CITY COUNCIL AGENDA

MEDFORD OREGON

October 17, 2019
6:00 P.M.
Medford City Hall, Medford Room
411 W. 8th Street, Medford, Oregon

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10. Roll Call

20. Recognitions, Community Group Reports

20.1 Employee Recognition

20.2 Employee of the Quarter

30. Oral Requests and Communications from the Audience

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

40. Approval or Correction of the Minutes of the October 3, 2019 Regular Meeting

50. Consent Calendar

60. Items Removed from Consent Calendar

70. Ordinances and Resolutions

70.1 COUNCIL BILL 2019-79 - CONTINUED FROM AUGUST 1, 2019

An ordinance amending Section 9.101 of the Medford Municipal Code pertaining to adoption of an Oregon Residential Specialty Code for wildfire hazard mitigation.

70.2 COUNCIL BILL 2019-109

A resolution initiating annexation to the City of Medford of an approximate 1.086-acre tract of land, including a single parcel located at 3558 Table Rock Road and its abutting right-of-way along Table Rock Road. (A-19-001)

80. Public Hearings

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

80.1 COUNCIL BILL-110

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan by changing the land use designation of 0.61 acres

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Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

located at 2217 Barnett Road, Urban High Density Residential (UH) to Service Commercial (SC). (GLUP 19-003) Land Use, Quasi-Judicial

80.2 COUNCIL BILL 2019-111
An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan by changing the land use designation of 1.16 acres located at 3583 Arrowhead Drive, General Industrial (GI) to Urban Medium Density Residential (UM). (GLUP 19-004) Land Use, Quasi-Judicial

80.3 COUNCIL BILL 2019-112
A resolution adopting the Consolidated Annual Performance and Evaluation Report (CAPER) pertaining to Community Development Block Grant (CDBG) funds for the 2018-19 program year.

90. Council Business

90.1 Proclamations issued:

Red Ribbon Week – October 23 – 31, 2019
Extra Mile Day – November 1, 2019

90.2 Committee Reports and Communications

a. Council Officers Update

b. Hospital Facilities Board Appointment

100. City Manager and Staff Reports

100.1 Public Works Project Report

100.2 Rogue Disposal & Recycling Rate Increase

110. Adjournment

DEPARTMENT: Building and Fire **AGENDA SECTION:** Ordinances and Resolutions
PHONE: (541) 774-2362; (541) 774-2317 **MEETING DATE:** October 17, 2019
STAFF CONTACT: Sam Barnum, Building Official; Greg Kleinberg, Deputy Chief/Fire Marshal

COUNCIL BILL 2019-79 – CONTINUED FROM AUGUST 1, 2019

An ordinance amending Section 9.101 of the Medford Municipal Code pertaining to adoption of an Oregon Residential Specialty Code for wildfire hazard mitigation.

SUMMARY AND BACKGROUND

Council is requested to consider adopting ORSC Section R327.4 Wildfire Hazard Mitigation.

This item was originally presented to Council on August 1, 2019. Council continued the item in order for staff to coordinate with the development community to discuss potential impacts of the code changes along with clarifying interpretation of the Wildfire Hazard Mitigation program.

Staff met with builders on August 16 and September 13. At the meetings staff listened to concerns the builders had, discussed possible solutions, and further explained specific construction requirements. Staff answered questions and brought resolution on mapping, venting, tested/approved materials, and synthetic stucco concerns.

PREVIOUS COUNCIL ACTIONS

On March 21, 2019, the City Council voted to direct staff to develop a wildfire hazard mitigation code change to formally adopt R327.4.

On August 1, 2019 Deputy Chief/Fire Marshal Greg Kleinberg gave another presentation and brought before the City Council proposed Council Bill 2019-79 regarding the adoption of ORSC Section R327.4 Wildfire Hazard Mitigation. There was subsequent public testimony and a decision by Council to continue the subject matter until the October 17, 2019 Council meeting. Staff was directed to meet with builders before bringing this back before Council to resolve issues.

ANALYSIS

On March 21, 2019 Deputy Chief/Fire Marshal Greg Kleinberg gave a staff report/presentation to the City Council about the new Oregon Residential Specialty Code (ORSC) Section R327.4 Wildfire Hazard Mitigation. This section of the ORSC enhances construction requirements for new homes built in wildfire hazard zones by requiring the use of exterior inherently ignition-resistant materials/assemblies or those that have passed a standardized ignition-resistant test. The section also contains provisions to protect vulnerable areas (attics and underfloor) from being exposed to ember and flame intrusion. The goal of these standards are to reduce or eliminate the ignition potential of new homes built in wildfire hazard zones. This section became effective January 24, 2019 in the ORSC Section R327.4, and must be adopted locally to be enforced.

Medford is surrounded by wildfire risk areas. As development increases in these areas, residents living in and near these areas are threatened each year by the potential of wildfires destroying life

and property. New homes built in wildfire risk areas are exposed to a greater ignition risk and therefore should be built to a higher ignition-resistant standard. The public expects that their new home is built to reasonably withstand the expected hazards of the location where the home is located. The ORSC has a long history of code requirements for protection of homes from earthquakes in seismic zones, from flooding in flood zones, and from weather-related wind, snow, and freezing conditions. For the first time, the ORSC now has code requirements for protection from wildfire, one of the greatest hazards we face annually. The new wildfire hazard mitigation construction standards in ORSC Section R327.4 are a sensible way to reduce the risk of catastrophic losses and must be adopted locally to be effective. Section R327.4 requires materials on the exterior of homes located in wildfire hazard zones to be either inherently ignition-resistant or have passed a standardized test to prove they pass ignition-resistance criteria. Section R327.4 also protects vulnerable areas like attic, underfloor, rain gutters, etc. from the ember and flame intrusion ignition threat. These proven strategies, which prevent the easy ignition to structures, will reduce the exposure of residents and first responders to conflagration fire hazards that threaten life and injury.

ORSC Section R327.4 is modeled after what California has mandated statewide since 2008. California developed testing standards for materials/assemblies approved to be used in wildfire areas (These testing standards later became national standards). The 2018 Paradise California Camp Fire was one of the most destructive fires in U.S. history killing 85 people and destroying 14,000 homes. Of the homes that survived, 51% of the homes built to the 2008 ignition-resistant standards survived, and only 18% of the homes built prior to 2008 survived.

Oregon's wildfire threat continues to rise. According to the Northwest Interagency Coordination Center, 2018 was Oregon's costliest fire season on record, totaling more than $533 million. In Oregon, 9% of households are at high or extreme risk from wildfire. According to a 2018 Pyrologix analysis, Medford is ranked #3 on an Oregon list of communities most threatened by wildfire. This is based on the burn probability and number of housing units exposed to wildfire.

Other examples of damaging conflagrations in the Northwest:

- 2010 Oak Knoll Fire, Ashland OR: 11 homes lost in 45 minutes, 1 firefighter death
- 2014 Boles Fire, Weed CA: (Just 30 miles south of the CA/OR Stateline) 157 homes lost, 516 acres
- 2015 Canyon Creek Fire, OR: 43 homes lost, 110K acres
- 2018 Carr Fire, Redding CA: 1,077 homes lost, 229K acres, 5 civilian deaths, 3 firefighter deaths

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

There is no increased cost to the City. The estimated cost increase to build a new 1,200 sq. ft. ignition-resistant home constructed in a wildfire hazard zone is $2,000 - 3,200 (Note: This cost increase would not impact any new home built outside of a wildfire hazard zone). Savings to the City in the future includes avoiding costly cleanup operations, litigation, and repair of infrastructure.

TIMING ISSUES

Adoption now will help us to be a safer community and mitigate potential losses in future wildfire seasons.

COUNCIL OPTIONS

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

STAFF RECOMMENDATION

Staff recommends approval of the ordinance to adopt Oregon Residential Specialty Code Section R327.4.

SUGGESTED MOTION

I move to adopt Council Bill 2019-79, an ordinance amending Section 9.101 of the Medford Municipal Code pertaining to adoption of an Oregon Residential Specialty Code for wildfire hazard mitigation.

EXHIBITS

Ordinance
ORSC Section 327.4
Map of Wildfire Hazard Zone
R327.4 Construction Guide
Wildfire Hazard Zone Plan Submittal Form
Exposure of Human Communities to Wildfire in the Pacific Northwest (Pyrologix Study)

ORDINANCE NO. 2019-79

AN ORDINANCE amending Section 9.101 of the Medford Municipal Code pertaining to adoption of an Oregon Residential Specialty Code for wildfire hazard mitigation.

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

SECTION 1. Section 9.101 of the Medford Code is amended to read as follows:

9.101 Adoption of Oregon Residential Specialty Code, as modified.

(1) The 2017 Oregon Residential Specialty Code and State adopted appendices as published and copyrighted by the International Code Council, Inc., as modified and adopted by the Director of the State Department of Consumer and Business Services are hereby adopted and incorporated as an ordinance of the City of Medford to be administered and enforced along with such further amendments contained herein, such code to be referred to as the Residential Code. At least one copy of said code is on file in the City of Medford Building Safety Department.

(2) Section R327 of the 2017 Oregon Residential Specialty Code, as amended on January 24, 2019, including sections R327.4 through R327.4.8, pertaining to wildfire hazard mitigation, as published and copyrighted by the International Code Council, Inc., as modified and adopted by the Director of the State Department of Consumer and Business Services is hereby adopted and incorporated as an ordinance of the City of Medford.

(3) Residential Permit Fees shall be as shown in Medford Code Section 9.270, Table 9-A.

PASSED by the Council and signed by me in authentication of its passage this ____ day of October, 2019.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2019. _____

Mayor

State of Oregon
Building Codes Division
Better Buildings for Oregon

Amendments to the 2017 Oregon Residential Specialty Code

Code amendment summary:

Section R327 Wildfire hazard mitigation

These amendments provide additional wildfire hazard mitigation provisions in Section R327 that are available for local adoption.

Effective: Jan. 24, 2019

Insert page instructions:

These amendments have been formatted as insert pages for the 2017 ORSC.

When inserted into the code, amendments will face the page containing the existing code language. Some pages have been left blank for this purpose.

1. Print these pages **double-sided** in "book" format.
2. Insert the pages facing the page number in the bottom corner.
3. The amended language is depicted as follows:

~~Strikethrough~~ text represents deleted language.
Underlined text represents added language.

SECTION R327
WILDFIRE HAZARD MITIGATION

R327.1 Purpose. The purpose of this section is to provide minimum standards for dwellings and their accessory structures located in or adjacent to vegetated areas subject to wildfires, to reduce or eliminate hazards presented by such fires.

R327.2 Scope. The provisions of this section shall apply to all dwellings required to be protected against wildfire by a jurisdiction which has adopted wildfire zoning regulations. The additional provisions of Section R327.4 shall apply when a local *municipality* has adopted a local ordinance specifically recognizing Section R327.4 and consistent with Sections R327.4 through R327.4.8.

R327.3 Determination. ~~**Wildfire hazard zone.** A wild fire hazard zone is an area legally determined by a jurisdiction to have special hazards caused by a combination of combustible natural fuels, topography and climatic conditions that result in a significant hazard of catastrophic fire over relatively long periods each year.~~ Wildfire hazard zones shall be determined using criteria established by the Oregon Department of Forestry.

R327.3.1 Wildfire hazard zone requirements. Dwellings and their accessory structures shall be protected against wildfire by the following requirement in addition to other requirements of this code. The provisions of Section R327.4 apply only to qualifying lots identified in Section R327.4.1.

Exception: Nonhabitable detached *accessory structures*, with an area of not greater than 400 square feet, located at least 50 feet from all other structures on the *lot*.

R327.3.1.1 Roofing. Roofing shall be asphalt shingles in accordance with Section R905.2, slate shingles in accordance with Section R905.6, metal roofing in accordance with Section R905.4, tile, clay or concrete shingles in accordance with Section R905.3 and other approved roofing which is deemed to be equivalent to a minimum Class C rated roof covering. Untreated wood shingle and shake roofs are not permitted when the construction site is in a wildfire hazard zone as determined by Section R327.3.

R327.3.1.2 Reroofing or repair of roofing of existing buildings. When 50 percent or more of the roof covering of any building is repaired or replaced within one year, the roof covering shall be made to comply with this section and attic ventilation shall be made to comply with this code. Ventilation openings shall be protected with corrosion-resistant wire mesh, not greater than $^1/_2$-inch (12.7 mm) or less than $^1/_8$-inch (3.2 mm) in any dimension.

R327.4 Scope of additional wildfire hazard mitigation requirements. The provisions of Section R327.4 shall apply to new dwellings and their *accessory structures* located in a wildfire hazard zone on a qualifying lot of record created on or after the effective date in the local adopting ordinance.

R327.4.1 Qualifying lots of record. Qualifying lots of record shall meet all the following:

1. Be located in a wildfire hazard zone as identified by the local *municipality* using criteria established by the Oregon Department of Forestry. The local *municipality* is not required to include all areas identified by the Oregon Department of Forestry as wildfire hazard zones. The zone shall be detailed in the local adopting ordinance.
2. The local *municipality* shall determine in the adopting ordinance whether qualifying lots of record shall consist of individual lots or whether qualifying lots must be part of a development that contains a minimum number of lots.
3. The local *municipality* shall make a determination that the lot of record is either located within the identified wildfire hazard zone as determined by the *jurisdiction* or that it is located outside of the wildfire hazard zone as determined by the jurisdiction. Notification shall be provided in conjunction with the land use approval under ORS 197.522.
4. Application:
   - 4.1 Lots created prior to the effective date of the local ordinance, that would otherwise qualify under the local adopting ordinance, are exempt from the requirements of the ordinance for a period of three years from the creation date of the land use approval under ORS 197.522.
   - 4.2 For a lot created after the effective date of the local ordinance that receives notification under this section, the determination in the notification shall be valid for three years from the date of the land use approval under ORS 197.522. At the expiration of the three years, a lot of record shall be re-evaluated under the current version of the adopting ordinance prior to the issuance of a building *permit*.

Infill exception: *Dwellings* or *accessory structures* constructed on a lot in a subdivision, do not need to comply with Section R327.4 when at least 50 percent of the lots in the subdivision have existing dwellings that were not constructed in accordance with Section R327.4.

Nothing in the code or adopting ordinance prevents a local *municipality* from waiving the requirements of Section R327.4 for any lot, property or *dwelling*, or the remodel, replacement or reconstruction of a *dwelling* within the *jurisdiction*.

The local *municipality* must include a process for resolving disputes related to the applicability of the local ordinance and this section.

R327.4.2 Definitions. The following words and terms shall, for purposes of Section R327.4, have the meanings shown herein. Refer to Chapter 2 for general definitions.

Heavy Timber. For the use in this section, *heavy timber* shall be sawn lumber or glue laminated wood with the smallest minimum nominal dimension of 4 inches (102 mm). *Heavy timber* walls or floors shall be sawn or glue-laminated planks splined, tongue- and-grove, or set close together and well spiked.

Ignition-Resistant Material. A type of building material that resists ignition or sustained flaming combustion sufficiently so as to reduce losses from wildland-urban interface conflagrations under worst-case weather and fuel conditions with *wildfire exposure* of burning embers and small flames. Such materials include any product designed for exterior exposure that, when tested in accordance with ASTM E84 or UL 723 for surface burning characteristics of building materials, extended to a 30-minute duration, exhibits a flame spread index of not more than 25, shows no evidence of significant progressive combustion, and whose flame front does not progress more than 10½ feet (3.2 m) beyond the centerline of the burner at any time during the test.

Noncombustible Material. Any material that in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat in accordance with ASTM E136.

Wildfire. Any uncontrolled fire spreading through vegetative fuels that threatens to destroy life, property, or resources.

Wildfire Exposure. One or a combination of circumstances exposing a structure to ignition, including radiant heat, convective heat, direct flame contact and burning embers being projected by a vegetation fire to a structure and its immediate environment.

R327.4.3 Roofing. Roofing shall be asphalt shingles in accordance with Section R905.2, slate shingles in accordance with Section R905.6, metal roofing in accordance with Section R905.4, tile, clay or concrete shingles in accordance with Section R905.3 or other *approved* roofing which is deemed to be equivalent to a minimum Class B rated roof assembly. Wood shingle and shake roofs are not permitted in a wildfire hazard zone.

Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be fire-blocked with *approved* materials, or have one layer of minimum 72 pound (32.4 kg) mineral-surfaced nonperforated cap sheet complying with ASTM D3909 installed over the combustible decking.

Where valley flashing is installed, the flashing shall be not less than 0.019-inch (0.48 mm) No. 26 gage galvanized sheet corrosion-resistant metal installed over not less than one layer of minimum 72 pound (32.4 kg) mineral-surfaced non-perforated cap sheet complying with ASTM D3909 at least 36-inch-wide (914 mm) running the full length of the valley.

R327.4.3.1 Gutters. When required, roof gutters shall be constructed of *noncombustible materials* and be provided with a means to prevent accumulation of leaves and debris in the gutter.

R327.4.4 Ventilation. Where provided, the minimum net area of ventilation openings for enclosed attics, enclosed soffit spaces, enclosed rafter spaces, and underfloor spaces shall be in accordance with Sections R806 and R408.

All ventilation openings shall be covered with noncombustible corrosion-resistant metal wire mesh, vents designed to resist the intrusion of burning embers and flame, or other *approved* materials or devices.

Ventilation mesh and screening shall be a minimum of $^1/_{16}$-inch (1.6mm) and a maximum of $^1/_8$-inch (3.2mm) in any dimension.

R327.4.4.1 Eaves, soffits, and cornices. Ventilation openings shall not be installed on the underside of eaves, soffits, or cornices.

Exceptions:

1. The *building official* may *approve* special eave, soffit, or cornice vents that are manufactured to resist the intrusion of flame and burning embers.
2. Ventilation openings complying with the requirements of Section R327.4.4 may be installed on the underside of eaves, soffits, or cornices where the opening is located 12 feet or greater above *grade* or the surface below.

R327.4.5 Exterior walls. The *exterior wall covering* or wall assembly shall comply with one of the following requirements:

1. *Noncombustible material.*
2. *Ignition-resistant* material.
3. *Heavy timber* assembly.
4. Log wall construction assembly.
5. Wall assemblies that have been tested in accordance with the test procedures for a 10-minute direct flame contact exposure test set forth in ASTM E2707, complying with the conditions of acceptance listed in Section R327.4.5.2.

Exception: Any of the following shall be deemed to meet the assembly performance criteria and intent of this section:

1. One layer of $^5/_8$-inch Type X exterior gypsum sheathing applied behind the *exterior wall covering* or cladding on the exterior side of the framing.
2. The exterior portion of a 1-hour fire resistive *exterior wall* assembly designed for exterior fire exposure including assemblies using exterior gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.

R327.4.5.1 Extent of exterior wall covering. *Exterior wall coverings* shall extend from the top of the foundation to the roof, and terminate at 2 inch (50.8 mm) nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves or soffits, shall terminate at the underside of the enclosure.

R327.4.5.2 Conditions of acceptance. ASTM E2707 tests shall be conducted in triplicate and the conditions of acceptance below shall be met. If any one of the three replicates does not meet the conditions of acceptance, three additional tests shall be conducted. All additional tests shall meet the following conditions of acceptance:

1. Absence of flame penetration through the wall assembly at any time during the test.
2. Absence of evidence of glowing combustion on the interior surface of the assembly at the end of the 70-minute test.

R327.4.6 Overhanging projections. All exterior projections (exterior balconies, carports, decks, patio covers, porch ceilings, unenclosed roofs and floors, overhanging buildings and similar architectural appendages and projections) shall be protected as specified in this section.

R327.4.6.1 Enclosed roof eaves, soffits, and cornices. The exposed underside of rafter or truss eaves and enclosed soffits, where any portion of the framing is less than 12 feet above *grade* or similar surface below, shall be protected by one of the following:

1. *Noncombustible material.*
2. *Ignition-resistant* material.
3. One layer of $^5/_8$-inch Type X exterior gypsum sheathing applied behind an exterior covering on the underside of the rafter tails, truss tails, or soffit.
4. The exterior portion of a 1-hour fire resistive *exterior wall* assembly applied to the underside of the rafter tails or soffit including assemblies using exterior gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. Soffit assemblies with an underside surface that meets the performance criteria in Section R327.4.6.5 when tested in accordance ASTM E2957.

Exceptions: The following materials do not require protection required by this section:

1. Eaves and soffits where all portions of the framing members are 12 feet or greater above *grade*, and 2-inch nominal eave fireblocking is provided between roof framing members from the wall top plate to the underside of the roof sheathing.
2. Gable end overhangs and roof assembly projections beyond an *exterior wall* other than at the lower end of the rafter tails.
3. Fascia and other architectural trim boards.

R327.4.6.2 Exterior patio and porch ceilings. The exposed underside of exterior patio and porch ceilings greater than 200 square feet in area and less than 12 feet above *grade* shall be protected by one of the following:

1. *Noncombustible material.*
2. *Ignition-resistant* material.
3. One layer of $^5/_8$-inch Type X exterior gypsum sheathing applied behind the exterior covering on the underside of the ceiling.
4. The exterior portion of a 1-hour fire resistive *exterior wall* assembly applied to the underside of the ceiling assembly including assemblies using exterior gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. Porch ceiling assemblies with a horizontal underside that meet the performance criteria in Section R327.4.6.5 when tested in accordance with the test procedures set forth in ASTM E2957.

Exception: Architectural trim boards.

R327.4.6.3 Floor projections. The exposed underside of cantilevered floor projections less than 12 feet above *grade* or the surface below shall be protected by one of the following:

1. *Noncombustible material.*
2. *Ignition-resistant* material.
3. One layer of $^5/_8$-inch Type X exterior gypsum sheathing applied behind an exterior covering on the underside of the floor projection.
4. The exterior portion of a 1-hour fire resistive *exterior wall* assembly applied to the underside of the floor projection, including assemblies using exterior gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. An assembly that meets the performance criteria in Section R327.4.6.5 when tested in accordance with ASTM E2957.

Exception: Architectural trim boards.

R327.4.6.4 Underfloor protection. The underfloor area of elevated structures shall be enclosed to *grade* in accordance with the requirements of Section R327.4, or the underside of the exposed underfloor shall be protected by one of the following:

1. *Noncombustible material.*
2. *Ignition-resistant* material.
3. One layer of $^5/_8$-inch Type X exterior gypsum sheathing applied behind an exterior covering on the underside of the floor assembly.
4. The exterior portion of a 1-hour fire resistive *exterior wall* assembly applied to the underside of the floor, including assemblies using exterior gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
5. An assembly that meets the performance criteria in Section R327.4.6.5 when tested in accordance with ASTM E2957.

Exception: *Heavy timber* structural columns and beams do not require protection.

R327.4.6.5 Conditions of acceptance. ASTM E2957 tests shall be conducted in triplicate, and the conditions of acceptance below shall be met. If any one of the three replicates does not meet the conditions of acceptance, three additional tests shall be conducted. All additional tests shall meet the following conditions of acceptance:

1. Absence of flame penetration of the eaves or horizontal projection assembly at any time during the test.
2. Absence of structural failure of the eaves or horizontal projection subassembly at any time during the test.
3. Absence of sustained combustion of any kind at the conclusion of the 40 minute test.

R327.4.7 Walking surfaces. Deck, porch and balcony walking surfaces located greater than 30 inches and less than 12 feet above *grade* or the surface below shall be constructed with one of the materials listed below.

Exception: Walking surfaces of decks, porches and balconies not greater than 200 square feet in area, where the surface is constructed of nominal 2-inch lumber.

1. Materials that comply with the performance requirements of Section R327.4.7.1 when tested in accordance with both ASTM E2632 and ASTM E2726.
2. *Ignition resistant* materials that comply with the performance requirements of Section R327.4.2 when tested in accordance with ASTM E84 or UL 723.
3. Exterior fire retardant treated wood.
4. *Noncombustible material.*
5. Any material that complies with the performance requirements of Section R327.4.7.2 where tested in accordance with ASTM E2632, where the *exterior wall covering* of the structure is noncombustible or *ignition-resistant* material.
6. Any material that complies with the performance requirements of ASTM E2632, where the *exterior wall covering* of the structure is noncombustible or *ignition-resistant* material.

   Exception: *Wall covering* material may be of any material that otherwise complies with this chapter when the decking surface material complies with the performance requirements ASTM E84 with a Class B flame spread rating.

R327.4.7.1 Requirements for R327.4.7, item 1. The material shall be tested in accordance with ASTM E2632 and ASTM E2726, and shall comply with the conditions of acceptance below. The material shall also comply with the performance requirements of Section R327.4.2 for ignition resistant material when tested in accordance with ASTM E84 or UL 723.

R327.4.7.1.1 Conditions of acceptance. ASTM E2632 tests shall be conducted in triplicate and the conditions of acceptance below shall be met. If any one of the three replicates does not meet the conditions of acceptance, three additional tests shall be conducted. All additional tests shall meet the following conditions of acceptance:

1. Peak heat release rate of less than or equal to 25 kW/ft^2 (269 kW/m^2)
2. Absence of sustained flaming or glowing combustion of any kind at the conclusion of the 40-minute observation period.
3. Absence of falling particles that are still burning when reaching the burner or floor.

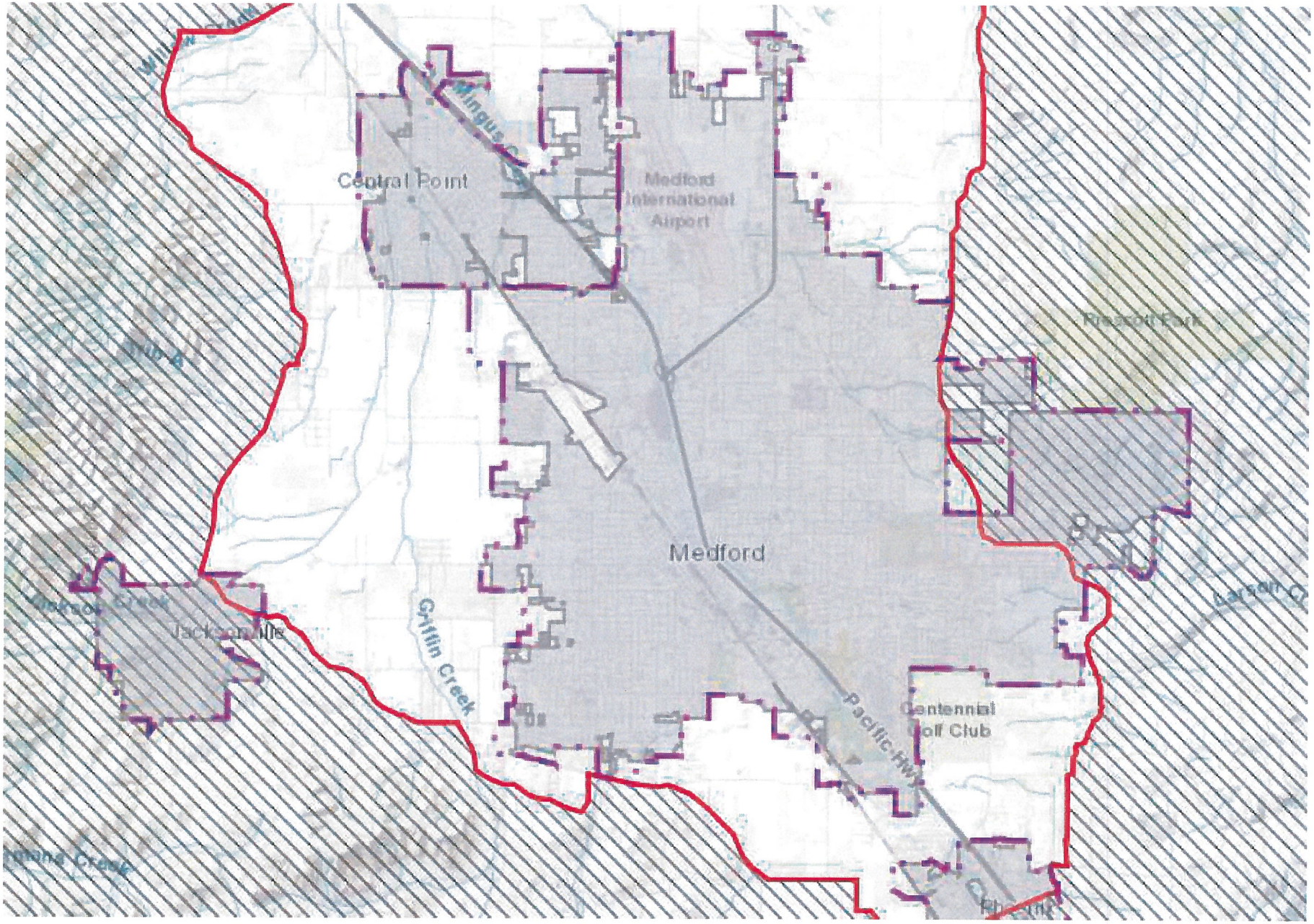
R327.4.7.1.2 Conditions of acceptance. ASTM E2762 tests shall be conducted in triplicate and the conditions of acceptance below shall be met. If any one of the three replicates does not meet the conditions of acceptance, three additional tests shall be conducted. All of the additional tests shall meet the following conditions of acceptance:

1. Absence of sustained flaming or glowing combustion of any kind at the conclusion of the 40-minute observation period.
2. Absence of falling particles that are still burning when reaching the burner or floor.

R327.4.7.2 Requirements for R327.4.7, item 6. The material shall be tested in accordance with ASTM E2632 and shall comply with the following condition of acceptance. The test shall be conducted in triplicate and the peak heat release rate shall be less than or equal to 25 kW/ft^2 (269 kW/m^2). If any one of the three replicates does not meet the conditions of acceptance, three additional tests shall be conducted. All of the additional tests shall meet the conditions of acceptance.

R327.4.8 Glazing. Exterior windows, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block, or have a fire resistance rating of not less than 20 minutes.

WILDFIRE HAZARD ZONE MAP



R327.4 Wildfire Hazard Mitigation Construction Guide for Wildfire Hazard Zones

Underfloor and Attic Vents
ORSC Section R327.4.4

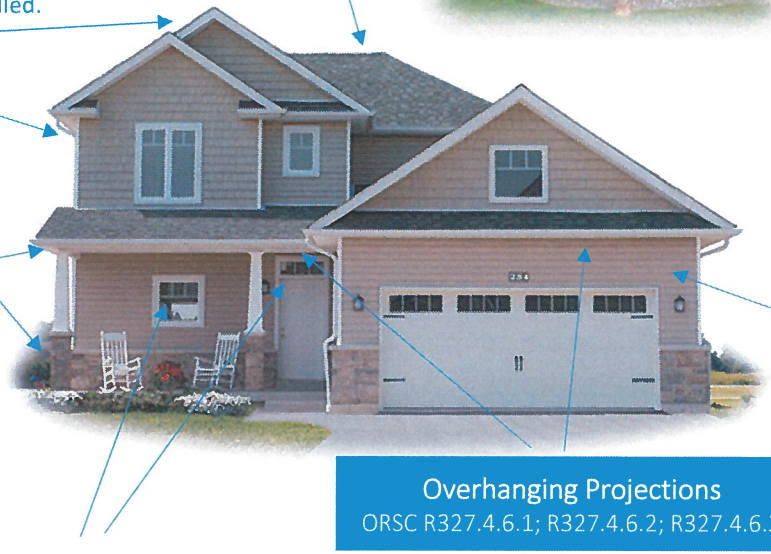
All Vents:
All vents shall have screening made of corrosion-resistant metal mesh with minimum 1/16" and maximum 1/8" grid ***or*** be designed to resist flame and ember intrusion (ASTM E2886).
Eave, Soffit, and Cornice Vents less than 12' above grade or surface:
All vents shall have screening made of corrosion-resistant metal mesh with minimum 1/16" and maximum 1/8" grid ***and*** be designed to resist flame and ember intrusion (ASTM E2886).

Roofing
ORSC Section R327.4.3

Roofing shall be asphalt, slate, metal, tile, clay, concrete, or equivalent minimum Class B. **Wood shingle or shake materials are prohibited.** Cap off or fire block spaces between roofing and roof deck to prevent flame and ember intrusion and provide galvanized valley flashing where valley flashing is installed.

Walking Surfaces
ORSC Section R327.4.7

Deck, porch, and balcony walking surfaces greater than 30" and less than 12' above grade or the surface below shall be constructed of minimum 2" nominal lumber for decks <= 200 sq. ft., non-combustible, ignition-resistant conforming to ASTM E84 or UL 723, exterior fire retardant treated wood, meets ASTM E2632 and ASTM 2726 criteria, or meets ASTM E2632 with ignition-resistant wall covering.



Rain Gutters
ORSC Section R327.4.3.1

Non-combustible materials with provisions to prevent the accumulation of leaves and debris in the gutters (Non-combustible corrosion resistant metal screening).

Exterior Wall Covering
ORSC Section R327.4.5

Wall covering materials shall be noncombustible, ignition-resistant, heavy timber, log wall, or wall assemblies tested in accordance with ASTM E2707. Alternatively, one layer of minimum 5/8" exterior grade Type X applied behind the exterior wall covering or cladding or 1-hour fire resistive exterior wall assembly. Exterior wall coverings shall extend from the top of the foundation to the roof, and terminate at 2" nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves or soffits, shall terminate at the underside of the enclosure.

Underfloor Protection
ORSC Section R327.4.6.4

Underfloor area of elevated structures shall be enclosed or meet non-combustible material, ignition-resistant material, ASTM E2957 compliant, one layer of minimum 5/8" exterior grade Type X applied behind the exterior covering of the underside, or 1-hour fire resistive exterior wall assembly.

Windows, Doors, Skylights Glazing
ORSC Section R327.4.8

Exterior windows, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels (typical dual pane), glass block, or have a minimum fire-resistant rating of 20 minutes.

Overhanging Projections
ORSC R327.4.6.1; R327.4.6.2; R327.4.6.3

All enclosed roof eaves, soffits, cornices, exterior patio/porch ceilings and floor projections less than 12' above grade or the surface below shall be covered with either non-combustible material, ignition-resistant material, ASTM E2957 compliant, one layer of minimum 5/8" ext. Type X applied behind the exterior covering, or 1-hour fire resistive exterior wall assembly (Gable end overhangs are exempt).

For a list of approved materials/applications, visit: http://www.ci.medford.or.us/Page.asp?NavID=4340

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BUILDING SAFETY

Wildfire Hazard Zone Plan Submittal Form

Instructions: Identify in each section how compliance with R327.4 *Wildfire Hazard Mitigation* requirements is achieved *(Check and fill in information for all that applies).*

Roofing (R327.4.3)

Note: There are additional requirements for preventing intrusion of embers and flames in open spaces between roofing and roof decking and additional flashing requirements.

	Material (Minimum Class B)	Manufacturer	Product Name	Fire-Resistance Rating Class A, B or C
	Slate, Metal, Tile, Clay, Concrete			
	Other:			

Rain Gutters (R327.4.3.1)

	Non-combustible rain gutter with non-combustible corrosion-resistant screening

Vents (Flame and Ember-Resistant): Eave, Soffit, Cornice, and Ceiling < 12 feet above grade or surface below (R327.4.4)

	Location	Manufacturer	Product Name	Approval Listing #

All Other Vents (R327.4.4)

	Material
	Corrosion-resistant with maximum 1/8" non-combustible corrosion-resistant metal mesh

Exterior Wall Covering (R327.4.5)

Note: There are additional requirements for how wall coverings terminate.
For combustible siding/wall covering, fill out the following table or explain how you will achieve requirements:

	Location	Orientation	Material	Manufacturer	Product Name	Approval Listing #
	One layer of minimum 5/8" exterior grade Type X behind covering or 1-hour fire-resistive assembly					

Overhanging Projections, Roof Eaves, Soffits, Cornices, Patio/Porch Ceilings, or Underfloor Protection of Elevated Structures (R327.4.6.1-4)

Note: Gable end overhangs beyond an exterior wall other than at the lower end of rafter tails are exempt.

	Location	Material	Manufacturer	Product Name	Approval Listing #
	One layer of minimum 5/8" exterior grade Type X behind covering or 1-hour fire-resistive assembly				

Walking Surfaces (R327.4.7) *Note: Fill this in for any combustible surface decking material planned. If none, label N/A.*

	Material	Manufacturer	Product Name	Approval Listing #

Glazing in Windows, Doors, Skylights (R327.4.8)

	Material
	All either dual glazing, tempered glass, glass block, or a fire resistance rating of not less than 20 min.

Exposure of human communities to wildfire in the Pacific Northwest

Joe H. Scott, Pyrologix
Julie Gilbertson-Day, Pyrologix
Richard D. Stratton, USDA Forest Service

Purpose and background

At the request of the United States Forest Service Pacific Northwest Regional Office, Pyrologix[1] assessed the exposure to wildfire of housing units within named human communities across the Pacific Northwest Region (Oregon and Washington). The purpose of the assessment was to identify the communities most threatened by wildfire. The fifty most-threatened communities in each state were identified.

These results have several applications. A home buyer can use these results for comparing the relative wildfire exposure of homes in different communities; homeowners can gauge their wildfire exposure compared to their peers in neighboring communities. Governments and other organizations can potentially use the results to prioritize communities for home-loss mitigation efforts, allocate mitigation funding, inform building codes, and guide residential development. Finally, land owners and land management agencies can use the exposure-source results to identify locations within their ownerships that produce damaging wildfires.

What is exposure to wildfire?

In the broadest sense, wildfire exposure encompasses the likelihood of wildfire burning a given location on the landscape, and the potential intensity of a wildfire if one were to occur. For this assessment we focus only on wildfire likelihood because the effect of fire intensity on home loss rate is not well studied, and because the inclusion of intensity for this and similar assessments did not influence the conclusions. Wildfire likelihood is measured by annual burn probability, a measure generated by comprehensive simulation of wildfire occurrence and spread (see section below on Wildfire hazard simulations).

What is a human community?

We defined a human community as the population (housing units) within a community core as defined by the Populated Place Areas dataset produced by the United States Census Bureau plus the population within a 45-minute drive of the boundary of the community core[2].

Housing unit data

The West Wide Wildfire Risk Assessment (Sanborn Map Company 2013) produced a spatial dataset called Where People Live (WPL). The WPL layer, which was generated by processing LANDSCAN and U.S. Census data, represents the estimated density of housing units across the 17 western states. We converted those housing-unit density values to housing-unit counts. Summing the housing-unit count

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[1] Pyrologix is a Montana-based wildfire threat assessment research firm (www.pyrologix.com).
[2] The drive-time analysis was conceived and conducted by Dr. Alan Ager and his staff at the Rocky Mountain Research Station, USDA Forest Service.

values for all locations in a named community provides an estimate of the total number of housing units in the community.

For this assessment, housing units were considered *directly* exposed to wildfire if they were located on burnable land cover[3]. Housing units were considered *indirectly* exposed to wildfire if they were located on nonburnable land cover (other than open water) but within 150 m of burnable land cover. Only directly or indirectly exposed housing units are summarized in this report. Nonexposed housing units (those within an urban core, for example) are not included.

Wildfire hazard simulations

This assessment relies on wildfire behavior simulations produced using a comprehensive wildfire occurrence, growth and behavior simulation system called FSim (Finney and others 2011). The FSim modeling for Oregon was conducted for the Pacific Northwest Region Quantitative Wildfire Risk Assessment (QWRA), which was completed in 2018 (Gilbertson-Day and others 2018). The FSim model works by simulating 10,000 or more "iterations" to produce spatial data representing annual burn probability—the annual likelihood that a wildfire will reach a given point on the landscape. Each iteration is a possible realization of a complete calendar year. The FSim burn probability results show considerable variation in wildfire likelihood across the states (Figure 1).

In addition, FSim records the start location and final perimeter for each of its simulated wildfires, enabling us to attribute housing-unit exposure to the origin location, which we use in an assessment of the source of exposure of housing units to wildfire.

Housing-unit exposure to wildfire

Mean burn probability

We calculated the mean burn probability where the housing units are located within each community. This measure represents the mean likelihood that a housing unit in a community will experience a wildfire in one year. The higher this value, the more likely it is that an individual housing unit will experience a wildfire. Mean burn probability is not a cumulative measure for a community, so it does not necessarily increase as the number of housing units increases. Instead, this measure is sensitive to the general location of a community within the burn probability map (Figure 1) and the specific locations of housing units with each community.

Community-wide housing-unit exposure

We first generated raster data representing the expected annual number of housing units exposed to wildfire (the product of housing-unit count and burn probability). We then summed those results within each community; a community with more housing units can therefore have a greater community-wide exposure. The resulting sum represents the estimated mean annual number of housing units expected to experience a wildfire. The top 50 Washington communities by this measure are listed in Table 1; the top 50 Oregon communities are listed in Table 2.

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[3]Burnable and nonburnable land cover is characterized by the LANDFIRE 2014 FBFM40 data layer (www.landfire.org), with minor calibration edits informed by local expert knowledge. Burnable land cover includes land covered by grasses, forbs, shrubs, tree litter, understory trees, or logging slash. Nonburnable land cover includes urban areas, irrigated agricultural land, permanent snow or ice, bare ground, and open water.

A community can be ranked as highly exposed due a combination of high likelihood or high population. To illustrate those contributing factors, we plotted mean burn probability against total housing unit count for the 50 communities with the greatest cumulative exposure (Figure 2 and Figure 3). Both axes are plotted on a common-log scale. The plot is divided into a 4-by-3 grid, which is convenient for interpreting the results with the communities plotted in the lower right-hand corner having the greatest likelihood of burning, but relatively few exposed housing units, while communities in the top left square have the greatest number of housing units and relatively low burn probability. The communities plotted in the middle, far-right squares have some of the highest burn probabilities and a moderate number of housing units exposed. These communities could be further evaluated for wildfire mitigation opportunities to reduce exposure near the homes.

Landscape-wide sources of housing-unit exposure

We assessed the relative potential for different parts of the landscape to produce wildfires that expose housing units. That damage potential is a function of spatial variation in fire occurrence and fire growth potential (which is simulated by FSim), in conjunction with spatial variation in housing-unit count. To do this we summed the number of housing units within each simulated fire perimeter, then attributed the start location of each fire with that number. We then created a smoothed surface that represents the relative annual number of housing units exposed by fires originating across the landscape (Figure 4). Even though a small number of large fires account for the vast majority of wildfire area burned (Strauss and others 1989) it appears that wildfires originating near populated areas are responsible for the vast majority of the housing-unit exposure. The areas of higher exposure-source tend to fall near where communities exist.

Discussion

Spatial inequality in housing-unit exposure to wildfire

We show results for the 50 most-exposed communities in both Washington and Oregon, but we assessed exposure to all 1,005 named communities across the two states. In Washington, the 50 communities most exposed to wildfire comprise only 12% of the 2,196,244 housing units located on or near burnable land cover in the state. However, those same communities represent roughly 70% of the cumulative housing-unit exposure. In Oregon, the 50 most-exposed communities comprise only 19% of the 1,196,187 housing units located on or near burnable land cover, but 80% of the cumulative housing-unit exposure. Across both states combined, the 100 most-exposed communities comprise 15% of the housing units located on burnable land cover but 76% of the cumulative housing-unit exposure.

These results illustrate an unequal distribution of wildfire exposure among human communities—most of the wildfire exposure occurs in a relatively small number of communities. The unequal distribution suggests that focusing mitigation efforts on the most-exposed communities is likely to result in the greatest benefit.

Ownership at source locations of housing-unit exposure

In contrast with other "risk transmission" analyses, we did not focus on the effects of fires originating on any particular land ownership (e.g., USFS land) on housing-unit exposure. Instead, we identified locations with greater potential for reaching housing units using a purely spatial approach. When USFS land ownership is overlaid on this map, it is evident that USFS land is not the dominant contributor to overall housing-unit exposure in the Pacific Northwest. Fires with potential to affect housing units tend

to start near housing units, and the land surrounding housing units is generally not in USFS ownership. Exceptions exist, however. Fires originating on some portions of USFS land ownership, especially east of the Cascade Mountains in Washington, can indeed reach significant numbers of housing units.

More information

The full list of communities in Washington and Oregon and their exposure to wildfire in is available here as a Microsoft Excel workbook.

Additional detailed spatial information about wildfire hazard and risk to homes in Oregon can be found at the Oregon Wildfire Risk Explorer.

References

Gilbertson-Day, Julie; Scott, Joe; Vogler, Kevin; Brough, April. 2018. Pacific Northwest Quantitative Wildfire Risk Assessment: Methods and Results. Final report. Available: http://pyrologix.com/ftp/Public/Reports/PNRA_QuantitativeWildfireRiskReport_08_27_18.pdf

Sanborn Map Company. 2013. West wide wildfire risk assessment: FINAL REPORT. Available: http://www.odf.state.or.us/gis/data/Fire/West_Wide_Assessment/WWA_FinalReport.pdf

Strauss, David; Bednar, Larry; Mees, Romain. 1989. Do one percent of forest fires cause ninety-nine percent of the damage? Forest Science 35(2): 319–328.

Suggested citation

Scott, Joe H.; Gilbertson-Day, Julie; Stratton, Richard D. 2018. Exposure of human communities to wildfire in the Pacific Northwest. Briefing paper. 10 p. Available at: http://pyrologix.com/ftp/Public/Reports/RiskToCommunities_OR-WA_BriefingPaper.pdf

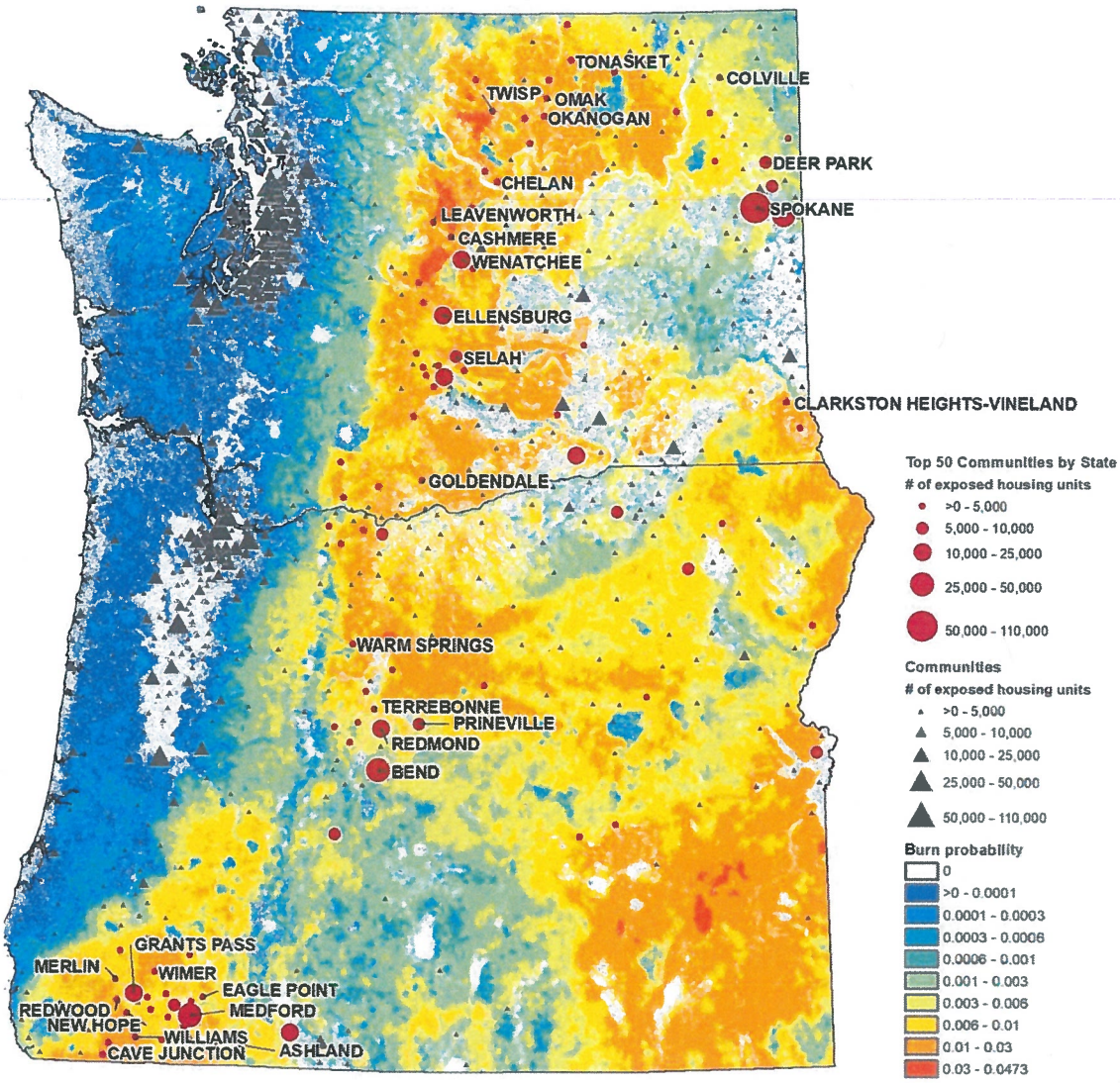

Figure 1. Annual burn probability across the states of Washington and Oregon and exposed human communities in each state. The 50 most-exposed communities in each state are mapped in dark red. The most-exposed communities tend to be in areas with the highest annual burn probabilities based on the FSim modeling results.

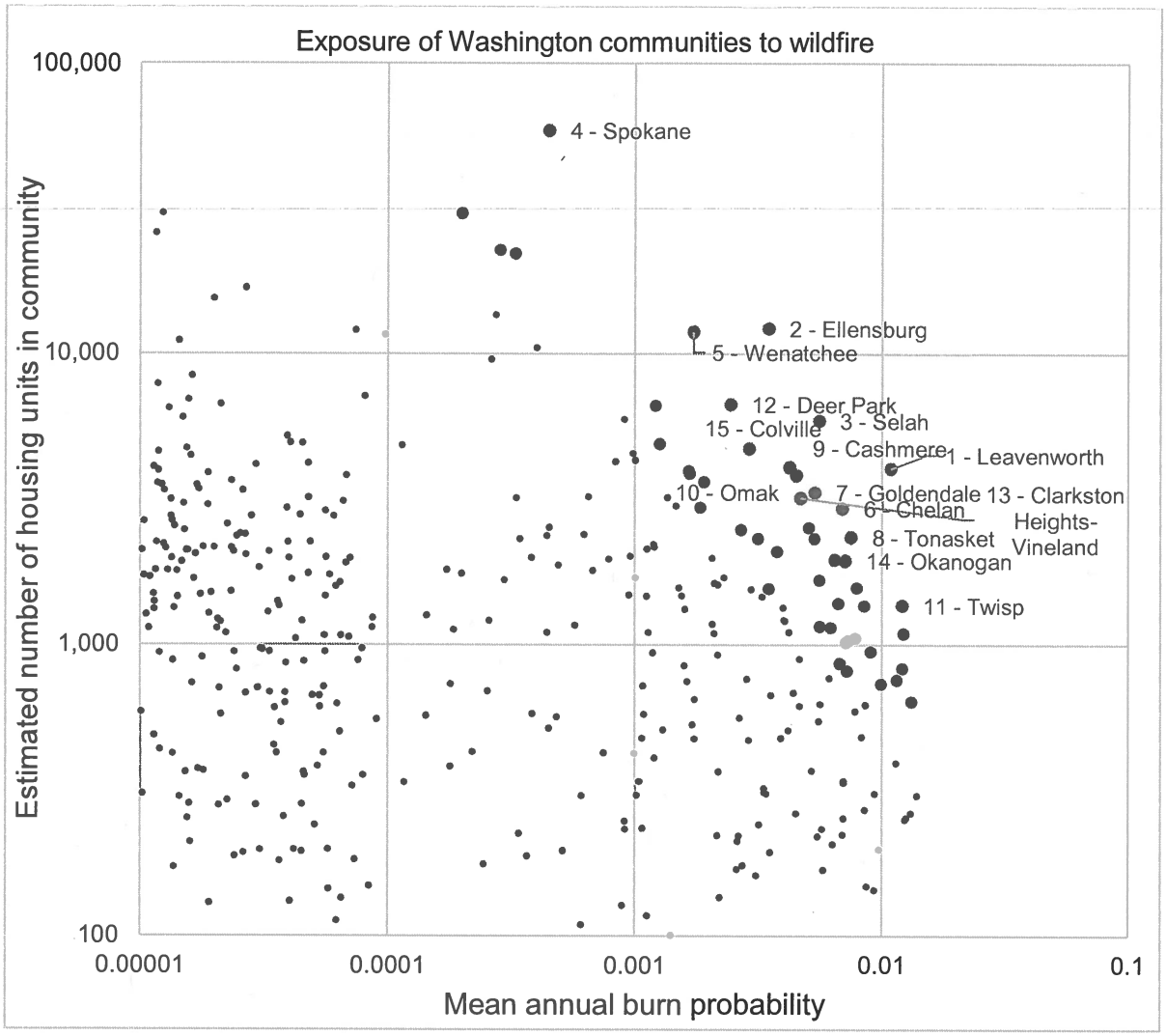

Figure 2. Exposure of Washington communities to wildfire. The 50 most-exposed communities (by cumulative annual housing-unit exposure) are shown as larger gray dots. The top 15 are labeled with the rank and community name. See Table 1 for the names of the remaining top-50 communities. Smaller gray dots represent communities not among the 50 most exposed. Only the 382 communities with a mean burn probability greater than 0.0001 (1 in 10,000) are shown; 245 communities with a lower mean burn probability are not shown. Axes are shown on a common-log scale (base 10).

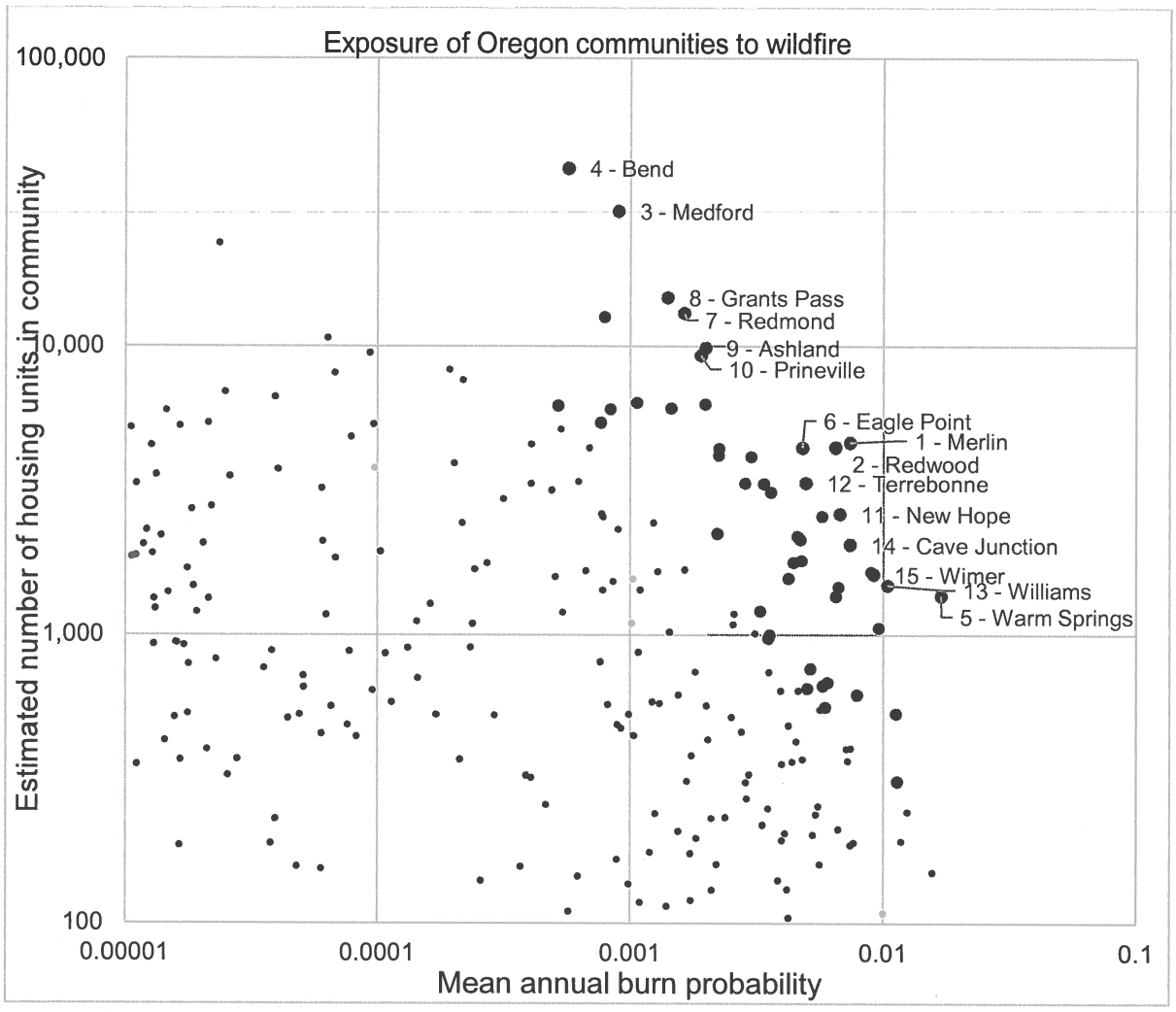

Figure 3. Exposure of Oregon communities to wildfire. The 50 most-exposed communities (by cumulative annual housing-unit exposure) are shown as larger gray dots. The top 15 are labeled with the rank and community name. See Table 2 for the names of the remaining top-50 communities. Smaller gray dots represent communities not among the 50 most exposed. Only the 244 communities with a mean burn probability greater than 0.0001 (1 in 10,000) are shown; 133 communities with a lower mean burn probability are not shown. Axes are shown on a common-log scale (base 10).

Table 1. The 50 communities in Washington with greatest cumulative housing-unit exposure to wildfire. The "mean of exposed housing units" rank indicates the mean (typical) burn probability of housing units within each community.

Community Exposure Ranking	Community Name	Total number of housing units exposed to wildfire	Estimated mean annual number of housing units visited by wildfire	Mean annual burn probability	Burn probability rank
1	Leavenworth	4,025	43.5	0.0108	11
2	Ellensburg	12,204	42.3	0.0035	76
3	Selah	5,873	32.6	0.0056	52
4	Spokane	58,409	26.2	0.0004	165
5	Wenatchee	11,864	20.4	0.0017	112
6	Chelan	2,938	20.3	0.0069	37
7	Goldendale	3,341	17.9	0.0053	55
8	Tonasket	2,343	17.5	0.0075	28
9	Cashmere	3,822	17.1	0.0045	62
10	Omak	4,065	17.1	0.0042	65
11	Twisp	1,364	16.4	0.0121	7
12	Deer Park	6,684	16.3	0.0024	96
13	Clarkston Heights-Vineland	3,198	15.0	0.0047	59
14	Okanogan	1,947	13.8	0.0071	32
15	Colville	4,720	13.7	0.0029	87
16	Cle Elum	1,936	13.7	0.0071	33
17	Winthrop	1,095	13.3	0.0122	6
18	Sunnyslope	2,528	12.7	0.0050	58
19	Brewster	1,973	12.6	0.0064	41
20	Kittitas	1,952	12.5	0.0064	42
21	Entiat	1,570	12.3	0.0079	25
22	Ahtanum	2,318	12.3	0.0053	56
23	Summitview	1,361	11.5	0.0084	23
24	Malott	830	10.0	0.0120	8
25	Manson	1,670	9.3	0.0056	51
26	Springdale	1,388	9.2	0.0066	40
27	Thorp	757	8.6	0.0114	9
28	Asotin	947	8.5	0.0089	18
29	Riverside	638	8.4	0.0131	2
30	Republic	1,057	8.3	0.0078	26
31	Mead	6,614	8.0	0.0012	126
32	South Wenatchee	2,090	7.8	0.0037	73
33	White Swan	1,035	7.6	0.0073	29
34	Inchelium	1,022	7.3	0.0072	31
35	Oroville	2,317	7.3	0.0031	84
36	Klickitat	734	7.2	0.0099	13
37	Yakima	22,047	7.2	0.0003	176
38	Naches	1,147	7.1	0.0062	44
39	Ephrata	3,623	6.9	0.0019	108
40	White Salmon	2,487	6.7	0.0027	91
41	Othello	3,961	6.5	0.0016	115
42	Addy	1,157	6.5	0.0056	50
43	Kennewick	22,660	6.4	0.0003	178
44	Newport	3,871	6.4	0.0017	114
45	West Richland	4,889	6.1	0.0013	125
46	Spokane Valley	30,340	6.0	0.0002	186
47	Trout Lake	814	5.9	0.0072	30
48	Cowiche	864	5.8	0.0067	39
49	Terrace Heights	2,960	5.4	0.0018	109
50	Gleed	1,557	5.4	0.0035	77

Table 2. The 50 communities in Oregon with greatest cumulative housing-unit exposure to wildfire. The "mean of exposed housing units" rank indicates the mean (typical) burn probability of housing units within each community.

Community Exposure Ranking	Community Name	Total number of housing units exposed to wildfire	Estimated mean annual number of housing units visited by wildfire	Mean annual burn probability	Burn probability rank
1	Merlin	4,628	34.2	0.0074	21
2	Redwood	4,451	28.9	0.0065	29
3	Medford	29,340	26.3	0.0009	128
4	Bend	41,321	23.4	0.0006	145
5	Warm Springs	1,362	23.0	0.0169	1
6	Eagle Point	4,443	21.3	0.0048	45
7	Redmond	13,005	21.3	0.0016	103
8	Grants Pass	14,718	20.6	0.0014	108
9	Ashland	9,853	19.5	0.0020	90
10	Prineville	9,285	17.7	0.0019	92
11	New Hope	2,616	17.7	0.0067	25
12	Terrebonne	3,353	16.6	0.0050	43
13	Williams	1,481	15.4	0.0104	9
14	Cave Junction	2,049	15.2	0.0074	20
15	Wimer	1,617	14.8	0.0091	13
16	Gold Hill	2,576	14.8	0.0057	35
17	Chenoweth	1,650	14.8	0.0090	15
18	Talent	4,138	12.5	0.0030	71
19	Central Point	6,282	12.4	0.0020	91
20	Sisters	3,336	11.3	0.0034	67
21	Tumalo	3,119	11.2	0.0036	62
22	Selma	1,055	10.1	0.0096	12
23	Jacksonville	2,132	10.1	0.0047	47
24	Rogue River	2,189	10.1	0.0046	49
25	Klamath Falls	12,620	9.9	0.0008	134
26	Madras	4,408	9.9	0.0022	82
27	Ruch	1,463	9.7	0.0067	26
28	Phoenix	3,346	9.5	0.0028	75
29	White City	4,186	9.4	0.0022	83
30	Ontario	6,086	8.8	0.0015	106
31	Glendale	1,356	8.8	0.0065	28
32	Shady Cove	1,804	8.6	0.0048	46
33	Burns	1,778	7.9	0.0044	51
34	La Pine	6,357	6.7	0.0011	120
35	Eagle Crest	1,565	6.6	0.0042	53
36	Takilma	532	6.0	0.0112	8
37	The Dalles	6,032	5.0	0.0008	132
38	Odell	2,239	5.0	0.0022	84
39	Halfway	619	4.9	0.0079	16
40	La Grande	5,426	4.1	0.0008	138
41	Foots Creek	683	4.1	0.0060	31
42	Culver	1,207	3.9	0.0033	69
43	Trail	763	3.9	0.0052	41
44	Mount Hood	664	3.8	0.0058	34
45	Elgin	997	3.5	0.0036	63
46	Mitchell	310	3.5	0.0114	7
47	Hines	970	3.4	0.0035	65
48	Butte Falls	560	3.3	0.0059	33
49	Prairie City	650	3.3	0.0050	21
50	Pendleton	6,215	3.2	0.0005	29

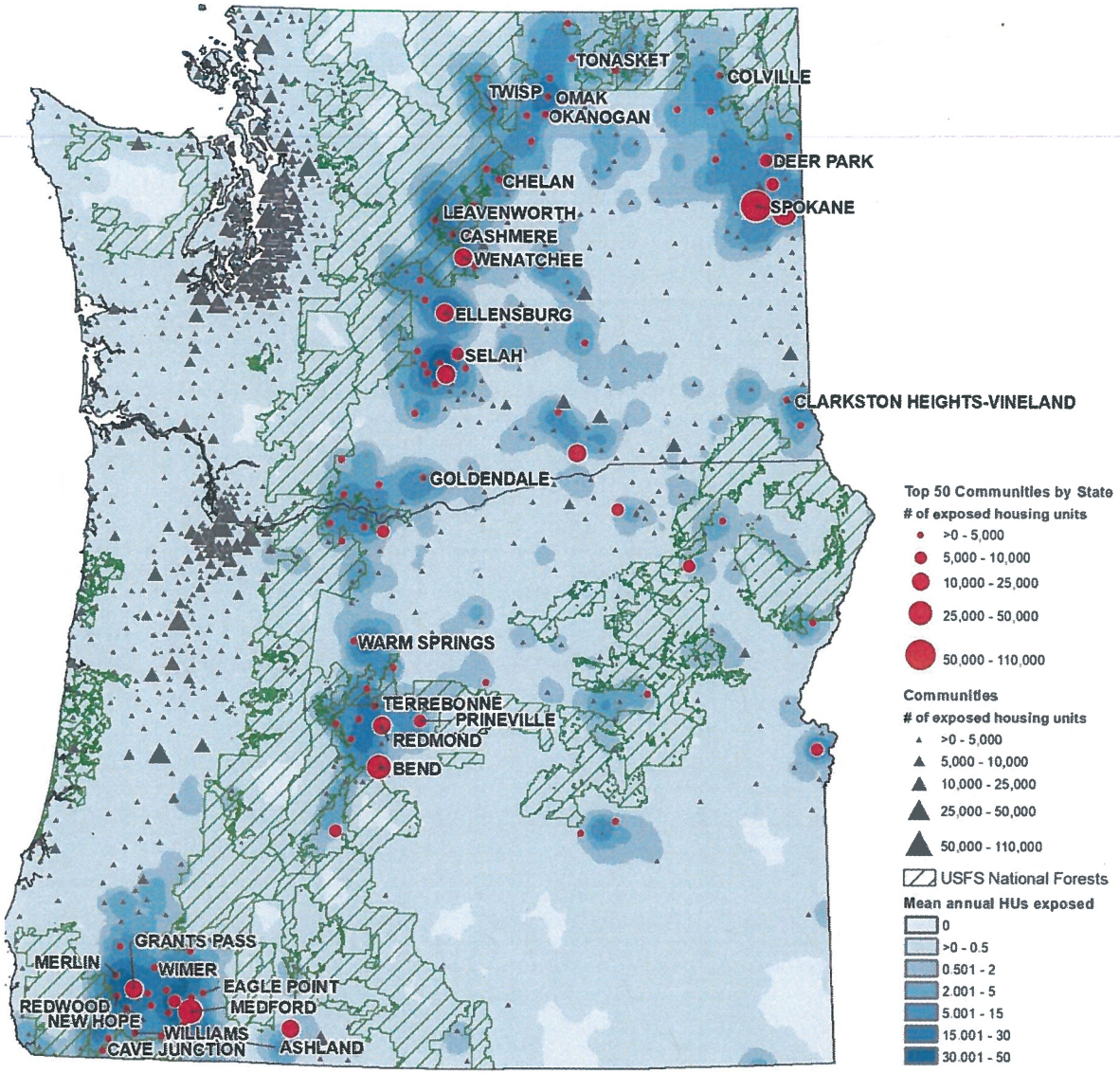

Figure 4. Sources of housing-unit exposure to wildfire across Washington and Oregon and exposed communities across the two states. The fifty most exposed communities in each state are shown in dark red, the remaining communities in gray. Dark blue areas of the map tend to produce greater annual housing-unit exposure.

