is not safe. In order for the trail to realize its full potential of serving the region as a transportation and recreation corridor, it is critically important that maintenance issues are addressed in a timely fashion. Currently, maintenance activities are not happening consistently- vegetation often grows onto the path, litter is sometimes left for weeks at a time before being removed, and vandalism and graffiti are not addressed in a timely fashion. Trail managers recognize that the level of service on the trail is not consistently as good as it could be.

As previously discussed, the current agreement gives each jurisdiction responsibility for routine maintenance and operations based on urban growth boundaries, effectively creating nine separate segments of trail (10 with the revised UGB extents). The jurisdictions have varying capacities to accomplish the variety of routine maintenance tasks and current level of service is variable between and even within jurisdictions. There is desire by the jurisdictions as well as by trail users for better consistency of level of maintenance along the entire trail.

It should also be noted that trail corridor maintenance responsibility is based on jurisdiction boundaries not on property ownership, but issues outside of the 30' wide trail corridor are typically seen as the responsibility of the property owner, not the maintenance jurisdiction.

The first task in the planning effort was to list the maintenance activities and goals for addressing complaints and/or issues on the trail. Knowing the desired level of maintenance, staff then considered alternative concepts for accomplishing the regular, routine maintenance on the trail and analyzed the costs for current activities and the proposed concepts. At the end of this section, a staff recommendation is given for consideration.

Routine Maintenance Tasks

The following *Regular Routine Maintenance Tasks* table was developed with jurisdiction staff from the county and the cities and gives a summary of regular, routine maintenance activities. The right-hand column depicts suggested guidelines not regulatory standards. This approach reflects the desire to have consistent goals and standards while allowing for flexibility to respect the varying demands and limitations of resources of jurisdictions.

Routine Maintenance Tasks

Regular Routine Maintenance Tasks	**Minimum frequency/timeline to address**
Routine inspections/address minor issues (vegetation, debris, litter, graffiti, reporting illegal camping, fill brochure holders, etc.)	Weekly
Remove "ladder fuel" type vegetation w/i 10x10x10 trail footprint (10' from each side of the trail and 10' tall)	As needed/within 10 business days of report
Remove puncturevine/goathead (w/i 30' trail/shoulder footprint)	As needed/within 10 business days of report
Remove litter	As needed/ASAP
Sweep/blow trail surface	As needed/within 10 business days of report
Refill brochure holders at kiosks (brochures provided by Bear Creek Greenway Foundation)	As needed/weekly
Non-Predictable Routine Maintenance Tasks	**Frequency/timeline to address**
Repair/remove graffiti	As needed/ within 1 week or as otherwise required
Remove dumping sites	As needed/Address within 1 week if possible
Repair vandalism, including to signage, benches, fencing, and other amenities	As needed/Address within 1 week if possible
Remove blocking vegetation	As needed/within 48 hours
Address drainage issues, wash-outs, flood damage, etc. These items can, and often do, fall into the category of major maintenance	As needed/Signs & cones placed within 48 hours; trail passable within 48 hours of water receding; repair shoulder rock, etc. within 10 business days
Routine Maintenance Tasks Conducted Periodically by Individual Jurisdictions	***NOT included in options for regular, routine maintenance***
Spray pre-emergent on shoulders & puncturevine/invasives as needed	*Utilized in the spring and as needed at other times by some jurisdictions*
Assess & remove hazard trees	*Annually*

Cost Estimates per Mile

Routine maintenance costs for multi-use paths vary widely based on method of staffing or contracting, level of service, and various other factors. Cost estimates from trail systems around the country range anywhere from $2,000-$40,000 per mile. The five cities and the County reported that they currently

spend an average of $4,000-$6,000 per mile annually for routine maintenance of the Bear Creek Greenway.

Options to Accomplish Regular Routine Maintenance

The current system where each jurisdiction maintains the sections within their UGB's creates inconsistencies between (and sometimes within) jurisdiction segments, and there is a lack of efficiency in maintaining short segments separately instead of addressing the trail as a whole. For those reasons, three options have been identified and analyzed for completing regular routine maintenance work on the trail.

When analyzing the three options, the assumptions were:

- Maintenance activities are limited to the 30' trail corridor- the 10' trail and 10' on either side. Larger-scale mowing or other vegetation work outside of that corridor is not considered.
- The cities will continue to mow lawn areas within the 30' footprint through manicured parks.
- The duties taken on jointly in Options B & C are assumed to be limited to the Regular Routine Maintenance Tasks and minor Non-Predictable Routine Maintenance Tasks that don't require a lot of time to address. The remaining maintenance work (non-predictable tasks, spraying if applicable, and hazard tree removal) would still be the responsibility of the maintenance jurisdiction.
- Any additional presence more frequent than identified would be completed by the responsible jurisdiction.
- Work would need to be funded separately by each jurisdiction or through major maintenance funds to bring the trail up to a baseline standard that could be maintained in the times and with the resources identified.

Option A- Remain the same (Jurisdictions responsible for all maintenance)

The first alternative considered is to continue with the current model of each jurisdiction maintaining the area for which they are responsible. As previously mentioned, this model presents some challenges in the way of consistency between and sometimes even within jurisdictions and is inefficient.

Option B- Community Justice Crew

Option B would be to hire Community Justice (CJ) crews to perform a portion of or all of the regular routine maintenance along the entire trail. Per previous experience and discussions with Community Justice Managers, once established, the CJ crew could perform the routine maintenance tasks to the desired level of service on the entire trail in an average of 12 days per month. CJ Crews cost $400 per day, the total annual cost would equal $57,600 or $2,880 per mile. This level of service would allow for biweekly inspections and work on the trail. Increasing the level of service to

a weekly presence could be accomplished by adding 4 more days to the month, for 16 total days per month, with a cost of $76,800 or $3,840 per mile. Jackson County would be responsible for monitoring the CJ Crew work and for payment to the program, and would invoice each of the other participating jurisdictions annually.

Option C- Full-time Greenway Park Worker

A full-time, regular, benefited Bear Creek Greenway Worker could be an option for accomplishing the routine maintenance duties on the trail. This person could also be a "Ranger" and have code enforcement abilities and serve as an enforcement/patrol presence. There would be times when additional workers would be needed to accomplish tasks like weed-eating, addressing puncturevine, addressing large trash issues, and major flood repair, but the person could likely complete many of the routine tasks on their own. The ranger could potentially coordinate the volunteer program.

Costs with benefits for a full time park ranger are estimated at $65,000 annually for staffing plus $20,000 for overhead for a total of $85,000 annually or $4,250 per mile. Rough estimates of additional crew work needed are approximately five days per quarter or 20 days annually for an additional $8,000 or $400 per mile. These crews could also conceivably be parks staff or volunteers.

Regular Routine Maintenance Options

Note: jurisdiction cost estimate includes all activities on the trail, not just those identified as regular, routine maintenance, while the costs for the CJ Crew and Greenway Worker only include costs for the items listed in the table as Regular Routine Maintenance Tasks.

Option	Approximate Annual Costs (per mile)	Benefits	Drawbacks
Jurisdiction (current)	$4,000-$6,000**	Jurisdiction ownership	Inconsistent Not cost-effective Several points of contact
CJ Crew	$2,880/mile $3,840/mile for weekly presence	Consistent and cost effective	Not as likely to foster staff ownership
Greenway Worker/Ranger	$4,250 Plus $400- extra help	Consistent One point of contact	More expensive than other options

Cost Implications

The table below shows what each jurisdiction would contribute for a maintenance program based on jurisdiction mileage. "Current Costs" are estimated based on $4,000 per mile, which is the lowest of the average reported costs of the jurisdictions, and provides the best comparison to the other options since the work will only encompass the regular, routine maintenance tasks.

Routine Maintenance Option Costs for Each Jurisdiction

Jurisdiction **(Cost per trail mile)**	**Mileage**	**Current Costs** **($4,000)**	**CJ Crew-Recommended** **($2,880)**	**Worker/Ranger** **($4,650)**
Ashland	2.0	$8,000	$5,760	$9,300
Jackson County	5.25	$21,000	$15,120	$24,413
Talent	2.0	$8,000	$5,760	$9,300
Phoenix	1.5	$6,000	$4,320	$6,975
Medford	7.0	$28,000	$20,160	$32,550
Central Point	2.25	$9,000	$6,480	$10,463

Recommendation

Staff and the Joint Powers Committee recommends a two year pilot program utilizing the Community Justice Crew "bi-weekly presence" option. This option is the least costly and it would help address the inconsistent level of service and be more efficient. The jurisdictions would be able to utilize their staff who are currently working on the Greenway for other activities and possibly save funds.

Jackson County JPC Staff will coordinate and manage the effort including invoicing the cities annually and providing monthly payments to the Community Justice program, as well as scheduling and monitoring the CJ Crew work. The County will develop a scope of work based on the regular routine maintenance tasks and CJ Crew leaders will monitor approximate time spent in each jurisdiction segment of trail and log it on all invoices.

To measure success, staff will conduct site visits and take photos and/or videos of the trail before the pilot begins in July of 2017 and at six month intervals. CJ Crew time commitment per each jurisdiction's segment(s) will be calculated at six month intervals as well, and surveys of jurisdiction staff and stakeholders will be conducted. A survey conducted by SOU students in November of 2016 could be replicated in 2017 or 2018 to gauge trail user satisfaction.

It is important to note that all of the jurisdictions do not need to participate in the pilot for it to be viable, but increased participation will result in better opportunities to monitor level of service and changes in efficiency and consistency throughout the entire 20-mile trail.

Major/Facility-wide Maintenance

Major maintenance typically refers to large-ticket projects that are mostly related to keeping the pavement and bridges in good repair, and which are most likely to be accomplished through contractors. These projects generate from root or water damage to the pavement, pavement reaching its life expectancy, and/or natural disasters such as flooding or earthquakes. Costs for repairs can't entirely be anticipated for natural disasters, but can often be anticipated and budgeted for in cases of pavement failure due to age and root damage. Major maintenance costs also include the costs for assessment of the trail condition and ongoing costs for trail counters.

Much has been accomplished in regards to major maintenance and paving in the eight years since the Joint Powers Agreement was signed. Three sections of trail, nearly seven miles, were entirely reconstructed. A root test-plot project that included several repair options for root-heaved trail was installed, signage including map kiosks and directional signs have been installed, five trail counters are monitoring the use on the trail, and many other small repair projects have been completed.

Looking forward, work will continue to be required to keep the trail itself in a state of good repair. This section of the plan discusses pending projects for 2016/2017 which have already been approved for funding by the JPC but have not been completed yet including fog sealing, shouldering, grant match, bridge inspections and repairs, and trail counter licenses and batteries. It also identifies the major maintenance projects proposed on the Bear Creek Greenway for the 2017-2022 timeframe (highlighted in bold text). Cost estimates are based on the best information available and do not take inflation into account.

Inspections and Trail Counters

Part of the major maintenance program is inspection of the trail and bridges. The entire trail should be inspected annually to assess pavement condition by the Joint Powers staff or another qualified party, and all of the creek crossings should be inspected annually by County Bridge Crews or other qualified individuals. These inspections identify any immediate safety hazards that need to be addressed.

A more thorough inspection of the bridges by a certified bridge engineer should occur every five years, and staff should continue to consult with county and city experts to assess the 20-miles of pavement every five years. These inspections identify pavement maintenance needs on the trail.

Major maintenance funds include bridge inspection costs, which includes clearing around the bridges to allow access, and assumes staff continues the pavement inspections and reports.

Funds also include trail counter costs- the five trail counters transmit data via cell phone service, which is $2,100 annually, and need new batteries every other year ($500 total cost).

Bridge Inspections & Brushing: $14,000

$2,000 annually (4 years) for County Crews and CJ Crew brushing work
$6,000 every 5 years for engineer inspection

Trail Counter Batteries & Transmission: $11,500

$500 every other year for batteries

$2,100 annually for license/data transmission

2016/2017 Trail Counter License & Batteries: $2,600
Total 5 Year Costs for Inspections & Counters: $25,500

Bridge Preservation Projects
All of the bridges along the Bear Creek Greenway were inspected by an engineer in the summer of 2015 and several issues were identified, the most significant issues are joint replacements for two bridges in order to smooth the transition between the trail and the bridge structure. The JPC has committed $5,000 to complete this work which will occur in 2016/2017.

The next structural bridge inspections scheduled for 2020 and/or any significant hydrological events may determine or result in additional bridge repair needs, and $10,000 will be set aside for bridge maintenance for the next five years.

2016/2017 Bridge Inspections & Repairs: $7,000
Bridge work (contingency fund): $10,000

Pavement Preservation Projects
Maintaining the asphalt on the trail includes fog sealing to protect the investment and prolong the life of the asphalt. Fog sealing and shouldering the trail as a whole as opposed to splitting it into jurisdictional boundaries is more efficient and cost effective, therefore these items should be coordinated for the trail and considered major maintenance.

Fog sealing is scheduled to take place in 2016/2017 as soon as weather permits on the newest sections of trail: South Valley View to Suncrest, Barnett to Biddle Loops, and Pine Street to the Dean Creek frontage road, totaling nearly 10 miles of trail, using a system recently adopted by the City of Medford Public Works. The Suncrest to Barnett section should be fog sealed using the County or similar materials and method. The remaining sections (Dog Park to Valley View and Biddle to Pine) will not be fog sealed in 2016 because there are other projects recommended.

Approximately $40,000 of funds will be expended for the fog sealing effort in 2017 under the current agreement. The fog seal will not need to be reapplied until 2022, following the schedule of sealing every 6-8 years, so no costs are anticipated for the 2017-2022 timeline.

$60,000 has been approved by the Joint Powers Committee for shouldering work to be completed on the trail in 2016/2017. The work will address portions of trail with a 2" or greater drop, and the trail will likely need to be touched up in about 5 years, $10,000 is dedicated to that effort.

2016/2017 Shouldering: $60,000
2017-2022 Shouldering touch up: $10,000

Bridge contingency & Pavement Preservation Projects Total: $20,000

Pavement Repair Projects
The 2-mile segment from the Biddle Road Loops to Pine Street is now the oldest section of trail (built in 1996). It has very significant transverse cracking (which is not a safety issue, but is of concern) and also has some sections of longitudinal cracking (a significant safety issue), one significant slumped area and several areas of root heaves. The proposed repair for this section is to replace the longitudinal cracking and root heave issues with concrete, and to crack seal and slurry seal the remainder of the trail segment.

Biddle to Pine Street: $110,000

The slightly newer 2-mile segment of trail from the Ashland Dog Park to South Valley View Road (built in 1998) has similar issues that should be addressed, specifically the areas with longitudinal cracking and root heaves.

Ashland Dog Park to South Valley View: $180,000

There are many sections of trail that are damaged by root heaving, which will continue to be a maintenance issue. Staff has identified and mapped several "spot repair" pavement needs on the Bear Creek Greenway and tiered them into short term (0-5 years) and long term (5-10 years) categories based on height and location of heaves on the pavement, taller bumps on shady curves on the trail being the most urgent to repair. The repair type is suggested based on the information learned from the root repair test plot project and other efforts since.

Staff identified 10-15 short-term repair plots totaling roughly 1,300' that need to be repaired in the next five years, and several that should be ground away with the pavement grinder. Funds to complete the $165,000 project have been secured through the 2016 Recreational Trails Program utilizing $75,000 of JPA funds for match, and $10,000 should be committed towards grinding the remaining root heave issues not addressed by the RTP project.

Root Repair- remove & replace: $165,000 (FUNDED w/ 2016 RTP Grant- JPC Match $75,000 out of current JPA agreement)
Root Repair- grind: $10,000

Long term
When the Bear Creek Greenway Management Plan is updated in 2022, there will likely be additional root heaves on the trail that will need to be considered for repair. In addition, the 6.5-miles of trail between Suncrest Road and Barnett Road was constructed in the mid-2000's and will not likely need any major investment until 2025 or later but should be monitored, especially the transverse cracking in the ~.25-mile section just north of East Glenwood Road.

The newest sections (including the segments that were reconstructed in 2012) will not likely need major investment until 2035 or later. Spot issues will continue to arise and should be addressed as necessary.

Total Pavement Repair= $300,000

Unanticipated Costs: Repairs due to Natural Disasters or Unforeseen Issues
It is important to maintain a contingency fund to complete repairs on the trail that are needed as a result of natural disasters like floods and earthquakes. It should be noted that most costs to repair damage from a major event will likely be covered by FEMA, so this fund could be used as match for FEMA or for smaller event repairs.

Unanticipated Repair fund for Flood, Fire, Earthquake: $30,000

Major Maintenance 5-year costs:

Inspections & Trail Counters	$25,500
Pavement & Bridge Preservation	$20,000
Pavement Repair	$300,000
Unanticipated Repair Fund	$30,000
Total	**$375,000 (rounded)**

Facility-wide improvements

Considering the trail and the public land corridor as a whole rather than individual sections is important for elements such as signage and amenities, as well as for planning efforts like the RVCOG Greenway Vegetation Management Study, underway as of fall 2016. The JPC has discussed several ideas throughout the years and decided that the JPC funded vegetation management study and a proposed lighting study are the most important facility-wide considerations over the next five year horizon.

Lighting Feasibility Study

Along with improving routine maintenance, incorporating lighting on at least some sections of the trail has been identified by trail managers and trail users as a desired safety amenity. There are a lot of discussions and review that needs to take place in consideration of incorporating lighting including environmental and community concerns as well as costs of installation, power, and ongoing maintenance and operations. There are many options for type of lights and power sources and requests have also been made to trail managers to incorporate charging stations for electric wheelchairs.

The JPC agreed that further analysis is needed and a lighting feasibility study should be completed. The study will incorporate public input and will analyze opportunities and constraints in consideration of lighting on the Bear Creek Greenway.

2016/2017 Vegetation Management Plan: $20,000
Lighting Feasibility Study: $15,000

Other facility-wide improvements have been discussed but no further action has been proposed through this Management Plan effort. These items, including amenities (benches, trash receptacles, fountains, bike racks, bike fix-it stations, playgrounds, par courses/exercise areas, emergency phones, etc.), a parallel soft surface trail, and bike rental/bike share could be considered in future planning efforts.

Safety & Homelessness

There was also conversation around safety concerns and managing homelessness on the Bear Creek Greenway Corridor. Both of these issues warrant further discussion but were not in the purview of this particular plan. It is vital that conversations with trail managers, law enforcement and the community continue about how best to address the safety concerns. One model to consider is the Sunriver Police Department Bicycle Patrol, which consists of eight seasonal employees and eight community volunteers who patrol the trails of Sunriver to "ensure that Sunriver residents and many thousands of visitors enjoy their experience and exercise proper safety while riding, walking or running on the Sunriver pathways." Trail managers and law enforcement should discuss this model for the Greenway.

Staffing

Jackson County, per the Joint Powers Agreement, currently provides 24 hours per week of staffing for the Bear Creek Greenway. Work includes several critical elements of greenway maintenance and operations management, as well as planning for trail extensions and improving the connections from communities to the trail. Jackson County will continue this work at this level of service in the future and also add work not previously identified in the JPA.

JPC staff duties per the JPA include:

- Coordinate JPC meetings- minimum quarterly schedule
- Update the Management Plan and Funding Table every 5 years
- Coordinate annual bridge inspections by County crews and 5 year inspections by certified engineers
- Conduct annual pavement assessment & make recommendations for annual priority schedule for major maintenance projects
- Coordinate annual/as needed meetings with maintenance staff
- Coordinate annual/as needed meetings with police, fire & EMS
- Coordinate annual/as needed meetings with natural resources stakeholders
- *Coordinate JPC grant applications***
- *Coordinate JPC projects***

***Costs for staff time for these items can be recovered per the agreement*

Additional tasks provided by County staff:

- Serve as central clearinghouse for trail questions & issues
    - Outreach to the public for trail closures, projects, etc.
    - Consultation and review special event permits for the BCG
- Coordinate the management and maintenance of the five trail counters
- Identify and support potential expansion projects: monitor funding programs, advocate for the Bear Creek/Rogue River Greenways and projects that connect to them
    - Liaison with Bear Creek and Rogue River Greenway Foundations

JPC Staffing Costs & Contributions

Under the 2008 agreement, the County provides an employee that staffs the Greenway for 24 hours per week and contributes $42,000 for labor costs and absorbs the overhead costs ($18,700) and each city contributes $2,600 annually toward the staff member. Total contributions for labor (not including overhead) are currently $55,000. Costs for labor for the position dedicated to the JPC have increased 20% and are now an estimated $66,000 annually for 24 hours/week. Cost increases are reflected in the revised annual contributions below.

Staffing Costs: $3,120 per City; County= $50,400 + Overhead (these are separate from the formula funds)

Community Engagement & Volunteer Coordinator

There is currently a lot of interest in the Adopt-a-Greenway and Greenway Host programs, but staff capacity to manage these programs is limited. To capitalize on the opportunities, Jackson County will hire a volunteer coordinator to recruit and manage volunteers and foster a robust Greenway Volunteer

program. The coordinator position will also help with existing events and develop other programs and events that focus on the Greenway and potentially raise revenue through events to offset the cost of the position. The coordinator will also help with regular, routine maintenance on the trail—the efforts of the volunteers may offset some of the maintenance costs for each jurisdiction.
This position has a great deal of potential to improve the community connection with the Bear Creek Greenway and help overcome the safety perception problems with the trail.

Costs with benefits for a half-time volunteer coordinator are an estimated $25,000 for salary/benefits and $15,000 for overhead (vehicle, computer, supplies) annually.

Community Engagement & Volunteer Coordinator tasks include:

- Recruiting, screening, training and managing volunteers (individuals and groups)
- Developing outreach materials including brochures and presentations, and updating the www.jacksoncounty.org/bearcreekgreenway website and Facebook page
- Tabling at events, especially related to the Bear Creek Greenway- providing participants information about the trail and about volunteering
- Hosting rides, walks, and other events on the trail

.5- FTE Community Engagement & Volunteer Coordinator: $40,000/year=$200,000

Operations

Ordinance Revision

There are several elements of the Bear Creek Greenway Ordinance that have been identified as needing clarification and/or updating. Jurisdiction staff should work together to discuss the following concerns and make revisions to the ordinance as necessary. It should be noted that each jurisdiction will need to go through their own individual process to update the ordinance and it is critical that the ordinance is consistent along the entire trail.

(1) Motorized vehicles: the current ordinance prohibits use of any motorized vehicles and doesn't give exception for motorized wheelchairs/mobility devices or electric-assist bicycles, both of which should be allowed on the trail (and be subject to the speed limit and other regulations). Consideration should be given to a permitting system to allow event organizers and others to use motorized vehicles on the trail, including education about proper driving on the trail.

(2) Trail closure at night: under the current ordinance, the trail closes between 10pm and 6am. Many of the signs say "sunrise to sunset," and regardless, many commuters use the trail outside of those hours. This may be something to revisit.

(3) Alcohol is currently prohibited within the Greenway with no permitting option, and is often requested for special events.

(4) Consideration may be given to incorporate other trails/trail extensions under the ordinance (i.e. Rogue River Greenway).

(5) Concessions: the current ordinance allows for concessions (fixed or mobile) and advertising if specifically permitted by the Greenway Authority or other appropriate local government authority. This doesn't necessarily need to be revisited but a system to alert the other jurisdictions should be put into place.

Event Standards & Procedures

As more and more event organizers look to the Bear Creek Greenway to host events it is important to implement a system where criteria and requirements are consistent and which incorporates all impacted jurisdictions into the review. The event demands on the trail are also an opportunity to recover some of the costs associated with events, there are significant impacts to the trail both from a maintenance standpoint and to other trail users on the trail during events, as well as staff time commitments to reviewing special event permits. Lastly, it is important to have a clearinghouse of events to avoid double-booking and over scheduling the trail.

Jackson County, through the Community Engagement & Volunteer Coordinator and JPC Staff, will be the clearinghouse of events and take in the applications for events on the Bear Creek Greenway. Event organizers anticipating 50 or more participants or charging registration fees will fill out an application and submit it to Jackson County Parks. Once the application is deemed complete, the County will notify any impacted jurisdictions and give them at least a week to comment. The County will then respond to the organizer with any additional criteria and issue the appropriate permit or agreement (based on event size and impact to the trail).

It's important to note that jurisdictions with street or park impacts will still have separate permitting processes and associated fees. Events on just one jurisdiction's section of trail may be processed exclusively by that jurisdiction's staff, but County staff should be notified in order to put the event on the BCG Event Calendar.

Fees to cover staff time for processing events will be incorporated based on the descriptions below. The guidelines are recommended as a starting point, with staff having the discretion to apply the permit criteria based on impacts to the trail and staff time needed. Note that any proposal for fees collected by Jackson County will need to go through Board of Commissioner Review and any proceeds from the fees would go towards the Bear Creek Greenway. Jurisdictions reviewing permits on their segments of trail are encouraged to require similar permits including charging the appropriate fees.

- Small events:
    - Less than 100 participants
    - Less than 5 miles on the trail
    - Permit is signed application
    - $50 application fee
- Medium events:
    - 100-300 participants
    - Between 5-10 miles on the trail
    - Permit is signed application or agreement (staff discretion based on impact)
    - $100 application fee
- Large events:
    - 300+ participants
    - 10+ miles on the trail
    - Permit is signed agreement
    - Fees minimum $250, maximum $500; $75 late fee

Applications must be submitted at least 30 days prior to the proposed event (60 days for large events) and Jackson County will review applications within 15 business days. Applications will be accepted up to one year in advance. Only one event should occur on any section of trail per day (multiple events can take place, but they have to occur at different areas of the trail), and events will be considered "reserved" when the permit or agreement is signed and fees have been paid. A master calendar will be kept by Jackson County on the Greenway website.

See the attached Bear Creek Greenway Special Event Permit Application.

Bear Creek Greenway Concession Permits

As previously mentioned, permits can be used for various activities on the Bear Creek Greenway including concessions, motor vehicle use, etc. Communication between jurisdictions is recommended whenever a special permit is issued on the trail, and consideration may be given for developing a Bear Creek Greenway-specific permit.

Funding

Total Expenditures

The total expenditures for all costs except routine maintenance and JPC staffing under this plan are estimated $610,000. Staff anticipates a beginning fund balance of $110,000 which leaves approximately $500,000, or $100,000 annually to fully fund the plan as proposed. This does not include the work mentioned previously which is already funded for the 2016/2017 timeframe ($205,000 for fog seal, shouldering, trail counters, RTP grant match, bridge inspections and repair, and the Vegetation Management Plan). The beginning fund balance of $110,000 is accurate assuming the work is completed by July 1, 2017.

Grant funds could be pursued and/or fundraising could occur through the new Community Outreach Coordinator for several elements of the Management Plan, thus reducing the money needed to implement the plan. Any unused portion after five years could be refunded to the jurisdictions or used as a starting fund balance for the 2023 plan.

2017-2022 Expenditures

Major Maintenance	$ 375,000.00
Facility Wide Improvements	$ 15,000.00
Volunteer Coordinator	$ 200,000.00
Contingency	$ 20,000.00
Total	**$ 610,000.00**
Beginning fund balance	$ 110,000.00
Total Needed	$ 500,000.00
Annual	**$ 100,000.00**

Major Maintenance Contributions

The current JPA divides the responsibility for funding the $67,000 annual major maintenance contribution using a formula based on lane miles of trail and population. Staff updated the lane miles and population data, the following table shows contributions weighted 90% based on population and 10% based on lane miles of trail.

Jurisdiction	% Trail Miles	% of Pop.	Annual Major Maintenance Fund Contribution	Annual BCG JPC Staffing Contribution	Total Annual Bear Creek Greenway Joint Powers Contribution
Ashland	10	10.60	$10,538	$ 3,120	$13,658
Talent	10	3.26	$3,931	$ 3,120	$7,051
Phoenix	7.5	2.38	$2,893	$ 3,120	$6,013
Medford	35	40.33	$39,797	$ 3,120	$42,917
Central Point	11.25	9.08	$9,298	$ 3,120	$12,418
Jackson County	26.25	34.35	$33,544	$ 50,400	$83,944
Total	100	100	$100,000	$ 66,000	$166,000

Management & Oversight

The Bear Creek Greenway Joint Powers Committee plays a critical role of oversight of the funds and projects supported through the Joint Powers Agreement and this Management Plan. Historically, the JPC has met approximately quarterly and has been comprised of a combination of jurisdiction staff and elected officials. The JPC Bylaws were based on the JPA and were adopted shortly after JPC formation in 2008.

This new Management Plan is much more prescriptive and should reduce the need for regular meetings, but it's important that the JPC stay engaged on the efforts. JPC Staff will coordinate an annual meeting and provide an annual report, and the JPC will review and approve an annual work plan for the next year. The JPC will also be convened as needed to make decisions about changing scope or budget of projects and/or to review revisions to the projects or programs in this Management Plan. New information and ideas should always be considered and changing direction from the Plan should be considered when appropriate and prudent. Because sometimes decisions are needed to be made in a timely fashion, email voting and conference calls should be an option for Joint Powers Committee decisions and meetings.

In order to eliminate the need for JPC approval on already approved projects, JPC staff will move forward with any work listed within this Management Plan scope as long as it is within 10% of the budget. Any project that significantly changes in scope or budget will be brought back to the JPC before proceeding.

Committee membership will include one voting member and one alternate from each jurisdiction- ideally one staff member and one elected or appointed official (i.e. a Parks and Recreation Commissioner or City Counselor). It's important that both elected officials and staff are engaged.

A Bear Creek Greenway Technical Working Group comprised of staff from each jurisdiction will meet approximately bimonthly to discuss greenway management. JPC staff will coordinate the meetings including scheduling time and location, building an agenda, and making sure notes are taken and sent out.

Conclusion

This Management Plan will help provide a road map for continued joint management and maintenance of the Bear Creek Greenway. The proposed plan will bring a new and greatly improved level of service to greenway maintenance through projects that will improve the trail itself and also to greenway management through the new Community Outreach & Volunteer Coordinator position. A survey through SOU is underway as of November of 2016 and if at all possible a follow up survey should be conducted in 3-4 years to measure success of the plan. Survey results and JPC input will be pertinent information to frame the next Bear Creek Greenway Management Plan- 2022-2027.

AMENDMENT NO. 1
TO INTERGOVERNMENTAL AGREEMENT
FOR THE MANAGEMENT OF THE BEAR CREEK GREENWAY
CORRIDOR DATED FEBRUARY 14, 2008

This FIRST AMENDMENT to the Intergovernmental Agreement for the Management of the Bear Creek Greenway Corridor (the "Agreement"), is hereby made and entered into by and between Jackson County, a political subdivision of the State of Oregon, hereinafter referred to as "County," and the Cities of Ashland, Central Point, Medford, Phoenix and Talent, hereinafter collectively referred to as the "Cities." County and Cities are hereinafter collectively referred to as the "Parties."

RECITALS

WHEREAS, in 2008 the Parties executed the Agreement to guide major maintenance of the Bear Creek Greenway Corridor; and

WHEREAS, the original Agreement incorporated by reference the Bear Creek Greenway Management Plan, 2005–2010; and

WHEREAS, the Bear Creek Greenway Management Plan has been updated by the Parties to reflect current priorities and maintenance strategies and is intended to serve as the guiding document for management and operations of the Greenway.

THEREFORE

For consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1.) **Exhibit A and B shall be deleted in their entirety and replaced with the attached Exhibit A, The Bear Creek Greenway Management Plan 2017-2022.**

2.) **Section 2 of the Agreement shall be deleted in its entirety and replaced with the following:**

Each Party shall designate an elected or appointed official as the primary representative of their individual jurisdiction to the JPC and a staff member as the alternate representative. Each Party shall provide written notification to all other Parties of these designations and any subsequent changes to these designations. The JPC will meet annually at a minimum, and more frequently if needed. The JPC shall provide proper notice of said meetings to the public in accordance with applicable law and comply with all other provisions of public meetings law.

3.) **Section 4 of the Agreement shall be deleted in its entirety and replaced with the following:**

Each Party shall pay its annual obligation for implementation of the Plan as shown in the Annual Major Maintenance Fund Contribution column on the Funding Table in the attached Exhibit A, page 20. Funds will be handled as a separate and distinct set of accounts within Jackson County's Trails Fund, which is established within the Jackson County budget. Jackson County shall issue an annual invoice for all payments due pursuant to Exhibit A no later than July 31st of each year. Payments shall be made to Jackson County annually upon receipt of invoice, on or before August 31st of each year. Jackson County will have fiduciary responsibility for these funds. Expenditures from the JPC funds will be made in accordance with the Plan or by a vote pursuant to Section 3 of this Agreement.

4.) **Section 5 of the Agreement shall be deleted in its entirety and replaced with the following:**

Each Party shall be responsible for routine maintenance on the Greenway as described in Exhibit A within their boundaries as identified in Exhibit A. In addition to the routine maintenance described in Exhibit A, Parties agree to a two-year pilot program utilizing Jackson County Community Justice crews to assist with routine maintenance, including each jurisdiction's costs identified for "CJ Crew" in the table in Exhibit A, page 10. Before the end of the two-year pilot program, the JPC shall decide whether to continue the program.

5.) **Section 7 of the Agreement shall be deleted in its entirety and replaced with the following:**

At five (5) year intervals Exhibit A will be examined and revised by JPC representatives as necessary and approved by a two-thirds majority vote of JPC representatives. Upon such approval, an amendment to the JPA to replace Exhibit A shall be prepared and forwarded to the Parties for approval by their governing bodies.

6.) **Section 8 of the Agreement shall be deleted in its entirety and replaced with the following:**

County shall provide JPC staff support and shall be compensated by the Cities as described in Exhibit A.

7.) **Section 10 of the Agreement shall be deleted in its entirety and replaced with the following:**

Exhibit A provides the framework for the maintenance and operations and the associated costs for the Greenway, and designates annual obligations for each of the Parties. The annual work plan shall be based on Exhibit A, and any deviations from projects listed in the Exhibit A or changes to the budget or scope of individual projects greater than 10% must be approved by the JPC.

8.) Section 13 of the Agreement shall be deleted in its entirety.

This Amendment is effective the date on which this Amendment is fully executed by the Parties and fully approved as required by applicable statutes and rules.

CITY OF ASHLAND:

By: _____
Date

Title: _____

CITY OF CENTRAL POINT:

By: _____
Date

Title: _____

CITY OF MEDFORD:

By: _____
Date

Title: _____

CITY OF PHOENIX:

By: _____
Date

Title: _____

CITY OF TALENT:

By: _____
Date

Title: _____

JACKSON COUNTY:

By: _____
Date

Title: _____

Item No: 80.1
Rogue Disposal & Recycling Update
Laura Leebrick

Rogue Disposal & Recycling – update re: Commercial Recycling Rate Impacts

Summary:

In an effort to work with existing commercial recycling customers to help them prepare for the new rate (set to take effect on January 1, 2017), RDR met with over 600 customers between October and December of 2016, to assess their needs. Most of the affected customers migrated from using a large container for co-mingle to a combination of cardboard containers and co-mingle carts in order to take best advantage of the rate structure we developed for commercial co-mingle. The new rates did not dissuade customers from recycling, but provided them with incentive to move to more appropriate service levels. These shifts have resulted in the 1% revenue projection we anticipated.

The data below reflects changes in commercial recycling services from November through February (we began meeting with affected customers in October 2016):

- Co-mingle containers decreased by 165
- Cardboard containers increased by 178
    - Net positive change of 13 containers for recycling
- Co-mingle carts increased by 30

Tonnage changes: From July to February we gained 9.78 tons of cardboard per month while losing 9.66 tons of co-mingle per month (see Summary section below).

Revenue Forecast vs. Actual: Right on target

March 28th, 2017

Common Contaminants Explained

Why no lids or bottle caps?
Bottle caps and lids are too small or flat to make it through the mechanical sorting process, and end up as trash.

Why no plastic bags or wrappers?
Soft and flexible, they get tangled in the recycling equipment and shut the sort line down. The dangerous task of cutting this material off the line wastes valuable time and resources. It is important to keep this material out of your recycling cart. Plastic bags and wrappers can be recycled at participating grocers. To find a store near you, go to www.plasticfilmrecycling.org.

Why can't I recycle Styrofoam?
Polystyrene is 99% air. To get this material to a processor, all the air would need to be removed. It is very expensive to collect and compact the volume needed to ship to a processor.

What about plastic deli and produce containers (clamshells)?
No, they are often brittle and break into small pieces during collection, baling and transportation. These small pieces cannot be captured for recycling.

Can I recycle flex packaging?

This packaging is not currently recyclable, but does have many good environmental and food safety benefits:

- Designed to keep bacteria out and its contents fresher longer, for less food waste.
- Light weight and flat when empty, it only takes ONE truck to get flex packaging to the manufacturers to be filled with their products, instead of 26 trucks of traditional bottles or cans, greatly reducing the overall environmental impact of this packaging.

Why no frozen food boxes or cartons?
Treated with a chemical wax-like coating, frozen food boxes do not break down during the paper recycling process and often contaminate other materials. As a rule – any paper product or packaging designed to resist moisture should not go in your recycle cart.

Can I recycle biodegradable or compostable plastics?
No, these types of plastics are often called "bioplastics." It presents a problem in the recycling industry as it often looks like regular plastic, making it difficult for consumers to tell the difference. Bioplastics are designed to break down and degrade. If mixed with regular plastics it will create defective recycled products.

What about glass?
Managing glass for recycling has become increasingly difficult and costly. Glass in the commingle is considered a contaminant by most recycling processors. While we currently accept it in your red lid cart, there are better options: you can take glass bottles and jars to our recycling depot at 8001 Table Rock Road. Also, most glass beverage containers can be returned for deposit under the Oregon Bottle Bill at the Medford Bottle Drop center. To see what is accepted go to www.obrc.com.

THE WORLD OF RECYCLING IS CHANGING. . .

Keep it simple.

Keep it clean.

IT'S EASY TO RECYCLE RIGHT!

WE DO THAT!

QUESTIONS?
For more information call 541-779-4161 or visit roguedisposal.com

RECYCLE RIGHT SIMPLE STEPS TO SUCCESS!

ROGUE DISPOSAL & RECYCLING, INC.

YES!

CLEAN MIXED PAPER AND CARDBOARD

OFFICE PAPER, FILE FOLDERS, COLORED PAPER & JUNK MAIL

CORRUGATED CARDBOARD

PAPER BAGS

WRAPPING PAPER
(no foil or plastic)

PHONE BOOKS

CEREAL & CRACKER BOXES (remove any plastic)
SHOE BOXES & BEVERAGE CASES

PAPER TUBES
(from paper towels, etc.)

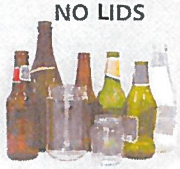
CATALOGS & MAGAZINES

NEWSPAPERS

PAPER EGG CARTONS

CLEAN GLASS

BOTTLES & JARS ONLY
NO LIDS



CLEAN PLASTICS

BOTTLES & TUBS ONLY
NO LIDS

CLEAN METAL

METAL CANS & CONTAINERS

KEEP IT LOOSE!

Please do not bag your recyclables.

COMMON ITEMS THAT ARE *NOT* ACCEPTED IN OUR RECYCLING PROGRAM:

NO Plastic Bags or Wrap

NO Cartons or Frozen Food Boxes

NO Styrofoam

NO Paper Plates or Cups

NO Flex Packaging

NO Garbage

NO Food or Liquids
(clean empty containers, please)

REMEMBER:

WHEN IN DOUBT, LEAVE IT OUT OF THE CART!