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Item No: 70.2

AGENDA ITEM COMMENTARY

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

AGENDA SECTION: Ordinances and Resolutions
MEETING DATE: October 17, 2019

COUNCIL BILL 2019-109

A resolution initiating annexation to the City of Medford of an approximate 1.086-acre tract of land, including a single parcel located at 3558 Table Rock Road and its abutting right-of-way along Table Rock Road.

SUMMARY AND BACKGROUND

Council is requested to consider a request to initiate the annexation to the City of Medford an approximate 1.086-acre tract of land, which includes a single parcel located at 3558 Table Rock Road and its abutting right-of-way along Table Rock Road. The current County zoning designation of RR-2.5 will be changed to the City I-L/I-00 (Light Industrial/Limited Industrial Overlay) zoning district. The property will be removed from Medford Rural Fire Protection District #2. (File No. A-19-001)

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The subject property is located within the City's Urban Growth Boundary and is contiguous with city limits along its northerly and easterly boundaries. The property has a General Land Use Plan (GLUP) map designation of General Commercial (GI), which is compatible with the I-L City zoning designation. The property is currently zoned by Jackson County as RR-2.5.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

The property currently contains a single-family home, built in 1949. The property's total assessed value is $138,210.

TIMING ISSUES

The final hearing for this matter is tentatively scheduled before City Council on Thursday, November 21, 2019.

COUNCIL OPTIONS

Approve the resolution as presented.
Modify the resolution as presented.
Decline to approve the resolution as presented and direct staff regarding further action.

STAFF RECOMMENDATION

Staff recommends approval of the request to initiate the annexation.

SUGGESTED MOTION

I move to adopt the resolution to initiate the annexation and set the public hearing date of November 21, 2019.

EXHIBITS
Resolution
Legal Description with Exhibit Map
Vicinity Map

RESOLUTION NO. 2019-109

A RESOLUTION initiating annexation to the City of Medford of an approximate 1.086-acre tract of land, including a single parcel located at 3558 Table Rock Road and its abutting right-of-way along Table Rock Road. (A-19-001).

WHEREAS, the area situated in Jackson County, Oregon, described in Exhibit A attached hereto and incorporated herein, is contiguous to the City of Medford; now, therefore,

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

SECTION 1. The City Council elects to dispense with submitting the question of the proposed annexation to the electors of the City.

SECTION 2. A public hearing on the annexation shall be held at the hour of 6:00 p.m. on the 21th day of November, 2019, before the City Council of the City of Medford, Oregon, in City Hall Council Chambers, 411 W. 8th Street, of said city. Following the hearing, the council will consider a proposed ordinance annexing portions of Lozier Lane right-of-way from Stewart Avenue to West Main Street.

SECTION 3. The City Recorder is directed to give notice of the time, place, and purpose of the public hearing provided for in Section 2 hereof by publishing notice thereof once each week for two consecutive weeks prior to the date of said hearing in a newspaper of general circulation in the City of Medford and by causing notices thereof to be posted in four (4) public places in the city for the said period of time.

PASSED by the Council and signed by me in authentication of its passage this ___ day of October, 2019.

ATTEST: _____ _____

City Recorder Mayor

TELEPHONE
541-772-2782

JAMES E. HIBBS, PLS

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
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ljfriarandassociates@charter.net

LEGAL DESCRIPTION

Commencing at the East-Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian said point being on the existing City of Medford Boundary per Ordinance No. 1970-777 passed January 16, 1970; thence along said City boundary, South 89°32′35″ West, (record South 89°52′ West), 93.5 feet to the Southwest corner of said City boundary; thence continue along said City boundary, North 00°16′40″ West (record North 00°03′ East), 1103.77 feet to the Southwest corner of that tract set forth in Document No. 2019-015888, Official Records of Jackson County, Oregon and the **true point of beginning**; thence leaving said City boundary along the South line of said tract and its Westerly prolongation, South 89°43′27″ West (record North 89°57′ West), 384.90 feet to the centerline of the Table Rock Road; thence along said centerline, North 00°16'37" West, 122.95 feet, more or less, to the Westerly prolongation of the North line of that tract set forth in Document No. 2019-015888, said Official Records; thence along said prolongation, North 89°43′27″ East (record South 89°57′ East), 30.00 feet to the Northwest corner of said tract said point also being on the existing City boundary per Ordinance No. 1980-4047 passed May 1, 1980; thence along the North line of said tract and along said City Boundary, North 89°43′27″ East, 354.90 feet (record South 89°57′ East, 355.00 feet) to the Northeast corner of said tract; thence along the East line thereof and along said City boundary per Ordinance No. 1970-777 passed January 16, 1970, South 00°16′40″ East, 122.95 (record South 00°03′ West, 122.71 feet) to the true point of beginning. Containing 47325 square feet or 1.086 acres, more or less.

TRACT TO BE ANNEXED/REZONED
372W12A TL800
CSA Planning
19-194
September 19, 2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR

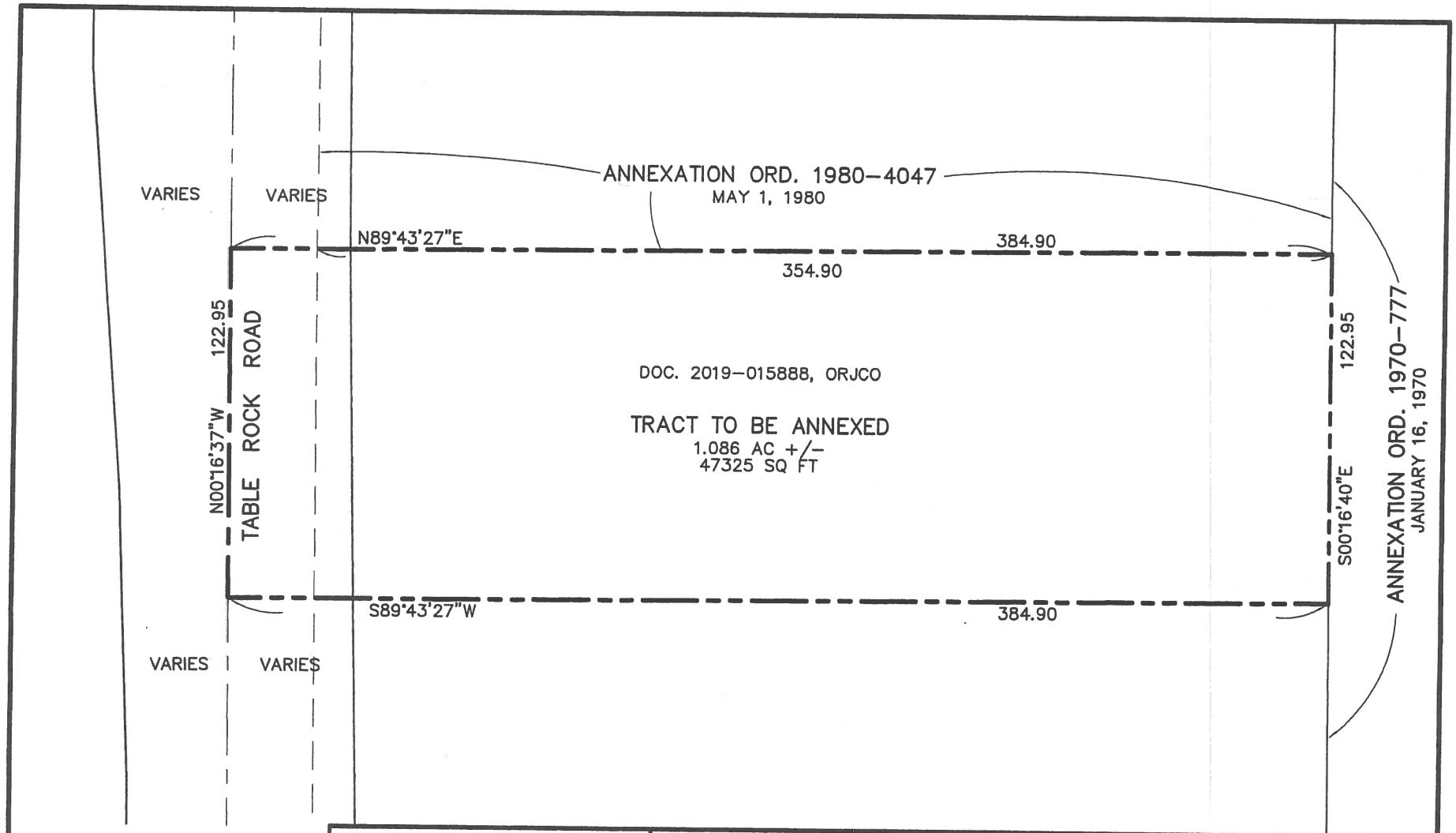
James E. Hibbs

OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE : 6-30-21

EXHIBIT A
PG. 1

EXHIBIT A
PG. 2



N

25
0 50

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE 6-30-21

© L.J. FRIAR & ASSOCIATES, P.C. 2019

TITLE: TRACT TO BE ANNEXED
ASSESSOR'S MAP #: 372W12A TL800
FOR: CSA PLANNING
4497 BROWNRIDGE, SUITE 101
MEDFORD, OR 97504

L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. Box 1947, Phoenix, OR 97535
Phone: (541) 772-2782
ljfriarandassociates@charter.net

DATE: 19 SEPT 2019
SCALE: 1 inch : 50 feet
DRAWN BY: JEH
CHK BY:
ORIGIN:
ROTATION: 0°
JOB#: 19194FM
Sheet 1 of 1.

MEDFORD PLANNING

Vicinity Map

File Number:

A19-001

Project Name:

Alvarez Real Estate LLC

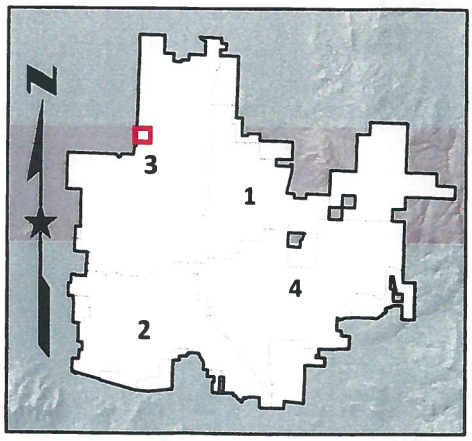
Map/Taxlot:

372W12A TL 800

0 160 320 Feet

Legend

- Subject Area
- Tax Lots
- Zoning Districts



09/9/2019

MEDFORD
OREGON
cityofmedford.org

Item No: 80.1

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director
AGENDA SECTION: Public Hearings
MEETING DATE: October 17, 2019

COUNCIL BILL 2019-110

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan by changing the land use designation of 0.61 acres located at 2217 Barnett Road, Urban High Density Residential (UH) to Service Commercial (SC).

SUMMARY AND BACKGROUND

Council is requested to consider a minor General Land Use Plan (GLUP) map amendment to reclassify a single 0.61 acre parcel, located at 2217 Barnett Road, from Urban High Density Residential to Service Commercial. (File No. GLUP-19-003)

On September 12, 2019, the Planning Commission forwarded a unanimous recommendation to City Council after a public hearing and approved a zone change conditioned on approval of this proposal.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The subject site was previously developed with one single-family dwelling structure as well as several smaller, detached accessory structures. A demolition permit was issued in 2018 and all structures have since been removed from the site. The applicant is now requesting to change the GLUP designation from Urban High Density Residential to Service Commercial which would allow for commercial development, similar to existing development that is abutting the site to the west, as well as multiple-family residential development per MFR-30 standards.

Review of the proposed GLUP map designation change can be found to meet the applicable criteria for a Comprehensive Plan Amendment as found in the *Review and Amendments* chapter of the Comprehensive Plan, as the proposed change: 1) is consistent with the pertinent Comprehensive Plan policies and implementation strategies that seek to assure that adequate commercial and industrial lands are available; 2) responds to a demonstrated need for adequate employment opportunities; 3) can be found to have sufficient facilities to accommodate the proposed classification change; 4) will help maximize the efficiency of land uses within the urbanizable area; 5) will result in no discernable environment, energy or social consequences from the proposed change of designation; 6) is compatible with all applicable elements of the Comprehensive Plan; and 7) meets the applicable statewide planning goals as described in the Council Staff Report.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None

TIMING ISSUES
None

COUNCIL OPTIONS
Approve the ordinance as presented
Modify the ordinance as presented
Decline to approve the ordinance as presented and direct staff regarding further action

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to adopt the ordinance authorizing the minor General Land Use Plan (GLUP) amendment to reclassify a single 0.61 acre parcel, located at 2217 Barnett Road, from Urban High Density Residential (UH) to Service Commercial (SC).

EXHIBITS
Ordinance
Council Report, including Exhibits A-O
Vicinity Map

ORDINANCE NO. 2019-110

AN ORDINANCE approving a minor amendment to the General Land Use Plan (GLUP) Map of the *Medford Comprehensive Plan* by changing the land use designation of 0.61 acres located at 2217 Barnett Road, Urban High Density Residential (UH) to Service Commercial (SC).

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a minor amendment to the GLUP Map of the *Medford Comprehensive Plan* changing the land use designation of 0.61 acres located at 2217 Barnett Road, Urban High Density Residential (UH) to Service Commercial (SC), is hereby approved.

Section 2. The approval is based upon the Findings of Fact and Conclusions of Law included in the Planning Commission Report dated September 30, 2019.

PASSED by the Council and signed by me in authentication of its passage this ____ day of October, 2019.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2019. _____

Mayor

CITY COUNCIL REPORT

for Type-IV and Type-III quasi-judicial and legislative decisions: **Minor General Land Use Plan Map Amendment and Zone Change.**

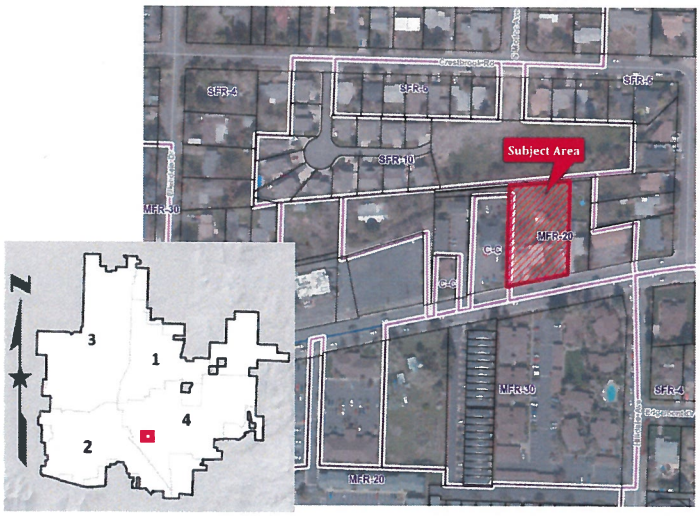
Project	Hong (Kevin) Wu Applicant: Hong (Kevin) Wu Agent: Richard Stevens and Associates
File no.	GLUP-19-003 & ZC-19-013
To:	City Council *for 10/17/2019 hearing*
From:	Steffen Roennfeldt, Planner III
Reviewer:	Kelly Evans, Assistant Planning Director.
Date	September 30, 2019

BACKGROUND

Proposal

Request for a minor General Land Use Plan (GLUP) map amendment from UH (Urban High Density Residential) to SC (Service Commercial) and to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 Barnett Road (371W29DC980).

Vicinity Map



Subject Site Characteristics

GLUP	UH	Urban High Density Residential
Zoning	MFR-20	Multiple Family Residential – 15 to 20 dwelling units per gross acre
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	SFR-10 (Single Family Residential – 6 to 10 dwelling units per gross acre)
	Use:	Vacant
South	Zone:	MFR-30 (Multiple Family Residential – 20 to 30 dwelling units per gross acre)
	Use:	Apartment Complex
East	Zone:	MFR-20
	Use:	Vacant
West	Zone:	C-C
	Use:	Commercial

Related Projects

None.

Applicable Criteria

Minor Comprehensive Plan Amendment

For the applicable criteria, the Medford Municipal Code Section 10.222(B) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for map amendments, and are based on the following:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
3. *The orderly and economic provision of key public facilities.*
4. *Maximum efficiency of land uses within the current urbanizable area.*
5. *Environmental, energy, economic, and social consequences.*
6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*
7. *All applicable Statewide Planning Goals.*

Corporate Names

According to the Oregon Secretary of State, Richard Stevens and Associates, Inc. is registered at 100 E Main St Suite O in Medford, OR with Clark Stevens as the Registered Agent, President and Secretary.

Authority

The Planning Commission is authorized to act as an advisory agency, forwarding a recommendation to City Council for proposed amendments to the Comprehensive Plan.

ISSUES AND ANALYSIS

Background

The subject site used to be developed with one single family structure and several detached accessory structures. A demolition permit was issued in 2018 and all structures have since been removed from the site.

Figure 1 - 2016 Aerial

Figure 2 - 2019 Aerial

Project Summary

The applicant is requesting a change of the General Land Use Plan (GLUP) map designation from UH (Urban High Density Residential) to SC (Service Commercial) for

the subject site. Additionally, a change in zone from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) is proposed.

Facility Adequacy

Transportation Impact Analysis

MLDC 10.461(3) requires a Transportation Impact Analysis (TIA) to be conducted to evaluate development impacts to the transportation system if a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Per the applicant's findings and the Public Works Staff Report (Exhibits E and G, respectively), a Transportation Impact Analysis is not required as the proposal is likely to generate less than 250 net ADT. No significant impacts to the transportation system are expected.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits G to M), it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions for the GLUP Map change including all applicable Statewide Planning Goals (Exhibit E) and recommends City Council adopt the findings as presented.

<u>Comprehensive Plan Amendment</u>

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

Findings: Policy 1-5 of the Economic Opportunities Goals and Policies section of the Economic Element of the Comprehensive Plan sates, "The City of Medford shall assure that adequate commercial and industrial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in the City of Medford and the region," and implementing strategy 1-5(b) reads, "Reduce projected deficits in employment lands by changing GLUP map

designations within the existing Urban Growth Boundary." As explained in the applicant's findings, there is a small imbalance of UH and SC designations (per File No. CPA-14-114) which this application will help to adjust.

Conclusions: The proposed change is consistent with the pertinent Comprehensive Plan goals, policies and implementation strategies that seek to actively stimulate economic development and growth that will provide opportunities to diversity and strengthen the mix of economic activity in the City of Medford, as the proposal changes the amount of employment lands within the City.

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

Findings: The proposed change from residential to commercial will increase the amount of employment lands within the City while maintaining the opportunity to develop the site with high density residential units.

Conclusions: The proposed change responds to a demonstrated need for adequate employment opportunities while maintaining residential development options.

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

Findings: Per the applicant's comments submitted to staff, it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Conclusions: Sufficient facilities exist or can and will be made available to accommodate the proposed classification change.

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

Findings: Development in this zone is proposed to be suitable for locations adjacent to residential neighborhoods. The property is appropriately located for the requested Service Commercial GLUP map change.

Conclusions: The requested change in GLUP map designation will help maximize the efficiency of land uses within the urbanizable area by providing a better balance of available employment and residential GLUP types.

5. *Environmental, energy, economic, and social consequences.*

Findings:
Environmental: The subject site is already within the UGB, and this has already met tests concerning environmental impacts; a change of designation does not affect suitability for urbanization.

Energy: A designation change to SC would not pose any discernable energy consequences, as the site is located within the UGB, and thus has already met tests concerning environmental impacts; change of designation does not affect suitability for urbanization.

Economic: The proposed change will increase the amount of employment lands within the City, thereby responding to a demonstrated need for adequate employment opportunities.

Social: The proposed change will increase the amount of employment lands within the City, thereby responding to a demonstrated need for adequate employment opportunities.

Conclusions: The proposed change will have positive Environmental, Energy, Economic and Social consequences overall.

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

Findings: Economic Element: Policy 1-5: The City of Medford shall assure that adequate commercial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in employment in the City of Medford and the region.

Implementation 1-5(b): Reduce projected deficits in employment lands by changing GLUP Map designations within the existing Urban Growth Boundary.

Conclusions: The proposed change will increase the amount of employment lands within the City, thereby responding to a demonstrated need for adequate employment opportunities.

7. All applicable Statewide Planning Goals.

Findings: All applicable Statewide Planning Goals were addressed in the applicant's findings (Exhibit E).

Conclusions: The proposed change can be found to be consistent with the applicable Statewide Planning Goals.

RECOMMENDED ACTION

Minor Comprehensive Plan (GLUP Map) Amendment

The Planning Commission recommends adopting GLUP-19-003 based on the analysis, findings, and conclusions per the City Council Report dated September 30, 2019, including Exhibits A to O.

EXHIBITS

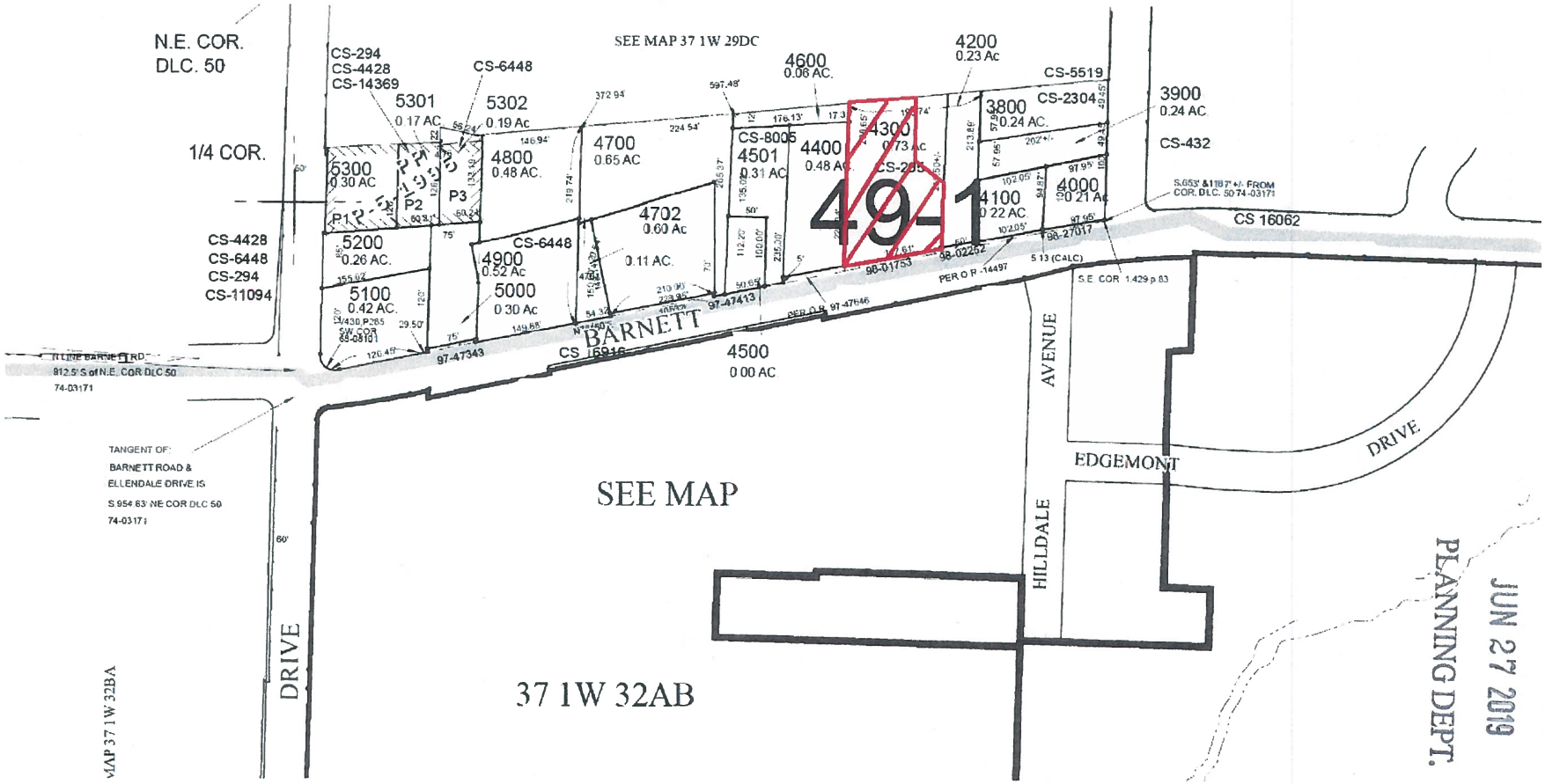
A Assessor's Map, received June 27, 2019
B GLUP Map, received June 27, 2019
C Zoning Map, received June 27, 2019
D Map of Survey, received June 27, 2019
E Applicant's Findings of Fact for GLUP Map change, received June 27, 2019
F Applicant's Findings of Fact for Zone Change, received June 27, 2019
G Public Works Department Staff Report (GLUP), dated August 14, 2019
H Public Works Department Staff Report (Zone Change), dated August 14, 2019
I Medford Fire Rescue Land Development Report, dated August 12, 2019
J Medford Building Department Report, dated August 14, 2019
K Water Commission Memo, dated August 14, 2019
L City Surveyor Report, dated July 31, 2019
M E-Mail from ODFW, received August 12, 2019
N Legal Description, received June 27, 2019
O Minutes Excerpt from Planning Commission hearing on September 12, 2019
Vicinity map

CITY COUNCIL AGENDA: **OCTOBER 17, 2019**

Assessor's Map

N.E.1/4, SEC.32, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 200'

FOR ASSESSMENT AND TAXATION ONLY

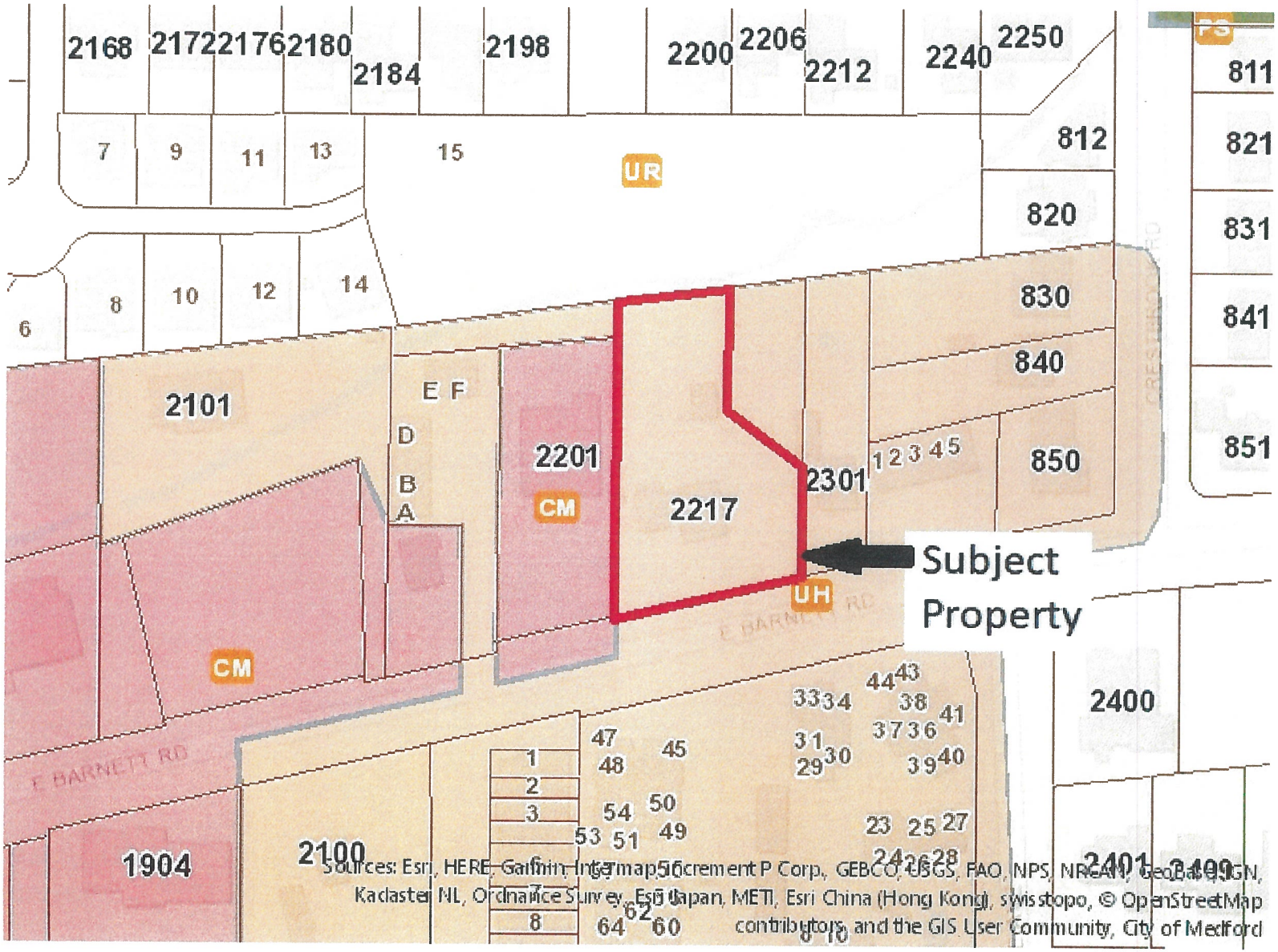


RECEIVED
JUN 27 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # A
FILE # GLUP-19-003/ZC-19-013

10

GLUP Map

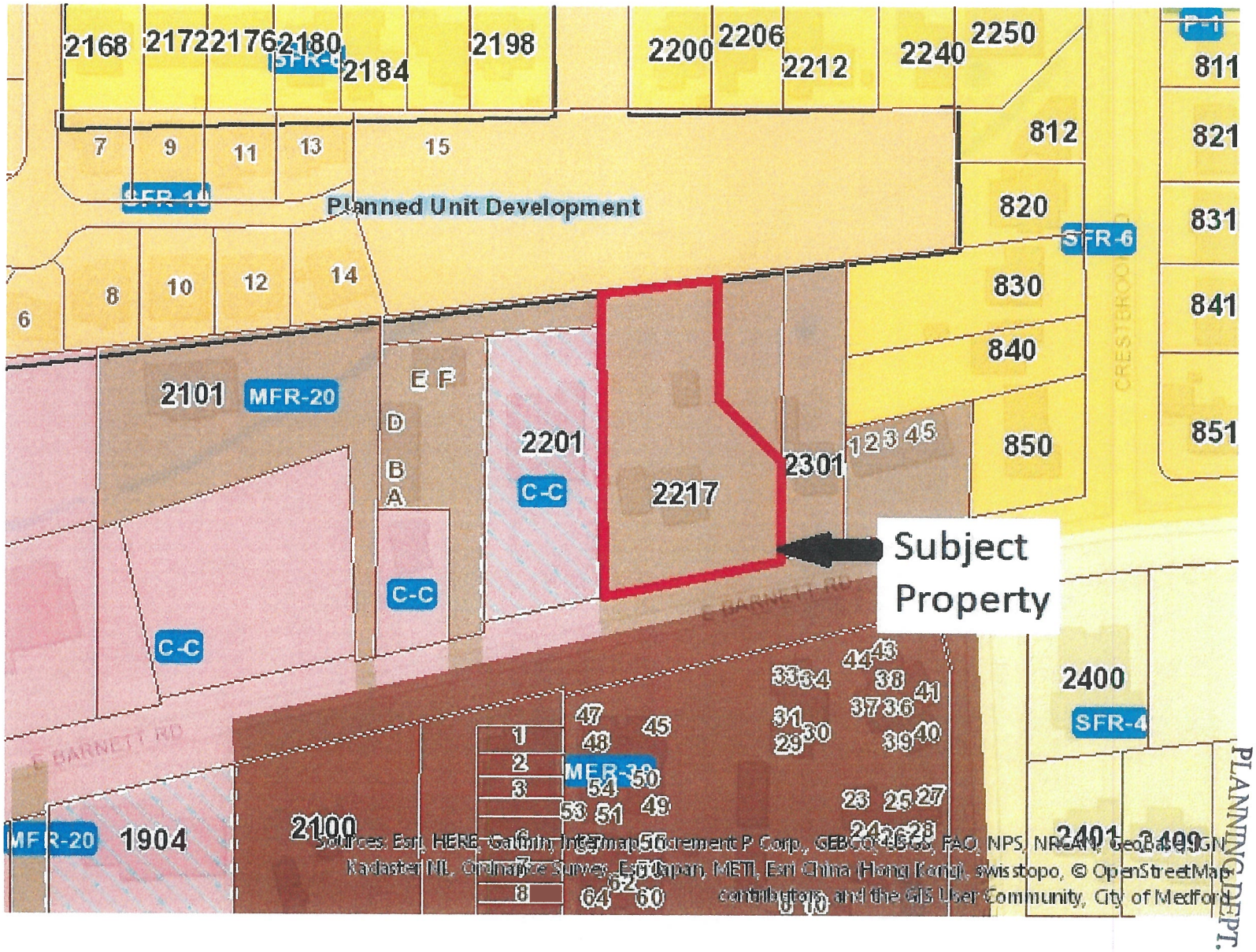


RECEIVED
JUN 27 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # B
FILE # GLUP-19-003/ZC-19-013

12

Exhibit C: Zoning Map

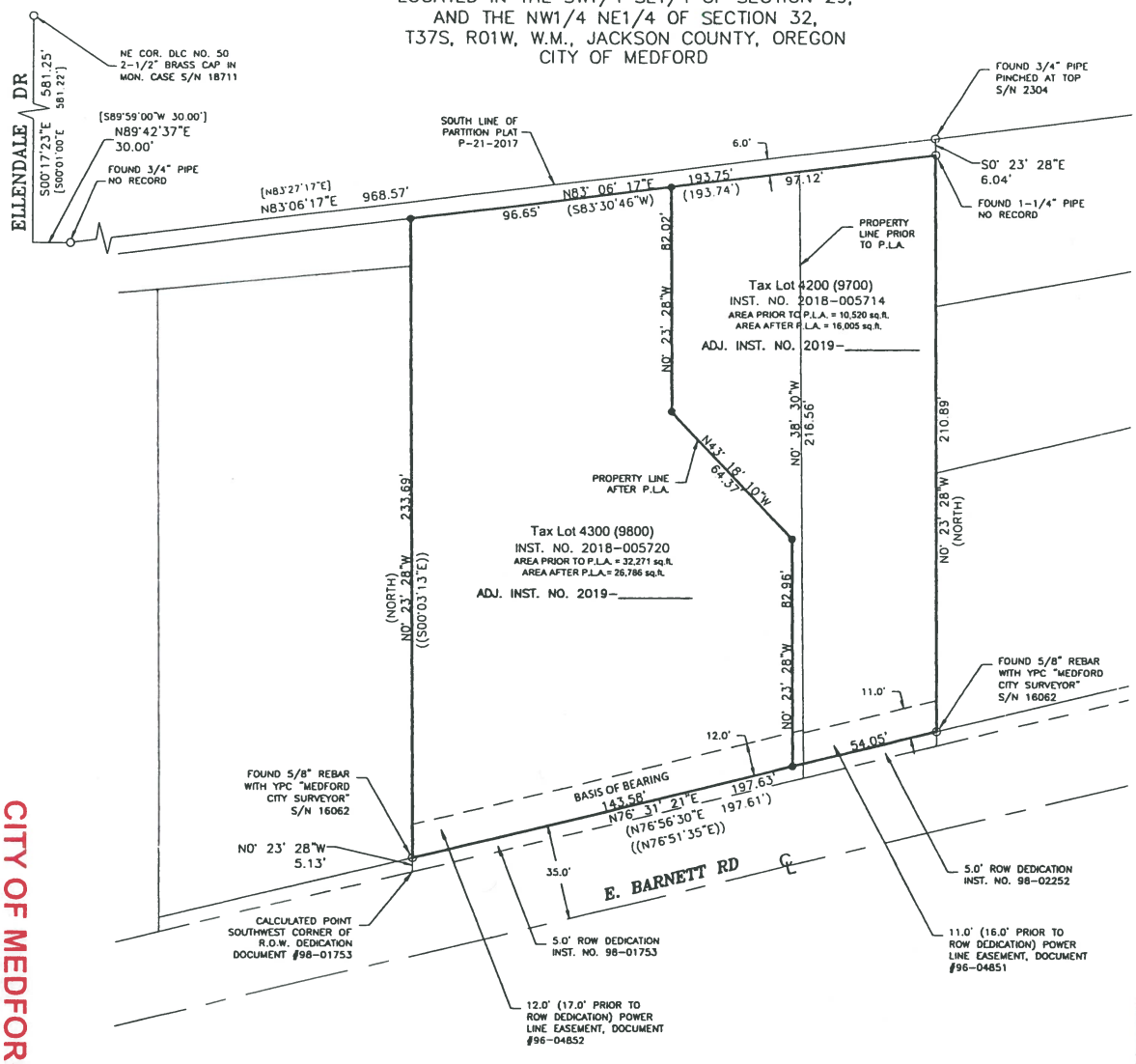


RECEIVED
JUN 27 2019

CITY OF MEDFORD
EXHIBIT # 6
FILE # GLUP-19-003/ZC-19-013

MAP OF SURVEY
PROPERTY LINE ADJUSTMENT

BETWEEN TAX LOTS 4200 (9700) & 4300 (9800)
LOCATED IN THE SW1/4 SE1/4 OF SECTION 29,
AND THE NW1/4 NE1/4 OF SECTION 32,
T37S, R01W, W.M., JACKSON COUNTY, OREGON
CITY OF MEDFORD



GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft

LEGEND:

○	FOUND MONUMENT - AS SHOWN
●	SET 5/8"X30" REBAR WITH YELLOW PLASTIC CAP MARKED "RHINE-CROSS GROUP LLC"
———	PROPERTY BOUNDARY LINE
- - - -	FENCE LINE
(XXX.XX)	RECORD DATA PER S/N 295
((XXX.XX))	RECORD DATA PER S/N 8005
[XXX.XX]	RECORD DATA PER S/N 16916

BASIS OF BEARING: OREGON COORDINATE REFERENCE SYSTEM (OCRS)
GRANTS PASS - ASHLAND ZONE

APPROVALS:

CITY SURVEYOR _____ DATE _____

CITY PLANNING DIRECTOR _____ DATE _____

NARRATIVE:

THIS SURVEY WAS DONE TO SATISFY THE REQUIREMENTS OF THE APPROVAL OF PROPERTY LINE ADJUSTMENT BY CITY OF MEDFORD PLANNING (FILE #PLA-18-121). FOUND AND HELD MONUMENTS PER SURVEY NUMBER (S/N) 295, 2304, & 16062 AND RECORD DIMENSIONS PER S/N 295 AND DEED (INST. NO. 2018-005720 & 2018-005714) WERE USED TO ESTABLISH THE BOUNDARIES OF THE PARCELS AS SHOWN ON THIS MAP OF SURVEY. THE SOUTH LINE WAS ESTABLISHED BY HOLDING FOUND MONUMENTS PER S/N 16062 FOR THE RIGHT OF WAY OF E. BARNETT RD. THE EAST AND WEST LINES WERE RE-ESTABLISHED USING RECORD DEED AND SURVEY INFORMATION, WITH FOUND MONUMENTS PER S/N 2304 & 16062. THE NORTH LINE WAS ESTABLISHED BY HOLDING A FOUND 3/4" PIPE AT THE NORTHEAST CORNER OF THE SURVEYED PROPERTIES, AND A FOUND 3/4" PIPE FOUND ON THE EAST SIDE OF ELLENDALE DRIVE. THIS PIPE IS NOT OF RECORD, HOWEVER IT MATCHES EXISTING TIES FROM S/N 16916 TO THE NE COR. OF DLC NO. 50. AN APPARENT 6.0' GAP EXISTS BETWEEN THESE SURVEYED PROPERTIES AND THE SOUTH LINE OF PARTITION PLAT P-21-2017. THIS 6' GAP WAS OBSERVED ON S/N 2304 AS A "6' STRIP FOR DITCH", HOWEVER IN RESEARCHING SURROUNDING DEEDS IT APPEARS THIS STRIP WAS NEVER CONVEYED TO ANY OF THE SURROUNDING PROPERTIES.

AT THE TIME OF THIS SURVEY, JACKSON COUNTY IS UPDATING THE TAX MAPS AND NUMBERS FOR THIS AREA. THEREFORE, BOTH THE OLD TAX LOT NUMBERS (4200 & 4300) AND THE NEW TAX LOT NUMBERS (9700 & 9800) ARE BEING REFERENCED IN THIS SURVEY.

BASIS OF BEARINGS IS PER THE OREGON COORDINATE REFERENCE SYSTEM - GRANTS PASS TO ASHLAND ZONE HOLDING THE TWO FOUND MONUMENTS ON THE NORTH SIDE OF E. BARNETT RD. EQUIPMENT USED: A TRIMBLE R10 GPS ROVER AND TRIMBLE S6 TOTAL STATION.

SHEET 1 OF 1

REGISTERED PROFESSIONAL LAND SURVEYOR
Marcus D. Cross
OREGON
JULY 6, 2010
MARCUS D. CROSS
55506PLS
RENEWS: 12-31-2019

SURVEY FOR: KEVIN WU
2201 E. BARNETT RD
MEDFORD, OR 97504

DATE: FEBRUARY 2019 | PROJECT NO. 1706

R-C RHINE-CROSS GROUP
RHINE-CROSS GROUP LLC
ENGINEERING - SURVEYING - PLANNING
112 N 5th St - Suite 200 - P.O. BOX 909
KLAMATH FALLS, OREGON 97601
Phone: (541) 851-9405 Fax: (541) 273-9200 admin@rc-grp.com

37-1W-32A-4200 (37-1W-29DC-9700)
37-1W-32A-4300 (37-1W-29DC-9800)

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JUN 27 2019
PLANNING DEPT

CITY OF MEDFORD
EXHIBIT # 2
FILE # GLUP-19-003/ZC-19-013

13

GLUP

RECEIVED
JUN 27 2019
PLANNING DEPT.

BEFORE THE PLANNING COMMISSION FOR THE CITY OF MEDFORD, OREGON:

IN THE MATTER OF AN APPLICATION FOR A CHANGE IN GENERAL LAND USE PLAN (GLUP) MAP DESIGNATION FROM UH TO SC FOR A 0.61 ACRE PARCEL, LOCATED ON THE NORTH SIDE OF E BARNETT ROAD, BETWEEN ELLENDALE DRIVE AND CRESTBROOK ROAD; KEVIN WU, APPLICANT; RICHARD STEVENS & ASSOCIATES, INC.; AGENTS	**FINDINGS OF FACT**

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICANT: Hong (Kevin) Wu
2201 E Barnett Road
Medford, OR 97504

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

PURPOSE OF APPLICATION:

The applicant is requesting a change of General Land Use Plan (GLUP) map designation from UH (Urban High-Density Residential) to SC (Service Commercial) for a 0.61-acre parcel located at 2217 E Barnett Road and described as T-37 R-1W SEC-32A, Tax Lot 4300, within the Medford city limits. The proposed change will help to address a deficit in available SC lands resulting from the recently approved Urban Growth Boundary (UGB) expansion; it will help to balance the supply of available UH and SC lands; it will increase the efficiency of land uses in the area; and it will lead to a more economical and efficient use of existing public facilities in the vicinity.

CITY OF MEDFORD
EXHIBIT # E
FILE # GLUP-19-003/ZC-19-013

7

II. APPLICABLE CRITERIA:

Comprehensive Plan Amendments to change General Land Use Plan (GLUP) Map Designation must be based on information and findings addressing the Criteria for Plan Amendments in the Goals, Policies, and Implementation Element of the Medford Comprehensive Plan, as follows:

1. A significant change in one or more Goals, Policies, or Implementation Strategies of the *Medford Comprehensive Plan.*

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

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

4. The maximum efficiency of land uses within the urbanizable area.

5. The environmental, energy, economic, and social (ESEE) consequences.

6. The compatibility of the proposed change with other elements of the *Medford Comprehensive Plan.*

7. All applicable Statewide Planning Goals.

III. FINDINGS IN COMPLIANCE WITH THE CRITERIA FOR PLAN AMENDMENTS TO CHANGE GENERAL LAND USE PLAN MAP DESIGNATION, IN THE MEDFORD COMPREHENSIVE PLAN:

The Criteria for Plan Amendments, found in the Goals, Policies, and Implementation Element of the Medford Comprehensive Plan, establishes different sets of criteria for various categories of Comprehensive Plan amendments, noting:

> "*Because of the important functional difference among various Comprehensive Plan components, no common set of criteria can be used to assess all proposed Plan amendments.*"

The section goes on to note that:

> *"While all of the criteria may not apply to each proposed amendment, all must be considered when developing substantive findings supporting final*

action on the amendment, and those criteria which are applicable must be identified and distinguished from those which are not."

General Land Use Plan Map Designations; Amendments Shall be Based on the following:

1. *A significant change in one or more Goals, Policies, or Implementation Strategies of the Medford Comprehensive Plan.*

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

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

4. *The maximum efficiency of land uses within the urbanizable area.*

5. *The environmental, energy, economic, and social (ESEE) consequences.*

6. *The compatibility of the proposed change with other elements of the Medford Comprehensive Plan.*

7. *All applicable Statewide Planning Goals.*

A significant change in one or more Goals, Policies, or Implementation Strategies of the Medford Comprehensive Plan:

The City of Medford continues to have a goal of providing land to accommodate its 20-year land need for housing and employment as required under Oregon Revised Statute (ORS) 197.296. While the City has not recently changed Goals, Policies, or Implementation Strategies relevant to the proposed change in GLUP map designation, the recent analysis completed through the process of expanding the City's UGB demonstrates a very small imbalance in the number of acres of available land for Urban High-Density Residential (UH) and Service Commercial (SC) designations. As discussed in detail below, the proposed GLUP map amendment will help to adjust this imbalance.

FINDING:

The recent analysis of available lands completed through the UGB amendment process demonstrates an imbalance between the available UH and SC land categories. The City of Medford's Goal of

providing land to accommodate its 20-year land need has not changed, however, the understanding of what exactly that need is, as it relates to each of the GLUP map designations is now better understood thanks to the UGB amendment process. The proposed change of GLUP map designation will help the City in meeting its goal of providing land to accommodate its 20-year land need.

A demonstrated need for the change to accommodate unpredicted population trends to satisfy urban housing needs, or to assure adequate employment opportunities:

The City of Medford has recently expanded its UGB to provide an adequate land supply for both residential and employment growth over the next 20 years. During that process, the City investigated its land supply, compared it against growth projections, and determined how much land was needed. According to the City's projections, there was a need for a total of 120 acres of UH land and a total of 222 acres of SC land[1]. The final area for UGB expansion included a total of 121 buildable acres of UH land and a total of 220 buildable acres of SC land[2]. As shown in Table 1.1 below, the area added to the UGB created a 1-acre surplus of UH land and left an 2-acre deficit in the supply of SC land.

Table 1.1 UH and SC Land Supply Before Amendment

	Acres of Additional Land Needed	Acres of Land Provided	Acres in Surplus (Deficit)
UH	120	121	1
SC	222	220	(2)

The proposed Comprehensive Plan Amendment will change 0.61 net acre (approximately 0.77 gross acre) from the UH to the SC GLUP map designation. As shown in Table 1.2 below, the proposed change will help to address the existing deficit in SC land and help to balance the supply of UH and SC lands in the urban area. Since SC land can be developed with either (or both) commercial or residential uses, not only will the application help to address the forecasted need for these two land types, it will also provide flexibility in the use of the subject property, which may help to encourage infill development and increased density in a developed portion of the urban area.

[1] Pages 98 & 101 of the City of Medford Planning Commission staff report for file no. CPA-14-114 (attached for reference)

[2] Page 45 of the Jackson County Planning Commission packet for file no. 439-16-00008-LRP (attached for reference)

Table 1.2 UH and SC Land Supply After Proposed Amendment

	Acres of Additional Land Needed	Acres of Land Provided	Acres Added (Subtracted) by Proposed Amendment	Acres in Surplus (Deficit)
UH	120	121	(1)	0
SC	222	220	1	(1)

FINDING:

The proposed change in GLUP map designation will help to provide adequate residential and employment lands by decreasing the existing deficit in SC land supply and by helping to balance the supply of SC and UH lands.

The orderly and economic provision of key public facilities:

The subject property is located on Barnett Road between Ellendale Drive and Crestbrook Road. The area is developed with a mix of commercial and residential development. To the east and southeast are existing single-family residences. Across Barnett Road, to the south, the properties are developed with high-density residential uses. To the west and southwest there is a mix of commercial development, including a dental office abutting the subject property on the west side. The area has been experiencing new development and redevelopment, leading to an increased diversification of the uses and an increase in both commercial and residential densities.

As discussed individually below, the area is currently served with existing key public facilities that can be utilized most efficiently by accommodating both commercial and residential uses in this area.

By appropriately locating a mix of both commercial and residential lands in this area, the City will have an opportunity to attract new business and infill development along this major transportation corridor which includes existing transit facilities. The nearest bus stop is located approximately 175 feet from the property. This amendment will not change the demand for commercial development, it will only have the effect of helping to accommodate that demand using existing infrastructure rather than forcing it to be met with the addition of new greenfield development outside of the existing urban area which requires the extension of facilities and services and leads to less orderly and more expensive provisions for key public facilities.

Sanitary Sewer:

Sanitary sewer service is provided by The City of Medford. There is a 21-inch sanitary sewer main line in Barnett Road adjacent to the subject property. High-density residential developments tend to have a higher demand for sanitary sewer capacity than do most commercial uses. The proposed change of GLUP designation for this less than one-acre property will have a negligible effect on sewer capacity in the vicinity or throughout the system.

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 12-inch main line along the south end of the subject property in Barnett Road. The site was previously developed with a single-family home served by a 1" service line and meter. The site will be redeveloped with commercial and/or residential uses permitted in the Service Commercial GLUP map designation and the existing water service and meter will be upgraded if necessary. Adequate water service lines are available to continue to serve future uses on the subject site.

Water service for fire protection is also currently available in the vicinity of the site with existing fire hydrants to the east, west, and across Barnett Road from the subject property.

Storm Drainage:

Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed. The proposed change in GLUP map designation will have no greater impact on the availability of storm water facilities in the vicinity.

Transportation:

The subject property is 0.61 acre in area. The existing zoning, MFR-20, allows for residential redevelopment at a maximum density of 20 dwelling units (DU) per gross acre. The 0.77-gross acre parcel could be developed with as many as 15 DU (0.77 acre x 20 DU/acre = 15.4 DU). Apartments are expected to generate 6.65 average daily trips (ADT) per unit. The 15 DU would produce 100 ADT (15 DU x 6.65 ADT/DU = 99.75 ADT). Properties zoned C-S/P (the only zone allowed in the requested SC GLUP map designation) are anticipated to generate 500 ADT per acre. The 0.61-acre site will produce 305 ADT if zoned C-S/P (0.61 acre x 500 ADT/acre = 305 ADT). The net increase in traffic is the difference between what the current zoning could produce and what the proposed zoning will produce. The net increase from the proposed

GLUP map amendment and concurrent zone change is 205 ADT (305 ADT - 100 ADT = 205 ADT). Since this number is below the threshold of 250 ADT, no traffic analysis is required.

The applicant submits that this requested GLUP map amendment and associated zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed GLUP map amendment, change of zoning and future development of the property will produce traffic that is below the thresholds to require a TIS.

FINDING:

> **Based upon the information contained herein the City of Medford can find that the key public facilities necessary to develop the approximately 0.61-acre subject property with uses permitted in the Service Commercial GLUP map designation, which includes: sanitary sewer, water service, storm sewer, and transportation infrastructure, are available in the vicinity and immediately adjacent to the site. It is demonstrated that there will be no significant impact to these facilities for the proposed uses. The ability to use existing infrastructure for the development of the subject property to meet a portion of the City's commercial land need will lead to the orderly and economical use of existing key public facilities.**

The maximum efficiency of land uses within the urbanizable area:

As discussed above, per the recently approved UGB amendment process, the City has identified a small surplus of available UH land and an approximately 2-acre deficit in the amount of available SC land. This is not to say that there was an error in the UGB amendment process, but rather, the UGB amendment process operated on a very large scale, with a vast number of rules and other considerations that needed to be navigated. Now that the UGB amendment has been approved the City can look at opportunities to fine-tune the availability of the different GLUP designations as needed to achieve the best balance of available land types.

Given this small discrepancy in the available UH and SC land supply, the City can consider the benefits associated with approving the proposed GLUP map amendment and providing for a mix of both commercial and residential development along this major transportation corridor, in an area of continued diversification of uses and increased densities for both commercial and residential development. The proposed amendment will help to support the continued development of an activity center or "node" that can be leveraged in creating better opportunities for alternative modes of transportation; including walking, biking, and transit. The corridor is developed as a

transit route and the nearest bus stop is located approximately 175 feet from the property.

The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that the permitted zoning district within the Service Commercial designation is: C-S/P, consistent with the provisions of Section 10.326 of the Medford Land Development Code. MLDC Section 10.326 indicates that the C-S/P zone provides land for professional offices, hospitals, and limited service commercial uses. This district is intended to be customer-oriented, however, retail uses are limited. Development in this zone is expected to be suitable for locations adjacent to residential neighborhoods. The property is appropriately located for the requested SC GLUP map designation and concurrently requested C-S/P zone.

FINDING:

> **The City of Medford can find that the requested change in GLUP map designation from UH to SC will help to maximize the efficiency of land uses within the urbanizable area by providing a better balance of available employment and residential GLUP types in the UGB and by supporting the continued development of activity centers along a major transportation route.**

The environmental, energy, economic, and social (ESEE) consequences:

As discussed throughout these findings, the City of Medford recently completed a boundary expansion for its UGB. The approved expansion was the second phase of a two-step UGB amendment process. The first phase of the process was the "ISAs" or internal study areas. The first phase was done consistent with ORS 197.296(6)(b), which requires that cities, before considering expanding their UGBs must consider changes to existing land use designations for the purpose of efficiently utilizing lands within the current urban area. The proposed GLUP map amendment, like Phase I of the UGB amendment process, will help to more efficiently utilize lands within developed portions of the UGB. The proposed change in GLUP map designation from UH to SC will help to facilitate the redevelopment of the property – which until recently contained a single-family home – with both commercial and high-density residential uses. There continues to be a demand for new commercial development in and around Medford. This demand can either be met by developing/redeveloping lands within the existing urbanizable area, nearer the core of the city, or it can be met by adding new areas into the city along the edges of the existing urban area.

Environmental: Infill development and redevelopment, in general, is much less impactful on the environment as it occurs in areas with existing urban development and it does not require the conversion of resource lands or natural areas. Infill

development and redevelopment along with a development pattern with a mix of uses also reduce pollution by reducing vehicle miles traveled.

Energy: Infill development and redevelopment, in general, is more energy efficient as it occurs in areas nearer the core of the city, helping to reduce energy consumption by reducing vehicle miles traveled. In addition, it requires less energy to reuse existing infrastructure than it does to develop new infrastructure to serve development occurring beyond the current extent of urbanization.

Economic: Infill development and redevelopment, in general, is more economical as it uses/reuses existing infrastructure and services rather than requiring these services to be extended. As discussed in greater detail above, there is existing infrastructure for water, sanitary sewer, storm sewer, and transportation available to this property. There is a cost associated with the development of all these existing facilities that had to be paid when these utilities and this property were developed. Now that these facilities are in place, it is much more economical to use this existing site rather than construct a new facility that would require the extension of these services.

Social: The environmental, energy, and economic benefits discussed above are all social benefits as well. That is, there are social benefits realized by reducing environmental impacts, reducing energy consumption, and by reducing costs. The additional social benefit that infill development and redevelopment provide is the reduction in dilapidated or blighted properties in the community. The property contained a single-family residence in poor repair until it was recently removed. By encouraging redevelopment of the site, the City can help attract new investment in older portions of the community rather than pushing a disproportional share of new investment into new development along the periphery of the urban area.

FINDING:

> **The City of Medford can find that by promoting infill development and redevelopment and the expanded use of existing infrastructure, the proposed change in GLUP map designation will have positive ESEE consequences overall. The benefits of infill development and redevelopment include but are not limited to: reduced cost by utilizing existing infrastructure, using less land and preserving open space and resource lands, and less energy consumption and less pollution based on reduced vehicle miles travelled.**

The compatibility of the proposed change with other elements of the Medford Comprehensive Plan and all Applicable Statewide Planning Goals:

One purpose of the Medford Comprehensive Plan is to implement the Statewide Planning Goals. This creates a large amount of overlap between various elements of the Comprehensive Plan and the corresponding Statewide Goals, for example, since the Economic Element of the Comprehensive Plan implements Goal 9, a finding of consistency with the Economic Element will also demonstrate consistency with Statewide Planning Goal 9. This being the case, the corresponding Comprehensive Plan elements and State Goals will be discussed together.

Goal #1: Citizen Involvement (Citizen Involvement Element):

The City of Medford has adopted a comprehensive citizen involvement program, involving the CCI (Committee for Citizen Involvement (the Planning Commission is also the CCI)), citizen recommendations, communications involving questionnaires and public notice for all land use actions that is consistent with state law, and in compliance with this goal. The proposed GLUP map amendment is being processed consistent with the process and procedures in place regarding citizen involvement.

FINDING:

> **The City of Medford, by and through the public notification program and Committee for Citizen Involvement, has provided adequate notice and has allowed for adequate citizen participation of all facets of the planning process. This application, by virtue of complying with the notice program administered by the City, is consistent with this Goal.**

Goal #2: Land Use Planning (Implementation Element):

The City of Medford has adopted a long-range Comprehensive Plan and implementation strategy (The Medford Land Development Code) that is consistent with the requirements of Goal #2. The policy and framework for the land use decisions in Medford must comply with the Comprehensive Plan. The City, in reviewing this application under the provisions of the Criteria for Plan Amendments in the Goals, Policies, and Implementation element of the Comprehensive Plan, are demonstrating compliance with Goal 2.

FINDING:

The City of Medford will review this application for a Comprehensive Plan Amendment (change of GLUP map designation) consistent with the Criteria for Plan Amendments in the Goals, Policies, and Implementation element of the Comprehensive Plan, demonstrating compliance with Goal 2.

Goal #3: Agricultural Lands:

Not applicable.

FINDING:

This property is urbanizable land within the city limits of the City of Medford and is not agricultural land.

Goal #4: Forest Lands:

Not applicable.

FINDING:

This property is urbanizable land within the city limits of the City of Medford and is not forest land.

Goal #5: Open Space, Scenic and Historic Areas; Natural Resources (Environmental and Implementation Elements):

Not applicable.

FINDING:

This property is not identified as being open space, a scenic or historic area or resource, and it is not identified as either a natural resource or an area contributing to natural resource protection. The proposed change in GLUP map designation from UH to SC for this single piece of previously developed property will have no effect on open space, scenic and historic areas, or natural resources.

Goal #6: Air, Water and Land Resource Quality (Environmental and Implementation Elements):

The purpose of this goal is to maintain and improve the quality of air, water and land resources of the state.

The subject property is located within the Bear Creek/Larson Creek sub-watershed, a portion of the larger Bear Creek water shed. All development in the City of Medford is required to provide storm water detention and water quality controls. The Subject property will be required to adhere to applicable drainage and water quality controls at the time of redevelopment. The property, when redeveloped, will be subject to criteria in the Comprehensive Plan and Land Development Code that are designed to provide for adequate levels of service and to protect air, water, and land resource quality.

FINDING:

> **Since the subject property, when redeveloped, will be subject to criteria in the Comprehensive Plan and Land Development Code that are designed to provide for adequate levels of service and to protect the air, water, and land resource quality, the City of Medford can find that conformance with the specific implementing ordinances will demonstrate compliance with this Goal.**

Goal #7: Areas Subject to Natural Hazards (Environmental and Implementation Elements):

A portion of the site is located in a flood hazard zone based upon a review of the FEMA mapping available through Medford GIS data. The subject property will be required to adhere to applicable floodplain development standards at the time of redevelopment. The property, when redeveloped, will be subject to criteria in the Comprehensive Plan and Land Development Code that are designed to provide for adequate mitigation for floodplain development.

The site is not subject to mudslide, landslide, wildfire, or any other natural hazard.

FINDING:

> **Since the subject property, when redeveloped, will be subject to criteria in the Comprehensive Plan and Land Development Code that are designed to provide for adequate mitigation measures for floodplain development, and the subject property is not in any mudslide, landslide, wildfire, or other natural hazard area, the City of Medford can find that conformance**

with the specific implementing ordinances will demonstrate compliance with this Goal.

Goal #8: Recreational Needs (Public Facilities and Implementation Elements):

Parks, Recreation, and Leisure Services are included in the Public Facilities Element of the Medford Comprehensive Plan. The most current planning document for Medford's parks and recreation system is the 2016-2025 Medford Leisure Services Plan. The plan describes and maps the various recreational areas and facilities that are available or can be made available for the recreational needs of the people and visitors to the city. This site is not identified as either an existing or future park site and there are no additional park land needs identified near this property.

FINDING:

Not Applicable: The subject property is not identified in the 2016-2025 Medford Leisure Services Plan as an existing or future park site and there are no additional park land needs identified near this property.

Goal #9: Economic Development (Population, Land Use, Economic, and Public Facilities Elements):

The City of Medford has an adopted and acknowledged Economic Element which is intended to implement Goal 9. The City is required to provide an adequate supply of land to accommodate employment growth over the next 20 years. The City has recently expanded its UGB to provide the required supply of employment land. During the UGB amendment process, the City investigated its land supply, compared it against growth projections, and determined how much land was needed. According to the City's projections, there was a need for a total of 222 acres of SC land. The final area for UGB expansion included a total of 220 buildable acres of SC land. The area added to the UGB created a 2-acre deficit in the supply of SC land.

The proposed Comprehensive Plan Amendment will change approximately 1 gross acre from the UH to the SC GLUP map designation. The proposed change will help to address the existing deficit in SC land and help to balance the supply of UH and SC lands in the urban area. In this way, the application will help to assure adequate employment opportunities while not decreasing the availability of land for residential development (SC land is available for residential development to MFR-30 densities).

The proposed amendment is also consistent with the following Goals, Policies, and Implementation Strategies of the Economic Element:

Goal: To actively stimulate economic development and growth that will provide opportunities to diversify and strengthen the mix of Economic activity in the City of Medford.