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 120.1

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

AGENDA SECTION: Public Hearings
MEETING DATE: April 6, 2017

PUBLIC HEARING

Consideration of an appeal of the Landmarks and Historic Preservation Commission approval of new signage for the building located at 14 North Central Avenue, within a C-C/CB/H (Community Commercial/Central Business District/Historic Preservation Overlay) zoning district.

SUMMARY AND BACKGROUND

The appellant contends that the Landmarks and Historic Preservation Commission erred in its decision to approve the proposal but disallow internal illumination of the sign. (File No. HC-17-002)

PREVIOUS COUNCIL ACTIONS

The City Council has not previously considered this item.

ANALYSIS

An Executive Summary has been prepared by staff and included as Exhibit A.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None identified.

TIMING ISSUES

Under Medford Land Development Code (MLDC) Section 10.166, the approving authority shall take final action on an application within 120 days after the application is deemed complete. ORS 227.178(1) further requires that, "...the governing body of a city...shall take final action on an application...including resolution of all appeals...within 120 days after the application is deemed complete." The 120th day for this application is May 12, 2017. The City Council must render its decision by that date.

COUNCIL OPTIONS

In an appeal of a land use decision, the City Council has four options:

1. Affirm the decision of the Landmarks and Historic Preservation Commission.
2. Reverse the decision of the Landmarks and Historic Preservation Commission. If the Council does this, the Council must specify the reasons for reversal.
3. Modify the decision of the Landmarks and Historic Preservation Commission and specify the reasons for such modification.
4. Remand the decision back to the Landmarks and Historic Preservation Commission with an explanation of the error and the action necessary to rectify the error. Given the constraints of the 120-day rule, this is not an option unless the property owner concurs and agrees to extend the 120-day limit.

STAFF RECOMMENDATION

The City Council can find that the Landmarks and Historic Preservation Commission did not err in its decision to approve HC-17-002 because no legal error was committed and there is sufficient evidence in the record to support the decision to conditionally approve the application and disallow internal illumination of the sign.

SUGGESTED MOTION

I move to uphold the Landmarks and Historic Preservation Commission decision to approve HC-17-002 and disallow internal illumination of the signage because no legal error was committed and there is sufficient evidence in the record to support the Commission decision.

EXHIBITS

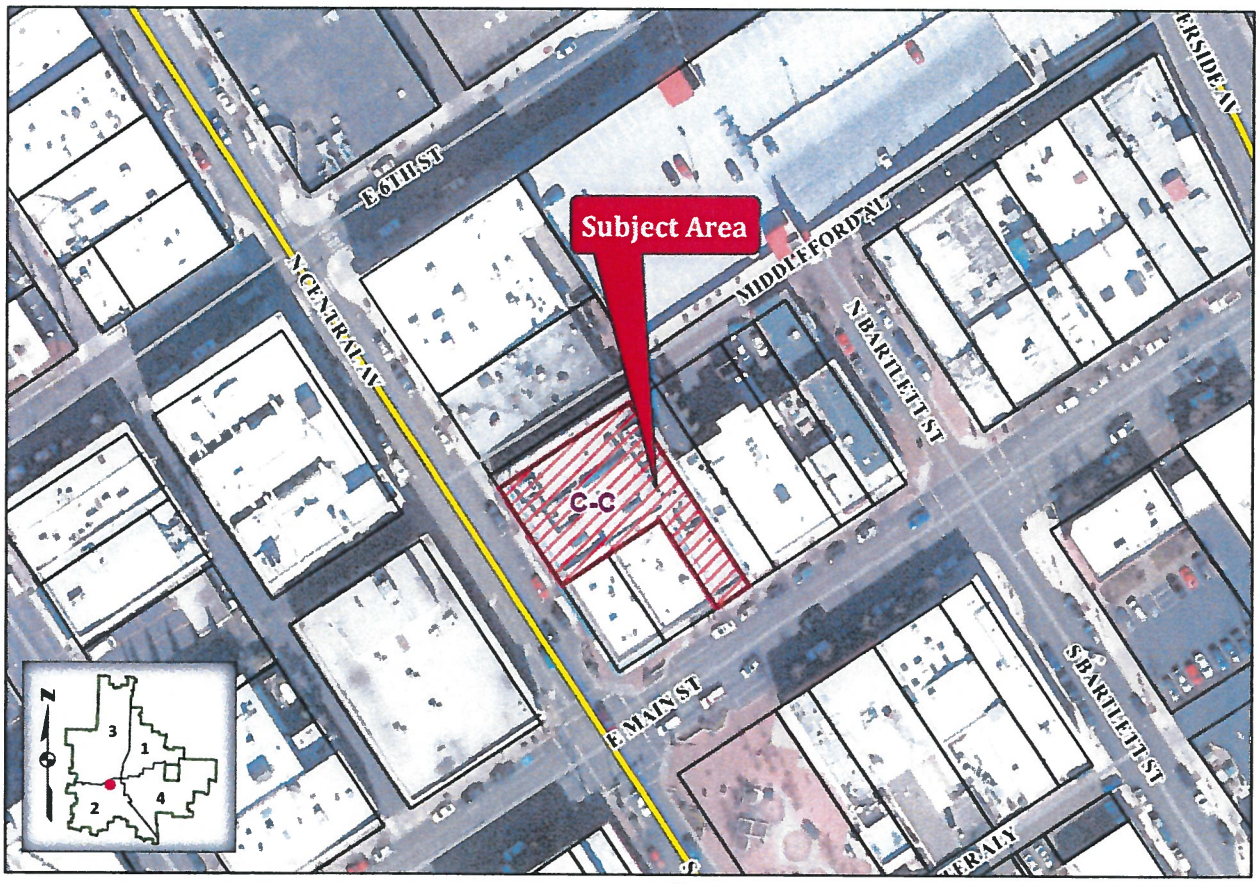
Exhibit A – Executive Summary dated March 30, 2017, including Exhibits 1 through 6

Executive Summary

Consideration of an appeal of the Landmarks and Historic Preservation Commission approval of new signage for the building located at 14 North Central Avenue, within a C-C/CB/H (Community Commercial/Central Business District/Historic Preservation Overlay) zoning district. The appellant contends that the Landmarks and Historic Preservation Commission erred in its decision to approve the proposal but disallow internal illumination of the sign. (HC-17-002)

Dated: March 30, 2017

Vicinity Map



What are the issues before the City Council?

Did the Landmarks and Historic Preservation Commission err in its decision to approve the project but disallow internal illumination of the sign? (Notice of Appeal, Exhibit 1)

CITY OF MEDFORD
EXHIBIT # A
File # HC-17-002
APPEAL

City Council Scope of Review

The City Council's scope of review is listed in Medford Land Development Code Section 10.053 and is summarized below.

Upon review, the City Council:

- *Shall not re-examine issues of fact, and*
- *Shall limit its review to determining:*
  - *Whether there is substantial evidence to support the findings of the tribunal which heard the matter, or*
  - *If errors in law were committed by such tribunal.*
- *Review shall be limited to those issues set forth in the notice of appeal.*
- *Review shall be based on the record of the initial proceedings.*

Chronology

1. On January 6, 2017, Hornecker Cowling LLP, Attorneys at Law (Applicant) submitted an Application for Review of New Signs in Historic Districts, which is reviewed by the Landmarks and Historic Preservation Commission. The proposal is to place new signage for the building located at 14 N Central Avenue. The subject site is a developed property in an "L" shaped configuration with addresses of 14 N Central Avenue and 215 E Main Street (file no. HC-17-002).

2. On January 12, 2017, the application was deemed complete. The 120th day is May 12, 2017.

3. On February 7, 2017, the Landmarks and Historic Preservation Commission held a public hearing on HC-17-002. The Commission heard the staff report and received verbal testimony from Steve Hale of Blaze Signs, Applicant's Agent. The Commission adopted the Final Order conditionally approving HC-17-002 but removing the internal illumination on all signage.

4. On February 13, 2017, the action letter was mailed, setting the final appeal date of February 27, 2017.

5. On February 23, 2017, the City received an appeal on the decision to approve the application HC-17-002 from Hornecker Cowling LLP (Applicant, now Appellant) (Exhibit 1). Appellant has standing in this matter.

6. Per Medford Land Development Code Section 10.052, the appeal hearing before the City Council must be set at its next regular meeting that falls not less than 14 days after the date the appeal is filed. The appeal hearing date was scheduled for April 6, 2017, at the Appellant's request. The 120th day is May 12, 2017.

Medford Land Development Code Criteria

The applicable approval criteria are found in Medford Land Development Code (MLDC) Section 10.258(2), Historic Review Approval Criteria, Exterior Alteration and/or New Construction. Omitted portions of the code are noted by ***.

10.258 Historic Review, Approval Criteria.

Approval of Historic Review applications shall require findings that the proposal is consistent with the indicated approval criteria:

***

(2) Exterior Alteration and/or New Construction. The approving authority (Landmarks and Historic Preservation Commission) shall approve an Historic Review application for exterior alteration and/or new construction within an Historic Preservation Overlay after consideration during a public hearing, if findings can be made substantiating that the proposal is consistent, or can be made consistent through the imposition of conditions, with all of the following criteria:

(a) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the purposes of the Historic Preservation Overlay in Section 10.401; and,

(b) It has been demonstrated that the proposed exterior alteration and/or new construction will preserve the historic character, form, and integrity of the historic resource; and,

(c) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the most current version of The Secretary of the Interior's Standards for the Treatment of Historic Properties; and,

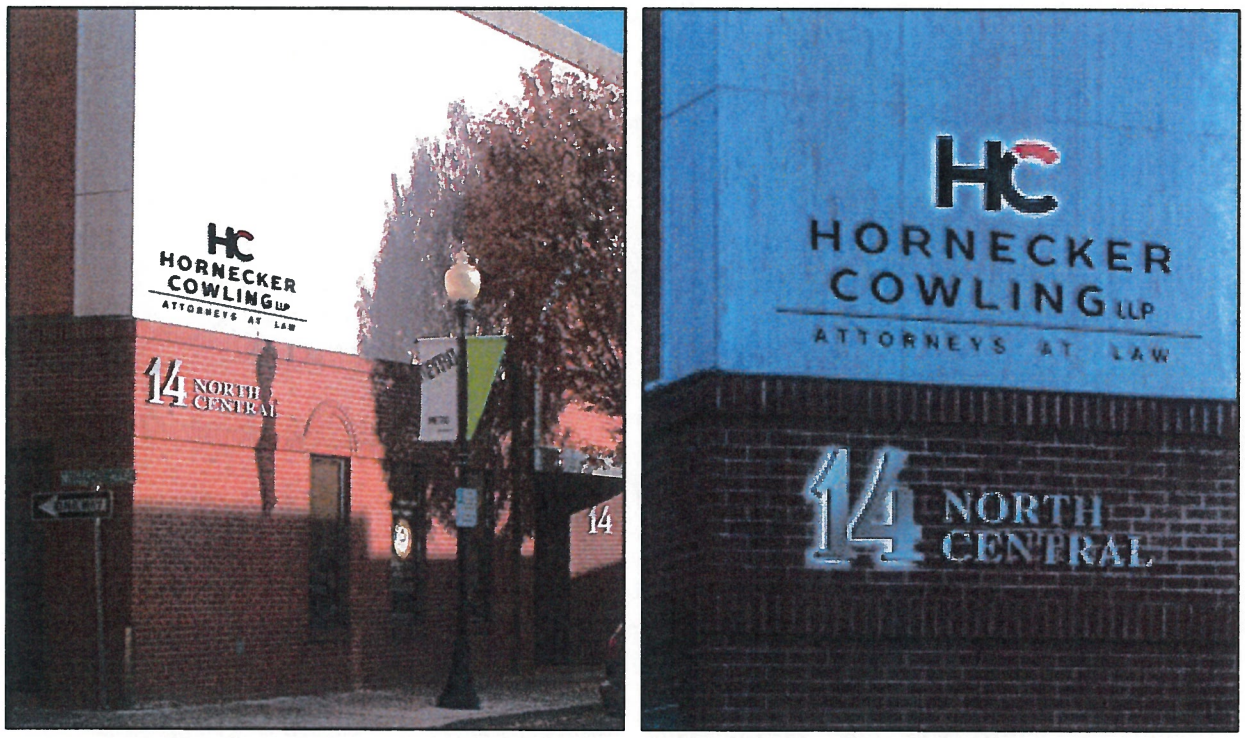
(d) It has been demonstrated that the proposed exterior alteration and/or new construction is compatible with the historical and architectural style of the historic resource, of adjacent historic properties, and of the historic district within which it is located, if any. Assessment of compatibility may include consideration of the design, arrangement, proportion, detail, scale, color, texture, and materials, and the way new features will be differentiated from the old; and,

(e) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with all other applicable provisions of this Code.

***

Project Summary

The Appellant proposes to install new signage on the Central Avenue frontage of the building. Two signs are proposed to be placed on the southwesterly corner of the building: the business name and logo, and the street address. The "HC" logo and "14" are proposed to be halo lit. ("Halo" lighting is a style where individual letters, in this case brushed or painted stainless steel, are fitted with backwards-facing lighting, in this case LED lighting, inside the hollow letters. The effect is a halo of light.) The Commission voted to approve the signage, but not the proposed lighting. The decision to not allow the halo lighting is the subject of the appeal.



Appellant's Day and Night Mock-Ups (Exhibits E and F to Exhibit 2)

The proposal also includes two "14" signs with one to be placed on each side of the Central Avenue entry door (one is visible in the day mock-up). These signs were approved and are not the subject of this appeal. The application included vinyl lettering on the interior of the doors and windows on the Main Street entrance. Signs on the interior of a building are exempt from permit requirements and are not subject to Commission review.

Notice of Appeal

A single Notice of Appeal was filed on February 23, 2017, which is within 14 days of the date the notice of the Landmarks and Historic Preservation Commission action was mailed as required in MLDC 10.051.

Allegation of Error

A single allegation of error is identified in the appeal (Exhibit 1).

1. The Appellant contends, *"The Commission erred in disallowing internal illumination of the sign."*

Staff Response:

Authority of the Landmarks and Historic Preservation Commission

The authority of the Landmarks and Historic Preservation Commission is found in MLDC 10.136. The Commission is the approving authority for Historic Review, which includes exterior alteration and/or new construction. New signage in the Downtown Historic Preservation Overlay District falls under this category. The Commission is the approving authority for the subject application.

The Commission also has authority to adopt sign guidelines in MLDC 10.136(B)(5):

> *5. To adopt approval criteria and/or design guidelines for signage within the Historic Preservation Overlay. Such criteria or design guidelines may authorize signs that differ from the standards of Article VI when necessary to meet historic compatibility and preservation goals.*

In 2007, the Commission exercised its authority under MLDC 10.136(B)(5) and adopted Sign Approval Guidelines for the Medford Downtown Historic Preservation Overlay District (Guidelines). The Guidelines were revised in 2012.

Sign standards in the Historic Preservation District Overlay are found in MLDC 10.1620:

> *10.1620* ***Historic Preservation District Overlay (H): Basic Regulations.***
> *Signs in Historic Preservation Overlay Zoning Districts shall be approved through the Historic Review process. Such signs may differ from specific standards of Article VI if authorized by the Landmarks and Historic Preservation Commission (LHPC) pursuant to design criteria and/or guidelines for signs adopted by such Commission, except that electronic message signs shall be prohibited.*

The Landmarks and Historic Preservation Commission may approve signs that vary from the MLDC standards through the Historic Review process. The Commission must find that the proposal meets the criteria in the Guidelines and the MLDC. The Guidelines are used in conjunction with the Land Development Code.

Sign Approval Guidelines (Exhibit 4)

The Guidelines are intended to emphasize the restoration and rehabilitation of historic buildings in a manner that respects their architectural character. Interest in retaining or

reestablishing portions of Medford's historic sign-scape highlighted the issue of potential conflicts with certain portions of the City's sign regulations. The Guidelines were developed to allow the Commission some flexibility in sign regulation, provided that such proposed signage clearly supports and enhances the City's other goals for downtown revitalization.

Section 7 of the Guidelines provides information on historically appropriate sign design; lighting is addressed in Subsection C. This particular section is discussed further below.

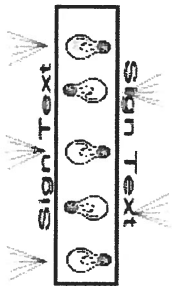
Finally, Section 8 of the Guidelines contains review criteria (Exhibit 4, p. 13). Proposals must meet one of two criteria:

> *No application under these guidelines will be approved unless the proposed design will enhance and support the historic character of the Historic Preservation Overlay and satisfies the criterion in either 8.A.1. or 8.A.2.:*
>
> 1. *The proposed design is based upon or substantially duplicates sign design that was historically located at the subject tax lot or building in shape, scale, method of illumination, materials and other general visual character.*
> 2. *The proposed design complies with these Sign Approval Guidelines.*

The design is not historic, so the first criterion could not be satisfied. The Commission found that the second criterion was not met as the proposed signs are illuminated internally with LED halo lighting.

Internal Illumination

The Land Development Code does not define "internally illuminated". The Guidelines contain the following definition (Exhibit 4, p. 5):



Internally illuminated: Method of illumination in which neon, fluorescent or incandescent light sources are placed within a semi-transparent 'can' and shine through sign panels, typically made of plastic. Internally illuminated signs became popular in the 1960s and later and are generally inconsistent with downtown Medford's historic character.

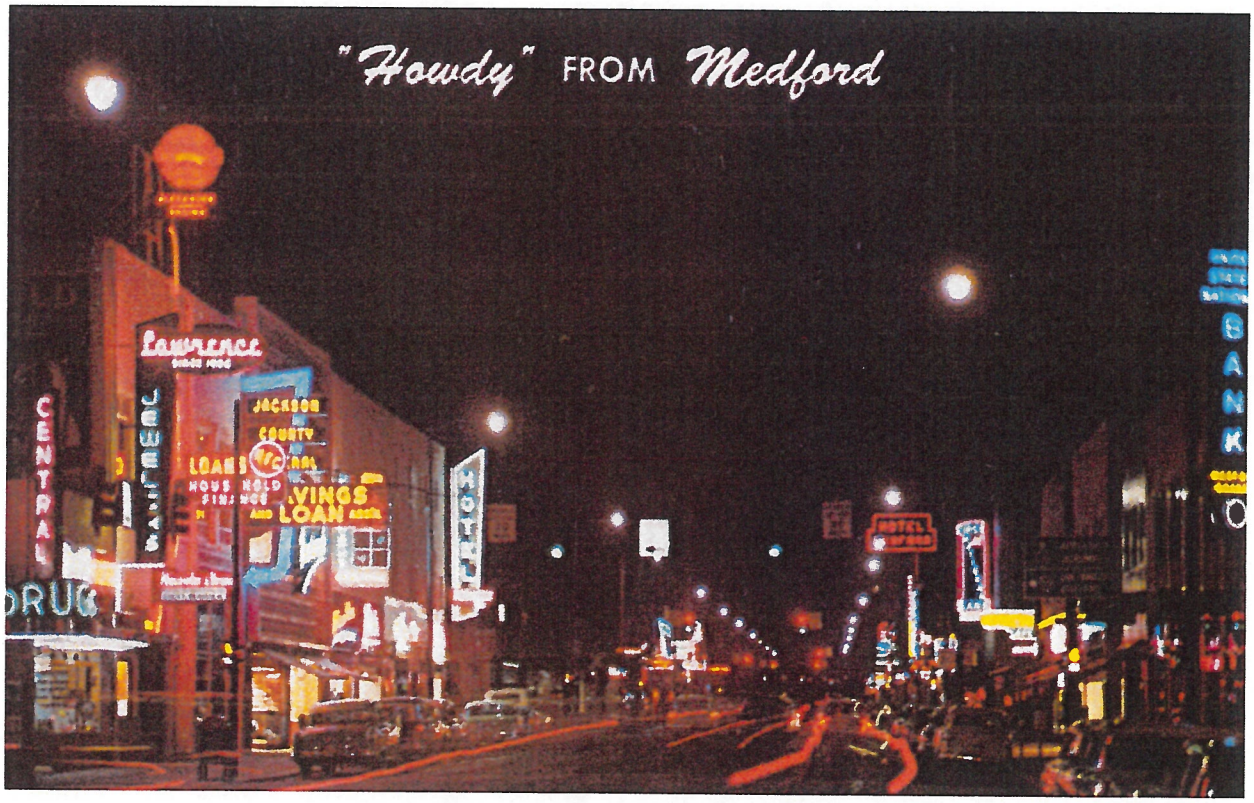
The Guidelines go on to describe what forms of illuminated signs are permissible in Section 7:

C) Illumination: Signs may be illuminated or non-illuminated. Illuminated signage shall use lighting forms consistent with the traditional character of the Historic Preservation Overlay Zone, including:

* Exposed neon tubing

* Exposed incandescent bulbs
* Indirect illumination (gooseneck type)
* Signs utilizing mixed illumination types such as neon and exposed incandescent bulbs subject to other provisions of these guidelines are strongly encouraged
* Internally illuminated signage is <u>not</u> traditional or subject to approval under these guidelines.

(Exhibit 4, pp. 11-12 (emphasis in original)). The neon and exposed incandescent lighting described above is consistent with the lighting seen in the circa-1958 "Main and Central at Night" postcard from the G. Kramer Postcard Collection included in Medford's Sign Approval Guidelines as context:



Main and Central at Night, Looking West, circa 1958
G. Kramer Postcard Collection

(Exhibit 4, p. 9). In fact, the photograph contained within the Sign Approval Guidelines is taken from the same intersection where Appellant currently is located.

During the public hearing, the Agent explained the proposal. "The lighting of the HC logo and the 14 is called pan channel letters made of stainless steel, bumped off the wall approximately 1½ inches by studs, and sealed in the back by clear acrylic. This has LED lighting in it." (Exhibit 3,

p. 7) Only the "HC" logo and "14" are proposed to be halo lit. The Commission did not dispute the aesthetic attractiveness or the modern, professional look of the halo lighting of the "HC" logo or the "14"in the address; the only dispute is whether the type of illumination proposed (internal halo illumination) is consistent with the Medford Downtown Historic District and the applicable Guidelines above.

After discussing the issue, the Commission found that the proposed illumination does not apply to the timeframe (period of significance of the Downtown Historic District). Additionally, internal illumination is not permissible under the Sign Approval Guidelines.

Summary

The Appellant raises a single point in the appeal – the Commission's decision not to allow the proposed halo lighting of the signs. The Landmarks and Historic Preservation Commission found that the application met the approval criteria found in MLDC 10.258 and applied the conditions of approval it deemed necessary. The Commission found that internally illuminated signage is not traditional or subject to approval under the Sign Approval Guidelines.

City Council Options

The City Council will need to determine if there is substantial evidence in the record to support the decision of the Landmarks and Historic Preservation Commission. The options are:

1. If the Council finds that there is substantial evidence in the record to conclude that the Landmarks and Historic Preservation Commission decision was correct and that the evidence in the record supports the Commission's findings, then the Council should affirm the decision.
2. If the Council finds that the evidence in the record supports the Appellant's contention that the decision was in error or that there is not substantial evidence to support the decision, then based upon substantial evidence in the record the City Council should:
    a. Reverse the decision. If the Council does this, the Council must specify the reasons for reversal; or
    b. Modify the decision and specify the reasons for such modification; or
    c. Remand the decision back to the Landmarks and Historic Preservation Commission with an explanation of the error and the action necessary to rectify the error. Given the constraints of the 120-day rule, this is not an option unless the Applicant concurs and agrees to extend the 120-day limit.

Recommendation

There is a single question before the Council: Did the Landmarks and Historic Preservation Commission err in its decision to disallow internal illumination of the sign?

The City Council can find that the Landmarks and Historic Preservation Commission did not err in its decision to approve HC-17-002 because no legal error was committed and there is sufficient evidence in the record to support the decision to conditionally approve the application and disallow internal illumination of the sign.

EXHIBITS

1 Notice of Appeal received February 23, 2017
2 Landmarks and Historic Preservation Commission Final Order and Landmarks and Historic Preservation Commission Report dated February 7, 2017, with all exhibits
3 Excerpts from the Landmarks and Historic Preservation Commission Minutes of February 7, 2017
4 Sign Approval Guidelines adopted December 17, 2007 and revised February 2012
5 PowerPoint Presentation to the Landmarks and Historic Preservation Commission dated February 7, 2017
6 Action Letter dated February 13, 2017

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February 23, 2017

Karen Spoonts, City Recorder
411 W. 8th Street, Room 310
Medford, OR 97501

RE: NOTICE OF APPEAL

Ms. Spoonts:

Please consider this letter a "Notice of Appeal" under Medford Code 10.052.

I. Appellant's Name, Address, Standing, and Reference to the Decision on Appeal

The Appellant is Hornecker Cowling, LLP, 14 N Central Avenue, Suite 104, Medford, OR 97501. The Appellant is appealing the Landmarks & Historic Preservation Commission's decision in HC-17-002, dated February 7, 2017, but mailed on February 13, 2017. Appellant is the applicant in HC-17-002.

II. Allegations of Error

The Commission erred in disallowing internal illumination of the sign.

We appreciate the opportunity to have the City Council evaluate the application on its merits and reverse the Commission's decision.

Very truly yours,

HORNECKER COWLING LLP

MARK S. BARTHOLOMEW

CITY OF MEDFORD
EXHIBIT # 1
File # HC-17-002
Appeal

BEFORE THE LANDMARKS AND HISTORIC PRESERVATION COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF LANDMARKS AND HISTORIC PRESERVATION COMMISSION FILE HC-17-002, APPLICATION FOR PROJECT REVIEW SUBMITTED BY HORNECKER COWLING LLP.	))))	**ORDER**

AN ORDER granting approval of new signage for the building located at 14 North Central Avenue, within the C-C/CB/H (Community Commercial/ Central Business District/Historic Preservation Overlay) zoning district, as provided for in the Medford Land Development Code.

WHEREAS:

1. The Landmarks and Historic Preservation Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Section 10.257; and,

2. The Landmarks and Historic Preservation Commission has duly held a public hearing on the matter of an application of new signage for the building located at 14 North Central Avenue, within the C-C/CB/H (Community Commercial/ Central Business District/Historic Preservation Overlay) zoning district, with the public hearing a matter of record of the Landmarks and Historic Preservation Commission on February 7, 2017; and,

3. At the public hearing on said application, evidence and recommendations were received and presented by the Planning Department staff; and,

4. At the conclusion of said public hearing, after consideration and discussion, the Landmarks and Historic Preservation Commission, upon a motion duly seconded, granted approval and adopted a final order with all conditions and findings set forth for the granting of approval.

THEREFORE LET IT BE HEREBY ORDERED that the application for Hornecker Cowling LLP. stands approved subject to compliance with the conditions stated in the Landmarks and Historic Preservation Commission Report dated February 7, 2017.

AND LET IT FURTHER BE OF RECORD that the action of the Landmarks and Historic Preservation Commission approving this application is hereafter supported by the following findings:

(1) That the project is consistent with the purposes of the Historic Preservation Overlay District as set forth in Medford Land Development Code Section 10.401; and,

(2) That approval of the project will implement the provisions of the Historic Preservation Overlay District as set forth in Medford Land Development Code Section 10.401 through 10.408; and,

CITY OF MEDFORD
EXHIBIT # 2
File # HC-17-002
Appeal

(3) That the Landmarks and Historic Preservation Commission finds that the proposed exterior alteration or new construction is consistent with the criteria of Medford Land Development Code Section 10.258, as applicable, including:

(a) That the project will preserve the historic character, form, and integrity of the historic resource; and,

(b) That the project is consistent with the most current version of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*; and,

(c) That the project is compatible with the historical and architectural style of the historic resource, of adjacent historic properties, and of the historic district within which it is located, if any; and,

(d) That the project is consistent with all other applicable provisions of the Medford Land Development Code.

BASED UPON THE ABOVE, it is the finding of the Medford Landmarks and Historic Preservation Commission that the project is in compliance with the Land Development Code and the Comprehensive Plan of the City of Medford.

Accepted and approved this 7th day of February, 2017.

MEDFORD LANDMARKS AND HISTORIC PRESERVATION COMMISSION

Medford Landmarks and Historic Preservation Commission Chair

ATTEST:

SSousa

Sarah Sousa, Planner IV
City of Medford Planning Department

COMMISSION REPORT

for a Type-C decision: Historic Review

PROJECT Hornecker Cowling Signage
Applicant: Hornecker Cowling LLP
Agent: Blaze Signs

FILE NO. HC-17-002

DATE February 7, 2017

BACKGROUND

Proposal

Landmarks and Historic Preservation Commission review of new signage for the building located at 14 North Central Avenue, within the C-C/CB/H (Community Commercial/ Central Business District/Historic Preservation Overlay) zoning district.

Resource History and Description

The subject building is known as the Big Bend Milling/Lindley Block Building. It is an L-shaped building that fronts on North Central Avenue and East Main Street. The original portion of the building facing East Main Street was built in 1896. The larger portion of the building that fronts North Central Avenue was built sometime around 1910. This later portion of the building was originally used as a dry goods store and druggist. More recently, it has been used as office space.

Historic Significance

The structure is ranked Secondary in the City's Survey of Historic and Cultural Resources.

Approval Criteria (Exhibit A)

10.258 Historic Review, Approval Criteria
10.401 Historic Preservation Overlay, Purpose
10.406 Historic Preservation Overlay, Exterior Alteration or New Construction

PROJECT REVIEW

The applicant is proposing new signage on the side of the building facing North Central Avenue. The photo mockup submitted signage on the north end of the building near the alleyway (Exhibit E). The sign detail also illustrates two address numbers on either side of the main doorway (Exhibit D).

Sign A consists of business identification on the upper portion of the building and address information on the lower portion. The upper portion of the building contains the logo "HC" and the name "Hornecker Cowling Attorneys At Law" while the lower portion of the building includes the address. Both the logo ("HC") and the number "14" are shown to be halo lit channel letters. Although the Commission's Sign Guidelines discourage the use of internally illuminated signage, the technology has evolved. The applicant submitted a night view of the proposed internally lit portions of the sign to demonstrate the softer lighting (Exhibit F). In regards to the material, the signage is proposed as stainless steel brushed cast letters. The top portion is shown in black with a black and burgundy logo. The lower portion is unpainted with the stainless steel coloring.

The address numbers to be placed on either side of the doorway are brushed stainless steel as well. All of the other signage shown is internal to the building, including the signage on the door and above the doorway.

Decision: The Commission approved the sign without the allowance of internal illumination based upon the Commission's Sign Approval Guidelines that state "internally illuminated signage is not traditional or subject to approval under these guidelines."

FINDINGS

This proposal satisfies the approval criteria (Exhibit A) for Historic Review of Exterior Alterations found in MLDC Section 10.258(2). Those criteria are presented below, **bolded** and in *italics,* followed by information on how this proposal complies with them.

(2) Exterior Alteration and/or New Construction. The approving authority (Landmarks and Historic Preservation Commission) shall approve an Historic Review application for exterior alteration and/or new construction within an Historic Preservation Overlay after consideration during a public hearing, if findings can be made substantiating that the proposal is consistent, or can be made consistent through the imposition of conditions, with all of the following criteria:

(a) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the purposes of the Historic Preservation Overlay in Section 10.401; and,

The proposed signage is consistent with the purpose of the Historic Preservation Overlay Section 10.401(7) as is promotes the use of the building as a legal firm that serves the residents of Medford.

(b) It has been demonstrated that the proposed exterior alteration and/or new construction will preserve the historic character, form, and integrity of the historic resource; and,

The integrity of the building will remain intact as signage is not a permanent alteration, but a removable change based upon the tenant of the building.

(c) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the most current version of The Secretary of the Interior's Standards for the Treatment of Historic Properties; and,

According to the Secretary's Standards for rehabilitation, the historic character of a property must be retained and preserved. None of the changes requested will remove any historic elements of the building.

(d) It has been demonstrated that the proposed exterior alteration and/or new construction is compatible with the historical and architectural style of the historic resource, of adjacent historic properties, and of the historic district within which it is located, if any. Assessment of compatibility may include consideration of the design, arrangement, proportion, detail, scale, color, texture, and materials, and the way new features will be differentiated from the old; and,

The proposed signage is consistent with the appropriate materials listed in the Commission's guidelines. The simple font and style of the proposal does not detract from the historic resource or from the adjacent historic properties.

(e) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with all other applicable provisions of this Code.

Subject signage meets the applicable provisions of the Land Development Code. Upon Historic Review approval, the applicant will need obtain administrative sign permits through the Planning Department prior to installation.

CONCLUSION

The Landmarks and Historic Preservation Commission can find that the proposed project conforms to the approval criteria listed in Section 10.258 of the Medford Land Development Code.

ACTION TAKEN

The Commission adopted a Final Order for approval of HC-17-002 as per the Commission Report dated February 7, 2017, including the Exhibits and Conditions of Approval.

EXHIBITS

A Approval Criteria
B Excerpt of Survey of Historic & Cultural Resource
C Sign Elevations received January 6, 2017
D Sign Details received January 6, 2017
E Photo mockup of signage received January 6, 2017
F Night View of Signage received January 6, 2017
G Aerial Photograph received January 6, 2017
Vicinity map

CONDITIONS OF APPROVAL

1. Exterior modifications shall be limited to those authorized by the Final Order for HC-17-002 and the Commission Report dated February 7, 2017, including all Exhibits and Conditions of Approval;

2. Prior to installation of signage, the applicant shall obtain a sign permit approval from the Planning Department.

3. **No internal illumination is allowed for the sign.**

MEDFORD LANDMARKS AND HISTORIC PRESERVATION COMMISSION

Scott Henselman, Chair

LANDMARKS AND HISTORIC PRESERVATION COMMISSION AGENDA: FEBRUARY 7, 2017

Exhibit A
Approval Criteria
HC-17-002
January 31, 2017

10.258 Historic Review, Approval Criteria.
Approval of Historic Review applications shall require findings that the proposal is consistent with the indicated approval criteria:

**

(2) Exterior Alteration and/or New Construction. The approving authority (Landmarks and Historic Preservation Commission) shall approve a Historic Review application for exterior alteration and/or new construction within an Historic Preservation Overlay after consideration during a public hearing, if findings can be made substantiating that the proposal is consistent, or can be made consistent through the imposition of conditions, with all of the following criteria:

(a) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the purposes of the Historic Preservation Overlay in Section 10.401; and,

(b) It has been demonstrated that the proposed exterior alteration and/or new construction will preserve the historic character, form, and integrity of the historic resource; and,

(c) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with the most current version of The Secretary of the Interior's Standards for the Treatment of Historic Properties; and,

(d) It has been demonstrated that the proposed exterior alteration and/or new construction is compatible with the historical and architectural style of the historic resource, of adjacent historic properties, and of the historic district within which it is located, if any. Assessment of compatibility may include consideration of the design, arrangement, proportion, detail, scale, color, texture, and materials, and the way new features will be differentiated from the old; and,

(e) It has been demonstrated that the proposed exterior alteration and/or new construction is consistent with all other applicable provisions of this Code.

**
**
**

[Added, Sec. 6, Ord. No. 2006-199, Sept. 7, 2006.]

10.401 Historic Preservation Overlay, Purpose.
The Medford Historic Preservation Overlay is a zoning designation that may be applied

CITY OF MEDFORD
EXHIBIT # A
File # HC-17-002

to properties, public or private, within the City. It is the purpose of the Historic Preservation Overlay to protect, enhance, perpetuate, and improve those buildings, structures, objects, sites, and districts that are of local, regional, statewide, or national historic significance. The Historic Preservation Overlay is a critical element of Medford's residential and commercial revitalization strategy, and a keystone in the broader economic and community development strategy.

More specifically, the Historic Preservation Overlay is intended to:

(1) Affect and accomplish the protection, enhancement, perpetuation, and improvement of such buildings, structures, objects, sites, and districts that represent elements of Medford's cultural, social, economic, political, or architectural history;

(2) Safeguard Medford's historic, aesthetic, and cultural heritage as embodied in such buildings, structures, objects, sites, and districts;

(3) Complement the National Historic Preservation Act and National Register of Historic Places;

(4) Encourage private owners and public citizens to understand the value of such buildings, structures, objects, sites, and districts, thus creating incentives for preservation;

(5) Foster civic pride in the beauty and accomplishments of the past;

(6) Protect and enhance Medford's visitor and tourist attractions, and support and stimulate business and industry;

(7) Promote the use of such buildings, structures, objects, sites, and districts for the education, pleasure, and public welfare of the residents of Medford;

(8) Further the provisions of Statewide Planning Goal 5 (to protect natural resources and conserve scenic and historic areas and open spaces); and,

(9) Implement the Medford Comprehensive Plan.

[Replaced, Sec. 10, Ord. No. 2006-199, Sept. 7, 2006.]

10.406 Historic Preservation Overlay, Exterior Alteration or New Construction.

No person may alter any building, structure, object, or site in an Historic Preservation Overlay in such a manner as to affect its exterior appearance, nor may any new structure be constructed, unless said exterior alteration or new construction has been approved through the process for Class 'C' Historic Review applications or Minor Historic Review.

(1) Any exterior alteration except those related to signage or exterior color shall conform with The Secretary of the Interior's Standards for the Treatment of Historic Properties.

(2) Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior component of a structure or site that does not involve a change in design, material, color or outward appearance of such features.

(3) When a Local Historic Resource designation or consideration of such designation has been removed from a building, structure, object, or site at the request of the property owner pursuant to Section 10.404 or Section 10.405 (2), the Medford Building Safety Department shall not issue a permit for exterior alteration within 120 days from the date the request for removal of the historic resource designation was received by the City.

[Replaced, Sec. 15, Ord. No. 2006-199, Sept. 7, 2006.]

10.1600 Central Business Overlay (CB): Basic Regulations.

Signs shall be permitted as follows in the CB district:

(1) Ground Signs: Each parcel of land is permitted one ground sign per street frontage, subject to the following limitations:

(a) Maximum Height: 20 feet

(b) Maximum Square Footage: 150 square feet per sign

(c) Minimum Setback: May not project into public right-of-way

(2) Wall Signs: Wall signs are permitted, subject to the following limitations:

(a) Principal Facade: The aggregate area of all signs shall not exceed one and one-half square feet for each linear foot of business frontage, except if the building is set back more than 20 feet from the right-of-way, in which case the aggregate area of all signs shall not exceed two square feet for each linear foot of business frontage. No part of any sign shall be higher than the building height as defined in Section 10.1010.

(b) Secondary Facade: The aggregate area of all signs shall be limited in area to two square feet for each linear foot of business frontage and shall be placed flat against the building supporting the sign. No part of any sign shall be higher than the building height as defined in Section 10.1010.

(c) Second Story and Basement Enterprises or Uses: Second story and basement enterprises or uses, which are maintained exclusively on a floor other than that on the street floor, shall be entitled to additional sign area equal to 60% of the sign area authorized above for each facade. No part of any sign shall be higher than the building height as defined in Section 10.1010.

(3) Projecting Signs: Signs not exceeding 20 square feet are permitted.

(4) Awning/Canopy/Marquee Signs: Signs not exceeding 20 square feet placed flat on a marquee, awning, or canopy are permitted.

[Amd. Sec. 18, Ord. No. 6021, Nov. 19, 1987.]

Survey of Historic and Cultural Resources
City of Medford, Oregon
Downtown Commercial Area, Phase II, 1995
[Jackson County 029]

Historic Name: **Big Bend Milling/Lindley Blk**
Location: **14 CENTRAL AVE N**
City: **Medford, Oregon 97501**
Owner: **R V PHYSICIANS SERVICE**
MailAdd **BC/BS OF OREGON**
P O BOX 1271
PORTLAND , OR 97207
Addition: Original Town Plat of Medford
Block: **13** Lot: **N10-12,13** Taxlot: **1000**
T/R/S **371W30BC** Acct# **10369449**
Quadrangle: **Medford [15min]**

Common: **Payless Drug Ctr**
Date of Construction: **1896/1910**
Original Use: **Commerce:Business**
Present Use: **Commerce:Professional**
Architect: **Unknown**
Builder: **Childers, Spencer [1896]**
Style: **Am. Mov:Chi. School**
Resource Type: **Building**
Theme: **Culture:20th C. Arch**
Condition: **Good**

Plan: **L-Shaped**
Foundation: **Brick**
Roof Form: **Multiple forms**
Wall Construction: **Brick**
Primary Window: **Fixed metal sash, metal awning-type [all modern]**

No. of Stories **2.0**
Basement: **Partial**
Roof Material: **Asphalt;Hot Mop**
Stuct. Frame: **Masonry;Brick**

Exterior Surface: **Brick Veneer, Marble Panels, Brick**
Decorative Features: **Small original cornice detail survives at NW corner [alley]**

Other:

Alterations/Additions: **Multiple window infill on alley, cyclical exterior alteration [see Statement of Significance]**
Landscape Features:
None

Associated Structures: **Comprised of two structures built independently.**
Setting:
Mid-block at major intersection of downtown Medford business area with frontages facing both North Central and East Main streets.

Sources

R.L. Polk and other city directories, Sanborn Fire Insurance Maps, telephone directories. Medford Mail and Mail Tribune, SOHS photo and clipping collection.

Photo Roll: **1** Frame[s]: **24a**
Date Recorded: **04/04/95**
Medford Planning Map Code: **CC**
Medford Planning Overlay: **CB** Zoning: **C-C**
Ranking: **Secondary**

Recorded By: **George Kramer, M.S., HP Ashland, Oregon**

CITY OF MEDFORD
EXHIBIT # B
File # HC-17-002

15

MFRNO: 312.0 **371W30BC 1000**
HISTORIC NAME: BIG BEND MILLING/LINDLEY BLOCK
14 CENTRAL AVE N

Now forming an "l-shaped" volume with frontages on both North Central and East Main streets, the Big Bend Milling/Lindley Block incorporates what were developed as two separate buildings, beginning in the late 19th century and continuing into the first decade of the 20th.

The 25' wide East Main facing portion of the structure [occupying Lot 13] was originally developed in 1896 by George P. Lindley and was accordingly known as "the Lindley Block." Lindley's two-story brick block was essentially completed by October 1896, under the direction of promient mason Spencer Childers.[1]

> The question...who will start the [building] ball rolling next season [is] Mr. G.P. Lindley. As a point of starting let us state that Mr. Lindley has purchased this week...the twenty-five foot lot front on Seventh Street now occupied by a wooden building in which is Mr. Lawton harness shop...Upon this lot Mr. Lindley proposes to erect a two-story brick building — the commencement of construction to begin in early spring of '96. (*Medford Mail*, 6-December-1895, 5:1)

The July 1898 Sanborn Fire Insurance Map of Medford shows the Lindley Block covering the full depth of Lot 13 with a small stairwell at the southeast corner leading to offices and lodging on the second floor. The original occupant of the first floor is unclear but eventually the space was occupied and later acquired by the Hutchison and Lumsden general mercantile and grocery store. (See W.E. Thomas Photo Collection, SOHS)

> Everything to eat and wear is handled by this pioneer firm that has been in business here twenty years...They own the premises they occupy, and with the stock, fixtures, etc. an investment of $35,000 is made...The coming year the store will be overhauled and new fixtures installed. (*Medford Mail Tribune*, 2-January-1910.)

A 1909 image of this block of East Main shows that the Lindley Block had a decorative facade with deeply recessed brick arches above three arched second floor windows, highlighted by the use of cut stone. The stepped parapet framed a carved marker block with the building's name and 1898 construction date.[2]

The exact construction date of the portion of the subject structure that faces North Central [occupying the northern 80' of Lots 10, 11 and 12] is unclear, primarily due to the activities of its original development, the Big Bend Milling Company. Essentially interchangeable in the public mind with the activities of A.A. Davis and, later, his son Scott V., the Big Bend Milling Company, in addition to this structure, also developed the Davis Building to the north [MFRNO 305.0] The Cuthbert Building [MFRNO 304.0] and in conjunction with the Vawter family was involved

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[1] See *Medford Mail*, 26-June-1896, 8:4 and 16-October-1896, 7:1-2 as cited in Clay, *NR Nomination, Wilkenson-Swem Building*, 1982.

[2] See SOHS Photograph, reproduced ,in Atwood & O'Harra, *Medford: 1885-1985*, 55.

in both the Jackson County Bank Building [MFRNO 315.0] and the adjacent building. [MFRNO 314.0] It is clear that the two story volume occupying these lots was constructed after 1907, when the Sanborn Map shows a small wood frame structure facing North Central in the middle of the plat in use by Billiards-Cigar Parlor, and 1911, when the same company's maps show the present building in place, occupied by a dry goods store and a druggist.[3]

In October 1910, John Clarkson Mann, having purchased the interests of the Baker and Hutchason dry goods concern at a bankruptcy sale, established Mann's Department Store "...with fifty feet of frontage on North Central Avenue."[4] Mann's remained in this location for more than half-a century, expanding and remodeling repeatedly. The company first gained an East Main entrance in 1920, via what is now the Brophy Building. [MFRNO 314.0]

In 1925 the Big Bend Milling Company was dissolved and the assets divided among the Davis, Howard, and Vawter families. Scott Davis, son of A.A. Davis, became the owner of the building occupied by the Mann Department Store. (*Medford Mail Tribune*, 11-July-1965, 6A) In late 1935, Davis purchased the Lindley Block from Fern Hutchison, daughter of C.I. Hutchinson, (JCD 128:165-6) and the combined lots assumed their present configuration, giving Mann's its final floorplan.

> Another complete remodeling in 1935 brought the store up to near its present size. The Main Street entrance was moved from the Brophy Building to a 25 x 175 section *[sic]* where it is located at the present time. Also, with the addition of a basement, the store was doing business on three floors. (*Medford Mail Tribune*, 29-November-1951)
>
> New fronts were constructed for both store entrances with island or picture windows on North Central. The remodeling, in a Depression period, was welcomed as a fine tribute to Medford's future. (*Medford Mail Tribune*, 11-July-1965, 6A)

To an uncertain extent, the remodeling in 1935 was likely connected to the structural failure of a rear wall on 10-February-1935. "We had a terrible time at the store. The whole rear wall fell out last Saturday night..."[5] The building was again substantially remodeled on both the interior and exterior in 1950 and 1951.

In 1964, after more than fifty years of operation at this site, the Mann Family interest in the department store was sold to the P.N. Hirsch & Company of St. Louis, Missouri. Renamed

---

[3] References to various building projects in early 1910 include a "Davis" project valued at $40,000 in addition to the "Telephone Building," assumed to refer to MFRNO 305.0. The former is likely the Cuthbert Building and the later may also refer the Home Telephone & Telegraph Building, on West Sixth, identified as MFRNO 125.0 during Phase I of the survey of downtown Medford.

[4] Jessie McGraw, "At Your Service" 54 Years of Mann's Department Store," *Table Rock Sentinel*, May/June 1990, 2-3. Despite the similarity, there appears to be no relationship between the Baker & Hutchason and Hutchison & Lumsden firms.

[5] Janet Mann Crawford, as quoted in McGraw.

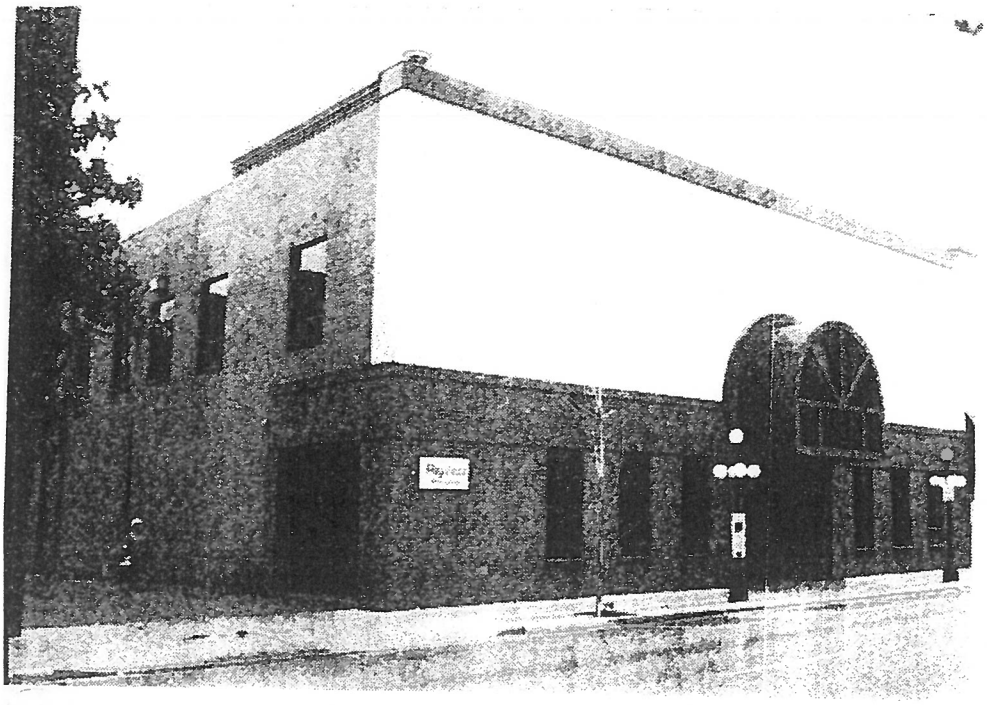
Millers, the department store continued in operation until June 1986 when the business was closed and the building left vacant. In 1965 the building had been sold to John H. Chaney, ending the Davis Family connection after more than fifty years of ownership. With Miller's 1986 closure, Chaney's estate sold the property at auction on 15-September-1987. (*Medford Mail Tribune*, 13-September-1987, B1:1-8) The building was purchased by the Rogue Valley Physicians Service who began a substantial renovation that involved gutting the building and the creation of modern office spaces.

> Rahnenkamp, Eagle Point, is gutting the structure — tearing out walls, ceilings, stairways — in anticipation of new construction by Batzer Construction, Inc., of Medford. Demolition of the interior is expected to be completed by early next month. (*Medford Mail Tribune*, 1-May-1988, D9:1-5)

In more recent years, following the acquisition of RVPS by Blue Cross/Blue Shield of Oregon, , the building has continued to provide office space. As a component of the 1988 renovation, the present brick veneer on both elevations along with the arched entryways were installed, reminiscent of the original construction era of both the Big Bend Milling Company and Lindley Block portions that form the subject structure.

Historic Name: **Big Bend Milling/Lindley Blk**
Location: **14 CENTRAL AVE N**

Common: **Payless Drug Ctr**
Date of Construction: **1896/1910**



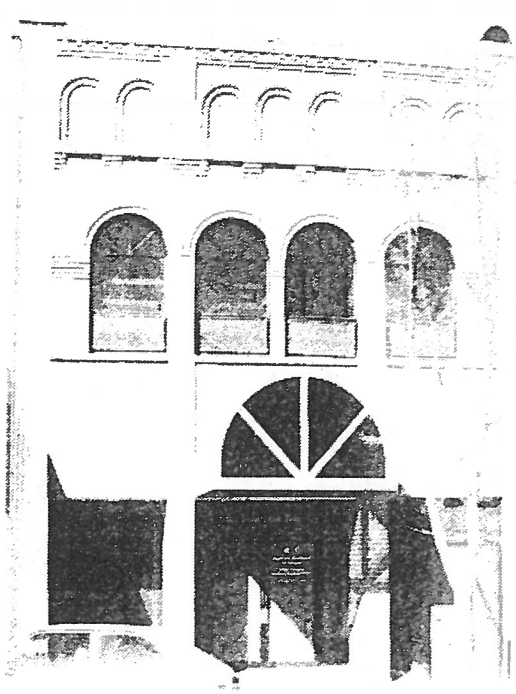
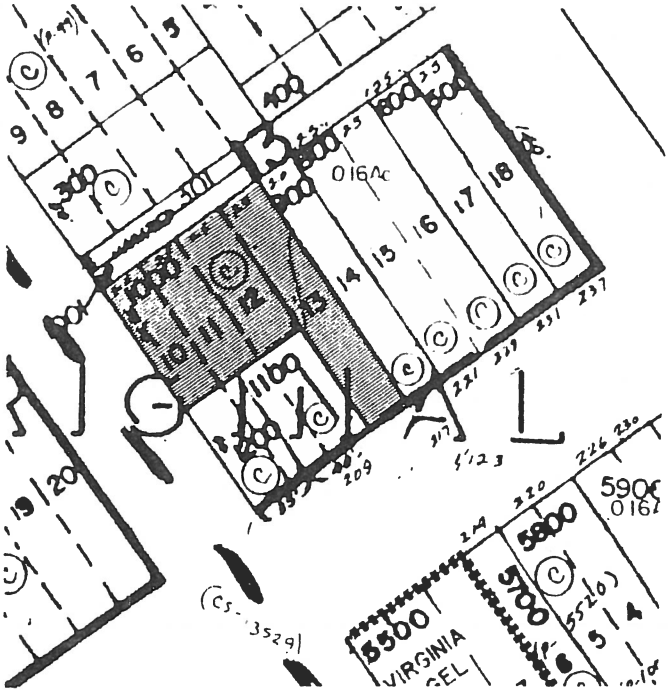
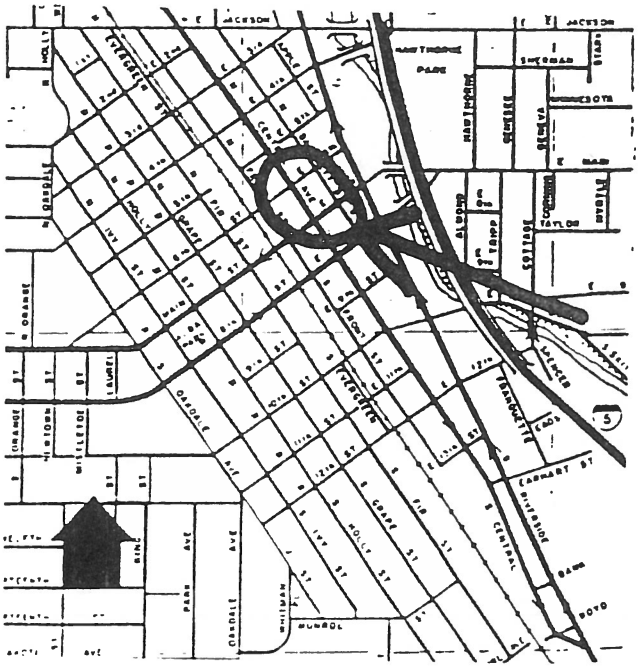


Photo Roll: 1 Frame: 24a





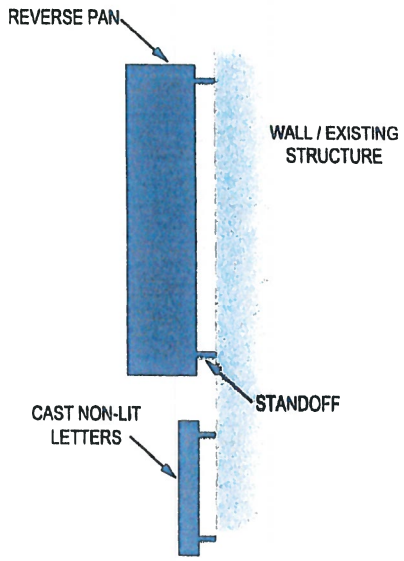
GRAPHIC SOURCES: Jackson Cty Assessor Plat, annotated location map

Ranking: **Secondary**

Medford Survey No. 312.0
SHPO NO:

A

EDGE VIEW



A MANUFACTURE AND INSTALL ONE (1) 26" TALL X 26" WIDE STAINLESS STEEL BRUSHED HALO LIT CHANNEL LETTTER "14" MANUFACTURE AND INSTALL ONE (1) 17" TALL X 53" WIDE STAINLESS STEEL BRUSHED CAST LETTERS STAND OFF MOUNTED TO BRICK.

MANUFACTURE AND INSTALL ONE (1) 65" TALL X 128" WI OFF CAST LETTERS PAINTED BLACK. HC TO BE REVERS LETTERS FACES TO BE PAINTED BLACK AND BURGAND

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File # HC-17-002

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JOB NAME	HORNECKER COWLING CONT.	FILE NAME	HORNECKER COWLING 14NC2	CLIENT APP	
LOCATION	14 N CENTRAL	SALES	HALE	DATE	
	MEDFORD OR	DESIGNER	ULLMANN	LANDLORD	
		REVISION	01/03/17 B	DATE	

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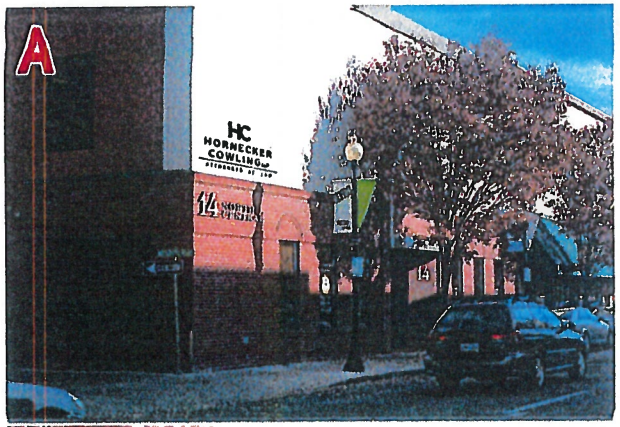

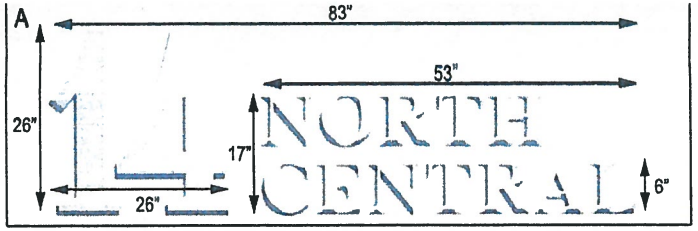

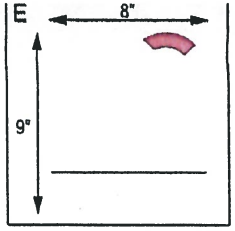

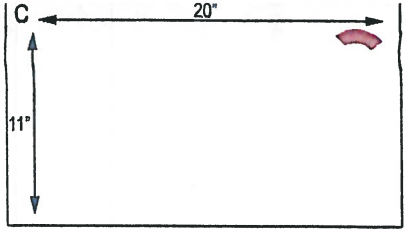

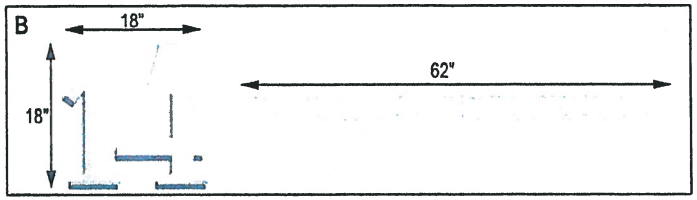

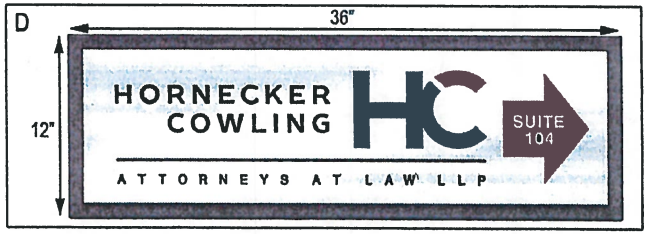

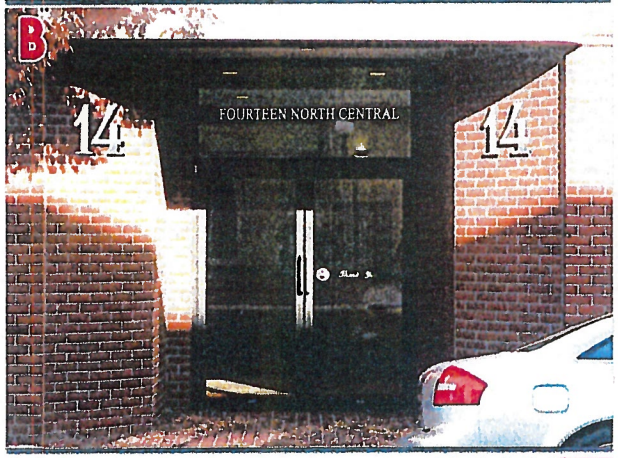

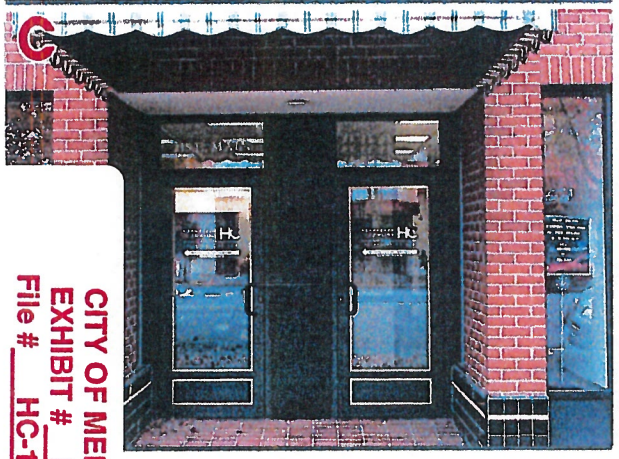

A MANUFACTURE AND INSTALL ONE (1) 26" TALL X 26" WIDE STAINLESS STEEL BRUSHED HALO LIT CHANNEL LETTTER "14" MANUFACTURE AND INSTALL ONE (1) 17" TALL X 53" WIDE STAINLESS STEEL BRUSHED CAST LETTERS STAND OFF MOUNTED TO BRICK.

MANUFACTURE AND INSTALL ONE (1) 65" TALL X 128" WIDE SET OF STAND OFF CAST LETTERS PAINTED BLACK. HC TO BE REVERSE LIT (HALO) LETTERS FACES TO BE PAINTED BLACK AND BURGANDY

B MANUFACTURE AND INSTALL TWO (2) 18" TALL X 18" WIDE NUMBER 14's STAINLESS STEEL BRUSHED CAST STAND OFF 14's
MANUFACTURE ONE (1) 5" TALL X 62" WIDE "FOURTEEN NORTH CENTRAL" VINYL ON UPPER PORTION OF ENTRANCE
VINYL: 1MIL BRUSHED SILVER (GERBER SPECIALTY)

C MANUFACTURE AND INSTALL TWO (2) 11" TALL X 20" WIDE ENTRANCE VINYL
VINYL: 2 YARDS OYSTER 220-100
1 YARD BURGANDY 220-58

D MANUFACTURE AND INSTALL ONE (1) 12" TALL X 36" W/
HANGING SIGN. SINGLE SIDED DIBOND HANGING SIGN
SILVER VINYL ON DIBOND WITH WOOD FRAME STAINE
INETRIOR WOOD
VINYL: 1 YARD BURGANDY 220-58
1 YARD BLACK 220-12

E MANUFACTURE AND INSTALL TWO (2) 9" TALL X 8" WIDI
ON SIDES OF INTERIOR ENTRY
VINYL: 1 YARD OYSTER 220-100
1 YARD BURGANDY 220-58

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File # HC-17-002

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JOB NAME	HORNECKER COWLING	FILE NAME	HORNECKER COWLING 14NC	CLIENT APP	
LOCATION	14 N CENTRAL	SALES	HALE	DATE	
	MEDFORD OR	DESIGNER	ULLMANN	LANDLORD	
		REVISION	01/03/16 B	DATE	

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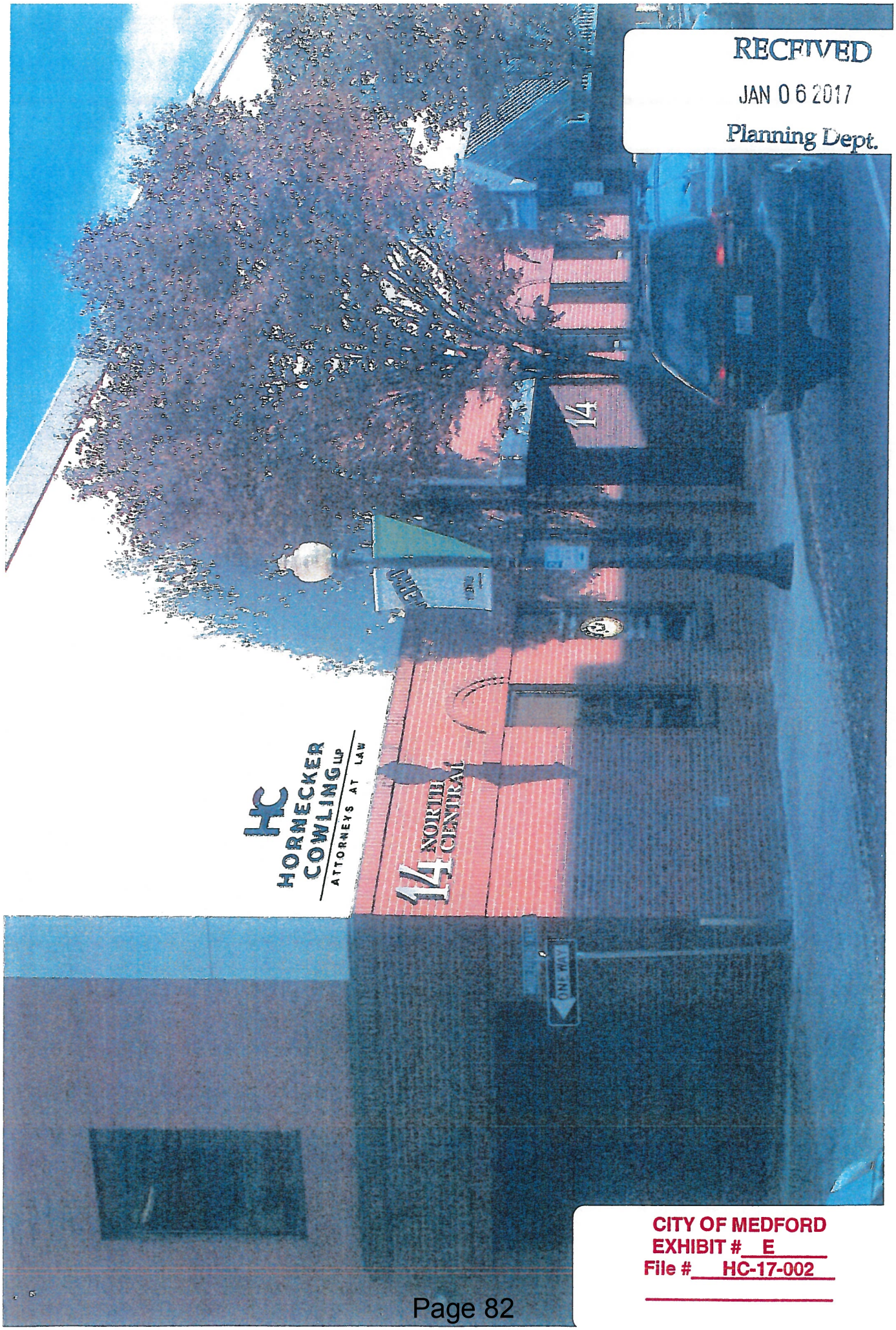

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File # HC-17-002

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EXHIBIT # F
File # HC-17-002

CITY OF MEDFORD
EXHIBIT # G
File # HC-17-002

9

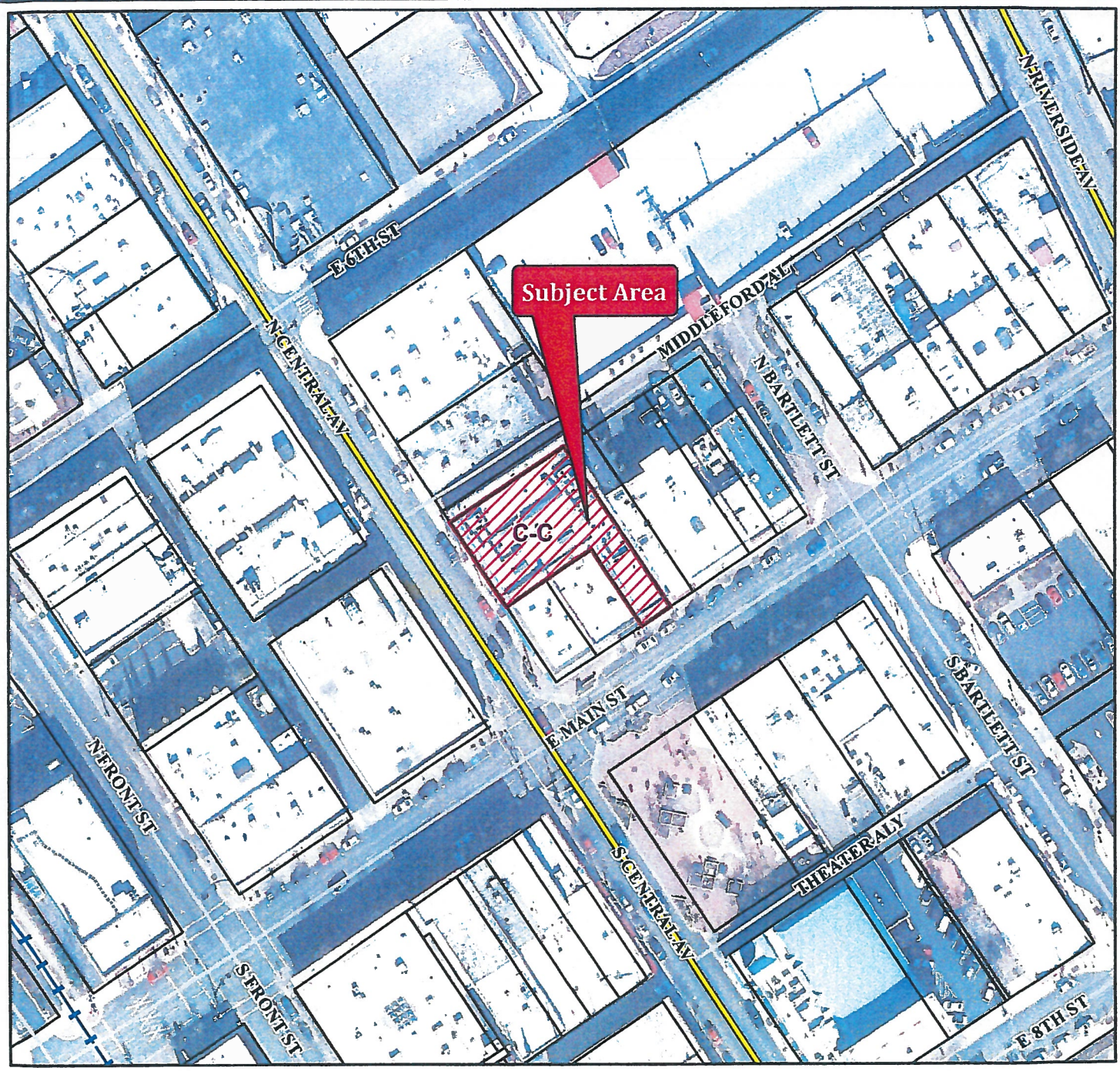
City of Medford

Planning Department

Vicinity Map

File Number:

HC-17-002



Project Name:

Hornecker Cowling LLP Sign

Map/Taxlot:

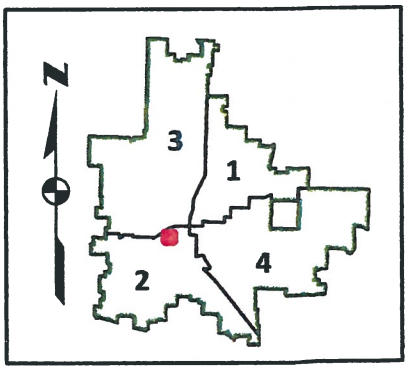
371W30BC TL 1000

0 75 150 Feet

01/10/2017

Legend

- Subject Area
- Medford Zoning
- Tax Lots
- Streets



Minutes

From Public Hearing on **February 7, 2017**

The regular meeting of the Landmarks & Historic Preservation Commission was called to order at 5:30 PM in Council Chambers of City Hall on the above date with the following members and staff in attendance:

Commissioners Present	**Staff Present**
Scott Henselman, Acting Chair	Sarah Sousa, Planner IV
Jeff Applen	Kelly Akin, Principal Planner
Sharie Beale	Debbie Strigle, Recording Secretary
Karl Geidans	Eric Mitton, Sr. Asst. City Atty.
Kathy Helmer	
Daniel Smith	
Roberta Thornton	

Acting Chair Henselman welcomed Sharie Beale and Roberta Thornton as new Commissioners to the Landmarks and Historic Preservation Commission.

10. Roll Call.

10.1 Election of Officers

Commissioner Beale nominated Commissioner Helmer to serve as Chair for 2017.

Commissioner Helmer nominated Acting Chair Henselman to serve as Chair for 2017.

Roll Call Vote: Motion passed, 5-2, for Acting Chair Henselman to serve as Chair for 2017, with Commissioner Beale and Acting Chair Henselman voting for Commissioner Helmer.

Commissioner Geidans nominated Commissioner Helmer to serve as Vice Chair for 2017

Roll Call Vote: Motion passed, 6-0-1, with Commissioner Helmer abstaining.

20. Consent Calendar (voice vote). There were none.

30. Minutes.

30.1 Consideration for approval of minutes from the January 3, 2017, hearing were approved as submitted.

CITY OF MEDFORD
EXHIBIT # 3
File # HC-17-002
Appeal

take it down or replace it. Commissioner Smith realizes the expense of the vinyl fence and additional funding to build the new fence. He asked that the Commission give him support so that he can meet the historical perspective for the fencing but at the same time accomplish what he needs to accomplish for the foster care. He believes the Commission has put a financial burden on the applicant for this.

The public hearing was opened.

a. Phillip Dwyer, 1114 S. Oakdale, Medford, Oregon, 97501. Mr. Dwyer clarified that it is their intent to replace the fence with a wood fence. The six-feet across the driveway will be replaced with wood. On the left side of the house, opposite the driveway they would like to match that to block off the back of the house. That would make it even from the street, right and left. They would go back to the original design of the fence. Three-feet across the front. The rail across the porch will be removed and he is not intending to replace that until he figures out what he wants to do with the porch.

Commissioner Beale asked, is the applicant talking about the second floor gallery? Mr. Dwyer stated no it is across the lower level.

The public hearing was closed.

Motion: The Landmarks and Historic Preservation Commission adopts the Final Order for approval of HC-16-161, as per the Staff Report dated January 31, 2017, including all Exhibits and Conditions of Approval.

Moved by: Vice Chair Helmer **Seconded by:** Commissioner Beale

Roll Call Vote: Motion passed, 7-0.

50.3 HC-17-002 Review of new signage for the building located at 14 North Central Avenue, within the C-C/CB/H (Community Commercial/ Central Business District/Historic Preservation Overlay) zoning district. Hornecker Cowling LLP, Applicant (Blaze Signs, Agent).

Chair Henselman inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Chair Henselman disclosed that he has represented the building but he does not represent the owners in management of that building at this time. He does not believe he has an ex-parte or conflict of interest.

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

Mr. Mitton disclosed that he was a partner with Hornecker Cowling LLP for many years. He does not think it will affect any legal advice that he gives on the matter.

Sarah Sousa, Planner IV, gave a staff report.

Commissioner Beale stated that photo C in Exhibit D is referencing vinyl that looks like a vinyl awning hanging down and the doors are different than what is there. Are they proposing a change in doors? It is confusing. Ms. Sousa stated that there is a lot of signage and some of it is interior to the building. All the vinyl is on the inside of the glass. Commissioner Beale stated that it is vinyl awning. Looking at the top of photo C on page 56 of the agenda packet it references manufacturing and install two vinyl something, it does not go on. It references two yards of oyster vinyl and one yard of burgundy vinyl. There is not a vinyl canopy up above. Ms. Sousa stated that the canopy is existing. Commissioner Beale stated that it is not on that entrance because she looked. Ms. Sousa said it was on the Main Street entrance.

Commissioner Beale asked, how does the applicant intend to affix to the marble panels? Ms. Sousa deferred the question to the applicant.

Vice Chair Helmer stated that she would like to dispute the statement on page 44 of the agenda packet. It states: *"Although the Commission's Sign Guidelines discourage the use of internally illuminated signage, the technology has evolved."* The Sign Guidelines actually states: *"Internally illuminated signs are not subject to approval under these guidelines."* It is much stronger than discouraged. The beginning of last year a bank had a new building with an internally lit signage proposed that was to be haloed. She made a point of going to see the signage during the day and at night. In the day, one cannot tell how it is going to look at night. It looks like a basic box. At night, the signage has almost a comic look to it. The halo effect are little clouds that cascade. It is unsuitable for the Historic District. It is not a gentle soft halo as it had been represented to the Commission. Vice Chair Helmer suggested that the Commission have a study session on signage. She took pictures that she would like to share with the Commission. They can review what the bank proposed, what was approved and what happened.

Commissioner Beale asked, has a precedent been set on lit signage? Ms. Sousa replied that the Commission has approved some internally illuminated signage over the last year. She is not sure whether that sets a precedent. She deferred the question to legal counsel.

Mr. Mitton stated that it is not a binding precedent as court opinions would be. There is some degree of a trend. It is not something the Commission is bound to do because it has been done in the past.

Commissioner Smith reported that the bank they are discussing used to be the Bank of America. It switched to Cascade Bank. The Commission had two issues: 1) Lighting and 2) Color of the sign. The Commission did not like the color of the Cascade sign but they ran into two problems: a) The Commission normally does not like to approve back lit

signs, especially "beverage signs" where they have approved signs of individual lettering not banner signs. Since Bank of America had already done it and Cascade Bank was just taking over the space the Commission was in a "pickle" as far as the lighting goes; b) The Commission did not like the color however, that is their established trademark. The Commission could not tell them they could not have their established trademark. The Commission did approve it even though given the right circumstances the Commission would not have approved it.

Chair Henselman commented that page 53 of the agenda packet, Survey of Historic and Cultural. Resources is wrong. John W. Chaney bought the building from Chair Henselman's father, Dick Henselman, in 1972 not 1965. When they defaulted on the note he took it back and he sold it at auction. RVPS bought it three days later. Chair Henselman has discussed this with George Kramer.