Policy 1-1: The City of Medford shall strengthen its role as the financial, medical, tourist, government, and business hub of Southern Oregon and shall build on its comparative advantages in the local and regional marketplace.

Implementation 1-1(d): Participate in joint public/private business development programs to identify opportunities for growth of existing businesses and the attraction of new firms.

Policy 1-5: The City of Medford shall assure that adequate commercial and industrial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in employment in the City of Medford and the region.

Implementation 1-5(b): Reduce projected deficits in employment lands by changing GLUP Map designations within the existing Urban Growth Boundary.

Policy 1-9: The City of Medford shall re-evaluate existing industrial and commercial GLUP map designations to better fit current business practices.

FINDING:

This property is currently designated for residential uses and will continue to be available for residential development while also being made available for employment uses. The proposed change in GLUP map designation will help to assure adequate employment opportunities by decreasing the existing deficit in SC land supply.

Goal #10: Housing (Environmental, Population, Land Use, and Housing Elements):

The City of Medford has an adopted and acknowledged Housing Element which is intended to implement Goal 10. The City is required to provide an adequate supply of land to accommodate residential growth over the next 20 years. The City has recently expanded its UGB to provide the required supply of residential land. During the UGB amendment process, the City investigated its land supply, compared it against growth projections, and determined how much land was needed. According to the City's projections, there was a need for a total of 120 acres of UH land. The final area for UGB expansion included a total of 121 buildable acres of UH land. The area added to the UGB created a 1-acre surplus in the supply of UH land.

The proposed Comprehensive Plan Amendment will change approximately 1 gross acre from the UH to the SC GLUP map designation. The proposed change will help to address an existing deficit in SC land while not decreasing the availability of land for residential development (SC land is available for residential development to MFR-30 densities).

FINDING:

> **This property is currently designated for residential uses and will continue to be available for residential development while also being made available for employment uses.**

Goal #11: Public Facilities and Services (Public Facilities Element):

The purpose of this goal is to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Sanitary sewer service is provided by The City of Medford. There is a 21-inch sanitary sewer main line in Barnett Road adjacent to the subject property. High-density residential developments tend to have a higher demand for sanitary sewer capacity than do most commercial uses. The proposed change of GLUP designation for this less than one-acre property will have a negligible effect on sewer capacity in the vicinity or throughout the system.

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 12-inch main line along the south end of the subject property in Barnett Road. The site was previously developed with a single-family home served by a 1" service line and meter. The site will be redeveloped with commercial and/or residential uses permitted in the Service Commercial GLUP map designation and the existing water service and meter will be upgraded if necessary. Adequate water service lines are available to continue to serve future uses on the subject site.

Water service for fire protection is also currently available in the vicinity of the site with existing fire hydrants to the east, west, and across Barnett Road from the subject property.

Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed. The proposed change in GLUP map designation will have no greater impact on the availability of storm water facilities in the vicinity.

FINDING:

The application will not place a burden on public agencies to provide or extend public services. Based upon the information contained herein, the City of Medford can find that there is available infrastructure for sanitary sewer, water service, and storm sewer in the vicinity and immediately adjacent to the site.

Goal #12: Transportation (Public Facilities Element):

The subject property is 0.61 acre in area. The existing zoning, MFR-20, allows for residential redevelopment at a maximum density of 20 dwelling units (DU) per gross acre. The 0.77-gross acre parcel could be developed with as many as 15 DU (0.77 acre x 20 DU/acre = 15.4 DU). Apartments are expected to generate 6.65 average daily trips (ADT) per unit. The 15 DU would produce 100 ADT (15 DU x 6.65 ADT/DU = 99.75 ADT). Properties zoned C-S/P (the only zone allowed in the requested SC GLUP map designation) are anticipated to generate 500 ADT per acre. The 0.61-acre site will produce 305 ADT if zoned C-S/P (0.61 acre x 500 ADT/acre = 305 ADT). The net increase in traffic is the difference between what the current zoning could produce and what the proposed zoning will produce. The net increase from the proposed GLUP map amendment and concurrent zone change is 205 ADT (305 ADT - 100 ADT = 205 ADT). Since this number is below the threshold of 250 ADT, no traffic analysis is required.

The applicant submits that this requested GLUP map amendment and associated zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed GLUP map amendment, change of zoning and future development of the property will produce traffic that is below the thresholds to require a TIS.

FINDING:

The City of Medford can find that the proposed GLUP change will not result in an addition of more than 249 ADT to the transportation system. Per the Medford Land Development Code, an increase of 249 ADT or less does not require traffic analysis and is viewed as being consistent with the City's Transportation System Plan.

Goal #13: Energy Conservation (Environmental Element):

The goal is simply to "Conserve Energy".

The proposed change in GLUP map designation from UH to SC will help to facilitate the redevelopment of this approximately 0.61-acre site in a developed portion of the urban area with utility and street infrastructure in place. Infill development and redevelopment, in general, is more energy efficient as it occurs in areas nearer the core of the city, helping to reduce energy consumption by reducing vehicle miles traveled. In addition, it requires less energy to reuse existing infrastructure than it does to develop new infrastructure to serve development occurring beyond the current extent of urbanization.

The net ESEE impact of the proposed GLUP map designation is positive. There continues to be a demand for new commercial development in and around Medford. This demand can either be met by developing/redeveloping lands within the existing urbanizable area, nearer the core of the city, or it can be met by adding new areas into the city along the edges of the existing urban area.

FINDING:

> **The City of Medford can find that by promoting infill development, the proposed change in GLUP map designation will help to conserve energy. The benefits of infill development and the reuse of existing development include but are not limited to: Reduced cost by utilizing existing infrastructure, using less land and preserving open space and resource lands, and less energy consumption and less pollution based on reduced vehicle miles travelled.**

Goal #14: Urbanization (Population, Land Use, Housing, Economic, Public Facilities, GLUP, and Implementation Elements):

The goal is to "Provide for an orderly and efficient transition from rural to urban land use."

Goal 14 provides that urban growth boundaries shall be established to identify and separate urbanizable from rural land. Consistent with ORS 197.296(6)(b), cities, before considering expanding their UGBs must consider changes to existing land use designations for the purpose of efficiently utilizing lands within the current urban area. During Phase I of its Urban Growth Boundary (UGB) amendment process, the City identified lands which could be re-designated to more efficiently meet future needs for residential development and employment.

The proposed GLUP map amendment, like Phase I of the UGB amendment process, will help to more efficiently utilize lands within developed portions of the UGB. The proposed change in GLUP map designation from UH to SC will help to facilitate the

redevelopment of the subject property to meet a portion of the City's commercial land need.

The City of Medford has recently expanded its UGB to provide an adequate land supply for both residential and employment growth over the next 20 years. During that process, the City investigated its land supply, compared it against growth projections, and determined how much land was needed. According to the City's projections, there was a need for a total of 120 acres of UH land and a total of 222 acres of SC land. The final area for UGB expansion included a total of 121 buildable acres of UH land and a total of 220 buildable acres of SC land. The area added to the UGB created a 1-acre surplus of UH land and left an 2-acre deficit in the supply of SC land.

The proposed Comprehensive Plan Amendment will change 0.61 net acre (approximately 0.77 gross acre) from the UH to the SC GLUP map designation. The proposed change will help to address the existing deficit in SC land and help to balance the supply of UH and SC lands in the urban area. Since SC land can be developed with either (or both) commercial or residential uses, not only will the application help to address the forecasted need for these two land types, it will also provide flexibility in the use of the subject property, which may help to encourage infill development and increased density in a developed portion of the urban area.

FINDING:

The application does not include a change to an urban growth boundary but rather it provides for the efficient use of land already within the UGB.

CONCLUSIONARY FINDING:

Reviewing the above discussion and findings, the City of Medford can find that the application for a GLUP map designation change from UH to SC can be found to be consistent with the applicable Statewide Planning Goals and Comprehensive Plan elements regarding citizen involvement; land use planning; air, water and land resource quality; areas subject to natural hazards; economic development; housing; public facilities and services; transportation; energy conservation; and urbanization, and that Statewide Planning Goals 3, 4, 5 & 8 do not apply to this application.

IV. SUMMARY AND CONCLUSIONS:

In order for a Comprehensive Plan Amendment to change General Land Use Plan (GLUP) Map Designation to be approved, the Planning Commission must find that the request is supported by information and findings addressing the Criteria for Plan Amendments in the Goals, Policies, and Implementation Element of the Medford Comprehensive Plan.

A review of the application and these Findings of Fact demonstrates that this application complies with the applicable standards of the Medford Comprehensive Plan. This application is for a change in GLUP map designation, from UH to SC.

With this information provided, the applicants respectfully request that the City of Medford designate the subject property, (37-1W-32A, Tax Lot 4300), as Service Commercial (SC) on the General Land Use Plan (GLUP) map for the City of Medford, Oregon.

Respectfully Submitted,

RICHARD STEVENS & ASSOCIATES, INC.

The Housing Element also included a calculation for needed public and semi-public land. These uses include parks, schools, churches, and fraternal lodges. The study concluded that there are roughly 17 acres of public and semi-public land for every 1,000 people in the existing UGB. The study assumed a need of 11.6 acres of public and semi-public land for every 1,000 people added to the population of Medford. Given the projected population increase of 35,591 people a total of 426 acres is needed for public and semi-public uses over the 20-year planning period. This land was allocated to the three residential land types based on the percentage of dwelling units needed for each type. The inclusion of the public and semi-public land need is summarized in *Table 9.3.*

Table 9.3. Public and Semi-Public Lands (adapted from Housing Element *Tables 40* & *41*)

	Public and Semi-Public	Total Acres Needed
UR	298	763
UM	29	68
UH	99	164
Total	**426**	**996**

When the supply of residential land was changed through UGBA Phase 1 (see *Tables 7.1* and *7.2*) the amount of land needed in each of the residential GLUP designations was also changed. With more of the high-density and medium-density need being met within the existing UGB, fewer acres of each of those land types are needed to be added. Conversely, since some of the low-density residential land supply has been displaced from within the existing UGB, a greater amount must now be added through the UGB amendment process. While UGBA Phase 1 resulted in a 58-acre conversion of land from residential to employment GLUP designations the total residential land need only increased by 36 acres. This is due to the fact that some of this land was not identified as meeting any portion of the future residential land need (because it was classified as developed) but it is now being counted toward meeting the employment land need (because it is expected to redevelop as commercial). *Table 9.4* shows the amount of residential land needed both before and after UGBA Phase 1.

Table 9.4. Residential Land Need before and after UGBA Phase 1

	Needed Acres Before SALs	Needed Acres After SALs
UR	763	885
UM	68	27
UH	164	120
Total	**996**	**1,032**

Employment

The City adopted the Economic Element of the Comprehensive Plan in December 2008. The Economic Element built on the conclusions of the Population Element (adopted

Table 9.7. Employment Land Need after UGBA Phase 1 (net acres)

	Supply Before SALs	Supply After SALs	Demand	Deficit
SC	172	174	352	177
GI & HI	641	519	597	78
CM	265	443	697	254
Total				**509**

The number of net acres needed is then converted to gross acres in order to account for roads and other infrastructure resulting in a total employment land need of 637 gross acres.

Table 9.8. Net-to Gross Conversion of Employment Land Need after UGBA Phase 1

	Deficit in Net Acres	Deficit in Gross Acres
SC	177	222
GI & HI	78	97
CM	254	318
Total		**637**

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The Planning Commission also used the public hearings process to more fully develop findings for Goal 14 locational factor 3, which requires the City to consider the comparative environmental, social, economic, and energy (ESEE) consequences of different boundary location alternatives. Based on these findings, and the revised land need figures, the Commission chose to alter staff's recommendation by removing the land recommended in staff's "Alternative 1" and most of the land recommended in staff's "Alternative 2". The Commission also chose to add approximately 180 gross acres south of Cherry Lane, north of Barnett Road, and east of the current UGB, to the recommendation.

The Council received testimony that convinced it to reverse the Planning Commission's recommendation. After reviewing four restoration options at a February 25, 2016 study session and at its regular meeting on March 17, the Council selected the option presented by CSA Planning.

In addition to expanding the urban growth boundary and assigning GLUP map designations to the areas added to the UGB, the City proposes to amend the Street Functional Classification Plan of the Transportation Element of the Comprehensive Plan to include the expansion areas and portions of the Urbanization and GLUP Elements of the Comprehensive Plan to accommodate the UGB amendment. The recommended changes are shown in Exhibit A.

MAP AMENDMENT SUMMARY

		Number of Acres
Total Expansion Proposal		**4,046**
Developed or Unbuildable Land		511
Prescott Park and Chrissy Park		1,877
Land for Future Development (Residential + Employment)		1,658
Residential Land Amount		**1,039**
Low-Density Residential	UR	891
Medium-Density Residential	UM	27
High-Density Residential	UH	121
Employment Land Amount		**618**
Service Commercial	SC	220
Commercial	CM	300
General Industrial	GI	92
Heavy Industrial	HI	6

ZC

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

IN THE MATTER OF AN APPLICATION FOR A CHANGE IN ZONING DESIGNATION FOR A 0.61 ACRE PARCEL, LOCATED ON THE NORTH SIDE OF BARNETT ROAD, BETWEEN ELLENDALE DRIVE AND CRESTBROOK ROAD; KEVIN WU, APPLICANT; RICHARD STEVENS & ASSOCIATES, INC., AGENTS	**FINDINGS OF FACT**

I. RECITALS PERTAINING TO THE PROPERTY:

APPLICANT: Hong (Kevin) Wu
2201 E Barnett Road
Medford, OR 97504

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

PURPOSE OF APPLICATION:

The applicant is requesting a change of Zoning designation from City of Medford Multiple-Family Residential – 20 dwelling units per gross acre (MFR-20) to City of Medford Service Commercial and Professional Office (C-S/P) zoning for a 0.61-acre parcel located at 2217 Barnett Road and described as T-37 R-1W SEC-32A, Tax Lot 4300, within the Medford city limits. The General Land Use Plan (GLUP) map designation for the subject property is to be concurrently changed from Urban High-Density Residential (UH) to Service Commercial (SC) to help balance the supply of available UH and SC lands; to increase the efficiency of land uses in the area; and to encourage a more economical and efficient use of existing public facilities in the vicinity.

CITY OF MEDFORD
EXHIBIT # 7
FILE # GLUP-19-003/ZC-19-013

8

Attachments:
Exhibit A: A copy of the legal description for this property
Exhibit B: An assessor's map with the site indicated
Exhibit C: A current zoning map for the vicinity
Exhibit D: A current GLUP map for the vicinity
Exhibit E: Copy of recent Property Line Adjustment (PLA) Map

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.204 of the Land Development Code. A review of Section 10.204(D) indicates that an application for a Zone Change must contain the following:

1. *A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.*

2. *An Assessor's map with the proposed zone change area identified.*

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

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

5. *Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.204(B), Zone Change Criteria.*

FINDING:

This application for a change in zoning designation from MFR-20 to C-S/P, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.204(B).

III. FINDINGS IN COMPLIANCE WITH SECTION 10.204(B) OF THE MEDFORD LAND DEVELOPMENT CODE:

Section 10.204(B) provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

> *(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.*
>
> *(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*

In addition, 10.204(B)(3) states:

> *(3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.*

10.204(B)(1) CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN AND THE GENERAL LAND USE PLAN MAP DESIGNATION

Discussion regarding TSP:

The adopted Medford Transportation Plan (TSP) addresses Chapter 660, Division 12 of the Oregon Administrative Rules which provides for implementation of the Statewide Transportation Goal (Goal 12), Transportation Planning Rule (TPR). It is also designed to explain how local governments and state agencies are responsible for transportation planning to address all modes of travel including vehicles, transit, bicycles and pedestrians. The TPR envisions development of local plans that will provide changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less.

The TSP identifies both existing and future needs and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. Like other portion of the Comprehensive Plan, the TSP is implemented through the Development Code. Sections 10.460 and 10.461 address the requirement for a traffic analysis letter (TIA) when an application has the potential of generating more than 250 net average daily trips (ADT).

The subject property is 0.61 acre in area. The existing zoning, MFR-20, allows for residential redevelopment at a maximum density of 20 dwelling units (DU) per gross acre. The 0.77-gross acre parcel could be developed with as many as 15 DU (0.77 acre x 20 DU/acre = 15.4 DU). Apartments are expected to generate 6.65 average daily trips (ADT) per unit. The 15 DU would produce 100 ADT (15 DU x 6.65 ADT/DU = 99.75 ADT). Properties zoned C-S/P (the only zone allowed in the requested SC GLUP map designation) are anticipated to generate 500 ADT per acre. The 0.61-acre site will produce 305 ADT if zoned C-S/P (0.61 acre x 500 ADT/acre = 305 ADT). The net increase in traffic is the difference between what the current zoning could produce and what the proposed zoning will produce. The net increase from the proposed GLUP map amendment and concurrent zone change is 205 ADT (305 ADT - 100 ADT = 205 ADT). Since this number is below the threshold of 250 ADT, no traffic analysis is required.

The applicant submits that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of the property will produce traffic that is below the thresholds to require a TIS.

Discussion regarding GLUP:

The General Land Use Plan (GLUP) map designation for the subject property is to be concurrently changed from Urban High-Density Residential (UH) to Service Commercial (SC). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that the permitted zoning district within the Service Commercial designation is C-S/P, consistent with the provisions of Section 10.326 of the Medford Land Development Code.

FINDING:

The net increase from the proposed zone change is 205 ADT. Since this number is below the threshold of 250 ADT, no traffic analysis is required, the requested zone change is found to have a negligible effect on the capacity of the existing local street system and requested zone change is found to be consistent with the TSP.

The subject property General Land Use Plan Map designation is to be concurrently changed to Service Commercial. The C-S/P zoning requested is found to be consistent with the General Land Use Plan Map.

10.204(B)(2) CONSISTENCY WITH ADDITIONAL LOCATIONAL STANDARDS:

There are no additional locational standards applicable to the C-S/P zone listed in Section 10.204(2) (2)(a), (2)(b), or (2)(c). However, MLDC Section 10.326 indicates that development within the C-S/P zone is expected to suitable in locations adjacent to residential neighborhoods.

FINDING:

Not applicable. There are no additional locational standards applicable to the C-S/P zone listed in Section 10.204(2) (2)(a), (2)(b), or (2)(c).

10.204(B)(3) COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The Medford Comprehensive Plan, Public Facilities Element, provides the list of Category "A" services and facilities to be considered. These are:

Water Service
Sanitary Sewer and Treatment
Storm Drainage and
Streets, Transportation Facilities

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 12-inch main line along the south end of the subject property in Barnett Road. The site was previously developed with a single-family home served by a 1" service line and meter. The site will be redeveloped with commercial and/or residential uses permitted in the C-S/P zone and the existing water service and meter will be upgraded if necessary. Adequate water service lines are available to continue to serve future uses on the subject site.

Water service for fire protection is also currently available in the vicinity of the site with existing fire hydrants to the east, west, and across Barnett Road from the subject property.

Sanitary Sewer:

Sanitary sewer service is provided by The City of Medford. There is a 21-inch sanitary sewer main line in Barnett Road adjacent to the subject property. High-density residential developments tend to have a higher demand for sanitary sewer capacity than do most commercial uses. The proposed zone change for this less than one-acre property will have a negligible effect on sewer capacity in the vicinity or throughout the system.

The sanitary sewer collection system is adequate to accommodate the types of uses permitted in the proposed C-S/P zone. The sewer system is available in condition, capacity and location for the use of the system for commercial uses.

Storm Drainage:

Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time any new development is proposed. The proposed zone change will have no greater impact on the availability of storm water facilities in the vicinity.

Transportation:

The subject property is 0.61 acre in area. The existing zoning, MFR-20, allows for residential redevelopment at a maximum density of 20 dwelling units (DU) per gross acre. The 0.77-gross acre parcel could be developed with as many as 15 DU (0.77 acre x 20 DU/acre = 15.4 DU). Apartments are expected to generate 6.65 average daily trips (ADT) per unit. The 15 DU would produce 100 ADT (15 DU x 6.65 ADT/DU = 99.75 ADT). Properties zoned C-S/P (the only zone allowed in the requested SC GLUP map designation) are anticipated to generate 500 ADT per acre. The 0.61-acre site will produce 305 ADT if zoned C-S/P (0.61 acre x 500 ADT/acre = 305 ADT). The net increase in traffic is the difference between what the current zoning could produce and what the proposed zoning will produce. The net increase from the proposed GLUP map amendment and concurrent zone change is 205 ADT (305 ADT - 100 ADT = 205 ADT). Since this number is below the threshold of 250 ADT, no traffic analysis is required.

The applicant submits that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of the property will produce traffic that is below the thresholds to require a TIS.

FINDING:

Based upon the information contained herein there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as C-S/P.

IV. SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a change of zoning. A review of the application and the above Findings of Fact with the supporting documentation attached, demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map and is consistent with the Medford TSP.

With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.1W-SEC.32A, Tax Lot 4300 as C-S/P on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

Richard Stevens & Associates, Inc.

MEDFORD
PUBLIC WORKS

LD DATE: 8/14/2019
File Number: GLUP-19-003

PUBLIC WORKS DEPARTMENT STAFF REPORT

2217 East Barnett Road (TL 9800)

Project: Request for a minor General Land Use Plan (GLUP) amendment from (UH) Urban High Density Residential to SC (Service Commercial) on a 0.61 acre parcel.

Location: Located at 2217 Barnett Road (371W29DC9800).

Applicant: Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

I. Sanitary Sewer Facilities

There is sufficient capacity in the sanitary sewer to allow the zone change without conditions.

II. Storm Drainage Facilities

The subject property currently drains to the northwest. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

The potential of the proposed application is less than 250 net average daily trips, which is the code standard at which a Transportation Impact Analysis (TIA) is required. Therefore, no TIA is needed for the proposed GLUP and Zoning map amendments. Public Works may require a limited TIA to study driveway safety at the time of site plan review if the application proposes driveway access to East Barnett Road.

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the General Land Use Plan Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.

COPY
EXHIBIT # G
File # GLUP-19-003
ZC-19-013

MEDFORD
PUBLIC WORKS

LD DATE: 8/14/2019
File Number: ZC-19-013

PUBLIC WORKS DEPARTMENT STAFF REPORT

2217 East Barnett Road (TL 9800)

Project: Request for a change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel.

Location: Located at 2217 Barnett Road (371W29DC9800).

Applicant: Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

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

I. Sanitary Sewer Facilities

There is sufficient capacity in the sanitary sewer to allow the zone change without conditions.

II. Storm Drainage Facilities

The subject property currently drains to the northwest. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

The potential of the proposed application is less than 250 net average daily trips, which is the code standard at which a Transportation Impact Analysis (TIA) is required. Therefore, no TIA is needed for the proposed GLUP and Zoning map amendments. Public Works may

CITY OF MEDFORD
File # GLUP 19-003
ZC-19-013

require a limited TIA to study driveway safety at the time of site plan review if the application proposes driveway access to East Barnett Road.

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the Zone Change Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/12/2019
Meeting Date: 8/14/2019

LD File #: GLUP19003 **Associated File #1:** ZC19013

Planner: Steffen Roennfeldt

Applicant: Hong (Kevin) Wu

Project Location: 2217 Barnett Road (371W29DC9800);

ProjectDescription: Request for a minor General Land Use Plan (GLUP) amendment from (UH) Urban High Density Residential to SC (Service Commercial) and to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel

Specific Development Requirements for Access & Water Supply

Conditions

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

Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

CITY OF MEDFORD
EXHIBIT # I
GLUP-19-003
ZC-19-013

MEDFORD
BUILDING SAFETY

MEMORANDUM

To:	Steffen Roennfeldt, Planning Department
From:	Chad Wiltrout, Building Department (541) 774-2363
CC:	Hong (Kevin) Wu, Applicant; Richard Stevens & Associates, Agent
Date:	August 14, 2019
Subject:	GLUP-19-003/ZC-19-013

Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. Building Department has no comments for this application.

CITY OF MEDFORD
EXHIBIT # 2
File # GLUP-19-003
ZC-19-013

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: GLUP-19-003 & ZC-19-013

PARCEL ID: 371W29DC TL 9800

PROJECT: Request for a minor General Land Use Plan (GLUP) amendment from (UH) Urban High Density Residential to SC (Service Commercial) and to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 E. Barnett Road (371W29DC9800); Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

DATE: August 14, 2019

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. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

3. The existing ¾-inch water meter which is located approximately mid-lot along E Barnett Road currently serves the existing home at 2217 E Barnett Road (TL 4300). This water meter is required to be protected in place so it can be used for future business or reserved for dedicated landscape irrigation use.

COMMENTS

1. The MWC system does have adequate capacity to serve this property.

2. Off-site water line installation is not required.

3. On-site water facility construction is not required.

4. MWC-metered water service does exist to this property. (See Condition 3 above)

5. Access to MWC water lines is available. There is an existing 12-inch water line located on the north side of E Barnett Road.

CITY OF MEDFORD
EXHIBIT # K
File # GLUP-19-003
ZC-19-013

N
Feet
0 25 50 100
Scale: 1"= 100'
Water Faciity Map
City of Medford
Planning Application:
GLUP-19-003 & ZC-19-013
July 17, 2019
Legend
Air Valve
Sample Station
Fire Service
Hydrant
Reducer
Blow Off
Plugs-Caps
Water Meters:
Active Meter
On Well
Unknown
Vacant
Water Valves:
Butterfly Valve
Gate Valve
Tapping Valve
Water Mains:
Active Main
Abandoned Main
Reservoir Drain Pipe
Pressure Zone Line
Boundaries:
Urban Growth Boundary
City Limits
Tax Lots
MWC Facilities:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION
"Zone 1"
Pressure Zone
(Elev: 1500'-1650')
E Barnett Rd
Edgemont Dr
8" DI 2004 WO 40401
8" DI 2004
10' 2005-009180
H2273
Elev: 1414 ft
H2088
Elev: 1417 ft
H2100
Elev: 1411 ft
H2101
Elev: 1415 ft
H4825
Elev: 1409 ft
H4511
Elev: 1416 ft
H2099
Elev: 1407 ft
H4510
Elev: 1417 ft
H2087
Elev: 1422 ft
H2092
Elev: 1430 ft
8" Stub
8" TV1308
8" TV1302
8" TV1307
8" TV2419
8" TV2271
6" GV5420
6" GV5421
6" GV5394
6" GV5419
6" GV10802
6" GV10801
6" GV5393
8" DI 1993
8" DI 1991
8" DI 2005
8" DI 2007
12" CI 1956
8" CI 1958
10' 1993-05013
10' 2005-048476
10' 2005-051313
1991-07714

MEDFORD
PLANNING

MEMORANDUM

Subject	Legal Description
File no.	GLUP-19-003/ZC-19-013
To	Jon Proud, Engineering
From	Steffen Roennfeldt, Planning Department
Date	July 31, 2019

Please verify the attached legal description covering the below subject at your earliest convenience. See attached map.

1. GLUP-19-003/ZC-19-013
   Applicant: Hong Kevin Wu
   Agent: Richard Stevens & Associates

Steffen-
The attached description instrument # 2019-018370 appears to be the correct legal description of the property when compared to the attached Exhibit B and the tax assessors map and filed survey number 22851.

cp

Attachments:

Vicinity Map, Legal description

CITY OF MEDFORD
File # GLUP-19-003
ZC-19-013

Steffen K. Roennfeldt

From: Laura E Street <Laura.E.Street@state.or.us>
Sent: Monday, August 12, 2019 4:31 PM
To: Steffen K. Roennfeldt
Subject: ODFW comments for 2217 E Barnett Road

<EXTERNAL EMAIL>

RE: Comments for a General Land Use Plan Amendment
File No: GLUP-19-003/ZC-19-013

Hi Steffen,

Please be sure the applicant is aware of and abides by the Medford Riparian Ordinance is association with this change in zoning. Future development should not include the removal of riparian vegetation along Lazy Creek.

Cheers,

Laura Street
Assistant District Fisheries Biologist
Rogue Watershed District
1495 E Gregory Road
Central Point, OR 97502
541-826-8774 x 224

CITY OF MEDFORD
File # GLUP - 19-003
ZC - 19-013

RECEIVED
JUN 27 2019
PLANNING DEPT.

LEGAL DESCRIPTION

Property Line Adjustment, City of Medford File # 18-XXXXXXX
Adjusted Tax Lot 4300

A parcel of land situated in the NW1/4 NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 233.52 feet; thence North 83°05'29" East, 96.65 feet; thence South 00°23'28" East, 81.87 feet; thence South 43°18'10" East, 64.37 feet; thence South 00°23'28" East, 82.96 feet to a point on the northerly line of the right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 143.58 feet to the Point of Beginning.

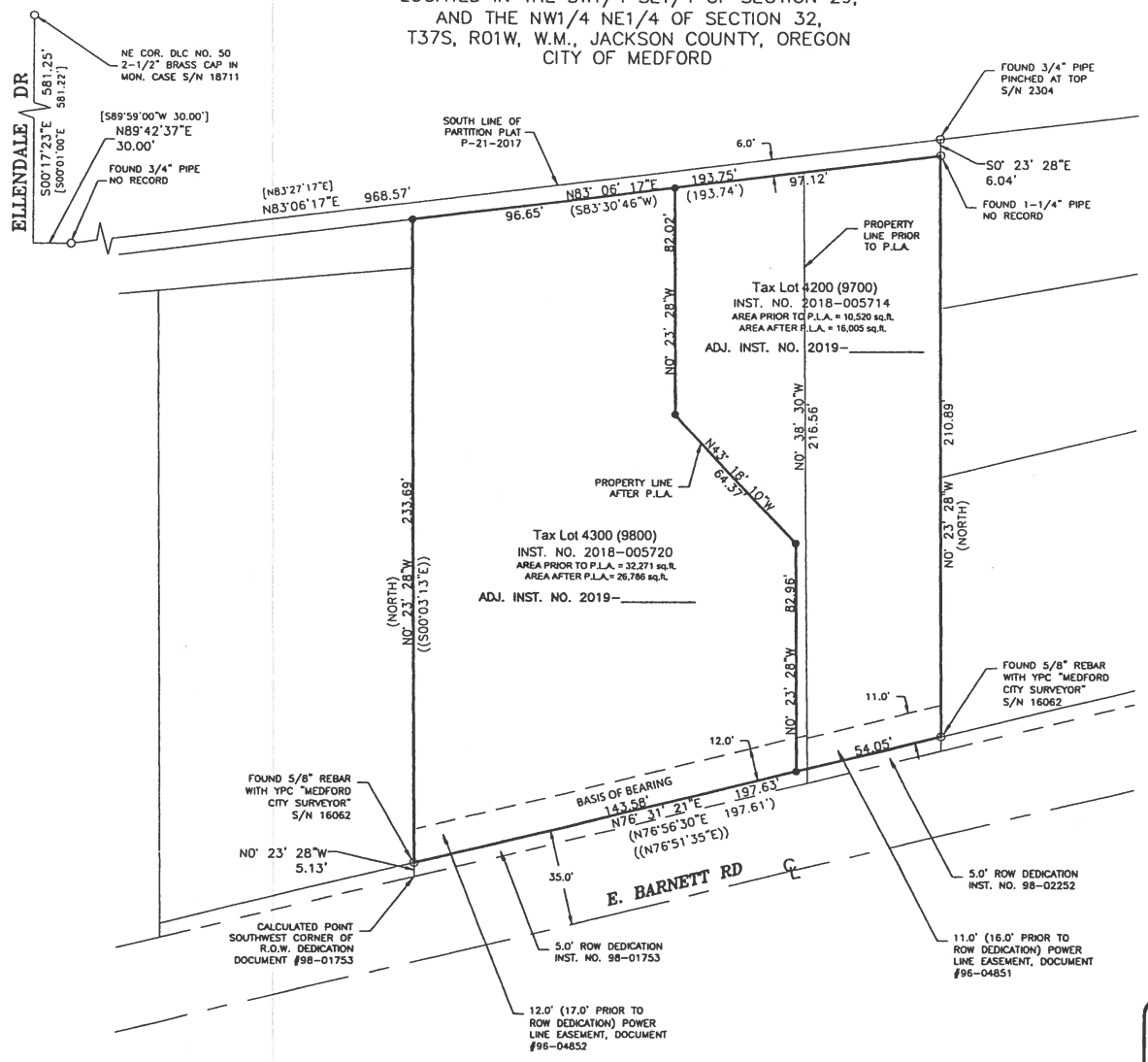
Said parcel containing 26,770 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

CITY OF MEDFORD
EXHIBIT # N
FILE # GLUP-19-003/ZC-19-013

6

MAP OF SURVEY
PROPERTY LINE ADJUSTMENT

BETWEEN TAX LOTS 4200 (9700) & 4300 (9800)
LOCATED IN THE SW1/4 SE1/4 OF SECTION 29,
AND THE NW1/4 NE1/4 OF SECTION 32,
T37S, R01W, W.M., JACKSON COUNTY, OREGON
CITY OF MEDFORD



GRAPHIC SCALE

-30 0 15 30 60

(IN FEET)
1 inch = 30 ft

LEGEND:

○	FOUND MONUMENT - AS SHOWN
●	SET 5/8"X30" REBAR WITH YELLOW PLASTIC CAP MARKED "RHINE-CROSS GROUP LLC"
———	PROPERTY BOUNDARY LINE
- - - -	FENCE LINE
(XXX.XX)	RECORD DATA PER S/N 295
((XXX.XX))	RECORD DATA PER S/N 8005
[XXX.XX]	RECORD DATA PER S/N 16916

BASIS OF BEARING: OREGON COORDINATE REFERENCE SYSTEM (OCRS)
GRANTS PASS - ASHLAND ZONE

APPROVALS:

CITY SURVEYOR _____ DATE _____

CITY PLANNING DIRECTOR _____ DATE _____

NARRATIVE:

THIS SURVEY WAS DONE TO SATISFY THE REQUIREMENTS OF THE APPROVAL OF PROPERTY LINE ADJUSTMENT BY CITY OF MEDFORD PLANNING (FILE #PLA-18-121). FOUND AND HELD MONUMENTS PER SURVEY NUMBER (S/N) 295, 2304, & 16062 AND RECORD DIMENSIONS PER S/N 295 AND DEED (INST. NO. 2018-005720 & 2018-005714) WERE USED TO ESTABLISH THE BOUNDARIES OF THE PARCELS AS SHOWN ON THIS MAP OF SURVEY. THE SOUTH LINE WAS ESTABLISHED BY HOLDING FOUND MONUMENTS PER S/N 16062 FOR THE RIGHT OF WAY OF E. BARNETT RD. THE EAST AND WEST LINES WERE RE-ESTABLISHED USING RECORD DEED AND SURVEY INFORMATION, WITH FOUND MONUMENTS PER S/N 2304 & 16062. THE NORTH LINE WAS ESTABLISHED BY HOLDING A FOUND 3/4" PIPE AT THE NORTHEAST CORNER OF THE SURVEYED PROPERTIES, AND A FOUND 3/4" PIPE FOUND ON THE EAST SIDE OF ELLENDALE DRIVE. THIS PIPE IS NOT OF RECORD, HOWEVER IT MATCHES EXISTING TIES FROM S/N 16916 TO THE NE COR. OF DLC NO. 50. AN APPARENT 6.0' GAP EXISTS BETWEEN THESE SURVEYED PROPERTIES AND THE SOUTH LINE OF PARTITION PLAT P-21-2017. THIS 6' GAP WAS OBSERVED ON S/N 2304 AS A "6' STRIP FOR DITCH", HOWEVER IN RESEARCHING SURROUNDING DEEDS IT APPEARS THIS STRIP WAS NEVER CONVEYED TO ANY OF THE SURROUNDING PROPERTIES.

AT THE TIME OF THIS SURVEY, JACKSON COUNTY IS UPDATING THE TAX MAPS AND NUMBERS FOR THIS AREA. THEREFORE, BOTH THE OLD TAX LOT NUMBERS (4200 & 4300) AND THE NEW TAX LOT NUMBERS (9700 & 9800) ARE BEING REFERENCED IN THIS SURVEY.

BASIS OF BEARINGS IS PER THE OREGON COORDINATE REFERENCE SYSTEM - GRANTS PASS TO ASHLAND ZONE HOLDING THE TWO FOUND MONUMENTS ON THE NORTH SIDE OF E. BARNETT RD. EQUIPMENT USED WAS A TRIMBLE R10 GPS ROVER AND TRIMBLE S6 TOTAL STATION.

SHEET 1 OF 1

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Marcus D. Cross
OREGON
JULY 6, 2010
MARCUS D. CROSS
55506PLS
RENEWS: 12-31-2019

SURVEY FOR: KEVIN WU
2201 E. BARNETT RD
MEDFORD, OR 97504

DATE: FEBRUARY 2019 | PROJECT NO. 1706

R-C RHINE-CROSS GROUP
RHINE-CROSS GROUP LLC
ENGINEERING - SURVEYING - PLANNING
112 N 5th St - Suite 200 - P.O. BOX 909
KLAMATH FALLS, OREGON 97601
Phone: (541) 851-9405 Fax: (541) 273-9200 admin@rc-grp.com

37-1W-32A-4200 (37-1W-29DC-9700)
37-1W-32A-4300 (37-1W-29DC-9800)

Jackson County Official Records 2019-018370
R-LLA
Cnt=1 HELMANCD 06/27/2019 01:57:19 PM
$40.00 $10.00 $8.00 $11.00 $60.00 Total:$129.00

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Christine Walker - County Clerk

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:
Rhine Cross Group, LLC
112 N. 5th St – Suite 200
Klamath Falls, OR 97601

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHALL BE SENT TO THE FOLLOWING ADDRESS:

LiJun Zhao, Et. Al.
1780 Kensington Place
McKinleyville, CA 95519

PROPERTY LINE ADJUSTMENT DEED

Hong Wu, as to an undivided 25% interest, LiJun Zhao, as to an undivided 50% interest, and Jiaqing Wu, as to an undivided 25% interest, as tenants by the common, Grantor, conveys to Hong Wu, as to an undivided 25% interest, LiJun Zhao, as to an undivided 50% interest, and Jiaqing Wu, as to an undivided 25% interest, as tenants by the common, Grantee, the real property situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 01 West, W.M., Jackson County, Oregon, described in Exhibit "B" attached hereto.

This instrument is executed to accomplish a property line adjustment between Grantor's parcel described in Exhibit "A" attached hereto ("Grantor's Parcel"), as vested in Grantor pursuant that certain Statutory Warranty Deed recorded as Instrument No. 2018-005720, Jackson County Official Records, and Grantee's parcel described in Exhibit "A attached hereto ("Grantee's Parcel"), as vested in Grantee pursuant to that certain Statutory Warranty Deed recorded as Instrument No. 2018-005714, Jackson County Official Records. The purpose of this adjustment is to enlarge Grantee's Parcel and reduce Grantor's Parcel by the sale of the property described in Exhibit "B: attached hereto. No new parcel shall be created by the execution of this instrument. The post adjustment size and configuration of Grantee's Parcel and Grantor's Parcel shall be as described in Exhibit "C" attached hereto.

Grantor's Parcel Tax Lot: 37-1W-32A-4300 (37-1W-29DC-9800)

Grantee's Parcel Tax Lot: 37-1W-32A-4200 (37-1W-29DC-9700)

The value for this conveyance is: $1 and other true and valuable consideration

DW 6.26.19

ORS 93.040(1): BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED ISA LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010

Dated June 18, 2019.

GRANTOR:

LiJun Zhao

Hong Wu

Jiaqing Wu

APPROVED
City of Medford
Planning Department
6.26.19

GRANTEE:

LiJun Zhao

Hong Wu

Jiaqing Wu

STATE OF OREGON)

)

County of Jackson)

BEFORE ME, the undersigned authority, on this day personally appeared LiJun Zhao, Hong Wu, and Jiaqing Wu, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 18th day of June 2019.

(SEAL)

Shannon Marie Carrillo
NOTARY PUBLIC, STATE OF OREGON
Print name: Shannon Marie Carrillo
My commission expires: 01-08-23

OFFICIAL STAMP
SHANNON MARIE CARRILLO
NOTARY PUBLIC-OREGON
COMMISSION NO. 982853
MY COMMISSION EXPIRES JANUARY 08, 2023

APPROVED
City of Medford
Planning Department
Date 6.26.19

EXHIBIT A

Prior Legal Descriptions

PRIOR to Lot Line Adjustments

Grantor's Parcel
Tax Lot 37-1W-32A-4300 (37-1W-29DC-9800)

Parcel II: BEGINNING AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CRESTBROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT FOR THE TRUE POINT OF BEGINNING.

FROM THIS TRUE POINT OF BEGINNING THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 197.61 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 193.74 FEET; THENCE SOUTH 238.65 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING: BEGINNING AT THE NORTH-EAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON, AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CREST-BROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT; THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 147.61 FEET TO A POINT FOR THE TRUE POINT OF BEGINNING.

FROM THIS TRUE POINT OF BEGINNING THENCE CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD, A DISTANCE OF 50.00 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 50.00 FEET; THENCE SOUTH 219.5 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MEDFORD, AN OREGON MUNICIPAL CORPORATION IN INSTRUMENT RECORDED JANUARY 16, 1998 AS DOCUMENT NO. 98-01753

APPROVED
City of Medford
Planning Department
DW 6.26.19

Grantee's Parcel
Tax Lot 37-1W-32A-4200 (37-1W-29DC-9700)

BEGINNING AT THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 50 IN TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON AND RUNNING THENCE SOUTH 0°01' EAST ALONG THE CENTER OF CRESTBROOK ROAD A DISTANCE OF 954.83 FEET TO AN INTERSECTION WITH THE TANGENT OF BARNETT ROAD; THENCE NORTH 76°56'30" EAST ALONG SAID CENTER LINE OF BARNETT ROAD A DISTANCE OF 826.69 FEET; THENCE NORTH 13°03'30" WEST 30.00 FEET TO A 5/8" X 30" IRON BAR MONUMENT; THENCE NORTH 76°56'30" EAST ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 147.61 FEET TO A POINT FOR THE TRUE POINT OF BEGINNING. FROM THIS TRUE POINT OF BEGINNING THENCE CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE OF BARNETT ROAD A DISTANCE OF 50.00 FEET; THENCE NORTH 215.89 FEET; THENCE SOUTH 83°30'46" WEST 50.00 FEET; THENCE SOUTH 219.5 FEET, MORE OR LESS TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF MEDFORD AN OREGON MUNICIPAL CORPORATION IN INSTRUMENT RECORDED JANUARY 21, 1998 AS DOCUMENT NO. 98-02252, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

APPROVED
City of Medford
Planning Department
DWL 6.26.19

EXHIBIT B

Property Line Adjustment, City of Medford File PLA#18-121
Conveyance Description from Tax Lot 4300 (9800) to Tax Lot 4200 (9700)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet; thence along the northerly line of said right of way dedication description per Document #98-01753 North 76°31'21" East, 143.58 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 82.96 feet; thence North 43°18'10" West, 64.37 feet; thence North 00°23'28" West, 82.02 feet; thence North 83°06'17" East, 47.10 feet; thence South 00°38'30" East, 216.56 feet to the northeast corner of said right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 4.02 feet to the Point of Beginning.

Said parcel containing 5485 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

DWL 6.26.19

EXHIBIT C

New Legal Descriptions

POST Lot Line Adjustment

Grantor's Parcel
Property Line Adjustment, City of Medford File PLA#18-121
Adjusted Tax Lot 4300 (9800)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 233.69 feet; thence North 83°06'17" East, 96.65 feet; thence South 00°23'28" East, 82.02 feet; thence South 43°18'10" East, 64.37 feet; thence South 00°23'28" East, 82.96 feet to a point on the northerly line of the right of way description per Document #98-01753; thence along the northerly line of said right of way dedication description per Document #98-01753 South 76°31'21" West, 143.58 feet to the Point of Beginning.

Said parcel containing 26,786 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

APPROVED
City of Medford
Planning Department
DWL 6.26.19

Grantee's Parcel

Property Line Adjustment, City of Medford File PLA#18-121

Adjusted Tax Lot 4200 (9700)

A parcel of land situated in the SE1/4 of Section 29, and the NE1/4 of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon, within the City of Medford, said parcel being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim No. 50 in T37S, R1W, W.M., in Jackson County, Oregon; thence along the center line of Ellendale Drive South 00°26'09" East, 954.83 feet to the centerline of Barnett Road; thence along the centerline of Barnett Road North 76°31'21" East, 826.69 feet; thence leaving said centerline of Barnett Road North 13°28'39" West, 30.00 feet to the southwest corner of the right of way dedication description per Document #98-01753; thence along the westerly line of said right of way dedication description per Document #98-01753 North 00°23'28" West, 5.13 feet; thence along the northerly line of said right of way dedication description per Document #98-01753 North 76°31'21" East, 143.58 feet to the **True Point of Beginning** of this description, thence North 00°23'28" West, 82.96 feet; thence North 43°18'10" West, 64.37 feet; thence North 00°23'28" West, 82.02 feet; thence North 83°06'17" East, 97.12 feet; thence South 00°23'28" East, 210.89 feet to the northeast corner of the right of way description per Document #98-02252; thence along the northerly line of said right of way dedication description per Document #98-02252 and also the northerly line of said Document #98-01753 South 76°31'21" West, 54.05 feet to the Point of Beginning.

Said parcel containing 16,005 sq.ft., more or less. Basis of Bearings is grid north on the Oregon Coordinate Reference System (OCRS) Grants Pass – Ashland Zone.

DW 6.26.19

PLANNING COMMISSION MINUTES - EXCERPT

MEDFORD OREGON

September 12, 2019
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

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

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
David McFadden
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Karl MacNair, Transportation Manager
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Kyle Kearns, Planner II
Steffen Roennfeldt, Planner III

Commissioner Absent
E.J. McManus, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).
Commissioner Mansfield requested that agenda item 20.4 be removed from the Consent Calendar and considered individually.

20.1 ZC-19-011 Final Order of a request for a zone change of three contiguous parcels totaling 5.26 acres located north of Barnett Road and east of Murphy Road, from MFR-30 (Multiple Family, thirty dwelling units per gross acre) to C-S/P (Commercial, Service & Professional Office) (371W28DC TL 400, 500 & 600); Applicant, Mahlum Architects; Planner, Dustin Severs.

20.2 ZC-19-012 Final Order of a request for a change zone of a 0.155-acre portion of a single 4.4-acre parcel located at 4088 Table Rock Road from I-G (General Industrial) to I-L (Light Industrial) (372W01D901). Applicant: JBR Table Rock, LLC; Planner; Dustin Severs.

20.3 ZC-19-010 Final Order for a minor General Land Use Plan (GLUP) amendment to reclassify 5.07 acres, located at 709 N Phoenix Road, currently containing the "Court House Family Fitness", from

CITY OF MEDFORD
EXHIBIT # O
FILE # GLUP-19-003/ZC-19-013

Voice Vote: Motion passed, 6-1-0, with Chair McKechnie voting no.

30. Approval or Correction of the Minutes from August 22, 2019 hearing
30.1The minutes for August 22, 2019, were approved as submitted.

40. Oral Requests and Communications from the Public. None.

50. Public Hearings

Eric Mitton, Deputy City Attorney read the Quasi-Judicial statement.

Continuance Requests
50.1 ZC-18-178 Consideration of a request for a zone change of an approximately 91.5 gross acre parcel located at the terminus of Cadet Drive from SFR-00 (Single Family Residential, one dwelling unit per parcel) to SFR-4 (Single Family Residential, 4 to 6 dwelling units per gross acre) (371W15C TL 300); Applicant: Mike & Gayle Jantzer; Agent: Richard Stevens & Associates Inc.; Planner: Liz Conner. **The applicant requests this item be continued to Thursday, September 26, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the September 26th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on September 26th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued ZC-18-178, per the applicant's request, to the Thursday, September 26, 2019, Planning Commission meeting.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

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

New Business
50.2 GLUP-19-003 / ZC-19-013 Request for a minor General Land Use Plan (GLUP) amendment from (UH) Urban High Density Residential to SC (Service Commercial) and to change the zoning from MFR-20 (Multiple Family Residential - 15 to 20 dwelling units per gross acre) to C-S/P (Service Commercial and Professional Office) on a 0.61 acre parcel located at 2217 Barnett Road (371W29DC9800). Applicant: Hong (Kevin) Wu; Agent: Richard Stevens & Associates; Planner: Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III reported that the Minor Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.222(B). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report.

Chair McKechnie asked, what is the reason for changing the zoning to C-S/P (Service Commercial and Professional Office) opposed to C-C (Community Commercial)? Mr. Roennfeldt deferred the question to the applicant.

Chair McKechnie asked, what does Mr. Wu plan to do with the property? Mr. Roennfeldt responded the possibility of mixed-use.

The public hearing was opened.

a. Joe Slaughter, Richard Stevens & Associates, Inc., P. O. Box 4368, Medford, Oregon, 97501. Mr. Slaughter addressed Chair McKechnie's question as to why C-S/P opposed to C-C is the minimum parcel size required for the C-C zone.

Mr. Slaughter reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission forwards a favorable recommendation for approval of GLUP-19-003 to the City Council per the staff report dated September 5, 2019, including Exhibits A through N.

Also, the Planning Commission also adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-19-013 per the staff report dated September 5, 2019, including Exhibits A through N, provided the City Council approves the GLUP amendment.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

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

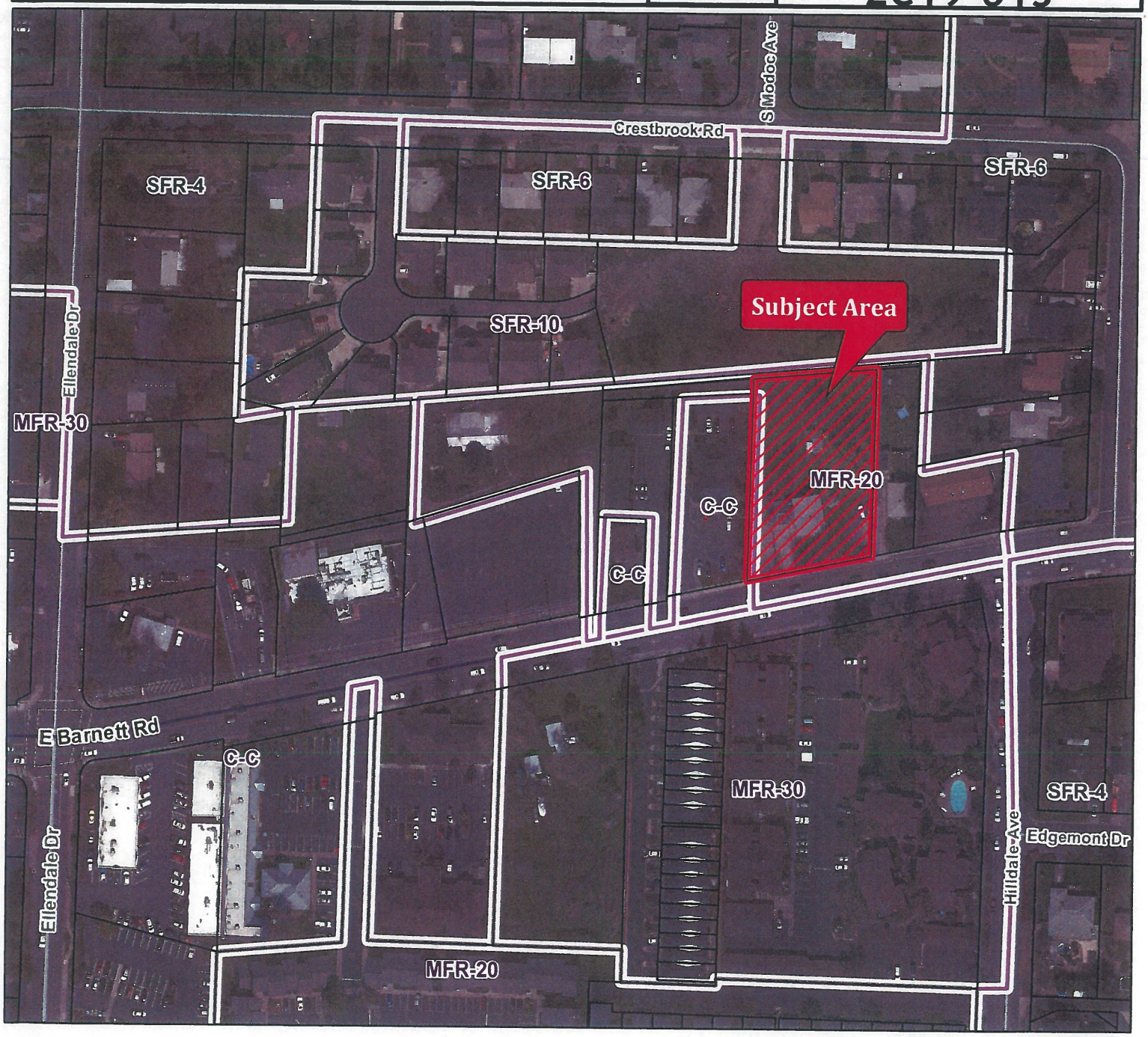
City of Medford

Planning Department

Vicinity Map

File Number:

GLUP19-003
ZC19-013



Project Name:

2217 E. Barnett Road

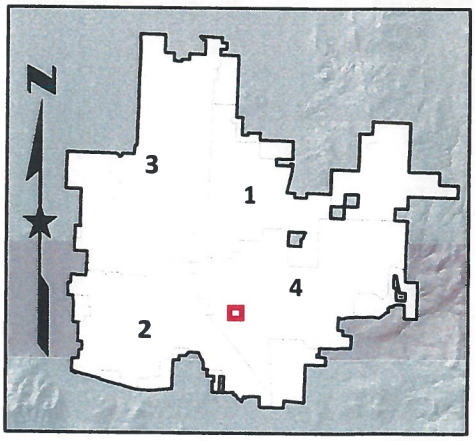
Map/Taxlot:

371W29DC TL 9800

0 120 240 Feet

Legend

- Subject Area
- Zoning Districts
- Tax Lots



07/03/19

MEDFORD
OREGON
cityofmedford.org

Item No: 80.2

AGENDA ITEM COMMENTARY

DEPARTMENT: Planning
PHONE: (541) 774-2380
STAFF CONTACT: Matt Brinkley, AICP, CFM, Planning Director
AGENDA SECTION: Public Hearings
MEETING DATE: October 17, 2019

COUNCIL BILL 2019-111

An ordinance approving a minor amendment to the General Land Use Plan (GLUP) Map of the Medford Comprehensive Plan by changing the land use designation of 1.16 acres located at 3583 Arrowhead Drive, General Industrial (GI) to Urban Medium Density Residential (UM).

SUMMARY AND BACKGROUND

Council is requested to consider a minor General Land Use Plan (GLUP) map amendment to reclassify a single 1.16 acre parcel, located at 3583 Arrowhead Drive, from General Industrial to Urban Medium Density Residential. (File No. GLUP-19-004)

On September 12, 2019, the Planning Commission forwarded a unanimous recommendation to City Council after a public hearing and approved a PUD revision and a zone change conditioned on approval of this proposal.

PREVIOUS COUNCIL ACTIONS

None.

ANALYSIS

The subject parcel is part of the Tower Business Park Planned Unit Development (PUD) which is approximately 21 acres in size. The PUD revision was to allow for the construction of rowhouse style dwellings. The proposal is dependent on the GLUP change that is before City Council today. The GLUP designation from General Industrial to Urban Medium Density Residential would allow for 18 units of multiple family development per MFR-15 standards.

Review of the proposed GLUP map designation change can be found to meet the applicable criteria for a Comprehensive Plan Amendment as found in the *Review and Amendments* chapter of the Comprehensive Plan, as the proposed change: 1) is consistent with the pertinent Comprehensive Plan policies and implementation strategies that seek to supply and adequate supply of residential land; 2) responds to a demonstrated need for residential land to satisfy urban housing needs; 3) can be found to have sufficient facilities to accommodate the proposed classification change; 4) will help maximize the efficiency of land uses within the urbanizable area; 5) will result in no discernable environment, energy or social consequences from the proposed change of designation; 6) is compatible with all applicable elements of the Comprehensive Plan; and 7) meets the applicable statewide planning goals as described in the Council Staff Report.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

None

TIMING ISSUES
None

COUNCIL OPTIONS
Approve the ordinance as presented
Modify the ordinance as presented
Decline to approve the ordinance as presented and direct staff regarding further action

STAFF RECOMMENDATION
Staff recommends approval of the ordinance.

SUGGESTED MOTION
I move to adopt the ordinance authorizing the minor General Land Use Plan (GLUP) amendment to reclassify a single 1.16 acre parcel, located at 3583 Arrowhead Drive, from General Industrial to Urban Medium Density Residential.

EXHIBITS
Ordinance
Council Report, including Exhibits A-MM
Vicinity Map

ORDINANCE NO. 2019-111

AN ORDINANCE approving a minor amendment to the General Land Use Plan (GLUP) Map of the *Medford Comprehensive Plan* by changing the land use designation of 1.16 acres located at 3583 Arrowhead Drive, General Industrial (GI) to Urban Medium Density Residential (UM).

THE CITY OF MEDFORD ORDAINS AS FOLLOWS:

Section 1. That a minor amendment to the GLUP Map of the *Medford Comprehensive Plan* changing the land use designation of 1.16 acres located at 3583 Arrowhead Drive, General Industrial (GI) to Urban Medium Density Residential (UM), is hereby approved.

Section 2. The approval is based upon the Findings of Fact and Conclusions of Law included in the Planning Commission Report dated September 30, 2019.

PASSED by the Council and signed by me in authentication of its passage this ____ day of October, 2019.

ATTEST: _____ _____

City Recorder Mayor

APPROVED _____, 2019. _____

Mayor

MEDFORD
PLANNING

CITY COUNCIL REPORT

For Type IV legislative and Type-III quasi-judicial decisions: **Minor General Land Use Plan Map Amendment, Zone Change, and Revision to Planned Unit Development**

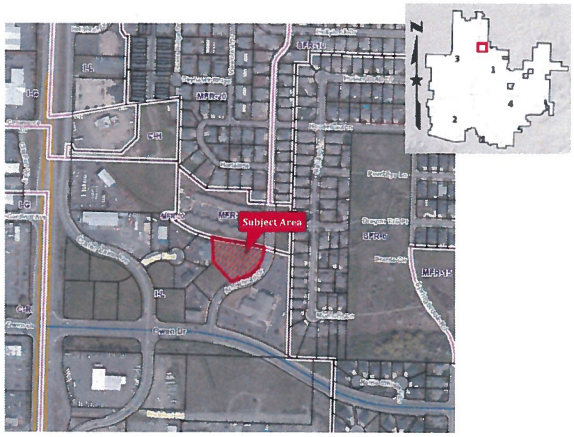
Project	Tower Business Park Arrowhead Business Center LLC Applicant: Dan & Gina Reece; Agent: CSA Planning Ltd.	
File no.	GLUP-19-004, ZC-19-014 & PUD-19-003	
To	City Council	*for 10/17/2019 hearing*
From	Steffen Roennfeldt, Planner III	
Reviewer	Kelly Evans, Assistant Planning Director	
Date	September 30, 2019	

BACKGROUND

Proposal

Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including a change to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

Vicinity Map



Subject Site Characteristics

GLUP	GI	General Industrial
Zoning	I-L	Light Industrial
Overlay	PD/AC	Planned Unit Development/Airport Area of Concern
Use	Vacant	

Surrounding Site Characteristics

North	Zone:	MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre)
	Use:	Apartment Complex
South	Zone:	I-L
	Use:	Offices
East	Zone:	I-L
	Use:	Church
West	Zone:	I-L
	Use:	Vacant

Related Projects

PUD-99-141	Tower Business Park PUD

Applicable Criteria

MINOR COMPREHENSIVE PLAN AMENDMENT

For the applicable criteria, the Medford Municipal Code Section 10.222(B) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for map amendments, and are based on the following:

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*
3. *The orderly and economic provision of key public facilities.*
4. *Maximum efficiency of land uses within the current urbanizable area.*
5. *Environmental, energy, economic, and social consequences.*
6. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*
7. *All applicable Statewide Planning Goals.*

Medford Land Development Code §10.190 Planned Unit Development – Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan

The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(1) The proposed PUD:
- (a) preserves an important natural feature of the land; or
- (b) includes a mixture of residential and commercial land uses; or
- (c) includes a mixture of housing types in residential areas; or
- (d) includes open space, common areas, or other elements intended for common use or ownership; or
- (e) is otherwise required by the Medford Land Development Code.

(2) The proposed PUD complies with the applicable requirements of this Code, or
- (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
- (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
- (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.

(3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
- (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
- (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.
- (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.

(4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

(5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
- (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or

(b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:
   (i) Public sanitary sewerage collection and treatment facilities.
   (ii) Public domestic water distribution and treatment facilities.
   (iii) Storm drainage facilities.
   (iv) Public streets.

   Determination of compliance with this criterion shall be based upon standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

(6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

(7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

Corporate Names

Dan Reece is the Registered Agent for Arrowhead Business Center LLC according to the Oregon Secretary of State Business Registry. He is also listed as a Member.

William H Fowler is the Registered Agent for CSA Planning, Ltd. According to the Oregon Secretary of State Business Registry. Jay Harland is listed as President and Raul Woerner is listed as Secretary.

Authority

The Planning Commission is authorized to act as an advisory agency, forwarding a recommendation to City Council for proposed amendments to the Comprehensive Plan.

ISSUES AND ANALYSIS

Background

The subject parcel is part of the Tower Business Park Planned Unit Development (File No. PUD-99-141). The PUD is approximately 21 acres in size and contains several commercial/light-industrial developments which are occupied by a variety of tenants. The PUD-99-141 received approval from the Commission to deviate from the following standards of the code: lot frontage, the creation of private streets, and the inclusion of commercial uses on 4.37 acres. None of these deviations applies to the proposed PUD revision.

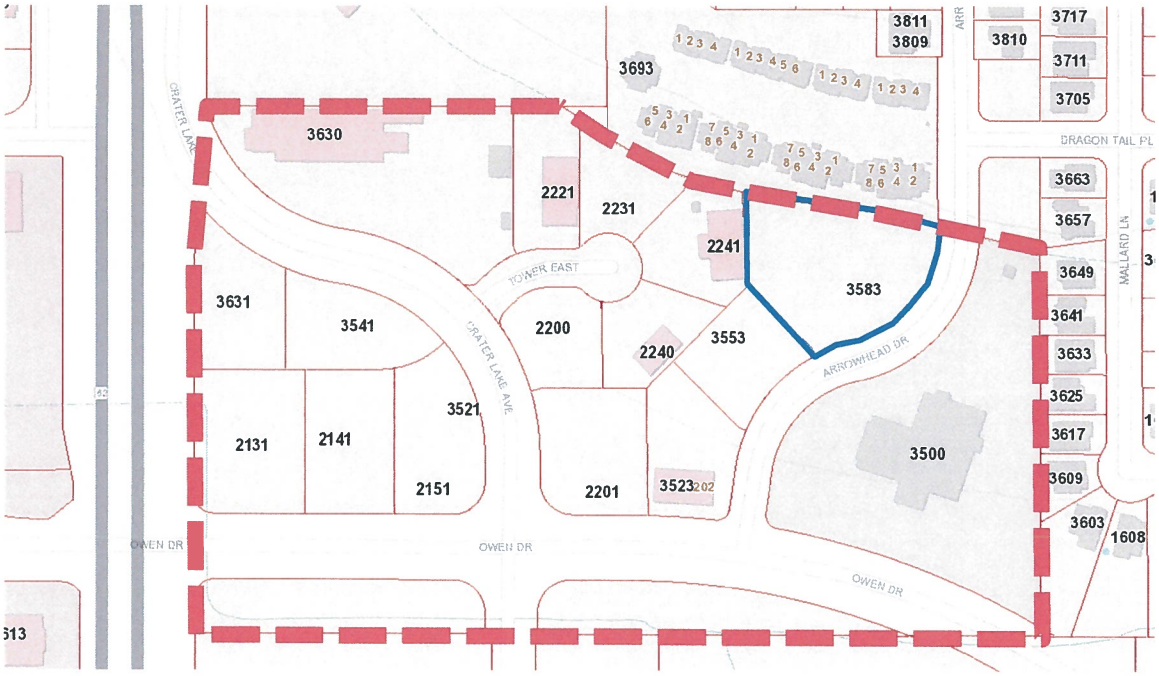


Figure 1 - Tower Business Park PUD (Subject Area is 3583 Arrowhead Drive)

Project Summary

Since residential uses were not part of the original PUD application, a comprehensive plan map amendment, zone change, and revision to the Planned Unit Development is needed in order to allow for the proposed multiple family housing at 3583 Arrowhead Drive. Therefore, this application includes a General Land Use Plan (GLUP) map amendment from GI (General Industrial) to UM (Urban Medium Density Residential), as well as a change of zone from I-L (Light Industrial) to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) in addition to the PUD revisions.