Vice Chair Helmer stated that on page 45, third paragraph of the agenda packet it states: *"The integrity of the building will remain intact as signage is not a permanent alteration, but a removable change based upon the tenant of the building."* These are marble panels on the top part of this building. She is assuming the applicant would have to drill into the marble paneling or attach some kind of base to the marble and in so doing, probably drill holes into the marble. She doubts the applicant would be able to get new marble panels for the building. She believes it would be a permanent alteration into the marble panel. She wanted to raise that as a concern.

Commissioner Beale agreed that it does change the architectural and historical integrity of the building if the marble is drilled into or changed at all. Even if they could find another panel it would not be the same marble.

The public hearing was opened.

a. Steve Hale, 1692 Pair A Dice Road, Jacksonville, Oregon, 97530. Mr. Hale is representing Hornecker Cowling LLP on this application. The panels are not marble panels. The signage is installed by studs so the panels would be drilled into. The East Main side does have marble panels but not on the Central Avenue side. The lighting of the HC logo and the 14 is called pan channel letters made of stainless steel, bumped off the wall approximately 1½-inches by studs, and sealed in the back by clear acrylic. This has LED lighting in it. When doing soft light there is less LED which these are 4-inch projections. It is a soft halo effect. Hornecker Cowling and Attorneys at Law are cast and/or stainless steel powder coated. North Central is bumped off the wall that are aluminum cast letters brush faced the same as the entry on Central Avenue. All vinyl is going to be done on this project from the inside. They are going to change colors to make it uniform from Main Street to Central Avenue.

Vice Chair Helmer asked, why does the 14 have to be on the building so many times? Mr. Hale stated that the issue is the trees when they bloom.
Commissioner Beale asked, is this the same area where the pavers are coming up? Mr. Hale replied he does not think so. Chair Henselman stated they are.

Commissioner Beale asked, has the City discussed moving any of the trees? Chair Henselman commented no. They could remove the tress and plant something else but the same issue would remain of not seeing the signage.

Commissioner Beale stated that Mr. Hale discussed putting the name, logo and address above the entry in the arch. The logo is handsome but she would not like to see anything done to the stone (whatever the stone is) above the brick. It is bad enough they have to work on the brick. Mr. Hale reported that it is not stone. It is a textured surface. The marble is on Main Street. Commissioner Beale commented that it sounds more fragile than stone. What would he do with it if he mounted something on it and then had to take it off? Mr. Hale stated that it has a substructure. They would drill holes, put studs on the letters with a pattern so that everything is precise. They would use epoxy base to hold the letters in.

Commissioner Smith stated that Mr. Hale reported there was no other place to put the logo other than where it is. Could the logo be affixed to one of the windows? If the Congressman's logo for his office can be on a window he is certain a law firm's logo could fit in a window. Mr. Hale reported that Congressman Walden's office has a lot of issues with people finding his office with that particular signage. To the right of the door is a rental space that is not part of Hornecker Cowling LLP. It is currently empty.

Mr. Mitton reported that the law firm is upstairs. It is behind the faux marble. The windows to the left is Congressman Walden's office and the windows to the right used to be Christian's Pharmacy. The building is owned by the law firm. The downstairs are for other tenants.

Commissioner Smith's concern is that the law firm wants to put their logo on the side of the building, someone else goes and rents space in the building and they want their logo on the building, other people rent space and want their logo on the building and pretty soon it is a "race car". Mr. Hale reported that they have the ability to install a directory. Any tenants in 14 Central will be on the directory. That is all the signage they will get other than on their particular interior door. That is what he understands from the law firm.

Commissioner Beale asked, has Mr. Hale considered a blade sign? Something that could be mounted on the brick that would carry all the signage out away from the building? Mr. Hale asked, perpendicular to the street? Commissioner Beale replied yes. Mr. Hale

stated that there would still be the same issue of the tree. He has not considered a blade sign.

Vice Chair Helmer asked, has Mr. Hale considered any other location or designs for the signage? Mr. Hale reported that if it goes to the right of the entry it still cannot be seen. It is a one-way street.

Vice Chair Helmer asked, what if Mr. Hale moved everything down so that they are not putting holes in the surface. In the Registry it is called marble panels. In a 2005 staff report the project summary talks about the applicant wanting to see what shape the marble tile was behind the canopy they removed. Mr. Hale stated that the issue in that particular area at night is vandalism. They definitely do not want to go any lower than what they have.

Chair Henselman reported that the Miller's Department Store logo and the Mann's Store logo letters were both individual letters, much larger than what is being proposed, were mounted to that surface. They were located over the door entrances both on Main Street and Central Avenue. Each letter was approximately 36-inches and ran across the entire front of the building.

Chair Henselman asked, has Mr. Hale physically checked the surface material? Mr. Hale reported it is a substrate with metal substructure like aluminum 2 x 4s or 2 x 6 struts. It has a special plywood of some sort over the top and insulated. On the other side it is a finished surface with sheet rock. The outside has been sprayed and not knocked down.

Chair Henselman stated that the reason he asked the question is because both this front and the Main Street elevation were totally renovated when Miller's took over from Mann's. It was recreated in materials. He does not know whether that is made to look like marble. The brick was put in during the renovation. Mr. Hale agreed that it is not the original brick.

The public hearing was closed.

Motion: The Landmarks and Historic Preservation Commission denies the Final Order for approval of HC-17-002 as per the Staff Report dated January, 31, 2017, including all Exhibits and Conditions of Approval.

Moved by: Vice Chair Helmer **Seconded by:** Commissioner Beale

Vice Chair Helmer stated that she would like to see the applicant come back with a proposal that moves everything down, takes out the internal lit and takes away the two large 14's. They might want to have something on the entry door or something else. As it stands right now, she does not believe it is approvable because it is going to damage

whatever material that is that looks like marble. She does not know how he is going to replace or repair it. Her concern is this is a lessee. This is a law firm that will come and potentially go in a year. Mr. Mitton stated that the law firm owns the building. They moved into the building in May. Vice Chair Helmer stated that she now understands why they want their logo on the building.

Commissioner Beale reported that alternatively, if they eliminate the Hornecker Cowling, 14 North Central on the corner and dropped the Hornecker Cowling down to the panel and left the 14 on the entrance that would still serve the purpose for the signage but eliminating the illumination. A blade design would meet the requirements for signage.

Chair Henselman stated that he has an objection to the internal illumination. It does not apply to the timeframe. It did not exist in that timeframe. He does not have an objection to the letters being placed up above on the material because it is not the original material. They just took down the Miller's sign so there is already damage to the panels as a result of that. Having the address is important because there is no other identifier for the building.

Commissioner Thornton stated that she does not have any objections to the LED lighting. She does not have an objection to the signage being placed where it is. She does understand the concerns regarding vandalism.

Commissioner Geidans reported that moving the signage down would damage the brick more than whatever material it is up above. He would rather see it up higher.

Vice Chair Helmer stated that regarding the fact that this is not the original material on the front that looks like terrazzo, it was probably original in 1935. That is 80 years. It is historic material on the top. Chair Henselman replied no, it was replaced when Miller's came into the building in the 1960's. It does apply for the 1960's.

Mr. Mitton clarified that this motion would be a denial of the entirety of the application. If this motion was not passed it would be an opportunity to make a motion eliminating the internal illumination. That would require a no vote on this motion.

Mr. Mitton stated that in supporting the proposed signage of the building would be a no vote to the current motion. If this current motion does not pass then another motion would follow.

Roll Call Vote: Motion failed, 3-4, with Commissioner Applen, Commissioner Geidans, Chair Henselman and Commissioner Thornton voting no.

2nd Motion: The Landmarks and Historic Preservation Commission approves the Final Order for approval of HC-17-002 as per the Staff Report dated January, 31, 2017, including all Exhibits and Conditions of Approval with the modification of removal of internal illumination on all signage.

Moved by: Chair Henselman **Seconded by:** Commissioner Geidans

Commissioner Beale asked Mr. Mitton, does the agent has the applicant's permission to make these changes to the signage? Mr. Mitton stated that the Commission will often see an application come back modified in this way then the agent can go back to the applicant and state what was approved. They can do what was approved or come back with a new proposal.

Roll Call Vote: Motion passed, 4-3, with Commissioner Beale, Vice Chair Helmer and Commissioner Smith voting no.

60. Old Business. There were none.

70. New Business and Announcements. There were none.

80. Comments from the Commissioners.

80.1 Past Forward Conference Recap from Commissioner Smith and Commission Geidans.

Commissioner Beale would like to know a little bit about her fellow commissioners. This can be done after the report if that is acceptable. Chair Henselman replied that he has no problem with doing that at this particular time because the Commission had a number of things they wanted discuss and Commission comments. They talked about budget items and a few other things they would like to discuss.

Vice Chair Helmer has been on the Commission for a little over a year. For a period of time she staffed the Historic Commission for the City of Medford. Unfortunately, she got the historic bug and fell in love with historic resources and here she is. She went to graduate school in anthropology and always enjoyed history a lot in that process.

Commissioner Thornton has lived in Medford for approximately ten years. She has graduate and undergraduate degrees in American history. She was an archivist at the National Archives in Washington D. C. for many years. She then went on to a records officer and then a management analyst. She likes to analyze things. She was agency liaison for the Centers of Disease Control in Atlanta. She has served on several boards and commissions. She is the current chair of the Police Advisory Committee. History is fluid but it is only relevant if it resonates with people.

SIGN APPROVAL GUIDELINES

Medford Downtown Historic Preservation Overlay District

No. 23, Design for a Board Panel from Atkinson's Sign Painting Up to Now, 1915

Landmarks and Historic Preservation Commission
Medford, Oregon

ADOPTED DECEMBER 17, 2007
Rev. February 2012

CITY OF MEDFORD
EXHIBIT # 4
File # HC-17-002
Appeal

The following guidelines have been adopted by the City of Medford Landmarks and Historic Preservation Commission to guide evaluation of sign installation in the downtown commercial core. These guidelines delineate discretionary approval for quality, historically-based and historically-compatible, sign design that supports and enhances the downtown's character. Compliance with these guidelines allows the Commission an alternative approval process that grants applicants greater flexibility in sign design and character than is otherwise available under Article VI of the Medford Municipal Ordinance.

1. PURPOSE & INTENT:

Medford's downtown commercial district is the heart of the community and plays an important social, cultural, and economic role in defining the city's character. Since the listing of Downtown on the National Register of Historic Places as a district, the City, in partnership with local business and property owners, has sought to improve the economic vitality of the area by emphasizing the restoration and rehabilitation of historic buildings in a manner that respects their architectural character. As more projects undertake major façade improvements relying upon historic design to revitalize and enhance that history, the interest in retaining or re-establishing portions of Medford's historic sign-scape identified the potential conflict with certain portions of the City's sign regulation process. As a result, these alternative guidelines were developed to allow the Medford Landmarks and Historic Preservation Commission some flexibility in sign regulation, provided that such proposed signage clearly supports and enhances the city's other goals for Downtown revitalization.

2. AREA OF APPLICABILITY:

The following guidelines apply with the "Downtown" commercial historic district of the Medford Historic Preservation Overlay as defined by the Medford Municipal Ordinance and shown on the following map. This area is roughly bounded by Oakdale, Eighth, Bear Creek and Fourth streets.

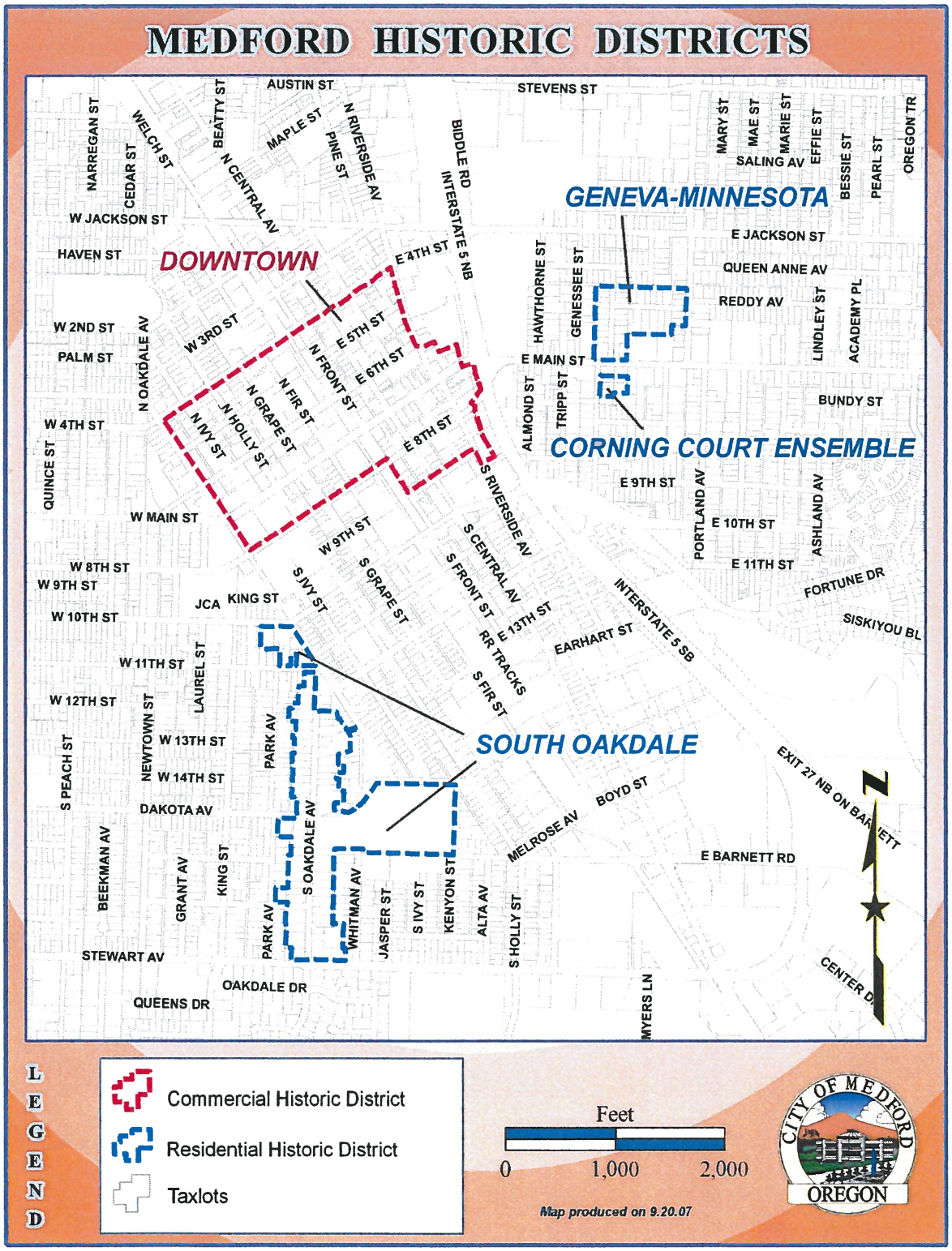
3. LEGAL AUTHORITY:

Section 10.136 of the Municipal Ordinance enumerates the powers and duties of the Landmarks and Historic Preservation Commission, including 10.136(2)e, that recognizes the Commission's authority:

> To adopt approval criteria and/or design guidelines for signage within the Historic Preservation Overlay. Such Criteria or design guidelines may authorize signs that differ from the standards of Article VI when necessary to meet historic compatibility and preservation goals.

Article VI 10.1022(11) specifically extends the Commission's authority to allow for specific approval Criteria for signage within Historic Preservation Overlay districts:

> ... Such signs may differ from specific standards of Article VI if authorized by the Landmarks and Historic Preservation Commission pursuant to design criteria and/or guidelines for signs adopted by such Commissions.


MEDFORD HISTORIC DISTRICTS
DOWNTOWN
GENEVA-MINNESOTA
CORNING COURT ENSEMBLE
SOUTH OAKDALE
AUSTIN ST
STEVENS ST
NARREGAN ST
WELCH ST
CEDAR ST
BEATTY ST
MAPLE ST
N CENTRAL AV
PINE ST
N RIVERSIDE AV
BIDDLE RD
INTERSTATE 5 NB
MARY ST
MAE ST
MARIE ST
EFFIE ST
BESSIE ST
PEARL ST
OREGON TR
SALING AV
W JACKSON ST
HAVEN ST
E 4TH ST
E JACKSON ST
QUEEN ANNE AV
REDDY AV
HAWTHORNE ST
GENESSEE ST
LINDLEY ST
ACADEMY PL
W 2ND ST
PALM ST
N OAKDALE AV
W 3RD ST
E 5TH ST
N FRONT ST
E 6TH ST
N FIR ST
N GRAPE ST
N HOLLY ST
N IVY ST
E 8TH ST
E MAIN ST
ALMOND ST
TRIPP ST
BUNDY ST
W 4TH ST
QUINCE ST
S RIVERSIDE AV
E 9TH ST
PORTLAND AV
E 10TH ST
ASHLAND AV
E 11TH ST
W MAIN ST
W 9TH ST
S CENTRAL AV
S FRONT ST
W 8TH ST
W 9TH ST
S IVY ST
S GRAPE ST
INTERSTATE 5 SB
FORTUNE DR
JCA
KING ST
E 13TH ST
SISKIYOU BL
W 10TH ST
EARHART ST
RR TRACKS
W 11TH ST
LAUREL ST
S FIR ST
W 12TH ST
NEWTOWN ST
W 13TH ST
PARK AV
S PEACH ST
W 14TH ST
EXIT 27 NB ON BARNETT
DAKOTA AV
BOYD ST
MELROSE AV
E BARNETT RD
BEEKMAN AV
GRANT AV
KING ST
S OAKDALE AV
WHITMAN AV
JASPER ST
S IVY ST
KENYON ST
ALTA AV
S HOLLY ST
PARK AV
STEWART AV
OAKDALE DR
QUEENS DR
MYERS LN
CENTER DR
LEGEND
Commercial Historic District
Residential Historic District
Taxlots
Feet
0
1,000
2,000
Map produced on 9.20.07
CITY OF MEDFORD
OREGON

4. APPLICATION PROCESS:

All applications processed under these guidelines are subject to the standard submittal requirements associated with sign review permits per Article VI, 10.1020 et seq. In addition, all applications for discretionary review under these approval guidelines must also submit the following as part of a complete application.

1) Historic images of the subject property area (when available) that document previous sign installation or design.

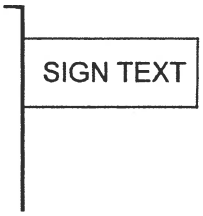
2) Scale renderings or mock-up/computer generated images of the site showing the proposed sign to scale, in context.

3) Narrative statement requesting review under these guidelines and waiver from provisions of Article VI of the Municipal Ordinance. Applications must specify exactly what waivers are requested, the justification for each such request, and the relative scale of the waiver (for example, an applicant might request a sign that is 50% larger in area than typically permitted under Article VI, justified by the documented scale of a pre-exiting sign).

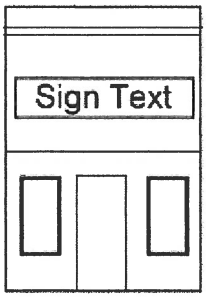
4) A signed statement acknowledging the discretionary nature of these approval guidelines and the Medford Landmarks and Historic Preservation Commission's final authority in all matter relative to determining compliance with these guidelines.

5. DEFINITIONS: SIGN TYPES AND TERMINOLOGY:

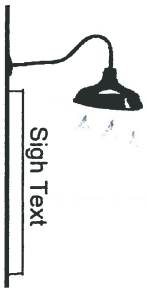
The following list of terms covers sign illumination and mounting forms, as well as other sign-specific terms as used in these guidelines.



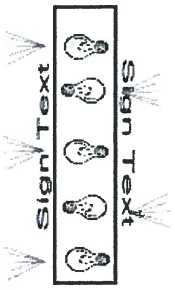
BLADE: A form of projecting sign in which the sign face is horizontally oriented and extends out from the building face into the air space above the public right of way.



FACADE: Mounted directly on a building exterior surface, parallel to the public right of way (also termed "Wall Signs"). Façade signs are built features, as distinct from Wall Graphics, painted directly on the building exterior.



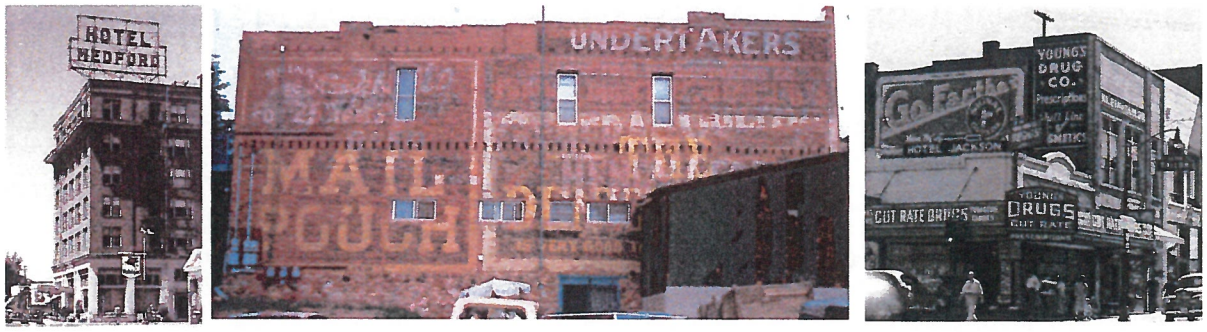
INDIRECTLY ILLUMINATED: Method of illuminating a painted or other sign form without any inherent illumination. Indirectly illumination often relies upon gooseneck-type lighting, as shown at left.



INTERNALLY ILLUMINATED: Method of illumination in which neon, fluorescent or incandescent light sources are placed within a semi-transparent "can" and shine through sign panels, typically made of plastic. Internally illuminated signs become popular in the 1960s and later and are generally inconsistent with downtown Medford's historic character.

GOOSENECK: Projecting metal conduit used to hold lighting that shines back toward a building or sign face. (See light standard in Indirectly Illuminated, above)

LEGACY SIGNAGE: Signage related to a structure but <u>not</u> to the present occupancy or use. Legacy signage includes extant signage, portions of which may or not be visible but can be documented by historic photographs, and may also include accurately reconstructed or entirely repainted signage based upon such documentation, provided that such signage is <u>not</u> representative of the current occupancy. Legacy signage may be painted or constructed, as in a blade, pylon, or rooftop sign. Painted wall graphics, including accurately replicated/repainted wall graphics related to on or off-site content are treated as Legacy Signage provided they exactly duplicate an earlier sign on the subject property.



"Legacy Sign" examples, showing pre-existing on and off-site signage in different forms.

MARKER BLOCK: An integrated building element, usually at parapet level, that identifies a building by name and, typically, date of construction. Marker blocks are generally not considered "signs" for area calculation.

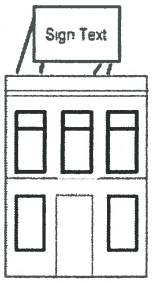
NEON: Multi-colored tube-form light source created by electrically charges gases, a traditional form of sign lighting. Neon can be in "exposed" tubes, where tubing is visible atop the sign can, "formed letters" in cans are exposed, or indirect, where tubes illuminate painted or other surfaces.

ON-SITE: Signage located at the same location as a business, including almost all historic signage in the downtown core area.

OFF-SITE: Signage advertising products or services sold elsewhere than the sign location. Typical off-site signage includes painted wall graphics for national or regional products painted on buildings occupied by businesses primarily offering other goods or services.

PROJECTING: Mounted at an angle (typically, but not always 90-degrees) from a building exterior and projecting away from the wall. (See *Pylon* and *Blade*, both of which are additionally referred to as "projecting" signs).

PYLON: A from of projecting sign in which the sign face is vertically oriented. Pylon signs may, but do not necessarily, extend above the building roof line. Some pylon signs, typically associated with Art Deco and Art Modern architecture, are integral elements of a building.



ROOF SIGN: Mounted atop a building roof, typically on a metal structural frame, and visible from the public right-of-way (also called a SKY sign).

WALL GRAPHIC: PAINTED directly on a building exterior. Wall graphics include *all types* of painted materials including signs, murals, art work, commercial and non-commercial speech.

6. MEDORD'S SIGN HISTORY

Founded in 1883 in anticipation of the arrival of the railroad to Jackson County, Medford's commercial district initially developed along Main and Front streets, surrounding the railroad depot. Early wood frame businesses, most with painted wood signs, were replaced by more elaborate and substantial brick volumes as the town prospered. Throughout the late 19th century signage remained fairly simply, with non-illuminated painted projecting or façade-mounted signs and wall graphics.

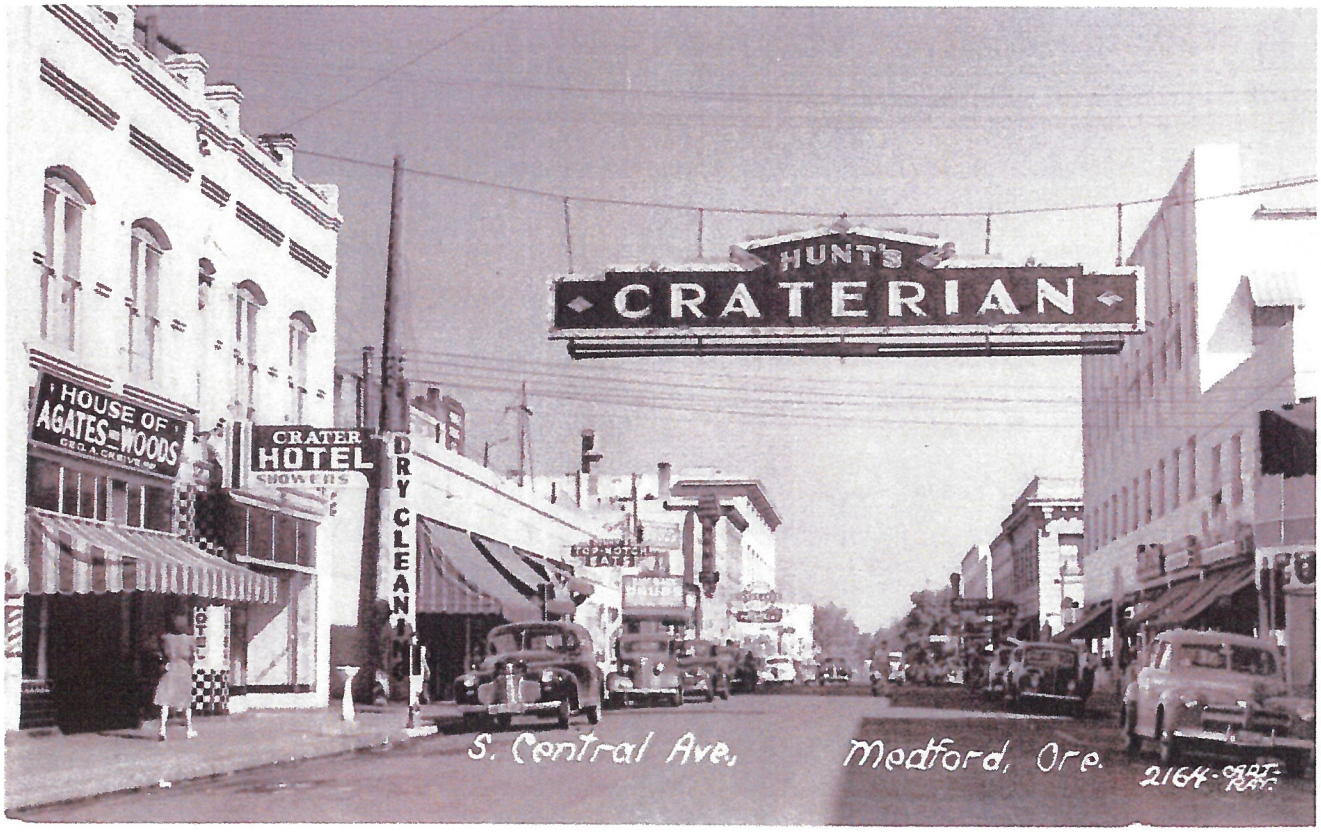
Central, Looking South toward Main, 1910
G. Kramer Postcard Collection

In the early years of the 20th century, after the construction of the valley's first electric plant at Gold Ray Dam, small incandescent lamps were used to illuminated signage. What was among the first truly electrified signs in Medford was installed in 1911, atop the Mail Tribune Building. "Its blazing white lights were visible miles away ...letters two feet in length and 156 tungsten lights make in night bright: (*Medford Mail Tribune*, 1-Jun-1911). Other signage of the day (prior to WWI) consisted of projecting and pylon type signs, most of painted wood or metal. Exposed building walls were still frequently used for wall graphics, announcing both on- and off-side uses.

There is no record of the first neon sign in Medford but it almost certainly arrived in the late 1920's or early 1930's, a few years after the first neon sign in the United States literally caused a traffic jam in Los

Angeles with its vibrant 'orange' tube lettering. Medford's earliest neon signs were probably manufactured in larger cities and shipped here but it did not take long before the Neon-Ad Company, operated by "Wild" Bill Catlett, became Medford's first neon sign shop, bending tubing and sheet metal for small scale early neon displays. [1] Joined later by area branches of larger national firms such as Federal Sign or Electrical Products Corporation, Catlett's business expanded greatly after the arrival of Ralph and E. J. Ellis, formerly of Los Angeles. The Ellis' later started Medford Neon Sign Inc. and soon became the major sign manufacture in the Southern Oregon/Northern California region. They would remain so well into the 1960's spawning most of the areas other sign shops as Medford Neon employees would leave to start their own businesses. Several of the region's largest shops today, including Blaze Signs of America and Signs ETC, trace their roots to the Ellis' company.

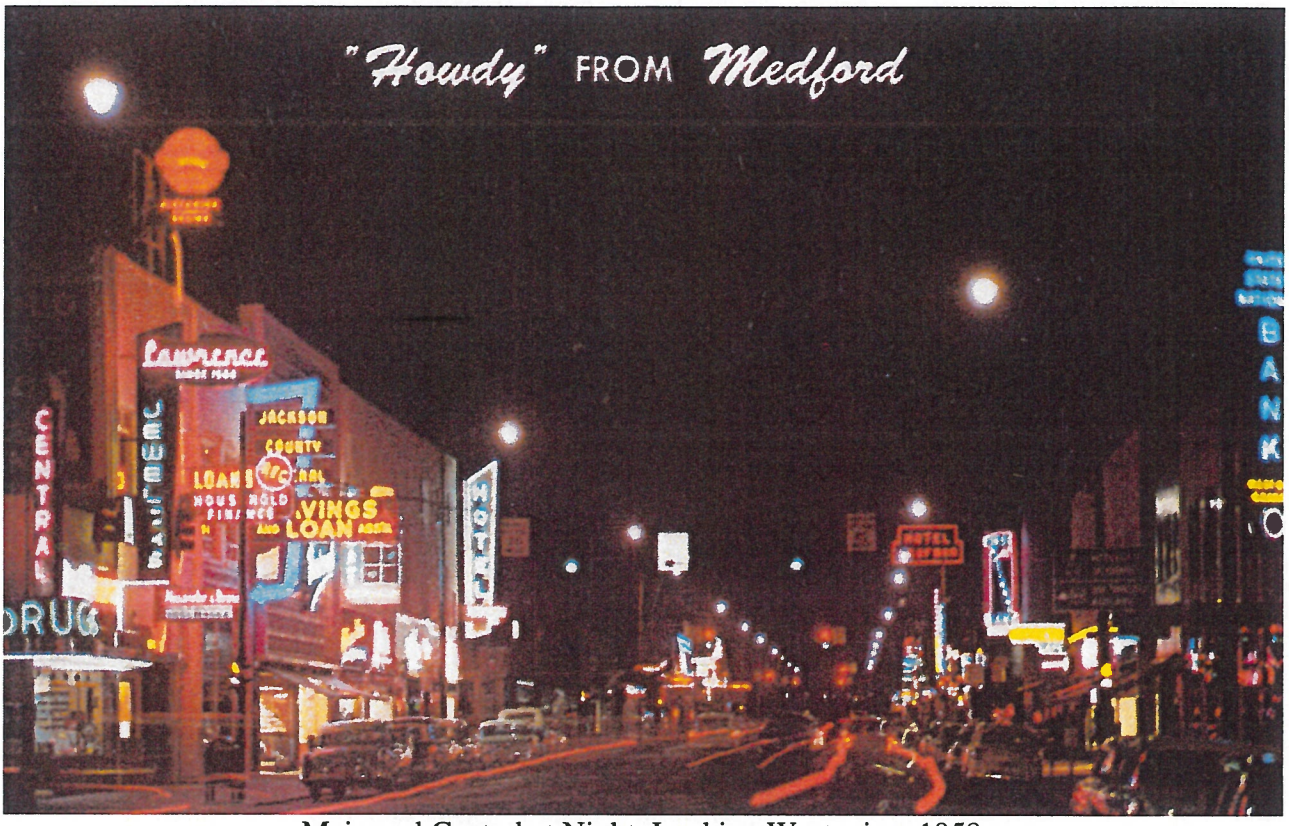
Photos of downtown Medford in the late 1930s and 1940s document a varied and exuberant sign-scape, with multiple forms extending over the public right-of-way and vying for consumer's attention. Neon predominated, as the primary form of the era, and night shots of Main Street during this period and into the 1950s and 1960s document the city's colorful sign displays of the era. Signs, especially neon, were an important part of downtown Medford through much of its 20th century history.



Central, looking North toward Main, c1940
G. Kramer Postcard Collection

[1] Until recent years two Catlett designed signs remained in Medford, both advertising long time bars – The Spot and the Beau Club.

By the late 1960s neon signage began to fall out of favor, as locally owned businesses were often replaced by tenants that chose to minimize their investment in sign displays. New sign technologies most notably internally illuminated signs with florescent light sources and vacuum-formed plastic faces, became increasing popular.



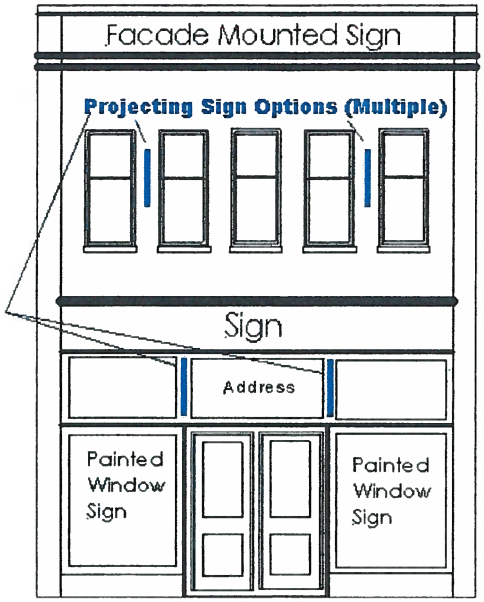
Main and Central at Night, Looking West, circa 1958
G. Kramer Postcard Collection

In the mid-1980s, as community opinions about signage changed, Medford adopted regulations that established limits on sign size and quantity for the first time. That trend, coupled with the growth of national and regional chains that sought standardized advertising programs and the closure of many local stores in the face of increased competition, all resulted in the loss of much of Medford's earlier, locally-designed, sign displays. As interest in downtown's historic architecture has risen, recognition and appreciation for the role that signage played in creating downtown's vibrant and active character during that period resulted in the adoption of these alternative design guidelines.

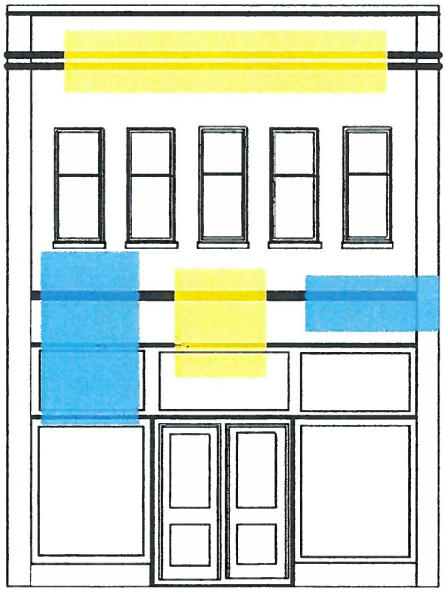
7. HISTORICALLY APPROPRIATE SIGN DESIGN:

All signage applying for approval under these guidelines will be reviewed for compliance with the following design criteria.

A) Placement: Signage shall be installed in appropriate "sign areas" as defined by the existing architecture of the façade. (See following graphic for *examples* of appropriate sign areas.)



Appropriate *Sign Placement Options that respect the architectural scale of the façade by fitting entirely within horizontal and vertical elements. Pylon signs may extend above the parapet (top) of the building.*



Inappropriate *Sign Placement Options that ignore the architectural scale of the façade and cross or obscure horizontal and vertical elements.*

1) No sign shall be placed or located so as to obsc8re or cover a vertical architectural element such as a column or pilaster.
2) Signage will fit entirely within horizontal divisions to the extent feasible.

3) Where no architectural divisions exist or are evident, signage will be proportionately scaled to the façade and placed to respect window and door openings.
4) No sign shall cover the entire width of any façade.

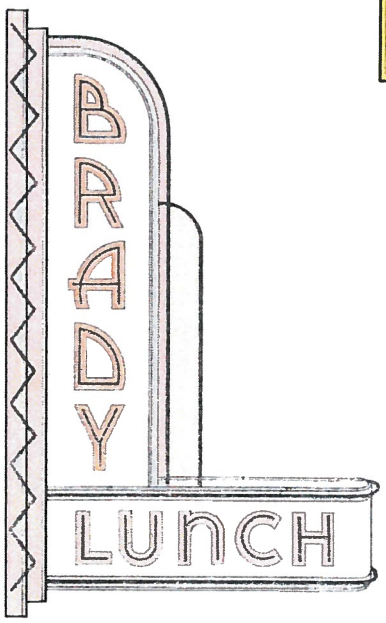
B) Material: Sign materials shall be consistent with the traditional character of the Historic Preservation Overlay Zone. Appropriate materials are:

- Metal (iron, steel, brass, copper, aluminum and other natural finishes)
- Painted metal, including powder-coated or enameled metals.
- Wood (painted or natural, including carved or sand-blasted lettering)
- Vinyl or other sheet claddings (for backing panels or cut lettering only)
- Glass
- Fiberglass, high-density urethane foam, and similar "cast" or formed materials to create 3-dimensional objects, including individual lettering.
- Painted Graphics: All wall graphics (as distinct from Legacy Signage) are treated and regulated under Article VI.

C) Illumination: Signs may be illuminated or non-illuminated. Illuminated signage shall use lighting forms consistent with the traditional character or the Historic Preservation Overlay Zone, including:

- Exposed neon tubing
- Exposed incandescent bulbs
- Indirect illumination (gooseneck type)
- Signs utilizing mixed illumination types such as neon and exposed incandescent bulbs subject to other provisions of these guidelines are strongly encouraged.
- Internally illuminated signage is not traditional or subject to approval under these guidelines.

D) Shapes: Signage in the Downtown Central area is encouraged to employ complex shapes rather than simple rectangles, circles, or squares. Signs utilizing mixed mounting types or multiple forms, subject to other provisions of these guidelines, are strongly encouraged. *Sample* "Complex" Sign shapes are shown below.



8. REVIEW CRITERIA

A. APPROVAL REQUIREMENTS

No application under these guidelines will be approved unless the proposed design will enhance and support the historic character of the Historic Preservation Overlay *and* satisfies the criterion in either 8.A.1. or 8.A.2.:

1. The proposed design is based upon or substantially duplicates sign design that was historically located at the subject tax lot or building in shape, scale, method of illumination, materials and other general visual character.