Proposed PUD Modification Requests to PUD-99-141

The PUD revision is to allow for the construction of rowhouse style, multiple family dwellings (18 dwelling units). The subject lot was originally shown as Lot 6 on the Preliminary PUD Plan designated for light industrial use. The proposal is dependent on the above mentioned GLUP and zone change proposals.

Decision: The Planning Commission sent a favorable recommendation to the City Council regarding the proposed GLUP change, approved the zone change, and approved the modification request to allow for the construction of rowhouses on Lot 6 of the Tower Business Park PUD.

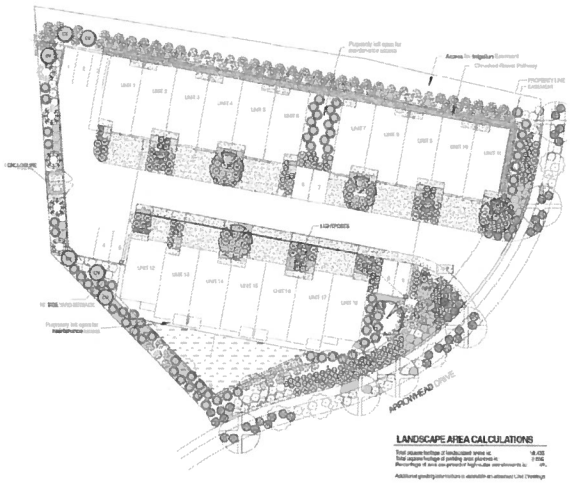


Figure 2 – Proposed Site Plan

The Commission decided not to allow for the modification requests, including the multi-family residential standards pertaining to building orientation, street frontage presence and vehicle parking in the front yard and decided to refer those issues to the Planning Director. This will be looked at again during the review of the Final PUD Plan and at the time of building permits.

Facility Adequacy

Transportation Impact Analysis

MLDC 10.461(3) requires a Transportation Impact Analysis (TIA) to be conducted to evaluate development impacts to the transportation system if a proposed application has the potential of generating more than 250 net average daily trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Per the applicant's findings and the Public Works Staff Report (Exhibits S, T and U, respectively), a Transportation Impact Analysis is not required as the proposal is likely

to generate less than 250 net ADT. No significant impact to the transportation system are expected.

Sewer Capacity Constraints

Also indicated in the Public Works Department Staff Report is the fact that the downstream sewer system currently has capacity constraints. Based on this information, Public Works suggests three options: One, to deny the proposed applications; two, the applicant to stipulate to only develop so the total sewer flows do not exceed current zoning limitation; or, three, the developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints or provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed applications.

Staff received additional findings from the applicant (Exhibit KK) regarding this issue on September 5, 2019, stating that this wasn't an issue under the new Sanitary Sewer Master Plan. Public Works staff agreed with the applicant's findings that the new zoning will lower the impact on the sewer system and, therefore, a restrictive zoning overlay will not be necessary.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits S to Y), it can be found that adequate facilities are available or can and will be made available to serve the future development of the site.

Committee Comments

Identify whether comments were received from a committee, such as BPAC. If not, state so.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Comprehensive Plan Amendment

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*
   Findings:
   The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process has provided information demonstrating the need for residential land.
   Conclusions:
   The proposed change is consistent with pertinent Comprehensive Plan

policies and implementation strategies that seek to provide an adequate supply of residential land.

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

   Findings:

   The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process identified a slight surplus (one acre) of industrial land. The proposed swap of 1.16 acres is relatively insignificant compared to the total land base within the City of Medford.

   Conclusions:

   Even though the proposed change will have a minimal effect on the overall available land, it will still help satisfying urban housing needs.

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

   Findings:

   The Public Works Staff Report identified potential downstream sewer system capacity constraints. As per Exhibit KK, this will not be an issue with the proposed zoning. Per the agency comments submitted to staff, no other issues were identified and it can be found that there are adequate facilities to serve the future development of the site as a residential development.

   Conclusions:

   Sufficient facilities exist to accommodate the proposed classification change.

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

   Findings:

   The residential designation will accommodate the buildout of the property as a residential development.

   Conclusions:

   The proposed designation change would mean the land could be used for up to 20 dwelling units per the density calculation (Exhibit JJ). The applicant proposes 18 units which is within the density range of 14 to 20 dwelling units. No density bonus has been requested as part of the PUD revision.

5. *Environmental, energy, economic, and social consequences.*

   Findings:

   Environmental: The subject area is already within the UGB, and thus has already met tests concerning environmental impacts; a change of designation does not affect suitability for urbanization.

Energy: A designation change to UM would not pose any discernable energy consequences, as the site is located within the UGB, and thus has already met tests concerning environmental impacts; change of designation does not affect suitability for urbanization.

Economic: The City has completed an Urban Growth Boundary amendment to accommodate future land need, which has been formally adopted by the State, and the analysis done through that process identified a slight surplus of industrial land.

Social: The surrounding area of the subject site is a mix of light industrial, institutional and residential uses. The changing of the subject site to the Urban Medium Density Residential GLUP will result in the site abutting other property also designated with the UM GLUP. The proposed change is not anticipated to have a negative social consequence as the surrounding area is already a mix of uses.

Conclusions:
Environmental: No discernable environmental consequences would result with the proposed change of designation.
Energy: No discernable energy consequences would result with the change of designation.
Economic: The proposed change would provide for additional housing and accommodating housing for the workforce.
Social: No discernable social consequences would result with the proposed change of designation.

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

Public Facilities Element
Findings:
Policy 2-A deals with the timely provision of essential urban facilities and services. As was pointed out in the Public Works Staff Report, there are downstream sewage system facility constraints which might trigger the implementation of a restrictive zoning overlay.
Conclusions:
With the new sanitary sewer master plan in place, it was determined that there will be no unanticipated impacts to public facilities.

Housing Element
Findings:
Policy 3: In planning for needed housing, the City of Medford shall strive to provide a compact urban form that allows efficient use of public facilities and protects adjacent resource lands and consider actions such as upzoning buildable land to medium and high density residential.
The GLUP change to Urban Medium Density Residential and the subsequent rezoning to MFR-15 will allow for the development of up to 20 residential dwelling units in an area where no residential development was previously proposed.
Conclusions:
The proposed change does supply a small amount of residential land for development.

7. *All applicable Statewide Planning Goals.*

Goal 1 – Citizen Involvement
Findings:
Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process, including participation in the quasi-judicial revision of the Comprehensive Plan. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed Comprehensive Plan amendments by the Planning Commission and City Council.
Conclusions:
By following the standard notification and comment procedure, the City provided adequate opportunities for citizen input.

Goal 2 – Land Use Planning
Findings:
The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code that comply with Goal 2. These are the foundation for decisions and actions.
Conclusions:
There is an adequate factual basis for the proposed designation change.

Goals 3 to Goal 5 are not applicable.

Goal 6 – Air, Water and Land Resources Quality
Findings:
There are no streams on the property that would be impacted. The land in question is not classified as a resource in terms of agriculture because it is classified as urbanizable.
Conclusions:
The proposed change will have no discernable effect on the production of pollutants. There are no water or land resource impacts.

Goals 7 & 8 are not applicable.

Goal 9 – Economic Development
Findings:
Goal 9 outlines that Comprehensive Plans shall 'provide for at least an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses with plan policies.'

Conclusions:
The proposed change will reduce the available industrial lands by one acre – a land use designation in which the recent UGB analysis demonstrated that a one acre surplus exists.

Goal 10 – Housing
Findings:
Goal 10 requires that 'plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.' A designation change to residential will allow for the development of 20 additional dwelling units.
Conclusions:
The proposed designation change will create a potential for the expansion of the City's existing housing stock.

Goal 11 – Public Facilities and Services
Refer to No. 3 above.

Goal 12 – Transportation
Findings:
The Transportation Planning Rule (OAR 660-012) requires cities to have plans to accommodate anticipated transportation system needs. A transportation impact analysis was not required as part of this project as the project is expected to generate fewer than 25 additional trips.
Conclusions:
The proposal will not have a significant impact on the public transportation system.

Goal 13 – Energy Conservation
Findings:
Providing for multiple family housing near existing employment uses and shopping areas decreases the amount of energy required to get to those places.
Conclusions:
The development is consistent with the goals that are outlined in Goal 13.

Goal 14 – Urbanization
Findings:
The subject property is situated between commercial, light industrial, institutional and residential uses and will be placed within an area that is already urbanized.

Conclusions:
The proposed GLUP change will not materially change the transition and mix of land uses or livability of the community.

Goals 15 to 19 are not applicable.

RECOMMENDED ACTION

Minor Comprehensive Plan (GLUP Map) Amendment

The Planning Commission recommends adopting GLUP-19-004 based on the analysis, findings, and conclusions per the City Council Report dated September 30, 2019, including Exhibits A to MM

EXHIBITS

A Conditions of Approval, dated September 5, 2019
B Vicinity Map, received June 28, 2019
C GLUP Map, received June 28, 2019
D Zoning Map, received June 28, 2019
E Transportation System Map, received June 28, 2019
F North Medford Circulation Plan, received June 28, 2019
G Assessor's Map, received June 28, 2019
H Site Plan, received June 28, 2019
I Preliminary Grading and Drainage Plan, received June 28, 2019
J Elevations, received August 22,2019
K Floor Plans, received June 28, 2019
L Landscape Plan, received June 28, 2019
M Narrative, received June 28, 2019
N Site Images, received June 28, 2019
O Applicant's Findings of Fact and Conclusions of Law (GLUP), received June 28, 2019
P Applicant's Findings of Fact and Conclusions of Law (Zone Change) , received June 28, 2019
Q Applicant's Findings of Fact and Conclusions of Law (PUD) , received June 28, 2019
R Appendix to Applicant's Exhibit 1, received August 22, 2019
S Public Works Staff Report (GLUP), dated August 14, 2019
T Public Works Staff Report (Zone Change), dated August 14, 2019
U Public Works Staff Report (PUD Revision), dated August 14, 2019
V Building Department Memo, dated August 14, 2019
W Medford Fire-Rescue Land Development Report, dated August 14, 2019
X City Surveyor Memo, dated July 31, 2019

Y	Medford Water Commission Memo, dated August 14, 2019
Z	Floodplain Coordinator Memo, dated August 8, 2019
AA	Email from ODOT, received August 7, 2019
BB	Planning Commission Report PUD-99-141, received June 28, 2019
CC	Legal Description, received June 28, 2019
DD	Tower Business Park Survey, received June 28, 2019
EE	Covenants, Conditions & Restrictions, received June 28, 2019
FF	PUD Amendment request, received June 28, 2019
GG	Jackson County Assessor valuation data, received June 28, 2019
HH	Tower Retail Center Subdivision Survey, received June 28, 2019
II	Letter from Willam Merrihew, received August 28, 2019
JJ	Density Calculation Form, dated September 3, 2019
KK	E-Mails from applicant re: Sewer Capacity issues, dated August 14, 2019
LL	E-Mail from R. Woerner re: PUD modification, received September 6, 2019
MM	Minutes Excerpt from Planning Commission hearing on September 12, 2019
	Vicinity map

CITY COUNCIL AGENDA: **OCTOBER 17, 2109**

EXHIBIT A

Tower Business Park Arrowhead Business Center LLC
Conditions of Approval
September 5, 2019

All conditions of the Preliminary PUD plan approval (PUD-99-141) are still in effect.

CODE CONDITIONS

1. The change of zone (ZC-19-014) shall be effective upon City Council approval of the General Land Use Plan (GLUP) map amendment (GLUP-19-004);

Prior to issuance of any Building Permits for vertical construction, the applicant shall:

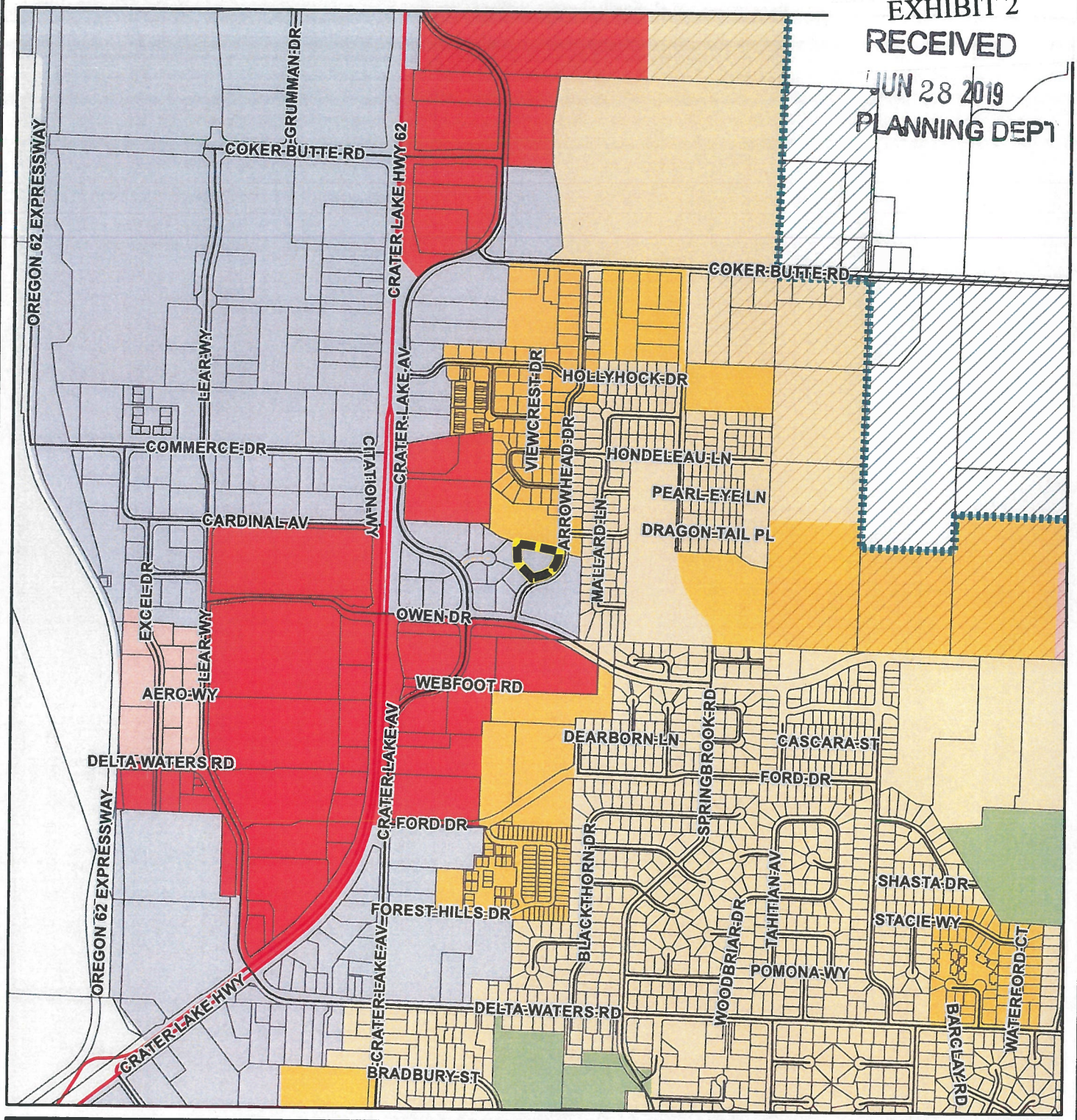
2. Comply with all applicable Multiple Family Residential Standards per MLDC 10.175A through 10.719;

3. Comply with the Public Works Staff Reports dated August 14, 2019 (Exhibits S, T & U);

4. Comply with the Medford Water Commission Memorandum, dated July 24, 2019 (Exhibit I);

5. Comply with the Medford Fire Department Report dated August 12, 2019 (Exhibit W).

EXHIBIT 2
RECEIVED
JUN 28 2019
PLANNING DEPT



Subject
Tax Lots
UGB
Urban Reserves

Medford GLUP

A
CC
CM
GI
HI
PS
SC
UH
UM
UR

Vicinity Map

GLUP Amendment; Zone Change; & PUD Amendment
Reece
37-1W-08BC-2511

N

0 500 1,000 Feet

Date: 6/3/2019

Source: CSA Planning, Ltd.; Jackson County GIS; Medford GIS

CITY OF MEDFORD
EXHIBIT # B
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

17

EXHIBIT 4

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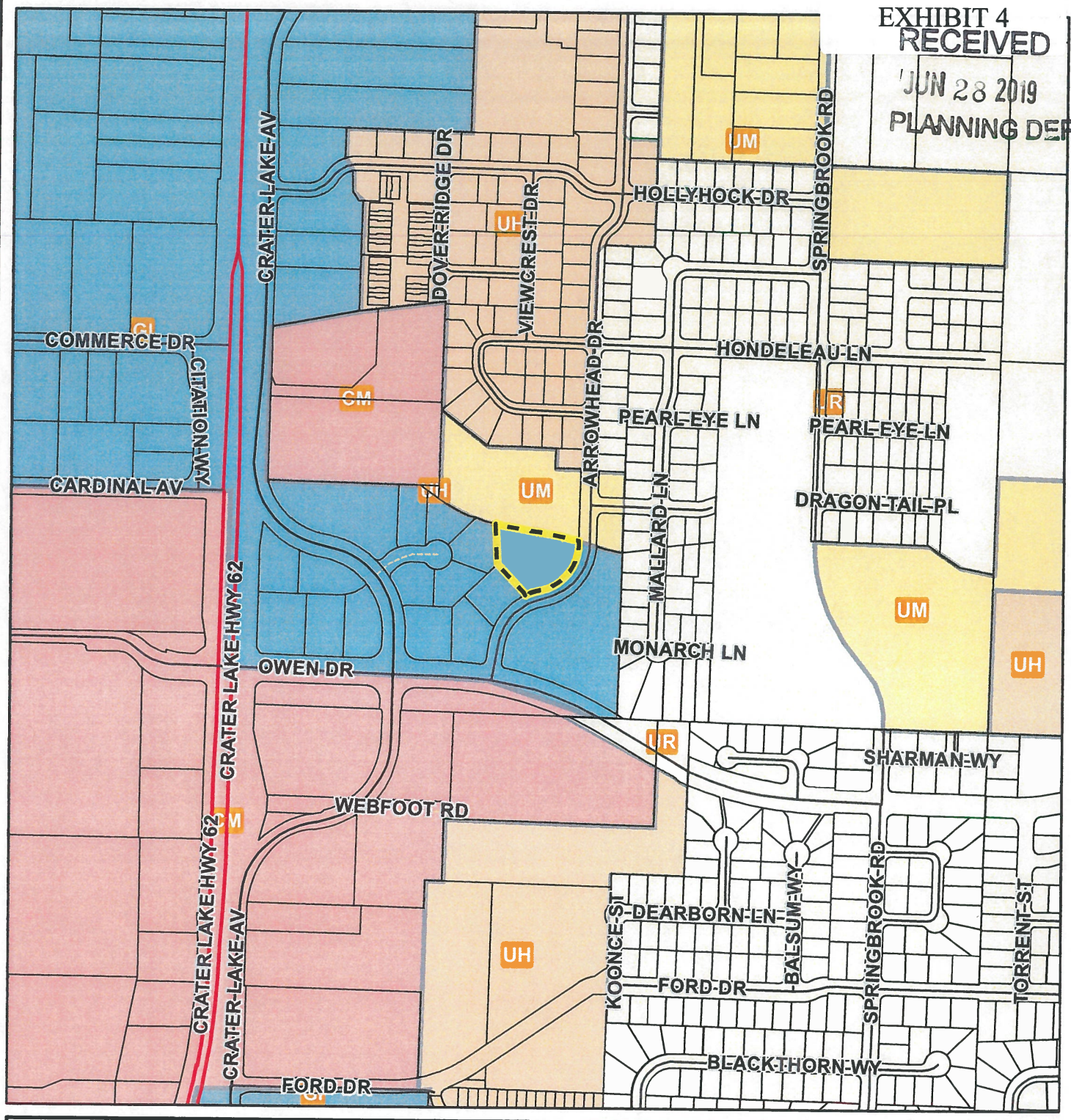

Subject
Tax Lots
A- AIRPORT
CC-CITY CENTER
CM-COMMERCIAL
SC-SERVICE COMMERCIAL
GI-GENERAL INDUSTRIAL
HI-HEAVY INDUSTRIAL
LS-LIMITED SERVICE AREA
PS-PARKS & SCHOOLS
UR-URBAN RESIDENTIAL
UM-URBAN MEDIUM
UH-URBAN HIGH DENSITY

GLUP Map

PUD Amendment
Reece
37-1W-08BC-2511

N

0 250 500 Feet

Date: 2/13/2019

Source: CSA Planning, Ltd. Jackson County GIS; Medford GIS

CITY OF MEDFORD
EXHIBIT # C
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

EXHIBIT 5

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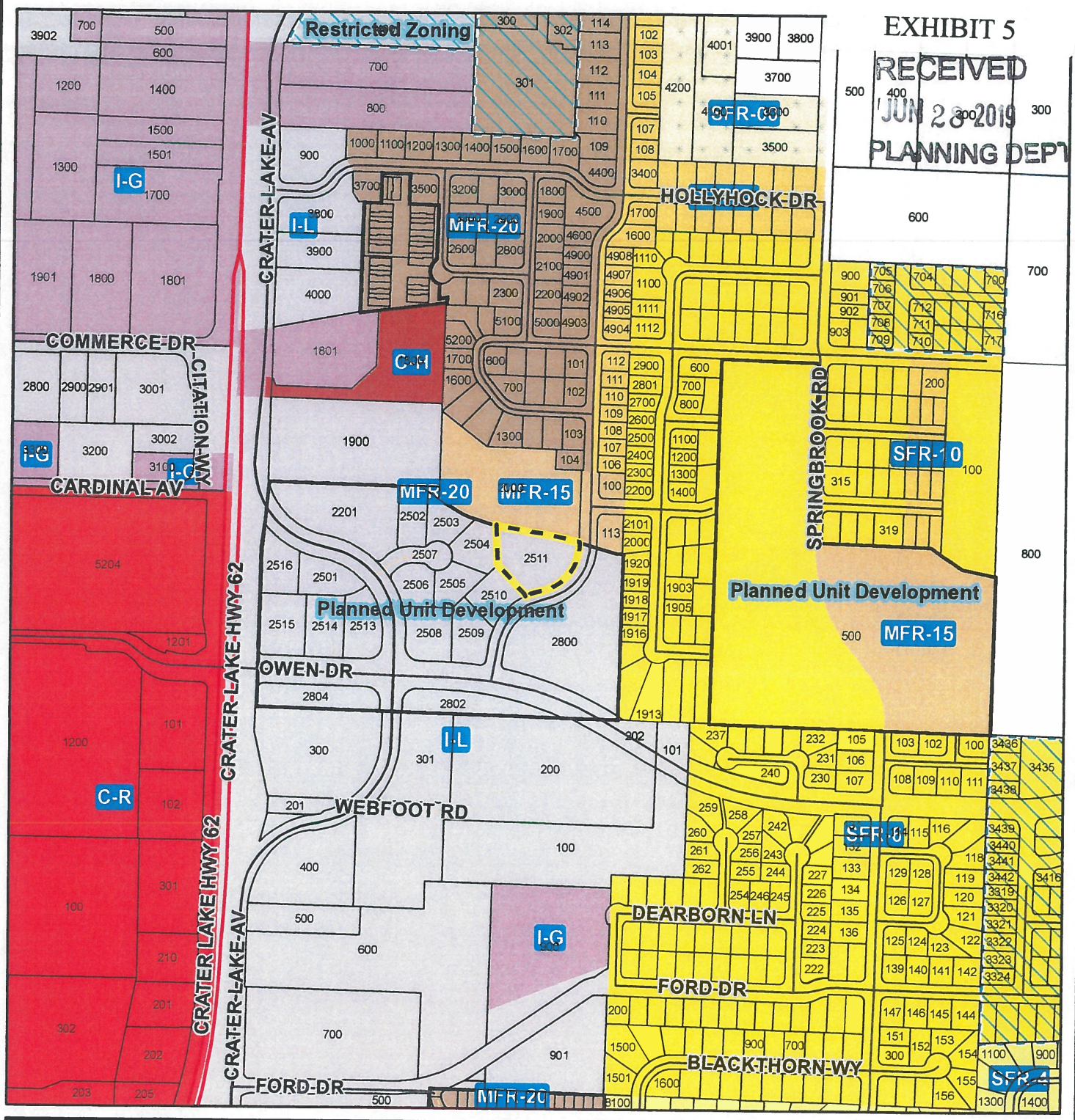

MFR - 20 Units	Heavy Commercial
MFR - 15 Units	Regional Commercial
SFR -10 Units	General Industrial
SFR -6 Units	Light Industrial District
SFR -4 Units	Restricted Zoning
SFR - (00)1 Unit	Planned Development
Tax Lots	Subject

Zoning Map

PUD Amendment
Reece
37-1W-08BC-2511

N

0 250 500 Feet

Date: 2/18/2019

Source: CSA Planning Ltd. Jackson County GIS; Medford GIS

CITY OF MEDFORD
EXHIBIT # D
FILE # PUD-19-003 / GPUP-19-004 / ZC-19-014

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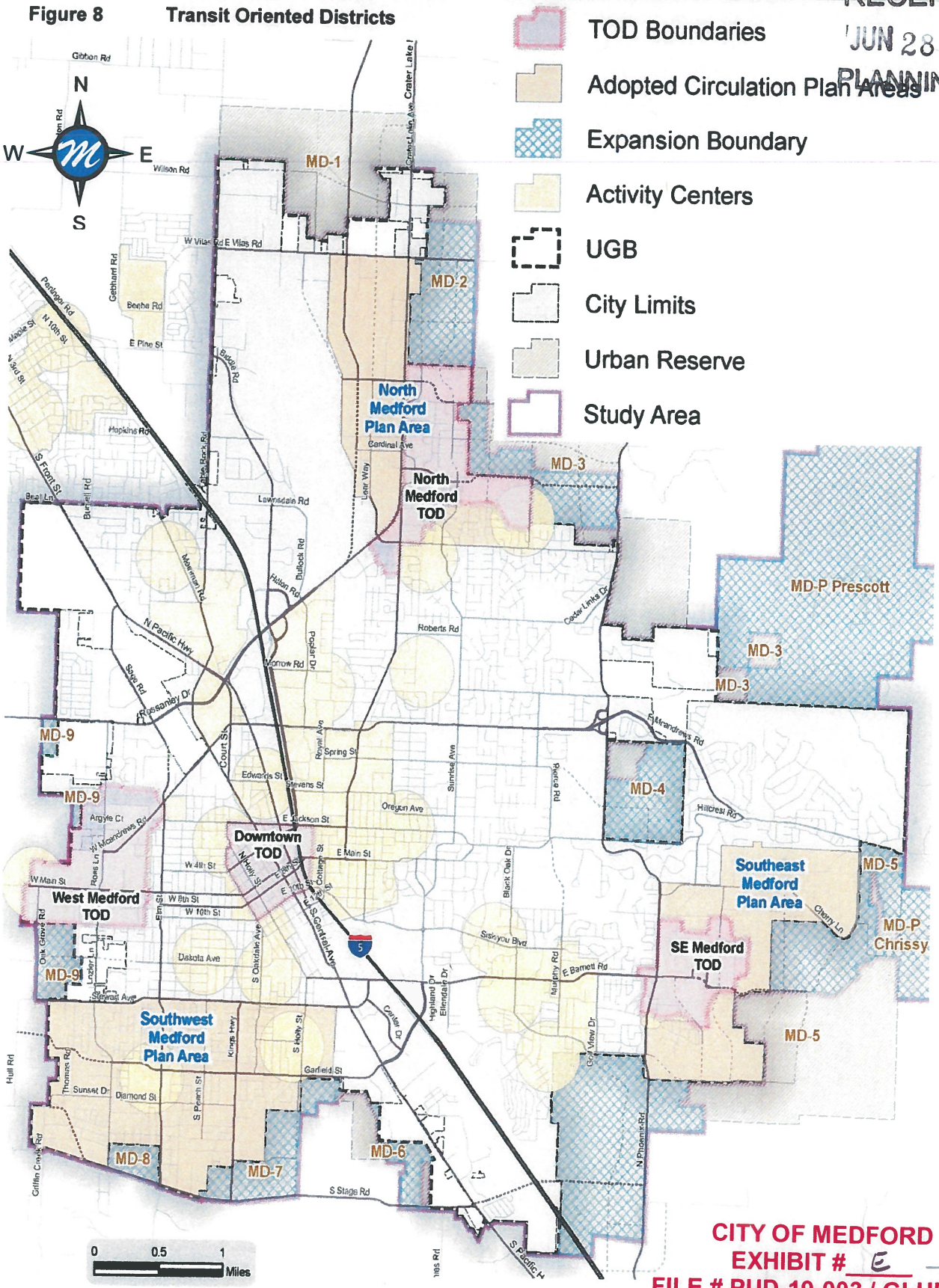
JUN 28 2019
PLANNING DEPT

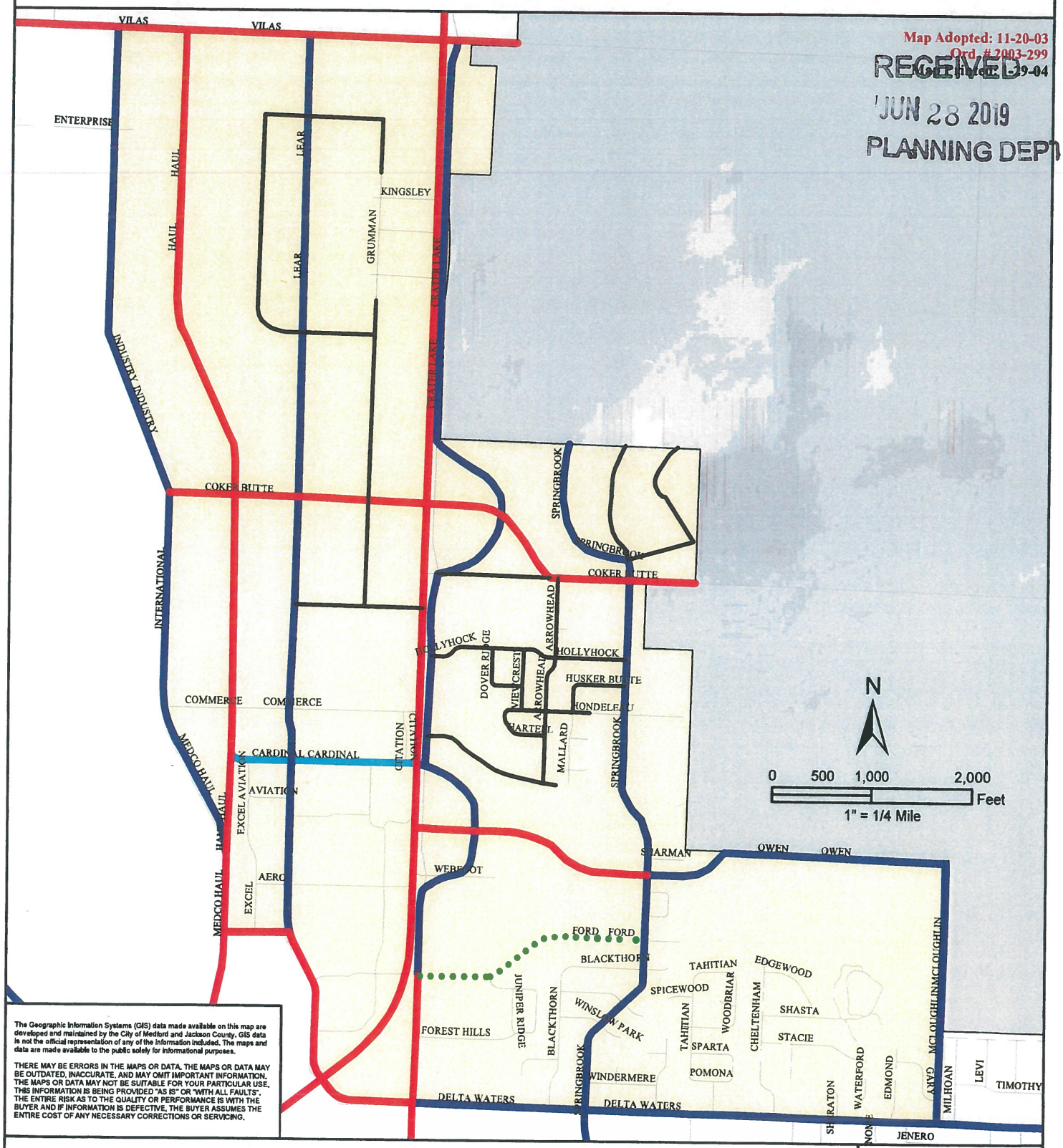
Figure 8 **Transit Oriented Districts**



CITY OF MEDFORD
EXHIBIT # E
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

EXHIBIT 8a

Adopted North Medford Circulation Plan



The Geographic Information Systems (GIS) data made available on this map are developed and maintained by the City of Medford and Jackson County. GIS data is not the official representation of any of the information included. The maps and data are made available to the public solely for informational purposes.

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Street Classifications

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Standard Residential
- Local Streets
- Other Streets
- UGB
- Adopted Circulation Plan Area

CITY OF MEDFORD
EXHIBIT # F
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

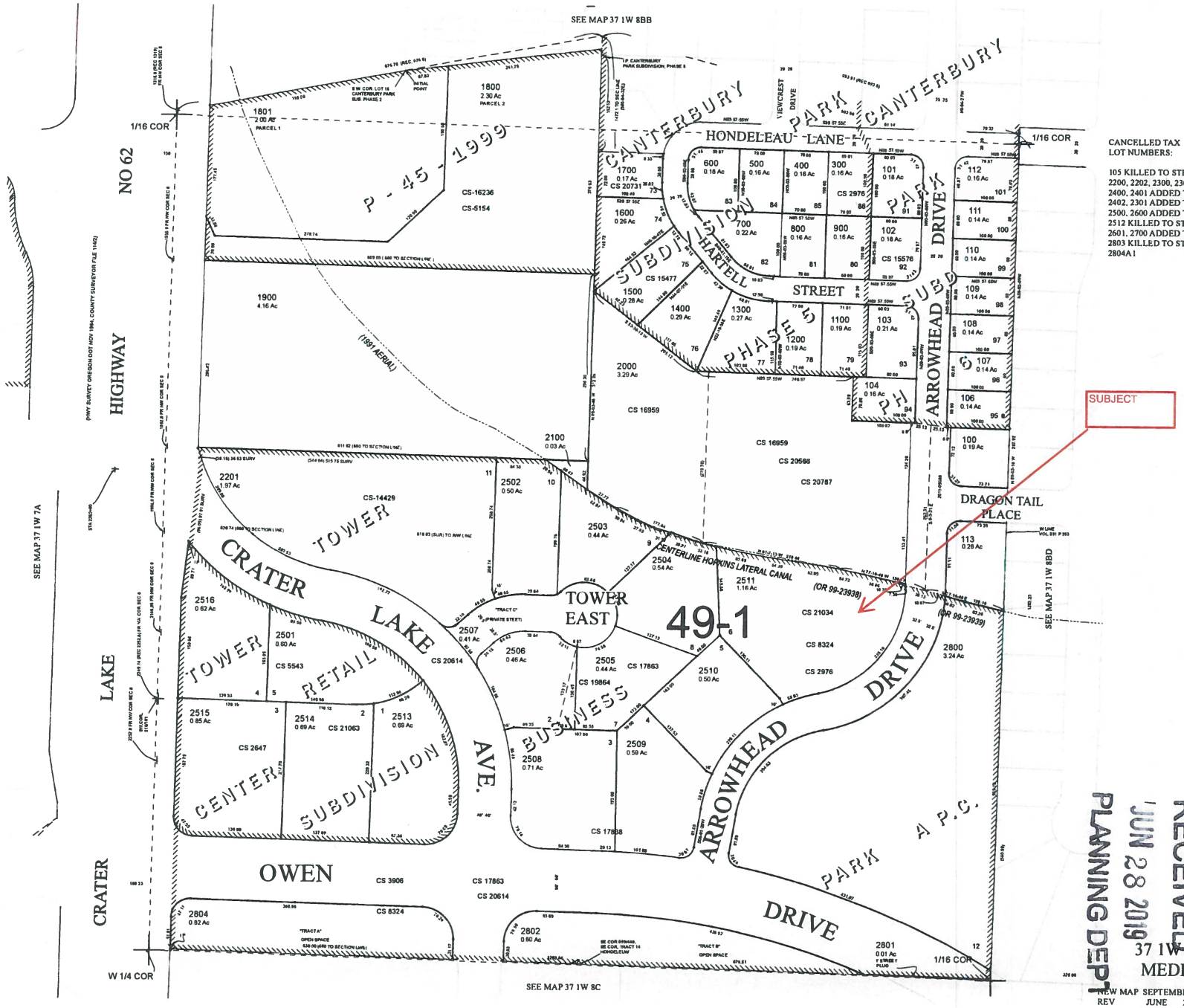
I:\Project Files\Planning\Circulation Plans\Southwest\Southwest Circulation Plan.mxd

EXHIBIT 3

FOR ASSESSMENT AND TAXATION ONLY

S.W.1/4, N.W.1/4, SEC.8, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 08BC
MEDFORD



CANCELLED TAX LOT NUMBERS:

105 KILLED TO STREET
2200, 2202, 2300, 2302, 2303, 2400, 2401 ADDED TO 2501
2402, 2301 ADDED TO 2201
2500, 2600 ADDED TO 2501
2512 KILLED TO STREET
2601, 2700 ADDED TO 2501
2803 KILLED TO STREET
2804A1

RECEIVED
JUN 28 2019
PLANNING DEPT

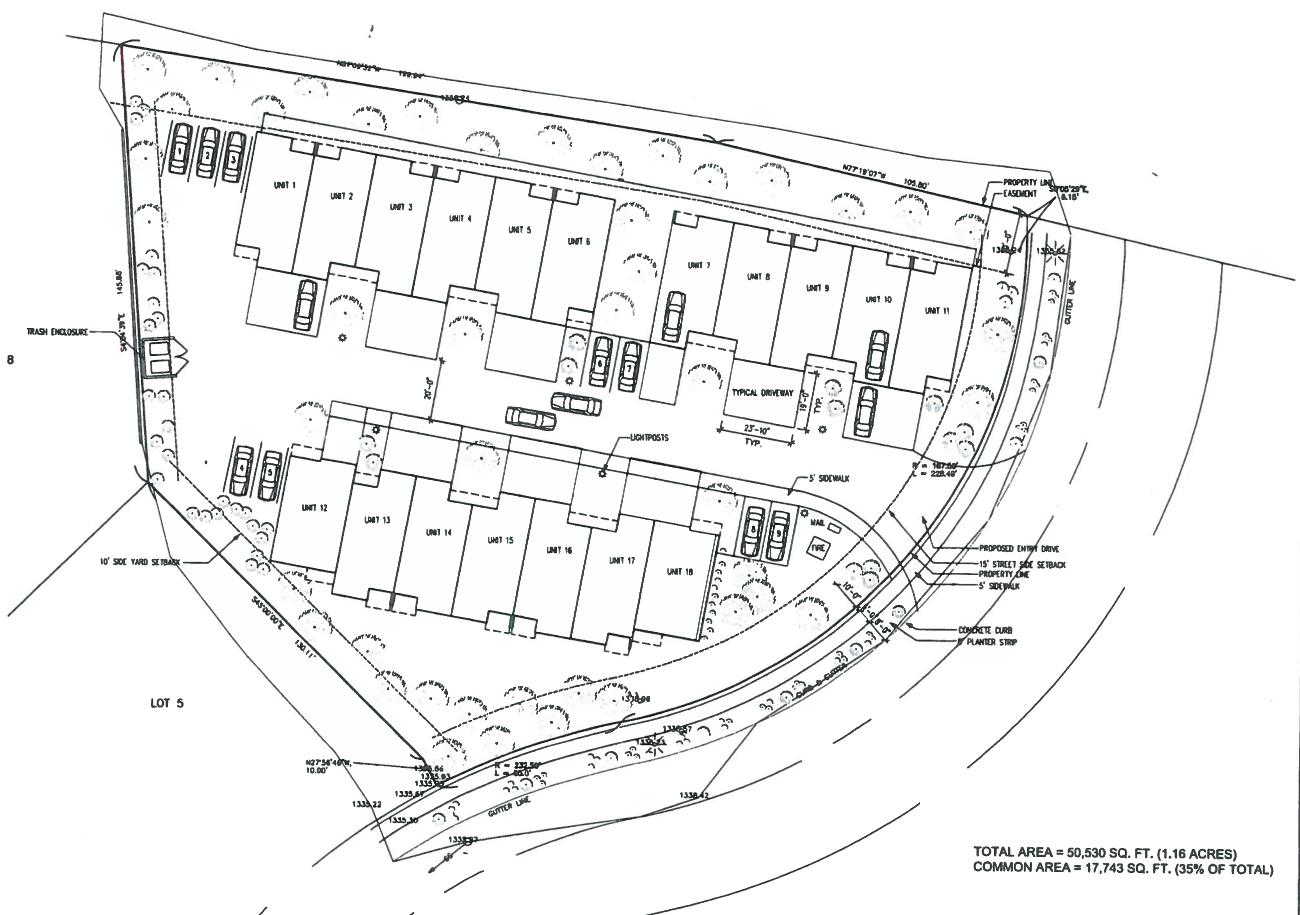
37 1W 08BC
MEDFORD

NEW MAP SEPTEMBER 01, 1997
REV JUNE 21, 2012

CITY OF MEDFORD
EXHIBIT # 6
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-044

GIS DATA
08/21/2012 2:28:02 PM

EXHIBIT 9a



18 UNIT SITE PLAN

SCALE: 1" = 20'

STRAUS & SEIBERT

ARCHITECTS LLP

1175 EAST MAIN STREET, SUITE 2E
MEDFORD, OREGON 97504
VOICE 541 779 4363
FAX 541 779 3891

ARROWHEAD BUSINESS CENTER
3583 ARROWHEAD DRIVE
MEDFORD, OREGON

ONE INCH AT FULL SCALE

PRELIMINARY NOT FOR CONSTRUCTION

DRAWN: KTG
REVIEWED: GC
DATE: 08.14.2018

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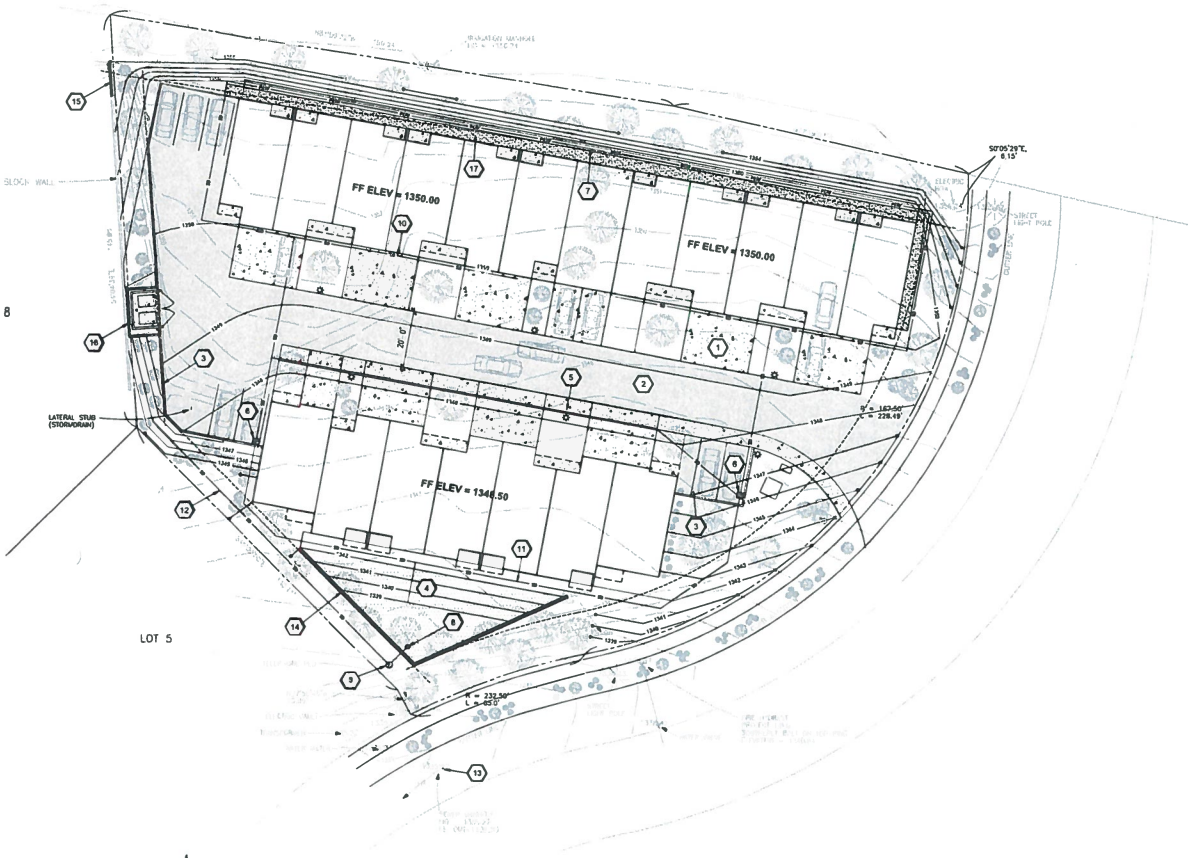
EXHIBIT # H
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

23

EXHIBIT 10

NW 1/4 OF SEC.8, T.37S., R.1W., W.M. JACKSON COUNTY, OREGON



PLAN VIEW - PRELIMINARY GRADING AND DRAINAGE PLAN

SCALE: 1" = 20' - 0" (24x36) 1" = 40' - 0" (11x17)

0 20 40
1" = 20'

SEE ARCHITECTURAL SITE PLAN FOR ALL ADDITIONAL SITE RELATED IMPROVEMENTS NOT SHOWN ON THIS SHEET, INCLUDING TRASH ENCLOSURE, STRIPING, SIGNAGE, ADA PARKING, ETC.

DETENTION CALCULATIONS

NOTE: A FULL STORMWATER MANAGEMENT REPORT WITH CALCULATIONS AND O&M MANUAL SHALL BE SUBMITTED DURING PREPARATION OF THE PROJECT CONSTRUCTION DOCUMENTS FOLLOWING PLANNING APPROVAL.

EX. DRAINAGE BASIN AREA:	0.81 ACRES
EXISTING CN:	80
EXISTING Tc:	10.8 MIN.
EXISTING RUNOFF (10 YR):	0.202 CFS
POST DEVELOPED BASIN AREA:	0.81 ACRES
POST DEVELOPED CN:	98
POST DEVELOPED Tc:	5.0 MIN
POST DEVELOPED RUNOFF:	0.565 CFS

DETENTION:

STORAGE VOLUME REQUIRED:	3,112 CF
ORIFICE SIZE REQUIREMENT:	2.50"
PRELIMINARY POND SIZE	TRIANGULAR FILTRATION PLANTER WITH CONCRETE WALLS
PROPOSED RUNOFF:	0.200 CFS
MAX. WATER DEPTH:	2.07 (25-YR)

TREATMENT METHODOLOGY

LINED FILTRATION STORMWATER PLANTER PER RVSS BMP 4.03 WITH 24" MINIMUM DEPTH IMPORTED PLANTING SOIL OR AMENDED NATIVE SOIL MEETING RVSS GENERAL NOTES FOR VEGETATED BMP'S.

EXISTING SOIL TYPE

HYDROLOGIC SOIL GROUP D THROUGHOUT
CARNEY CLAY - SOIL SYMBOL 27D

KEYNOTES

1. INSTALL CONCRETE PAVING.
2. INSTALL ASPHALT PAVING.
3. CONSTRUCT VERTICAL CURB.
4. CONSTRUCT STORMWATER FILTRATION PLANTER.
5. INSTALL TRENCH DRAIN (ASPHALT LOW POINT). RIM ELEVATION = 1348.00
6. INSTALL LYNCH STYLE CATCH BASIN.
7. INSTALL 4" PERFORATED PIPE WRAPPED IN FILTER FABRIC IN GRAVEL TRENCH DRAIN.
8. CONSTRUCT STORM DRAIN OUTLET CONTROL STRUCTURE.
9. INSTALL 48" STORMWATER MANHOLE WITH SUMP PUMP.
10. INSTALL 4" PVC ROOF DRAIN LATERALS.
11. INSTALL 8" PVC STORM DRAIN PIPE.
12. INSTALL 2" STORM DRAIN PRESSURE LINE. CONNECT TO EXISTING PRIVATE STORM DRAIN STUB. FIELD VERIFY EXISTING INVERT.
13. EX. SEWER MANHOLE (POINT OF CONNECTION).
14. CONSTRUCT CONCRETE RETAINING WALL FOR FILTRATION PLANTER. TOP WALL ELEVATION = 1342.00. MAXIMUM HEIGHT = 3'
15. CONSTRUCT CONCRETE RETAINING WALL EXTENSION. TOP WALL ELEVATION = 1354.00
16. CONSTRUCT TRASH ENCLOSURE CMU WALL PER ARCH.
17. INSTALL 4' WIDE GRAVEL PATHWAY.

POWELL engineering + consulting
221 N. Central Ave., PMB 221
Medford, OR 97501
541.613.0723 phone
www.powellengineeringconsulting.com

REGISTERED PROFESSIONAL ENGINEER 58423PE PRELIMINARY OREGON JUNE 13, 2019 TODD D. POWELL
EXPIRES: 12/31/20

VERIFY SCALES
BAR IS 2 INCHES ON ORIGINAL DRAWING
IF NOT THIS BAR ADJUST SCALES ACCORDINGLY

ARROWHEAD BUSINESS CENTER

MAP 37-1W-08-BC, TAX LOT 2511
3533 ARROWHEAD DRIVE, MEDFORD, OREGON

NO.	REVISION DESCRIPTION	DATE

DRAWN BY:	TDP
DESIGNED BY:	TDP
ISSUE DATE:	06/26/19
PLANNING APPLICATION	
JOB NO. 19-022	C-10 SITE & DRN PLAN

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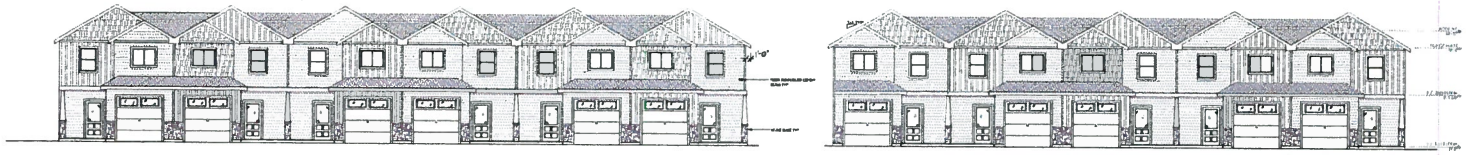

SOUTH ELEVATION OF NORTH UNITS
SCALE = 3/32" = 1'-0"

NORTH ELEVATION OF NORTH UNITS
SCALE = 3/32" = 1'-0"

NORTH ELEVATION OF SOUTH UNITS
SCALE = 3/32" = 1'-0"

SOUTH ELEVATION OF SOUTH UNITS
SCALE = 3/32" = 1'-0"

EAST (STREET) ELEVATION
SCALE = 3/32" = 1'-0"

STRAUS & SEIBERT
ARCHITECTS LLP
1175 EAST MAIN STREET, SUITE 3E
MEDFORD, OREGON 97504
VOICE 541 779 4363
FAX 541 779 3891

ARROWHEAD BUSINESS CENTER
3583 ARROWHEAD DRIVE
MEDFORD, OREGON

ONE INCH AT FULL SCALE

PRELIMINARY NOT FOR CONSTRUCTION

DRAWN
REVIEWED
DATE 11.08.2018

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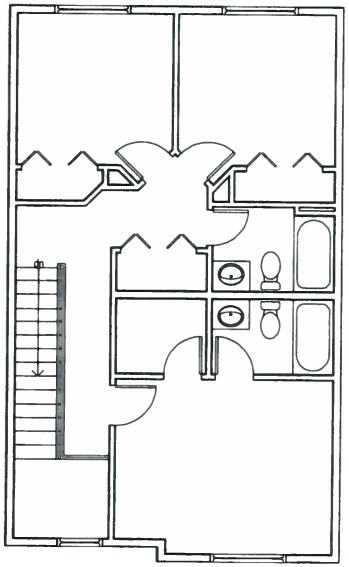
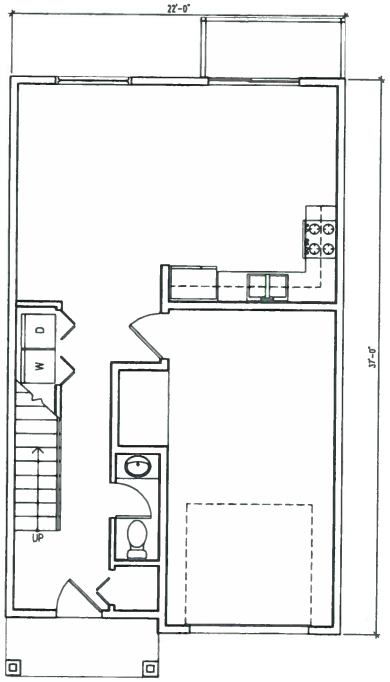
CITY OF MEDFORD
EXHIBIT # 2
File # PUD-19-003 / CUP-19-004
26-19-014

EXHIBIT 9c



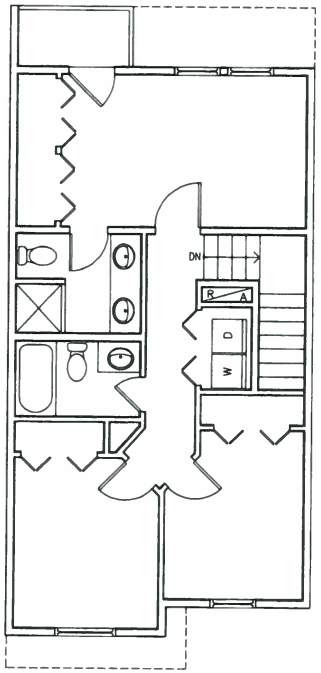
END UNITS OF SOUTH COMPLEX

2ND FLOOR PLAN 1/8"=1'-0"



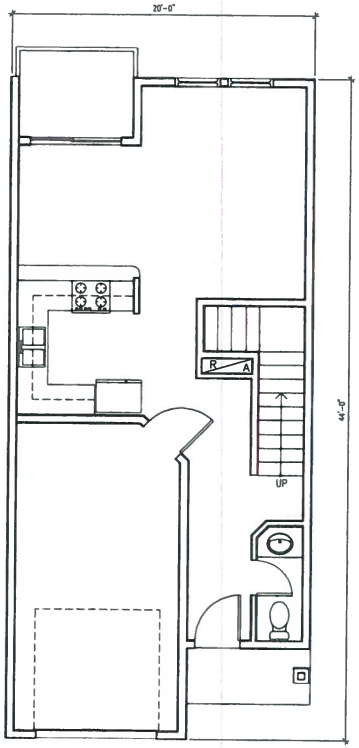
END UNITS OF SOUTH COMPLEX

1ST FLOOR PLAN 1/4"=1'-0"



TYPICAL COMPLEX

2ND FLOOR PLAN 1/4"=1'-0"



TYPICAL COMPLEX

1ST FLOOR PLAN 1/4"=1'-0"

STRAUS & SEIBERT

ARCHITECTS LLP

1175 EAST MAIN STREET, SUITE 21
MEDFORD, OREGON 97504
VOICE 541 779 4363
FAX 541 779 3091

ARROWHEAD BUSINESS CENTER
3583 ARROWHEAD DRIVE
MEDFORD, OREGON

ONE INCH AT FULL SCALE

PRELIMINARY NOT FOR CONSTRUCTION

DRAWN: KTG
REVIEWED: GP
DATE: 06.13.2019

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CITY OF MEDFORD
EXHIBIT # K
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

IRRIGATION DETAILS

1. An automatic irrigation system to be provided for all plant materials areas in accordance with industry standards. System is intended to perform at 20 gpm and 50 psi. Confirm on-site before proceeding depending on the available water source.
2. All materials are to be new and in original condition.
3. No zone shall exceed 15gpm. Pipe sized to have less than 5ft / sec flows.
4. Place manual drain valves as needed at low points in mainline
5. Mainline should be located in area with least conflict with surrounding utilities. Mainline location on plan for ease of interpretation
6. Hunter mp2000 series heads in storm water DETENTION areas with nozzles of the appropriate radius for the area being watered. Heads are to be located 2-3" from any concrete, hard surface or transitional area between grass and shrubs. ALL SPRINKLERS TO BE PLACED BASED ON HEAD TO HEAD COVERAGE FROM THE PERIMETER WORKING IN TO THE MIDDLE. ******NO EXCEPTIONS******
7. Control wires, 14ga minimum, to be located below all piping in any ditch Any wire splices are to be located in a minimum of a 10" round valve box Power control wires to be red, common to be white. Tape bundled wire together every 5' before placing in ditch.
8. All drip zones to use PVC laterals to locate a point of connection in each individual planting bed.
9. Shrub areas to be irrigated by drip irrigation
   A. All surface drip tubing to be Landscape Product Inline Drip Tubing .6GPH on 18" Spacing to buried a range of 3-5" and held down every 5' with J stakes. Use the pattern described in the Typical Drip Tubing Layout. Layout to comprise drip tubing laid beginning 12" in from any perimeter hardscape and in equal parallel lines 18" OC thereafter.
   B. All Drip zones to include a 150 mesh filter and 30psi pressure regulator
10. Sizing of pipe for lateral lines to be based on GPM used by each head on any individual line. For purposes of counting cumulative GPM use the appropriate manufacturers specification charts based on 50 PSI. Size pipe as noted with standard PVC friction loss charts with no more than 5.0 feet per second velocity. No PVC pipe to be smaller than 1" nominal size.
11. All trenching to be a minimum of 15" deep. Backfill is to be clean and free of any material larger than 1 1/2" in diameter. Backfill shall be adequately compacted and guaranteed against further settling.
12. Sleeving to be provided under all hardscapes by general contractor for irrigation purposes.
13. Irrigation system to be guaranteed against defective material or workmanship for one year from the date of final acceptance. Damage or loss due to vandalism, freezing or acts of neglect by others, is exempt from Contractor's replacement responsibility.
14. Provide owner with an accurate as-built locating all valves, wire splices, main line and any sleeving.
15. Provide owner with preliminary watering schedule for the established landscape.
16. Provide owner with complete set of written instructions for operation of sprinkler system including spring start up, clock operation, and winterization.
17. Walk owner through the entire system describing the operating instructions.

BFP — Backflow device 1" Wilkins 350 Double check valve assembly.

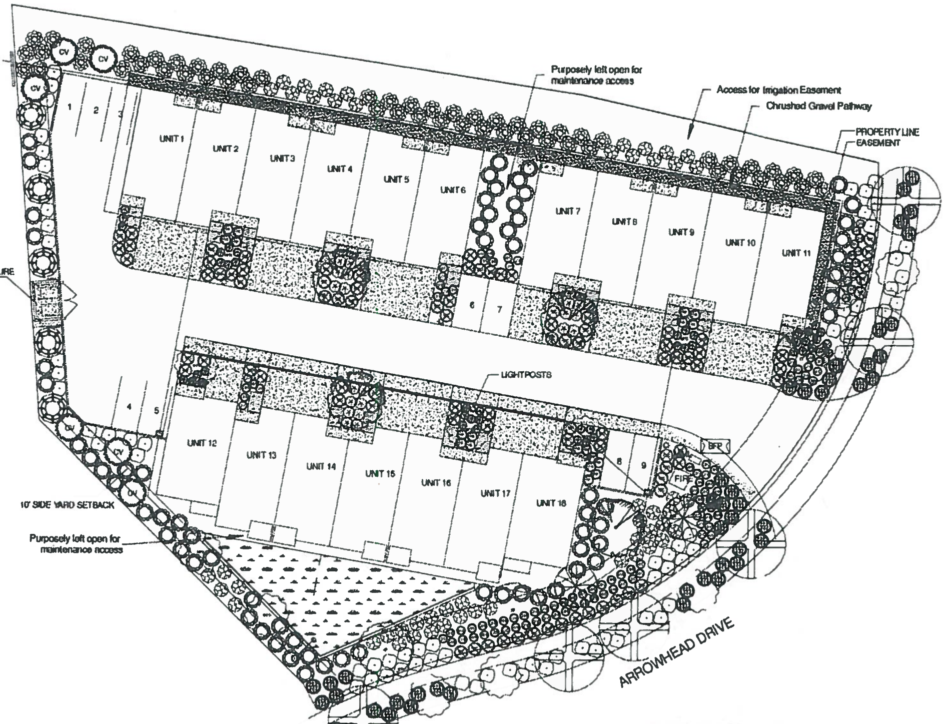
DETENTION SWALE GRASS HYDRO-SEEDING

Turf Tall Fescue Seaside Bentgrass or Colonial Bentgrass	Festuca Rubra Agrostis stolonifera	80% 20%	200 pounds per acre
Sterile Wheatgrass	Sterile Triticale		20 pounds per acre

Detention Swale is not to be regularly mowed. It should only be cut to 6" tall twice a year.

GRADING

1. All planting beds to be excavated to a minimum depth of 12" or deeper as determined by surrounding concrete and hardscapes.
2. Fill planters with approved top soil or equal as determined by certified soil testing. Fill with sufficient excess to allow for 25% compaction to achieve final grade. IE-16" of loose fill required for 12" depth after settling.
3. Placement of any soil to be done in coordination with suitable weather condition so as to prevent damage to soil structure.
4. Sub-grading and final grade to consist of to a smooth even grade, no undulation greater than plus or minus 1" within any 10 lineal feet of distance.
5. All sub-grades to be adequately firm without being overly compacted.
6. Once subgrade is established the Landscape Contractor is to add mature compost at a rate of 3 cu yds per 1,000 sq ft. and then rip to blend with top soil to a depth of 6" As an alternative, pre blended soil matching the specification may be used in place of blending on site.
7. Finish grade, after settling, in shrub areas to be a smooth even grade mounded 3" high in the middle of beds and ending 3" below surrounding areas. All finish grading to promote positive drainage away from structures and to be done in such a way as to eliminate puddling or collection of water.
8. Landscape contractor responsible for addressing any drainage problems encountered during the course of construction, with Landscape Architect.
9. SEE CIVIL ENGINEERS DRAWINGS FOR ADDITIONAL GRADING INFORMATION PARTICULARLY AS IT RELATES TO THE DETENTION SWALE



GENERAL CONSTRUCTION NOTES

COORDINATION WITH THE EXCAVATING CONTRACTOR, GENERAL CONTRACTOR AND CIVIL PLANS IS IMPERATIVE.

1. SITE OBSERVATION VISITS
   A. The Landscape Architect shall be notified by the Landscape Contractor 48 hours in advance of all site observation visits required by this document or requested by the Landscape Contractor.
   B. The Landscape Contractor shall be present at each site observation visit.
   C. All work that is to be viewed by the Landscape Architect shall be ready and in place. The Landscape Architect has the right to have changes made to any or all of the work.
   D. Site observation visits by the Landscape Architect are required for:
      1. Pre-construction site meeting
      2. General Site preparation
      3. Sub grading
      4. Preliminary irrigation layout, trench locations, P.O.C and vault sizes.
      5. Finish grading and soil preparation
      6. Placement of plant materials prior to planting
      7. Final installation checklist
      8. Periodic review of completed job during maintenance period.
      9. Final checklist.
   E. Landscape Architect may comment and report on any other work being performed as part of any visit.
   F. Additional site observation visits may be required by the Landscape Architect at any time. If more than one site observation visit is required for a particular portion of work because of excessive deficiencies (as determined by Landscape Architect), the Landscape Contractor shall be charged for additional observations including during the maintenance period.
2. General preparation of site to include:
   A. Eradication of weeds through the certified application of herbicides, allowing adequate time for kill.
   B. Removal, from site, of all existing surface rock in planting beds.
3. All shrub beds to be finish raked to a smooth condition prior to mulching.
4. Place medium dark mulch in all shrub beds to a depth of 3"
5. Plan is diagrammatic and measurements should be confirmed on-site. Any changes are the responsibility of the contractor to co-ordinate with the owners representative.
6. INCLUDE 365 DAYS OF MAINTENANCE from the day of acceptance. Including but not limited to:
   A. Maintain planting area in a healthy, weed free condition through a minimum of bi-weekly visits.
   B. Replace any material showing signs of stress.
   C. Monitor irrigation for correct timing.
   D. Provide owner with complete list of instructions for continued care at the end of the maintenance period.

PLANTING

1. Plant material to be provided in accordance with species, sizes and quantities indicated below. Substitutions to be made with the approval of landscape architect.
2. No planting to proceed until irrigation system is fully functioning in the area to be planted.
3. All plant holes to be dug 2 times the volume of their root ball size. Backfill shall consist of 1/3 organic mulch, 2/3 top soil, micorrhizae supplement and 16-16-16 fertilizer as follows.
   1gal 1oz
   3-5gal 2oz
   larger 4oz
4. Plant upright and face to give best appearance or relationship to plants, structures and predominant viewing angle. Trees are to be planted so as to be straight up and down without the assistance of staking. Staking is solely for support against outside forces.
5. Loosen and remove twine binding and burlap from around top of each root ball. Scarify root balls of plants exhibiting a root bound condition, being careful not to damage the root balls integrity. Stake and guy trees immediately after this work.
6. Place and compact backfill soil mixture carefully to avoid injury to roots, and fill all voids.
7. When hole is 2/3 filled with soil, completely soak and allow water to soak away at least two times or more, as necessary to completely water individual plants.
8. Guarantee plant materials and related workmanship of installation, beginning after written acceptance of work, for one year.
   A. Replace plant material not surviving or in poor condition during guarantee period.
   B. Perform all replacement work in accordance with original specifications at no additional cost to Owner.
   C. Damage or loss of plant materials due to vandalism, freezing or acts of neglect by others, is exempt from Contractor's replacement responsibility.

LANDSCAPE AREA CALCULATIONS

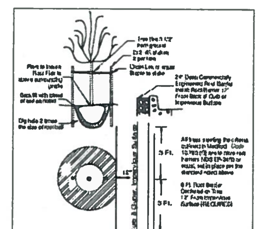
Total square footage of landscaped areas
Total square footage of parking area
Percentage of area comprised of high water use

Additional grading information is available Drawings

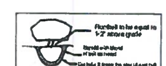
PLANT LIST

Quantity	Common Name	Botanical Name	Size
	Trees		
6	Cedar, Virescens	Thuja plicata 'Virescens'	4-5'
5	Chinese Pistache	Pistacia chinensis	1 3/4"
6	Gum, Sour	Nyssa sylvatica	1 3/4"
2	Ironwood, Persian	Parrotia persica	1 3/4"
4	Maple, Bowhall	Acer rubrum 'Bowhall'	1 3/4"
7	Maple, Paper Bark	Acer griseum	1 3/4"
3	Snowbell, Japanese	Styrax japonica	15g
	Shrubs		
46	Barberry, Rosy Glow	Berberis thunbergii 'Rose Glow'	3g
24	Burning Bush Dwarf	Euonymus alatus 'Compacta'	2g
73	Laurel, Otto Luyken	Prunus laurocerasus 'Otto Luyken'	2g
5	Orange, Mexican	Choisya ternata	5g
42	Pieris, Little Heath	Pieris japonica 'Little Heath'	2g
19	Rhaphiolepis, Ballerina	Phaphiolepis indica 'Ballerina'	2g
	Ground Cover / Grasses		
57	Cotoneaster, Bearberry, Lowfast	Cotoneaster dammeri 'Lowfast'	1g
107	Grass, Hameln Dwarf	Pennisetum alopecuroides 'Hameln'	1g
45	Juniper, Shore	Juniperus conferta	1g
89	Kinnikinnick, Emerald Carpet	Arctostaphylos uva-ursi 'Emerald Carpet'	1g
73	Rose, Red Ribbons	Rosa 'Red Ribbons'	2g

All Planting are Low/Moderate to Moderate Water Needs



DECIDUOUS TREE PLANTING DETAIL



SHRUB PLANTING DETAIL

LANDSCAPE PLAN

NOTE: IF THIS SHEET IS LESS THAN 24" x 36" IT HAS BEEN REDUCED AND IS NOT TO SCALE.

CITY OF MEDFORD
EXHIBIT # L
File # PUD-19-003 / CUP-19-064 / CUP-19-065

REGISTERED LANDSCAPE ARCHITECT 528 Thomas A. Madara OREGON

Madara Design Inc
Landscape Architecture, Design & Consultation
2994 Wells Fargo Rd
Central Point, Or 97502
541-664-7065

ARROWHEAD BUSINESS PARK
ARROWHEAD DRIVE
Medford, Or

All drawings and written material appearing herein constitutes the original and unpublished work of Madara Design Inc and the same may not be duplicated, used, or disclosed without written consent. Installer is to assume responsibility for revisions to plan due to unknown grade variations, differences in dimensions, or on site changes by others.

DRAWN BY: TM
CHECKED BY: TM

8-10-2019
SCALE:
1" = 20'

L1

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NARRATIVE

The subject property, being Lot 6 of the Tower Business Park Subdivision (a Planned Community and PUD) is 1.16 net acres in size (1.40 acres, gross) and is located at 3583 Arrowhead Drive adjacent to an MFR-15 zoned parcel to the north developed with multi-family housing. Owners of the subject property want to construct multi-family housing on the subject lot. A comprehensive plan map amendment, zone change, and revision to the Tower Business Park Planned Unit Development is needed to allow multi-residential use. Accordingly, Applicants hereby request a revision of the Preliminary PUD Plan for the Tower Business Park (Planning File No. PUD-99-141). The revision is to allow for construction of multi-plex (rowhouse style) residential buildings including 18 dwelling units rather than a light industrial use as was indicated on the original Preliminary PUD Plan. A Final PUD Plan will be prepared for subsequent review and approval by the City to incorporate any required changes and final design details subject to Planning Commission approval of the revised Preliminary PUD Plan. No further land division is proposed.

The nature of this application is a Type III Review, and is filed for concurrent/simultaneous review with applications to amend the GLUP Map from GI to UM and to change the zoning from I-L (Light Industrial) to MFR-15 (Multi-family Residential, 15 dwelling units per gross acre).

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EXHIBIT # M
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

3

EXHIBIT 6

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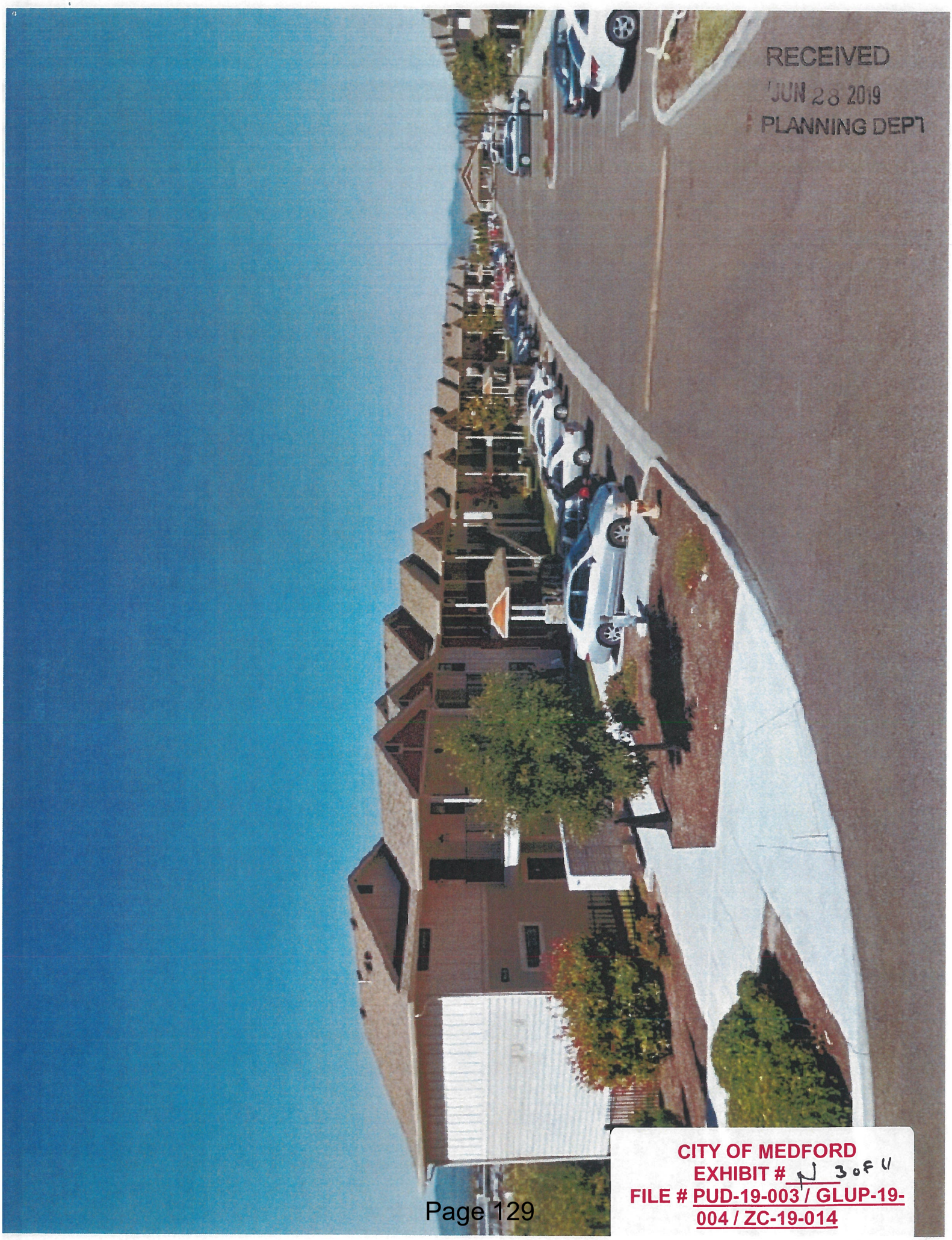
EXHIBIT # N 2 of 11
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014



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FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

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EXHIBIT # K 4 of 11
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

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FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

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FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

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EXHIBIT # 2 (10 of 11)
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

CITY OF MEDFORD
EXHIBIT # P 11 of 11
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

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BEFORE THE CITY COUNCIL

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF A MINOR GENERAL LAND USE PLAN MAP AMENDMENT, CHANGING THE COMPREHENSIVE PLAN MAP DESIGNATION FROM GENERAL INDUSTRIAL (GI) TO URBAN MEDIUM DENSITY RESIDENTIAL (UM) FOR A 1.16 ACRE LOT (371W08BC-2511) LOCATED AT 3583 ARROWHEAD DRIVE WITHIN THE CORPORATE LIMITS OF THE CITY OF MEDFORD, OREGON.	)	**FINDINGS OF FACT AND CONCLUSIONS OF LAW Applicants' Exhibit 1**
Applicants/Owners: Dan and Gina Reece; Arrowhead Business Center, LLC	)	
Agent: CSA Planning, Ltd.	)	

I

SCOPE AND NATURE OF THE APPLICATION

The subject property, being Lot 6 of the Tower Business Park PUD, is 1.16 net acres in size (1.40 acres, gross) and is located at 3583 Arrowhead Drive adjacent to an MFR-15 zoned parcel to the north developed with multi-family housing. Owners of the subject property want to construct multi-family housing on the subject lot. A comprehensive plan map amendment, zone change, and revision to the Tower Business Park Planned Unit Development is needed to allow multi-residential use. Accordingly, this application for a minor comprehensive plan amendment is made to change the General Land Use Plan (GLUP) map designation for the subject property from General Industrial (GI) to Urban Medium Density Residential (UM).

The nature of this application is a Type IV Minor Comprehensive Plan Amendment, and is filed for concurrent/simultaneous review with dependent applications for a zone change (I-L to MFR-15) and PUD amendment.

CITY OF MEDFORD
EXHIBIT # 0
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicants herewith submit the following evidence in support of this land use application:

Exhibit 1. The proposed findings of fact and conclusions of law (this document) which demonstrates how the proposed GLUP Map amendment complies with the relevant substantive approval criteria

Exhibit 2. Vicinity Map (Scale 1" = 1,000')

Exhibit 3. Jackson County Assessor plat map 372W12A

Exhibit 4. Map of Current General Land Use Plan Designation

Exhibit 5. Map of Current Zoning

Exhibit 6. Photos of subject and nearby properties

Exhibit 7. Legal Description for Proposed Zoning Boundary

Exhibit 8. Medford Transportation System Plan Maps

a. North Medford Circulation Plan

b. Transit Oriented Districts Map

Exhibit 9. Signed and Completed Application Form and Agent Authorization.

III

APPLICABLE SUBSTANTIVE CRITERIA

The criteria under which the subject application for a minor comprehensive plan (GLUP) map amendment may be approved are recited verbatim below.

CITY OF MEDFORD LAND DEVELOPMENT CODE

MLDC 10.222 Minor Type IV Amendments

...

B) Minor Type IV Amendment Approval Criteria. For minor amendments to the Comprehensive Plan, General Land Use Plan Map, or Urban Growth Boundary refer to the Review and Amendment section of the Comprehensive Plan. ...

CITY OF MEDFORD COMPREHENSIVE PLAN
Review and Amendment Procedures

CRITERIA FOR PLAN AMENDMENTS

Because of the important functional differences among the various Plan components, no common set of criteria can be used to assess all proposed Plan amendments. Below are listed the criteria which must be considered when evaluating proposed amendments to each of the specified Plan components. While all of the criteria may not apply to each proposed amendment, all must be considered when developing substantive findings supporting

final action on the amendment, and those criteria which are applicable must be identified and distinguished from those which are not.

Map Designations – Amendments shall be based on the following:

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

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

(3) The orderly and economic provision of key public facilities

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

(5) Environmental, energy, economic and social consequences.

(6) Compatibility of the proposed change with other elements of the City *Comprehensive Plan*.

(7) All applicable Statewide Planning Goals.

IV

FINDINGS OF FACT

The following facts reached and found to be true with respect to this matter:

1. **Property Location**: The subject property is located at 3583 Arrowhead Drive within the corporate limits of the City of Medford and its urban growth boundary.
2. **Property Description**: The subject property is identified as Tax Lot 2511 on Jackson County Assessment Plat 371W08BC.
3. **Owners**: Dan E. Reece and Gina R. Reece, as tenants by the entirety, as to an undivided one-half (1/2) interest; Arrowhead Business Center, LLC - an Oregon limited liability company - as to an undivided one-half (1/2) interest.
4. **Existing Land Use:** The subject property is vacant.
5. **Existing and Proposed GLUP Map Designation**: General Industrial (GI) is the existing designation. Urban Medium Residential Density (UM) is proposed.
6. **Existing Zoning:** I-L (Light Industrial). An associated application to re-zone to MFR-15 has been filed for concurrent/simultaneous review with the GLUP Map Amendment.
7. **Adjacent Zoning:** Surrounding properties to the west, south and east are currently zoned I-L (Light Industrial). An MFR-15 zoning district of approximately 4.25 acres abuts to the north, with an MFR-20 zoning district of approximately 26 acres beyond that to the north.
8. **Zoning Overlays:** North Medford Transit Oriented Development (TOD) Boundary Area; Airport Area of Concern (AC); Planned Unit Development Admin Mapping (Tower Business Park PUD).
9. **Surrounding Land Uses**: The land uses which presently surround the property are:

   South: Two-story office building - 7,849 square feet on 0.5 acres (Tower Business Park Lot 5; 371W08BC-2510)

   East: Church - approximately 17,700 square feet) on 3.24 acres (Tower Business Park Lot 12; 371W08BC-2800)

North: Apartments (48 Units) on 3.29 acres (Canterbury Hills; 371W08BC-2000)

West: Cosmetology/Beauty School - 5,432 square foot one-story building on 0.54 acres (Tower Business Park Lot 8; 371W08BC-2504) and 5,200 square foot two-story building on 0.44 acres (Tower Business Park Lot 7; 371W08BC-2505)

10. Essential (Category 'A') Public Facilities:

A. Sanitary Sewage Collection and Treatment: The site lies within the Medford sewer service area. An 8-inch sanitary sewer line in Arrowhead Drive serves the site. Sewage treatment is provided at the regional treatment plant. The City of Medford Sanitary Sewer Service Collection System Master Plan (January 2019), which has been incorporated as part of the Public Facility Element of the Medford Comprehensive Plan, establishes future planning flow factors for each land use type in Table 2.20 of the plan. Pursuant to Table 2.20, the wastewater flow factor for the General Industrial land use class (i.e., the GLUP Map) is 1,000 gallons per acre per day. The future planning flow factor for Urban Medium Density Residential land is 930 gallons per acre per day. Accordingly, development under the proposed UM GLUP Map Designation would be expected to generate 70 fewer gallons per acre per day than development under the existing GI GLUP Map Designation.

B. Water Service: Medford Water Commission has an existing 12-inch water line on the east side of Arrowhead Drive. A one-inch copper service line connects to the southwest corner of the property from the 12-inch line. A hydrant also exists along the southwest corner of the property just east of the service line.

C. Storm Drainage: This site lies within the Midway Drainage Basin. The City of Medford has existing storm drain facilities in the area. With required improvements at the time of development, the subject property can be adequately served with storm drainage facilities.

D. Transportation Facilities:

- **Access**: Subject property fronts along Arrowhead Drive, a local order street meeting the commercial/standard residential street cross section standards within a 63-foot wide right-of-way.
- **Summary Traffic Impacts**: Because the proposed change from GI to UM for 1.16 net acres (1.4 gross acres) will generate fewer than 25 additional peak hour trips, a traffic impact analysis is not required. See, TIA waiver form attached to application as approved by the city's transportation manager.

V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are reached with respect to this proposed GLUP Map amendment. The following discussion and conclusions of law are preceded by the criteria to which they relate:

City of Medford Comprehensive Plan Amendment Approval Criteria
Medford Land Development Code (MLDC) 10.190

(Inapplicable provisions omitted)

MLDC 10.222 Minor Type IV Amendments

...

B) Minor Type IV Amendment Approval Criteria. For minor amendments to the Comprehensive Plan, General Land Use Plan Map, or Urban Growth Boundary refer to the Review and Amendment section of the Comprehensive Plan. ...

Discussion: The adopted substantive approval criteria which govern minor comprehensive plan amendments are contained in the Review and Amendments section of the Medford Comprehensive Plan. The approval criteria in the plan's Review and Amendment Procedures section are preceded by the following language which gives context to how the criteria are to be considered:

CITY OF MEDFORD COMPREHENSIVE PLAN
Review and Amendment Procedures

CRITERIA FOR PLAN AMENDMENTS

Because of the important functional differences among the various Plan components, no common set of criteria can be used to assess all proposed Plan amendments. Below are listed the criteria which must be considered when evaluating proposed amendments to each of the specified Plan components. While all of the criteria may not apply to each proposed amendment, all must be considered when developing substantive findings supporting final action on the amendment, and those criteria which are applicable must be identified and distinguished from those which are not.

Map Designations – Amendments shall be based on the following:

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

Findings: The Housing Element was last updated in December 2010. Policy 2 therein provides that the City shall designate areas for residential development that are or will be conveniently located close to pedestrian, bicycle, and transit or high capacity transportation routes, community facilities and services, and employment to ensure that the benefits of public investment in those facilities area available to as many households as possible. Implementation 2-A is to pursue amendments as needed to achieve transit-supportive density near current and future transit streets, especially where parks or schools are present. Policy 5 is that the City shall provide opportunities for alternative housing types and patterns, such as planned unit developments, mixed-uses, and other techniques that reduce development costs, increase density, and achieve projects that are flexible and responsive to the site and surroundings, including the conservation and enhancement of areas having special scenic, historic, architectural , or cultural value.

The subject property is within the North Medford TOD boundary where a mix of employment and higher density residential uses is to be promoted. The subject property is located in a planned unit development with a mix of commercial and light industrial uses – including a church and a vocational college – and adjacent to an existing medium-density residential area to the north. The property is also near to a major regional commercial retail area west of Crater Lake Highway where employment and shopping can be provided in close proximity to the future residents. The proposed change will also enable the planned unit development to

accommodate a more diverse mix of uses on a property that is shovel-ready to build multi-family housing.

* * * * * * * * * * * * * * * *

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

Findings: The City has recently updated its urban growth boundary to accommodate urban land needs through the year 2028. The plan identified a small surplus of industrial land (one acre) and added 27 gross acres to satisfy the identified 27-acre need for UM land. The proposed adjustment is effectively a swap out of about one acre, which is statistically insignificant against an overall land base of more than 20,000 acres in the City of Medford's UGB. While the overall twenty-year land supply of GI and UM lands are balanced, much of land is still outside the City limits is subject to preparation and adoption of urbanization plans, completion of annexation proceedings, and approval of future zone changes, land division and development plans that will take years to perfect. There is a critical shortage currently of affordable housing such that the City has recently adopted an Affordable Housing Construction Excise Tax to fund programs and incentives to encourage construction of homes affordable to households consistent with the Area Median Income (AMI). Qualitatively, the subject property is well located adjacent to an existing UM density development, across the street from a church, and located within a mixed-use (light industrial and commercial office buildings and a beauty college) planned unit development to accommodate a small multi-family housing project. Also, an application is currently pending (Planning File GLUP-19-00001) to amend the GLUP Map designation of a 1.34 acre parcel (MAPLOT ID 371W08CC-800) from UH to GI adjacent to the Rogue Valley Transportation District headquarters and maintenance facility, which is also in the North Medford TOD area. Although designated as UH land, that parcel is already zoned I-L and is needed as the only vacant land adjacent to the RVTD facility that can accommodate the regional public transit service provider's fleet growth and operations. The mutual land use changes would effectively equate out the respective employment and multi-family residential opportunities (UM land and UH land both allow multifamily zoning for 15 dwelling unit per acres).[1] The RVTD parcel is surrounded on three sides by warehouses, the RVTD maintenance yard, and building supply businesses that are of a heavier industrial character than the business park, church and beauty college amongst which the subjection parcel is situated. The mutual changes will therefore effect more cohesive land use patterns given the respective siting situations.

* * * * * * * * * * * * * * * *

(3) The orderly and economic provision of key public facilities

Findings: The subject property is a subdivision lot that is already fully served by key public facilities and the surrounding area is already developed at urban intensities. This is an infill property within an otherwise developed neighborhood and is not a situation that requires key public facilities to be extended or expanded in any way, and is thus an orderly and economic use of key public facilities.

[1] Corresponding zoning districts are MFR-20 and MFR-30. Minimum density for MFR-20 and maximum density for MFR-15 zoning (to implement proposed UM designation) are 15 dwelling units per gross acre.

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

Conclusions of Law: The proposed amendment will accommodate the buildout of the property as a residential component of a mixed-use planned unit development that itself is within a mixed-use transit-oriented development (TOD) overlay area.

* * * * * * * * * * * * * * * * *

(5) Environmental, energy, economic and social consequences.

Findings: There are no environmental resources located on or adjacent to the subject lot. Approval would have positive energy consequences as it would accommodate housing adjacent and near existing employment and shopping areas, thereby reducing reliance on automobiles to drive further distances. Economic consequences would be a slight reduction of land available for light industrial use (office/business park) but would provide for development of affordable market rate housing stock that would both add to the tax base and accommodate housing for the workforce. Social consequences will be that more housing will be available in the near term to address the current critical shortage.

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(6) Compatibility of the proposed change with other elements of the City *Comprehensive Plan*.

Findings: Responsive findings are required only for policies expressed as regulatory requirements, but not for aspirational objectives. After reviewing the policies of the comprehensive plan, it is concluded that only the following goals and policies (addressed below) function as approval criteria for comprehensive plan map (GLUP) amendments and all others are held to be inapplicable. The below cited goals and policies are followed by the findings and conclusions as to how the proposal complies with the same.

ECONOMIC ELEMENT

Policy 1-3: The City of Medford shall, as appropriate under the Goal above, support the retention and expansion of existing businesses.

Implementation 1-3(b): When evaluating GLUP Map amendments, assess the potential impacts of those amendments on neighboring land uses.

Policy 1-5: The City of Medford shall assure that adequate commercial and industrial lands are available to accommodate the types and amount of economic development needed to support the anticipated growth in employment in the City of Medford and the region.

Implementation 1-5(b): Reduce projected deficits in employment lands by changing GLUP Map designations within the existing Urban Growth Boundary.

Implementation1-5(d): Ensure that demand projections for medium and large Commercial and Office sites are captured in aggregate land demand projections during GLUP map amendments and/or UGB expansions.

Policy 1-6: The City of Medford shall maintain a competitive Short-Term (five-year) supply of employment land equal to at least one-quarter (25%) of the amount of land projected to be demanded over the twenty-year planning horizon.

Findings: The subject property is vacant and not a site for an existing business such that Policy 1-3 is not implicated. The City's recently adopted urban growth boundary amendment included an initial phase to amend GLUP Map designations within the former UGB and then an accommodation and balancing of remaining land needs in the expansion areas pursuant to Implementation 1-5(b). As found previously here above, GI designated land was slightly oversupplied and UM land need met. The change proposed is slight and very much within the margins of error for estimation of land needed to serve population and employment growth over a 20 year period for a city the size of Medford. A concurrent application related to the RVTD property is also pending that will change a like amount of UH land (which may be developed at 15 units per acre under MFR-20 zoning, similar to UM with MFR-15 zoning) to GI to accommodate expansion of RVTD headquarter offices and fleet operations. The respective changes effective off-set one another quantitatively and will result in a better juxtaposition of residential and industrial lands spatially and qualitatively. Accordingly, the proposal also meets Implementation 1-5(d) and Policy 1-6.

PUBLIC FACILITIES ELEMENT

General Section

Goal 2: To assure that land use plan designations and the development approval process remain consistent with the ability to provide adequate levels of essential public facilities and services.

Policy 2-A: [Limited Service Area Language Omitted] "Timely provision of essential urban facilities and services" shall mean that such services can be provided in adequate condition and capacity prior to or concurrent with development of the subject area. "Essential urban facilities and services" shall mean sanitary sewers, water systems, stormwater management facilities, and transportation facilities. A determination of minimum adequate service levels for essential urban facilities and services shall be based on the following:

Sanitary Sewers: Sufficient to serve any proposed development consistent with the General Land Use Plan (GLUP) map designation. Sanitary sewer facilities shall be considered adequate if they are consistent with the applicable sewer plan document as interpreted by the City Engineer.

Domestic water: Sufficient to serve any proposed development with a permanent urban domestic water system capable of supplying minimum pressure and volume for projected domestic and fire control needs consistent with the General Land Use Plan (GLUP) designation. Water facilities shall be considered adequate if they are consistent with the applicable water system plan document as interpreted by the Water Commission Manager.

Storm drainage facilities: Sufficient to serve any proposed development consistent with the General Land Use Plan GLUP map designation. Stormwater management facilities shall be considered adequate if they are consistent with the adopted drainage plan document, as interpreted by the City Engineer.

Findings: Finding of Fact No. 10 in Section IV here above establishes adequacy of public facilities. The subject property is fully serviceable lot of a mixed-use PUD subdivision with a full range of urban street and public utilities already in place.

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(7) All applicable Statewide Planning Goals.

Goal 1 – Citizen Involvement

Findings: A minor GLUP map amendment requires compliance with the overall comprehensive plan as adopted in accordance with the Goal 1 Citizen Involvement program. Procedure for review of minor amendments includes notice to nearby and affected parties and public hearings before the Planning Commission and the City Council for citizens to be heard.

Goal 2 – Land Use Planning

Finding: The City has a land use planning process and policy framework as a basis for all decision and actions related to use of and to assure and adequate base for such decisions. The proposed minor map amendment must comply with the City's adopted comprehensive plan, in accordance with the requirements of Goal 2. Goal 2 also provides a procedure for taking exceptions to Statewide Planning Goals. The exceptions process is not implicated in this case where no exception is requested or required.

Goal 3 – Agricultural Lands

Finding: Goal 3 does not apply within urban growth boundaries

Goal 4 – Forest Lands

Finding: Goal 4 does not apply within urban growth boundaries

Goal 5- Natural Resources, Scenic and Historicc Areas, and Open Spaces

Finding: No Goal 5 resource inventory includes or affects the subject property.

Goal 6 – Air, Water and Land Resources Quality

Finding: The goal is to maintain and improve the quality for the air, water and land resources of the state. The subject lot has already been created as part of a subdivision to serve a mix of light industrial and commercial use, with municipal sewer and water already available to the lot. Sanitary sewer discharge levels for UM land use is less than that for GI land uses pursuant to the City of Medford Sanitary Sewer Service Collection System Master Plan (January 2019). Accommodation of housing near employment and services help to maintain air resources by reducing the distance needed to travel. Accordingly, it is found that the proposed change to UM land complies with Goal 6.

Goal 7 – Areas Subject to Natural Hazards

Finding: The subject property is not in an area, such as a flood hazard area, that is subject to Goal 7.

Goal 8 – Recreation

Finding: The subject property is not land that has been planned for recreational use or destination resort siting under Goal 8.

Goal 9 – Economic Development

Finding: The goal is to provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens. The proposed change is to remove less than two acres from an employment land category (GI-General Industrial) to a non-industrial use designation (UM – Urban Medium Density Residential). Pursuant to OAR 660-009-0010(4) in LCDC's Goal 9 implementing rule for Economic Development, removal of less than two acres of industrial or employment land within an urban growth boundary is not subject to further review under the rule. The change is slight relative to the City's overall land base. GLUP Map Designation boundaries are not, in any case, intended to be site specific. Small changes at the boundaries are appropriately considered based on the qualitative characteristics of particular sites. The proposed

amendment to medium density residential, in this case, is appropriate given the subject lot's location within a mixed-use PUD in a transit-oriented development district and adjacent to an existing UM district which has already been developed with a housing project.

Goal 10: Housing

Finding: Goal 10 is to provide for the housing needs of the state. The goal requires that buildable lands be inventoried and it encourages the availability of adequate numbers of needed housing at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density. The proposed UM designation is to be implemented by the MFR-15 zoning district (zone change application has been filed for concurrent review). The MFR-15 zone allows for a wide range of housing types at residential density between 10 and 15 units per acre. An application for preliminary PUD plan amendment approval, filed for concurrent simultaneous review, would allow for construction of two multi-plex building to provide 21 dwellings. The property, once rezoned and subject to approval of the request PUD amendment, is shovel-ready for the project. The City's Housing Element, based on the Housing Needs Analysis included therein, projected a need for an additional 39 gross buildable acres of UM designated land to accommodate 993 needed dwelling units through the year 2029. Table 39, Housing Element. After accounting for internal GLUP Map amendments adopted prior to amending the growth boundary (i.e., the UGBA Phase 1: Internal GLUP Amendment, file CPA 13-032), the need was reduced to 27 buildable acres. However, Selected Area Location ("SAL") 630b re-designated two "buildable" acres – being portions of tax lots 372W35DB2501 and 372W35DC400 along Thomas Road, from UR to UM. That land had already been approved for subdivision and development under the still-existing SFR-6 zoning district at less than full density for that zone. Moreover, the portion of land that was re-designated is mostly wetlands that are to be preserved and protected as part of the Stella Estates PUD. The point of this observation is to establish that small changes such as currently proposed do not materially affect the overall city-wide 20-year land need. Land need projections over a twenty year planning period for a large area are not intended to be perfectly precise and include margins of error – as did the mapping of "buildable" lands at high level of review for city-wide inventory. Goal 10, in any case, is concerned with providing enough housing and to allow for flexibility of housing location, type and density. Approval of proposed application would further that goal.

Goal 11 – Public Facilities and Services:

Finding: The goal is to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural land. The subject property is urban land that is already developed and fully served by urban public facilities and services.

Goal 12 – Transportation

Finding: The proposed GLUP Map Designation amendment from GI to UM will generate fewer than 25 additional peak hour trips and, as such, will not significantly impact any transportation facilities.

Goal 13 – Energy Conservation

Finding: The goal provides that land and uses developed on the land be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principals. Providing for multi-family housing near existing employment and shopping areas within a transit-oriented development overlay district is consistent with the goal's planning guidelines to minimize depletion of non-renewable resources and to increase density gradients along high capacity transportation corridors.

Goal 14 – Urbanization

Finding: The goal is to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The subject lot is situated between office buildings, a church, medium density and high-density housing to the north along the west side of Arrowhead Drive, and single family homes along the east side of Arrowhead Drive to the north. As such, the amendment will not materially change the transition and mix of land uses or livability of the community.

Goals 15 to 19

Finding: Not applicable to Southern Oregon

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VI

ULTIMATE CONCLUSIONS

Based upon the foregoing findings of fact and conclusions of law, it is ultimately concludes that the criteria prerequisite to a General Land Use Plan Map Amendment from *GI (General Industrial)* to *UM (Urban Medium-Density Residential)* on one parcel of land identified as Map 371W08BC Tax Lot 2511 has been substantiated for each of the relevant criteria cited herein above as Comprehensive Plan Amendment.

Respectfully submitted on behalf of Applicants:

CSA PLANNING, LTD.

Dated: 27 JUNE 2019

RECEIVED
JUN 28 2019
PLANNING DEPT

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF A ZONE CHANGE FROM I-L (INDUSTRIAL, LIGHT) TO MFR-15 (MULTI-FAMILY RESIDENTIAL – 15 DWELLING UNITS PER GROSS ACRE) FOR A 1.16 ACRE LOT (1.4 GROSS ACRES) LOCATED AT 3583 ARROWHEAD DRIVE WITHIN THE CORPORATE LIMITS OF THE CITY OF MEDFORD, OREGON. THE PROPERTY IS ALSO IDENTIFIED AS MAPLOT NO. 371W08BC-2511. **Applicants/Owners:** Dan and Gina Reece; Arrowhead Business Center, LLC **Agent:** CSA Planning, Ltd.	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** **Applicants' Exhibit 1**

I

SCOPE AND NATURE OF THE APPLICATION

The subject property, being Lot 6 of the Tower Business Park PUD, is 1.16 net acres in size (1.40 acres, gross) and is located at 3583 Arrowhead Drive adjacent to an MFR-15 zoned parcel to the north developed with multi-family housing. Owners of the subject property want to construct multi-family housing on the subject lot. A comprehensive plan map amendment, zone change, and revision to the Tower Business Park Planned Unit Development is needed to allow multi-residential use. Accordingly, Applicants hereby request a zone change from I-L to MFR-15 for the subject property and adjacent street right-of-way to center line (1.4 gross acres).

The nature of this application is a Type III Zone Change, and is filed for concurrent/simultaneous review with applications to amend the GLUP Map from GI to UM and to amend the Preliminary PUD Plan for the Tower Business Park.

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicants herewith submit the following evidence in support of this land use application:

Exhibit 1. The proposed findings of fact and conclusions of law (this document) which demonstrates how the proposed zone change complies with the relevant

CITY OF MEDFORD
EXHIBIT # P
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

substantive approval criteria

Exhibit 2. Vicinity Map (Scale 1" = 1,000')

Exhibit 3. Jackson County Assessor plat map 372W12A

Exhibit 4. Map of Current General Land Use Plan Designation

Exhibit 5. Map of Current Zoning

Exhibit 6. Photos of subject and nearby properties

Exhibit 7. Legal Description for Proposed Zoning Boundary

Exhibit 8. Medford Transportation System Plan Maps

a. North Medford Circulation Plan

b. Transit Oriented Districts Map

Exhibit 9. Signed and Completed Application Form and Agent Authorization.

III

APPLICABLE SUBSTANTIVE CRITERIA

The City of Medford criteria under which a zone change application must be considered are in MLDC 10.227 and the relevant approval criteria are recited verbatim below:

MLDC 10.204(B) ZONE CHANGE APPROVAL CRITERIA

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below. . . . .

(3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

(c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations or restrictions shall be established by deed restriction or covenant, which must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards,

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

. . . .

IV

FINDINGS OF FACT

The following facts reached and found to be true with respect to this matter:

1. **Property Location**: The subject property is located at 3583 Arrowhead Drive within the corporate limits of the City of Medford and its urban growth boundary.
2. **Property Description**: The subject property is identified as Tax Lot 2511 on Jackson County Assessment Plat 371W08BC.

3. **Owners**: Dan E. Reece and Gina R. Reece, as tenants by the entirety, as to an undivided one-half (1/2) interest; Arrowhead Business Center, LLC - an Oregon limited liability company - as to an undivided one-half (1/2) interest.

4. **Existing Land Use:** The subject property is vacant.

5. **Existing and Proposed GLUP Map Designation**: General Industrial (GI) is the existing designation. Urban Medium Residential Density (UM) is proposed by separate application that has been submitted for concurrent simultaneous review.

6. **Existing Zoning:** I-L (Light Industrial).

7. **Adjacent Zoning:** Surrounding properties to the west, south and east are currently zoned I-L (Light Industrial). An MFR-15 zoning district of approximately 4.25 acres abuts to the north, with an MFR-20 zoning district of approximately 26 acres beyond that to the north.

8. **Zoning Overlays:** North Medford Transit Oriented Development (TOD) Boundary Area; Airport Area of Concern (AC); Planned Unit Development Admin Mapping (Tower Business Park PUD).

9. **Surrounding Land Uses**: The land uses which presently surround the property are:

   South: Two-story office building - 7,849 square feet on 0.5 acres (Tower Business Park Lot 5; 371W08BC-2510)

   East: Church - approximately 17,700 square feet) on 3.24 acres (Tower Business Park Lot 12; 371W08BC-2800)

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10. **Essential (Category 'A') Public Facilities:**

    A. **Sanitary Sewage Collection and Treatment:** The site lies within the Medford sewer service area. An 8-inch sanitary sewer line in Arrowhead Drive serves the site. Sewage treatment is provided at the regional treatment plant. The City of Medford Sanitary Sewer Service Collection System Master Plan (January 2019), which has been incorporated as part of the Public Facility Element of the Medford Comprehensive Plan, establishes future planning flow factors for each land use type in Table 2.20 of the plan. Pursuant to Table 2.20, the wastewater flow factor for the General Industrial land use class (i.e., the GLUP Map) is 1,000 gallons per acre per day. The future planning flow factor for Urban Medium Density Residential land is 930 gallons per acre per day. Accordingly, development under the proposed UM GLUP Map Designation would be expected to generate 70 fewer gallons per acre per day than development under the existing GI GLUP Map Designation.

    B. **Water Service**: Medford Water Commission has an existing 12-inch water line on the east side of Arrowhead Drive. A one-inch copper service line connects to the southwest corner of the property from the 12-inch line. A hydrant also exists along the southwest corner of the property just east of the service line.

C. **Storm Drainage**: This site lies within the Midway Drainage Basin. The City of Medford has existing storm drain facilities in the area. With required improvements at the time of development, the subject property can be adequately served with storm drainage facilities.

D. **Transportation Facilities:**

- **Access**: Subject property fronts along Arrowhead Drive, a local order street meeting the commercial/standard residential street cross section standards within a 63-foot wide right-of-way.
- **Summary Traffic Impacts**: Because the proposed change from GI to UM for 1.16 net acres (1.4 gross acres) will generate fewer than 25 additional peak hour trips, a traffic impact analysis is not required. See, TIA waiver form attached to application as approved by the city's transportation manager.

V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are reached with respect to this proposed Zone Change application. The following discussion and conclusions of law are preceded by the criteria to which they relate:

MLDC 10.204(B) ZONE CHANGE APPROVAL CRITERIA

The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.
. . .

Finding: Subject to approval of the companion application to amend the GLUP Map Designation from GI to UM, the proposed MFR-15 zoning is the only zoning district corresponding to the UM designation pursuant to the Medford General Land Use Plan Element. Projected traffic generation will be less under MFR-15 zoning than the current I-L zoning. Using City of Medford's standard projection of 300 average daily trips per net acre for the I-L zoning district, light industrial use on 1.16 net acres would be expected to generate 348 trips per day on average. Using ITE Trip Generation Manual (10th Edition) Land Use #220 (Multi-Family Housing, low rise – containing one or two floors) average daily trip rate of 7.32 per dwelling units, 21 dwelling units (1.4 acres X 15 units per acre) would be expected to generate 153.72 tips per day which is 194.28 trips per day fewer than under the current I-L zone. Accordingly, the City's Transportation Manager has approved a TIA waiver concurring that no further analysis is required. Subject to approval of the GLUP Map Designation amendment to UM, then, it is concluded that MLDC 10.204(B)(1) is met.

* * * * * * * * * * * * * * * *

(2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

. . . .

. . .

Finding: There are no additional locational standards under Section 2 that are applicable for zone changes to MFR-15. Accordingly, MLDC 10.204(B)(2) does not apply to this request.

* * * * * * * * * * * * * * * *

(3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

Finding: The subject property is a lot within a subdivision in which facilities for storm drainage, sanitary sewer and water facilities have been provided and extended to each lot. Lateral have already been extended to the property for a water meter and fire hydrant located along Arrowhead Drive. The UM land designation, pursuant to the City of Medford Sanitary Sewer Service Collection System Master Plan (January 2019), has a lower planning flow factor of just 930 gallons per acre per day versus the General Industrial planning flow factor of 1,000 gallons per acre per day. With stormwater facility improvements required at the time of development whether I-L or MFR-15, the public stormwater line in Arrowhead Drive to which the property drains is adequate to serve the property. Accordingly, it is found that subsection 3(a) is met.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department

determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.

Finding: There are no new streets planned or needed through the subject property, which has direct frontage along Arrowhead Drive – a 63-foot wide street already built to city "commercial" street standard (being the same as a standard residential street). A sidewalk and street tree planter strip will need to be added along the frontage of the property when it is developed. As traffic generation is expected to be less for multi-family residential development than for light industrial, no additional facilities are required to allow the zone change. Accordingly, it is found that the proposal complies with subsection 3(b).

(c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations or restrictions shall be established by deed restriction or covenant, which must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

(i) Restricted Zoning is a restriction of uses by type or intensity. In cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development on the subject or adjacent parcels. In no case shall residential densities be approved that do not meet minimum density standards,

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

. . . .

Finding: All Category A facilities are found to be adequate to serve the property if re-zoned to MFR-15. Accordingly, there is no need to impose special development conditions for the same.

* * * * * * * * * * * * * * * * *

VI

ULTIMATE CONCLUSIONS

Based upon the foregoing findings of fact and conclusions of law, and subject to approval of the concurrent application for GLUP Map Amendment from GI to UM for the subject property, it is ultimately concluded that the criteria for a zone change from I-L (Industrial, Light) to MFR-15 (Multi-Family Residential, 15 dwelling units per gross acre) has been substantiated for each of the relevant criteria cited herein above.

Respectfully submitted on behalf of Applicants:

CSA PLANNING, LTD.

Dated: 27 June 2019

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PLANNING DEPT

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF AN APPLICATION TO AMEND THE TOWER BUSINESS PARK PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN (FILE NO. PUD-99-141) TO ALLOW MULTI-FAMILY RESIDENTIAL DEVELOPMENT OF A 1.16 ACRE LOT LOCATED AT 3583 ARROWHEAD DRIVE IN THE CITY OF MEDFORD, OREGON. THE SUBJECT PROPERTY IS ALSO IDENTIFIED AS MAPLOT NO. 371W08BC-2511 AND AS LOT 6 OF TOWER BUSINESS PARK SUBDIVISION AS RECORDED IN VOLUME 29 OF PLATS AT PAGE 33 OF RECORDS OF JACKSON COUNTY, OREGON	**FINDINGS OF FACT AND CONCLUSIONS OF LAW** ***Applicant's Exhibit 1***
Applicants/Owners: Dan and Gina Reece; Arrowhead Business Center, LLC	
Agent: CSA Planning, Ltd.	

I

NATURE AND SCOPE OF APPLICATION

The subject property, being Lot 6 of the Tower Business Park Subdivision (a Planned Community and PUD) is 1.16 net acres in size (1.40 acres, gross) and is located at 3583 Arrowhead Drive adjacent to an MFR-15 zoned parcel to the north developed with multi-family housing. Owners of the subject property want to construct multi-family housing on the subject lot. A comprehensive plan map amendment, zone change, and revision to the Tower Business Park Planned Unit Development is needed to allow multi-residential use. Accordingly, Applicants hereby request a revision of the Preliminary PUD Plan for the Tower Business Park (Planning File No. PUD-99-141). The revision is to allow for construction of multi-plex (rowhouse style) residential buildings including 18 dwelling units rather than a light industrial use as was indicated on the original Preliminary PUD Plan. A Final PUD Plan will be prepared for subsequent review and approval by the City to incorporate any required changes and final design details subject to Planning Commission approval of the revised Preliminary PUD Plan. No further land division is proposed.

The nature of this application is a Type III Review, and is filed for concurrent/simultaneous review with applications to amend the GLUP Map from GI to UM and to change the zoning

CITY OF MEDFORD
EXHIBIT # Q
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

from I-L (Light Industrial) to MFR-15 (Multi-family Residential, 15 dwelling units per gross acre).

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicants herewith submit the following evidence in support of this land use application:

Exhibit 1. The proposed Findings of Fact and Conclusions of Law (this document) which demonstrates how the modified Preliminary PUD Plan application complies with the applicable substantive criteria of the MLDC

Exhibit 2. Vicinity Map (Scale 1" = 1,000')

Exhibit 3. Jackson County Assessor plat map 371W08BC

Exhibit 4. Map of Current General Land Use Plan Designation

Exhibit 5. Map of Current Zoning

Exhibit 6. Photos of subject and nearby properties

Exhibit 7. Legal Description for Proposed MFR-15 Zoning Boundary

Exhibit 8. Medford Transportation System Plan Maps

a. North Medford Circulation Plan

b. Transit Oriented Districts Map

Exhibit 9. Proposed Preliminary PUD Plan Set for Subject Lot

a. Site Plan

b. Building Elevations

c. Floor Plans

d. Color Palette

Exhibit 10. Conceptual Stormwater/Grading/Utility Plan

Exhibit 11. Original Tower Business Park PUD Plan (File No. PUD-99-141)

Exhibit 12. Planning Commission Report – Tower Business Park PUD (File No. PUD-99-141)

Exhibit 13. Tower Business Park Subdivision Plat (CS 17863)

Exhibit 14. Tower Business Park CC&Rs

Exhibit 15. Tower Retail Center Subdivision Plat (CS 21063)

Exhibit 16. Real Property Value Summary Reports by Lot - Jackson County Assessor's Data

Exhibit 17. Owner Authorization Letter on behalf of Delta Center III LLC and PITB Investments LLC (respective owners of Tax Lots 2513, 2514, 2515 and 2516)

Exhibit 18. PUD Application Form with Neighborhood Meeting Documentation, TIA Waiver, and limited POA authorizing CSA Planning, Ltd. to act on behalf of Applicants/Property Owners

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which an application for Preliminary PUD Revision may be approved are established at Section 10.198 of the Medford Land Development Code (MLDC). The criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law:

10.198 Revision or Termination of a PUD

A. Revision of a Preliminary or Final PUD Plan. The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

1. Applicant for Revision; Filing Materials; Procedures: An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than fifty percent (50%) of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than fifty percent (50%) of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

2. Consolidated Procedure: At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

10.190 Planned Unit Development (PUD) - Application and Approval Provisions.

. . .

D. **Approval Criteria for Preliminary PUD Plan:** The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

1. The proposed PUD
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common ownership, or
   e. is otherwise required by the Medford Land Development Code.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulations system or the development as a whole.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either: (a) demands for the Category "A" public facilities listed below are equivalent or less than for one or more permitted use listed for the underlying zone, or (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:

   i. Public sanitary sewerage collection and treatment facilities.
   ii. Public domestic water distribution and treatment facilities
   iii. Storm drainage facilities.
   iv. Public streets.

   Determination of compliance with this criterion shall be based on standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

7. If approval of the PUD application includes the division of land or the approval of other concurrent development permit applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Property Location**: The subject property is located at 3583 Arrowhead Drive within the corporate limits of the City of Medford and its urban growth boundary.

2. **Property Description**: The subject property is identified as Tax Lot 2511 on Jackson County Assessment Plat 371W08BC and also as Lot 6 of Tower Business Park Subdivision, Volume 29 of Plats at Page 33 of Records of Jackson County, Oregon.

3. **Property Size**: 1.16 acres (net); 1.4 acres (gross) per surveyed legal description (Applicants' Exhibit 7).

4. **Owners**: Dan E. Reece and Gina R. Reece, as tenants by the entirety, as to an undivided one-half (1/2) interest; Arrowhead Business Center, LLC - an Oregon limited liability company - as to an undivided one-half (1/2) interest.

5. **Existing Land Use:** The subject property is vacant.

6. **Existing and Proposed GLUP Map Designation**: General Industrial (GI) is the existing designation. Urban Medium Residential Density (UM) is proposed by separate application that has been submitted for concurrent simultaneous review.

7. **Existing and Proposed Zoning:** I-L (Light Industrial) is the existing zone. MFR-15 zoning is proposed by separate application that has been submitted for concurrent simultaneous review.

8. **Adjacent Zoning:** Surrounding properties to the west, south and east are currently zoned I-L (Light Industrial). An MFR-15 zoning district of approximately 4.25 acres abuts to the north, with an MFR-20 zoning district of approximately 26 acres beyond that to the north.

9. **Zoning Overlays:** North Medford Transit Oriented Development (TOD) Boundary Area; Airport Area of Concern (AC); Planned Unit Development Admin Mapping (Tower Business Park PUD).

10. **Surrounding Land Uses**: The land uses which presently surround the property are:

    South: Two-story office building - 7,849 square feet on 0.5 acres (Tower Business Park Lot 5; 371W08BC-2510)

    East: Church - approximately 17,700 square feet) on 3.24 acres (Tower Business Park Lot 12; 371W08BC-2800)

    North: Apartments (48 Units) on 3.29 acres (Canterbury Hills; 371W08BC-2000)

    West: Cosmetology/Beauty School - 5,432 square foot one-story building on 0.54 acres (Tower Business Park Lot 8; 371W08BC-2504) and 5,200 square foot two-story building on 0.44 acres (Tower Business Park Lot 7; 371W08BC-2505)

11. **Tower Business Park PUD Background:** The Tower Business Park Preliminary PUD Plan was approved by the Medford Planning Commission on June 8, 2000. *See,* Applicants' Exhibits 11 (Preliminary PUD Plan) and 12 (Planning Commission Report) for Planning File No. PUD-99-141. The project included concurrent requests for tentative subdivision plan (to create 15 lots for development and common area tracts for wetland/creek preservation and private streets) and for zone change approval (I-G to I-L). The original tract of seven parcels included 21.41 net (22.01 gross) acres of property. The subject lot was originally shown as Lot 9 on the Preliminary PUD Plan proposed for light industrial use with a conceptual building envelope shown on the north half of the lot. It along with six other lots comprising a total of 4.35 acres are shaded pink on the plan as lots designated for light industrial use. A separate 3.1 acre lot (Lot 15, shaded green on the plan) was designated for church use as an allowable conditional use in the I-L zoning district. Lot 14, having 1.99 acres and shaded dark blue on the plan, was developed already with an existing light-industrial business (United Rental). Lots 1 through 6, totaling 4.35 acres and shaded light blue on the plan, were proposed for commercial use (specifically, uses allowed in the C-H zone). The commercial component comprised 19.9% of the total gross area of the PUD, thus complying with the 20% allowance for uses not otherwise allowed in the underlying I-L zone. Final platting of the property was completed in two phases resulting in a change of lot numbering. The initial platting of the Tower Business Park final plat (*See,* Applicants' Exhibit 13) created the subject property as Lot 6. Several of the planned commercial lots as shown on the Preliminary PUD Plan were initially platted as the single Lot 1 on the Tower Business Park subdivision plat. That lot was subsequently divided again into five lots platted as the Tower Retail Center Subdivision (*See,* Applicants' Exhibit 15). As platted between the two subdivision, there are seven lots within the PUD area allocated to commercial use rather than the six originally shown on the Preliminary PUD Plan.

However, the overall acreage did not change nor did the commercial area boundary change. To date, only the commercial lots and the subject lot remain vacant. All other lots (shaded dark blue, pink and green) have been developed.

12. **Tower Business Park PUD Property Ownership – Acreage and Assessed Value of Vacant Portion by Lot**: According to the records of the Jackson County Assessor and Medford Planning Department, the Tower Business Park PUD includes the properties identified in the table herein below by development lot based on Jackson County Assessment Data (*See,* Applicants' Exhibit 16 – Real Property Value Summary Reports). Common tracts for private streets and natural area preservation are construed to be developed to intended PUD use.

Table 1

PUD Ownership and Value; Authority to Amend the PUD
Sources: Jackson County Assessor; CSA Planning, Ltd.

Map & Tax Lot	Acreage	Ownership of Record	Vacant or Developed?	Assessed Value – Vacant Land	TBP*/ TRC** Subdvision Lot #
37-1W-08BC-2513	0.69	Delta Center III LLC	Vacant	515,050	TRC 1
37-1W-08BC-2514	0.69	PITB Investments LLC	Vacant	417,190	TRC 2
37-1W-08BC-2515	0.85	PITB Investments LLC	Vacant	697,940	TRC 3
37-1W-08BC-2516	0.62	PITB Investments LLC	Vacant	417,190	TRC 4
37-1W-08BC-2501	0.60	Camas Holdings LLC	Vacant	403,080	TRC 5
37-1W-08BC-2506	0.46	Enoch Group LLC	Vacant	128,570	TBP 2
37-1W-08BC-2508	0.71	FBP Properties LLC	Vacant	203,910	TBP 3
37-1W-08BC-2509	0.59	Murphy Family LLC	Developed	N/A	TBP 4
37-1W-08BC-2510	0.50	Murphy Family LLC	Developed	N/A	TBP 5
37-1W-08BC-2511	1.16	Reece, Dan et al	Vacant	291,070	TBP 6
37-1W-08BC-2505	0.44	WLC Properties LLC	Developed	N/A	TBP 7
37-1W-08BC-2504	0.54	MB Property LLC	Developed	N/A	TBP 8
37-1W-08BC-2503	0.44	MB Property LLC	Developed	N/A	TBP 9
37-1W-08BC-2502	0.50	CW Tower Industries LLC	Developed	N/A	TBP 10
37-1W-08BC-2201	1.97	CW Tower Industries LLC	Developed	N/A	TBP 11

*Tower Business Park; **Tower Retail Center (subdivided TBP Lot 1)

13. **Majority Interest Owner Authorization for Preliminary PUD Plan Revision**: Signed Owner Authorization on behalf of Delta Center III LLC and PIB Investments LLC (owners of Tax Lots 2513, 2514, 2515 and 2516) is provided at Applicants' Exhibit 17. As per Table 1 above and the Jackson County Assessor's Real Property Value Summary Reports in evidence at Applicants' Exhibit 16, the authorizing owners and the Applicants control 2.63 acres (59.8%) of the remaining 4.4 acres of vacant land in the PUD and are owners of land and improvements which constitute more than 50% of the total assessed value of the vacant portion of the PUD (i.e., $2,338,440 of $3,074,000 total assessed value – being 76%).

14. **Floodplain; Wetlands; Drainage:** There is no 100-year mapped floodplain on the property. Portions of the property contain wetlands as indicated on Exhibit 16. Drainage is generally to the northwest. Applicant's drainage plan is submitted as Exhibit 11. Wetlands within the property have been delineated and preservation/mitigation plans have been approved by the required State and Federal agencies as a part of the approval of Cedar Landing PUD. This application will not result in development that will impact any of the identified wetland areas and the proposed PUD plans are consistent with the approved wetland mitigation plan.

15. **Neighborhood Circulation Plan:** The proposed subdivision is not located within one of Medford's Adopted Neighborhood Circulation Plans, however is located within the approved Cedar Landing PUD Master Plan.

16. **Proposed PUD Revisions:** Change use of subject property to multi-family residential (MFR-15) consistent with proposed zone change; Replace previously approved conceptual building envelope with lot specific revised Preliminary PUD Plan for development of 18 rowhouse style apartments arrayed in three buildings as provided at Applicants' Exhibit 9. Final PUD Plan to be submitted subsequently for Planning Director approval.

17. **Neighborhood Meeting:** Applicant conducted a neighborhood meeting in accordance with the requirements of the MLDC. Attached to this land use application are the Neighborhood Meeting Certificate of Mailing Form and the Neighborhood Meeting Verification Form. Notice was mailed to owners of more than 75 of the nearest tax lots. The meeting was held March 7, 2019 at the Medford Public Library. Applicants' representatives set up and waited over an hour past the duly noticed time, but no one else attended.

V

CONCLUSIONS OF LAW

The following conclusions of law are based on the evidence enumerated in Section II and the findings of fact contained in above Section IV and which relate to the approval criteria for a Preliminary PUD Plan. The approval criteria are recited verbatim below and are followed by the conclusions of law.

Criterion 1

10.198 Revision or Termination of a PUD

A. Revision of a Preliminary or Final PUD Plan. The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

1. Applicant for Revision; Filing Materials; Procedures: An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than fifty percent (50%) of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than fifty percent (50%) of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope

and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

2. Consolidated Procedure: At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

3. Burden of Proof; Criteria for Revisions: The burden of proof and supporting findings of fact and conclusions of law for the criteria in Subsections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Subsection 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

Finding: 1) Applicants have signed the application form and provided, at Applicants' Exhibit 17, written authorization of the owners of four of the other remaining vacant PUD lots that, together with the Applicants, control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also owners of land and improvements within the PUD which constitute more than 50% of the total assessed value of the vacant portion of the PUD (documented here above in Section IV – Findings of Fact). 2) Applicants have provided a revised Preliminary PUD Plan including site plan, architectural renderings, conceptual drainage and grading plan, color palette and other material with far more detail than the conceptual building envelope depicted on the original Preliminary PUD Plan. Applicants understand that the consolidation provision in this section is at the discretion of the Planning Director and understand and accept that a separate application for final PUD Plan approval is otherwise required to incorporate any changes or supplemental detail plans required by the Planning Commission as approval conditions. 3) The scope of the proposed revision is limited to the subject Lot 6 of the Tower Business Park Subdivision/PUD as there are no common areas, street connection, or other residentially zoned or designated areas in the remainder of the planned unit development. Applicants understand and accept that the Planning Commission must also determine that the proposed revision is compatible with existing developed portions and have provided information to address the same.

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10.190 Planned Unit Development (PUD) - Application and Approval Provisions.

. . .

D. **Approval Criteria for Preliminary PUD Plan:** The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

1. The proposed PUD
   a. preserves an important natural feature of the land, or
   b. includes a mixture of residential and commercial land uses, or
   c. includes a mixture of housing types in residential areas, or
   d. includes open space, common areas, or other elements intended for common ownership, or
   e. is otherwise required by the Medford Land Development Code.

Finding: The proposed revision is to add a residential component to the Tower Business Park PUD which will continue to also include a mix of commercial and industrial uses – including a church (which is a conditional use in the I-L zoning district). The proposal is dependent on approval of the companion zone change to MFR-15 given that the commercial component of the PUD already constitutes the 20% of total area that be developed with uses not otherwise allowed

in the current I-L zoning district. With the zone change to MFR-15, the proposed residential development of the subject property would correspond with the new zoning and would qualify for approval under 10.190(D)(1)(b). Further, the proposed revision would not affect any existing common areas which previously qualified the Tower Business Park for PUD approval pursuant to subsection (d) therein.

2. The proposed PUD complies with the applicable requirements of this Code, or
   a. the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
   b. the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
   c. the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulations system or the development as a whole.

Finding: Applicants believe that the proposed plan comports with the applicable code requirements for development of multi-family residential dwellings in the MFR-15 zoning district. To the extent that any such standards are not found to fully comply, Applicants request the opportunity to provide supplemental findings for consideration of approving modifications to the same.

3. The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
   a. Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
   b. Public Facilities Strategy pursuant to ORS 197.768 as amended.
   c. Limited Service Area adopted as part of the Medford Comprehensive Plan.

Finding: The property is not subject to any of the enumerated measures above.

4. The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.

Finding: The proposal does not impact any common elements of the PUD. The subject Lot 6 front Arrowhead Drive, a public street, and has no need or right of access from any of the two private streets that serve other portions of the PUD. The remaining common tract to the south of Owens Drive will continue to function to preserve the wetlands and creek located there – and which are not located on or near the subject Lot 6.

5. If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either: (a) demands for the Category "A" public facilities listed below are equivalent or less than for one or more permitted use listed for the underlying zone, or (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:

   i. Public sanitary sewerage collection and treatment facilities.
   ii. Public domestic water distribution and treatment facilities
   iii. Storm drainage facilities.
   iv. Public streets.

   Determination of compliance with this criterion shall be based on standards of public facility adequacy as set forth in this Code and in goals and policies of the comprehensive plan which by their language and context function as approval criteria for comprehensive plan amendments, zone changes or new development. In instances where the Planning Commission determines that there is insufficient public facility capacity to support the development of a particular use, nothing in this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

Finding: The proposed PUD revision application is accompanied by a zone change application such that the proposed multi-family development of Lot 6 will comport with the proposed MFR-15 zoning – subject to approval of that request.

6. If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.

7. If approval of the PUD application includes the division of land or the approval of other concurrent development permit applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional development applications.

Finding: The proposal does not include a request for land division. The proposed PUD revision is dependent upon the companion applications for GLUP Map amendment and Zone Change, for concurrent simultaneous review, which include the requisite findings to address Article II.

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VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for revision to the Preliminary PUD Plan approval is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

Respectfully submitted on behalf of Applicants Dan and Gina Reece and Arrowhead Business Center, LLC:

CSA PLANNING, LTD.

Raul Woerner
Consulting Land Use Planner

Dated: June 27, 2019

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APPENDIX TO EXHIBIT 1

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

Medford Land Development Code ("MLDC"). The relevant approval standards are recited verbatim below:

ARTICLE III- ZONING DISTRICTS

10.309 MFR-15, Multiple-Family Residential - 15 dwelling units per gross acre

This urban residential district provides for medium density townhouses (rowhouses), duplexes, apartments, mobile home parks, and group quarters. It is suitable and desirable for locations near neighborhood activity centers or mass transit.

In MFR, the maximum number of dwelling units (DU) permitted per gross acre, or fraction thereof, shall fall within the following range:

Minimum and Maximum Density Factor (df) . . . . . 10 to 15 DU/gross acre.

Compliance with Standards: Proposal is for 18 dwelling units (rowhouse style apartments arrayed in three structures on a single lot of 1.4 gross acres). Housing type is consistent with MFR-15 zoning. Residential density is 18 DU/1.4 gross acres = 12.9 DU/gross acre. Project complies with density standard.

* * * * * * * * * * * *

ARTICLE IV- PUBLIC IMPROVEMENTS STANDARDS AND CRITERIA

10.425 Street Access and Dedication Requirements.

Prior to the issuance of a development permit, land shown on any development proposal and intended for vehicular use shall have access to a paved street. Land intended for vehicular and accessway use by the general public shall be offered for dedication.

Compliance with Standards: Subject lot has frontage and access to Arrowhead Drive, a city street in exiting 65-foot wide right-of-way built to current standard residential street standards. Proposed development does not include land intended for vehicular and accessway use by the general public. Project complies with standards.

10.428 Street Circulation Design and Connectivity

These standards are intended to assure that development will ultimately result in complete blocks bound by a network of public streets, and/or private streets to constructed to City Standards open to pubic use. ...

Compliance with Standards: Maximum block length and perimeter length standards applicable in transit oriented districts (subject lot is in the North Medford TOD) are 600 and 1,800 feet, respectively, per MLDC Table 10.426-1. Subject property was platted as Lot 6 of the Tower Business Park Subdivision as previously approved by the City of Medford to comport with then applicable subdivision standards. The resulting block length and perimeters of the subdivision exceed the current standards for access and circulation – private street "Tower E" providing access to the adjacent lots to the west from Crater Lake Avenue was approved by the City to end in a cul-de-sac rather than to connect through to Arrowhead Drive. The adjacent lots have since been developed in such manner that there is no practical manner in which to further extend any new streets through the subject lot. The western line is abutted by a large retaining wall supporting the adjacent office building (beauty school). The north line coincides with the Hopkins Canal and the adjoining

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property is full built with an apartment complex that has no means of connection. The lot to the south was recently built out with an office complex. There is no need to connect the parking areas between an apartment development and an office use given reasonably available frontage sidewalk along Arrowhead Drive. Finally, there is insufficient area to dedicate any more land from the subject lot in a manner that would provide enough buildable area to meet even minimum density standards. Because there are barriers that make street extensions through the property impractical, MLDC Section 10.426(C)(2)(d) is implicated such that the approving authority may find that block and perimeter standards may be exceeded, and Applicants hereby request the City so allow the same in this case. Accordingly, MLDC 10.426 standards are met.

10.430 Lower-Order – Residential Street Classification System

Residential streets conduct local traffic to collector and arterial streets at relatively low traffic volumes and speeds and provide important direct land access to individual parcels. There are three (3) categories of residential streets as follows:

(A) Standard Residential Street Description. [cross section shown in code requires 63-foot ROW with 36-foot wide pavement width, 8-foot wide planter strips, and 5-foot wide sidewalks]

Compliance with Standards: Other than frontage improvements for sidewalk and street tree planter, Arrowhead Drive is fully built at this time with the require pavement width, street lights, and curb and gutter along the subject lot frontage. The platted 65-foot wide right-of-way exceeds the minimum 63-foot wide standard residential street standards.

* * * * * * * * * * * *

10.550 Access Standards

(1) Driveway Throat Width Standards.

Driveways that connect to a public right-of-way shall be constructed according to the standards in Tables 10.550-1 and 10.550-2. See Figure 10.550-1 for driveway throat, flare and radius definitions.

For the purposes of this section, Minimum Access Easements and Alleys shall be considered driveways.