2. The proposed design complies with these Sign Approval Guidelines.

B. ALTERNATE APPROVAL GUIDELINES:

The following provisions of Article VI governing sign installations are subject to discretionary waiver by the Landmarks and Historic Preservation Commission where such waiver is determined to meet the goals of Medford Municipal Ordinance 10.401 and Section 1 of these guidelines. Some provisions, as stated below, are subject to limited waiver only.

<u>10.1120 Abandoned Signs:</u>

10.1120 (1) This provision will be waived if the Commission determines the signs is historically significant.

1. Upon application and approval by the Commission, Legacy Signage related to a previous on- or off-site use of the property may remain in place and <u>be excluded</u> from any sign area or quantity calculations. For example the area of a painted wall graphic will not be included in a square foot allotment based upon building linear frontage (Example: Fluhrer Bakery sign facing North Ivy Street).

2. Documented wall graphics formerly associated with the specific site <u>may be repainted</u> and excluded from area calculations as Legacy Signage, provided:

   A) Such signs are identically and accurately re-created as they existed historically at the subject tax lot, building or site, and

   B) Such signs can be documented physically or photographically with sufficient clarity to determine original content, and

   C) The accurate replication of such signage will contribute to the character of the Historic Preservation Overlay.

3. Previously existing wall-graphics modified in *any* manner from their historically documented character are not subject to waiver as abandoned signs. Such historically-based but modified signage, as well as any proposed new wall graphic, may apply for waiver as new sign installations under 10.1600, below.

10.1600 Central Business Overlay (CB) Basic Regulations:

10.1600 (2) Wall Signs
Principal Façade (a):

1. Aggregate area of all signs may exceed the allowable area as defined by the one and one-half square feet per linear foot of business frontage calculation. There is no fixed maximum area allowed. Aggregate area is only limited by the Commission's determination of appropriate sale and relationship to the building's architectural character, historic character, and determined compatibility.

2. Portions of a sign may exceed the height of the building as defined in Section 10.1010, limited to no more than 25% of the total building height or forty-eight (48) inches, whichever is the lesser. This standard may be exceeded when the placement of the sign is substantially based on a historically documented sign at the subject location.

10.1600 (2) Wall Signs
Secondary Façade (b):

1. Aggregate area of all signs may exceed the allowable area as defined by the two square feet per linear foot of business frontage calculation. Aggregate area is only limited by the Commission's determination of appropriate scale and relationship to the building's architectural and historic character.

2. Secondary wall signs may be placed flat or project from the building supporting the sign.

3. Portions of a sign may exceed the height of the building as defined in Section 10.1010, limited to no more than 25% of the total building height or forty-eight (48) inches, whichever is the lesser. This standard may be exceeded when the placement of the sign is substantially based on a historically documented sign at the subject location.

10.1600 (3) Projecting Signs

1. Projecting Signs may exceed 20 square feet in area. Area is only limited by the Commission's determination of appropriate scale and relationship to the building's architectural and historic character. (Note, projecting signs, by definition, include vertically oriented signs or pylons. In such case the standard restriction on height may additionally be waived as the allowance of 10.1600 (2)a, above).

10.1100 Prohibited Signs for All Districts:

10.1600(8) Roof-top or Sky Signs

1. Upon application and approval by the Commission, roof-top or sky signage may be installed, waiving the requirements of 10.1100(8), subject to the following:

   A) Except where substantially based upon a historically documented rooftop or sky sign at the subject location, no rooftop or sky sign shall have any element that exceeds a maximum height of fifteen (15) feet above the existing parapet height, being the highest point of the exterior wall on the subject building elevation.

   B) Except where substantially based upon a historically documented rooftop or sky sign at the subject location, no roof top or sky sign shall exceed a total 150 square feet in area.

   C) All roof top or sky signs shall be mounted on a support structure and meet all applicable code requirements as determined by the Building Official.

10.1600(9) Other Signs Not Listed

1. Upon application and approval by the Commission, other sign types may be installed, waiving the requirements of 10.1100(9), provided such signage can be demonstrated as historically associated with the subject location and otherwise meets the goals and intents of these guidelines.

C. APPROVED ALTERNATE SIGN DESIGNS:

The following sign design standards have been approved by the Landmarks and Historic Preservation Commission. No Commission action is required for these types of signs. Additional permits may be required.

1. Bracket-Mounted Vertical Sign. A sign made of soft fabric, attached to a removable bracket which fits into a wall-mounted sleeve, whose dimensions and method of attachment are standardized per the diagram below. These signs:

   a. Do not require Historic Review;

   b. Are displayed during daylight hours only and taken inside at dusk or earlier;

   c. Require an Encroachment Permit from the Public Works Department;

   d. Require a Sign Permit from the Planning Department;

   e. The size of these signs must be within the following parameters:

i. Brackets shall extend no more than 30 inches into the public right-of-way;

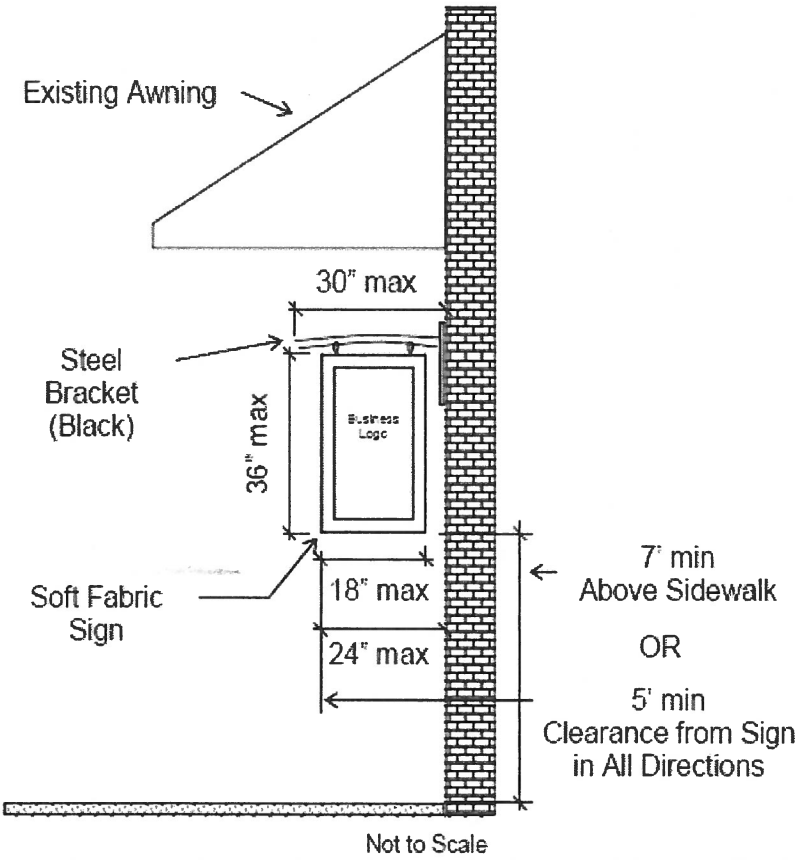
ii. Maximum sign area of 4.5 square feet;

iii. Maximum sign length of 3 feet

iv. Maximum sign width of 18 inches;

v. Minimum sidewalk clearance of 5 feet or overhead clearance of at least seven feet from sidewalk to bottom of sign.

Signs whose dimensions do not fit within these dimensions are a different type of sign and a Historic Review application is required. If a sign is not a rectangle, but fits within these maximum dimensions, it can be considered a bracket-mounted vertical sign.



Hornecker Cowling
New Signage
HC-17-002

Landmarks and Historic Preservation Commission

February 7, 2017

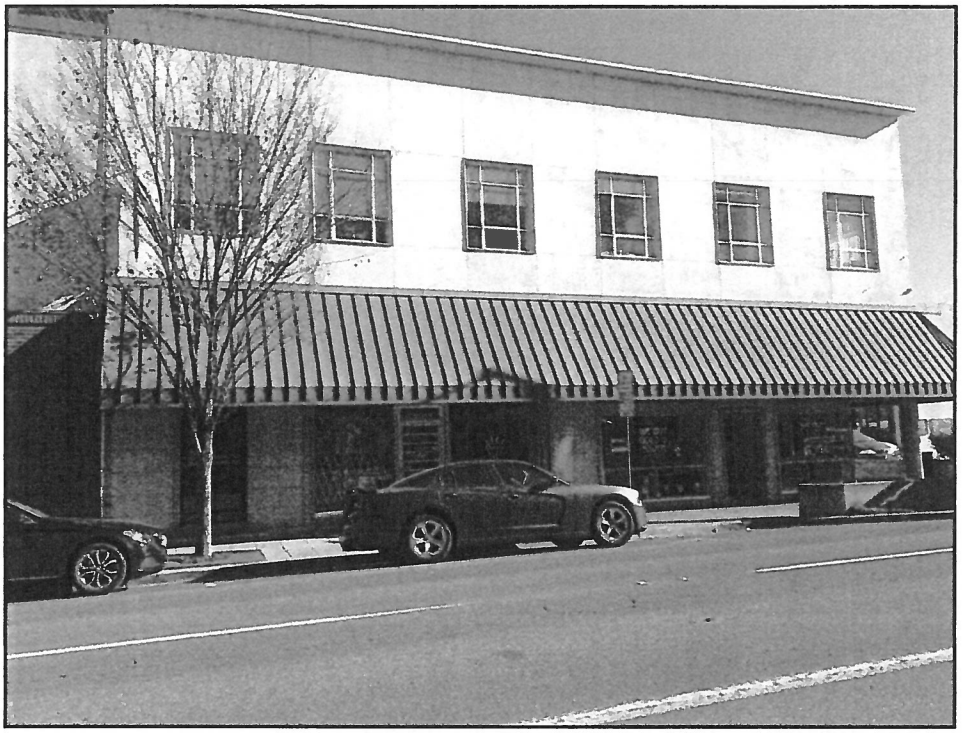
Presented by Sarah Sousa

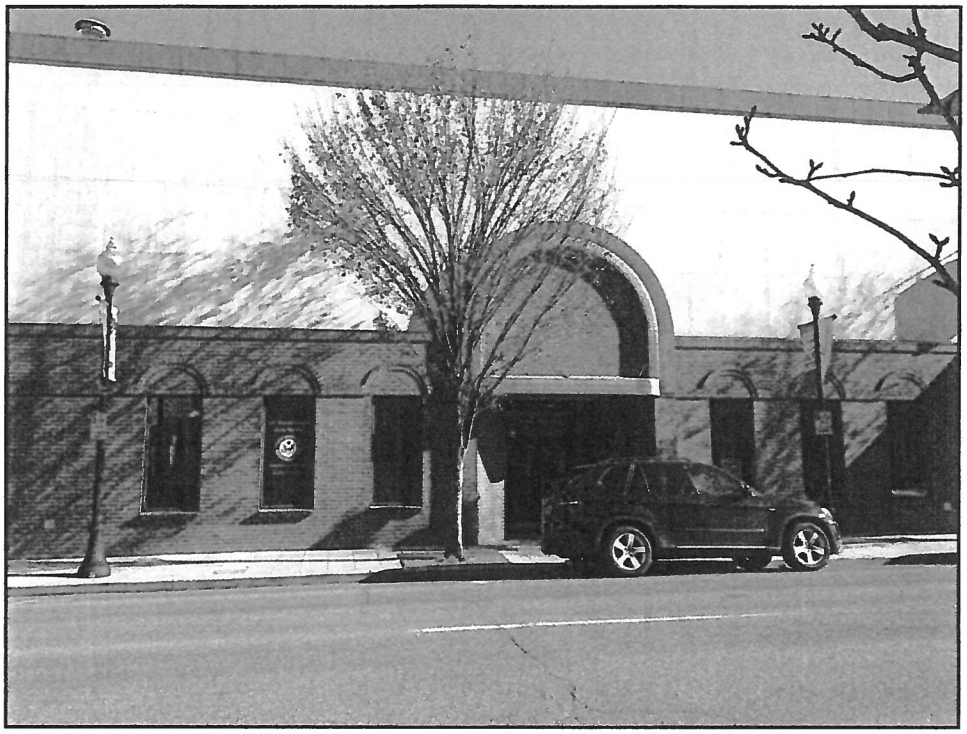
Request

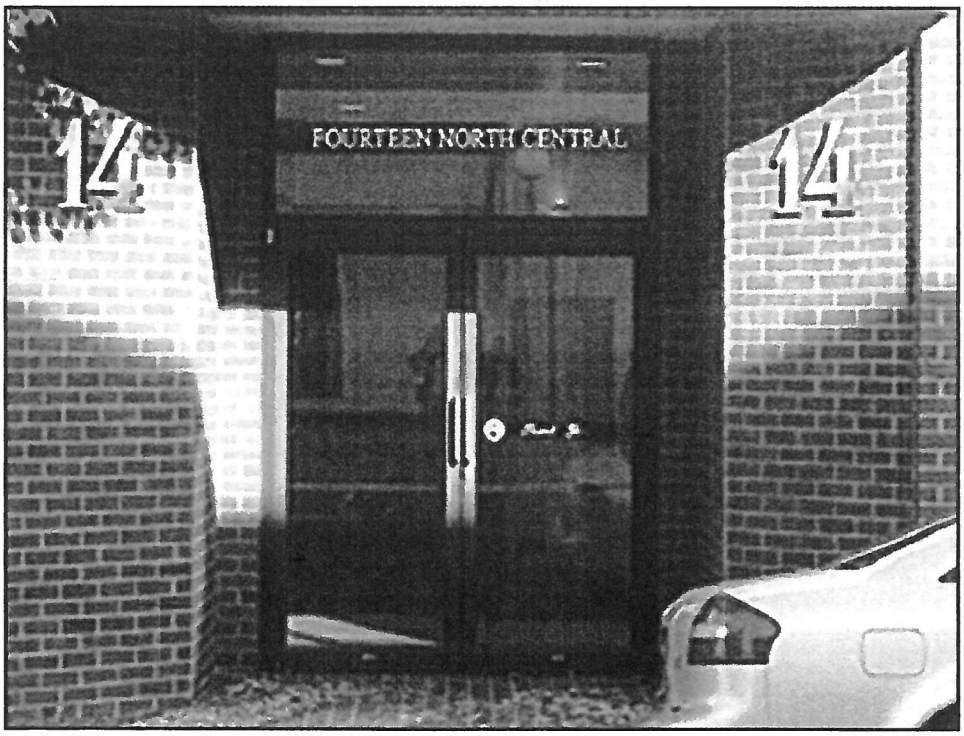
- New Signage

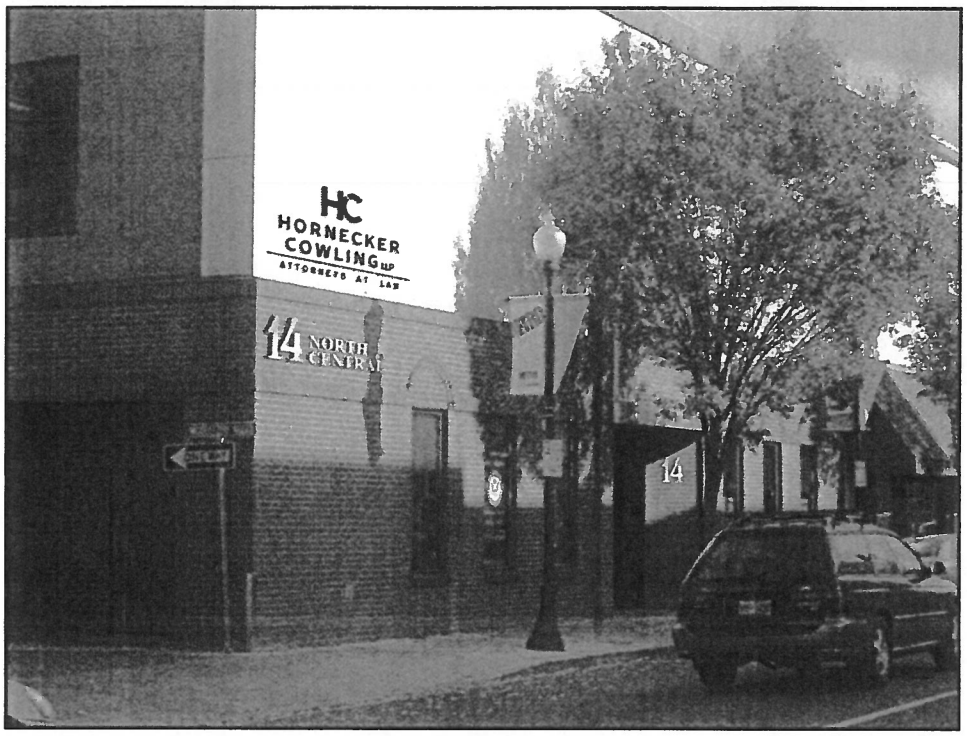
CITY OF MEDFORD
EXHIBIT # 5
File # HC-17-002
APPEAL

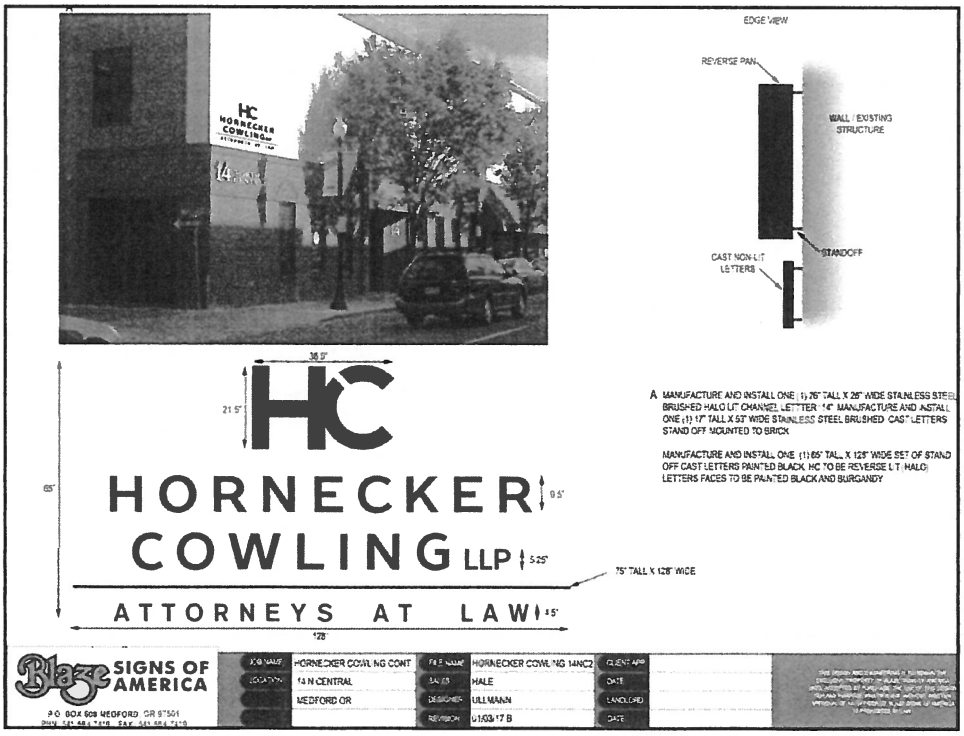
Subject Area
E 6TH ST
N CENTRAL AV
MIDDLEFORD AL
N BARTLETT ST
C-C
E MAIN ST
S BARTLETT ST
N FRONT ST
S CENTRAL
THEATER ALY

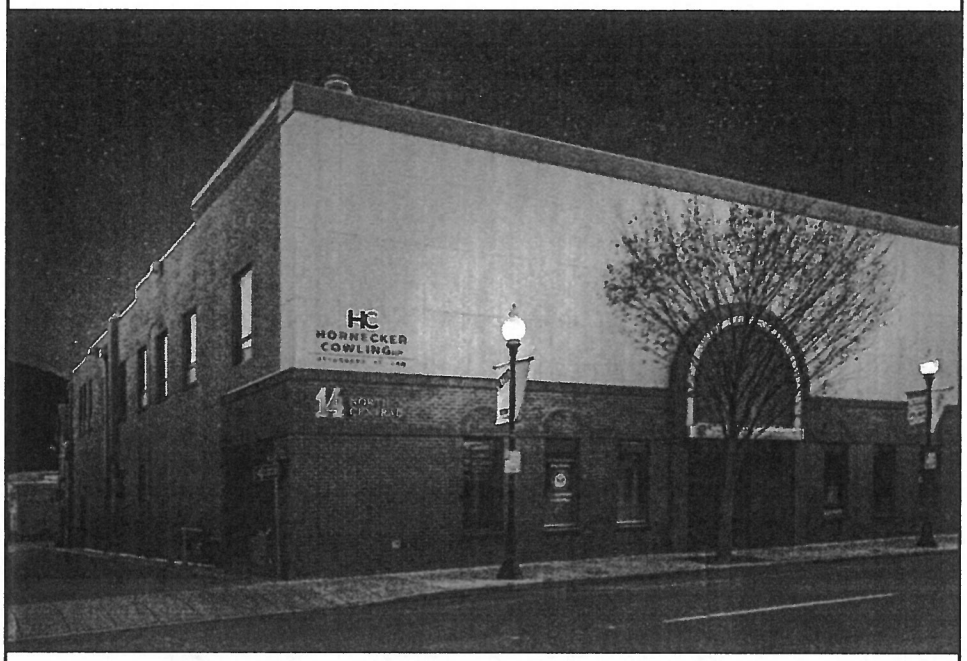





14
FOURTEEN NORTH CENTRAL
14


HC
HORNECKER
COWLING LLP
ATTORNEYS AT LAW
14 NORTH CENTRAL
14


EDGE VIEW
REVERSE PAN
WALL / EXISTING STRUCTURE
STANDOFF
CAST NON-LIT LETTERS
HC
HORNECKER
COWLING LLP
ATTORNEYS AT LAW
36.5"
21.5"
65"
9.5"
5.25"
75" TALL X 128" WIDE
128"
A MANUFACTURE AND INSTALL ONE (1) 75" TALL X 25" WIDE STAINLESS STEEL BRUSHED HALO LIT CHANNEL LETTER "14" MANUFACTURE AND INSTALL ONE (1) 17" TALL X 57" WIDE STAINLESS STEEL BRUSHED CAST LETTERS STAND OFF MOUNTED TO BRICK
MANUFACTURE AND INSTALL ONE (1) 65" TALL X 128" WIDE SET OF STAND OFF CAST LETTERS PAINTED BLACK. HC TO BE REVERSE LIT (HALO) LETTERS FACES TO BE PAINTED BLACK AND BURGANDY
Blaze SIGNS OF AMERICA
P.O. BOX 608 MEDFORD, OR 97501
JOB NAME HORNECKER COWLING CONT
LOCATION 14 N CENTRAL
MEDFORD OR
FILE NAME HORNECKER COWLING 14NC2
SALES HALE
DESIGNER ULLMANN
REVISION 01/03/17 B
CLIENT APP
DATE
LANDLORD
DATE



Summarized Findings

1. Signage is consistent with appropriate materials listed in the Commission's Guidelines

2. Simple style and font does not detract from the building or adjacent resources

3. Size of sign is within the square footage allowed by code

Recommended Action

Adopt the Final Order for Approval of HC-17-002 as per the Staff Report dated January 31, 2017, including the Exhibits & Conditions of Approval

QUESTIONS FOR STAFF?

Recommended Motion

Move to adopt the Final Order for Approval of HC-17-002 as per the Staff Report dated January 31, 2017, including the Exhibits & Conditions of Approval

February 13, 2017

Gordon Bristlin, Office Administrator
Hornecker Cowling LLP
14 North Central Avenue
Medford, OR 97501

Decision date: February 7, 2017
Final appeal date: February 27, 2017
File No.: HC-17-002

Steve Hale
Blaze Signs
4445 Tablerock Road
Central Point, OR 97502

Re: **Notice of Landmarks & Historic Preservation Commission Action**

The Medford Landmarks & Historic Preservation Commission adopted the final order containing Findings of Fact relating to the approval of the following request:

Review of new signage for the building located at 14 North Central Avenue, within a C-C/CB/H (Community Commercial/Central Business District/Historic Preservation Overlay) zoning district.

The approval is based on the findings and subject to the conditions set forth in the Landmarks & Historic Preservation Commission Report dated February 7, 2017.

The final date for filing an appeal is **14 days from the date the notice of the decision is mailed.** The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on the Final Appeal Date stated above. Appeals must be filed in the form prescribed, and will be decided based upon Medford Land Development Code Sections 10.051-10.056 (copies available).

Under Medford Land Development Code Section 10.261, **unless a letter requesting an extension is submitted to the Planning Department, the approval will expire in two years (February 7, 2019)**. Should you have any questions, please contact Sarah Sousa, the Project Planner, at (541) 774-2380.

Sincerely,

Matt Brinkley, AICP CFM
Planning Director

CITY OF MEDFORD
EXHIBIT # 6
File # HC-17-002
Appeal

Enc. Final Order/Commission Report dated February 7, 2017

cc: Interested Parties

CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 120.2

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

AGENDA SECTION: Public Hearings
MEETING DATE: April 06, 2017

COUNCIL BILL 2017-33
A resolution authorizing the Transportation Facility Project to install sidewalks on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street.

SUMMARY AND BACKGROUND
The project includes the installation of infill sidewalks on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street in Medford. The project was discussed at the Bicycle and Pedestrian Advisory Committee (BPAC) on February 13, 2017. The Committee unanimously recommended approval of the project. The Planning Commission reviewed the proposal at a public hearing on February 23, 2017. The Commission forwarded a favorable recommendation to the City Council (TF-16-149).

PREVIOUS COUNCIL ACTIONS
The project was included in the Community Development Block Grant (CDBG) 2015-2016 Action Plan on May 7, 2015, through Resolution No. 2015-46. The project was carried forward to the CDBG 2016-2017 Action Plan on May 5, 2016, through Resolution No. 2016-57.

ANALYSIS
The project helps to make the city's sidewalk network more complete and provides additional connectivity to schools. The proposed sidewalk on Plum Street would connect to an existing sidewalk on Dakota Avenue that leads to Washington Elementary School. The proposed sidewalk on Tennessee Drive would link to a walkway that leads to Howard Elementary School.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
The Community Development Block Grant project allocation amount is $184,038.

TIMING ISSUES
The Public Works Department anticipates construction completion by November of 2017.

COUNCIL OPTIONS
Approve, modify, or deny the resolution.

STAFF RECOMMENDATION
Staff recommends approval of the transportation facility.

SUGGESTED MOTION
I move to adopt the resolution authorizing the sidewalk infill project as recommended by the Planning Commission.

EXHIBITS
Resolution
Commission Report, including Exhibits A through P

RESOLUTION NO. 2017-33

A RESOLUTION authorizing the Transportation Facility Project to install sidewalks on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street.

WHEREAS, the Planning Commission held a duly noticed public hearing on February 23, 2017; and

WHEREAS, the Council has determined that the proposed project plans satisfy the applicable criteria as demonstrated by the Commission Report dated March 30, 2017, attached as Exhibit "A" and incorporated herein, and adopted as the findings and conclusions of the City Council; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, that the Transportation Facility Project to install sidewalks on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street, as shown in the Commission Report dated March 30, 2017, attached as Exhibit "A" and incorporated herein, are hereby approved.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

COMMISSION REPORT

to City Council for a Type-B quasi-judicial decision: Transportation Facility

PROJECT	Transportation Facility Review – Tennessee Drive & Plum Street Sidewalk Project Applicant: City of Medford
FILE NO.	TF-16-149
TO	Mayor and City Council for April 6, 2017 hearing
FROM	Sarah Sousa, Planner IV
REVIEWER	Carla Angeli Paladino, Principal Planner
DATE	March 30, 2017

BACKGROUND

Proposal

The City proposes a transportation facility project to construct street improvements (specifically sidewalk installation) on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street.

Subject Area & Surrounding Site Characteristics

Zoning	SFR-6 (Single Family Residential – 6 dwelling units per gross acre) SFR-10 (Single Family Residential – 10 dwelling units per gross acre)
GLUP	Urban Residential (UR)
Use	Right-of-way adjacent to developed residential properties

Applicable Criteria

Medford Municipal Code §10.207, Transportation Facility Development.

(1) Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.

(2) Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.

(3) If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.

EXHIBIT A

ISSUES AND ANALYSIS

Authority

The proposed transportation facility is a Class-B quasi-judicial review. The Planning Commission is authorized to make a recommendation regarding transportation facility projects to the City Council. The City Council is the approving body for transportation facilities as listed in Medford Municipal Code Sections 10.102-122, 10.165, and 10.185.

Background

The Public Works Department proposes to construct approximately 2,160 linear feet of sidewalk in two Medford neighborhoods. The first area is in the southwest area of the city on Plum Street and the second area is in the northwest section of the city on Tennessee Drive. The proposal is to deviate from the Land Development Code standards in regards to the elimination or reduction in the planter strip width (described in more detail below). The project is funded through Community Development Block Grant (CDBG) funds. **Exhibits C-G**

The remainder of the report provides details of the project, lists comments received, and offers a recommended action. The main comments received are from the Medford Water Commission. The Medford Water Commission recommends conditions as part of the approval of the project.

Project Details

Site One (east side of Plum Street, between Stewart Avenue and Dakota Avenue, and 125 linear-foot segment on the north side of Stewart Avenue)

- Plum Street Improvements include:
    - Five-foot wide sidewalks,
    - Six-foot wide planter strips (no plantings proposed)

-Stewart Avenue Improvements include:

- Seven-foot wide sidewalk
- Planter Strip eliminated

Site Two (west side of Tennessee Drive, from DeBarr Avenue to a distance of 455 feet north of Chico Street and 75 linear-foot segments on the north and south sides of Chico Street

- Tennessee Drive & Chico Street Improvements include:
    - Five-foot wide sidewalks
    - Planter Strip eliminated

Committee Comments

The project was discussed at the Bicycle and Pedestrian Advisory Committee (BPAC) on February 13, 2017. The Committee unanimously recommended approval of the project.

Agency and Department Comments

Public Works Department: The Public Works Department does not have any comments regarding the proposed project. **Exhibit I**

Rogue Valley Sewer Services (RVSS): The project is outside of the RVSS service area. **Exhibit M**

Fire Department: The Fire Department did not have any additional requirements. **Exhibit J**

Medford Water Commission: The Medford Water Commission requests the following conditions of approval for the project. **Exhibit K**

- The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
- The existing water meter serving the home at 855 Plum Street is located within the existing driveway and is required to be protected in place.
- The existing water meters for the parcels along the west side of Tennessee Drive between De Barr Avenue and the existing home at 2645 De Barr Avenue are required to be relocated to the back of the proposed concrete sidewalk per current MWC Standards.
- Applicant shall coordinate with MWC engineering staff for proposed locations of all water meters impacted by this sidewalk improvement project.

Update: At the Planning Commission meeting there was a discussion about the Medford Water Commission memo and associated map. The memo states the relocated water meters are required to be located to the back of the proposed concrete sidewalk while the associated map describes the relocated water meters to be "in" the proposed sidewalk. The City Engineer explained that the preference is to locate them in the proposed sidewalk. The Planning Commission agreed. Since then, Medford Water Commission staff have clarified that the standard is for water meters to be located in sidewalks within six inches of the back of sidewalk (as opposed to the front portion of the sidewalk nearest the curb).

Conservation Coordinator, Medford Water Commission: Comments were received from the Conservation Coordinator of the Medford Water Commission related to adding irrigation to the planter strips. This results in the following condition:

- For Area One (Plum Street), a sleeve shall be installed under the sidewalk for each property where a six-foot planter strip is to be located. **Exhibit L**

Citizen Comments: A citizen came in to the Planning Department and spoke with Planning and Engineering staff about the property located at 1080 Stewart Avenue. He was not in favor of having the driveway off of Stewart Avenue removed. He also voiced concern about a large existing tree on the Plum Street side of the property. He felt the roots of the tree would cause eventual damage to the proposed sidewalk. **Exhibit O**

A letter was submitted by the property owner of 1040 Murray Street explaining he is in favor of curbside sidewalks. Concerns the letter addresses with not having curb tight sidewalks include harm to existing trees and tree root damage that could threaten structures. The letter also encourages curb tight sidewalks as it would help with trash collection by city sweepers and points out they would be consistent with existing curb tight sidewalks within the same area. **Exhibit P**

At the Planning Commission meeting testimony was given by two citizens who opposed the sidewalk. The main issues brought up involved the loss of trees and privacy hedges, liability concerns, property values, and lack of need. **Exhibit B**

CONDITIONS OF APPROVAL

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. The existing water meter serving the home at 855 Plum Street is located within the existing driveway and is required to be protected in place.

3. The existing water meters for the parcels along the west side of Tennessee Drive between De Barr Avenue and the existing home at 2645 De Barr Avenue are required to be relocated to the back of the proposed concrete sidewalk per current MWC Standards.

4. Applicant shall coordinate with MWC engineering staff for proposed locations of all water meters impacted by this sidewalk improvement project.

5. For Area One (Plum Street), a sleeve shall be installed under the sidewalk for each property where a six-foot planter strip is to be located.

RECOMMENDATION

The Planning Commission recommends the proposed transportation facility based upon the findings in the Commission Report dated March 30, 2017, including Exhibits A through P.

EXHIBITS

A	Findings and Conclusions
B	Excerpt from the Planning Commission minutes of February 23, 2017
C	Project Areas received November 18, 2016
D	Site One, Segments One & Two received November 18, 2016
E	Site One, Segments Three, Four, and Five received November 18, 2016
F	Site Two, Segments Six & Seven received November 18, 2016
G	Site Two, Segments Eight and Nine received November 18, 2016
H	Applicant's Executive Summary November 18, 2016
I	Public Works- Engineering Division Comments received January 25, 2017
J	Medford Fire Department Comments received January 17, 2017
K	Medford Water Commission Comments received January 25, 2017
L	Conservation Coordinator Comments received January 25, 2017
M	Rogue Valley Sewer Services Comments received January 5, 2017
N	Jackson County Assessor's Maps received November 18, 2016
O	Photos of 1080 Stewart Avenue
P	Letter from Shawn Adams of 1040 Murray Street received February 23, 2017
	Vicinity maps

CITY COUNCIL AGENDA: **APRIL 6, 2017**

Exhibit A
Findings and Conclusions

COMPLIANCE WITH CRITERIA

Criterion (1): Transportation facility development projects shall be consistent with the Transportation Goals and Policies of the Comprehensive Plan.

Findings: Satisfied. The transportation facility project is consistent with various transportation goals and policies identified in the Comprehensive Plan. The relevant statements are identified below and are further explained about how they relate to this project.

Goal 1: To provide a multi-modal transportation system for the Medford planning area that supports the safe, efficient, and accessible movement of all people and goods, and recognizes the area's roles as the financial, medical, tourism, and business hub of Southern Oregon and Northern California.

Policy 1-B: The City of Medford shall use the Transportation System Plan as the legal basis and policy foundation for decisions involving transportation issues.

Policy 1-C: The City of Medford's top priority for the use of transportation funds shall be to address the maintenance, operational, and safety needs of the transportation system.

Policy 1-E: The City of Medford's third priority for the use of transportation funds shall be to fund capital improvements that add capacity to the transportation system. These improvements shall be prioritized based on availability of funds, reducing reliance on the automobile, improving safety, relieving congestion, responding to growth, and system-wide benefits.

Goal 2: To provide a comprehensive street system that serves the mobility and multi-modal transportation needs of the Medford planning area.

Policy 2-E: The City of Medford shall design to enhance livability by assuring that aesthetics and landscaping are a part of Medford's transportation system.

Policy2-F: The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate, and facilitate improving existing local streets to urban design standards where appropriate.

CITY OF MEDFORD
EXHIBIT # A
File # TF-16-149

Policy 2-I: The City of Medford shall promote transportation safety.

Goal 5: To facilitate the increased use of pedestrian transportation in the Medford planning area.

The project helps make the sidewalk network more complete and provides additional connectivity to schools. The proposed sidewalk on Plum Street would connect to a sidewalk on Dakota Avenue that leads to Washington Elementary School. A planter strip along this stretch will also help buffer the vehicular traffic for pedestrians on the sidewalk while providing an opportunity for additional tree and shrub plantings to enhance the area. The proposed sidewalk on Tennessee Drive would link to a sidewalk on Chico Street that ultimately connects to a walkway to Howard Elementary School. The project ultimately improves safety and facilitates the increased use of pedestrian transportation while also providing better livability for residents.

Conclusion: The transportation facility project implements the Transportation System Plan and fulfills identified goals and policies of the Comprehensive Plan. The project will benefit the residences, students, and the traveling public in general. The project satisfies Criterion 1.

Criterion (2): Transportation facility projects should not prevent development of the remainder of the property under the same ownership or development of adjoining land.

Findings: Not applicable. The transportation facility improvements abut existing developed properties.

Conclusions: The proposal does not prevent development of the remainder of the property under the same ownership or development of adjoining land. This criterion is not applicable.

Criterion (3): If the project includes the creation of new streets, such streets should be laid out to conform with the plats of land divisions already approved for adjoining property.

Findings: Not applicable. The proposal does not create any new streets. The proposed sidewalks will be installed along existing streets.

Conclusions: As no new streets are proposed, the criterion is not applicable.

40. Oral and Written Requests and Communications. None.

The Quasi-Judicial Statement was not read since it was not applicable to this evenings hearing.

50. Public Hearings – New Business

50.1 TF-16-149 The City proposes a transportation facility project to construct street improvements (specifically sidewalk installation) on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street. (City of Medford, Applicant)

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

Chair Miranda 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, referenced a letter that was submitted this evening by Shawn Adams, residing at 1040 Murray, Medford, Oregon, 97501. Mr. Adams was unable to stay for the hearing. The Planning Commissioners have a copy of the letter at their seats. Ms. Sousa read the transportation facility criteria and gave a staff report.

Commissioner Foley is curious about why planter strips on Plum Street and nowhere else. Ms. Sousa stated that Public Works has not budgeted for plants in the planter strip. Ms. Sousa deferred the question to the City Engineer.

Alex Georgevitch stated that the reason they are installing planter strips is because it is a code requirement shown in the Medford Land Development Code and the Transportation System Plan. If it is adequate right-of-way Public Works will install a planter strip. They could look at purchasing additional right-of-way but those impacts to surrounding neighborhoods would be great and they are using Community Block Grant funds which are very limited. There is no requirement for plants in the planter strips. Adjoining property owners are responsible for the maintenance of the planter strips.

Commissioner Mansfield stated in the presentation staff talked about many of the places had sufficient right-of-way to place the sidewalks and some were not. Are they talking about street right-of-way? He believes that many of the property owners would like to have the sidewalk even if there were not enough right-of-way space they would willingly grant the opportunity to place the sidewalks in their lots outside of the right-of-way. Is that a fair thought? Ms. Sousa reported that all of the right-of-way is existing.

Commissioner McKechnie asked, does all the streets in the project have curbs? There was an affirmative nod.

CITY OF MEDFORD
EXHIBIT # B
File # TF-16-149

Commissioner McKechnie asked, is the recommendation of the sleeves from the Medford Water Commission Conservation Coordinator going to be done? Ms. Sousa stated all the recommendations would be forwarded to the City Council. There is no issue from Public Works.

The public hearing was opened.

a. Alex Georgevitch, City Engineer, reported that there is a small amount of right-of-way that needs to be purchased at the corner of Chico and Tennessee. Both intersections have right-of-way needs because of existing conditions. They are minimal. Public Works can offer to pay for the right-of-way and the owner can choose to donate it but by the time Public Works offers someone to pay them they typically do not want to donate it. Public Works has to follow the federal process.

Regarding the community mail box on Plum Street. There is a planter strip approximately 6-feet in width in front of it. The mail box can and will be moved. Public Works will also do all they can to work with the community. If there are fences slightly over the right-of-way Public Works will do what they can to shift it over. That is part of their application.

The Medford Water Commission requested two different items. One is to put sleeves under the sidewalks. Public Works does not have an issue with that. The Medford Water Commission in their staff report has requested some specifics that contradict their later exhibits. They ask Public Works to move the water meters along Tennessee to the back of the sidewalk. That is an expensive venture. Then on page 44 of the agenda packet they state on the north half of the project there are five water meters to be reset in new sidewalk and four water meters to be reset in new sidewalk. Public Works requests that these be reset in new sidewalk and not moved to the back.

Mr. Georgevitch reserved rebuttal time.

b. Marc Haefling, 1041 Mt. Pitt, Medford, Oregon, 97501. Mr. Haefling stated that is the southeast corner of Mt. Pitt and Plum. Elizabeth Brandenberg that is with Mr. Haefling is the owner of the house for twenty-six years. He is also speaking for Damien Oliver who owns the northeast corner of Winchester and Plum. None of them want the sidewalk. It would be disruptive. The all have foliage and Mr. Oliver has a 100-150 year old chestnut tree that the sidewalk would have to be moved around. They do not want to lose any of the foliage because it is a privacy hedge. He has concerns with his dogs and possible injuries if a child sticks their finger through the chain link fence. He is also concerned with the property value and tax assessment.

c. Elizabeth Brandenberg, 1041 Mt. Pitt, Medford, Oregon, 97501. Ms. Brandenberg does not understand why a sidewalk on that strip would be an improvement. No one walks up and down that street. If she is the owner of the property can the City make a

decision to put a sidewalk in and she does not want it? The legalities are not clear to her.

Vice Chair McFadden stated that the City is stating there is enough room behind the curb that is road right-of-way and not Ms. Brandenberg's property. She would have an obligation as the property owner adjacent to a facility like this to maintain it.

Mr. Haefling testified that the traffic zooms down the street trying to bypass Columbus. Can they get a speed limit sign installed?

Vice Chair McFadden reported that there is a City Committee that handles traffic control issues but more importantly there is the City Police Department that they can request to have someone watch that area.

Commissioner Pulver asked, if the applicant would object if a motion was made to move forward with the sidewalks without planter strips? Mr. Georgevitch stated that is an option up to the Planning Commission as the recommended body. Public Works is trying to follow what is in the code.

Mr. Georgevitch commented that the concerns about people walking along this street and the liability of what happens if a sidewalk is installed. Nothing changes. If a person sticks there hand through a fence and the dog bites the person, no conditions have changed. It is in public right-of-way and one's legal right to be there. He deferred any liabilities to the Deputy City Attorney.

The public hearing was closed.

Motion: The Planning Commission finds the approval criteria is met and forwards a favorable recommendation to the City Council for TF-16-149, per the Staff Report dated February 16, 2017, including Exhibits A through M.

Moved by: Commissioner McKechnie Seconded by: Commissioner Foley

Friendly amendment made by Commissioner Foley: Eliminate the planter strips on the Plum Street section.

Commissioner McKechnie reported that he would vote against that. The reason is it is part of the City plan and he is reluctant to go arbitrarily changing things. If the Commission believe planter strips are not a good idea that should be worked through the process. There needs to be consistency. Opting to do that on Plum Street ultimately will cause chaos. He stands with his motion.

Commissioner Mansfield is also opposed to eliminating the planter strips.

Motion: Amend eliminating the planter strips on the Plum Street Section.

Moved by: Commissioner Mansfield Seconded by: There was no second

Kevin McConnell, Deputy City Attorney, stated regarding the arguments in favor and against eliminating the planter strips the Planning Commission's recommendation could be that the Planning Commission forwards TF-16-149 with a favorable recommendation including the arguments in favor and against eliminating the planter strips.

Commissioner Mansfield reported that he would like it to be recorded by vote.

Commissioner Pulver stated that the applicant requested that a clarification be made to where the water meters need to be.

Friendly Amendment made by Commissioner Pulver: The water meters are to be reset in the new sidewalks.

Commissioner McKechnie and Commissioner Foley agree to the friendly amendment.

Roll Call Vote: Motion passed, 6-1, with Commissioner Pulver voting no.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson submitted in writing a report that the Site Plan and Architectural Commission met on Friday, February 17, 2017. They considered plans for a 1,900 square foot expansion of the deli, offices and restroom facilities within an existing Astro Mart located at the southwest corner of East Vilas Road and Crater Lake Highway. They approved that application

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver reported that the Joint Transportation Subcommittee met in January. He was unable to attend. Updates had been done on the goals and policies. Their meeting yesterday was furthering updating the goals and policies. There was concern in the meeting that six or twelve months of meetings did not appropriately get reflected in the latest draft.

Matt Brinkley, Planning Director, stated that he was not at meeting yesterday. There was some confusion that hopefully will be sorting that out. The work that had gone in the previous draft was migrated into the new draft. It is different both structurally and in terms of some of the goals and objectives. Comments will be coming from JTS and BPAC over the next couple of weeks. The vision goals and objectives of the TSP to the Planning Commission relatively soon.

60.3 Planning Department

Kelly Akin, Assistant Planning Director, reported that the next Planning Commission study session is scheduled for Monday, February 27, 2017. Discussions will be on National Hazard Mitigation Plan update, Greenway Trail amendment and initiation and

CITY OF MEDFORD
Neighborhood Infrastructure Improvement Project
PROPOSED LOCATIONS

Site 1 - Plum Street

- Segment #1 - 10' South of Dakota to Murray (285)
- Segment #2 - Murray to 15' South (15') 200' South of Murray to Mt. Pitt (95')
- Segment #3 - Mt. Pitt to Winchester (295')
- Segment #4 - Winchester to Stewart (290')

Stewart Ave.

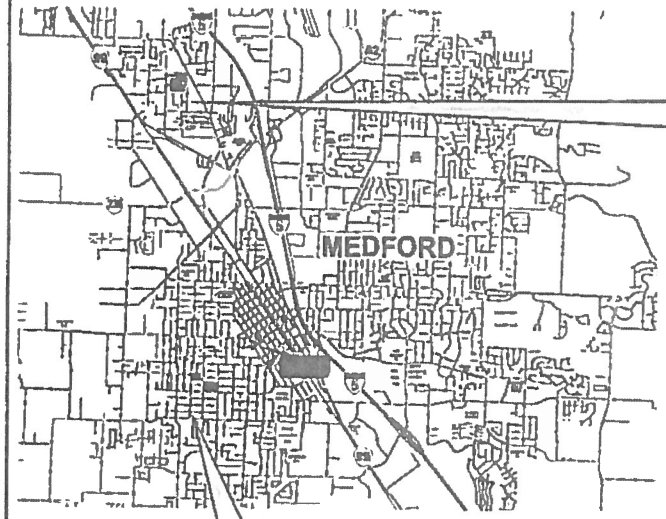
- Segment #5 - Plum to 125' East (125')

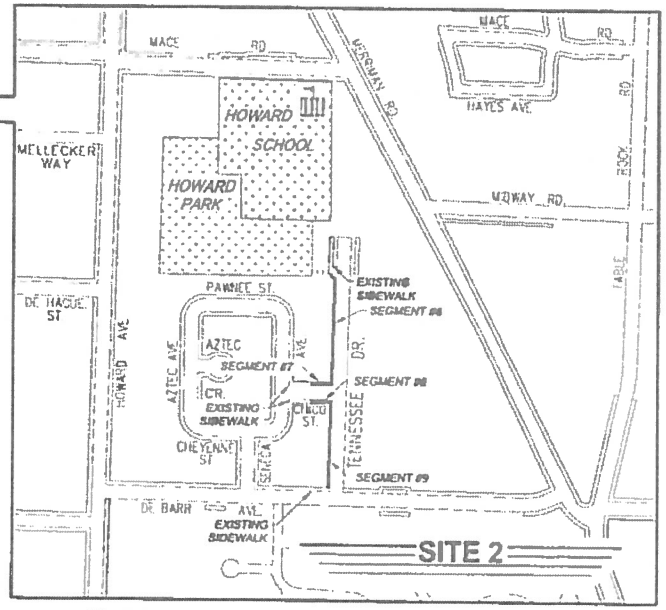
Site 2 - Tennessee Dr.

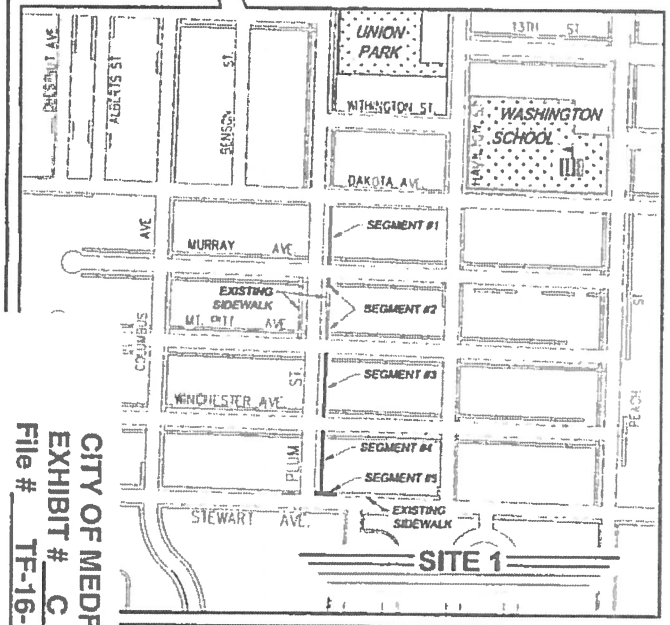
- Segment #6 - Chico to 455' North (455')
- Segment #9 - Chico to DeBarr (450')

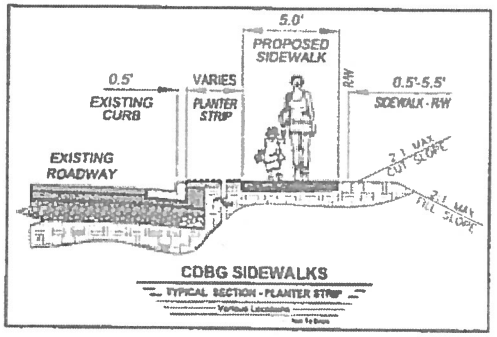
Chico St.

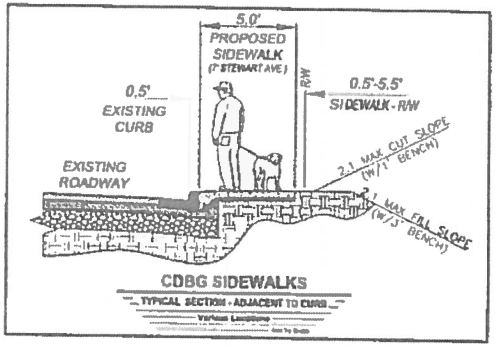
- Segment #7 - Tennessee to 75' West (75')
- Segment #8 - Tennessee to 75' West (75')











CITY OF MEDFORD
OREGON

CALL 48 HOURS BEFORE YOU DIG

NOT TO SCALE

PRELIMINARY

CITY OF MEDFORD - ENGINEERING DEPARTMENT
Neighborhood Infrastructure Improvement Project
Various Locations
Transportation Priority Exhibit
PROJECT NO. M656
SHEET NO. TF-1

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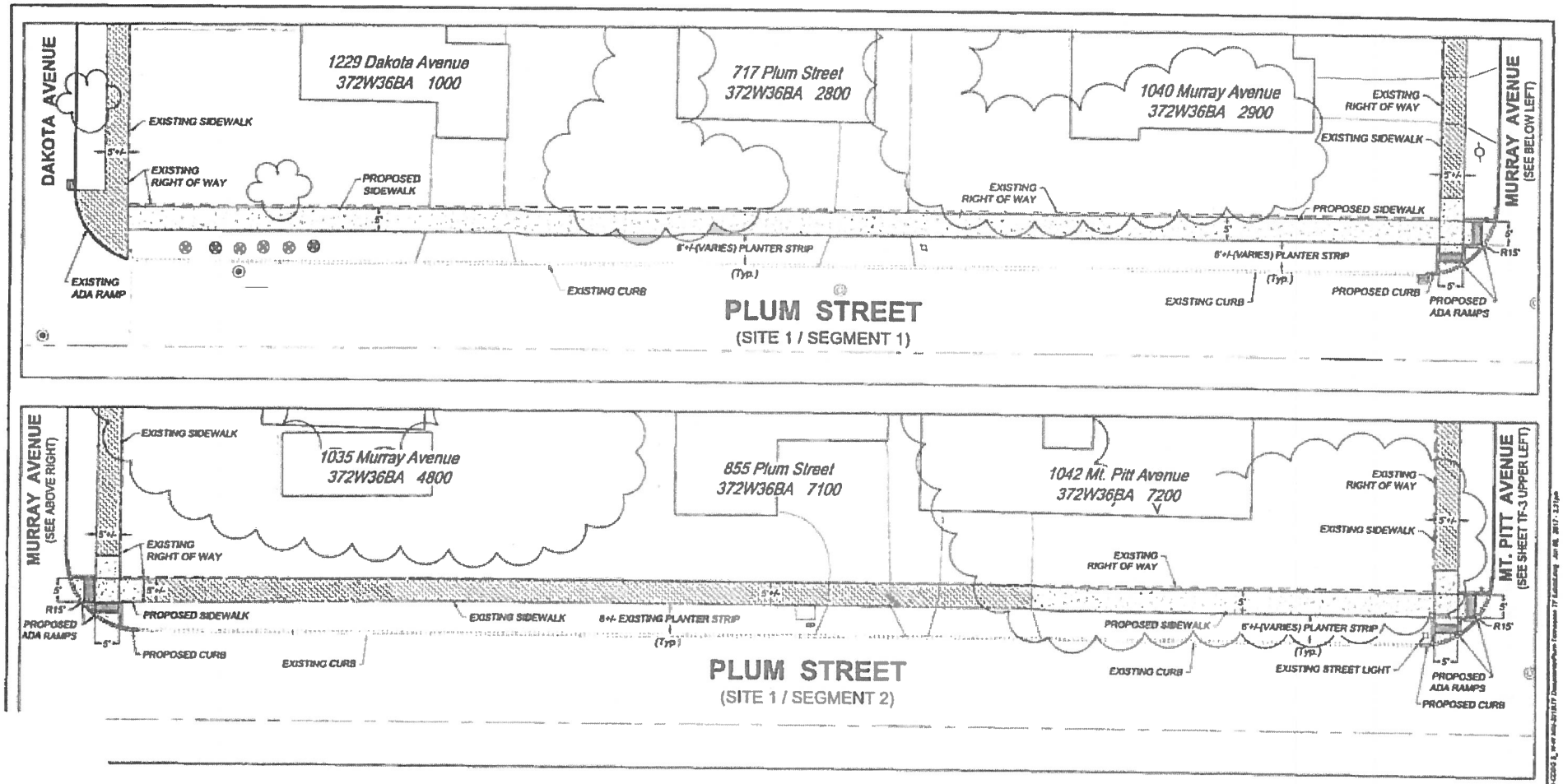
AUG 11 2016
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # C
File # TF-16-149



GRAPHIC SCALE

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NOV 18 2016
PLANNING DEPT.

PRELIMINARY

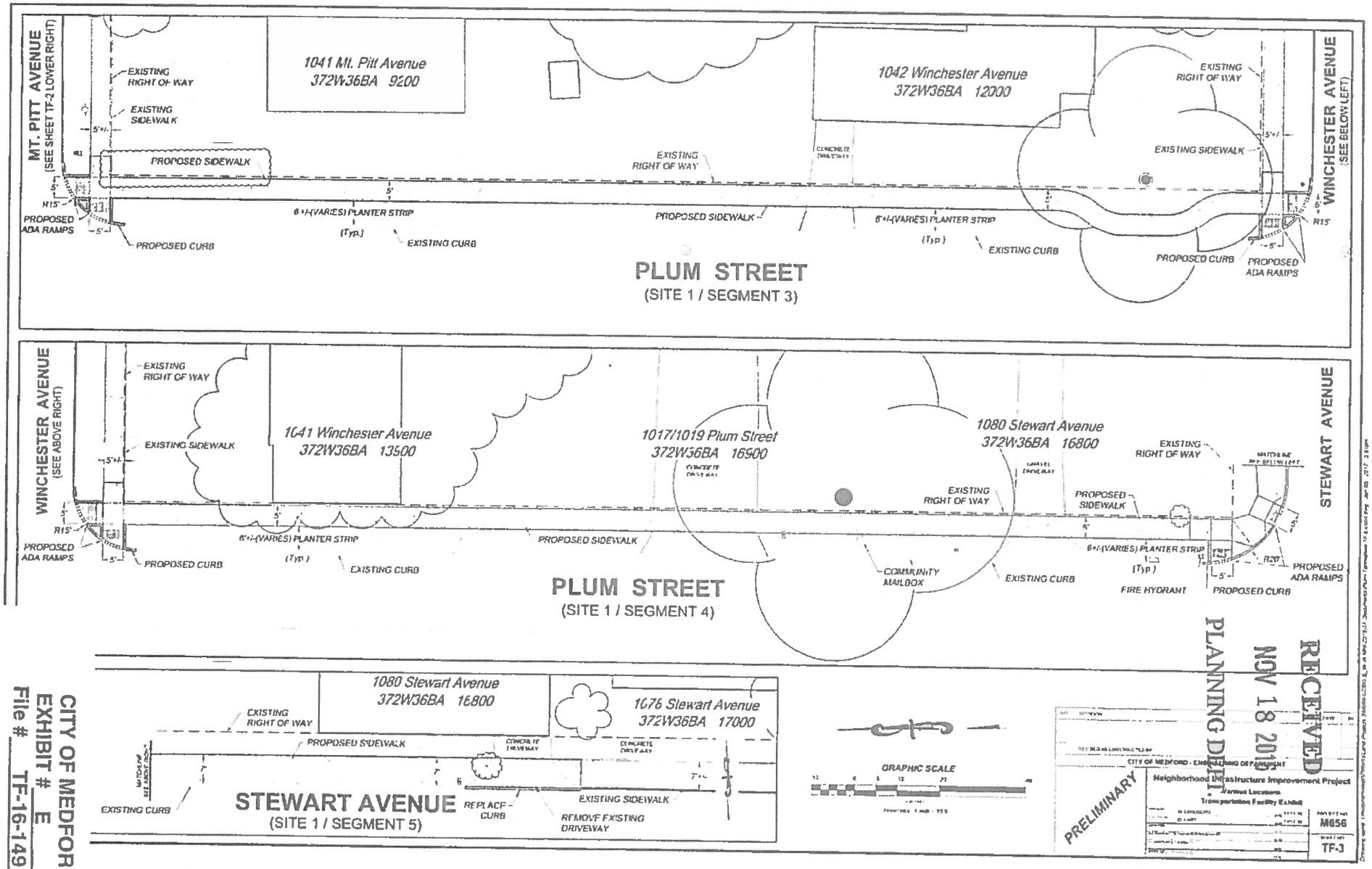
CITY OF MEDFORD - ENGINEERING DEPARTMENT

Neighborhood Infrastructure Improvement Project
Various Locations
Transportation Facility Exhibit

M656

TF-2

CITY OF MEDFORD
EXHIBIT # D
File # TF-16-149



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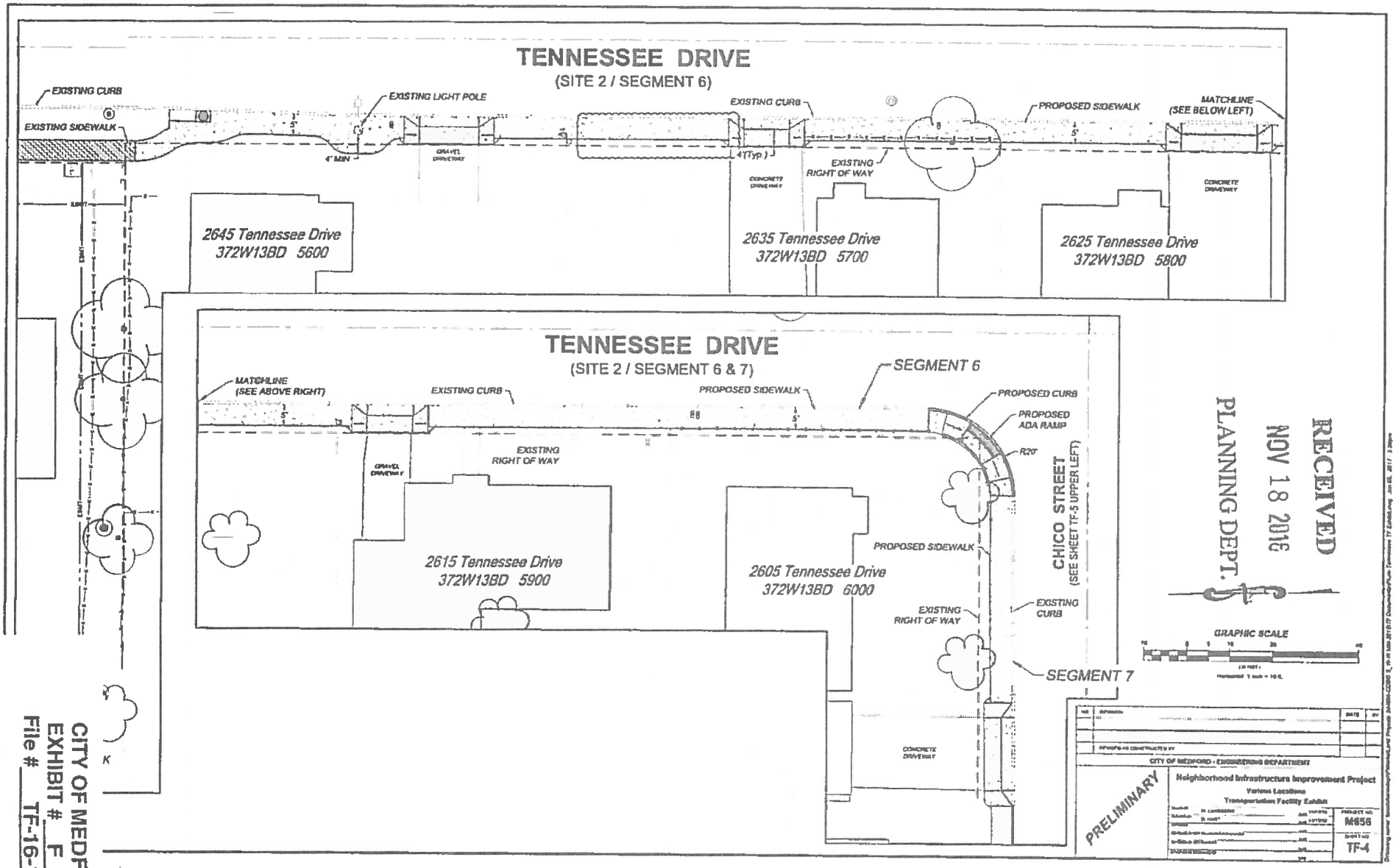
CITY OF MEDFORD
EXHIBIT # E
File # TF-16-149



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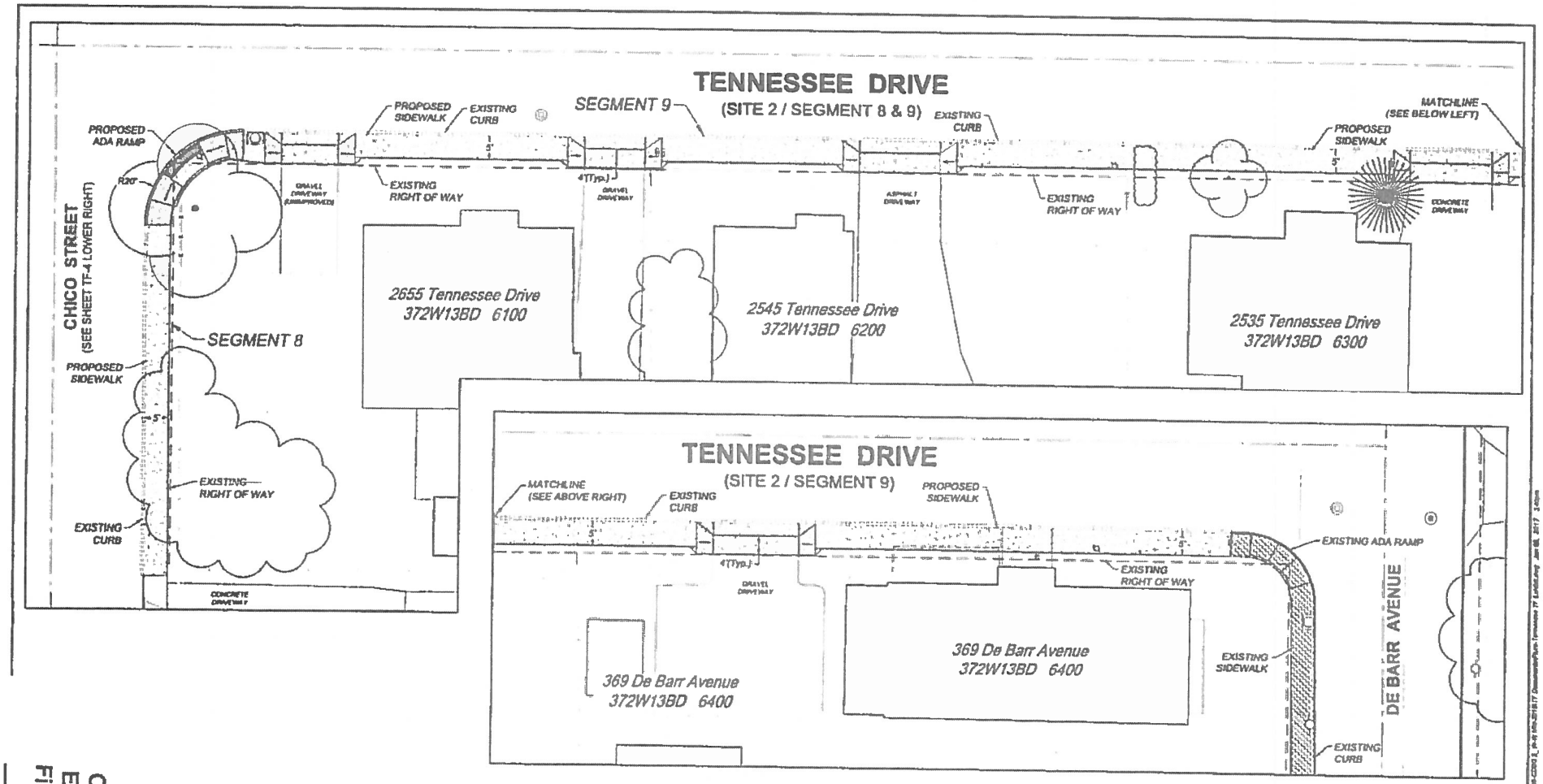
NOV 18 2016
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # F
File # TF-16-149



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NOV 18 2016
PLANNING DEPT.

PRELIMINARY

CITY OF MEDFORD - ENGINEERING DEPARTMENT

Neighborhood Infrastructure Improvement Project
Various Locations
Transportation Facility Exhibit

PROJECT NO. M656
SHEET NO. TF-5

CITY OF MEDFORD
EXHIBIT # G
File # TF-16-149

RECEIVED
NOVEMBER 18, 2016
PLANNING DEPARTMENT

Executive Summary

The Public Works Department proposes to construct approximately 2,160 linear feet of sidewalk as the Neighborhood Infrastructure Improvement Project (CV0656-2015). Sidewalk will be placed along one side of existing improved streets and vary from planter strip distance from the curb to adjacent to the curb based on the impact to the adjacent private property and right of way availability. Proposed sidewalk segments have been chosen based on criteria set forth below:

1) CDBG Funding Criteria

2) Connectivity to existing sidewalk

3) Proximity to schools and/or parks

This project will construct nine (9) sidewalk segments as listed below:

Site 1
Plum Street
Segment #1 - Dakota to Murray *East Side* (295')
Segment #2 - Murray to 15' South *East Side* (15')
- 200' South of Murray to Mt. Pitt *East Side* (95')
Segment #3 - Mt. Pitt to Winchester *East Side* (295')
Segment #4 - Winchester to Stewart *East Side* (290')

Stewart Avenue
Segment #5 - Plum to 125' East *North Side* (125')

Site 2
Tennessee Drive
Segment #6 - Chico to 455' North *West Side* (455')
Segment #9 - Chico to DeBarr *West Side* (450')

Chico Street (Chico Street Segments Tentative Based on Project Funding)
Segment #7 - Tennessee to 75' West *North Side* (75')
Segment #8 - Tennessee to 75' West *South Side* (75')

Sidewalk will be predominantly placed on residential streets within established neighborhoods. Public Works' is proposing both planter strip (with the ability to meander) and adjacent to curb sidewalks as discussed below:

Plum Street (Site 1 / Segments 1-4) - Planter Strip (Variable Width with Meander)
Existing right of way within this section is adequate to allow for 6'+/- planter strips and 5' sidewalk. Impacts to existing landscaping and vegetation is expected to be minimal. Sidewalks will be meandered away from large trees where possible to reduce impacts. Existing fences within this section may be preserved through a reduction in planter strip width.

CITY OF MEDFORD
EXHIBIT # H
File # TF-16-149

Stewart Avenue (Site 1 / Segments 5) – Adjacent to Curb (7' Sidewalk)
Existing right of way within this section is adequate to allow for planter strip, but this would negatively impact the structure at 1080 Stewart Avenue. It is recommended that a 7' sidewalk, which matches existing sidewalk width on Stewart, be placed adjacent to curb. The residence has an existing driveway and garage fronting Stewart Avenue. Existing distance from right of way to the garage door is 1.6'+/-. The addition of a 7' sidewalk will reduce the effective driveway length from 14'+/- to 7'+/-. It is recommended that this driveway access be removed. There is an existing additional driveway fronting Plum Street serving this property. Impact to existing landscaping and vegetation is expected to be minimal for this segment.

Tennessee Drive / Chico Street (Site 2 / Segments 6, 7, 8 & 9) – Adjacent to Curb (5' Sidewalk)
Existing right of way within this section is adequate only for 5' sidewalk adjacent to curb. Right of way acquisition will be needed in limited locations to tie into existing sidewalk, meander around street lights or other obstructions and at curb returns. Impact to existing landscaping and vegetation within the right of way is expected to be moderate. It is anticipated that 1 tree and 2 hedges will be removed from the right of way. Three existing fences within the right of way will be removed to allow for a full 5' sidewalk width. Public Works will work with property owners to discuss/inform of property and landscaping impacts.

Thus, Public Works' is requesting an exception to remove the planter strip in areas outlined above.

Project Background

This project is funded through Community Development Block Grant funds (limited to $180,000.00 total Project) approved for each individual segment. Public Works anticipates this budget will provide the proposed 2,160 feet of sidewalk improvements, in the event that it does not, the Project length will be reduced accordingly. Goals to which the Neighborhood Infrastructure Improvement Project will contribute are listed below:

- City of Medford Strategic Plan (Goal 9 / Action 9.5b) "Continue construction of the Safe Sidewalks for Schools"
  Plum Street/Stewart Avenue (Site 1, Segments 1 - 5) are shown on the Washington School Walk Zones map as Safe Sidewalks for Schools.
- City of Medford Strategic Plan (Goal 9 / Action 9.1a) "Where gridded street patterns are not feasible, assure that bicycle and pedestrian connections are provided in neighborhoods"
  Tennessee Avenue/Chico Street (Site 2 / Segments 6 – 8) creates sidewalk connectivity to a potential access way into Howard Park.
- Medford Comprehensive Plan Transportation System Plan Element (Pedestrian Plan Strategies) (Site 1 and 2) "Construct new and/or setback sidewalks (wherever possible) as part of roadway improvement projects."

This project will provide the following:

Plum Street (East Side):
Site 1 / Segment 1
10' South of Dakota to Murray
- 5' sidewalk with 6'+/- planter strip.
- ADA Ramps at Murray.

Site 1 / Segment 2
Murray to 15' South
- ADA Ramps at Murray.

200' South of Murray to Mt. Pitt
- 5' sidewalk with 6'+/- planter strip.
- ADA Ramps at Mt. Pitt.

Site 1 / Segment 3
Mt. Pitt to Winchester
- 5' sidewalk with 6'+/- planter strip.
- ADA Ramps at both ends.

Site 1 / Segment 4
Winchester to Stewart
- 5' sidewalk with 6'+/- planter strip.
- ADA Ramps at both ends.

Stewart Avenue (North Side):
Site 1 / Segment 5
Plum to 125' East
- 7' sidewalk adjacent to curb.
- ADA Ramp at Plum.

Tennessee Drive (West Side):
Site 2 / Segment 6
Chico to 455' North
- 5' sidewalk adjacent to curb.
- ADA Ramp at Chico.

Site 2 / Segment 9
Chico to DeBarr
- 5' sidewalk adjacent to curb.

Chico Street (North Side):
Site 2 / Segment 7
Tennessee to 75' West
- 5' sidewalk adjacent to curb.
- ADA Ramp at Tennessee.

Chico Street (South Side):
Site 2 / Segment 8
Tennessee to 75' West

- 5' sidewalk adjacent to curb.
- ADA Ramp at Tennessee.

Proposed variance to Transportation System Plan:

This project deviates from the City of Medford Transportation System Plan and Medford Municipal Code as follows:

- Planter strips will be less than standard width and/or not constructed at various locations along this project in order to minimize the impacts to private property and existing trees.

*** Per Table 5-6 of Medford Transportation System Plan**

	Features / Dimensions (Distance measured from the face of curb)		
	Planter Strip width	**Sidewalk width**	**Right of Way width**
Residential Street Standard	8'	5'	55' Minor Res. 63' Standard Res.
Proposed sidewalk along residential streets	None to less than 6'	5'	Existing street r/w widths are less than current standard
Collector / Arterial Street Standard	10'	5'	74' Major Collector 100' Major Arterial
Proposed sidewalk along Collector / Arterial streets	None	7'	Existing street r/w widths are less than current standard
	Indicates variance from Medford Transportation System Plan		

Utility impact:

Staff is coordinating with affected utilities to determine facility impacts.

Right-of-Way Acquisition:

Minimal right-of-way acquisition is required for the proposed sidewalks. Temporary construction easements will be needed at various locations along the project length. Public Works will work with property owners to acquire the right of ways and easements.

Continuous Improvement Customer Service

CITY OF MEDFORD

RECEIVED
JAN 25 2017
PLANNING DEPT.

LD Date: 1/25/2016
File Number: TF-16-149

PUBLIC WORKS DEPARTMENT STAFF REPORT
Neighborhood Sidewalk Improvement Project
Plum Street, Stewart Avenue, Tennessee Drive and Chico Street

Project: The City proposes a transportation facility project to construct street improvements on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street.

Location: Area One (Plum Street / Stewart Avenue) the proposal includes the addition of a six foot wide planter strip and five foot wide sidewalk on the east side of Plum Street, between Dakota Avenue and Stewart Avenue. On the north side of Stewart Avenue, a new seven foot wide sidewalk is proposed from Plum Street to an existing sidewalk located 125 feet east. Area Two (Tennessee Drive / Chico Street) a five foot wide sidewalk is proposed along the west side of Tennessee Drive from De Barr Avenue north to Chico Street and north of Chico Street a distance of 455 feet. The proposal also includes a five foot wide sidewalk on the north and south sides of Chico Street west of Tennessee Drive, approximately 75 feet.

Applicant: Medford Public Works Department – Engineering Division

---

Public Works has no comments on the proposed Transportation Facility project.

Prepared by: Doug Burroughs

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100

CITY OF MEDFORD
EXHIBIT # I
File # TF-16-149

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

RECEIVED
JAN 17 2017
PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 01/25/2017

From: Fire Marshal Kleinberg

Report Prepared: 01/17/2017

File #: TF - 16 - 149

Site Name/Description:

The City proposes a transportation facility project to construct street improvements on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street. Area One (Plum Street / Stewart Avenue) The proposal includes the addition of a six foot wide planter strip and five foot wide sidewalk on the east side of Plum Street, between Dakota Avenue and Stewart Avenue. On the north side of Stewart Avenue, a new seven foot wide sidewalk is proposed from Plum Street to an existing sidewalk located 125 feet east. Area Two (Tennessee Drive / Chico Street) A five foot wide sidewalk is proposed along the west side of Tennessee Drive from DeBarr Avenue north to Chico Street and north of Chico Street a distance of 455 feet. The proposal also includes a five foot wide sidewalk on the north and south sides of Chico Street west of Tennessee Drive, approximately 75 feet.

DESCRIPTION OF CORRECTIONS	REFERENCE
Approved as Submitted	
Meets Requirement: No Additional Requirements	

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

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

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

CITY OF MEDFORD
EXHIBIT # J
File # TF-16-149

01/19/2017 10:13

BOARD OF WATER COMMISSIONERS

Staff Memo

MEDFORD WATER COMMISSION

RECEIVED
JAN 25 2017
PLANNING DEPT.

TO: Planning Department, City of Medford

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

SUBJECT: TF-16-149

PARCEL ID: Portion of Plum Street *(Area One)* & Tennessee Drive *(Area Two)*

PROJECT: The City proposes a transportation facility project to construct street improvements on portions of Plum Street, Stewart Avenue, Tennessee Drive, and Chico Street. Area One (Plum Street / Stewart Avenue) The proposal includes the addition of a six foot wide planter strip and five foot wide sidewalk on the east side of Plum Street, between Dakota Avenue and Stewart Avenue. On the north side of Stewart Avenue, a new seven foot wide sidewalk is proposed from Plum Street to an existing sidewalk located 125 feet east. Area Two (Tennessee Drive / Chico Street) A five foot wide sidewalk is proposed along the west side of Tennessee Drive from DeBarr Avenue north to Chico Street and north of Chico Street a distance of 455 feet. The proposal also includes a five foot wide sidewalk on the north and south sides of Chico Street west of Tennessee Drive, approximately 75 feet.

DATE: January 25, 2017

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

CONDITIONS (Site 1 – Plum Street):

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. The existing water meter serving the home at 855 Plum Street is located within the existing driveway and is required to be protected in place.

COMMENTS (Site 1 – Plum Street):

1. Off-site water line installation is not required.

2. On-site water facility construction is not required.

3. MWC metered water service does exist to the existing home located at 855 Plum Street which has a ¾-inch water meter with 1-inch copper service lines.

4. Access to MWC water lines is available. There is an existing 6-inch water line in Plum Street between Stewart Avenue and Winchester Ave. There is also a 6-inch water line in Plum Street between Mt Pitt Avenue and Murray Avenue.

CITY OF MEDFORD
EXHIBIT # K
File # TF-16-149

K:\Land Development\Medford Planning\tf16149.docx

CONDITIONS (Site 2 - Tennessee Drive):

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."