Table 10.550-1 - Driveway Throat Widths	
Street Classification	**Land Use on Parcel to be served by Driveway**
Local	**MFR**
Less than 500 ADT***	18 to 24 ft.
500 to 1,000 ADT***	18 to 24 ft.
Greater than 1,000 ADT***	18 to 24 ft.

****ADT = Average Daily Trips using the proposed driveway, determined from the latest version of the Institute of Transportation Engineering handbook based on the expected ultimate use of the site.*

. . .

(3) Driveway Spacing and Location Standards.

. . .

b. Local Streets

A minimum distance of three (3) feet shall be maintained between the closest portions of adjacent driveway flares as measured along the curb on local streets, except where existing conditions dictate otherwise. ...

Compliance with Standards: A single driveway approach is proposed with a 20-foot wide throat width in accordance with throat width standards. The proposed driveway will access Arrowhead Drive at the midpoint of the subject lot frontage. There are no other adjacent driveways nearby – the minimum three-foot spacing standard is thereby met.

* * * * * * * * * * * *

ARTICLE V-SITE DEVELOPMENT STANDARDS

10.714 Multiple-Family Dwellings

He following standards apply to the development of multiple-family dwellings within the various residential districts. See Article III, Sections 10.308 for detailed descriptions of each residential zoning district and density factors, and Section 10.314 for conditional, special, and permitted uses.

[Table omitted here]

Compliance with Standards:

Minimum Density Factor Range for MFR-15 (10 to 15 DU/gross acre) is met (18/1.4 = 12.9).

Minimum Lot Area (9,000 square feet) is exceeded by existing 1.16 acre lot.

Maximum Coverage Factor standard (50%) is met (14,080 square foot building footprint / 50,623 square foot lot = 27.8%)

Minimum Interior Lot Width/Depth/Frontage standards are exceeded by the existing lot although the standards not directly applicable to current project as no further division is proposed.

Minimum Front Yard Setback standard for MFR-15 where vehicular access to garages are parallel to the street (as proposed) is 15 feet. Proposal complies.

Minimum Side and Rear Yard Setbacks for MFR-15 are both 4 feet plus ½ foot for each foot in building height over 15 feet. Also, those portions of any multiple-family dwelling located within 20 feet of any property line common with property containing single-family zoning shall not exceed one story. There is no single-family zoned land adjacent to the site. The height of the gabled-roof buildings, as noted on the building elevations, will be 20'-10" which is 5.83 feet over 15 feet. The required minimum setback to side and rear is [4 + (5.83)/(2)] = 6.9 feet. The buildings (containing Units 1-11) on the north side of the lot will be set back just over 20 feet from north property line as shown on the site plan (the intervening area is within a 20-foot wide easement for the irrigation district). The closest point of the south building (containing Unit 12 – 18) to the south side property line is 10 feet. No building shown on the site plan will be closer than 30 feet to the rear property line. Proposal complies.

10.717 Multiple-Family Dwellings, Special Development Standards.

A. Building Orientation and Entrances.

(1) Buildings shall be oriented to public streets and public street intersections.

Compliance with Standard: This requirement of subsection (1) is construed to apply to all multi-family buildings because there are no locational specifications as in subsections (2) and (3) which, for example, apply only to buildings at intersections or within 30 feet of a street. Subsection (1) if strictly applied would require buildings even far removed and screened from public streets to be

oriented to the same. Multifamily complexes – which are a common type of apartment community – will generally not be able to meet this standard unless the property is surrounded by public streets. The standard does not allow buildings to be oriented to private streets, either, since the requirement is to orient to public streets and intersections.

The proposed project, like the neighboring Canterbury Hills project to the north, is designed with all building oriented to a common private entry lane. The rowhouse style units are all to be rentals, so they will be no individual lots created to front on a newly dedicated public street. The subject property slopes to the south/southeast and must retain the lower southeast corner as an open area for stormwater management purposes. That leaves limited direct frontage to the public street available to orient the buildings to the public street. The curvilinear frontage along Arrowhead Drive and odd "rudder" shape of the lot further limits how buildings can be arranged while also accommodating required parking and access standards.

Due to these factors, and because the proposed layout is similar and compatible with the established Canterbury Hills community to the north, **Applicants request that the City approve a modification of subsection 10.717(A)(1) for this proposed multi-family PUD in accordance with MLDC 10.192(B)**. The orientation standard generally a locational standard for buildings and, as such, is a standard that may appropriately be modified within PUD projects. The proposed modification will allow for the buildings to orient to the interior common access drive.

(2) Buildings located at intersections shall incorporate a corner building entrance.

Compliance with Standards: This standard does not specify whether it applies only to public street intersections or to intersections with private streets or drives. If construed to mean public street intersections only, the standard is not implicated. If construed to apply to buildings located a the corner of an intersection with a private drive, as in this case, the standard would apply to each of the two buildings located adjacent to the common entry from Arrowhead Drive – and specifically to Units 11 and 18. Each of those units will have a portico covered entry at the respective corners that will face the private drive. There are no specifications provided on how to incorporate a "corner building entrance". It is not clear if the City intended to require an entry to be actually set into the corner of the building or just to have an entry placed along in an adjacent façade along the corner, as is proposed in this case. Given the ambiguity of whether the standard applies at all to a private driveway intersection and as how a corner building entrance is to be incorporated, it is not a clear and objective. Because ORS 197.307(4) requires that local governments apply only clear and objective standards, conditions and procedures regulating the development of housing, this standard should not be applied. On the merits, the project has been designed to reasonably incorporate corner building entries as discussed above such that the project can be found to comply with the standard.

(3) For buildings located within 30 feet of a street, the main entrance(s) of ground floor units must face the street frontage. Main entrances may provide access to individual units, clusters of units, courtyard dwellings, or common lobbies. Deviations from this standard are allowed as follows:

(a) On corner lots the main building entrance(s) may face either of the streets or be oriented to the corner.

(b) For buildings with more than one entrance serving multiple units, only one entrance must meet this standard.

(c) For buildings proposed to be perpendicular to public streets due to access requirements and/or dimensional constraints not created by the applicant, main entries may face up to 90 degrees away from the street provided both of the following apply:

i. They are visible from the street.

ii. The building side facing the street shall contain window occupying a minimum of 15% of the overall façade length.

Compliance with Standards: Two of the three multiplex buildings are to be located within 30 feet of Arrowhead Drive, which is the only public street fronting the subject lot. The proposed buildings will include attached two-story units of a townhouse style with each unit having it front entry facing the common access drive. The center loaded access design is proposed to efficiently accommodate parking and access standards, and to reserve an open area at the downgrade southeast corner to accommodate on-site stormwater treatment and management. The design also avoids the need for individual units to take direct garage/driveway access from Arrowhead Drive or otherwise to devote more area to additional paved surface parking elsewhere. It is also comparable to the layout of the neighboring Canterbury Hills apartment community, which is an attractive and well established multi-family development in this neighborhood.

Due to the foregoing reasons and as further explained below, **Applicants request that the City approve a modification of subsection 10.717(A)(3) for this proposed multi-family PUD in accordance with MLDC 10.192(B).** The modification will allow for the main entrances to each unit to face the common drive which will function as the internal "street" for these homes. All units, including those within sight of Arrowhead Drive, will include attractive and covered front entries in the manner of townhomes rather that typical walkup apartments. The porches and pedestrian scale "street" lights as shown will achieve a comparable street-like setting for the front doors of each dwelling unit as the standard is meant to promote. The end units (11 and 18) along Arrowhead Drive also have been designed to include windows that comprise 15% of the street-facing facades similar to the standard of subsection (3)(c) for buildings perpendicular to public streets. The curvature of the street and the existing lot configuration are such that the southerly building containing Unit 18 cants more than 90 degrees away from the frontage. However, it will have and entry facing the internal "street" subject to approval of the modification request and the 15% of window coverage on the street facing façade achieves a substantively similar design outcome to the standard.

B. Building Mass and Façade.

(1) Outside of the Central Business Overlay District, residential buildings located within 30 feet of a street shall be limited in length to 150 feet, and any other residential buildings on the site shall be limited in length to 200 feet. There is no maximum building length within the Central Business District Overlay District.

(2) On buildings greater than three stories in height all facades shall be divided into three elements (base, middle, and top) and visibly articulated to define each element.

a) The building base consists of the lowermost floor or two floors. The building top consists of the uppermost floor or two floors. The building middle consists of the remainder of the façade between the base and the top.

b) The building base, middle, and top shall each be differentiated through horizontal articulation and/or a discernible change in materials.

3) Street-facing facades shall contain windows covering a minimum of 15% of the façade length on each floor level.

Compliance with Standards: The subject property is not within the Central Business Overlay District. Therefore, subsection (1) requires that the two residential buildings proposed within 30 feet of Arrowhead Drive be limited in length to 150 feet and that the remaining building be limited in length to 200 feet. The code does not clearly define what is meant by length of a building. The

long axis of proposed buildings (which are two-story apartment in a rowhouse style) could reasonably be construed to be the width of a multiplex structure, with the front of the building being the center-facing entries to each unit and with the rear of the building being the back decks. The building depth, in that construction, would be measured from front to back, and would typically be synonymous with the term "building length" in architectural terms. Alternatively, the length of the building could be construed to mean the distance from the façade facing Arrowhead Drive (the front of the lot) to the opposing façade (being the west face of the buildings in this case). ORS 197.307(4) states, in relevant part, that a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. Because this standard is ambiguous in its application to this project, Applicants assert that the standard is not clear and objective and should not be applied. On the merits, whether "length" of buildings is measured either from entry to back porch or from street façade to opposite façade (west in this case), each of the buildings would still comply with the standard. Applicants raise the issue for here primarily with the understanding that this is one of the first, in not the first, multi-family residential projects to be reviewed under the Multi-Family Special Development Standards since enacted in 2018. The City should consider revisiting the code standards to consider if changes are merited to more clearly define the term "length" of buildings and to consider whether rowhouse/townhome style apartments ought to be clearly allowed to orient to the common access drive rather public streets.

C. Building Articulation.

(1) In order to preclude long expanses of uninterrupted wall surfaces, exterior elevations of buildings shall incorporate design features such as off-sets, projections, balconies, bays, windows, entries, porches, porticos, or similar elements. Rear and/or side elevations that are only visible from the interior of the site are not subject to these articulation requirements.

a) Horizontal surface: at least two of the design features outlined above shall be incorporated along the horizontal face of the building, to be repeated at intervals of no more than 40 feet.

b) Vertical surface: at least two of the design features outlined above shall be incorporated along the vertical face of the building, to be repeated at intervals of no more than 30 feet.

(2) When off-sets and projections are used to fulfill articulation requirements, they shall vary from other wall surfaces by a minimum of 2 feet, and such changes in plane shall have a width of 6 feet.

(3) Individual and common entries shall be articulated by roofs, awnings, or porticos that are a minimum of 6 feet wide and 4 feet deep.

(4) Windows shall be inset a minimum of 3 inches from the adjacent wall plane, or fully surrounded by trim in order to create the necessary minimum inset depth of 3 inches.

Compliance with Standards: The proposed buildings are of a rowhouse style with each unit being 20 to 22 feet in width. *See,* Applicants' Exhibit 9c – Floor Plans. The façades of each building are articulated at corresponding intervals to distinguish each of the dwelling units as distinctive homes. Each unit front and rear façade has off-sets in the form of dormers, porches, porticos, shed-roofs, balconies and similar elements that conform with the 2 and 6 foot dimensional specifications for the same. *See,* Applicants' Exhibit 9b – Building Elevations. There are no common entries. Individual entries for the all units are shown to have covered portico porch entries or entries otherwise covered by second floor overhangs as shown on the preliminary design plans consistent with subsection (3) above. Windows will be inset at 3 inches or fully surrounded by trim as required by subsection (4). The preliminary PUD Plans are not at that scaled to that level of detail. Applicants stipulate to incorporate the same in the detailed final plans required for building permit issuance.

D. Building Materials.

(1) The following primary building materials shall be utilized on a minimum of 65% of the street facing façade:

(a) Brick;

(b) Stone

(c) Stucco;

(d) Flat metal composite panels;

(e) Wood siding and wood simulation materials;

(f) Fiber reinforced cement siding or panels;

(g) Ceramic tile; and

(h) Transparent glass.

(2) The following building materials shall not be allowed on more than 35% of each individual façade:

(a) Corrugated metal;

(b) Plain or split-faced concrete block;

(c) Plain concrete; and

(e) Spandrel glass.

(3) Vertical changes in wall cladding materials shall take place on inside corners. Horizontal changes in wall cladding materials shall take place at cornices, belt courses, and other such horizontal elements.

(4) The following building materials are prohibited:

(a) Vinyl siding; and

(b) Plywood siding (e.g., T1-11).

(5) Fencing materials shall be durable, maintainable, and attractive. The following fencing materials are prohibited:

(a) Plastic or vinyl fencing; and

(b) Chain link fencing.

Compliance with Standards: Siding material is noted on the plans to be fiber reinforced cement as allowed under subsection (1). Stone veneer will also be applied to along the garage and pillar bases. The southern building will have concrete masonry block foundation to take up grade, but the foundation blocking is below the façade wall and will be generally screened by the rear decks and landscaping. If construed to be part of rather than foundational component below the respective rear and front facades, the area nonetheless is considerably less than 35% allowance for materials under subsection (2), and no other subsection (2) listed materials are proposed. Vertical and horizontal changes in wall cladding materials are incorporated in accordance with subsection (3) as shown on the building elevation drawings at Applicants' Exhibit 9b. No prohibited materials as listed in subsection (4) are proposed, nor is any fencing subject to subsection (4) proposed.

E. Roof Forms.

(1) All sloped roofs shall have a minimum 4:12 pitch.

(2) All sloped roofs shall have eaves projecting a minimum of 12 inches from the building wall.

(3) All roofs with a slope of less than 4:12 pitch shall be articulated by a parapet wall projecting a minimum of 12 inches above the roof line, or be architecturally treated such as with a decorative cornice.

Compliance with Standards: A 7:12 roof pitch is noted on the building elevations, exceeding the subsection (1) standard for sloped roofs. A minimum 1-foot eave projection is also noted on the elevation drawings and as required by subsection (2). Subsection (3) is not applicable as all roof pitches exceed the 4:12 standard.

F. Vehicle Circulation and Parking.

(1) In order to strengthen the presence of buildings on the street, no parking spaces shall be located within any required front yard area, and no automobile circulation or parking areas shall be located between buildings and the street. Any proposed deviation from this standard shall be subject to a request for Exception as outlined in Section 10.186.

Compliance with Standards: The required front yard setback for multi-family dwellings without garage entries or carports facing the street is 15-feet. There are no parking spaces proposed within 15-feet of the front property line (Arrowhead Drive). The provision prohibiting location of automobile circulation and parking areas between buildings and the street, strictly read, would seem to disallow parking and circulation anywhere on the property unless access and parking could somehow be rear loaded behind every building on the property. A driveway providing automobile access must otherwise necessarily be located somewhere between the buildings and the street. A center-loaded common access design as proposed cannot eliminate all parking and access between the rear units and the street. If the standard is construed to not be strictly applicable in that manner, it is still unclear how to apply the standard. Unit 11, for example, has a landscaped yard between its east side façade and Arrowhead Drive to the east. But Arrowhead Drive then curves to the west such that the front garage entry to Unit 11 – being on the south (front) side of the building – would be located between that building and the street. The garaged space itself, being within the building rather than outside and between, would not violate the standard in that interpretation but could not be accessed. The area between Unit 18 and Arrowhead Drive to the south and east, as another example, is includes a fully landscaped yard area in those directions. However, there are two parking spaces (numbered 8 and 9) that could still be considered as being located between that building and Arrowhead Drive as is bends northward. Parking spaces 6 and 7, although far removed from Arrowhead Drive, would be located between the street and the rear building containing Units 1 through 6. Because this standard is ambiguous in its application to this housing project, the standard is not clear and objective and should not be applied. ORS 197.307(4) states, in relevant part, that a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing.

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10.732 Fencing of Lots

(1) Fencing located within the front yard setback area of all zones, except the MFR zone, shall not exceed three (3) feet in height when measured from the grade of the street centerline. When within a MFR zone, a fence shall not exceed three (3) feet in height when located within ten (10) feet of a street right-of-way unless otherwise approved by the approving authority. (Effective Dec. 1, 2013.)

(2) Fencing located in the side or rear yards (when not a through-lot) shall not exceed eight (8) feet in height. Height shall be measured as follows:

(a) In required yards abutting a street, it shall be the effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, it shall be the total effective height above the finished grade measured on the side nearest the abutting property.

(3) No fencing shall conflict with the site distance requirements of Section 10.735, Clear View of Intersecting Streets.

Compliance with Standards: No new fencing is proposed. A black wrought-iron fence exists along the common property line with Tax Lot 2000 to the north which was constructed as part of the Canterbury Hills apartment community.

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10.743 Off-Street Parking Standards

(1) Vehicle Parking – Minimum and Maximum Standards by Use. The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1.

Where a use is not specifically listed in table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

(2) Number of Required Parking Spaces. Off-street vehicle parking spaces shall be provided as follows:

(a) Parking Space Calculation. Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) Parking Categories.

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. Minimum Number of Required Parking Spaces. For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. Maximum Number of Permitted Parking Spaces. The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

Table 10.743-1 – City of Medford
Minimum and Maximum Parking Standards

Land Use Category	Minimum Number of Required Parking Spaces	Maximum Permitted Parking Spaces
Residential, Multiple Family	1.5 spaces per dwelling unit	n/a

Compliance with Standards: The proposed plan indicates that each of the eighteen dwelling units will have an enclosed single-car garage and that nine parking spaces will also be provided in shared surface parking areas for a total of 27 spaces overall (meeting the standard of 1.5 spaces per dwelling unit).

(4) Reductions in Required Parking Spaces.

The total number of required motor vehicle parking spaces for an existing or new industrial, commercial, or office development may be reduced by five percent (5%) for each of the activities listed below that are provided by the owners or operators in perpetuity, up to a maximum of ten percent (10%) reduction in the total number of motor vehicle spaces required per development.

(a) Providing showers and lockers for employees who commute by bicycle or foot;

(b) Providing twice as many covered, secured bicycle parking spaces as required by this code;

(c) Providing a public plaza as defined herein adjacent to a transit route with transit service currently available, which is within one quarter (¼) mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop. The plaza must be open to the public, and at least 300 square feet in size exclusive of connecting walkways.

(d) Providing a transit shelter with landscaping, and trash receptacle;

(e) Other incentives provided in an approved Transportation Demand Management Plan (TDM) approved by the Approving Authority.

Compliance with Standards: Reductions under the above provisions are not available for residential development – and no reduction is requested.

(5) Two-Wheeled Vehicle Parking.

When over twenty (20) spaces are required, a maximum of five percent (5%) of the required parking may be two-wheeled vehicle spaces (e.g. motorcycle/moped/scooter). Each two-wheeled vehicle space must be at least four (4) feet wide and eight (8) feet deep. The two-wheeled vehicle spaces shall be clearly designated by a sign posted or be marked on the pavement within the two-wheeled parking area. Two-wheeled spaces shall be grouped together in designated areas and need not be individually striped. Two-wheeled parking shall be closer to the building than fifty percent (50%) of the vehicle spaces.

Compliance with Standards: No two-wheeled spaces are proposed.

10.745 Location of Parking Facilities

All parking spaces shall be on the same lot as the main structure it serves or on an abutting lot. However, upon demonstration by the applicant that parking on the same lot or abutting lot is not available, the approving authority may authorize the parking spaces to be on any lot within 250 feet walking distance of the structure being served upon written findings of compliance with the following provisions:

(1) There is a safe, direct, attractive, lighted and convenient pedestrian route between the parking area and the use being served;

(2) There is assurance in the form of deed, lease, contract or other similarly recorded document that the required spaces will continue to be available for off-street parking use according to the required standards.

Compliance with Standards: All proposed parking spaces are located on the same parcel and can be accessed safely.

10.746 General Design Requirements for Parking

(3) Parking Area Planters.

It is the purpose of this subsection to create shade and visual relief for large expanses of parking.

a. Parking areas exceeding 24 parking spaces shall contain areas of interior landscaping, such as planter islands or planter projections into the parking area, which comply with the planting schedule provided in Subsection 10.746 (3)f. and Section 10.780, Landscape and Irrigation Requirements, and as approved by the approving authority.

b. Planters shall be dispersed throughout the parking area and contain, at minimum, the landscaping area square footage specified in the Planting schedule of Subsection 10.746 (3)f. Square footage of each parking area planter may vary; however, each parking area planter shall meet the soil volume requirements of Subsection 10.780 G(10)a.

c. Prior to installing plant materials in parking area planters, the developer shall remove detrimental construction materials and prepare the soil within the planters in accordance with Subsection 10.780 G(9). If structural soils are necessary, areas under planned impervious surfaces surrounding planters, shall be prepared in accordance with Subsection 10.780 G(10)(a).

d. So as to not obstruct driver vision, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of three (3) feet and eight (8) feet above the top of the curb. The property owner shall maintain shrub and tree growth in planter areas to ensure shrubs are kept lower than three (3) feet and tree canopies are maintained above eight (8) feet.

e. Trees planted in parking area planters shall have a moderate to broad spreading canopy.

Compliance with Standards: The number of exterior parking area spaces (i.e., nine) is less than 24. To the extent that garaged spaces are construed to be landscaped with planters under this

provision, Applicants assert that such an interpretation would be ambiguous and as such would not be a basis for denial of a housing development under Oregon's "needed housing" statute.

f. The minimum landscaped area within parking area planters and number of required plants per 24 spaces is as follows:

Parking Area Planters Planting Schedule			
Zoning District	***Plants/ per 24 Spaces*** *Trees*	/ *Shrubs*	***Sq. Ft./ per 24 Spaces***
MFR Zones, Commercial Zones	3	6	500

Compliance with Standards: There are fewer than 24 outdoor parking spaces.

(4) Irrigation Systems. All landscaped areas shall be irrigated with a permanent irrigation system unless a licensed landscape architect submits written verification that the proposed plant materials do not require irrigation

Compliance with Standards: All landscaped areas will be irrigated with a permanent irrigation system.

(9) Screening. Where parking, vehicle maneuvering, or loading areas abut a public street, there shall be provided a minimum ten (10) foot wide landscaping buffer.

Compliance with Standards: Parking spaces 8 and 9 as numbered on the site plan are the only spaces that are near an adjacent street. These are set back at least 20 feet from the street. To the extent these are construed to "abut" the street, the intervening area will be generously landscaped to effectively screen the spaces as shown on the submitted landscape plan.

(8) Accessible Parking Space Requirements. The following rates and design regulations are derived from ORS 447.233.

(a) The number of accessible parking spaces shall be provided at these rates:

Total Parking In Lot	Required Minimum Number of Accessible Spaces	Required Minimum Number of Van-Accessible Spaces	Required Minimum Number of Spaces marked "Wheelchair User Only"
1 – 25	1	1	0

Compliance with Standards: One accessible space is required (which must be "Van-Accessible"). The preliminary PUD plan does not show a van-accessible space, but there is room to accommodate the same (e.g., spaces 6 & 7 could be modified to include the require access aisle and markings with a minor adjustment to the adjacent landscape planter). Applicants stipulate to accept an approval condition requiring that they incorporate a van-accessible space in the Final PUD Plan for the project for the City's review and approval.

(15) Connect Parking Areas. Parking areas with access to arterial or collector streets shall be so designed as to connect with existing or future parking areas on adjacent sites thereby eliminating the necessity of utilizing the arterial or collector street for cross movements.

Compliance with Standards: The subject property does not obtain access from an arterial or collector street. Accordingly, this standard is not implicated.

(16) Parking Space Minimum Dimension Standards.

Parking Angle	Space Width	Space Length	Aisle Width (1-way)	Aisle Width (2-way)
90 deg.	9'0"	19'0"	24'0"	24'0"

Compliance with Standards: All parking spaces within the proposed parking areas are at a 90 degree angle and all comply with the above standards. Applicants stipulate to include striping and dimensional details on the final PUD Plan for the project.

(17) Compact Cars. A maximum of twenty (20) percent of the total required parking may be improved as compact parking spaces. All compact parking spaces must be identified for compact parking only. Compact parking space shall have the following minimum dimensions: 9 feet wide by 16 feet long

Compliance with Standards: No compact spaces are currently proposed.

(18) Parking Encroachment. Vehicle encroachment and a reduction in the length of a standard parking space by two feet is permitted when adjacent to a seven-foot pedestrian walkway. Vehicle encroachment and a reduction in the length of a standard parking space by two feet is permitted into a required landscape yard if an additional two feet of landscape yard is provided. No vehicle encroachment is permitted into a bufferyard area.

Compliance with Standards: No encroachment within a required landscape yard is proposed.

* * * * * * * * * * * *

10.747 General Provisions, Bicycle Parking

The bicycle parking and storage provisions are intended to provide bicycle parking facilities to accommodate bicycle travel and encourage additional bicycle trips. Bicycle parking facilities shall be either lockable enclosures in which the bicycle is stored or stationary racks which accommodate bicyclist's locks securing the frame and both wheels. Bicycle racks or lockers shall be securely anchored to the surface or to a structure. If 10 or more bicycle parking spaces are required, then at least 50% of the bicycle parking spaces shall be covered. For the purposes of this section, covered parking may include placement underneath an awning, eave or other overhang or other facility as determined by the approving authority that protects the bicycle from direct exposure to the elements. Bicycle parking shall be separated from motor vehicle parking and maneuvering areas by a barrier or sufficient distance to prevent damage to parked bicycles.

10.748 Bicycle Parking Standards
Bicycle parking spaces shall be provided in accordance with the following:

Residential, multiple-family: One space per unit (4 units or more).

Compliance with Standards: Each dwelling unit will have an attached garage in which bicycles may be secured to comply with the one space per unit requirement. Applicants stipulate to include detail designs for bicycle parking with the Final PUD plan for the project.

10.749 Location of Bicycle Parking Facilities

Required bicycle parking facilities shall be located on-site in well lighted, secure locations within 50 feet of well-used entrances and not farther from the entrance than the closest automobile parking space. Bicycle parking shall have direct access to both the public right-of-way and to a main entrance of the principal use. Bicycle parking may also be provided inside a building in suitable, secure and accessible locations. Bicycle parking for multiple uses (such as in a commercial center) may be clustered in one or several locations

Compliance with Standards: Bicycle parking is proposed to be included in enclosed garages for each dwelling unit.

* * * * * * * * * * * *

10.773 Pedestrian Walkway Connections and Routing

A pedestrian walkway shall be provided:

(1) To each street abutting the property, and for every 300 feet of street frontage not including limited access freeways.

(2) To connect with walkways, sidewalks, bikepaths, and other bicycle or pedestrian connections on adjacent properties.

(3) To connect building entrances to one another, to existing or planned transit stops and to connect the pedestrian circulation system to other areas of the site such as parking lots, children's play areas, required outdoor areas and any pedestrian amenities such as plazas, resting areas and viewpoints.

Compliance with Standards: All adjacent properties are fully developed – no walkways have been extended to the subject property. The sidewalks along Arrowhead Drive provide for reasonable direct pedestrian connection to the adjacent lots to the north and south. The proposed development does include interior walkways providing connectivity between the street and the dwelling units consistent with the standards.

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10.781 Concealment of Trash Receptacles

Trash receptacles shall be kept in enclosures made of solid wood, metal, brick, or masonry block which conceal them from view. Access doors shall be made of solid wood or metal. When possible, enclosures should be incorporated into the building (i.e., wing walls, alcoves). If free standing, the enclosures shall be constructed of materials which are compatible with other structures on the site. Chain link fencing, with or without slats, for this purpose is prohibited.

Compliance with Standards: A concrete block trash enclosure with solid wood doors is located at the western end of the parking lot adjacent to the existing retaining wall for the adjacent lot. The enclosure is incorporated within the landscape planter in that area.

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MEDFORD
PUBLIC WORKS

LD DATE: 8/14/2019
File Number: ZC-19-014

PUBLIC WORKS DEPARTMENT STAFF REPORT

Arrowhead Business Center – Revision to PUD *(MFR Housing)*
3583 Arrowhead Drive (TL 2511)

Project: Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres.

Location: Located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

Applicant: Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

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

I. Sanitary Sewer Facilities

The proposed GLUP Amendment and Zone Change has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has capacity constraints. Based on this information, the Public Works Department recommends this GLUP Amendment and Zone Change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the Developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the Developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed GLUP Amendment and Zone Change.

CITY OF MEDFORD
EXHIBIT # 5
File # GLUP 19-004 ZC-19-014 PUD-19-003

II. Storm Drainage Facilities

The subject property currently drains to the south. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

This change results in a decrease in the potential trip generation of the PUD and the underlying zoning. No further traffic analysis is required.

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the Zone Change Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.

MEDFORD
PUBLIC WORKS

LD DATE: 8/14/2019
File Number: GLUP-19-004

PUBLIC WORKS DEPARTMENT STAFF REPORT

Arrowhead Business Center – Revision to PUD *(MFR Housing)*
3583 Arrowhead Drive (TL 2511)

Project: Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres.

Location: Located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

Applicant: Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

I. Sanitary Sewer Facilities

The proposed GLUP Amendment and Zone Change has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has capacity constraints. Based on this information, the Public Works Department recommends this GLUP Amendment and Zone Change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the Developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the Developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed GLUP Amendment and Zone Change.

II. Storm Drainage Facilities

The subject property currently drains to the south. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

CITY OF MEDFORD
EXHIBIT # I
File # GLUP-19-004 ZC-19-014
PUD-19-003

III. Transportation System

This change results in a decrease in the potential trip generation of the PUD and the underlying zoning. No further traffic analysis is required.

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

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

The above report is based on the information provided with the General Land Use Plan Application submittal and is subject to change based on actual conditions, revised plans and documents or other conditions. A full report with additional details on each item as well as miscellaneous requirements for the project, including requirements for public improvement plans (Construction Plans), design requirements, phasing, draft and final plat processes, permits, system development charges, pavement moratoriums and construction inspection shall be provided with a Development Permit Application.

MEDFORD
PUBLIC WORKS

LD DATE: 8/14/2019
File Number: PUD-19-003

PUBLIC WORKS DEPARTMENT STAFF REPORT

Arrowhead Business Center – Revision to PUD *(MFR Housing)*
3583 Arrowhead Drive (TL 2511)

Project: Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of row house-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres.

Location: Located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511).

Applicant: Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Tower Business Park PUD were adopted by Order of the Medford Planning Commission on June 22nd, 2000 (PUD-99-141). The approval for Tower Business Park PUD received a minor amendment on December 17th, 2003 and again on May 13th, 2001 a De minimis revision by the Planning Director. Final Plan approval was adopted by Order of the Medford Planning Commission on February 13th, 2003. The adopted conditions by each of these actions shall remain in full force as originally adopted except as amended or added to below.

CITY OF MEDFORD
EXHIBIT # U
File # GLUP 19-004 ZC-19-004
PUD-19-003

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

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

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The Applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.
- Items A – D, unless noted otherwise.

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

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

A. STREETS

1. Dedications

Arrowhead Drive is classified as Standard Residential street within the Medford Land Development Code (MLDC) 10.430. Right-of-way has already been dedicated with the final plat for *"Tower Business Park PUD"*(Survey #17863). **No additional right-of-way is required.**

There is currently a 15-foot Public Utility Easement (PUE) along the frontage of Arrowhead Drive that was originally dedicated with the final plat for *"Tower Business Park PUD"* (Survey #17863).

2. Public Improvements

a. Public Streets

Standard street section improvements have been completed on **Arrowhead Drive**, including pavement, curb and gutter and street lights as part of the Tower Business Park (P1266D) improvements. **No additional improvements are required, except for a 5-foot sidewalk with an 8-foot planter strip.**

b. Street Lights and Signing

No additional street lights are required.

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

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Arrowhead Drive.

d. Access to Public Street System

In accordance with MLDC 10.550, the driveway shall be built with a radius approach, and have a maximum width of 24-feet.

B. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

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

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or

concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

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

If the proposed development is to be constructed in phases, then each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

4. Verification

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

5. Erosion Prevention and Sediment Control

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

C. GENERAL CONDITIONS

1. Construction and Inspection

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

Contractors proposing to do work on public streets (including street lights), sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the County.

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

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

2. Site Improvements

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

3. System Development Charges (SDC)

Buildings in this development are subject to system development charges (SDCs). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi K Cope
Reviewed by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL
Arrowhead Business Center – Revision to PUD *(MFR Housing)*
3583 Arrowhead Drive (TL 2511)

PUD-19-003

A. Streets

1. Street Dedications to the Public:
   - All previously approved conditions within PUD-99-141 shall remain in full effect.
   - **Arrowhead Drive** – No additional right-of-way dedication is required.
   - 15-foot Public Utility Easement has been dedicated.

2. Improvements:

   Public Streets
   - All previously approved conditions within PUD-99-141 shall remain in full effect.
   - **Arrowhead Drive** – No additional improvements, aside from 5-foot sidewalk with 8-foot planter strip.

   Lighting and Signing
   - All previously approved conditions within PUD-99-141 shall remain in full effect.
   - No additional street lights are required.

   Access to Public Street System
   - In accordance with MLDC 10.550, the driveway shall be built with a radius approach, and have a maximum width of 24-feet.

   Other
   - No pavement moratorium currently in effect along this frontage to Arrowhead Drive.

B. Storm Drainage:
- Provide a comprehensive grading and drainage plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers verification of stormwater facility construction.
- Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

▪ = City Code Requirement
o = Discretionary recommendations/comments

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

MEDFORD
BUILDING SAFETY

MEMORANDUM

To: Steffen Roennfeldt, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Dan & Gina Reece, Applicant; CSA Planning, Ltd., Agent

Date: August 14, 2019

Subject: PUD-19-003/GLUP-16-004/ZC-16-014_Arrowhead Business Center & MFR Housing

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Please Note:

This is not a plan review. Unless noted specifically as Conditions of Approval, general comments are provided below based on the general information provided; these comments are based on the 2014 Oregon Structural Specialty Code (OSSC) unless noted otherwise. Plans need to be submitted and will be reviewed by a commercial plans examiner, and there may be additional comments.

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.

2. All plans are to be submitted electronically. Information on the website: www.ci.medford.or.us Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.

3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.

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

CITY OF MEDFORD
EXHIBIT # ✓
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PUD-19-003

5. A geotechnical engineer shall provide a design for soils at building locations pursuant to 1803 of the Oregon Structural Specialty Code.

Comments:

6. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.

7. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.

8. Accessibility for units per Chapter 11 and ICC A117.1

9. Based on the information provided the Occupancy would be an R-2. Type of construction is limited to Table 503.

10. Provide Fire Protection Systems per Chapter 9 of the OSSC and the 2014 Oregon Fire Code.

11. The building may require a design by an Oregon licensed design professional to meet the structural design requirements per chapters 16 and 23 OSSC.

12. Com-check forms are required for lighting, mechanical equipment and exterior envelope to show energy efficiency compliance with the 2014 Oregon Energy Efficiency Specialty Code.

13. A code analysis providing occupant load, means of egress plan, type of construction, occupancy classification, fire protection systems, etc… will be required.

14. Special inspections may be required by chapter 17 Oregon Structural Specialty Code.

Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 8/12/2019
Meeting Date: 8/14/2019

LD File #: PUD19003 **Associated File #1:** GLUP19004 **Associated File #2:** ZC19014

Planner: Steffen Roennfeldt

Applicant: Dan & Gina Reece

Project Location: 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511);

ProjectDescription: Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres

Specific Development Requirements for Access & Water Supply

Conditions

Reference	Comments	Description
OFC 508.5	One new fire hydrant will be required located near the fire department connection.	Fire hydrants with reflectors will be required for this project. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).
OFC 503.2.1	Fire apparatus access road requirements.	Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds. (See also OFC 503.4; D102.1) The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

CITY OF MEDFORD
EXHIBIT # W
File # GLUP-19-004 ZC-19-014
PUD-19-003

OFC 503.4	Parking shall be posted as prohibited along the fire lanes and in the fire department turn-around area.	Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1). Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING-FIRE LANE" (See handout). For privately owned properties, posting/marking of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option): Alternative #1: Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals. Alternative #2: Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12). This restriction shall be recorded on the property deed as a requirement for future construction. A brochure is available on our website at: http://www.ci.medford.or.us/Files/Fire%20Lane%20Brochure.pdf
OFC 503.2.5	Fire department turn-around area required.	Dead-end Fire Apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. The Fire department turn-around area must be posted with "NO PARKING-FIRE LANE" signs. These signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's.
OFC 903	A fire sprinkler system is required for this occupancy.	Fire sprinkler system requirement information. Where a fire sprinkler system is required, it shall meet the requirements of the Oregon Fire Code and the applicable National Fire Protection Association (NFPA) Standard. Consult the Medford Water Commission for proper water meter sizing for fire sprinkler systems.

Construction General Information/Requirements

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

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

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

MEDFORD
PLANNING

MEMORANDUM

Subject	Legal Description
File no.	PUD-19-003/GLUP-19-004/ZC-19-014
To	Jon Proud, Engineering
From	Steffen Roennfeldt, Planning Department
Date	July 31, 2019

Please verify the attached legal description covering the below subject at your earliest convenience. See attached map.

1. PUD-19-003/GLUP-19-004/ZC-19-014
   Applicant: Dan & Gina Reece
   Agent: CSA Planning, Raul Woerner

Steffen-
The description accurately describes the area shown in the submitted exhibit B map, with the exception of one incorrect call as noted on attached.
Reviewed by Sean Metzger 08-09-19

cp

Attachments:

Vicinity Map, Legal description

CITY OF MEDFORD
EXHIBIT # X
File # GLUP-19-004 ZC-19-014
PUD-19-003

EXHIBIT 7

RECEIVED
JUN 28 2019
PLANNING DEPT

EXHIBIT A

BEGINNING at the Northwest corner of Lot 6 of Tower Business Park, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the westerly line of said Lot 6, South 04°04'39" East 145.88 feet; thence continue along said westerly line, South 45°00'00" East 130.11 feet; thence South 27°56'46" East 10.00 feet to the most southerly corner of said Lot 6; thence South 27°56'46" East 32.50 feet to the centerline of Arrowhead Drive; thence along said centerline, along the arc of a 200.00 foot radius non-tangent curve to the right (the long chord to which bears North 70°03'35" East 55.71 feet) a distance of 55.89 feet; thence continue along said centerline, along the arc of a 200.00 foot radius curve to the left (the long chord to which bears North 39°09'40" East 252.21 feet) a distance of 271.60 feet to the northerly line of the aforesaid Tower Business Park; thence along said northerly line, North 77°19'07" West 139.12 feet; thence continue along said northerly line, North 81°09'32" West 199.94 feet to the point of beginning.
(containing 1.40 acres, more or less)

Rec = 251.21

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Darrell L. Huck

OREGON
FEBRUARY 4, 1983
DARRELL L. HUCK
2023

EXPIRES 6/30/2019

Darrell L. Huck
L.S. 2023 – Oregon
Expires 6/30/2019
Hoffbuhr & Associates, Inc

(18164 zone ch desc.doc)

CITY OF MEDFORD
EXHIBIT #_____
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

EXHIBIT B

TOWER BUSINESS PARK
(A PLANNED COMMUNITY)
LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD, JACKSON COUNTY, OREGON

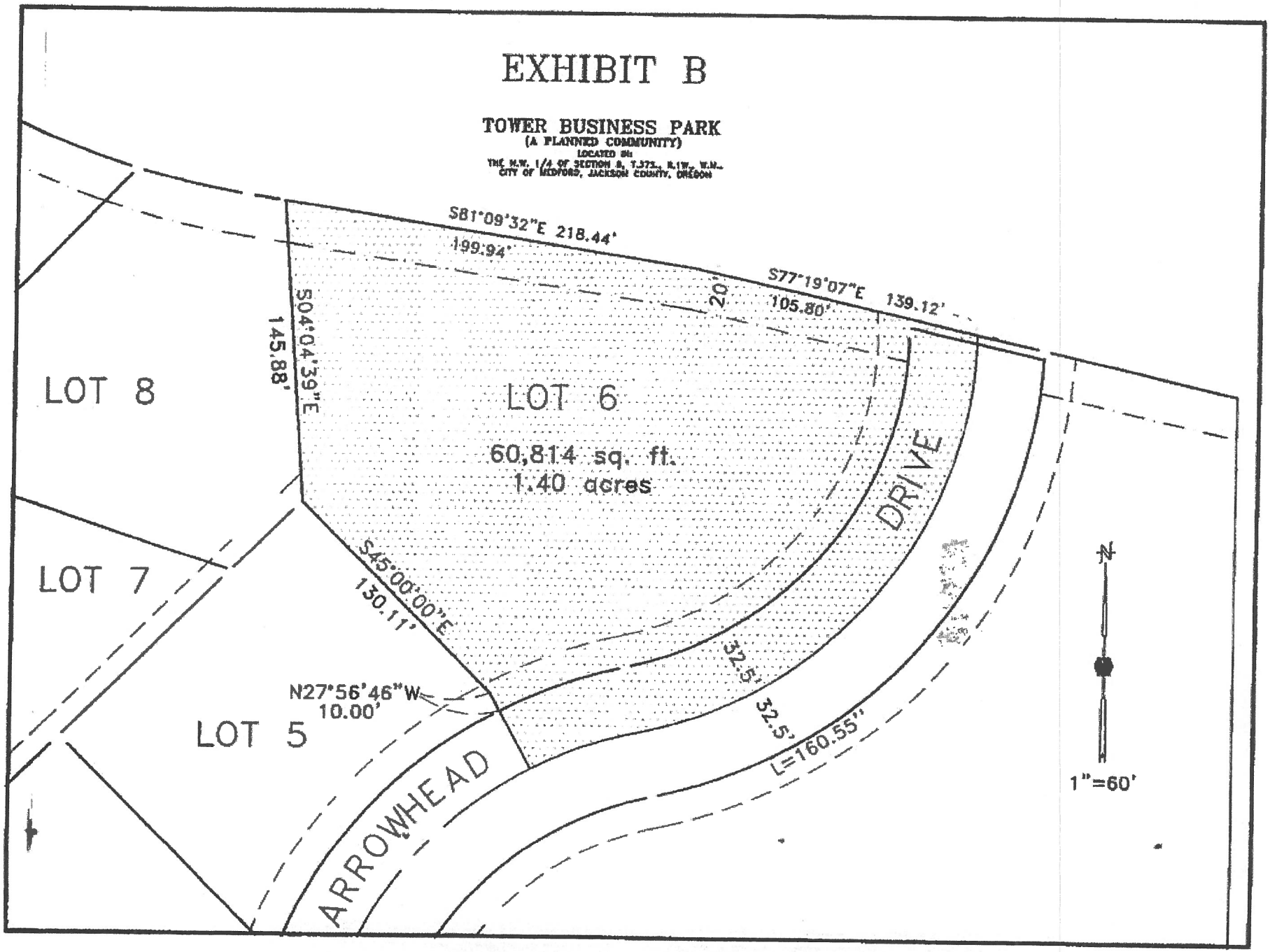


EXHIBIT 13

PUD-99-141

TOWER BUSINESS PARK

(A PLANNED COMMUNITY)

LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD,
JACKSON COUNTY, OREGON

• • • DECLARATION • • •

KNOW ALL MEN BY THESE PRESENTS, that we, Ronald F. Brenneman and S. Loretta Brenneman, Trustees of the Ronald F. Brenneman Family Estate Trust under, Tower Business Park, L.L.C. an Oregon limited liability company, and Pentecostal Church of God, Oregon-Southern Idaho District, Inc. an Oregon non-profit corporation, are the owner in fee simple of the lands hereon described, and have subdivided the same into lots, tracts and streets as shown hereon, and the number of each lot and the course and length of all lines are plainly set forth, and that this plat is a correct representation of the subdivision, and we do hereby dedicate to the public for public use the public streets shew hereon, together with those easements labeled as public utility easements, and we do hereby create an easement for access over Tract "C" (TOWER EAST) for the benefit of the owners, heirs, and assignees of Lot 2 and Lots 7-11, and we do hereby create the private storm storm drainage easements for storm drainage purposes across Lots 4, 7 and 8 to benefit the owners of Lots 2, 6, 7, and 8, across Lots 10 and 11 to benefit the owners of Lots 9 and 10, and we do hereby create the private sanitary sewer easement for sanitary sewer purposes across Lot 2 for the benefit of the owner of Lot 7, and we do hereby create the easements for Midway Creek as shown hereon for storm drainage and creek maintenance purposes, for the benefit of the City of Medford, and we do also hereby grant to the City of Medford in fee simple, those areas portrayed and designated hereon as one foot street plugs. By its approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, it thereby dedicates the street plugs for public street purposes. We also hereby grant to the City of MEDFORD a perpetual easement for the installation and maintenance of water mains in the area shown hereon as private street. We also hereby create the temporary easement for an emergency vehicle turn around in Lot 12 which is extinguished upon the extension of Arrowhead Drive Northerly. We also hereby create the 20.00 foot wide canal easement across Lots 6, 8, 9, 10 and 12 for the benefit of Rogue River Valley Irrigation Dulstrict, for access to and maintenance of Hopkins Canal. We hereby designate said Subdivision as TOWER BUSINESS PARK.

IN WITNESS WHEREOF, We have set our hands and seals this 23 day of June, 2003.

STATE OF Oregon
County of Washington } ss.

Ronald F. Brenneman, Trustee

The foregoing instrument was acknowledged before me this 23rd day of June, 2003 by Ronald F. Brenneman, Trustee on behalf of the Ronald F. Brenneman Family Estate Trust, freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
DAVID W PRICE
NOTARY PUBLIC - OREGON
COMMISSION NO. 356412
MY COMMISSION EXPIRES MARCH 6, 2006

S. Loretta Brenneman
S. Loretta Brenneman, Trustee

STATE OF Oregon
County of Washington } ss.

The foregoing instrument was acknowledged before me this 23rd day of June, 2003 by S. Loretta Brenneman, Trustee on behalf of the Ronald F. Brenneman Family Estate Trust, freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
DAVID W PRICE
NOTARY PUBLIC - OREGON
COMMISSION NO. 356412
MY COMMISSION EXPIRES MARCH 6, 2006

TOWER BUSINESS PARK LLC:

IN WITNESS WHEREOF, I have set my hand and seals this 30th day of June, 2003.

Reid Murphy, Managing Member

STATE OF OREGON }
County of Jackson } ss.

The foregoing instrument was acknowledged before me this 30th day of June, 2003 by Reid Murphy, as a managing member on behalf of Tower Business Park, L.L.C., freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
HARRIET M. CHAMBERLAIN
NOTARY PUBLIC-OREGON
COMMISSION NO. 354045
MY COMMISSION EXPIRES APR. 08, 2006

• • • APPROVALS • • •

MEDFORD CITY PLANNING:

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

Planning Director — Date: August 1, 2003

Examined and approved this 17th day of July, 2003.

City Engineer — City Surveyor

Examined and approved as required by O.R.S. 92.100 as of August 1st, 2003.

Assessor, Department of Assessment

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid as of August 6, 2003.

Tax Collector

For order of the County Court approving this plat see Volume 205, Page 794-795 of County Commissioners Journal of Proceedings.

RECORDING:

Filed for record this 7th day of AUGUST, 2003 at 3:08 o'Clock P.M. and recorded in Volume 29 of Plats at Page 33 of Records of Jackson County, Oregon.

Kathleen S. Beckett — County Clerk
Barbara Allen — Deputy

37 1W 08BC TL 2200, 2300, 2400, 2500, 2600, 2700 & 2800

• • • SURVEYOR'S CERTIFICATE • • •

STATE OF OREGON }
County of Jackson } ss.

I, Douglas C. McMahan, a duly Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law the tract of land hereon shown and this plat is a correct representation of the same, and the following is an accurate description of the tract:

Commencing at a brass disc monumenting the West one-quarter (1/4) corner of Section 8 in Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 89°54'05" East along the East-West centerline of said Section 8, a distance of 30.00 feet to a point on the Easterly right-of-way line of Crater Lake Avenue, said point being marked with a brass disc for the INITIAL POINT OF BEGINNING; thence North 00°04'31" West along said right-of-way line 559.36 feet; thence North 05°34'34" East 200.74 feet; thence North 00°02'31" West 36.53 feet to a point on the Northerly boundary of that tract, being the last tract described in Instrument No. 92-37938 of the Deed Records of said Jackson County; thence leaving said right-of-way line South 89°50'31" East along the Northerly boundary of said tract, 552.47 feet to a point on the average centerline of Hopkins Canal; thence along said average centerline South 56°01'13" East 97.48 feet; thence along the arc of a 405.33 foot radius curve to the left (the long chord to which bears South 68°35'22" East 176.42 feet) an arc distance of 177.84 feet; thence South 81°09'32" East 248.44 feet; thence South 77°19'07" East 267.30 feet to the Northeast corner of tract described in Instrument No. 93-08026 of said Deed Records; thence leaving the average centerline of Hopkins Canal, South 00°05'29" East along the Easterly boundary of said tract, 585.25 feet to a point on the aforementioned East-West centerline of said Section 8; thence North 89°54'05" West along said East-West centerline, 1293.84 feet to the INITIAL POINT OF BEGINNING.

Douglas C. McMahan
Surveyor

PENTECOSTAL CHURCH OF GOD:

IN WITNESS WHEREOF, We have set our hands and seals this 27th day of June, 2003.

Harold Gore, President

STATE OF Oregon }
County of Linn } ss.

The foregoing instrument was acknowledged before me this 27th day of June, 2003 by Harold Gore as President on behalf of the Pentecostal Church of God, Oregon-Southern Idaho District, Inc., freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
PEGGY DOBRKOVSKY
NOTARY PUBLIC - OREGON
COMMISSION NO. 363117
MY COMMISSION EXPIRES NOVEMBER 10, 2006

Michael D. Scaggs, Secretary

STATE OF Oregon }
County of Linn } ss.

The foregoing instrument was acknowledged before me this 27th day of June, 2003 by Michael D. Scaggs as Secretary on behalf of the Pentecostal Church of God, Oregon-Southern Idaho District, Inc., freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
PEGGY DOBRKOVSKY
NOTARY PUBLIC - OREGON
COMMISSION NO. 363117
MY COMMISSION EXPIRES NOVEMBER 10, 2006

Klamath First Federal Savings and Loan Association, the undersigned beneficiary of a certain Trust Deed recorded April 10, 2002 as Document No. 02-20069 of the Official Records of Jackson County, Oregon, affecting the land described herein, hereby releases from the lien of said Trust Deed all property shown hereon as dedicated to the public for public use.

By: Steve Herrick
Title: VICE PRESIDENT

STATE OF OREGON }
County of Jackson } ss.

The foregoing instrument was acknowledged before me this 24th day of June, 2003 by Steve Herrick as Loan Officer V.P. on behalf of Klamath First Federal Savings and Loan Association, freely and voluntarily.
Before me:

Notary

OFFICIAL SEAL
DENISE A TAURIAINEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 346945
MY COMMISSION EXPIRES JUL 18, 2006

I certify this plat to be an exact photocopy of the original.

Surveyor

REGISTERED PROFESSIONAL LAND SURVEYOR
Douglas C. McMahan
OREGON JULY 19, 1983
RENEWS 12/31/04

RECEIVED
JUN 28 2019
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT #
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

Page 198

13L/81

17863

TOWER BUSINESS PARK
(A PLANNED COMMUNITY)

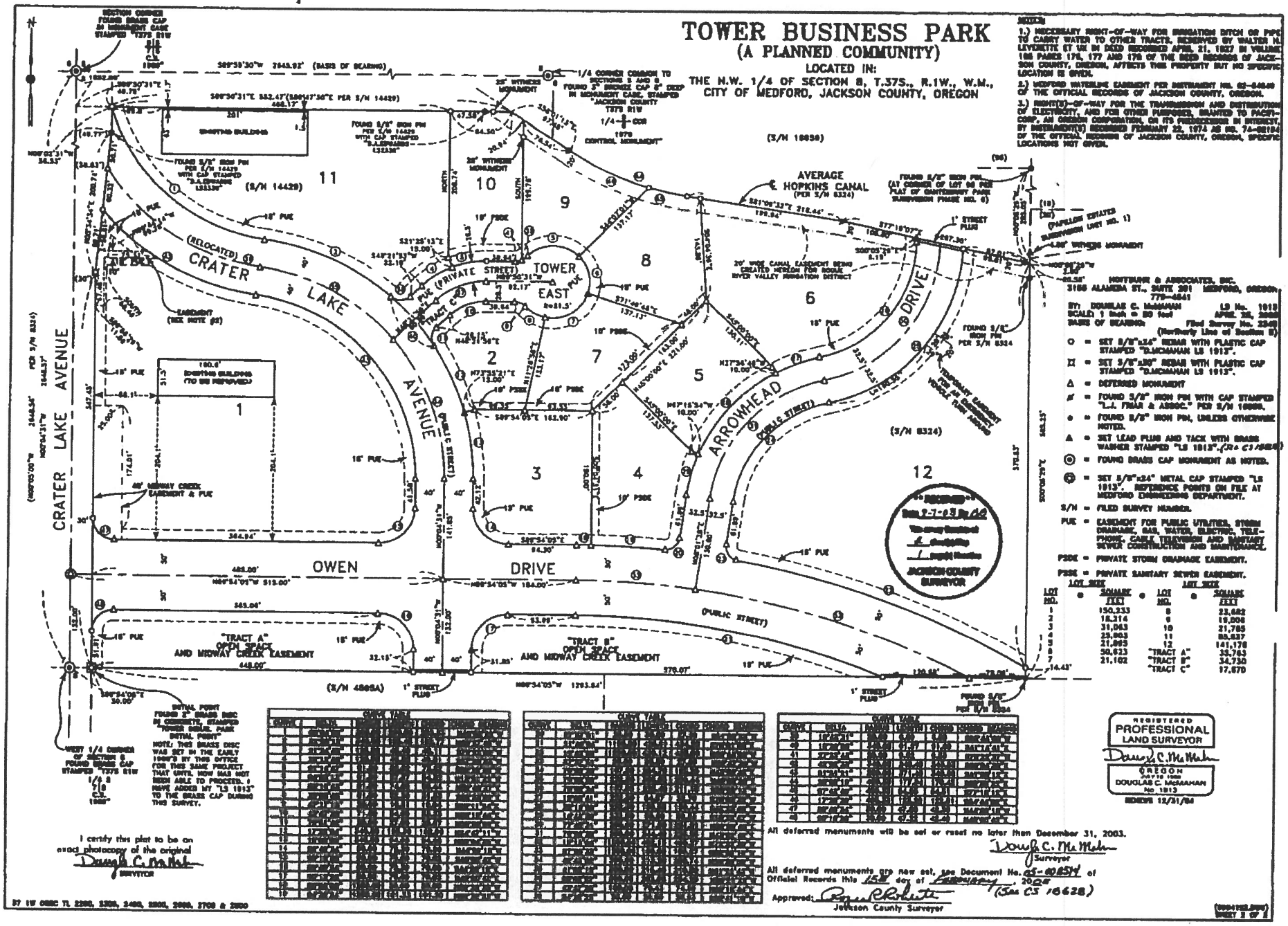
LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD, JACKSON COUNTY, OREGON

NOTES:

1.) NECESSARY RIGHT-OF-WAY FOR IRRIGATION DITCH OR PIPE TO CARRY WATER TO OTHER TRACTS, RESERVED BY WALTER H. LEVERETTE ET UX IN DEED RECORDED APRIL 21, 1927 IN VOLUME 186 PAGES 176, 177 AND 178 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON, AFFECTS THIS PROPERTY BUT NO SPECIFIC LOCATION IS GIVEN.

2.) MEDFORD WATERLINE EASEMENT PER INSTRUMENT NO. 82-04849 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

3.) RIGHT(S)-OF-WAY FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, AND FOR OTHER PURPOSES, GRANTED TO PACIFICORP, AN OREGON CORPORATION, OR ITS PREDECESSORS IN INTEREST, BY INSTRUMENT(S) RECORDED FEBRUARY 22, 1974 AS NO. 74-02184 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, SPECIFIC LOCATIONS NOT GIVEN.



MONTGOMERY & ASSOCIATES, INC.
3166 ALAMEDA ST., SUITE 201 MEDFORD, OREGON
770-4841

BY: DOUGLAS C. McMAHAN LS No. 1913
SCALE: 1 Inch = 50 feet APRIL 28, 2000
BASIS OF BEARING: Filed Survey No. 2340 (Northerly Line of Section 8)

- ○ = SET 5/8"x24" REBAR WITH PLASTIC CAP STAMPED "D.McMAHAN LS 1913".
- ⊠ = SET 3/8"x30" REBAR WITH PLASTIC CAP STAMPED "D.McMAHAN LS 1913".
- △ = DEFERRED MONUMENT
- ⸗ = FOUND 5/8" IRON PIN WITH CAP STAMPED "L.J. FRIAR & ASSOC." PER S/N 18050.
- • = FOUND 5/8" IRON PIN, UNLESS OTHERWISE NOTED.
- ▲ = SET LEAD PLUG AND TACK WITH BRASS WASHER STAMPED "LS 1913". (See CS 16628)
- ◎ = FOUND BRASS CAP MONUMENT AS NOTED.
- ⊗ = SET 5/8"x24" METAL CAP STAMPED "LS 1913". REFERENCE POINTS ON FILE AT MEDFORD ENGINEERING DEPARTMENT.
- S/N = FILED SURVEY NUMBER.
- PUE = EASEMENT FOR PUBLIC UTILITIES, STORM DRAINAGE, GAS, WATER, ELECTRIC, TELEPHONE, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.
- P30E = PRIVATE STORM DRAINAGE EASEMENT.
- P30E = PRIVATE SANITARY SEWER EASEMENT.

LOT NO.	LOT SIZE SQUARE FEET	LOT NO.	LOT SIZE SQUARE FEET
1	150,233	8	23,682
2	18,314	9	19,008
3	31,043	10	21,785
4	25,903	11	88,837
5	21,895	12	141,178
6	50,623	"TRACT A"	35,763
7	21,102	"TRACT B"	34,730
		"TRACT C"	17,670

CURVE TABLE						
CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING	
38	12°26'31"	1,145	248	247.48	N66°41'45"E	
39	12°26'31"	2,000	434.07	433.27	N66°41'45"E	
40	37°22'42"	1,145	746.97	733.80	N50°03'05"E	
41	40°07'24"	1,145	801.61	785.21	N52°36'31"E	
42	52°30'24"	1,145	1,049.37	1,013.00	N26°36'31"E	
43	52°30'24"	1,145	1,049.37	1,013.00	N26°36'31"E	
44	52°30'12"	1,145	1,049.17	1,013.00	N26°36'31"E	
45	57°42'00"	2,000	1,207.00	1,157.11	N28°45'31"E	
46	57°42'00"	2,000	1,207.00	1,157.11	N28°45'31"E	
47	12°26'31"	2,000	434.07	433.27	N66°41'45"E	
48	12°26'31"	2,000	434.07	433.27	N66°41'45"E	

All deferred monuments will be set or reset no later than December 31, 2003.

Surveyor

All deferred monuments are now set, see Document No. 03-40854 of Official Records this 15th day of February, 2004 (See CS 16628)

Approved: Jackson County Surveyor

I certify this plat to be an exact photocopy of the original

SURVEYOR

17863

13L/81

SURVEY NO. 17863

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES

SURVEY FOR: Pacific Western of Medford, LLC
1175 East Main Street, Suite 1F
Medford, Oregon 97504

LOCATION: In the Northwest one-quarter (1/4) of Section 8, Township 37 South, Range 1 West, Willamette Meridian City of Medford, Jackson County, Oregon.

PURPOSE: To survey, monument and prepare final plat for TOWER BUSINESS PARK per City of Medford Planning File No. PUD-99-141 and per the client's request.

PROCEDURE: Utilizing found monumentation per Filed Surveys No. 2348, 8324 and 14429 and other monumentation as shown for control, I established proper monuments as shown on the accompanying map. All measurements were made with an electronic total station. Documents No. 99-23939, No. 01-53512, No. 01-42177, No. 01-42178 and No. 01-48191 of the Jackson County Deed Records were used to determine the boundary of subject properties.

BASIS OF BEARING: File Survey No. 2348 (Northerly Line of Section 8)

DATE: April 25, 2003

** RECEIVED **
Date 8-7-03 By MA
This survey Consists of:
2 sheet(s) Map
1 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
Douglas C. McMahan
OREGON
JULY 18, 1980
DOUGLAS C. McMAHAN
No. 1913

Douglas C. McMahan
L.S. 1913 – Oregon
Expires 12/31/04
Hoffbuhr & Associates, Inc.
3155 Alameda Street, Suite 201
Medford, Oregon 97504

(99-041)
(twrprk.dcm)
DCM:am

BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: PUD-19-003, GLUP-19-004, and ZC-19-014

PARCEL ID: 371W08BC TL 2511

PROJECT: Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511); Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

DATE: August 14, 2019

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. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.

3. Installation of a new water meter sized to serve the three (3) proposed buildings is required. The new Water Meter shall be located between the existing ¾-inch water meter to this parcel and the existing Fire Hydrant which is located approximately 40-feet northeast of existing water meter. *(See Water Facility Map)*

4. Proposed Fire Sprinkler Vault shall be located near the existing Fire Hydrant on north side of Arrowhead Drive. Applicants civil engineer shall coordinate with MWC Engineering staff on water facility layout.

5. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link http://www.medfordwater.org/Page.asp?NavID=35 .

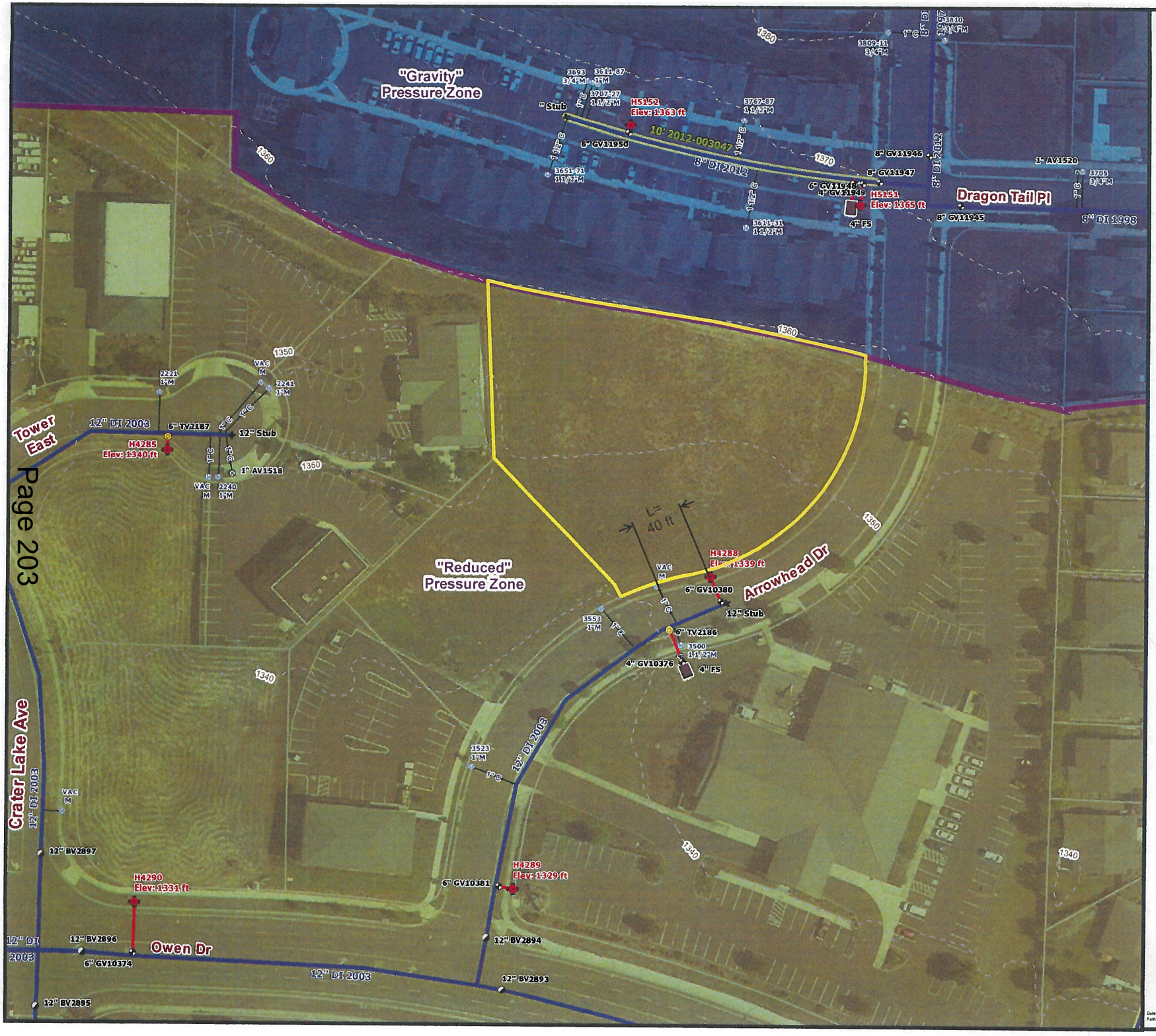
6. The existing ¾-inch water meter and fire hydrant are required to be protected in place along the north side of Arrowhead Drive.