2. The existing water meters for the parcels along the west side of Tennessee Drive between De Barr Avenue and the existing home at 2645 De Barr Avenue are required to be relocated to the back of the proposed concrete sidewalk per current MWC Standards.

3. Applicant shall coordinate with MWC engineering staff for proposed locations of all water meters impacted by this sidewalk improvement project.

COMMENTS (Site 2 – Tennessee Drive):

1. Off-site water line installation is not required.

2. On-site water facility construction is not required.

3. MWC-metered water service does exist to this property. The existing homes located along the west side of Tennessee Drive between De Barr Avenue and the existing home located at 2645 Tennessee Drive (total of 9 homes) all have ¾-inch water meters with 1-inch copper service lines. (See Condition 3 above)

4. Access to MWC water lines is available. There is an existing 4-inch water line in Tennessee Drive between De Barr Avenue and Chico Street, and there is an existing 6-inch water line in Tennessee Drive north of Chico Street.

N

0 50 100 200 Feet

Scale: 1"=150'

SITE 1

Water Facility Map
for
TF-16-149
(Plum St from
Stewart Ave to Dakota Ave

Legend

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

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

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

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- C Control Station
- P Pump Station
- R Reservoir

MEDFORD WATER COMMISSION

N

0 37.5 75 150 Feet

Scale: 1"=150'

SITE 2

Water Facility Map for TF-16-149 (Tennessee Dr from DeBarr Ave to Chico St, and north of Chico St a distance of 455-feet)

Legend

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

Water Meters:

- Active Meter
- On Wall
- 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

Sarah K. Sousa

From: Nick Bakke <nbakke@rvss.us>
Sent: Thursday, January 05, 2017 8:02 AM
To: Sarah K. Sousa
Subject: TF-16-149, Neighborhood Sidewalk Imp. Proj.

RECEIVED
JAN 05 2017
PLANNING DEPT.

Sarah,

The above mentioned project is outside of the RVSS service area. We do not have any comments at this time

Thanks,

Nicholas R. Bakke, PE
District Engineer
Rogue Valley Sewer Services
138 West Vilas Rd. | PO Box 3130
Central Point, OR 97502
Ph: 541-664-6300
Direct: 541-727-6874
nbakke@rvss.us

CITY OF MEDFORD
EXHIBIT # M
File # TF-16-149

Sarah K. Sousa

From: David I. Searcy
Sent: Wednesday, January 25, 2017 3:18 PM
To: Sarah K. Sousa
Subject: TF-16-149

RECEIVED
JAN 25 2017
PLANNING DEPT.

Hi Sarah-

Since I hadn't written up an official comment, yet the issue of the sleeves for the sidewalk along Plum came up, I'm sending you this note; that in Area One a sleeve be installed under the sidewalk for each property where a 6' wide planter strip is to be located. If you have any question, comment, or I need to do something else, please let me know.

Have a Great Day!

David Searcy
Conservation Coordinator
Medford Water Commission
200 S. Ivy St. Room 177
Medford OR 97501
Cell 541.292.0755
Desk 541.774.2435
http://www.medfordwater.org/

All labor that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence. ~Martin Luther King Jr.

ALWAYS erase e-mail addresses included in messages before you forward them to your friends... Also, use the Bcc format (blind carbon copy) when you send out messages to multiple addressees ...
Stomp out SPAM! Thank you. *If you wish to be dropped from my email list, please inform me.*

CITY OF MEDFORD
EXHIBIT # L
File # TF-16-149

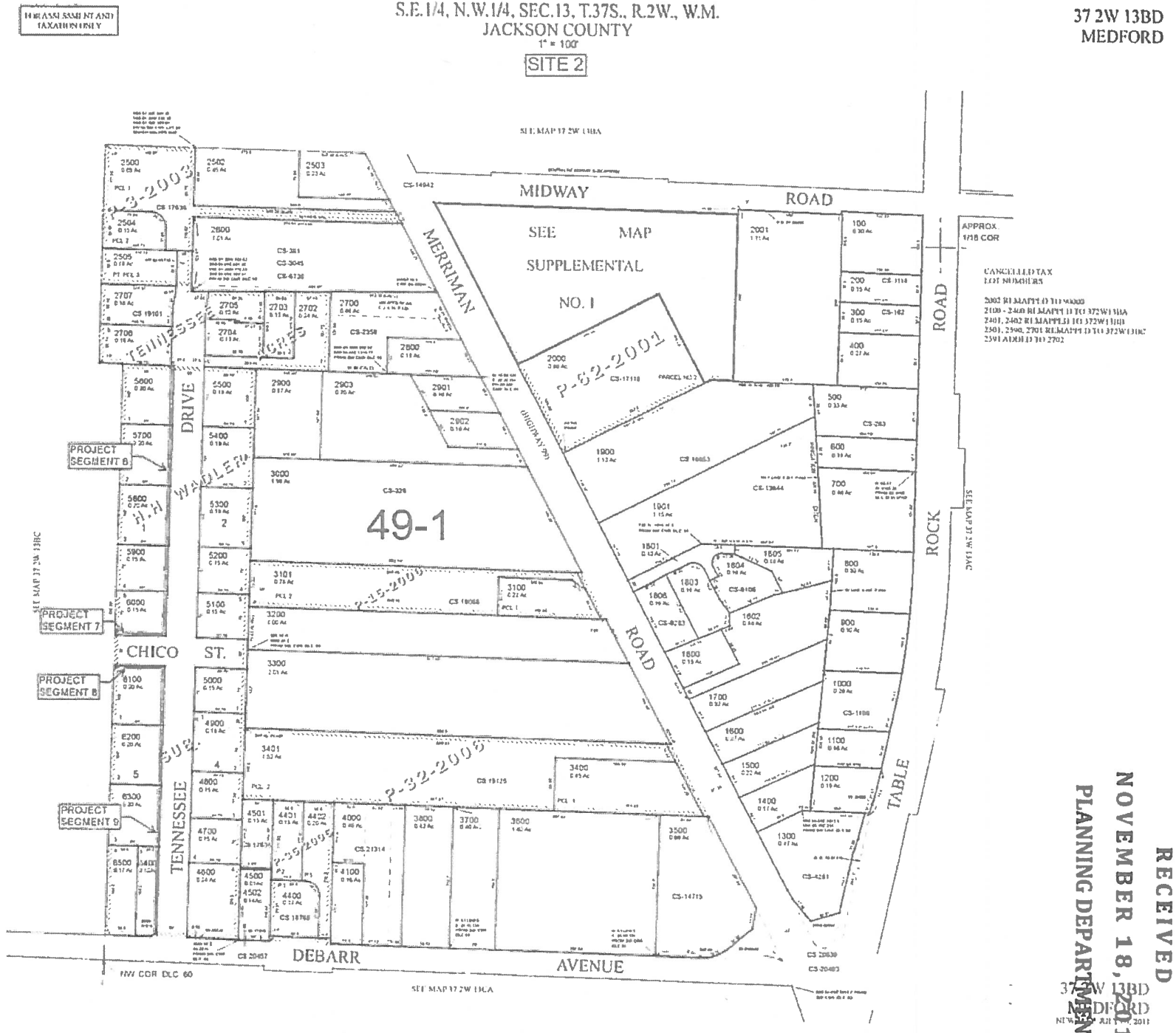
N.E.1/4, N.W.1/4, SEC.36, T.37S., R.2W., W.M.
JACKSON COUNTY
1" = 100'
SITE 1

37 2W 36BA
MEDFORD

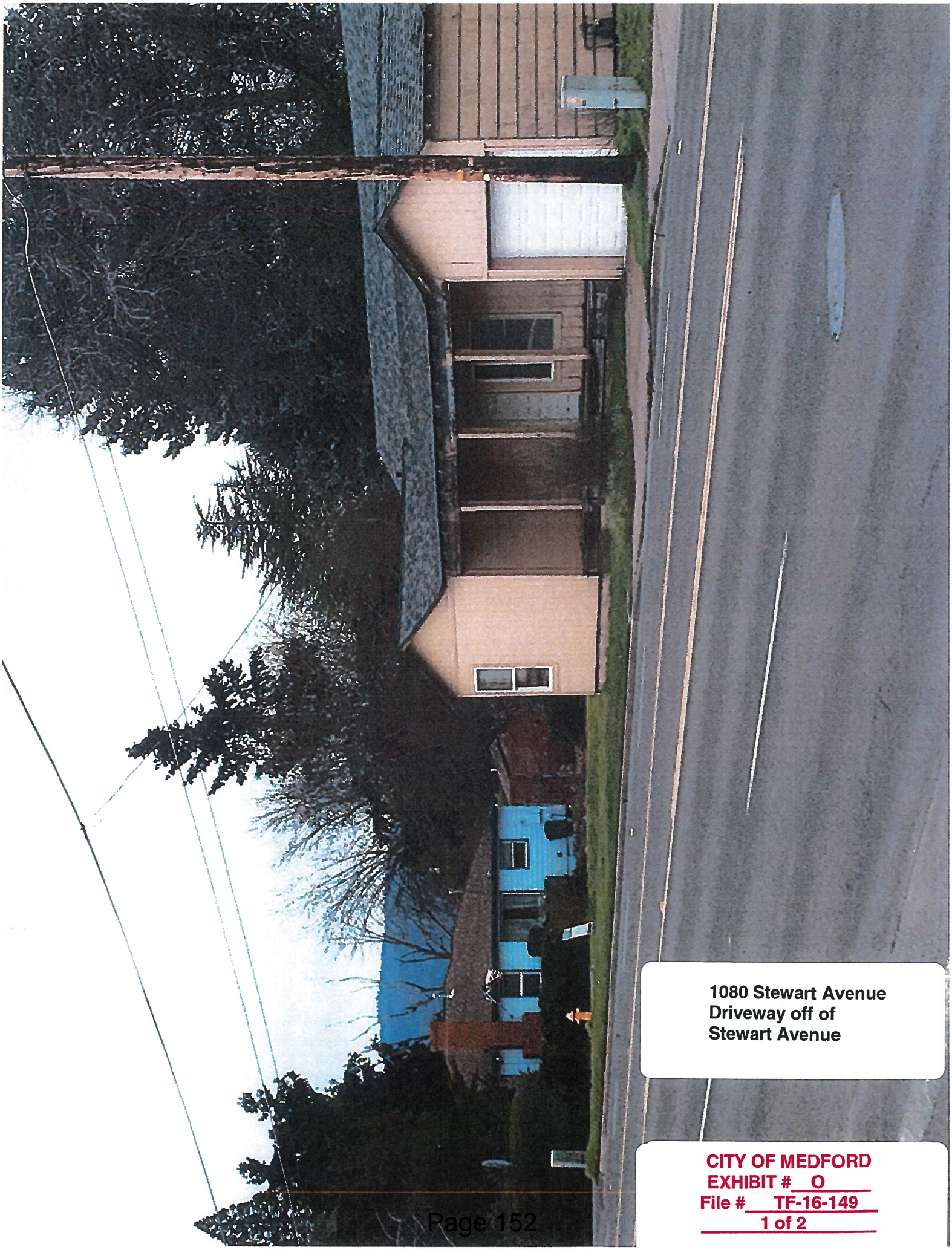
RECEIVED
NOVEMBER 18, 2016
PLANNING DEPARTMENT

CITY OF MEDFORD
EXHIBIT # N
File # TF-16-149
1 of 2

RECEIVED
NOVEMBER 18, 2016
PLANNING DEPARTMENT

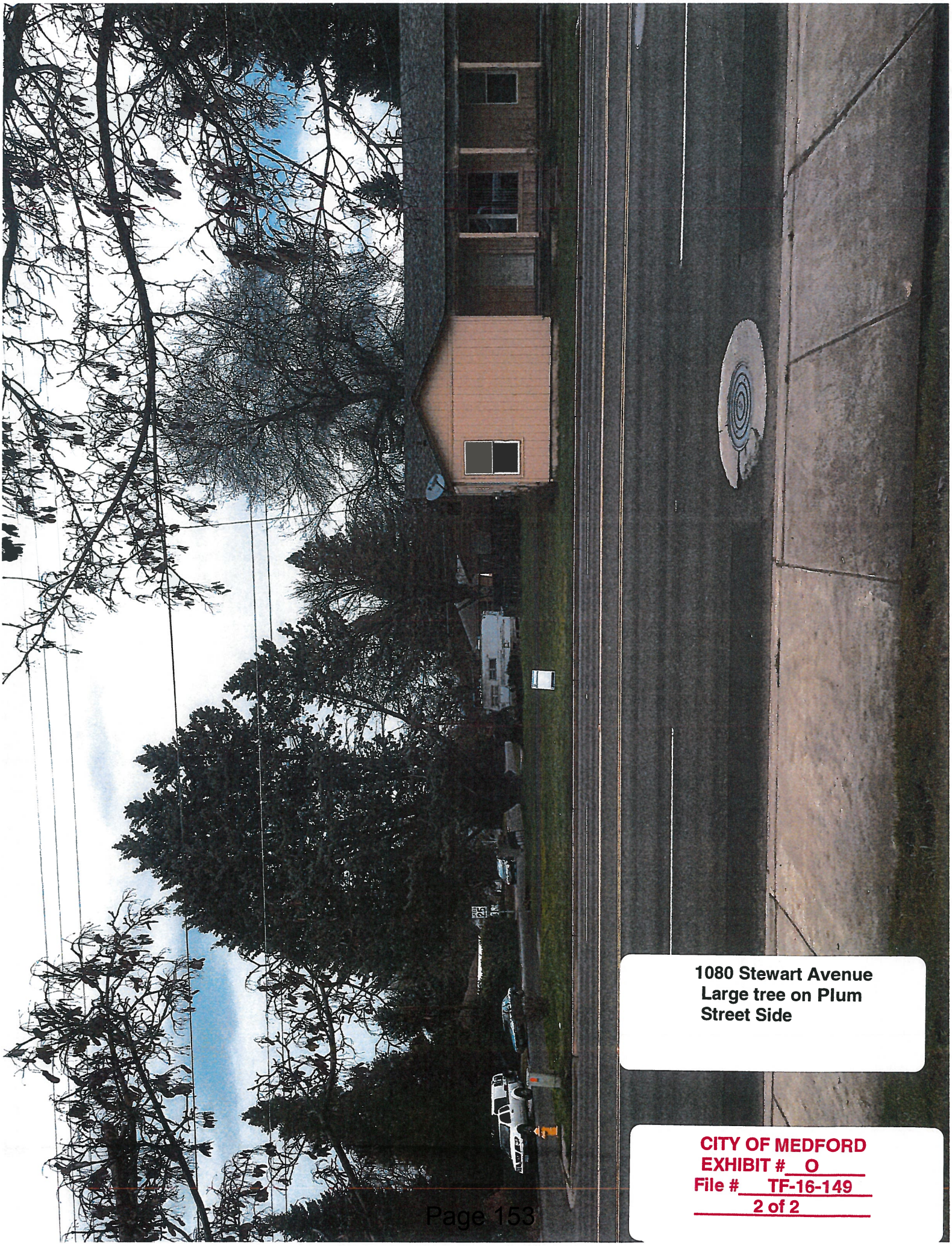


CITY OF MEDFORD
EXHIBIT # N
File # TF-16-149
2 of 2



1080 Stewart Avenue
Driveway off of
Stewart Avenue

CITY OF MEDFORD
EXHIBIT # O
File # TF-16-149
1 of 2



1080 Stewart Avenue
Large tree on Plum
Street Side

CITY OF MEDFORD
EXHIBIT # O
File # TF-16-149
2 of 2

From: Shawn Adams caccione@gmail.com
Date: Feb 23, 2017, 5:01:48 PM
To: Halle Riddlebarger haile13@hotmail.com

RECEIVED
FEB 23 2016
PLANNING DEPT.

My name is Shawn Adams, I reside at 1040 MURRAY. We are in favor of sidewalk expansions along Plum street as long as they are the curbside/street edge sidewalks. We wish curbside or curvilinear sidewalks for the following reasons.

There are several large trees along Plum, including our garden plum tree on the corner of Plum/Murray, that would be damaged or destroyed by a straight sidewalk set back 12' from the curb.

With a set back sidewalk, the root system of several trees, including our maple tree might be weakened on the side away from our home, perhaps threatening our house in the future.

With set back sidewalks, at least two of our neighbors would have the distance between the public right of way and their homes halved, from twenty feet to just over ten.

The volume of pedestrians that walk Plum tend to be schoolkids and those heading to the Minute Market for brightly colored wrappers. Curb edge sidewalks would allow more of their trash to be collected by the city sweepers and less by our yards.

There exist curvilinear sidewalks on the same block, on Dakota from Plum to Hamilton.
Hamilton and Columbus both have street edge sidewalks, it would be consistent with them to have the same street edge sidewalk.

Thank you

CITY OF MEDFORD
EXHIBIT # P
File # TF-16-149

City of Medford

Planning Department

Vicinity Map

File Number:
TF-16-149
Site 1

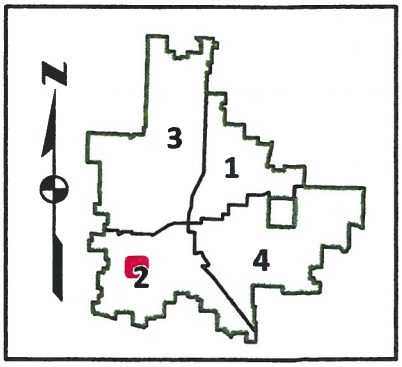
Project Name:

Sidewalk Project
Southwest Medford

0 200 400 Feet

Legend

- Medford Zoning
- Tax Lots
- Sidewalks



01/31/2017

City of Medford

Planning Department

Vicinity Map

File Number:
TF-16-149
Site 2

Project Name:

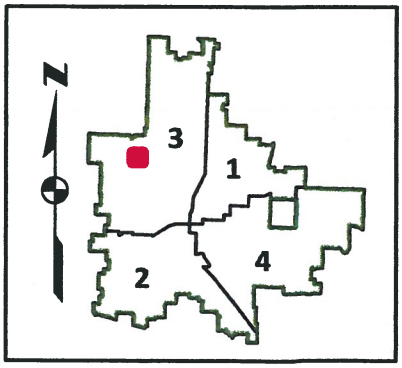
Sidewalk Project
Tennessee Dr @ DeBarr Ave

0 160 320 Feet

02/01/2017

Legend

- Medford Zoning
- Tax Lots
- Sidewalks



CITY OF MEDFORD
AGENDA ITEM COMMENTARY

www.ci.medford.or.us

Item No: 120.3

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

AGENDA SECTION: Public Hearings
MEETING DATE: April 6, 2017

COUNCIL BILL 2017-34
An ordinance approving a minor amendment to the Transportation System Plan (TSP) of the *Medford Comprehensive Plan* by updating the project description of the proposed expansion of Foothill Road.

SUMMARY AND BACKGROUND
The proposal is a minor amendment to the Transportation System Plan, to update the project description for the proposed expansion of Foothill Road. Inconsistencies have been brought to Staff's attention and the amendment is needed to make the TSP consistent with the project that will be constructed and that is described in the long range Regional Transportation Plan (RTP). (CP-17-010)

PREVIOUS COUNCIL ACTIONS
The Transportation System Plan was originally adopted in November 2003. Amendments to the plan have occurred since the original adoption. There is no prior Council action history on this item.

ANALYSIS
When the TSP was adopted in 2003, the City went through the process of defining major roads (arterials and collectors) for the next twenty years through the adoption of the Functional Classification Plan. It was at this time that Foothill Road was planned to become a five lane arterial road. However, at the time of TSP adoption Foothill was not projected to become a five-lane road in the planning period of the TSP and it was listed as County project and a three-lane road based in the adopted project list.

The City has since applied for Federal funds to develop Foothill Road and has used Policy 2-F of the TSP which states that the City "...shall bring Arterial and Collector streets up to full design standards where appropriate..." to justify the development of a five lane facility, regardless of the listing within the project list. The way the project was listed both in the project list of the TSP and the Transportation Improvement Program (TIP) of the RTP was as a three-lane facility. These inconsistencies caused the voting body regarding the Federal funds to deem Medford's application ineligible.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS
There are no financial considerations with the text change. Funding has been secured for the portion of Foothills Road to be constructed between McAndrews and Hillcrest. The estimated cost for this portion is $13 million ($10 million is a loan from the Oregon Transportation Investment Bank and $3 million is from the Congestion Mitigation and Air Quality (CMAQ) improvement program).

TIMING ISSUES
None.

COUNCIL OPTIONS
Approve, modify or deny the ordinance.

STAFF RECOMMENDATION
The Planning Commission recommended approval of the Comprehensive Plan amendment at their March 9, 2017 hearing by a 6-0 vote.

SUGGESTED MOTION
I move to approve the ordinance amending the transportation element of the Comprehensive Plan (TSP) to update the Tier 1 project list regarding Foothill Rd. as a five-lane Major Arterial.

EXHIBITS
Ordinance
Commission Report dated March 30, 2017, including Exhibits A through K

ORDINANCE NO. 2017-34

AN ORDINANCE approving a minor amendment to the Transportation System Plan (TSP) of the *Medford Comprehensive Plan* by updating the project description of the proposed expansion of Foothill Road.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a minor amendment to the Transportation System Plan (TSP) of the *Medford Comprehensive Plan* by updating the project description of the proposed expansion of Foothill Road is hereby approved.

Section 2. The approval is based upon the Planning Commission Report dated March 30, 2017, attached as Exhibit A and incorporated herein.

PASSED by the Council and signed by me in authentication of its passage this _____ day of _____, 2017.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2017. _____

Mayor

COMMISSION REPORT

for a Class-B legislative decision: **Minor Comprehensive Plan Amendment, Transportation System Plan (TSP) – Minor Text Amendment**

Project	TSP Amendment – Foothill Rd.
File no.	CPA-17-010
To	City Council *for 04/06/2017 hearing*
From	Planning Commission via Kyle Kearns, Long-Range Planning
Reviewer	Carla Angeli Paladino, Principal Planner
Date	March 30, 2017

BACKGROUND

Proposal

CP-17-010 is a legislative, minor amendment to the Transportation System Plan (TSP) of the City's Comprehensive Plan. Direction to initiate the procedure for a minor comprehensive plan amendment was given to staff by the Planning Director. The amendment is meant to correct inconsistencies within the TSP project list as it relates to the description of Foothill Road. Currently, Foothill is described as a three-lane road with bike lanes and sidewalks; however it is being constructed as a five-lane road with bike lanes, sidewalks and a multi-use path.

Specifically, the changes will be for project numbers 469 (Foothills Rd, Hillcrest to McAndrews Rd.), 223 (Foothill Rd, Cedar Links to Delta Waters) and the portions of Foothill Rd. between McAndrews to Cedar Links; all of which will be added to the Tier 1 project list.

History

In 2016 the City had submitted an application for discretionary funds available through the Rogue Valley Metropolitan Planning Organization (RVMPO) to help fund the development of Foothill Rd, specifically the segment between Cedar Links Dr. and Delta Waters Rd. These particular funding sources come from Federal resources, administered by the RVMPO, the first being the Surface Transportation Block Grant (STBG) and the second being the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. How the funding distribution works is that the RVMPO Technical Advisory Committee (TAC) recommends to the RVMPO Policy Committee which projects should be funded

EXHIBIT A

through the STBG and CMAQ funds. From there, the Policy Committee then votes to approve, amend or deny the list. If projects are selected, they are then eligible to use STBG and CMAQ funds.

It is a requirement of the application for discretionary funds that the proposed project be within existing and adopted plans and shall be consistent with the Regional Transportation Plan (RTP). In the case of Medford's submission for funding of the expansion of Foothill Road to a five-lane facility some inconsistencies were found between the RTP and Medford's TSP in which the RVMPO TAC had recommended a project list that had made Medford's application ineligible for consideration of STBG and CMAQ funds on January 11, 2017. The RVMPO Policy Committee adopted the TAC's recommendation on January 24, 2017

The TSP, having been adopted in 2003, will not always reflect the current development patterns and needs of the City. The ultimate development of Foothill Road will be that of a Major Arterial, as defined by the Medford Street Functional Classification Plan (Exhibit C). When developed to its fullest potential, a Major Arterial would have four travel lanes, with a middle turn-lane/median, bike lanes and sidewalks. However, when the TSP was adopted in 2003 the full development of Foothill Road was not expected by the City. Therefore, the TSP project list identifies Foothill Road as a three-lane road to be constructed by the County and has other portions of Foothill called out on the Tier 2 project list (which is not required to be financially "constrained" or funded). The Tier 1 project list, which is being updated as a part of this Code amendment is required to be financially constrained, or to not exceed projected funding sources.

Since 2003, funding has shifted and local priorities have changed. Furthermore, projects within the Tier 1 project list have not been built, grants/loans have become available and funding sources have exceeded the 2003 projections. With these changes the City has managed to stay financially constrained while constructing projects off of the Tier 2 project list. City Council, in 2013, directed the development of Foothill Road and the southern connecting road, N. Phoenix Road, to be the highest transportation priority for the City of Medford, further justifying the construction to a major arterial standards.

With this direction, both Foothill and N. Phoenix Road, when improved, will be developed to their fullest potential as defined within the Medford Street Functional Classification Plan (Exhibit C). Although this direction is not reflected in the project list in either the TSP or the RTP, it is ultimately reflected in the adopted Functional Classification Plan that is used to guide roadway projects throughout the City. The intent of CPA-17-010 is to fix any inconsistencies that may cause issues for funding opportunities

The Medford Planning Commission met on March 09, 2017 to discuss and recommend action on the Minor Comprehensive Plan Amendment (CP-17-010). Staff presented the findings and there was minimal discussion and no public comment. Commissioner

McManus asked staff if any other inconsistencies reside within the TSP; staff had responded "no" (Exhibit H).

However, in reviewing the proposed text amendment with Engineering Department staff it was found that the proposal needed to be revised slightly. The original draft text only amended the Tier 2 project list within the TSP; this would not have made the City eligible for the CMAQ and STBG funds. Projects within the Tier 2 Project List are not funded, whereas projects within the Tier 1 list are funded, in the case of Foothill, it will be funded through additional funding sources (local and Federal). The draft proposed addresses these issues by amending the text of the Tier 1 project list. No substantive comments pertaining to the actual text amendment were received, however for reference Exhibits I, J and K are attached with the received comments. Planning Commission forwarded a favorable recommendation to City Council to discuss on April 6, 2017.

Authority

This is a Class-B legislative Minor Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.102–122, 10.164, and 10.184.

ANALYSIS

Subject site characteristics

Zoning	Varies	(Mostly SF Residential)
GLUP	Varies	(Commercial, Residential)
Use	Major Arterial Road	

Surrounding site characteristics

North	EFU	Jackson County, farm land
South	SFR-4	Single lot development, leading to larger commercial areas
East	SFR-4	Dense single lot development with East-West connections
West	Varies	Farm land, SFR-2 and green space

The TSP defines a Major Arterial as:

> "...a 70-foot paved width with four 11-foot travel lanes (two in each direction), a 14-foot raised center median (with left turn channelization where appropriate), and two 6-foot shoulder bikeways (one in each direction). Five-foot sidewalks with a 10-foot planter strip would be required...." (Page 5-20 Medford TSP)

Through the process of adopting the TSP, consideration had been given to the classification of Medford's roadways through developing the Functional Classification Map. With the various policies and goals of the TSP, the City has established a long term vision for how the transportation system is to function in Medford. In working through the RTP and TSP, the City was required to compose a project list that was financially-constrained per Federal law.

A financially-constrained project list is created when a city looks at projected funding sources (taxes & fees) and potential expenditures (projects), and works within the constraints to create a project list of improvements to the transportation system. In 2003 the project list of the TSP, as it relates to Foothill Road, had not identified funds for the construction of Foothill. Therefore, it was identified as a Tier 2 project. As time went on, projects weren't constructed, funding exceeded projections, and loans/grants became available. Due to the unforeseen financial changes, Foothill can now be constructed to its fullest potential, thus the need to add it to the Tier 1 project list.

Furthermore, the portions of Foothill Road within this text amendment were, at the time of TSP adoption, planned as Jackson County's projects. A project list does not restrict the development of a Foothill Road when the Goals, Policies and Implementation Strategies of the TSP support the ultimate development of the transportation system. Support for the development of Foothill to a five-lane arterial lies within:

- **Policy 2-F:** "The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate..." (page 59 Medford TSP).
- **Figure 5-2:** Medford Street Functional Classification Plan (Exhibit C)
- **Medford Land Development Code (MLDC):** Section 10.428(1) Major Arterial.

The need for the amendment came in large part due to inconsistencies within the project list of the TSP and the project list of the RTP (or the Transportation Improvement Program – TIP), current development of Foothill Road and the failure of the MPO to select the project for inclusion in the RVMPO RTP. The City had applied for CMAQ and STBG funds through the RVMPO and upon application had been denied eligibility due to inconsistences with how the project was listed in the TSP and RTP (three-lane) and how it was proposed to develop (five-lane).

RECOMMENDED ACTION

The Planning Commission recommends adopting the proposed amendment based on the analyses, findings, and conclusions in the Commission Report dated March 30, 2017 including, Exhibits A through K

EXHIBITS

A	Findings and Conclusions
B	Proposed TSP Amendment Text
C	Figure 5-2 Medford Street Functional Classification Plan
D	Table 5-6 Major Street Cross-Sections and Dimensions
E	RVMPO RTP Project List Update – February 1, 2017
F	CMAQ Project Analysis - Foothill Rd. (Cedar Links to Delta Waters)
G	Planning Commission Study Session Minutes 02-27-2017
H	Planning Commission Meeting Minutes 03-09-2017
I	Public Works –Comments
J	Jackson County Roads – Comments
K	Medford Water Commission –Comments
	Vicinity map

CITY COUNCIL AGENDA: **APRIL 6, 2017**

Exhibit A

Findings and Conclusions

Applicable criteria

For the applicable criteria the Medford Municipal Code §10.184(1) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for conclusions, goals and policies, and implementation strategies. The criteria are set in *italics* below; findings and conclusions are in roman type.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Conclusions] shall be based on the following [criterion 1]:

1. *A change or addition to the text, data, inventories or graphics which substantially affect the nature of one or more conclusion.*

   Findings

   The changing of the description for Foothill Road within the Tier 1 project list, specifically projects 469 and 223, does not change or substantially affect any of the conclusions within the Comprehensive Plan. The update reflects specific policies within the Transportation System Plan that support the change (i.e. Policy 2-F).

   Conclusions

   Medford's Comprehensive Plan does not include any conclusions contrary to the proposal. Criterion one has been satisfied.

Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 2-7]:

2. *A significant change in one or more Conclusion.*

   Findings

   As criterion one has previously stated, no Conclusions within the TSP are directly related to the project list update.

   Conclusions

   Criterion two is not applicable to the amendment.

CITY OF MEDFORD
EXHIBIT # A
File # CP-17-010

3. *Information reflecting new or previously undisclosed public needs.*

Findings

The amendment to the TSP does not reflect any new or previously undisclosed public needs regarding Foothill Road.

Conclusions

Within the TSP Foothill Road is defined as a Major Arterial which allows for the construction of a five-lane road. Therefore no information is new or undisclosed. Criterion three has been satisfied (or not applicable).

4. *A significant change in community attitude or priorities.*

Findings

City Council has directed the development of Foothill Road to be a top transportation priority for the City of Medford dating back to 2013. This was reaffirmed on August 11, 2016 as Council discussed the key transportation projects in Southern Oregon that needed to be addressed at the State level through the Joint Committee on Transportation Preservation and Modernization. This is in large part due to continued development in East Medford as well as the need for a freight connection that will service the Rogue Valley when a disaster renders Interstate 5 impassable. At the time of adoption in 2003, the TSP did not reflect the high amounts of growth in the East nor the fullest extent for the potential of natural disasters to render major roadways inoperable.

The growth in East Medford indicates the community's desire to grow on the East, thus reflecting their attitudes and priorities. The policy that enables the development of a five-lane road as opposed to a three-lane road is Policy 2-F within the TSP, which states:

> "The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate..." (Policy 2-F, page 59 Medford TSP).

Foothill Road as defined by the Functional Classification Plan (Exhibit C) is a Major Arterial. When Major Arterials are designed to their "full design standards" they have a total of five lanes, which includes: four travel lanes, a turn lane/median, bike lanes, planter strips and a sidewalk.

Conclusions

Given the population growth and need for disaster relief to the other local roadways, public priorities have shifted since 2003 when the TSP was adopted. Criterion four has been met.

5. *Demonstrable inconsistency with another Plan provision.*

Findings

As previously stated, the Functional Classification Plan (Exhibit C) defines Foothill Road as a Major Arterial. The Functional Classification Plan serves as the City's basis for determining future right-of-way and improvement needs. However, when the TSP was adopted, the project list reflected past and projected future needs based on past and projected financial climates. It is a requirement of Federal and State law that the project list is financially-constrained as to limit Cities from over budgeting and spending money that Cities do not have. Therefore, when the TSP project list was created the foreseeable development of Foothill Road, using past projections from 2003, was not viewed as possible. With the infusion of grants/loans, higher revenues and unconstructed Tier 1 projects, space has been opened up to consider projects on the Tier 2 list.

As of 2017, and development within East Medford has exceeded the projections of the 2003 TSP. The change in development has caused inconsistencies in two plans; the first being within the Medford TSP in which the project list does not reflect current development or the Functional Classification Plan and the second being in the 2017 update of the RVMPO RTP (Exhibit E) which is going to show the development of Foothill Road as a five-lane major arterial. The lack of consistency within the City's TSP has caused issues with applying for funding, thus the amendment.

Conclusions

The direction was given by Council to construct a five-lane road works within current TSP Policies. However, the inconsistencies lie within the project list and the 2017 update to the RTP (Exhibit E). In order to remain consistent across the board, the City will need to fix the inconsistencies to ensure compliance with Federal requirements when applying for funds in the future.

6. *Statutory changes affecting the Plan.*

Findings

The Rogue Valley Metropolitan Planning Organization is updating the RTP in 2017 and has asked that Municipalities participating in the MPO keep their plans consistent with the RTP. The update will list Foothill Rd. as a five-lane road.

Conclusions

The amendment is working to correct inconsistencies that exist between the TSP and the future RTP. The RVMPO is the guiding policy-making body for regional transportation projects. In order to be a participating member it is important to fol-

low statutory requirements of the MPO. This amendment would aid in complying with the aforementioned requirements. Criterion six has been met.

7. *All applicable Statewide Planning Goals.*

Goal 1—Citizen Involvement

Findings

The ability to provide input to the public process is clearly identified in both the Comprehensive Plan (per Goal 1) and in the MLDC. Notice of the amendment to the TSP was provided to the Department of Land Conservation and Development (DLCD) for review and comment. Furthermore, there will be ample time for citizen input. Since the amendment is a Class B Land Use Review it will be required to go before two hearings bodies, the Planning Commission and City Council.

The Planning Commission recommended an action to the City Council on March 9, 2017. City Council will move to approve, deny or amend the proposed amendment on April 6, 2017; both bodies will have public hearings allowing for citizens to provide input specifically on the TSP amendment. Additionally the amendment will be available on the City's website for review prior to the hearing.

Conclusions

The amendment complies with the Citizen Involvement Goal of the Statewide Planning Goals and the Medford Comprehensive Plan.

Goal 2— Land-use Planning

Findings

The intent of Statewide Planning Goal 2 is to ensure appropriate measures are in place to have Cities create and adopt appropriate Local, State and Federal plans. It is expected that plans periodically, local or not, will need to be reviewed for consistency and will be updated as needed. With the changes in the RTP and the inconsistencies in the TSP it is necessary to change the TSP to remain inside the perimeters of Goal 2. All of the appropriate Federal, State and local agencies have been informed of the amendment for opportunity to comment.

Conclusions

The amendment complies with the Land-use Planning Goal of the Statewide Planning Goals and the Medford Comprehensive Plan.

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

Findings

The right-of-way has already been obtained to develop Foothill Road as a five-lane road and has not been found to affect any natural resources, scenic & historic areas or open spaces. Furthermore, the ultimate plan for Foothill Road is to have a mixed-use path run parallel to the road established per the 2016 Leisure Services Plan. This would add to the City's expansive and growing trail system and open spaces.

Conclusions

The amendment complies with the Natural Resources, Scenic & Historic Area and Open Spaces goal of the Statewide Planning Goals.

Goal 6—Air, Water, and Land Resources Quality

Findings

There are several waterways, wetlands and canals that currently exist east and west of Foothill Road. The City will adhere to Local, State and Federal standards as it pertains to preserving water and land resources. Additionally, the development of Foothill Road as a Major Arterial, with the addition of the multi-use path and bike lanes, is projected to reduce CO emissions by 6,174 kg/year (assuming a modal switch), further improving the air quality in Medford (Exhibit F).

Conclusions

The amendment complies with the Air, Water and Land Resources Quality Goal of the Statewide Planning Goals as well as the Environment Element of the Medford Comprehensive Plan.

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

Goal 8—Recreation Needs

Findings

As previously stated, the development of Foothill Road to a five-lane Major Arterial will include a multi-use path. This will further foster a non-motorized connection on the eastside of Medford and will provide a connection that is intended more broadly for recreational use in addition to commuting. The north to south bike and pedestrian connection will ultimately serve a larger network of trails that connects parks, neighborhoods, shopping centers and other destinations for the City's residents and visitors to use and enjoy.

Conclusions

The amendment complies with the Recreation Needs goal of the Statewide Planning Goals as well as the City of Medford Leisure Services Plan.

Goal 9—Economic Development

Findings

The expansion of Foothill Road to a five-lane arterial is intended to aid with the development of the eastside of Medford. Serving as the only north to south arterial on the east, Foothill serves as a connection for both residents and freight alike. It is also the intent of the RVMPO and the State of Oregon to designate Foothill Road as a Critical Urban Freight Corridor. If designated Foothill would be eligible for more Federal funding. Furthermore, Foothill Road would provide relief as a north to south connection during disaster events that render Interstate 5 impassable and until its full recovery. This would be crucial to the economic resilience of the City in recovering from any large scale disaster event.

Conclusions

The amendment complies with the Economic Development Goal of the Statewide Planning Goals as well as the Economy Element of the Medford Comprehensive Plan.

Goal 10—Housing does not apply.

Goal 11—Public Facilities and Services

Findings

The expansion of Foothill Road does not substantially alter existing or proposed public facilities within the City of Medford. With the addition of a multi-use path, the City will come closer to achieving its goal of having an interconnected trail system leading to the various destinations throughout the City.

Conclusions

The amendment complies with the Public Facilities and Services Goal of the Statewide Planning Goals as well as the Public Facilities Element of the Medford Comprehensive Plan.

Goal 12—Transportation

Findings

When the TSP was adopted in 2003 it was determined, with financial constraints, that the development of Foothill Road would be incremental. The project list reflected the current financial conditions of the City, and for that reason Foothill was designated as a three-lane road. However, the TSP gave some flexibility in these pro-

ject list through adoption of policies like Policy 2-F which states "The City of Medford shall bring Arterial and Collector streets up to full design standards where appropriate..." Overtime priorities in the City have shifted, and development of Foothill to its fullest potential has become needed. It is consistent with the TSP and explicitly permitted per the aforementioned policy.

Conclusions

The amendment complies with the Transportation Goal of the Statewide Planning Goals and the Transportation System Plan of the City of Medford.