CITY OF MEDFORD
EXHIBIT # Y
File # GLUP-19-004 ZC-19-014
PUD-19-003

7. The existing ¾-inch water meter near the southerly property corner can be utilized for a dedicated landscape irrigation meter.

COMMENTS

1. Off-site water line installation is required. (See Condition 3 & 4 above)
2. On-site water facility construction is not required.
3. The Medford Water Commission Water Distribution System has adequate capacity to serve this proposed development.
4. Static water pressure at the existing fire hydrant is 70 psi.
5. MWC-metered water service does exist to this property. (See Condition 7 above)
6. Access to MWC water lines is available. There is an existing 12-inch water line in Arrowhead Drive that extends northerly from Owen Drive and runs approximately 75-feet northwesterly along Arrowhead Drive from the south property corner.



N

0 25 50 100 Feet

Scale: 1"= 100'

Water Faciity Map
City of Medford
Planning Application:
PUD-19-003/GLUP-19-004
& ZC-19-014

August 14, 2019

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

MEDFORD
PLANNING

MEMORANDUM

To: Steffen Roennfeldt, Planner III

From: Carla Angeli Paladino, Principal Planner CAP

CC: Liz Conner, Planner II, CFM

Date: August 8, 2019

Subject: Proposal for PUD revision, GLUP and Zone Change at 3583 Arrowhead Drive (371W08BC 2511)

PROJECT DESCRIPTION

Planned Unit Development revision for Lot 6 to allow rowhouse-style development in conjunction with a General Land Use Plan (GLUP) amendment from General Industrial (GI) to Urban Medium Density Residential (UM), and zone change from Light Industrial to Multiple Family Residential 15 (MFR-15) on 1.16 acres

SITE CHARACTERISTICS

- Vacant parcel (per 2016 aerials)
- Hopkins Canal along the northern property line
- No Riparian Corridor identified per MLI data
- No Special Flood Hazard Area Zone identified per MLI data
- FIRM Panel 41029C1976F (effective 05/03/2011)

FLOODPLAIN REGULATIONS

The subject property is located in Zone X on the Flood Insurance Rate Map and is unregulated. No specific flood hazard regulations apply to the property.

It is recommended that flood insurance be purchased even if the property is not located within a Special Flood Hazard Area.

CITY OF MEDFORD
EXHIBIT # Z
File # GLUP-19-004 ZC-19-004
PUD 19-003

Steffen K. Roennfeldt

From: Cinthya Y. Perezchica
Sent: Wednesday, August 7, 2019 4:00 PM
To: Steffen K. Roennfeldt
Subject: FW: Land Development meeting Agendas

See comments

From: MCDONALD John [mailto:John.MCDONALD@odot.state.or.us]
Sent: Friday, August 2, 2019 10:43 AM
To: Cinthya Y. Perezchica <Cinthya.Perezchica@cityofmedford.org>
Cc: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>
Subject: RE: Land Development meeting Agendas

<EXTERNAL EMAIL>

Cinthya,

We reviewed Case #1 (GLUP-19-003/ZC-19-013) and determined that the zone change will not have a significant effect on a state transportation facility.

We have no comments on Case #2 (PUD-19-003/GLUP-19-004/ZC-19-014).

FYI. I am leaving on an extended military leave beginning in September. Micah Horowitz will take over development review starting Monday, August 5. It's been a pleasure corresponding with you.

Sincerely,

John McDonald
Development Review Planner
ODOT Southwestern Region
541-957-3688

From: Cinthya Y. Perezchica
Sent: Thursday, August 01, 2019 11:37:27 AM (UTC-08:00) Pacific Time (US & Canada)
To: Angela R. Durant; Bob Neathamer; Brian ; Brian N. Sjothun; Brian W. Robinson; Carla G. Paladino; HARSHMAN Cathaleen A * Cathy; Chad E. Wiltrout; Chad Pliler - ECSO; Cinthya Y. Perezchica; Craig Muedeking; Darrell - Hoffbuhr; David Searcy ; MOREHOUSE Donald; Douglas E. Burroughs; Dustin J. Severs; Earl R. Lighthill; Gayle G. Cotone; Gene Abell; Greg G. Kleinberg; Haley C. Cox; Heather M. Merrihew; Jennifer L. Ingram; Jim Maize; Jim Martin - Century Link; Jodi K. Cope; Joe Slaughter ; MCDONALD John; Karen M. Spoonts; Karl H. MacNair; Katie M. Zerkel; Kelly Evans; Kimberly Bouttiete ; Kimberly C. London; Kimberly R. Boutiette; Kyle W. Kearns; Liz A. Conner; Lori Hollis; Madison T. Simmons; Mark Dew; Mary E. Montague; Matt H. Brinkley; Mike LaNier; Mike Montero; ODOT Reg 3 Planning Manager; Pete R. Young; Raul Woener; Rodney Grehn; Ryan MacLaren; Sam D. Barnum; Sarah K. Sousa; Scott Sinner; Steffen K. Roennfeldt; Stephany L. Smith-Pearson; Timothy D. Stevens; Todd A. Sales; Wade Denny - RVSS; WANG Wei * Michael; Wendell Smith - Rogue Disposal; ZC S Engineering
Subject: Land Development meeting Agendas

Good morning,

CITY OF MEDFORD
EXHIBIT # AA
File # GLUP-19-004 ZC-19-014
PUD-19-003

EXHIBIT 12

City of Medford

June 8, 2000

RECEIVED
JUN 28 2019
PLANNING DEPT

PLANNING COMMISSION REPORT

File No.: PUD-99-141 Tower Business Park

Applicant: Pacific Western of Medford (Hoffbuhr & Associates, agent)

Request: Consideration of preliminary plan approval, including tentative plat and a concurrent zone change from I-G (General Industrial) to I-L (Light Industrial), of a planned unit development (Tower Business Park) consisting of 15 lots and a mixture of commercial and industrial uses on 21.41 acres of property located on the east side of Crater Lake Avenue approximately 1100 feet south of Hollyhock Drive.

Background:

The subject site is currently comprised of seven parcels, two of which contain existing structures including an equipment rental business which is to remain and occupy proposed Lot 14. The second commercial building is to be removed from the area of proposed Lots 3 and 4.

Two aspects of the site pose design challenges which are to be accommodated by the proposed plan. First is the designated arterial street which is to intersect Crater Lake Highway at the planned main entrance to the Crater Lake Plaza shopping center and which crosses the site (Exhibit "K"). The second is the possible presence of a wetland associated with Midway Drainage (creek) which crosses the property and/or Garrett Creek along the southeastern portion of the site (Exhibit "L"). These issues are discussed below.

This proposal is similar to commercial/industrial developments which include several buildings under a single ownership, but are occupied by a variety of tenants, with shared access. However, as this project proposes the creation of lots which have shared private access, and in some cases no other public street frontage, it is required to be reviewed as a Planned Unit Development which allows the combined review of a land division and zone change, when applicable. The 15-lot subdivision is included as part of this application to create individual parcels for each of the existing and future structures. As provided by the PUD review process, a zone change for the entire site is also proposed.

The scope of this preliminary PUD review is the proposed mix of uses, the change of zone, and the creation of lots (tentative plat) proposed for those uses.

CITY OF MEDFORD
EXHIBIT # BB
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

PUD-99-141

June 8, 2000

Relevant Sections of the Land Development Code:

The Planned Unit Development (PUD) standards and criteria as contained in Sections 10.230 through 10.245 of Land Development Code establish the basis of review for this proposal. Relevant sections of the code are as follows:

10.230 PUD General Provisions

10.235 Preliminary PUD Plan (including Approval Criteria)

10.240 Final PUD Plan (including Approval Criteria)

10.245 Revision or Termination of a PUD

As a change of zone is proposed for the entire property, the criteria contained in Section 10.227 Zone Change Criteria are also applicable.

As a land division is also proposed, the criteria contained in Section 10.270 Land Division Criteria are also applicable.

Findings:

The applicant's findings entitled Findings of Fact and Conclusions of Law (Exhibit "C"), received May 12, 2000, include a detailed discussion of the planned development as well as the requisite findings for the change of zone and land division Each of the criteria for approval are identified in the findings; therefore, they are not repeated herein. The findings summarize the acreage totals for the project as well as the proposed mix of uses. References to the applicant's findings contained in this report are shown in *italics* to assist in locating the applicable supporting text.

Project Review

The staff discussion and analysis which follows includes references to the applicant's findings where relevant Code sections are also discussed.

Acreage Limitation: The proposed PUD will contain 21.41 acres of property and, therefore, complies with the one-acre minimum.

Consolidated Applications: Applications for a change of zone from I-G to I-L and a land division have been included as part of this proposal. The zone change and land division criteria are identified and discussed in the applicant's findings *(Pages 18 through 24)* and additional comments are included below.

Common Area/Ownership: As the proposal includes a land division creating 15 lots plus common areas associated with the private streets, establishment of a Homeowners' Association is required.

Deviations from Standards

According to the applicant's findings, deviations which are being proposed in this PUD application pertain to lot frontage, the creation of private streets, and the inclusion of commercial uses on 4.37 acres of the development as discussed below.

1. **Lots and Parcels:**

   No deviations proposed. The buildings are to be contained on individual lots per the proposed land division. All lots will meet the minimum width, depth, and minimum lot area standards of the proposed I-L zone.

2. **Yards, Setbacks, and Building Height:**

   No deviations from the yard (setbacks) standards of the I-L zone are proposed.

   No building designs have been submitted and no deviation from building height is proposed.

3. **Parking, Bicycles, and Pedestrian Standards:**

   No deviations from the parking standards are sought for any uses developed within the PUD. It should be noted that on-street parking will be prohibited along the private streets, which the applicant proposes to be 24 feet in width *(Page 3)*, based upon requirements for emergency fire vehicle access.

   Decision: The Planning Commission's approval included a condition that the width of the private streets be 30 feet curb-to-curb. The applicant indicated that parking would be restricted from the private streets.

   No deviations are requested, therefore, bicycle parking and on-site pedestrian facilities will be required as prescribed by code.

   Sidewalks are proposed along the south side and the bulb of the cul-de-sac of the two private streets *(Page 3)*. As Lot 13, like Lots 10, 11, and 12, has no other street frontage available for walkway connections to the public street, it is recommended that a sidewalk be provided along both sides of the easterly private street.

   Decision: The Planning Commission's approval included a condition that **both** private streets have 5-foot wide sidewalks on both sides of the streets.

4. **Frontage, Access, Landscaping and Signs:**

All but two of the lots will have the requisite 70 feet of frontage on the proposed public and/or private streets. A deviation from the 70-foot frontage requirement is proposed for Lots 10 and 11 which will have 66 and 39 feet of frontage on the private street, respectively *(Page 3)*. Granting of such a deviation is reasonable given the shared access that will be provided by the private streets.

No deviations from landscaping standards are proposed *(Page 4)*. A 10-foot, Type "A" buffer is to be provided along the east boundary of Lot 15 which is proposed to be developed with a church, a permitted use in the I-L zone. This is the minimum required buffer along the proposed I-L/SFR interface.

The applicant has not proposed any specific deviations to signage *(Page 4)*, therefore, the signage standards for the underlying I-L zone shall be used.

5. **Streets Generally:**

There are to be three public streets within the PUD: Crater Lake Avenue (a collector), Tower Drive (arterial), and Arrowhead Drive (standard residential). As no deviations are proposed, all of these streets will be constructed to full city standards. Requirements for the construction of the streets are addressed below per comments received from the Public Works Department and the Oregon Department of Transportation (ODOT). It should be noted that Owen Drive is the name that the City has been using for the east/west arterial (Tower Drive), which includes a dedicated segment to the east, therefore, it is necessary that this project also use "Owen Drive." Such a condition is included.

6. **Private Streets:**

Two of the new streets proposed within the PUD are proposed to be private, 24-foot wide cul-de-sacs. A deviation to accessway requirements associated with cul-de-sacs is proposed *(Page 3)*. Given the configuration of the site resulting from the necessary realignment of Crater Lake Avenue, opportunities for street and accessway connectivity are limited. The applicant has proposed the use of the private cul-de-sacs as a means of shared access to the groupings of parcels. A sidewalk is proposed along the south side of the private streets *(Page 4)*.

Decision: The Planning Commission's approval included a condition that the width of the two private streets be 30 feet curb-to-curb, with eight-foot wide park strips within the PUE's, and 5-foot wide sidewalks on both sides.

All private streets are subject to Fire Marshal approval in terms of emergency vehicle access which in the case of 24-foot streets prohibits on-street parking.

Note: There will be no parking on the private streets.

The traffic impacts of the project are further discussed below in the context of the requisite findings for the proposed commercial uses and zone change *(Pages 13 through 16 and 21 through 24).*

7. **Street Lighting:**

No deviations are sought with regards to street lighting *(Page 3)*. The Engineering Division has required that ten street lights be installed on public streets within the PUD in accordance with Public Works standards. Specifications for street lighting on the private streets shall be included at the time of final plan approval, subject to approval of the City Engineer. Such a condition is included in the report.

8. **Housing Density:**

No residential uses are proposed and the site is zoned industrial, therefore, no summary of the housing density associated with the PUD is necessary nor included in the applicant's findings. It should be noted that residences for caretakers/managers are allowed as an accessory use to permitted uses in the industrial zones and could be utilized within this development consistent with the applicable special use standards of the Code per Section 10.835.

9. **Allowed Uses:**

As authorized by Section 10.230 (D)(9)(b) of the Land Development Code, the applicant is proposing that commercial uses associated with the C-H (Heavy Commercial) zone, some of which are not otherwise permitted in the underlying industrial zone, be allowed. As these commercial uses will occupy approximately 4.37 of the 22.01 gross acres within the PUD, the proposal complies with the 20 percent limitation (i.e., 4.4 acres maximum). The applicant's findings include the requisite discussion of the facilities adequacy criteria *(Pages 12 through 17)* and Conditional Use Permit applicability *(Pages 17 and 18).* In summary, all facilities are shown to be adequate to support the anticipated mix of uses. Street adequacy is based upon the inclusion of the church (a permitted use in the I-L zone) which has reduced trip generation demands thus offsetting potential increases associated with the proposed commercial portion of the project. The approved PUD shall include the development of a church on Lot 15. Development of any other use on Lot 15 would be considered a revision subject to review and approval. A condition reflecting same is included.

Housing Types: The applicant has not included a summary of housing types as no residences are proposed in this industrial/commercial development.

10. **Mixed Land Uses (Designations):**

The entire property is designated General Industrial on the General Land Use Plan Map (GLUPM) as discussed in the applicant's findings. This proposal will not affect general land use designations within the PUD boundaries.

Common Elements

As mentioned above, the proposed land division will create private streets for access and frontage for four of the lots, therefore, formation of a Homeowners' Association is necessary. The applicant shall record documents containing assurances that such common areas (elements) will be improved and maintained for their intended purpose (Section 10.230 [E][3]).

Site Plan and Architectural Commission (SPAC) Review

The applicant has not submitted designs for any of the individual industrial/commercial structures. No specific uses, except for the church and the existing rental business, have been identified and no site development deviations are sought. However, in recognition of the Planning Commission's authority to approve such designs as a one-step review process (Sections 10.230[F][G]), postponed review of specific designs is proposed by the applicant *(Pages 2 and 3)*. A master site design should be reviewed that shows the common aspects of Lots 1 through 4 and Lots 5, 10, 11, 12, and 13 which utilize shared site elements (e.g., the private streets, etc.), prior to final plan approval.

As development of the individual lots occurs, it is recommended that each be reviewed by the Site Plan and Architectural Commission as is typical for industrial/commercial projects in the city. Only Planning Commission review of the site design associated with the private streets and their respective frontages is recommended prior to final plan approval. Such conditions are included. If the Planning Commission wishes to review specific design elements for all of the sites as a component of final plan review, the condition should be modified to reflect same.

Specific Site Issues

Street Circulation: Circulation and connectivity has been addressed by the applicant in the findings *(Pages 7 and 8)* as depicted on the preliminary PUD plan. The plan is consistent with the adopted North Medford Circulation Plan (Exhibit "K") particularly as it applies to the planned intersection of Owen Drive with Crater Lake Highway. The Public Works Department (Exhibit "D") has indicated that phased construction of the northerly Crater Lake Avenue bypass/off-set will be necessary until the southerly bypass can be constructed and the intersection of Owen Drive with Crater Lake Highway can be constructed. The Oregon Department of Transportation (ODOT) has indicated that

a Traffic Impact Study (TIS) will be necessary as a prerequisite to issuance of an access permit for the highway intersection (Exhibit "F-1"). Conditions pertaining to streets are included in the report.

Drainage: The subject PUD is located within the Midway Drainage Basin with the creek channel crossing the site. The Engineering Division (Exhibit "D") has included conditions that the channel be modified to convey 25-year storm flows. It should be noted that such work is subject to approval of permits from the Oregon Division of State Lands (DSL).

Wetlands: In association with the above mentioned drainage, there is an inventoried wetland on or near the southeast portion of the site (Exhibit "L"). A wetlands delineation must be completed to evaluate the extent and local significance of the wetland and permits must be secured from Oregon Division of State Lands (DSL) prior to development. As the location and/or alignment of Owen Drive may be affected, conditions addressing this issue are included.

CONSOLIDATED APPLICATION - ZONE CHANGE:

Prior to approval of a zone change, the proposal must be found to meet both of the criteria as per Section 10.227 "Zone Change Criteria" as follows:

"1. The change is consistent with the Comprehensive Plan's Goals, Policies and General Land Use Plan Map.

2. Category A urban service and facilities are available to adequately serve the property, or will be made available upon development.

Consideration of the above criteria shall be based on the eventual development potential for the area and the specific zoning district being considered."

Findings:

The applicant's findings (Exhibit "C") received May 12, 2000, attached hereto, address the above zone change criteria *(Pages 18 through 24)* with additional comments pertaining to availability of the urban services included in the analysis which follows.

Project Review:

The zone change review from I-G to I-L applies to the entire project site of 21.41 acres. The applicant is seeking I-L zoning to allow lighter industrial uses such as those developing in the immediate area including the existing equipment rental business on the project site. Statements in the findings as well as comments received from review agencies characterize the proposed zone change as lateral in that the I-L and I-G zones are generally equivalent in demands on Type "A" public facilities. Additional comments in regard to those facilities are included below.

Comprehensive Plan

As per the applicant's findings (Exhibit "C"), this proposal can be found to be consistent with applicable Comprehensive Plan Goals and Policies. The proposal is consistent with the General Land Use Plan (GLUP) Map in that the subject area is designated for General Industrial use. The existing I-G and proposed I-L zones are permitted in this designation.

Urban Facilities and Services

The "Public Facilities Element" of the Comprehensive Plan lists two categories of public facilities. Category "A" facilities include sanitary sewer, storm drain, and water systems; and transportation (streets). These facilities are the minimum necessary to support development and must, therefore, be available or made available upon development for approval of this type of application.

Category "B" facilities include fire and police protection, parks, schools, solid waste management (garbage), and health services. These facilities enhance and protect development within the city and are provided in response to development that occurs, rather than prior to approval of development. No findings, regarding availability of Category "B" facilities, are, therefore, required prior to approval of this zone change application.

Category "A" Facilities

Sanitary Sewer

The site is located within the BCVSA service area although it has been determined that it may be best served by the city (Exhibits "D" and "H"). It is concluded that the sewer collection system is adequate to serve the site provided that the necessary extensions are completed to serve future development. Sewage treatment is provided at the regional treatment plant which has adequate system capacity to serve this site.

Storm Drainage

Any drainage plan designed at the time of development shall be consistent with the Medford Area Drainage Master Plan for the Midway Drainage. The future development of this area has been accounted for within the Medford Area Drainage Master Plan and, with required improvements at time of development, the subject property can be adequately served with storm drainage facilities.

As mentioned above, channel modifications to convey flood waters are required through the project, subject to DSL approval.

Water

According to the Medford Water Commission (Exhibits "E" and "E-1"), with construction of a properly looped water system, adequate water capacity is available to serve this property. It is concluded that with regard to water, Category "A" urban facilities will be made available upon development.

Streets

Per comments from the Engineering Division (Exhibit "D"), the proposed zone change is not considered to cause significant additional impacts on the street system. The Oregon Department of Transportation (ODOT) has no comments regarding the concurrent zone change. A requirement for a Traffic Impact Study (TIS) as a prerequisite to access to Crater Lake Highway (Highway 62) or Crater Lake Avenue by Owen Drive, is identified and included as a condition (Exhibits "F" and "F-1").

The Jackson County Roads representative indicates that county maintenance responsibilities will cease for that portion of Crater Lake Avenue improved within this project.

CONSOLIDATED APPLICATION - LAND DIVISION:

Summary of Relevant Criteria for Land Divisions:

The Planning Commission must determine that the application:

1. Is consistent with the city's long range Comprehensive Plan and all applicable lot design standards contained in the Land Development Code.

2. Will not prevent development of adjacent property, create names which can be confused with existing developments, and, cause any land use conflicts with adjoining lands within the EFU (Exclusive Farm Use) zoning district.

3. Creates a street pattern which is consistent with existing street patterns unless the approving authority finds it is in the public interest to modify a street pattern, distinguishes private streets from public streets on the plat, sets forth restrictions related to said private streets, and, if applicable, includes streets and lots which maximize use of passive solar energy.

The proposed PUD includes a subdivision, and the applicant's findings identify the projects' compliance with the requisite criteria (*Pages 19 - 21*). Some of the specific items/concerns associated with the land division, to be assured at the time of final plat, are discussed below.

Public Works Department

Per the Recommendations from the Public Works Department (Exhibit "D"), street improvement requirements include a design for the private streets (width, sidewalks, and planters strips). However, deviations are sought which would modify this specification.

Decision: The Commission's approval included a private street width of 30 feet. All other aspects of the street improvement requirements remain as per Exhibit "D", except that the 8-foot park strip will be located in the PUE, provided the utility companies agree.

It should also be noted that a storm drainage easement is necessary for the portion of Midway Creek that crosses the project. A condition has been included for the easement.

Fire Marshal

The Fire Marshal (Exhibit "G") has identified the need for fire hydrants throughout the subdivision to meet prescribed spacing standards of the fire safety codes. This will require the installation of eight hydrants at various locations along the proposed streets.

Utilities

Public Utility Easements are to be extended along all street frontages and to each of the lots served by the private street.

Water service must be installed to each lot.

Common Area

A Homeowners Association must be established to include provisions for the installation and maintenance of all common elements (streets, landscaping/open space, lighting, walkways, etc).

Discretionary Issues

The Rogue River Valley Irrigation District's (RRVID) Hopkins Canal runs along the northeasterly boundary of the PUD a distance of approximately 800 feet. RRVID has recommended that the canal be placed underground to RRVID specifications. As the canal is also a component of the storm drain system, the design must also be approved by the City of Medford (Exhibit "H"). It should also be noted that the Leisure Service Master Plan prescribes pedestrian routes along the various irrigation facilities. A discretionary condition has been included in the report requiring that this condition be satisfied concurrently with the development of the PUD.

Conclusion:

Per the analysis and conditions contained herein, the Planning Commission can find Tower Business Park (PUD-99-141) to be consistent with the criteria for a planned unit development, a change of zone from I-G (General Industrial) to I-L (Light Industrial), and a land division.

Action Taken:

Direct staff to prepare a Final Order for approval of PUD-99-141, per the Planning Commission Report dated June 8, 2000; including:

Exhibit "A"	Master Plan received October 14, 1999;
Exhibit "B"	Tentative Plat received October 14, 1999;
Exhibit "C"	Applicant's Findings of Fact and Conclusions of Law received May 12, 2000;
Exhibit "D"	Recommendations from the Public Works Department No. PUD-99-141 dated May 19, 2000;
Exhibit "E"	Memorandum from the Medford Water Commission dated May 19, 2000;
Exhibit "E-1"	Memorandum from the Medford Water Commission dated November 23, 1999;
Exhibit "F"	Letter from ODOT dated May 23, 2000;
Exhibit "F-1"	Memorandum from ODOT dated June 8, 2000;
Exhibit "G"	Memorandum from the Bureau of Fire Prevention dated December 1, 1999;
Exhibit "H"	Letter from Bear Creek Valley Sanitary Authority dated May 22, 2000;
Exhibit "I"	Letter from Rogue River Valley Irrigation District dated December 1, 1999;
Exhibit "J"	Memorandum from Parks and Recreation dated December 1, 1999;
Exhibit "K"	North Medford Circulation Plan (per CP-97-75);
Exhibit "L"	Medford Area Wetlands Map (detail);
Exhibit "M"	Assessor's Map;

and the following conditions:

1. Prior to issuance of the first building permit, the applicant shall do the following:

   a. Receive Final Plan approval pursuant to Section 10.240.

   b. Receive approval of the final plat and return a mylar copy of the recorded plat to the Planning Department.

2. At the time of application for Final Plan approval, a master site plan shall be submitted showing:

   a. The two private streets having a curb-to-curb width of 30 feet.

b. Five-foot wide sidewalks along both sides of the two private streets, with eight-foot wide park strips located within the 15-foot PUE, if approved by the utility companies.

c. Landscaping along the private street frontages consistent with the requirements of the C-H zone per Land Development Code Section 10.797.

d. Specifications for street lighting on the private streets, approved by the City Engineer.

e. The location and alignment of Owen Drive resulting from, and consistent with, the wetlands delineation study.

3. Prior to development for each parcel, plans (site, building, landscape, etc.) shall be submitted for Site Plan and Architectural Commission review and approval per Land Development Code Section 10.285 - 10.296. Such review is in lieu of postponed Planning Commission review of designs as provided by Sections 10.235(A)(2)(c) and 10.235(F)(2). Such applications shall incorporate features included in the final plan review as identified in Condition #2.

4. The mix of uses in the Tower Business Park PUD shall include the development of a church on Lot 15. Development of any other use on Lot 15 would be considered a revision subject to review and approval by the Planning Commission pursuant to Section 10.245 Revision or Termination of a PUD.

5. Prior to final plat approval, the following items shall occur or their completion assured:

a. Recordation of documents containing assurances that the common elements (i.e., private streets and walkways, street lighting, landscaping and irrigation, etc.) will be improved and maintained for their intended purpose. Such assurance may include Covenants, Conditions, and Restrictions (CCR's) which provide for the installation and perpetual maintenance of all shared elements of the planned development contained in common areas.

b. A wetlands delineation study shall be completed for the Midway Drainage.

c. 100-foot wide public right-of-way dedication for Owen Drive. The location and alignment of the street shall be adjusted as necessary to avoid the **locally significant wetlands** associated with Midway Drainage or Garrett Creek and such wetland area reserved by plat dedication or easement as open space or conservation area.

d. A 15-foot Public Utility Easement (PUE) shall be provided along all street frontages within Tower Business Park.

e. The name of the east/west arterial changed from Tower Drive to **Owen Drive**.

f. 55-foot wide public right-of-way dedication for Arrowhead Drive.

g. 80-foot wide public right-of-way dedication for Crater Lake Avenue realignment.

h. Verification by a licensed surveyor shall be provided to determine the precise height, location, and square footage of existing structures to determine lot coverage and adequacy of structural setbacks relative to proposed property lines.

i. Extension of water lines as necessary, including easements, to serve each lot to Medford Water Commission specifications (Exhibit "E").

j. Easement for the maintenance of Midway Creek (Exhibit "D").

k. Installation of fire hydrants, reflective markers, and no parking designations subject to approval of the Fire Marshal (Exhibit "G").

l. The Hopkins Canal shall be placed underground to RRVID specifications. The design must also be approved by the City of Medford.

6. Prior to final plat approval, the applicant shall comply with Recommendations from the Public Works Department, dated May 19, 2000 (Exhibit "D").

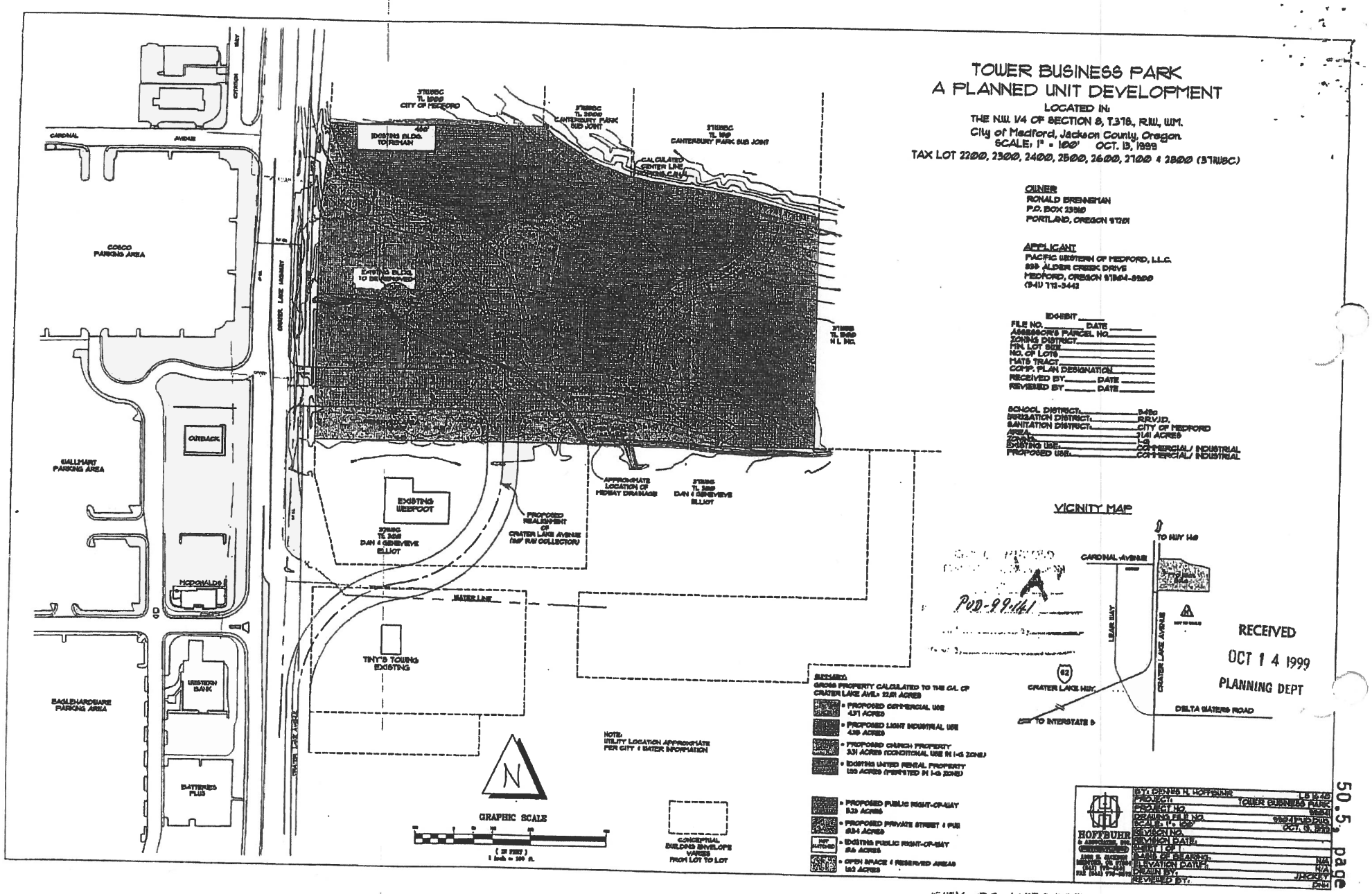
7. Prior to issuance of a highway access permit and construction of the Owen Drive intersection with Crater Lake Highway or Crater Lake Avenue, a Traffic Impact Study (TIS) shall be completed subject to review and approval of the Oregon Department of Transportation (Exhibits "F" and "F-1").

MEDFORD PLANNING COMMISSION

Carl Bartlett

Carl Bartlett, Chair

PLANNING COMMISSION AGENDA: JUNE 8, 2000



CITY OF MEDFORD
PLANNING COMMISSION
EXHIBIT # A
File # PUD-99-141
Date Rec'd _____ By _____

EXHIBIT 7

RECEIVED
JUN 28 2019
PLANNING DEPT

EXHIBIT A

BEGINNING at the Northwest corner of Lot 6 of Tower Business Park, a planned community, according to the Official Plat thereof, now of record in Jackson County, Oregon; thence along the westerly line of said Lot 6, South 04°04'39" East 145.88 feet; thence continue along said westerly line, South 45°00'00" East 130.11 feet; thence South 27°56'46" East 10.00 feet to the most southerly corner of said Lot 6; thence South 27°56'46" East 32.50 feet to the centerline of Arrowhead Drive; thence along said centerline, along the arc of a 200.00 foot radius non-tangent curve to the right (the long chord to which bears North 70°03'35" East 55.71 feet) a distance of 55.89 feet; thence continue along said centerline, along the arc of a 200.00 foot radius curve to the left (the long chord to which bears North 39°09'40" East 252.21 feet) a distance of 271.60 feet to the northerly line of the aforesaid Tower Business Park; thence along said northerly line, North 77°19'07" West 139.12 feet; thence continue along said northerly line, North 81°09'32" West 199.94 feet to the point of beginning.
(containing 1.40 acres, more or less)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Darrell L. Huck

OREGON
FEBRUARY 4, 1983
DARRELL L HUCK
2023

EXPIRES: 6/30/ 2019

Darrell L. Huck
L.S. 2023 – Oregon
Expires 6/30/2019
Hoffbuhr & Associates, Inc

(18164 zone ch desc.doc)

CITY OF MEDFORD
EXHIBIT # CC
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

EXHIBIT B

TOWER BUSINESS PARK
(A PLANNED COMMUNITY)
LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD, JACKSON COUNTY, OREGON

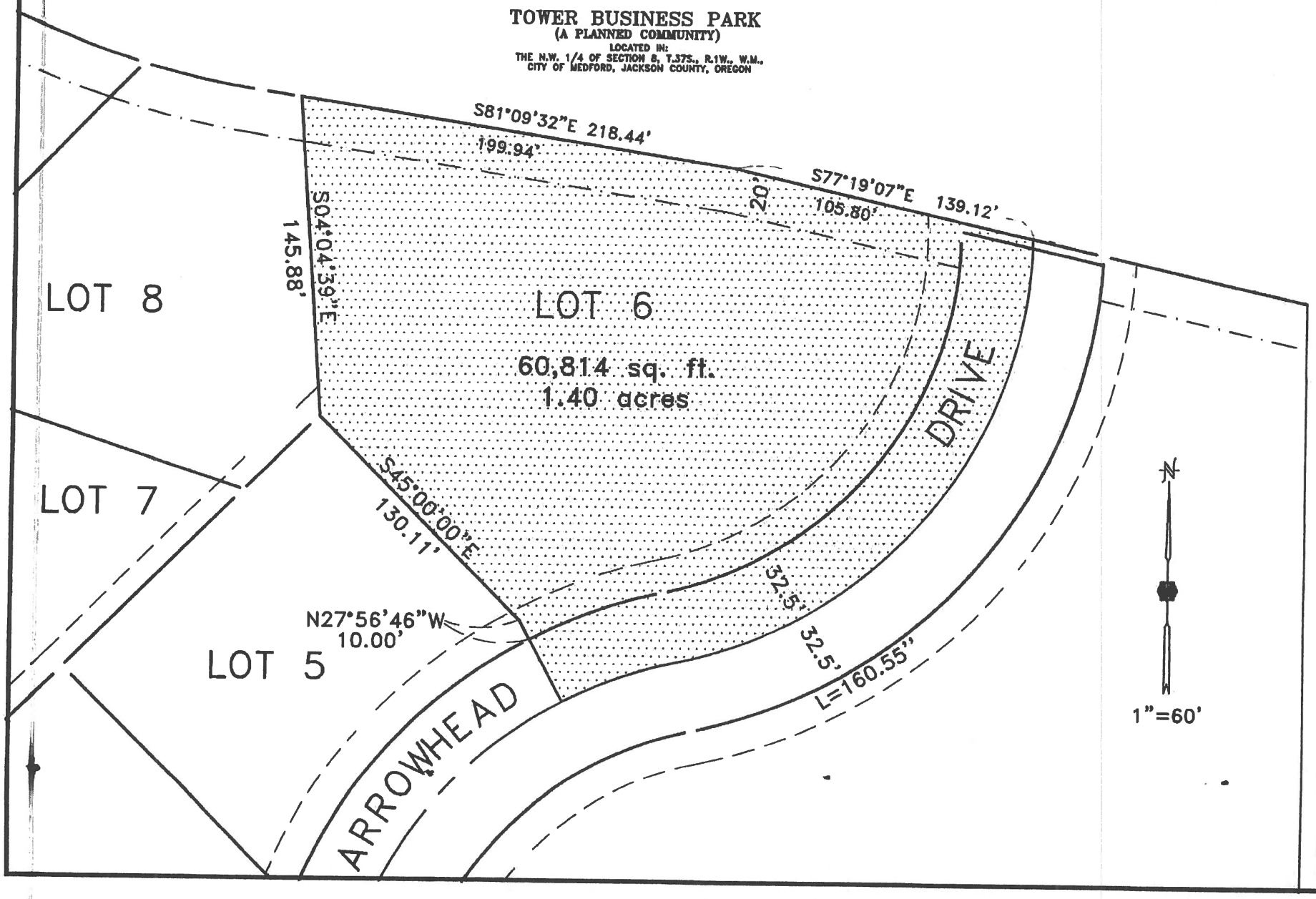


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EXHIBIT 13

PUD-99-141

TOWER BUSINESS PARK

(A PLANNED COMMUNITY)

LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD,
JACKSON COUNTY, OREGON

*** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS, that we, Ronald F. Brenneman and S. Loretta Brenneman, Trustees of the Ronald F. Brenneman Family Estate Trust under, Tower Business Park, L.L.C. an Oregon limited liability company, and Pentecostal Church of God, Oregon-Southern Idaho District, Inc. an Oregon non-profit corporation, are the owner in fee simple of the lands hereon described, and have subdivided the same into lots, tracts and streets as shown hereon, and the number of each lot and the course and length of all lines are plainly set forth, and that this plat is a correct representation of the subdivision, and we do hereby dedicate to the public for public use the public streets show hereon, together with those easements labeled as public utility easements, and we do hereby create an easement for access over Tract "C" (TOWER EAST) for the benefit of the owners, heirs, and assignees of Lot 2 and Lots 7-11, and we do hereby create the private storm storm drainage easements for storm drainage purposes across Lots 4, 7 and 8 to benefit the owners of Lots 2, 6, 7, and 8, across Lots 10 and 11 to benefit the owners of Lots 9 and 10, and we do hereby create the private sanitary sewer easement for sanitary sewer purposes across Lot 2 for the benefit of the owner of Lot 7, and we do hereby create the easements for Midway Creek as shown hereon for storm drainage and creek maintenance purposes, for the benefit of the City of Medford, and we do also hereby grant to the City of Medford in fee simple, those areas portrayed and designated hereon as one foot street plugs. By its approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, it thereby dedicates the street plugs for public street purposes. We also hereby grant to the City of MEDFORD a perpetual easement for the installation and maintenance of water mains in the area shown hereon as private street. We also hereby create the temporary easement for an emergency vehicle turn around in Lot 12 which is extinguished upon the extension of Arrowhead Drive Northerly. We also hereby create the 20.00 foot wide canal easement across Lots 6, 8, 9, 10 and 12 for the benefit of Rogue River Valley Irrigation Dulstrict, for access to and maintenance of Hopkins Canal. We hereby designate said Subdivision as TOWER BUSINESS PARK.

IN WITNESS WHEREOF, We have set our hands and seals this 23 day of June, 2003.

Ronald F. Brenneman, Trustee

STATE OF Oregon
County of Washington } ss.

The foregoing instrument was acknowledged before me this 23rd day of June, 2003 by Ronald F. Brenneman, Trustee on behalf of the Ronald F. Brenneman Family Estate Trust, freely and voluntarily.
Before me:
Notary

OFFICIAL SEAL
DAVID W PRICE
NOTARY PUBLIC - OREGON
COMMISSION NO. 355412
MY COMMISSION EXPIRES MARCH 6, 2006

S. Loretta Brenneman
S. Loretta Brenneman, Trustee

STATE OF Oregon
County of Washington } ss.

The foregoing instrument was acknowledged before me this 23rd day of June, 2003 by S. Loretta Brenneman, Trustee on behalf of the Ronald F. Brenneman Family Estate Trust, freely and voluntarily.
Before me:
Notary

OFFICIAL SEAL
DAVID W PRICE
NOTARY PUBLIC - OREGON
COMMISSION NO. 355412
MY COMMISSION EXPIRES MARCH 6, 2006

TOWER BUSINESS PARK LLC:

IN WITNESS WHEREOF, I have set my hand and seals this 30th day of June, 2003.

Reid Murphy, Managing Member

STATE OF OREGON }
County of Jackson } ss.

The foregoing instrument was acknowledged before me this 30th day of June, 2003 by Reid Murphy, as a managing member on behalf of Tower Business Park, L.L.C., freely and voluntarily.
Before me: Harriet M Chamberlain
Notary

OFFICIAL SEAL
HARRIET M. CHAMBERLAIN
NOTARY PUBLIC-OREGON
COMMISSION NO. 354048
MY COMMISSION EXPIRES APR. 09, 2006

*** APPROVALS ***

MEDFORD CITY PLANNING:
Certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved.

Planning Director — Date: August 1, 2003

Examined and approved this 17th day of July, 2003.

City Engineer — City Surveyor

Examined and approved as required by O.R.S. 92.100 as of August 6th, 2003.

Assessor, Department of Assessment

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid as of August 6, 2003.

Tax Collector

For order of the County Court approving this plat see Volume 205, Page 793-795 of County Commissioners Journal of Proceedings.

RECORDING:
Filed for record this 7th day of AUGUST, 2003 at 3:08 o'Clock P.M. and recorded in Volume 29 of Plats at Page 33 of Records of Jackson County, Oregon.

Kathleen S Beckett — County Clerk
Barbara Shaw — Deputy

37 1W 08BC TL 2200, 2300, 2400, 2500, 2600, 2700 & 2800

*** SURVEYOR'S CERTIFICATE ***

STATE OF OREGON }
County of Jackson } ss.

I, Douglas C. McMahan, a duly Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law the tract of land hereon shown and this plat is a correct representation of the same, and the following is an accurate description of the tract:

Commencing at a brass disc monumenting the West one-quarter (1/4) corner of Section 8 in Township 37 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon; thence South 89°54'05" East along the East-West centerline of said Section 8, a distance of 30.00 feet to a point on the Easterly right-of-way line of Crater Lake Avenue, said point being marked with a brass disc for the INITIAL POINT OF BEGINNING; thence North 00°04'31" West along said right-of-way line 559.36 feet; thence North 05°34'34" East 200.74 feet; thence North 00°02'31" West 36.53 feet to a point on the Northerly boundary of that tract, being the last tract described in Instrument No. 92-37938 of the Deed Records of said Jackson County; thence leaving said right-of-way line South 89°50'31" East along the Northerly boundary of said tract, 552.47 feet to a point on the average centerline of Hopkins Canal; thence along said average centerline South 56°01'13" East 97.48 feet; thence along the arc of a 405.33 foot radius curve to the left (the long chord to which bears South 68°35'22" East 176.42 feet) an arc distance of 177.84 feet; thence South 81°09'32" East 218.44 feet; thence South 77°19'07" East 267.30 feet to the Northeast corner of tract described in Instrument No. 93-08026 of said Deed Records; thence leaving the average centerline of Hopkins Canal, South 00°05"29" East along the Easterly boundary of said tract, 585.25 feet to a point on the aforementioned East-West centerline of said Section 8; thence North 89°54'05" West along said East-West centerline, 1293.84 feet to the INITIAL POINT OF BEGINNING.

Douglas C. McMahan
Surveyor

PENTECOSTAL CHURCH OF GOD:

IN WITNESS WHEREOF, We have set our hands and seals this 27th day of June, 2003.

Harold Gore, President

STATE OF Oregon }
County of Linn } ss.

The foregoing instrument was acknowledged before me this 27th day of June, 2003 by Harold Gore as President on behalf of the Pentecostal Church of God, Oregon-Southern Idaho District, Inc., freely and voluntarily.
Before me:
Notary

OFFICIAL SEAL
PEGGY DOBRKOVSKY
NOTARY PUBLIC - OREGON
COMMISSION NO. 363112
MY COMMISSION EXPIRES NOVEMBER 18, 2006

Michael D. Skaggs, Secretary

STATE OF Oregon }
County of Linn } ss.

The foregoing instrument was acknowledged before me this 27th day of June, 2003 by Michael D. Skaggs as Secretary on behalf of the Pentecostal Church of God, Oregon-Southern Idaho District, Inc., freely and voluntarily.
Before me:
Notary

OFFICIAL SEAL
PEGGY DOBRKOVSKY
NOTARY PUBLIC - OREGON
COMMISSION NO. 363112
MY COMMISSION EXPIRES NOVEMBER 18, 2006

Klamath First Federal Savings and Loan Association, the undersigned beneficiary of a certain Trust Deed recorded April 10, 2002 as Document No. 02-20069 of the Official Records of Jackson County, Oregon, affecting the land described herein, hereby releases from the lien of said Trust Deed all property shown hereon as dedicated to the public for public use.

By:
Title: VICE PRESIDENT

STATE OF OREGON }
County of Jackson } ss.

The foregoing instrument was acknowledged before me this 24th day of June, 2003 by Steve Herrick as Loan Officer, V.P. on behalf of Klamath First Federal Savings and Loan Association, freely and voluntarily.
Before me:
Notary

OFFICIAL SEAL
DENISE A TAURIAINEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 349245
MY COMMISSION EXPIRES JUL. 24, 2006

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
DOUGLAS C. McMAHAN
RENEWS 12/31/04

I certify this plat to be an exact photocopy of the original.
(SURVEYOR)

(151.DWG)
SHEET 1 OF 2

17066

RECEIVED
JUN 28 2019
PLANNING DEPT

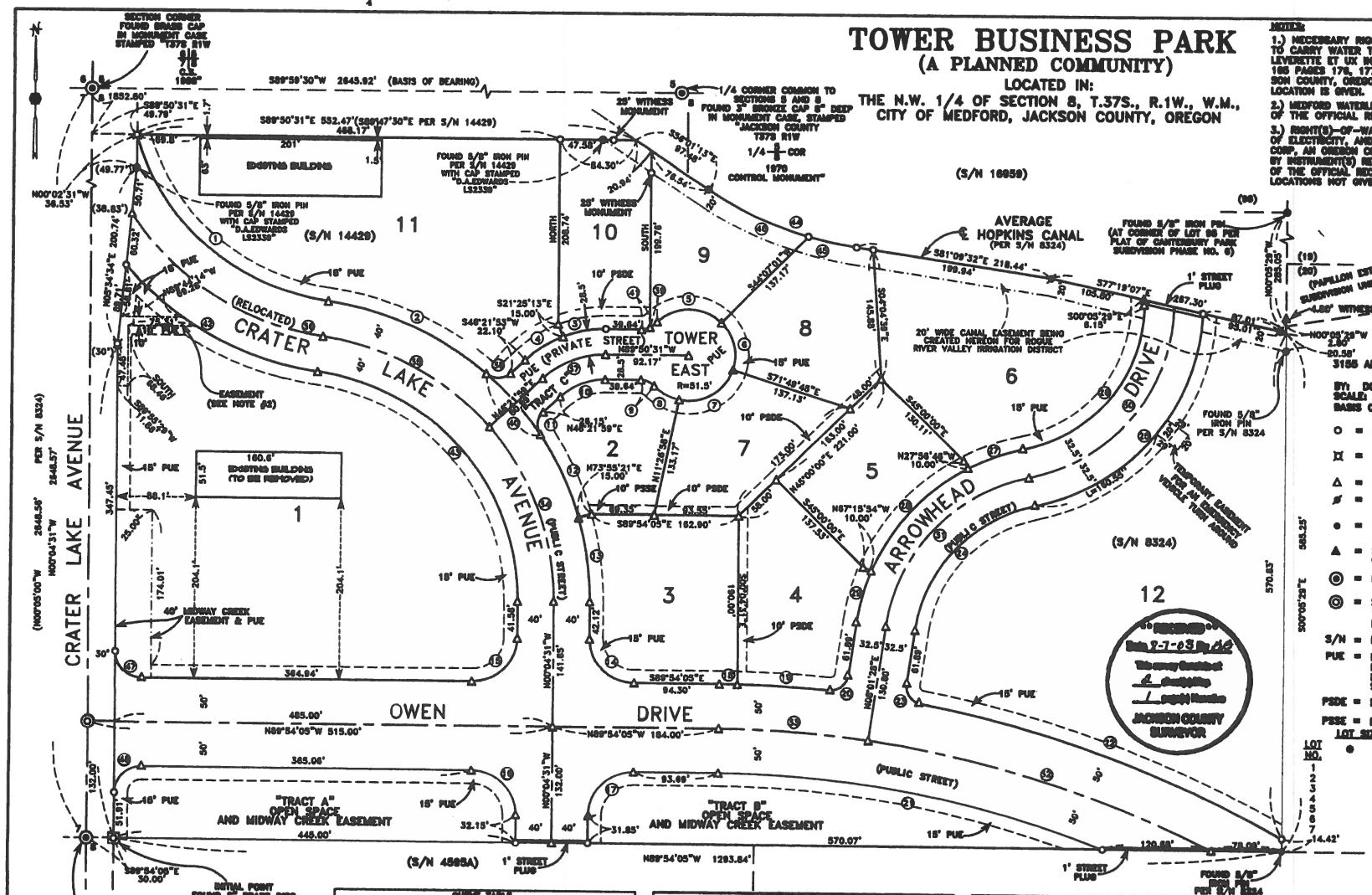
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014
CITY OF MEDFORD
EXHIBIT # 99

13L/81

17863

TOWER BUSINESS PARK
(A PLANNED COMMUNITY)

LOCATED IN:
THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD, JACKSON COUNTY, OREGON



NOTES:

1.) NECESSARY RIGHT-OF-WAY FOR IRRIGATION DITCH OR PIPE TO CARRY WATER TO OTHER TRACTS, RESERVED BY WALTER H. LEVERETTE ET UX IN DEED RECORDED APRIL 21, 1927 IN VOLUME 165 PAGES 176, 177 AND 178 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON, AFFECTS THIS PROPERTY BUT NO SPECIFIC LOCATION IS GIVEN.

2.) MEDFORD WATERLINE EASEMENT PER INSTRUMENT NO. 02-54840 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

3.) RIGHT(S)-OF-WAY FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, AND FOR OTHER PURPOSES, GRANTED TO PACIFICORP, AN OREGON CORPORATION, OR ITS PREDECESSOR IN INTEREST, BY INSTRUMENT(S) RECORDED FEBRUARY 22, 1974 AS NO. 74-02184 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, SPECIFIC LOCATIONS NOT GIVEN.

HOFFBUHR & ASSOCIATES, INC.
3155 ALAMEDA ST., SUITE 201 MEDFORD, OREGON
779-4641

BY: DOUGLAS C. McMAHAN LS No. 1913
SCALE: 1 inch = 50 feet APRIL 28, 2003
BASIS OF BEARING: Filed Survey No. 2349 (Northerly Line of Section 8)

- ○ = SET 5/8"x24" REBAR WITH PLASTIC CAP STAMPED "D.McMAHAN LS 1913".
- ⌑ = SET 5/8"x30" REBAR WITH PLASTIC CAP STAMPED "D.McMAHAN LS 1913".
- △ = DEFERRED MONUMENT
- ⌀ = FOUND 5/8" IRON PIN WITH CAP STAMPED "L.J. FRIAR & ASSOC." PER S/N 16859.
- ● = FOUND 5/8" IRON PIN, UNLESS OTHERWISE NOTED.
- ▲ = SET LEAD PLUG AND TACK WITH BRASS WASHER STAMPED "LS 1913". (See CS 18628)
- ◎ = FOUND BRASS CAP MONUMENT AS NOTED.
- ◎ = SET 5/8"x24" METAL CAP STAMPED "LS 1913". REFERENCE POINTS ON FILE AT MEDFORD ENGINEERING DEPARTMENT.
- S/N = FILED SURVEY NUMBER.
- PUE = EASEMENT FOR PUBLIC UTILITIES, STORM DRAINAGE, GAS, WATER, ELECTRIC, TELEPHONE, CABLE TELEVISION AND SANITARY SEWER CONSTRUCTION AND MAINTENANCE.
- PSDE = PRIVATE STORM DRAINAGE EASEMENT.
- PSSE = PRIVATE SANITARY SEWER EASEMENT.

LOT NO.	LOT SIZE SQUARE FEET	LOT NO.	LOT SIZE SQUARE FEET
1	150,233	8	23,682
2	18,214	9	19,006
3	31,083	10	21,765
4	25,803	11	85,637
5	21,895	12	141,176
6	50,623	"TRACT A"	35,763
7	21,102	"TRACT B"	34,730
		"TRACT C"	17,670

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
1	90°04'00"	20.00	31.43	28.28	N44°56'31"W
2	30°00'12"	20.00	10.48	10.37	N00°27'46"W
3	21°34'46"	120.00	45.19	44.91	N72°24'38"W
4	22°12'42"	120.00	46.51	46.21	S82°28'37"W
5	81°12'42"	51.00	72.25	66.36	S82°28'37"W
6	84°00'00"	51.00	74.77	68.33	N11°31'23"W
7	82°12'42"	51.00	73.16	67.04	N82°28'37"W
8	38°00'00"	51.00	33.83	33.20	S86°26'05"W
9	42°17'18"	20.00	10.51	10.26	N82°11'34"W
10	42°07'00"	71.00	52.18	51.00	N82°12'44"W
11	70°51'42"	20.00	24.73	23.17	N82°26'36"W
12	172°00'00"	50.00	150.08	100.00	N32°42'11"W
13	16°00'00"	320.00	89.38	89.09	N82°26'36"W
14	90°40'24"	50.00	79.16	71.20	N44°06'18"W
15	90°19'36"	50.00	78.83	70.93	S45°06'42"W
16	90°40'24"	50.00	79.16	71.20	N44°06'18"W
17	90°19'36"	50.00	78.83	70.93	S45°06'42"W
18	00°00'00"	1293.00	0.00	0.00	N89°54'05"W
19	04°30'24"	1293.00	101.33	101.30	N86°39'55"W

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
20	87°37'31"	20.00	30.59	27.70	S61°16'20"W
21	21°46'04"	1180.00	448.01	445.33	S07°51'33"E
22	18°46'08"	1180.00	386.13	384.39	N07°46'06"W
23	87°37'31"	20.00	30.59	27.70	N61°16'20"E
24	70°00'00"	107.00	130.74	122.83	N42°00'00"E
25	70°00'00"	107.00	130.74	122.83	N42°00'00"E
26	70°00'00"	107.00	130.74	122.83	N42°00'00"E
27	18°00'41"	320.00	100.57	100.16	S82°00'13"W
28	30°18'00"	320.00	169.20	167.24	S45°32'46"W
29	14°43'20"	320.00	82.20	81.99	S31°22'47"W
30	77°46'31"	320.00	434.29	401.51	N82°26'46"W
31	70°00'00"	320.00	391.04	367.38	N42°00'00"E
32	18°13'00"	1180.00	375.13	373.57	N72°44'06"W
33	87°37'31"	20.00	30.59	27.70	N61°16'20"E
34	42°43'00"	320.00	238.73	233.23	N82°26'46"W
35	41°43'18"	320.00	233.00	227.90	N41°21'45"W
36	90°00'00"	20.00	31.42	28.28	N44°51'31"W
37	42°07'00"	100.00	73.48	71.80	N82°12'44"E
38	84°38'38"	20.00	29.55	26.93	S82°41'10"W

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHORD BEARING
39	18°45'31"	20.00	6.55	6.52	S82°44'06"W
40	18°00'00"	100.00	31.42	31.29	S41°14'41"E
41	37°00'00"	50.00	32.29	31.73	S37°30'37"W
42	45°00'00"	100.00	78.54	76.50	S67°34'37"W
43	81°51'31"	100.00	171.51	157.31	S41°26'15"E
44	36°00'19"	100.00	117.04	115.09	S07°07'25"E
45	07°46'40"	100.00	13.58	13.57	S77°15'15"E
46	17°00'00"	100.00	29.70	29.59	S56°44'06"E
47	86°46'24"	50.00	75.73	68.73	N44°06'18"W
48	86°19'36"	50.00	75.32	68.40	S45°06'42"W

All deferred monuments will be set or reset no later than December 31, 2003.

Douglas C. McMahan
Surveyor

All deferred monuments are now set, see Document No. 03-08514 of Official Records this 15th day of February, 2003 (See CS 18628)

Approved: Roger R. Roberts
Jackson County Surveyor

I certify this plat to be an exact photocopy of the original.
Douglas C. McMahan
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
Douglas C. McMahan
OREGON JULY 18, 1980 DOUGLAS C. McMAHAN No. 1913
RENEWS 12/31/04

37 1W 08BC TL 2200, 2300, 2400, 2600, 2600, 2700 & 2800

(0004153.DWG) SHEET 2 OF 2

17863

13L/81

SURVEY NO. 17863

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES

SURVEY FOR: Pacific Western of Medford, LLC
1175 East Main Street, Suite 1F
Medford, Oregon 97504

LOCATION: In the Northwest one-quarter (1/4) of Section 8, Township 37 South, Range 1 West, Willamette Meridian City of Medford, Jackson County, Oregon.

PURPOSE: To survey, monument and prepare final plat for TOWER BUSINESS PARK per City of Medford Planning File No. PUD-99-141 and per the client's request.

PROCEDURE: Utilizing found monumentation per Filed Surveys No. 2348, 8324 and 14429 and other monumentation as shown for control, I established proper monuments as shown on the accompanying map. All measurements were made with an electronic total station. Documents No. 99-23939, No. 01-53512, No. 01-42177, No. 01-42178 and No. 01-48191 of the Jackson County Deed Records were used to determine the boundary of subject properties.

BASIS OF BEARING: File Survey No. 2348 (Northerly Line of Section 8)

DATE: April 25, 2003

** RECEIVED **
Date 8-7-03 By BB
This survey Consists of:
2 sheet(s) Map
1 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Douglas C. McMahan
OREGON
JULY 18, 1980
DOUGLAS C. McMAHAN
No. 1913

Douglas C. McMahan
L.S. 1913 – Oregon
Expires 12/31/04
Hoffbuhr & Associates, Inc.
3155 Alameda Street, Suite 201
Medford, Oregon 97504

(99-041)
(twrprk.dcm)
DCM:am

EXHIBIT 14

RECEIVED
JUN 28 2019
PLANNING DEPT

LandAmerica Lawyers Title

CCRs

(Covenants, Conditions, & Restrictions)

"Insuring the American Dream"

Medford McAndrews Place
Ph: (541) 779-2811
Fax: (541) 772-6079

Medford Downtown
Ph: (541) 734-9790
Fax: (541) 774-1344

Medford Airport
Ph: (541) 773-2897
Fax: (541) 773-2909

Ashland
Ph: (541) 488-2240
Fax: (541) 488-1786

Upper Rogue
Ph: (541) 826-3002
Fax: (541) 826-5002

CITY OF MEDFORD
EXHIBIT # EE
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

30

12:23

135
5
11

03 62171

DECLARATION OF

COVENANTS, CONDITIONS AND RESTRICTIONS

TOWER BUSINESS PARK

THIS DECLARATION is made this 10 day of September, 2003, by TOWER BUSINESS PARK, LLC, an Oregon limited liability company.

RECITALS:

A. Declarant owns certain real property in Jackson County, Oregon, more particularly described in the records of the Jackson County Surveyor as TOWER BUSINESS PARK.

B. Declarant intends to create TOWER BUSINESS PARK as a planned unit development which will provide an attractive place to work. Declarant presently plans to create within TOWER BUSINESS PARK a number of business office and commercial or other service areas, all of which will have restrictions as to the use of the property.

C. Declarant intends to organize and administer TOWER BUSINESS PARK prior to its completion, but expects the Owners to accept the responsibility for community administration by the time TOWER BUSINESS PARK is complete. Funds for the maintenance, repairs, and improvement of the Open Space and Common Areas will be provided through assessments against the Owners.

D. By adoption of the covenants, conditions, and restrictions set forth in this Declaration, Declarant is not committing itself to take any action other than as expressly provided herein. Anyone acquiring one or more Lots will have the advantage of any further development, but shall not have any legal right to insist that there be development except as expressly provided herein.

NOW, THEREFORE, Declarant subjects the Property, together with any and all property which may be added to the Property pursuant to the provisions of this Declaration, to the covenants, conditions and restrictions set forth below.

//

//

Any covenant condition or restriction in this document indicating a preference limitation or discrimination based on race color religion sex handicap familial status or national origin is omitted as provided in 42 USC SEC 3604 unless and only to the extent that the restriction (A) is not in violation of State or Federal Law (B) is exempt under 42 USC SEC 3607 or (C) relates to a handicap but does not discriminate against handicapped people.

SECTION 1. INTRODUCTION

1.1 **General Declaration.** The covenants, conditions and restrictions set forth in this Declaration shall run with and bind the Property, each Tract, Lot and other divisions, if any, of the Property, the Owners, the Occupants and all other Persons acquiring any interest in the Property or any portion thereof, and the heirs, successors and assigns of the Owners, the Occupants and such other Persons. These covenants, conditions and restrictions shall inure to the benefit of and be burdens upon Declarant and upon all Owners, Occupants, future Owners and future Occupants.

1.2 **Addition of Other Property.** At any time and from time to time prior to the Turnover Date, Declarant may add to the Property all or a portion of any real property adjacent to the Property. Upon recordation of a supplemental declaration identifying any such adjacent property in the Jackson County Records, all provisions of this Declaration, as modified by such supplemental declaration, shall apply to such adjacent property in the same manner as if it were originally covered by this Declaration as part of the Property. Declarant shall include in any such supplemental declaration any modifications to this Declaration which Declarant deems appropriate.

SECTION 2. DEFINED TERMS

Throughout this Declaration, the following terms, when capitalized, shall have the following meanings:

2.1 **"Architectural Control Committee"** means the committee formed pursuant to Section 5 to review and approve or disapprove plans and specifications for the design and construction of Improvements within TOWER BUSINESS PARK and to undertake such other tasks as are specified in this Declaration.

2.2 **"Association"** means the TOWER BUSINESS PARK OWNERS ASSOCIATION, formed pursuant to Section 3.1.

2.3 **"Board"** means the Board of Directors of the Association, formed pursuant to Section 3.4.

2.4 **"Common Areas"** means those parcels or portions of parcels, if any, included within the Property which are, from time to time, designated by Declarant (prior to the Turnover Date) or by the Board (after the Turnover Date) as common areas of TOWER BUSINESS PARK, such as the Riparian Corridor, Mitigated Wetlands and Project Entry; such parcels may be conveyed to the Association, dedicated to the public, or owned by Persons other than Declarant or the Association and subject to easements in favor of the Association.

2.5 **"Declarant"** means TOWER BUSINESS PARK, LLC, and any Person succeeding to the responsibility of Declarant pursuant to a designation by TOWER BUSINESS PARK, LLC, or by any successor Declarant, of such Person as a successor Declarant in a supplemental declaration recorded in the Jackson County Records.

2.6 **"Declaration"** means this Amended Declaration of Covenants, Conditions, and Restrictions for TOWER BUSINESS PARK (TOWER BUSINESS PARK OWNERS ASSOCIATION), as it may be further amended from time to time.

2.7 **"Developer"** means any Person engaged in the development of any Lot for the purpose of selling or leasing the Improvements ultimately constructed on such Lot.

2.8 **"Director"** means a member of the Board, selected or elected in accordance with Section 3.

2.9 **"Governing Agencies"** means the Oregon Department of State Lands and the U.S. Army Corps of Engineers.

2.10 **"Improvement"** means any improvement now or hereafter placed or constructed in, under, or upon the Property, including without limitation any building, road, driveway, parking area, fence, screening wall or barrier, retaining wall, stairs, deck, utility distribution facility, landscaping, and sign.

2.11 **"Lot"** means any parcel of land designated on the Plat as a Lot.

2.12 **"Mitigated Wetlands"** means the wetlands located on the south side of the Riparian Corridor in Tracts A and B consisting of emergent bottomland and forested fringe wetlands within the borders of the Midway Creek Channel.

2.13 **"Mitigation Plan"** means the mitigation plan on file with the Governing Agencies for the monitoring, maintaining and repairing of the Riparian Corridor and Mitigated Wetlands.

2.14 **"Project Entry"** means the Portion of Lot 1 identified by the Declarant on or before the sale of Lot 1, which will constitute the specialized Project Entry and the project identification monuments, sign, lighting and appurtenances located thereon.