Goal 13—Energy Conservation does not apply.

Goal 14—Urbanization does not apply.

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

Exhibit B

Proposed TSP Amendment Text

[Cover sheet]

CITY OF MEDFORD
EXHIBIT # B
File # CP-17-010

City of Medford

Transportation System Plan

Adopted
November 20, 2003

Last revised by City Council April 9, 2017 by Ordinance No. 2017 - XX

Prepared for:

City of Medford

Prepared by:

Parametrix
700 NE Multnomah Street, Suite 1160
Portland, OR 97232
(503) 233-2400

* * *

Chapter 13
Plan Goals and Implementation

* * *

Table 13-4
Transportation System Improvements
Medford UGB – Long-Range (2013-2023)

Project ID No.	Location	Improvements	Funding Agency: Medford	Funding Agency: Other	Cost
Medford Tier 1 Improvement s – Long Range (2013-2023)					
423	Jackson at Columbus	Install new traffic signal	♦		$225,000
424	Columbus at 4th	Install new traffic signal	♦		$225,000
425	Springbrook at Cedar Links	Install new traffic signal	♦		$225,000
432	10th at Columbus	Install new traffic signal	♦		$225,000
434	6th at Central	Signal upgrade (MURA/City)	♦	♦	$130,000
440	Other identified infill locations	City sidewalk improvements (see Table 10-11 for projects)	♦	♦	$1,000,000
507	10th at Central	Remove parking at intersection and restripe to accommodate third thru lane	♦		$50,000
512	McAndrews at Biddle	Add EBR lane and WBTL lane	♦		$1,800,000
518	High crash rate locations	Safety improvement projects as needed (see Table 5-10)	♦		$500,000
529	Other identified infill locations	City bicycle lane improvements (see Table 10-5 for projects)	♦	♦	$2,000,000
530	Arterial or collector locations as needed	Install new or upgrade existing traffic signals	♦	♦	$500,000
		Sub-total Safety			***$6,880,000***
449	Barnett at Black Oak	Install SBR turn lane	♦		$540,000
519	Hillcrest at N. Phoenix	Add EBR turn lane and provide signal overlap	♦		$390,000
523	McAndrews at Royal	Add second NBL lane from Royal onto McAndrews	♦		$420,000

Table 13-4 Continued
Transportation System Improvements
Medford UGB – Long-Range (2014-2023)

Project ID No.	Location	Improvements	Funding Agency: Medford	Funding Agency: Other	Cost
Medford Tier 1 Improvement s – Long Range (2014-2023) Cont.					
524	McAndrews at Springbrook	Add SBR lane	♦		$390,000
		Sub-total Congestion			***$1,740,000***
441	Black Oak, Hillcrest to Acorn	Widen to two lanes with curb, gutter and sidewalks	♦		$325,000

445	Cherry Lane, N Phoenix Rd to Hillcrest	Widen to three lanes with bike lanes and sidewalks (eastern ¾)	♦		$3,000,000
527	At transit stops	Improvements at transit stops (see Table 7-5)	♦	♦	$300,000
		Sub-total Alternative Modes			***$3,625,000***
467	Lear Way, Coker Butte to Vilas	Construct new two lane road with bike lanes and sidewalks	♦		$1,600,000
538	Arterial and collector streets as needed	Install ITS equipment to facilitate traffic flow and enhance system communications	♦		$200,000
469	Foothill Rd. Hillcrest to McAndrews Rd.	Widen to five lanes curb, gutter, bike lanes, sidewalks and/or multi-use path	♦	♦	$13,000,000
		Sub-total High Priority TSM/Economic Development			***$1,800,000***
		Medford Long-Range Costs -			**$14,045,000**
		Available Funding -			**~~$14,000,000~~**
		[$10 million OTIB Loan and $3 million CMAQ Grant added in 2016.*			*$27,000,00[*]*
ODOT Tier 1 Improvement s – Long Range (2014-2023)					
15	Coker Butte Rd at Hwy 62 and Crater Lake Ave	Install new traffic signals	♦	♦	$375,000
22	Owen Drive, Hwy 62 and Crater Lake Ave	Install new traffic signals	♦	♦	$375,000
30	Highway 99 at South Stage Road	Add second northbound left turn lane and southbound right turn lane	♦	♦	$1,790,000
31	Highway 99 at Stewart	Add third SB through lane	♦	♦	$1,000,000
		ODOT Long-Range Costs -			**$3,540,000**
		Available Funding -			**$3,540,000**
Jackson County Tier 1 Improvements – Long Range (2013-2023)					
~~223~~	~~Foothill Rd, McAndrews to Delta Waters~~	~~Widen to three lanes with bike lanes and sidewalks~~	~~♦~~	~~♦~~	~~$2,240,000~~
224	Kings Hwy, South Stage Rd to Stewart Ave	Widen to three lanes with bike lanes and sidewalks	♦	♦	$2,240,000
227	Vilas Rd, Haul Rd to Crater Lake Ave, Hwy 62 at Vilas	Widen to five lanes with bike lanes and sidewalks, Realign Crater Lake Avenue signalize intersection	♦	♦	$1,600,000
228	Table Rock Rd, Bear Creek to Biddle Rd	Widen to three lanes with bike lanes and sidewalks	♦	♦	$1,120,000
229	Beall Lane, Front St. (Hwy 99) to Merriman Rd	Widen to three lanes with bike lanes and sidewalks	♦	♦	$1,120,000
230	Stewart Ave, Hull Rd to Lozier Lane	Widen to three lanes with bike lanes and sidewalks	♦	♦	$960,000
		Jackson County Long Range Costs -			**~~$9,280,000~~**
					$7,040,000
		Available Funding -			**$9,280,000**

Source: *2001-2023 Rogue Valley Regional Transportation Plan*, 2002 and *LOS Study*, JRH Transportation Engineering, 2003.

* * *

Table 13-5
Transportation System Improvements
Medford UGB – Tier 2 (Projects without Funding or Beyond 2023)

Project ID No.	Location	Improvements	Funding Agency: Medford	Funding Agency: Other	Cost
Medford Tier 2 Improvements					
444	N Fir Street Extension	Extend Fir Street as three-lane section from Jackson to McAndrews	♦		$8,676,000
		Sub-total 17-Project List			***$8,676,000***
			♦		
422	Columbus at Prune	Install new traffic signal	♦		$225,000
427	Crater Lake at Roberts (west)	Install new traffic signal	♦		$225,000
430	Keene at McAndrews	Install new traffic signal	♦		$225,000
510	Biddle at Jackson	Add WBR lane	♦		$450,000
511	Biddle at Lawnsdale	Add SBL lane and widen Bullock to accommodate the added lane	♦		$700,000
521	McAndrews at Columbus	Add second SBL lane (on McAndrews)	♦		$770,000
526	McAndrews Rd at Foothills ramp terminus	Install signals when warranted	♦		$350,000
540	McAndrews at Springbrook	Add second EBL land and widen Springbrook to accommodate the added lane	♦		$1,640,000
541	McAdnrews at Riverside	Add second WBR lane	♦		$290,000
		Sub-total Congestion			***$4,875,000***
447	Table Rock Rd, Merriman Rd to I-5	Widen to three lanes with curb, gutter, bike lanes and sidewalks.	♦		$1,000,000
455	Garfield, Columbus to Peach	Widen to three lanes with bike lanes and sidewalk	♦		$1,074,000
456	Sunset, South Stage Rd to Orchard Home	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$780,000
457	Pierce, Hillcrest to Spring	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$650,000
458	Diamond, Peach to Kings Hwy	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$520,000
459	Highland, Keene to Main	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$390,000
460	12th, Central to Cottage	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$390,000
461	Barneburg, Keene to Main	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$390,000
462	Edwards, Niantic to Riverside	Widen to provide curb, gutter, bike lanes and sidewalk	♦		$130,000
465	Columbus, South Stage to Stewart	Widen to three lanes with bike lanes and sidewalks	♦		$2,080,000
466	Spring St, Crater Lake Ave to Sunrise	Widen to five lanes with curb, gutter, bike lanes and sidewalks	♦		$1,920,000
468	Spring St, Sunrise to Pierce Rd	Widen to three lanes with curb, gutter, bike lanes and sidewalks	♦		$1,120,000
600	Foothill Rd, Cedar Links to Delta Waters	Widen to five lanes curb, gutter, bike lanes, sidewalks and/or multi-use path	♦	♦	$4,300,000

601	Foothill Rd, McAndrews to Cedar Links	Widen to five lanes, four lanes through (substation may be needed) bike lanes, sidewalks and/or multi-use path	♦	♦	$31,000,000
~~469~~	~~Foothill Rd, Hillcrest to McAndrews Rd~~	~~Widen to three lanes with bike lanes and sidewalks~~			~~$1,120,000~~
470	Hillcrest, Highcrest to Cherry	Widen to three lanes with bike lanes and sidewalks	♦		$1,120,000

Table 13-5 Continued

Transportation System Improvements
Medford UGB – Tier 2 (Projects without Funding or Beyond 2023)

Project ID No.	Location	Improvements	Funding Agency: Medford	Funding Agency: Other	Cost
Medford Tier 2 Improvements Cont.					
471	Spring St, Pierce to Foothill Rd	Construct new three lane road with bike lanes and sidewalks	♦		$1,100,000
472	Cedar Links Rd, Foothill Rd to 1000' east of Wilkshire Rd	Widen to three lanes with bike lanes and sidewalks	♦	♦	$640,000
474	Holmes, Oakdale to Kenyon	Widen to three lanes with bike lanes and sidewalks	♦		$160,000
478	Coker Butte, Crater Lake Ave to Foothill	Realign and widen to rural two lane with shoulder bikeway	♦		$1,500,000
481	Coal Mine Rd (realigned), N. Phoenix to Santa Barbara Dr	Realign and widen to three lane road with bike lanes and sidewalks	♦		$7,000,000
		Sub-total Alternative Modes			~~$23,084,000~~ ***$57,264,000***
498	Hillcrest, Main St to Foothill Road	Transportation System Management Improvements	♦		$1,904,000
		Sub-total High Priority TSM/Economic Development			***$1,904,000***
420	Main at Hamilton	Signal upgrade	♦		$225,000
433	8th at Hamilton	Signal upgrade	♦		$130,000
435	8th at Central	Signal upgrade	♦		$130,000
436	8th at Orange	Signal upgrade	♦		$125,000
437	Delta Waters, Waterford to Bailey	Curb, gutter, storm drain improvements north side	♦		$100,000
438	Main at Oakdale	Signal upgrade	♦		$100,000
439	12th at Riverside	Signal upgrade	♦		$100,000
451	Sunrise at Barneburg	Geometric improvements	♦		$300,000
499	McAndrews Rd at Ross Ln	Install new traffic signal	♦	♦	$225,000
500	Willamette St at Main St	Install new traffic signal	♦		$225,000
501	Brookdale at Spring	Install new traffic signal	♦		$225,000
502	Cottage St at Main St	Install new traffic signal	♦		$225,000
503	Foothill Rd and Lone Pine Rd	Install new traffic signal	♦	♦	$225,000
504	Springbrook Rd at Lone Pine Rd	Install new traffic signal	♦		$225,000
535	Barnett Road Extension e/o N Phoenix Road	Construct new five lane arterial with sidewalks and bike lanes	♦		$6,000,000

539	N/S Collector Street in SE Medford TOD	Construct new three lane road with bike lanes and sidewalks	♦	$5,800,000
		Sub-total Other Projects		***14,360,000***
		Medford Tier 2 Costs -		**~~$52,899,000~~** **$87,079000**
		Available Funding -		**$000**

Exhibit C

Figure 5-2 Medford Street Functional Classification Plan

[Cover sheet]

CITY OF MEDFORD
EXHIBIT # C
File # CP-17-010

Figure 5-2: Medford Street Functional Classification Plan

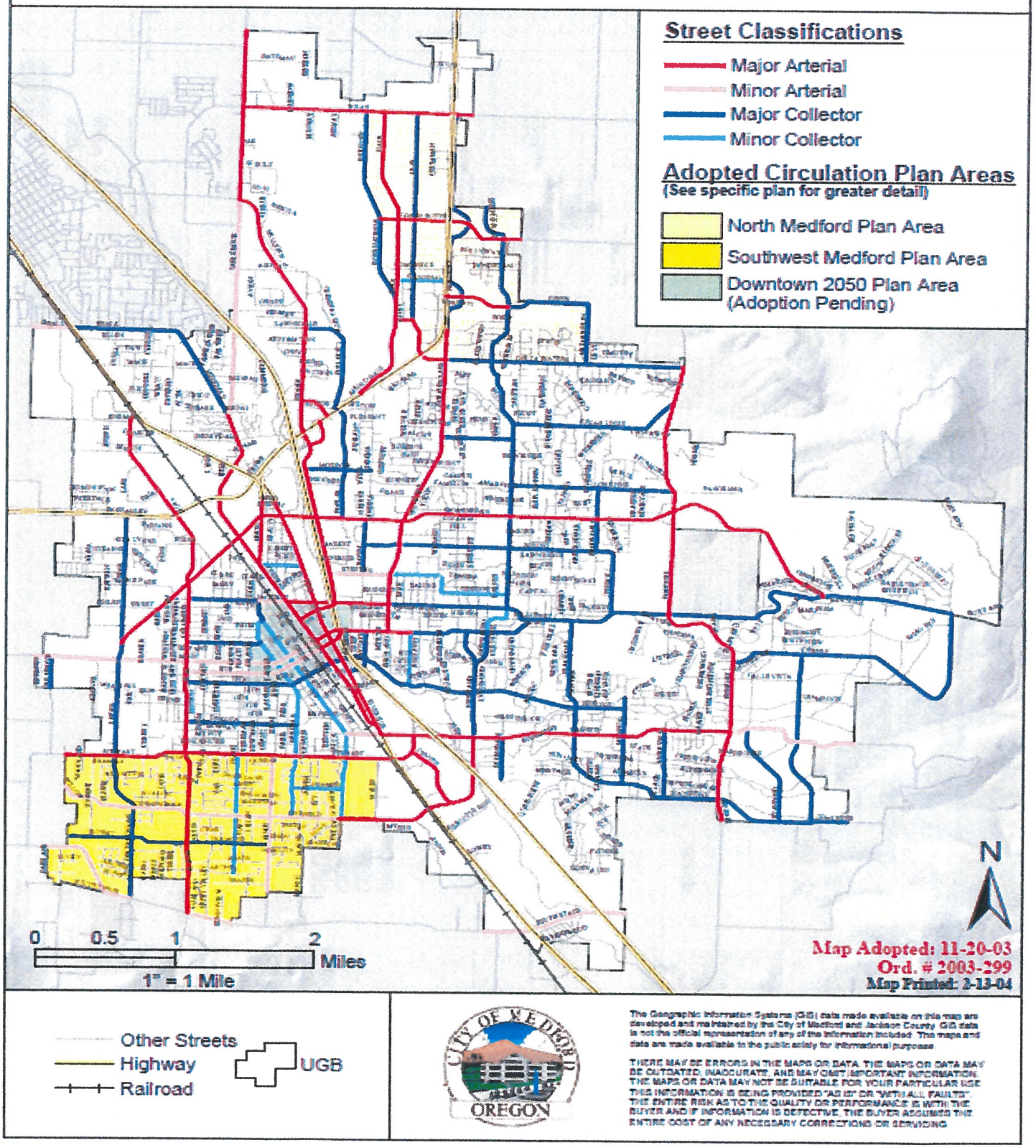


Exhibit D

Table 5-6 Major Street Cross-Sections and Dimensions

[Cover sheet]

CITY OF MEDFORD
EXHIBIT # D
File # CP-17-010

Table 5-6
Major Street Cross-Sections and Dimensions

Functional Classification	Features/Dimensions (Each Direction)					Left or Center Turn Lane/ Median **	Total Paved Width	Total Right-of-Way Width
	Travel Lanes	Bike Lane	On-Street Parking	Sidewalk	Planter Strip *			
Major Arterial	11' 11'	6'	None	5'	10'	14'	70'	100'
Minor Arterial	**12'**	**5'**	**None**	**5'**	**10'**	**14'**	**48'**	**78'**
Major Collector	11'	5'	None	5'	10'	12'	44'	74'
Alternative	**11'**	**5'**	**7'**	**5'**	**10'**	**None**	**46'**	**76'**
Minor Collector	**11'**	**5'**	**7'**	**5'**	**8'**	**None**	**46'**	**72'**
Commercial Street	11'	None	7'	5'	8'	None	36'	63'
Industrial Street	**12'**	None	**8'**	5'	8'	**14'**	**54'**	**80'**
Standard Residential	11'	None	7'	5'	8'	None	36'	63'
Minor Residential	11'	None	7'	5'	8'	None	28' +	55'

Bold font indicates changes from existing city street standards.

Note 1: These street standards would only apply to new or reconstructed streets owned and maintained by the City of Medford. Jackson County and ODOT have their own street design standards that are applicable to facilities owned and maintained by these agencies.

Note 2: See Downtown 2050 Plan and other adopted specific or Neighborhood Circulation Plans for exceptions to these standards. Adopted downtown standards are also included in Table H-4 of Appendix H.

* Need to provide a pedestrian pad at all bus stops to ensure ADA compliance. Planter strip could be paved in areas with greater pedestrian activity (such as Downtown or in transit-oriented districts) thus providing up to 13 feet of walking areas (including a "furniture zone" for utilities, benches, trees and other streetscape components.

** Raised median shall always be installed with turn bays as necessary. Traffic analysis shall be conducted to determine need for turn bays and required vehicle storage length.

\+ Street width numbers are not additive. When cars are parked on both sides of the street, travel lane width is effectively reduced to accommodate only a single car at any one time.

Exhibit E

RVMPO RTP Project List Update – February 1, 2017

[Cover sheet]

CITY OF MEDFORD
EXHIBIT # E
File # CP-17-010

Attachment 4
(Agenda Item 6)

RVMPO 2017-2042 RTP Project List
February 1, 2017

PROJECT NUMBER	LOCATION	DESCRIPTION	TIMING	COST	Cost by Range	Funds Available	Funds Needed	Conformity Status	Within PM10/CO Maintenance Area
Medford									
863	Foothill Rd. Hillcrest to McAndrews	Widen to 5 lanes, curb, gutter, sidewalk and bike lanes (Approx. 5,100 LF)	short	$ 13,000,000				Non-Exempt	PM10/CO
5012	Columbus Ave, McAndrews to Sage	New roadway section and urban upgrade, 3 lane major arterial	short	$4,000,000				Non-Exempt	PM10/CO
5014	Delta Waters Rd, Provincial to Foothill	Widen to three lanes with curb, gutter, bike lanes and sidewalks (Approx. 1,100 LF) no new travel lanes	short	$1,200,000				Exempt - Table 2	PM10/CO
5015	Springbrook at Spring	Install new traffic signal or roundabout (Intersection, no linear distance)	short	$575,000				Exempt - Table 3	PM10/CO
5016	4th at Riverside	Add NBR lane (City/MURA) (Approx. 250 LF)	short	$500,000				Exempt - Table 3	PM10/CO
5017	Main St at Barneburg	Install new traffic signal or roundabout (Intersection, no linear distance)	short	$300,000				Exempt - Table 3	PM10/CO
5018	Crater Lake at Jackson	Add left-turn lanes on all approaches and protect movements (Intersection, total length approx. 500 LF)	short	$2,500,000				Exempt - Table 3	PM10/CO
5020	Arterial and collector streets as needed	Install ITS equipment to facilitate traffic flow and enhance system communications (ITS Project, N/A)	short	$400,000				Exempt - Table 2	PM10/CO
				Short Range (2017-2022) Total	$ 22,475,000	$ 67,867,000	$ -		
5024	Barnett at N. Phoenix	Widen and add WBR lane and second EBL lane (Intersection, approx. 500 LF) no new travel lanes	medium	$500,000				Exempt - Table 3	PM10/CO
5025	Crater Lake at Delta Waters	Add EBL and WBL turn lanes and protect movements. Add EBR lane (Intersection, approx. 500 LF)	medium	$2,500,000				Exempt - Table 3	PM10/CO
5026	Main at Columbus	Add NBL and SBL lanes and protect movements. Extend second WB lane further west. Add SBR lane. (Intersection, approx. 500 LF)	medium	$1,500,000				Exempt - Table 3	PM10/CO
5027	Springbrook, Cedar Links to Delta Waters	Widen to three lanes with curb gutter, bike lanes and sidewalks (Approx. 2,500 LF) no new travel lanes	medium	$3,500,000				Exempt - Table 2	PM10/CO
5028	Highland, Siskiyou Blvd to E. Main	Widen to three lanes with bike lanes and sidewalks (Approx. 2,550 LF) no new travel lanes	medium	$2,500,000				Exempt - Table 2	PM10/CO
5029	Arterial or collector locations as needed	2070 signal controller upgrades (ITS, N/A)	medium	$650,000				Exempt - Table 2	PM10/CO
5031	10th Street Bridge at Bear Creek	Repair bridge (assume 80% federal share/20% city share – city share shown) (N/A, repaice bridge)	medium	$2,000,000				Exempt - Table 2	PM10/CO
5032	Garfield, Holly to Kings Highway	Widen to provide curb, gutter, bike lanes and sidewalk (Approx. 2,700 LF) no new travel lanes	medium	$1,602,000				Exempt - Table 2	PM10/CO
				Medium Range (2023-2032) Total	$14,752,000	$ 62,283,000	$ -		
5037	Hillcrest at N. Phoenix	Add EBR turn lane and provide signal overlap (Intersection, 200 LF)	long	$750,000				Exempt - Table 3	PM10/CO
5038	McAndrews at Royal	Add second NBL lane from Royal onto McAndrews (Intersection, approx. 200 LF)	long	$750,000				Exempt - Table 3	PM10/CO
5039	McAndrews at Springbrook	Add SBR lane (Intersection, approx 200 LF)	long	$750,000				Exempt - Table 3	PM10/CO
5040	Black Oak, Hillcrest to Acorn	Widen to two lanes with curb, gutter and sidewalks (Approx 1,500 LF), no new travel lanes	long	$750,000				Exempt - Table 2	PM10/CO
5041	Cherry Lane, N Phoenix Rd to Hillcrest	Widen to three lanes with bike lanes and sidewalks (eastern ¾) (Approx. 5,200 LF), no new travel lanes	long	$2,500,000				Exempt - Table 2	PM10/CO
568	Lear Way, Coker Butte to Vilas	Construct new two lane road with bike lanes and sidewalks (Approx. 4,700 LF)	long	$2,500,000				Non-Exempt	PM10/CO
5042	Arterial and collector streets as needed	Install ITS equipment to facilitate traffic flow and enhance system communications	long	$200,000				Exempt - Table 2	PM10/CO
5043	Foothill Rd, McAndrews to Delta Waters	Widen to three lanes with bike lanes and sidewalks (Approx. 7,000 LF), no new travel lanes	long	$22,000,000				Exempt - Table 2	PM10/CO
5044	Kings Hwy, South Stage Rd to Stewart Ave	Widen to three lanes with bike lanes and sidewalks (Approx. 7,400 LF), no new travel lanes	long	$4,000,000				Exempt - Table 2	PM10/CO
				Long Range (2033-2042) Total	$34,200,000	$ 125,574,000	$ -		

Exhibit F

CMAQ Project Analysis – Foothill Rd. (Cedar Links to Delta Waters)

CITY OF MEDFORD
EXHIBIT # F
File # CP-17-010

ROGUE VALLEY METROPOLITAN PLANNING ORGANIZATION
REGIONAL TRANSPORTATION PLANNING
Ashland • Central Point • Eagle Point • Jacksonville • Medford • Phoenix • Talent • White City
Jackson County • Rogue Valley Transportation District • Oregon Department of Transportation

CMAQ Project Analysis

Project Name:	Foothill Rd – Cedar Links to Delta Waters
Applicant:	City of Medford
Date of Analysis:	December 22, 2016

Project Description
Construct Foothill Road from Cedar Links Drive to Delta Waters Road to City of Medford major arterial standards. The roadway will include two travel lanes for northbound and southbound traffic along with bikes lanes, planter strips (where applicable) and sidewalks in each direction. Either a center turn lane or raised median will also be constructed. The project length is approximately 2,400 LF and will provide approximately 4,800 LF of bike lanes and sidewalks.

Analysis
Implementation of this project will impact PM_{10} and CO emissions based on assuming a mode shift. The analysis will examine reductions in PM_{10} and CO. PM_{10} tailpipe, paved road, and CO emissions factors are derived from the August 2014 RVMPO Air Quality Conformity Determination (AQCD).

Assumptions used in this analysis:

1. Volume (ADT) = 560 (based on 5% reduction (bike/pedestrian shift) of 11,200 Foothill Rd. ADT)
2. Trip Length (miles) = 5.4 (average trip length in RVMPO)
3. Reduced VMT (ADT * Trip Length) = (560*5.4) = 3,024
4. Paved Road PM_{10} Production Rate = 0.00045 kg (RVMPO AQCD, 2011 EPA AP-42)
5. PM_{10} Tailpipe Emission Factor = 0.000111 kg (RVMPO AQCD)
6. CO Emission Factor = 4.610 gm (RVMPO AQCD)
7. Days of use = 365
8. 907134.7 = grams/ton

PM_{10} Analysis

Daily Paved PM_{10} Reduction = (Reduced VMT*0.00045 kg) = 1.3608 kg/day
Daily PM_{10} Tailpipe Reduction = (Reduced VMT*0.000111 kg) = 0.335664 kg/day
PM_{10} Paved Annual Reduction = (1.3608 kg*365 days) = 497 kg/year
PM_{10} Tailpipe Annual Reduction = (0.335664 kg*365 days) = 122.517 kg/year

Total PM_{10} Annual Reduction = 620 kg/year

CO Analysis

CO Annual Reduction = ((CO Emission Factor*VMT)*365)/907184.7 = 5.6 tons
Tons → kg
1 English short ton = 0.907 metric ton
1 metric ton = 1000 kg

CO Annual Reduction = ((5.6/0.907)*1000) = 6,174 kg/year

Exhibit G

Planning Commission Study Session Minutes from February 27, 2017

CITY OF MEDFORD
EXHIBIT # G
File # CP-17-010

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

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
Joe Foley
Bill Mansfield
Mark McKechnie
Jared Pulver

Staff Present
Matt Binkley, Planning Director
Kevin McConnell, Deputy City Attorney
Larry Masterman, Emergency Mgt. Coordinator
Carla Paladino, Principal Planner
Chris Olivier, GSI Coordinator
Kyle Kearns, Planner II

Commissioners Absent
David Culbertson, Excused Absence
E. J. McManus, Excused Absence

Guests
Tricia Sears
Jay Harland

Subjects:

20.3 TSP amendment regarding Foothills Road

Chair Miranda had to leave and turned the meeting over to Vice Chair McFadden.

Kyle Kearns, Planner II, reported that at the time of adoption of the TSP designated Foothill Road as a Major Arterial, which when seen to fruition, is a five lane road with large traffic volumes. The project list within the TSP describes the development of Foothill Road as a three lane road. Having the inconsistencies in the TSP could cause issues when applying for State and Federal funds, making the update necessary.

The Rogue Valley Metropolitan Planning Organization (RVMPO) has created the Regional Transportation Plan (RTP), which guides regional transportation projects. Medford's TSP is tightly linked to the RTP and the RTP project list, in this regard when the RTP is updated the TSP should follow suit. The 2017 RTP update will list the portion of Foothill Road between Hillcrest and McAndrews as a five lane road with curb, gutter, sidewalks, and bike lanes. The TSP must reflect what is within the RTP project list.

The Oregon Department of Transportation, through the RVMPO, is tasked with designating critical urban freight corridors (CUFC) with the Rogue Valley to support the National Highway Freight Network. Foothill is planned to be included in the newest proposed expansion of CUFC's. This designation enables more opportunities for Federal and State funds to aid in the development of Foothill Road.

Vice Chair McFadden stated that a map presented earlier shows the expected maximum extent of landslides along Foothill Road. It looks like it goes right over Foothill Road.

Mr. Brinkley stated that the area is susceptible to landslides based on the conditions such as slopes and soil types. He does not think the map is actually modeling the extent.

Alex Georgevitch, City Engineer, reported that the map is depicting a historical landslide. They do not know where future landslides will be. There are all kinds of conditions from a geological standpoint that needs to occur for a landslide to happen. Public Works has done a corridor study for Foothill Road from Hillcrest to the north boundary and there was geological work done. There is extensive rock up near Normal Terrace that is very stable. It is so stable they will probably end up having a vertical cut along there. Eagle Trace area is sitting on a landslide. When Public Works built McAndrews east of Foothill they went through incredibly dense sandstone up the hill.

Mr. Brinkley stated that the connection to Natural Hazard Mitigation is important as the entire region looking for another north/south connection that will take care of the via-duct when it collapses during the Cascadia Earthquake. Foothill Road is important for freight movement.

30. Adjournment

The meeting was adjourned at 1:00 p.m.

_____

Submitted by:
Terri L. Rozzana
Recording Secretary

Exhibit H

Planning Commission Meeting Minutes from March 09, 2017

CITY OF MEDFORD
EXHIBIT # H
File # CP-17-010

From Public Hearing on **March 9, 2017**

The regular meeting of the Planning Commission was called to order at 5:35 PM in the City Hall Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present
Patrick Miranda, Chair
David McFadden, Vice Chair
Joe Foley
Bill Mansfield
E. J. McManus
Jared Pulver

Staff Present
Matt Brinkley, Planning Director
Kelly Akin, Assistant Planning Director
Kevin McConnell, Deputy City Attorney
Alex Georgevitch, City Engineer
Greg Kleinberg, Fire Marshal
Terri Rozzana, Recording Secretary
Carla Paladino, Principal Planner
Kyle Kearns, Planner II
Liz Conner, Planner II

Commissioners Absent
David Culbertson, Excused Absence
Mark McKechnie, Excused Absence

New Business

50.2 CP-17-010 Consideration of a minor amendment to the Transportation Element of the Comprehensive Plan, or the Transportation System Plan, to update the project description for the proposed expansion of Foothill Road. Inconsistencies have been brought to Staff's attention and the amendment is needed to be eligible for Federal funds. (City of Medford, Applicant)

Kyle Kearns, Planner II, reviewed the purpose, procedural requirements, read the approval criteria and gave a staff report.

Commissioner McManus asked, will the denial of the grant funding affect future grants? He is wanting to make sure the inconsistencies that staff found that there would not be any potential inconsistencies that might affect grant requests. Alex Georgevitch, City Engineer, stated they were denied the opportunity to apply for the current round of funding. It would occur again if the change does not take place. Making the change will allow building a consistent road with what the City Council has directed Public Works to build and what the Transportation System Plan envisions for this facility. It will also allow Public Works to compete for Federal funds.

Commissioner Pulver assumes the multi-use path is not in the definition of what a major arterial improvements associated with major arterial is. Is that an add-on? Mr. Kearns stated yes to better match the project that is being developed.

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 approval criteria are either met or are not applicable, initiate the amendment and forwards a favorable recommendation for adoption of CP-17-010 to the City Council, per the Staff Report dated March 2, 2017, including Exhibits A through E.

Moved by: Vice Chair McFadden

Seconded by: Commissioner McManus

Roll Call Vote: Motion passed, 6-0.

Exhibit I

Public Works - Comments

CITY OF MEDFORD
EXHIBIT # I
File # CP-17-010

Continuous Improvement Customer Service

CITY OF MEDFORD

Meeting Date: 3/9/2017
File Number: CP-17-010

PUBLIC WORKS DEPARTMENT STAFF REPORT
Minor Comprehensive Plan Amendment
TSP Amendment
Foothill Road

Project: Per State law, the Transportation Planning Rule (TPR/OAR 600-012) requires cities to meet Statewide Planning Goal 12 relating to transportation. Out of this standard comes the creation of the Transportation System Plan (TSP). Adopted in 2003, Medford's current TSP looks to guide planning and development of Medford's transportation system through the year 2023. Over the course of time, priorities shift, projects get constructed and the TSP will need to change to reflect that.

Currently within the TSP Foothill Road is continually referred to, in the text, as the only north to south arterial connection on the east side of Medford. Furthermore it is designed as a major arterial on the City's "street plan". The standard cross section for an arterial road in Medford is five lanes. When the TSP was originally drafted, Foothill Road was expected to develop as a three lane road and is shown as such on several project lists. With the growth in East Medford, local priorities have shifted to developing Foothill Road to its fullest potential according to the "street plan". CP-17-010 is intended to update inconsistencies in the TSP to ensure that project list reflect the true development of Foothill Road.

Location: Foothill Road

Applicant: City of Medford

Public Works has no comments on the proposed TSP amendment.

Prepared by: Doug Burroughs

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

Exhibit J

Jackson County Roads - Comments

CITY OF MEDFORD
EXHIBIT # J
File # CP-17-010

JACKSON COUNTY
Roads

Roads
Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
christke@jacksoncounty.org

www.jacksoncounty.org

February 16, 2017

Attention: Kyle Kearns
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Update TSP – North Foothill Road
Planning File: CP-17-010

Dear Kyle:

Thank you for the opportunity to comment on updating the City of Medford's Transportation System Plan in regards to North Foothill Road. Jackson County Roads has the following comments:

1. Jackson County Roads supports these TSP modifications

2. As these sections of roadway are improved and/or annexed, The City of Medford shall request jurisdiction of County Roads as specified in the "Agreement Between the City of Medford, Oregon, and Jackson County, Oregon, for the Joint Management of the Medford Urban Reserve" (URMA).

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

Kevin Christiansen
Construction Manager

I:\Engineering\Development\CITIES\MEDFORD\2017\CP-17-010.docx

Exhibit K

Medford Water Commission - Comments

CITY OF MEDFORD
EXHIBIT # K
File # CP-17-010

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: CP-17-010

PROJECT: Foothill Road between Hillcrest Rd and Lone Pine Rd.

DATE: March 3, 2017

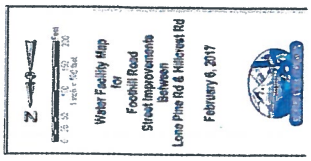
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. Per MWC Capital Improvement Project List, MWC is planning to install an additional 16-inch water line within the new widened roadway. Location of this water is to be coordinated with City of Medford Public Works Department staff.
3. MWC requests that this 16-inch water line be installed during the roadway construction project.
4. MWC will coordinate with City of Medford Public Works Department to incorporate the design of the proposed 16-inch water line into the plan set for the road construction project. MWC will have plans created by local civil engineering consultant.

COMMENTS

1. MWC has an existing 12-inch water line along the east right-of-way of Hillcrest Road. This water line is to remain, and be protected in place during roadway construction activities.


N
Water Facility Map
for
Foothill Road
Street Improvements
Between
Lone Pine Rd & Hillcrest Rd
February 6, 2017

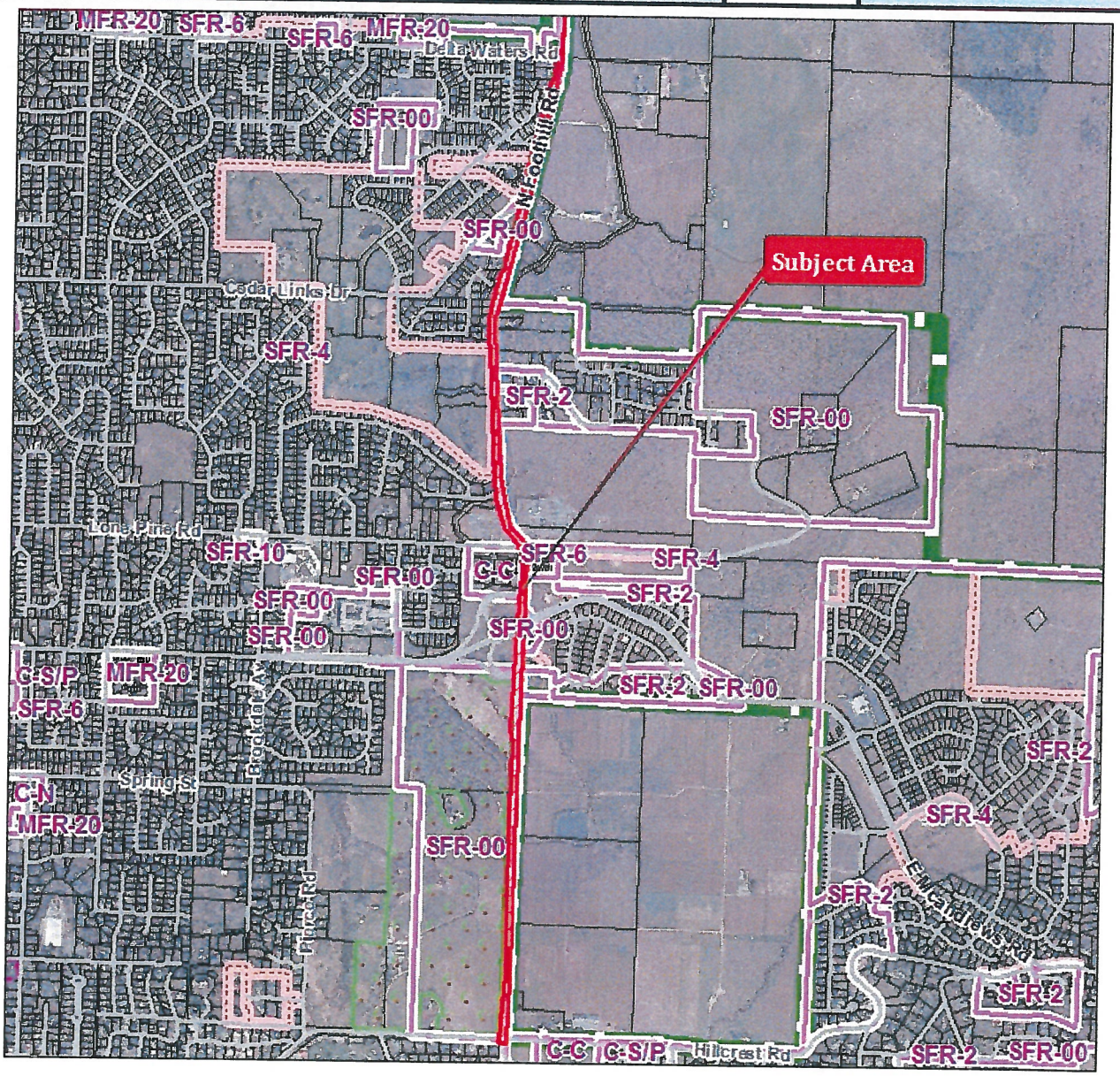
Vicinity Map

[Cover sheet]

City of Medford
Planning Department

Vicinity Map

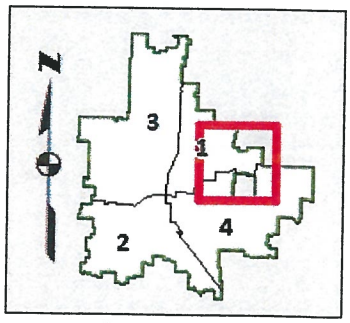
File Number:
CP-17-010



Project Name:
TSP Update - Foothill Rd.
Minor Comprehensive Plan Amendment

Map/Taxlot:
N/A

0 1,150 2,300 Feet

01/31/2017

Legend
- Subject Area
- Streets
- Medford Zoning
- Tax Lots
- PUD