2.15 **"Riparian Corridor"** means the landscaped riparian corridor between the public utility easement along the south side of Owen Drive and the Mitigated Wetlands (a portion of Tracts A and B).

2.16 **"TOWER BUSINESS PARK"** means the Property as developed substantially in accordance with the Plat, as the same may be modified from time to time.

2.17 **"Occupant"** means the Person in lawful possession of all or any portion of a Lot.

2.18 **"Open Space"** means such portions of the Property, if any, as may be designated as Open Space on the Plat, the Final PUD Plan approved by the City of Medford, by Declarant (prior to the Turnover Date) or by the Board (after the Turnover Date).

2.19 **"Owner"** means the record owner of fee simple title to any Lot, unless such Lot is being sold pursuant to a land sale contract, in which case "Owner" means the contract vendee of such Lot.

2.20 **"Park Strip"** means the area between the property line of the Lot and the improved Public Road or the improved Private Road.

2.21 **"Person"** means any individual, association, company, corporation, partnership, or other legal entity.

2.22 **"Plat"** means the final plat of TOWER BUSINESS PARK as recorded in the Jackson County Records and any amendments thereof.

2.23 **"President"** means the President of the Association, selected in accordance with Section 3.14.

2.24 **"Private Road"** means the area designated on the Plat as Tower East ("Tract C") which serves the Private Road Lots.

2.25 **"Private Road Lots"** means Lots 2, 7, 8, 9, 10 and 11.

2.26 **"Property"** means the real property in Jackson County, Oregon, legally described as TOWER BUSINESS PARK SUBDIVISION, and any property added to the Property pursuant to Section 1.2.

2.27 **"PSDEs"** means the Private Storm Drainage Easements designated on the Plat.

2.28 **"PSSE"** means the Private Sanitary Sewer Easement designated on the Plat.

2.29 **"Secretary"** means the Secretary of the Association, selected in accordance with Section 3.14.

2.30 "True Cash Value" means, with respect to any Lot, the true cash value at which such Lot is assessed by Jackson County for purposes of ad valorem real property taxation or, if no such True Case Value is established by the Jackson County Assessor, True Cash Value shall mean "Assessed Value".

2.31 "Turnover Date" means the earlier of (i) the date on which Declarant first has title to only one (1) Lot within the Property, or (ii) the date on which Declarant elects, in its sole discretion, to relinquish control of the Association, as evidenced by a supplemental declaration recorded in the Jackson County Records.

2.32 "Turnover Meeting" means the meeting of Declarant and the Board called for the purpose of passing control of the Association from Declarant to the Owners, which meeting shall be held pursuant to Section 3.7.1.

SECTION 3. TOWER BUSINESS PARK OWNERS ASSOCIATION

3.1 Formation and Authority. The Association shall be formed by Declarant as an Oregon nonprofit corporation within one hundred eighty (180) days after the date this Declaration is recorded and shall be known as the TOWER BUSINESS PARK OWNERS ASSOCIATION. Nothing in this Declaration shall be construed to prohibit or restrict the formation of subassociations within TOWER BUSINESS PARK, including without limitation Condominium associations and associations of Owners of Commercial Lots.

3.2 Membership. Each Owner, by virtue of being an Owner and so long as such Owner continues in that capacity, shall be a member of the Association. Each membership in the Association shall be appurtenant to the Lot or other portion of the Property owned by an Owner and shall not be transferred in any manner whatsoever, except upon a transfer of title to such Lot or other portion of the Property and then only to the transferee of such title.

3.3 Duties and Powers of the Association. The Association shall have all requisite power, duty and authority to perform its obligation under this Declaration, including without limitation the power, duty and authority to enforce the provisions of this Declaration and to acquire and pay for, out of the common fund provided by assessments pursuant to Section 4, all goods and services necessary or appropriate for the proper functioning of the Association in accordance with this Declaration. Without limiting the generality of the foregoing or the other provisions of this Declaration, the Association shall have the power, duty and authority, subject to the other provisions of this Declaration to undertake the following actions:

3.3.1 Determine the amounts necessary or appropriate for the performance by the Association of its powers and duties under this Declaration.

3.3.2 Impose and collect annual and special assessments from the Owners.

3.3.3 Maintain bank accounts on behalf of the Association and designate the signatories for those accounts.

3.3.4 File all required income tax returns.

3.3.5 Enforce by legal means the provisions of this Declaration.

3.3.6 Maintain and repair the Public Open Space, the Other Common Areas and the Improvements thereon and establish one or more reserve funds for such purposes.

3.3.7 Promulgate, modify, and rescind rules and regulations governing the use of the Common Areas and Open Space, and all Improvements on the foregoing, as well as the Property generally, provided that all such rules and regulations shall be consistent with and conform to the provisions of this Declaration.

3.3.8 Obtain such policies of insurance as the Board may from time to time deem appropriate for the protection of the Association, the Open Space, Common Areas and the Improvements thereon, and as may be authorized pursuant to Section 3.13.

3.3.9 Compensate the President, the Secretary, and members of the Architectural Control Committee, if any compensation is established pursuant to Section 3.14.6 or 5.1.

3.3.10 Contract for such services (including without limitation legal and accounting services) as may be necessary or appropriate to manage the affairs of TOWER BUSINESS PARK and the Association properly and in accordance with this Declaration, whether the personnel performing such services are employed directly by the Association or by a manager or management firm or agent retained by the Association.

3.3.11 Appoint such committees as the Board may determine from time to time to be appropriate to assist in the conduct of the affairs of the Association and delegate to any such committee such authority as the Board may deem appropriate, subject, in all cases to the provisions of the Declaration. Notwithstanding the foregoing provisions of this Section 3.3.11, the Architectural Control Committee shall in all events be formed as provided in and shall have the authority granted by Section 5 and other applicable provisions of this Declaration.

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3.4 Board of Directors

3.4.1 Generally. The Association shall act through the Board. Prior to the Turnover Meeting, Declarant shall select all Directors. During the period when Declarant is selecting the Directors, Declarant may also determine the number of Directors, which may be different than the number set forth in Section 3.4.2. From and after the Turnover Meeting, the number of Directors shall be as set forth in Section 3.4.2, and the Owners shall select or elect the Directors in the manner provided in Sections 3.4.3 through 3.4.5, inclusive.

3.4.2 Number and Classification. From and after the Turnover Meeting, the Board shall be comprised of five (5) Directors.

3.4.3 Election of Directors. Directors shall be elected by majority vote of the Owners of the Lots in TOWER BUSINESS PARK, with each such Owner having one (1) vote for each Lot owned. If there is more than one Owner of any Lot, such Owners shall together be considered a single Owner with respect to such Lot for purposes of this Section 3.4.3. The election of Directors pursuant to this Section 3.4.3 shall take place at a meeting of the Owners of the Lots conducted pursuant to Section 3.4.4.

3.4.4 Meetings of Owners. Any meeting of Owners for the purpose of electing Directors pursuant to this Section 3.4 shall be conducted in accordance with the following procedures:

(a) The first such meeting shall be held at least thirty (30) days prior to the Turnover Meeting, on a date selected by the Secretary. Subsequent meetings shall be held at least thirty (30) days prior to the expiration of the term of any Director or, in the case of a vacancy pursuant to Section 3.6, within thirty (30) days after such vacancy occurs.

(b) Any such meeting shall be held at a place within Jackson County, Oregon, designated by the Secretary. The Secretary shall give written notice of any such meeting to each Owner entitled to vote at the meeting at least ten (10) but not more than thirty (30) days prior to the date of the meeting. The notice shall state the purpose, time and place of the meeting. The Secretary shall be required to notify an Owner of a meeting only if such Owner has previously given written notice to the Secretary setting forth such Owner's name and address. Notice of any meeting may be waived by any Owner at any time. No Owner who is present at a meeting may object to the adequacy or timeliness of the notice given.

(c) Any Owner may give a proxy to any Person, so long as the proxy is in writing, signed by such Owner, and filed with the Secretary. A proxy shall expire

on the earlier of (i) eleven (11) months after the date of the proxy; or (ii) the date of sale of the Owner's Lot by its Owner.

3.5 Terms of Directors

3.5.1 Terms. Subject to the provisions of Section 3.7.1, Directors selected by Declarant pursuant to Section 3.4.1 shall serve at the pleasure of Declarant. The first Directors selected or elected by the Owners pursuant to Sections 3.4.3 through 3.4.5 inclusive, shall serve three (3) year terms. Any Director may serve more than one (1) term.

3.6 Vacancies. In the event a Director dies, resigns, or ceases to be an Owner, the resulting vacancy on the Board shall be filled by selection or vote of the Owner(s) authorized to select or vote for such Director pursuant to Section 3.4.3. Any Director so selected or elected shall serve the remainder of the replaced Director's term.

3.7 Meetings of the Board

3.7.1 Turnover Meeting. The Turnover Meeting shall be called by Declarant and held within ninety (90) days after the Turnover Date. Declarant shall give written notice of the time and place of the Turnover Meeting to each Owner who has previously given Declarant written notice setting forth such Owner's name and address. Declarant's notice shall be given at least forty-five (45), but not more than sixty (60) days prior to the date of the Turnover Meeting. At the Turnover Meeting, the following shall occur:

(a) The Directors selected by Declarant, the President, and the Secretary shall each resign. The Directors selected or elected by the Owners pursuant to Section 3.4 shall conduct their first meeting at the Board;

(b) The new Board shall elect a President and a Secretary; and

(c) Declarant shall deliver to the new Board all of the Association's property in Declarant's possession, including without limitation all books and records, funds, tangible personal property, insurance policies, and contracts to which the Association is a party.

3.7.2 Annual Meetings. The Board shall meet annually, within ninety (90) days after the end of each calendar year. At each annual meeting, the Secretary shall present to the Board a report on the financial condition of the Association, including a report of receipts and disbursements for the preceding calendar year and the estimated receipts and expenses for the coming year.

3.7.3 Special Meetings. Special meetings may be called at any time by three (3) Directors. Such meetings shall be scheduled by the Secretary within thirty (30) days after the Secretary's receipt of written requests signed by three (3) or more Directors; provided, that if the purpose of a special meeting is to elect a successor Secretary or to consider removal of the Secretary, the meeting may be scheduled by the President or, if the meeting is also for the purpose of electing a successor President or considering the removal of the President, by any other Director.

3.7.4 Place of Meetings. Meetings of the Board shall be held at such place as may be designated from time to time by the Board.

3.7.5 Notice. The Secretary shall give written notice to each Director of each Board meeting at least ten (10), but not more than thirty (30) days prior to the date set for such meeting, stating the purpose, time and place of the meeting. Notice shall be sent to the address of each Director as listed on the books of the Association, or to such other address as any Director may designate by written notice to the Secretary. Notice of any meeting may be waived by any Director any time. No Director who is present at a meeting may object to the adequacy or timeliness of the notice given.

3.8 Quorum. The presence, in person or by proxy, of a majority of the Directors shall constitute a quorum for voting at a Board meeting. When voting is by mail pursuant to Section 3.11, a quorum shall be constituted if the number of votes cast equals at least fifty-one percent (51%) of the total votes entitled to be cast. The Board shall have the power to adjourn a meeting even if less than a quorum is present.

3.9 Proxies. A Director may vote in person or by proxy. A proxy may be given to any other Director, so long as the proxy is in writing, signed by the Director giving the proxy, and filed with the Secretary. A proxy shall expire on the earlier of (i) the end of the Director's term; or (ii) eleven (11) months after the date of the proxy.

3.10 Voting by the Board. Each Director shall have one (1) vote. So long as a quorum is constituted, the vote of Directors together holding a majority of the total votes cast, whether the Directors voting are present in person or by proxy, and whether the vote takes place at a meeting or by mail, shall be a binding vote of the Board for all purposes, unless a greater percentage is required by law or this Declaration.

3.11 Voting by Mail. Voting of the Directors may be by mail. Voting by mail shall include electronic mail (e-mail). In any case in which voting by mail is necessary or desirable, the Secretary shall give written notice to all Directors, which notice shall (i) include a written resolution setting forth the proposed action, (ii) state the Directors are entitled to vote by mail for or against such resolution, and (iii) specify a date not less than twenty-five (25) days after the effective date of such notice by which all votes must be

received at the principal office of the Association. Votes received after the date specified shall not be effective.

3.12 Compensation of Directors. No Director shall receive compensation from the Association for serving on the Board.

3.13 Insurance. The Board may purchase and maintain insurance on behalf of any Director against any liability incurred by such Director in such capacity, if such insurance is available at a cost and on terms which the Board determines to be reasonable.

3.14 Officers of the Association

3.14.1 Designation. The officers of the Association shall be the President and the Secretary, both of whom shall be elected by the Board. The same person shall not concurrently hold the offices of President and Secretary. The Board may designate such additional officers as it deems appropriate.

3.14.2 Election. The officers of the Association shall be elected annually by the Board and shall hold office at the pleasure of the Board and until their successors are elected. If any office becomes vacant, the Board shall elect a successor to fill the unexpired term.

3.14.3 Removal. The Board may remove any officer, at any time, with or without cause.

3.14.4 President. The President shall be a Director and shall be the chief executive officer of the Association. The President shall preside at all meetings of the Board and, incident to the office of the chief executive officer of an association.

3.14.5 Secretary. The Secretary shall not be required to be a Director or an Owner. The Secretary shall keep the minutes of all proceedings of the Board and all other Association records and shall attend to the giving of all notices pursuant to this Declaration or required by law. The Secretary shall be responsible for the collection, deposit, and disbursement of Association funds and shall keep full and accurate financial records and books of account showing all receipts and disbursements of the Association. The Secretary shall perform all other duties incident to the office of secretary of an association or as may be directed by the Board. The Secretary shall perform all of the foregoing duties at the expense of the Association.

3.14.6 Compensation of Officers. Other than reimbursement for out-of-pocket expenses incurred on behalf of the Association, neither the President, the Secretary, nor any other officer of the Association shall receive any compensation from the Association

for acting as an officer, unless such compensation is authorized by the Board.

3.15 Execution of Instruments. All agreements, contracts, deeds, leases, and other instruments of the Association shall be executed by such individual(s) as may be designated from time to time by the Board.

3.16 Indemnification. Neither a Director nor an officer of the Association shall be liable to the Association or the Owners for any mistake or judgment, negligence, or otherwise, except for such Director's or officer's willful misconduct or bad faith. Each Director and officer shall be indemnified by the Association against all expenses and liabilities, including reasonable attorneys fees, incurred by or imposed upon such Director or officer in such capacity; provided, however, there shall be no indemnity if such Director or officer is adjudged guilty of willful misconduct or bad faith in connection with the matter as to which indemnification is sought.

SECTION 4. ASSESSMENTS

4.1 Annual Assessments. Subject to the requirements set forth in this Section 4, the Association shall have the authority to levy annual assessments to pay all expenses associated with the Association's performance of its powers, duties, and responsibilities under this Declaration, as well as to pay all property taxes, lighting, insurance, maintenance, and other expenses incurred with respect to the Common Areas and the Improvements thereon. The Association shall bill each Owner for such Owner's share of the assessments (determined in accordance with this Section 4) on an annual, quarterly, or monthly basis, as the Board may determine. Each Owner shall pay any such assessment within thirty (30) days after the date of billing.

4.2 Allocation to Commercial Lots. The annual assessment levied pursuant to Section 4.1 with respect to any calendar year shall be allocated among them in proportion to their respective True Cash Values as of the first day of such year; provided, however, annual assessment allocable to the Private Road shall be assessed and allocated among the Private Road Lots in accordance with the provisions of Section 7 hereof.

4.3 Special Assessments. In addition to annual assessments pursuant to Section 4.1, the Association may levy special assessments to pay the cost of any construction, reconstruction, repair, or replacement of any Improvements in or to the Public Open Space or the Other Common Areas or for any other purpose deemed appropriate by the Board; provided, however, that any special assessment shall be levied only upon the affirmative vote of at least seventy-five percent (75%) of the Directors. Special assessments shall be billed to the Owners at such time as the Board may determine. Special assessments shall be allocated among the Lots in the manner provided with respect to annual assessments in Sections 4.2. Notwithstanding the foregoing, special assessments allocable to the Private

Road shall only be levied and allocated among the Private Road Lots as provided in Section 7 hereof.

4.4 Records of Assessments. The Association shall maintain records of assessments, of any other income received by the Association, and of all disbursements made. The Board may at any time and from time to time require that an audit of the Association's records be performed at the expense of the Association. The results of any such audit may be presented at any meeting of the Board. Any Director may, at the Association's expense and at any reasonable time, copy any Association records reasonably necessary to the performance of such Director's duties. Any Owner shall have the right to inspect Association records at any reasonable time, after reasonable notice to the Secretary. Any Owner may copy Association records at such Owner's expense.

4.5 Enforcement. In the event that any assessment, or any expense due pursuant to this Declaration, is not paid within thirty (30) days after the date of billing, the unpaid amount shall thereafter bear interest from the date first due until paid in full at a rate per annum equal to three (3) percentage points in excess of the announced prime rate of U.S. National Bank of Oregon in effect on the date payment was first due. In addition to all other rights and remedies available by law or provided herein, the Association shall also be entitled (i) to impose a late charge with respect to any such unpaid amount equal to ten percent (10%) thereof, to reimburse the Association for its administrative and other expenses incurred as a result of the Owner's failure to pay the assessment or expense when due; and (ii) upon fifteen (15) days prior written notice to the Owner owing such assessment or expense, to impose a lien against such Owner's Lot in the amount of the assessment or expense, plus collection costs (including reasonable attorneys fees), plus interest and late charges as provided in this Section 4.5. Any such lien shall also secure any additional amounts thereafter coming due from the Owner of the Lot in question. Subject to the provisions of Section 4.7, any such lien shall bind and run with the Lot in question until paid in full. The Association may initiate an action to foreclose any such lien in any manner provided by law. In any action to foreclose any such lien, any judgment rendered against the Owner of the Lot in question and in favor of the Association shall include such amount as the court may adjudge reasonable as attorneys fees and costs and expenses reasonably incurred in the preparation for and the prosecution of such action, at trial and on any appeal, in addition to all other amounts provided by law.

4.6 Personal Obligation. Each assessment or charge levied pursuant to the provisions of this Declaration shall be a separate and personal obligation of the Owner of the Lot against which the assessment or charge is levied. The sale, transfer, or conveyance of a Lot shall neither release nor discharge the Owner thereof from such personal liability, nor shall such a sale, transfer, or conveyance extinguish any lien placed on such Lot.

4.7 Subordination. Notwithstanding any other provisions of this Declaration, any lien imposed on a Lot under this Section 4 shall be and remain at all times inferior, junior, and subordinate to the lien of any first mortgage or deed of trust encumbering such Lot. Without limiting the generality of the foregoing, the sale or transfer of any Lot under a decree of foreclosure pursuant to any such first mortgage or deed of trust, or proceeding in lieu of foreclosure, shall extinguish any lien imposed on such Lot hereunder prior the date of sale or transfer. Upon twenty (20) days prior written request, the Association shall execute and deliver such reasonable documentation as any Lot Owner may request to confirm or evidence the provisions of this Section 4.7.

SECTION 5. ARCHITECTURAL AND DESIGN CONTROL

5.1 Establishment of the Architectural Control Committee. On or prior to the Turnover Date, the Architectural Control Committee shall be established to review and approve or disapprove plans, specifications, design, construction, and alterations of all Improvements built within TOWER BUSINESS PARK, pursuant to Sections 5.2 and 5.3. The Architectural Control Committee shall consist of three (3) or five (5) members (as determined by the Board from time to time) appointed, removed, and replaced by the Board. The members of the Architectural Control Committee shall be compensated by the Association in such amount, if any, as may be determined from time to time by the Board. Until such time as the Architectural Control Committee is established, Declarant shall have full power and authority to act as the Architectural Control Committee in accordance with the provisions of this Section 5.

5.2 Architectural and Design Review

5.2.1 Generally. No Improvement of any kind shall be commenced, erected, placed, or altered on any portion of the Property unless such Improvement is in conformance with this Section 5.2 and until plans and specifications showing the nature, kind, shape, height, material, color and location of such Improvement are submitted to and approved by the Architectural Control Committee pursuant to the provisions of Section 5.3. All such Improvements shall be erected and altered in conformance with all applicable governmental laws, ordinances, rules and regulations and with the requirements set forth in this Section 5.2. To the extent applicable governmental laws, ordinances, rules and regulations are in conflict with such requirements, the more restrictive standards shall control.

5.2.2 Design Guidelines. The Architectural Control Committee shall have the authority to promulgate and issue, and thereafter to amend from time to time, design guidelines supplementing, interpreting and not inconsistent with those set forth in this Section 5.2. Such guidelines shall be supplied in writing to all Owners, shall be fully binding upon all Owners as if set forth in this Declaration, and shall be applied by the

Architectural Control Committee in reviewing and approving or denying proposed improvements. Without limiting the generality of the foregoing, the other provisions as the Architectural Control Committee may deem appropriate, height restrictions with respect to Improvements to be constructed on the Property or any portion thereof, requirements and restrictions with respect to exterior lighting in addition to those set forth in this Declaration, requirements regarding parking and landscaping in addition to those set forth in this Declaration, signage restrictions, and requirements to be met in connection with construction activities on the Property or any portion thereof. Any requirements or restrictions set forth in the design guidelines need not relate to all components of TOWER BUSINESS PARK, if the Architectural Control Committee determines that only certain portions of the Property should be affected.

5.2.3 Exterior Finish. The exterior of the Improvements on all Lots, including without limitation the roof, materials and color thereof, shall be subject to the approval or disapproval of the Architectural Control Committee and shall be designed, built and maintained so as to be compatible with the natural surroundings, existing structures and landscaping with TOWER BUSINESS PARK. Exterior trim, doors, railings, decks, eaves, gutters, roof and the exterior finish of garages and other accessory buildings shall be designed, built and maintained so as to be of high quality and compatible with the exterior of the structure they are part of or adjoin. Exterior materials for siding and trim shall be brick, masonry, tilt-up concrete, natural or synthetic stucco, or solid wood and architectural quality metal. In no case shall corrugated metal siding be permitted.

5.2.4 Building Location. Buildings shall observe the yard and setback regulations of the City of Medford. To the extent possible, parking in any front yard area, as that term is defined in the Medford Land Development Code, shall be limited to guest and visitor parking with employee parking to the rear of the building.

5.2.5 Building Size. No principle building on any Lot shall have less than 2,000 gross square feet, provided that this restriction shall not apply to temporary buildings or structures, including food or beverage carts or structures.

5.2.6 Outdoor Storage; Screening. The location and screening of areas used or intended for the outdoor storage of products, materials or equipment, shall be approved by the Architectural Control Committee. No outdoor area used for permanent storage (or temporary storage for more than ninety (90) days) shall be located within any front yard area as that term is defined in the Medford Land Development Code. Any area used for outdoor storage shall be completely screened by a brick or masonry wall, solid wood fence or chain-link fence with slats, not less than six (6) feet in height. Where a chain-link fence with slats is proposed, there shall be a hedge planted on the outside of the fence (except at gate openings). Hedge plantings shall be placed not less than four (4) feet apart and be an evergreen species commonly used for hedges. Where planted, screening hedges

shall be appropriately irrigated, fertilized and pruned so as to create a neat and orderly appearance.

5.2.7 Landscaping Plant Materials; Weed Abatement. Portions of each Lot not covered by buildings, parking or outdoor storage as the same has been approved by the Architectural Control Committee, including but not limited to Park Strips, shall be landscaped with living landscape material, the plans for which has been approved by the Architectural Control Committee. This provision shall not apply to portions of each Lot which are intended to accommodate the second or subsequent phase of a building project that has approved multiple phases, provided that no portion of any Lot intended for future buildings or additions to existing buildings, shall be used for outdoor storage unless the area conforms or is made to conform with the requirements of Paragraph 5.2.6. All living landscape materials shall be supplied with adequate water from a timed automatic underground irrigation system. When planted, all landscaped areas not covered by living plant materials, shall have a three (3) inch deep mulch cover consisting of ground bark, gravel or decorative rock or stone. Weeds shall be controlled and landscaped areas shall be routinely maintained to afford a neat, orderly and attractive appearance.

5.2.8 Exterior Lighting. Any exterior lighting other than lighting used for signage purposes, shall be confined to illumination of parking facilities, streets, roads, sidewalks, paths, exteriors of buildings, and entry ways to buildings. No lighting shall produce excessive glare or excessive illumination or unreasonably interfere with the use of any other portion of the Property. No flashing or blinking lighting shall be permitted.

5.2.9 Fences and Walls. All fences and walls and all fence and wall finishes shall be approved by the Architectural Control Committee prior to installation. All approved fences and walls shall be well-constructed of suitable fencing materials, shall be finished on both sides by the Person constructing the fence, and shall not detract from the appearance of any nearby building. No fence or wall taller than three (3) feet shall be located within any front yard area as that term is defined in the Medford Land Development Code.

5.2.10 Signs. All signs larger than two (2) square feet (except directional control signs) shall be approved by the Architectural Control Committee prior to installation.

5.2.11 Hedges. No hedges or other plantings along the boundaries of any Lot shall be permitted without the prior approval of the Architectural Control Committee.

5.2.12 Garbage Receptacles; Screening. Outdoor areas where garbage cans or dumpsters are located shall be screened by a brick or masonry wall, solid wood fence, or chain-link fence with slats. Where a chain-link fence with slats is proposed, there shall be a hedge planted on the outside of the fence (except at gate openings). Hedge plantings shall

be placed not less than four (4) feet apart and be an evergreen species commonly used for hedges. Where planted, screening hedges shall be appropriately irrigated, fertilized and pruned so as to create a neat and orderly appearance.

5.2.13 Tree Removal. No trees with a diameter of six (6) inches or more, measured at a height of five (5) feet above ground level, may be removed from any Lot without the prior approval of the Architectural Control Committee. Each Owner shall supply to the Architectural Control Committee, together with the plans and specifications for any proposed Improvement a drawing showing the intended location of such Improvement on such Owner's Lot and of all trees thereon, so that necessary tree removal can be readily determined.

5.2.14 Service Facilities. Clothes lines, waste facilities, storage facilities, and other service facilities shall be screened so as not to be visible from the street or adjacent property. No on-street vehicle loading shall be permitted and all loading dock areas shall be recessed and screened so as to minimize visibility from the abutting and nearby streets and adjacent property and shall be subject to the approval of the Architectural Control Committee.

5.2.15 Antennae. No exterior radio, television, or telecommunication towers, antennae, satellite dishes, or other exterior transmission or receiving devices shall be allowed without the prior approval of the Architectural Control Committee.

5.2.16 Parking Areas. Parking and loading spaces shall be provided as required by applicable governmental laws, rules and regulations. All driveways and areas for parking, maneuvering, loading and unloading shall be paved with asphalt, concrete or other durable material approved by the Architectural Control Committee, providing dust-free, all weather surfaces.

5.2.17 Utilities and Equipment. All utility lines shall be underground. Pad-mounted transformers, switch-gears and similar equipment which must be installed above ground and all service equipment such as meters, generators, mechanical duct work, piping and HVAC equipment shall be screened with suitable landscaping or walls of design and material compatible with those of the adjacent buildings. Rooftop HVAC equipment shall be appropriately screened.

5.3 Design Review Procedure

5.3.1 Submission of Plans. Prior to the commencement, erection, placement, or alteration of any Improvement on any Lot, the Owner desiring to commence, erect, place, or alter such Improvement shall submit plans and specifications to the Architectural Control Committee in accordance with such procedures as the Architectural

Control Committee may establish from time to time. All plans and specifications shall conform to any specific requirements set forth in the design guidelines promulgated pursuant to Section 5.2.2 and shall provide sufficient detail to enable the Architectural Control Committee to determine whether the proposed Improvement is in conformance with the applicable requirements set forth in this Section 5 and in such design guidelines. Such plans and specifications shall be accompanied by the Owners payment of such reasonable fee as may be fixed by the Board from time to time to cover costs of the design review process. The Owner shall also supply any additional information reasonably requested by any member of the Architectural Control Committee. The Architectural Control Committee shall review the information and plans submitted and shall, within thirty (30) days after submission of all information requested by any member of the Architectural Control Committee, notify the Owner in writing of its approval or disapproval of the proposed Improvement. If the Architectural Control Committee fails to give notice of its decision within such thirty (30) day review period, the proposed Improvement shall be conclusively presumed to be approved as submitted.

5.3.2 Approval. The Architectural Control Committee may approve a proposed Improvement as submitted or may impose specific conditions which must be met before approval will be granted. A decision by a majority of the members of the Architectural Control Committee shall constitute a decision of the Architectural Control Committee.

5.3.3 Commencement of Work. As soon as practicable after the receipt of approval by the Architectural Control Committee, if the Owner elects to proceed with the Improvement, the Owner shall satisfy any and all conditions of such approval, shall secure all necessary governmental permits and approvals, and shall commence construction of the approved Improvement. The Architectural Control Committee's approval of any proposed Improvement shall automatically be deemed revoked one hundred eighty (180) days after issuance unless construction of the Improvement has commenced or the Owner has applied for and received an extension of time from the Architectural Control Committee.

5.3.4 Completion of Work. Any approved Improvement shall be completed within five hundred forty (540) days after the date of commencement of construction in the case of any Improvement on a Lot; provided, however, that if the construction of any approved Improvement is delayed by causes beyond the reasonable control of the Person constructing such Improvement, the period within which construction must be completed shall be extended by the number of days construction is so delayed. In all cases, landscaping shall be completed within ninety (90) days after substantial completion of associated Improvements. Promptly after completion of any Improvement, the Owner shall give written notice of completion to the Architectural Control Committee. Within thirty (30) days after the effective date of such notice or at any time that the Architectural Control Committee has reason to believe that an Improvement has been completed, the

Architectural Control Committee shall inspect the completed Improvement and give written notice to the Owner of any respects in which the completed Improvement fails to conform to the plans therefor as approved by the Architectural Control Committee. The Architectural Control Committee shall specify in any such notice a reasonable period, which shall be not less than thirty (30) days, during which the Owner may remedy the nonconformance. If the Architectural Control Committee fails to give a notice of nonconformance within thirty (30) days after the effective date of a notice of completion, the Improvement shall be conclusively presumed to be approved as completed.

5.3.5 Failure to Act. If at any time the Architectural Control Committee fails for any reason to perform its responsibilities under this Section 5, the Board shall have complete authority to serve as a temporary Architectural Control Committee.

5.3.6 Architectural Control Committee Discretion. The Architectural Control Committee, in its sole discretion, may withhold approval of any proposed Improvement if the Architectural Control Committee finds that the proposed Improvement would be inconsistent with the provisions of Section 6 or would be incompatible with the design standards for TOWER BUSINESS PARK, as set forth in this Section 5 and in the design guidelines promulgated pursuant to Section 5.2.2. Considerations such as siting, shape, size, color, design, height, impairment of the view from other parts of the Property, solar access, and other effects on the enjoyment of other parts of the Property, including without limitation the Public Open Space and the Recreational Facilities, as well as any other factors which the Architectural Control Committee believes to be relevant, may be taken into account by the Architectural Control Committee in determining whether or not to approve any proposed Improvement. The Architectural Control Committee, in its sole discretion, may, upon application, waive any provision of this Section 5 if it finds that the application of such provision results in unnecessary hardship to the affected Owner and that strict application is not necessary for the furtherance of the objective to create an attractive development.

5.3.7 No Liability. Neither the Architectural Control Committee, nor any member thereof, nor the Association shall be liable to any Owner, Occupant, Developer, or other Person for any damage or loss suffered or claimed as a result of any action or failure to act on the part of the Architectural Control Committee or any member thereof, so long as the Architectural Control Committee or such member has acted in good faith based on actual knowledge.

5.3.8 Nonwaiver. Approval or disapproval by the Architectural Control Committee of any matter proposed to it or within its jurisdiction shall not constitute a precedent or waiver or impair in any manner whatsoever the right of the Architectural Control Committee to grant or withhold approval as to any similar matter thereafter proposed or submitted to it for approval.

5.3.9 Estoppel Certificate. Within twenty (20) days after receipt of a written request from any Owner, and the payment by such Owner of such reasonable fees as may be fixed by the Board from time to time to cover costs, the Architectural Control Committee shall provide such Owner with an estoppel certificate executed by a member thereof, certifying with respect to the Lot(s) owned by such Owner that, as of the date of the certificate, either (i) all Improvements on such Lot(s) comply with this Declaration, or (ii) such Improvements do not so comply, in which event the certificate shall also identify the noncomplying Improvements and state with reasonable particularity the nature of such noncompliance. Any purchaser from an Owner, and any mortgagee or other encumbrancer, shall be entitled to rely upon any such certificate as to the matters set forth therein, such matters being conclusive among Declarant, the Architectural Control Committee, the Association, all Owners, and such purchaser, mortgagee, or other encumbrancer.

SECTION 6. PROPERTY USE AND RESTRICTIONS

6.1 Improvements Permitted. No Improvement shall be erected or permitted to remain on any Lot except Improvements consisting of or containing Improvements normally accessory thereto. The provisions of this Section 6.1 shall not be construed to prohibit construction of such Improvement as has been approved by the Architectural Control Committee and is otherwise in conformance with this Declaration and applicable governmental requirements.

6.2 Landscaping and Maintenance. Each Owner and Occupant shall maintain such Owner's and Occupant's Lot and the Improvements thereon, at such Owner's or Occupant's expense. Required maintenance and repair shall include without limitation (i) maintenance of all parking areas, private drives, curbs and walkways in a clean and safe condition, including cleaning, repairing, and restriping as often as is necessary; (ii) maintenance of landscaping in an attractive, neat, orderly, trimmed and cut condition at all times, free of brush, weeds and debris; (iii) cleaning, maintenance and relamping of any external lighting fixtures; and (iv) maintenance of exteriors of buildings in an attractive and neat condition at all times. In addition, each Owner and Occupant shall maintain in good condition and repair the sidewalks, street trees and grass and other landscaping, if any, between the sidewalks and curbs bordering on such Owner's or Occupant's Lot whether located on the Lot or the adjacent right-of-way. If the Board determines that maintenance and repairs are not conducted as required pursuant to this Declaration, the Association may conduct the necessary repairs or maintenance as provided in Section 9. Notwithstanding the provisions of this Section 6.2, the maintenance and upkeep of the Common Areas and Open Space as described in Section 9.1, shall be the sole responsibility of the Association.

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6.3 Limitations on Use

6.3.1 Offensive Activities. No noxious or offensive activity shall be carried on in TOWER BUSINESS PARK, nor shall anything be done or placed upon any Lot or Tract which interferes with or jeopardizes enjoyment of other Lots or Common Areas.

6.3.2 Animals. No animals of any kind shall be raised, kept, or permitted within TOWER BUSINESS PARK; provided, however, that each Owner and Occupant may keep a reasonable number of household pets which are not kept, bred, or raised for commercial purposes and which are reasonably controlled so as not to be a nuisance; and provided further, that the selling, keeping, breeding, and raising of animals shall be permitted in any pet store or veterinarian office to which space is leased or sold on a Lot.

6.3.3 Parking. Parking of boats, trailers, recreational vehicles, trucks, campers, motorcycles and similar equipment in excess of three-quarters of a ton in weight shall not be allowed on any Lot, or any street adjacent thereto, except within an enclosed garage or screened area which prevents the vehicle or equipment therein from being seen from any other Lot, the Open Space or Common Areas, or any street within the Property and the construction of which has been reviewed and approved by the Architectural Control Committee pursuant to Section 5.

6.3.4 Vehicles in Disrepair. No Owner or Occupant shall permit any vehicle which is in an extreme state of disrepair (as reasonably determined by the Board) or which is under repair to be abandoned or to remain parked on any Lot for a period in excess of forty-eight (48) hours. If an Owner or Occupant fails to remove such a vehicle within five (5) days after notice from the Association, the Association may have the vehicle removed from the Property and charge the expense of such removal to the Owner of the Lot as provided in Section 10.

6.3.5 Rubbish and Trash. No Lot nor any part of the Common Areas shall be used as a dump for trash or rubbish of any kind. All garbage and other waste shall be kept in appropriate sanitary containers for proper disposal and out of public view. Yard rakings, dirt, and other material resulting from landscaping work shall not be dumped onto streets or Common Areas or on any Lot. In the event an Owner or Occupant fails to remove any trash, rubbish, garbage, yard rakings, or other waste materials from such Owner's or Occupant's Lot (or from any street or Common Areas if deposited thereon by such Owner or Occupant) within five (5) days after notice from the Association, the Association may have such waste removed and charge the expense of such removal to the Owner of the Lot as provided in Section 10.

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6.3.6 Temporary Structures. No structure of a temporary character, trailer, tent, shack, garage, barn, or other outbuilding shall be permitted or used in TOWER BUSINESS PARK at any time as a residence either temporarily or permanently.

6.3.7 Improvements in the Public Open Space. No Improvement of any type shall be erected or maintained by any Owner or Occupant so as to trespass or encroach upon the Common Areas.

SECTION 7. PRIVATE ROAD

7.1 Declarant, as Owner, shall have a right of way and easement of ingress and egress over and across the Private Road which shall be appurtenant to and pass with the title to each of the Private Road Lots as they are sold to other Owners subject to the provisions herein contained.

7.2 The Private Road shall be used for ingress and egress and storm drain retention purposes only and shall not be obstructed by any Owner for any purposes, unless with prior consent of all Owners. The Private Road will be improved and paved to full City of Medford standards with the exception of width.

7.3 Expenses of maintaining and repairing the Private Road including but not limited to storm drain retention shall be paid on a pro rata basis by the Private Road Lot Owners. The Private Road Lot Owners shall agree upon any maintenance that is to be done on the roadway and the contractors who would be contracted with to perform the maintenance work. In the event agreement cannot be reached, it is hereby agreed that the standards of maintenance and repair shall be as required by the City of Medford in connection with the maintenance and repair of city streets and roadways. Pursuant to the Medford City Code, the City of Medford has the right to enforce the street maintenance requirements on all private streets that are utilized by the public and to protect all public easements or public facilities with the municipal power possessed by the city. The expenses of maintaining the Private Road including but not limited to storm drain retention shall constitute a charge on the Private Road Lot Owners and shall be a continuing lien upon their respective properties until paid. Such lien shall also include all interest, costs of collection and reasonable attorney's fees in collecting and enforcing the same. As well, such assessment, together with the aforesaid costs and fees, shall be the personal obligation of the individual Private Road Lot Owner as of the date when the assessments or expenses become due. The assessment for the expenses shall become due as of thirty (30) days after presentment of the invoice for the repairs and maintenance. The assessment shall bear interest at the rate of ten percent (10%) per annum from thirty (30) days after the presentment date until paid. Any Private Road Lot Owner who has paid his share of the assessment may bring action in equity to foreclose the lien against the nonpaying Owner's property or in an action at law against the nonpaying Owner personally.

7.4 The lien of assessments provided for herein shall be subordinate to the lien of any first mortgage or trust deed or like encumbrance upon any of the Declarant's properties. Sale or transfer of any of the Declarant's properties shall not affect the assessment lien, PROVIDED, HOWEVER, the sale or transfer of any such property pursuant to a mortgage foreclosure or any proceeding in lieu thereof shall extinguish the lien of such assessment as to payments which become due prior to such sale or transfer. No sale or transfer shall relieve such property from liability for any assessments thereafter becoming due or from the lien thereof.

7.5 Each Private Road Lot Owner agrees to defend, indemnify, and hold the other Private Road Lot Owners, the Developer, and/or the Developer's associates, contractors, or subcontractors harmless from and against any and all losses, claims, demands, or other liabilities whatsoever arising out of his own use of the Private Road, or use by his invitees, guests, agents, or employees. Each Private Road Lot Owner assumes all risks arising out of his own use of the Private Road and none of the other Private Road Lot Owners shall have any liability as between themselves for any condition arising thereon.

7.6 Unless specifically outlined within the terms of this Declaration, all other stipulations contained in ORS 105.170 to 105.185 concerning Easement Owner Obligations will apply.

SECTION 8. PSDEs AND PSSE

8.1 Each of the PSDEs and the PSSE shall be maintained on a pro rata basis by the Owners of the Lots benefitted thereby as designated on the Plat.

8.2 Unless specifically outlined within the terms of this Declaration, all other stipulations contained in ORS 105.170 to 105.185 concerning Easement Owner Obligations will apply.

SECTION 9. COMMON AREAS

9.1 **Common Areas.** Subject to the terms of the Mitigation Plan and the rules and regulations of the Governing Agencies, every Owner and Occupant, and all invitees and guests of all Owners and Occupants shall have a nonexclusive right and easement to use and enjoy the Common Areas, which right and easement shall be appurtenant to and shall run with the Property and all Lots therein. Such right and easement shall also be subject to the Association's right to promulgate rules and regulations governing the use of the Common Areas. The Owner's shall be obligated to pay their allocable share of the cost of monitoring, maintenance and repair of the Common Areas in accordance with Section 4. The initial Common Areas, consist of the Riparian Corridor and Mitigated Wetland. The Association shall monitor, maintain and repair the Common Areas including, but not limited to the

following:

9.1.1 Maintaining a wire style fence that will be installed by Declarant along the perimeters of the Riparian Corridor as required by the Mitigation Plan.

9.1.2 The Association will accept full responsibility for monitoring, maintaining and repairing the Mitigated Wetlands as required by the Mitigation Plan upon completion of the following:

9.1.2.1 Acceptance of the first annual report from Declarant by the Governing Agencies;

9.1.2.2 The completion by Declarant of the corrective measures required by the Governing Agencies in response to the first annual monitoring report;

9.1.2.3 The Mitigated Wetlands meeting the first year's success criteria as defined in the Mitigation Plan.

Declarant retains the right to access Tracts A and B for the purpose of constructing, monitoring, maintaining or repairing the Mitigated Wetlands until such time as no legal responsibility for monitoring, maintaining, or repairing the Mitigated Wetlands exists for Declarant.

9.2 **Utility Easements.** The Association shall have the right to grant nonexclusive easements and rights of way over the Common Areas for the purpose of installing, maintaining, repairing and replacing public utility lines, services and facilities reasonably necessary to serve any of the Property. Notwithstanding the foregoing, no easements or rights-of-way shall be granted through, over or under the Riparian Corridor or Mitigated Wetlands without the prior written approval of the Governing Agencies.

9.3 **Future Improvements.** The Association shall have the right to make further Improvements in or of the Common Areas and to expand or replace any Improvements in the Common Areas. Notwithstanding the foregoing, no improvement shall be made in the Riparian Corridor or Mitigated Wetlands without the prior written approval of the Governing Agencies.

SECTION 10. RIGHT OF ENTRY

Declarant, the Association, the Architectural Control Committee, and any representative of any of the foregoing shall have the right to enter upon any Lot (i) to clean or maintain landscaping, parking areas, driveways, exterior lighting fixtures and buildings; (ii) to inspect any Lot prior to, during, or upon the completion of construction of

Improvements thereon; (iii) to remove, demolish, replace, alter, repair, or otherwise correct any Improvement which is placed on any Lot without the prior approval of the Architectural Control Committee pursuant to Section 5 or which is constructed or installed in a manner inconsistent with the terms of the Architectural Control Committee's approval therefor pursuant to Section 5; (iv) to enforce the provisions of Sections 6.3, 6.4.4, and 6.4.5 if the Owner of the Lot in question does not do so as required by this Declaration; or (v) for any other purpose permitted under this Declaration. The Owner of any Lot shall reimburse the Association for any expenses incurred in connection with any action described in the clauses (i), (iii), or (iv) of the preceding sentence promptly upon billing of the same. If the Owner fails to reimburse the Association within ten (10) days after such billing, the Association may impose a lien against the Lot as provided in Section 4.6. No entry on any Lot pursuant to this Section 10 shall be deemed a trespass or otherwise create any right of action in the Owner or Occupant of such Lot.

SECTION 11. GENERAL PROVISIONS

11.1 Duration. These covenants, conditions and restrictions shall run with and bind, benefit and burden in perpetuity the Property, all Owners and Occupants, and the lessees, invitees and guests of all Owners and Occupants.

11.2 Severability. In the event any provision of this Declaration is determined to be invalid or unenforceable, that determination shall not affect the validity or enforceability of any other provision or of the same provision to a different situation.

11.3 Amendment. Prior to the Turnover Date, this Declaration may be amended at any time and from time to time by Declarant. Thereafter, this Declaration may be amended only (i) by majority vote of the Board, or (ii) upon the affirmative vote of sixty-five percent (65%) or more of the Owners, with each Owner having one (1) vote for each Lot owned; provided, however, that the provisions of Section 4.2 or 4.3 may be amended after the Turnover Date only by unanimous vote of the Board or upon the affirmative vote of seventy-five percent (75%) or more of the Owners. For purposes of this Section 11.3, if there is more than one (1) Owner of any Lot, such Owners shall together be considered a single Owner with respect to such Lot.

11.4 Enforcement. The Association and each Owner shall have the right to enforce all of the covenants, conditions, restrictions, reservations, easements, liens and charges now or hereinafter imposed pursuant to any provision of this Declaration by any appropriate proceeding at law or in equity. Any remedies specifically provided herein are nonexclusive and cumulative and are in addition to all other remedies available to the Association and the Owners at law or in equity.

11.5 Non-Waiver. Any failure of the Association or any Owner to enforce a

covenant, condition or restriction contained in this Declaration shall not be deemed to constitute a waiver of the Association's or any Owner's right to enforce that or any other covenant, condition, or restriction contained in this Declaration.

11.6 Declarant Not Liable. Neither Declarant nor Declarant's successors or assigns shall be liable to any Owner or Occupant or to any other Person for its enforcement or failure to enforce any provision of this Declaration. Each Owner and Occupant, by acquiring such Owner's or such Occupant's interest in the Property, agrees not to bring any action or suit against Declarant or any successor or assign of Declarant to recover any such damages or to seek any other relief (including without limitation equitable relief) by reason of any such enforcement or failure to enforce any provision of this Declaration. Each Owner and Occupant shall and does, by taking title to or occupying any portion of the Property, agree to defend, indemnify and hold harmless Declarant and Declarant's successors and assigns from any claim, loss, damage, cost, or expense (including without limitation reasonable attorneys fees) arising out of the use, operation, ownership, occupancy, or condition or state of repair of that portion of the Property owned by such Owner or occupied by such Occupant.

11.7 Constructive Notice and Acceptance. By the recording of this Declaration, each Owner and Occupant shall be deemed to have consented and agreed to every term, covenant, condition and restriction contained herein.

11.8 Joint and Several Liability. If an Owner consists of more than one (1) Person, each such Person shall be jointly and severally liable for any assessment or charge and for the performance of any other obligation imposed pursuant to this Declaration.

11.9 Captions. The captions and headings of sections herein are for convenience only and are not intended in any way to defined, limit or describe the scope or intent of any section of this Declaration.

11.10 Notices. All notices under this Declaration shall be in writing. Any such notice shall be deemed effective on the earlier of the date of delivery or, if mailed, three (3) business days following the date of mailing, if addressed at the address, if any, designated in the Association's records.

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03 62171

EXECUTED the day and year first hereinabove set forth.

TOWER BUSINESS PARK, LLC,
an Oregon limited liability company

MURPHY FAMILY, LLC, an Oregon
limited liability company

By: _____
REID A. MURPHY

JOHN A. DUKE TRUST

By: _____
JOHN A. DUKE, Trustee

"Members"

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

On this 10th day of September, 2003, personally appeared the above-named REID A. MURPHY, who being duly sworn, stated that he is an authorized Member of the MURPHY FAMILY, LLC, an Oregon limited liability company, and that the foregoing instrument was voluntarily signed on behalf of said limited liability company; and acknowledged said instrument to be its voluntary act and deed.

Before me:

_____
Notary Public for Oregon

OFFICIAL SEAL
HARRIET M. CHAMBERLAIN
NOTARY PUBLIC-OREGON
COMMISSION NO. 364045
MY COMMISSION EXPIRES APR. 09, 2006

03 62171

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

On this 10th day of September, 2003, personally appeared the above-named JOHN A. DUKE, who being duly sworn, stated that he is a trustor and trustee of the JOHN A. DUKE TRUST, and that the foregoing instrument was voluntarily signed by JOHN A. DUKE as a trustor and trustee.

Before me:

OFFICIAL SEAL
JEANNETTE CLARKE
NOTARY PUBLIC - OREGON
COMMISSION NO. 325960
MY COMMISSION EXPIRES JUL 6, 2004

Jeannette Clarke
Notary Public for Oregon

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

SEP 10 2003
12:23 PM
[signature]
COUNTY CLERK

27

July 25, 2018

EXHIBIT 17

RECEIVED
JUN 28 2019
PLANNING DEPT

Dan Reece
1585 Ridge Way
Medford, OR 97504

To: Tower Business Park property owners

My name is Dan Reece and we own the upper lot on Arrowhead Drive below the Housing Authority project, Tax Lot #2511. We are requesting a change to the PUD to rezone the property to MFR 20 so that we can build residential housing units. If you do not have any objections, please sign and return this letter to us in the envelope provided.

If you have any questions, please call me on my cell phone at 541-210-3285.

Thank you for taking the time to respond,

Dan Reece

Dan Reece

Approval Signature:

John Batzer

Printed Name

8-02-18

Date

Tx Lot # 2513
2514
2515
2516

Signature

CITY OF MEDFORD
EXHIBIT # FT
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

33

EXHIBIT 16

RECEIVED
JUN 28 2019
PLANNING DEPT

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977936
Map 371W08BC02502

	MA	SA	NH
Prop Class 231			
RMV Class 201	6	77	000

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.50	L	164,440	0	111%	182,810	0
	COMMERCIAL SHOP	1	0	560	R		L	361,040	0	111%	401,370	0
					Total	0.50		525,480	0		584,180	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.50	L	182,810	182,810	0				
	COMMERCIAL SHOP	1	0	560	R		L	401,370	401,370	0				
					Total	0.50		584,180	584,180	0	459,610	0	459,610	459,610

CITY OF MEDFORD
EXHIBIT # GG
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977937
Map 371W08BC02503

Prop Class 231 **MA** 6 **SA** 77 **NH** 000
RMV Class 201

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.44	L	148,680	0	111%	165,290	0
	MISC COMMERCIAL	1	0	652	R		L	127,290	0	111%	141,510	0
					Total	0.44		275,970	0		306,800	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.44	L	165,290	165,290	0				
	MISC COMMERCIAL	1	0	652	R		L	141,510	141,510	0				
					Total	0.44		306,800	306,800	0	162,010	0	162,010	162,010

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977938
Map 371W08BC02504

Prop Class 231 **MA** 6 **SA** 77 **NH** 000
RMV Class 201

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.54	L	174,940	0	111%	194,480	0
	COMMERCIAL SERVICE	1	0	510	R		L	625,310	0	111%	695,160	0
					Total	0.54		800,250	0		889,640	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.54	L	194,480	194,480	0				
	COMMERCIAL SERVICE	1	0	510	R		L	695,160	695,160	0				
					Total	0.54		889,640	889,640	0	778,650	0	778,650	778,650

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977939
Map 371W08BC02505

Prop Class 231 **MA** 6 **SA** 77 **NH** 000
RMV Class 201

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.44	L	148,680	0	111%	165,290	0
	OFFICE	1	0	540	R		L	635,670	0	111%	706,670	0
					Total	0.44		784,350	0		871,960	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.44	L	165,290	165,290	0				
	OFFICE	1	0	540	R		L	706,670	706,670	0				
					Total	0.44		871,960	871,960	0	856,570	0	856,570	856,570

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977940
Map 371W08BC02506

Prop Class 230 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	INDUSTRIAL SITE	1	0		R	0.46	L	130,090	0	221%	287,130	0
					Total	0.46		130,090	0		287,130	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	INDUSTRIAL SITE	1	0		R	0.46	L	287,130	287,130	0				
					Total	0.46		287,130	287,130	0	128,570	0	128,570	128,570

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977942
Map 371W08BC02508

Prop Class 230 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	INDUSTRIAL SITE	1	0		R	0.71	L	206,260	0	221%	455,260	0
					Total	0.71		206,260	0		455,260	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	INDUSTRIAL SITE	1	0		R	0.71	L	455,260	455,260	0				
					Total	0.71		455,260	455,260	0	203,910	0	203,910	203,910

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977943
Map 371W08BC02509

Prop Class 231 **MA** 6 **SA** 00 **NH** 000
RMV Class 201

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	INDUSTRIAL SITE	1	0		R	0.59	L	173,360	0	203%	351,890	0
	OFFICE	1	0	540	R		L	660,779	0	107%	705,450	0
	OFFICE	2	0	540	R		L	64,630	0	107%	69,000	0
					Total	0.59		898,769	0		1,126,340	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	INDUSTRIAL SITE	1	0		R	0.59	L	351,890	351,890	0				
	OFFICE	1	0	540	R		L	705,450	705,450	0				
	OFFICE	2	0	540	R		L	69,000	69,000	0				
					Total	0.59		1,126,340	1,126,340	0	773,170	0	773,170	773,170

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977944
Map 371W08BC02510

Prop Class 231 **MA** 6 **SA** 00 **NH** 000
RMV Class 201

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	INDUSTRIAL SITE	1	0		R	0.50	L	146,920	0	203%	298,220	0
	OFFICE	1	0	542	R		L	214,968	0	107%	229,500	0
	MISC COMMERCIAL	2	0	651	R		L	46,834	0	107%	50,000	0
					Total	0.50		408,722	0		577,720	0

Trendable Exception Value

Code Area	Value Source	Val ID	Year Add	Stat Class	RFD	Year Used	Size	Size Type	Exception Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt	CPR	Ratio RMV	Ratio Exempt
4901	OFFICE	1	2019	542	R	2019		L	New Property or Improveme	214,968		0 107%	229,500	0	100.0%	229,500	0
	MISC COMMERCIAL	2	2019	651	R	2019		L	New Property or Improveme	46,834		0 107%	50,000	0	100.0%	50,000	0
					Total		0.00			261,802	0		279,500	0		279,500	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	INDUSTRIAL SITE	1	0		R	0.50	L	298,220	298,220	0				
	OFFICE	1	0	542	R		L	229,500	229,500	229,500				
	MISC COMMERCIAL	2	0	651	R		L	50,000	50,000	50,000				
					Total	0.50		577,720	577,720	279,500	145,190	0	424,690	424,690

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 03, 2019

Account ID 10977945
Map 371W08BC02511

Prop Class 230 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	INDUSTRIAL SITE	1	0		R	1.16	L	294,370	0	221%	649,730	0
					Total	1.16		294,370	0		649,730	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	INDUSTRIAL SITE	1	0		R	1.16	L	649,730	649,730	0				
					Total	1.16		649,730	649,730	0	291,070	0	291,070	291,070

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 27, 2019

Account ID 10996624
Map 371W08BC02513

Prop Class 200 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND /	1	0		R	0.69	L	284,612	0	221%	628,200	0
					Total	0.69		284,612	0		628,200	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.69	L	628,200	628,200	0				
					Total	0.69		628,200	628,200	0	515,050	0	515,050	515,050

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 27, 2019

Account ID 10996625
Map 371W08BC02514

Prop Class 200 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.69	L	230,532	0	221%	508,830	0
					Total	0.69		230,532	0		508,830	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.69	L	508,830	508,830	0				
					Total	0.69		508,830	508,830	0	417,190	0	417,190	417,190

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 27, 2019

Account ID 10996626
Map 371W08BC02515

Prop Class 194 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.85	L	385,669	0	221%	851,250	0
					Total	0.85		385,669	0		851,250	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.85	L	851,250	851,250	0				
					Total	0.85		851,250	851,250	0	697,940	0	697,940	697,940

JACKSON COUNTY ASSESSOR

Real Property Value Summary Report

For Assessment Year 2019

Jun 27, 2019

Account ID 10996627
Map 371W08BC02516

Prop Class 200 **MA** 6 **SA** 00 **NH** 000
RMV Class 200

Trendable RMV Value

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	Exempt Value	Trnd %	Trended RMV	Trended Exempt RMV
4901	COMMERCIAL SITE/LAND	1	0		R	0.62	L	230,532	0	221%	508,830	0
					Total	0.62		230,532	0		508,830	0

Value Summary

Code Area	Value Source	Val ID	SA	Stat Class	RFD	Size	Size Type	RMV	M5	Exception Value	MAV	MSAV	Max AV	Taxable Value
4901	COMMERCIAL SITE/LAND	1	0		R	0.62	L	508,830	508,830	0				
					Total	0.62		508,830	508,830	0	417,190	0	417,190	417,190

21063

EXHIBIT 15

TOWER RETAIL CENTER SUBDIVISION

TOWER PROPERTIES LLC
150 N. ROSS LANE
MEDFORD. OR. 97501

LOCATED IN:
LOT 1 OF TOWER BUSINESS PARK, A PLANNED COMMUNITY,
IN THE N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON

*** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS, that Tower Properties, LLC, an Oregon Limited Liability Company, is the owner in fee simple of the lands hereon described and has subdivided the same into lots as shown hereon, and the number of each lot and the course and length of all lines are plainly set forth and this plat is a correct representation of the subdivision. We hereby grant a 10.00 foot easement for sanitary sewer purposes to the City of Medford as shown hereon. We hereby make and create a shared access easement over and across Lots 1 through 5 for the benefit of the owners, their heirs and assigns of Lots 1 through 5. We hereby make and create a shared access easement over and across Lot 4 and Lot 5 for the benefit of the owners, their heirs and assigns of Lots 1 through 5. We hereby make and create a private storm sewer easement and private sanitary sewer easement over and across the northern portion of Lot 3 for the benefit of the owners, their heirs and assigns of Lot 4 and Lot 5. We hereby make and create a private storm sewer easement over and across the southerly portion of Lot 3 for the benefit of the owners, their heirs and assigns of Lot 1 and Lot 2. We hereby make and create a private storm sewer easement and private sanitary sewer easement over and across Lot 2 for the benefit of the owners, the heirs and assigns of Lot 1 and Lot 3. We hereby designate said subdivision as Tower Retail Center Subdivision.

TOWER BUSINESS PARK LLC:

IN WITNESS WHEREOF, I have set my hand and seals this 23RD day of APRIL, 2012.

John Batzer, Member

STATE OF OREGON)
County of Jackson) ss.
The foregoing instrument was acknowledged before me this 23RD day of APRIL, 2012, by John Batzer, as a member on behalf of Tower Business Park, L.L.C., freely and voluntarily.

Before me:
J. TRUMBLE NOTARY PUBLIC - OREGON
Commission No. 431330
My Commission Expires 9.7.2012

*** SURVEYOR'S CERTIFICATE ***

STATE OF OREGON)
County of Jackson) ss.
I, Darrell L. Huck, a duly Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law the tract of land hereon shown and this plat is a correct representation of the same, and the following is an accurate description of the tract:

Lot One (1) in TOWER BUSINESS PARK, a planned community in the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record.

Surveyor

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES

PURPOSE: To survey and monument Tower Retail Center Subdivision, being located within Lot 1 of Tower Business Park and described in Instrument No. 2005-065254, Official Records, Jackson County, Oregon

PROCEDURE: Monuments that had been originally placed for the boundary of Lot 1 of Tower Business Park were located and held for control. The boundaries of the new subdivision lots were computed according to client's direction and monuments were set as shown.
Equipment used: Trimble S6 robotic instrument

RECEIVED
Date 5-21-12 By BB
This survey consists of
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

*** APPROVALS ***

MEDFORD CITY PLANNING:
I certify that, pursuant to authority granted in Ordinance No. 5795 this plat is hereby approved.
Planning Director — Date 5/10/12

Examined and approved this 2nd day of May, 2012.
City Engineer — City Surveyor

Examined and approved as required by O.R.S. 92.100 as of MAY 21, 2012.
Assessor, Department of Assessment

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid as of May 21, 2012.
Tax Collector

APPROVED FOR RECORDING
COUNTY COMMISSIONER/ADMINISTRATOR — DATE May 21 '12

RECORDING:
Filed for record this 21st day of MAY, 2012 at 10:53 o'Clock A.M. and recorded in Volume 38 of Plats at Page 5 of Records of Jackson County, Oregon.
CHRISTINE D WALKER, County Clerk — BARBARA J SMITH-DEARTY, Deputy

I certify this plat to be an exact copy of the original
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
DARRELL L. HUCK
Expires 6/30/2013

37 1W 08BC TL 2501

RECEIVED
JUN 28 2019
PLANNING DEPT.

2106

Page 267

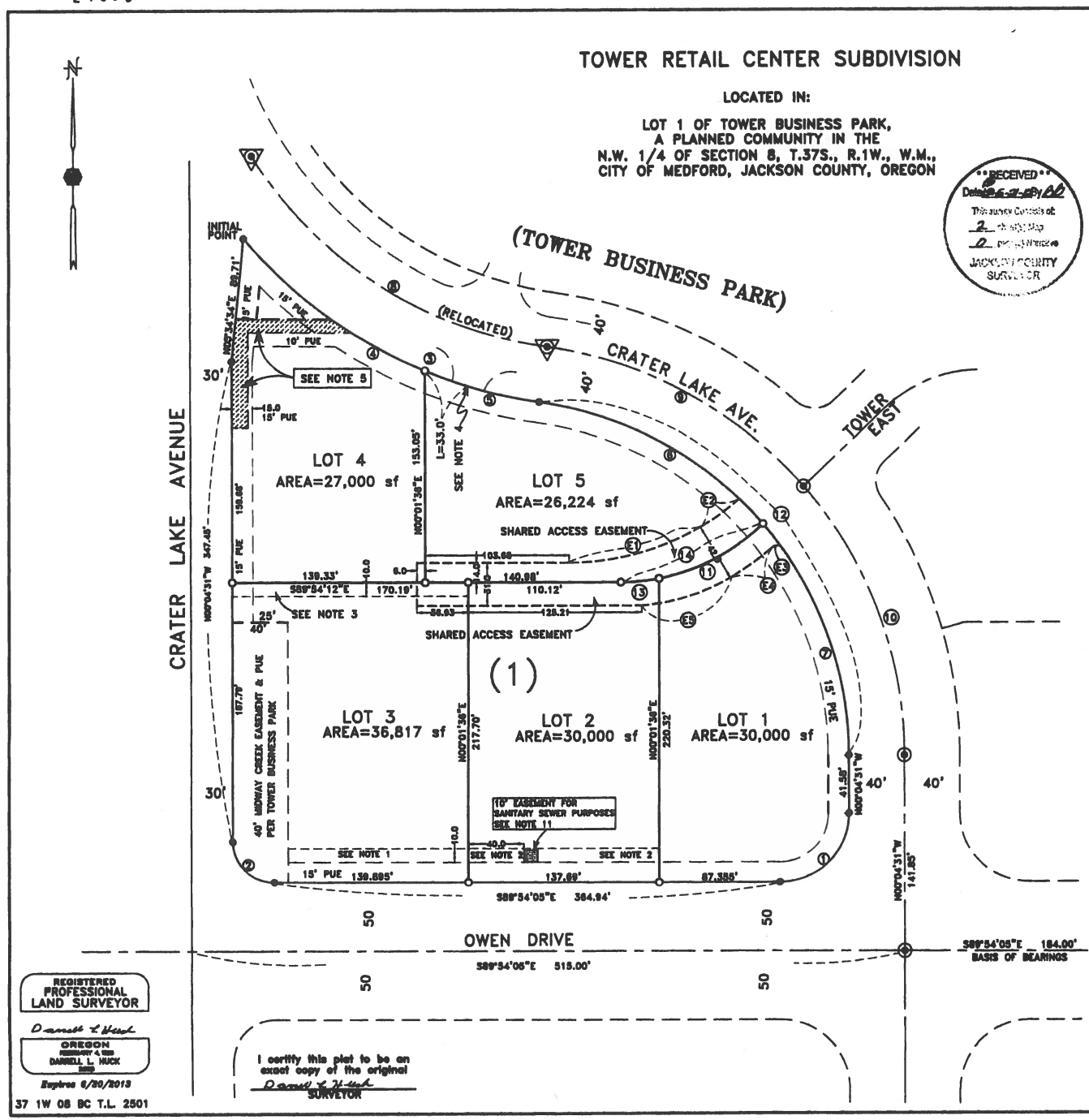
File # GLUP-19-004 ZC-19-004 MP-19-003
EXHIBIT # 14
CITY OF MEDFORD

21063

TOWER RETAIL CENTER SUBDIVISION

LOCATED IN:

LOT 1 OF TOWER BUSINESS PARK,
A PLANNED COMMUNITY IN THE
N.W. 1/4 OF SECTION 8, T.37S., R.1W., W.M.,
CITY OF MEDFORD, JACKSON COUNTY, OREGON



NOTES:
1. 10.00 FOOT PRIVATE EASEMENT FOR STORM SEWER
2. 10.00 FOOT PRIVATE EASEMENT FOR STORM SEWER AND SANITARY SEWER
3. 10.00 FOOT PRIVATE EASEMENT FOR STORM SEWER AND SANITARY SEWER
4. CENTER LINE OF 25' WIDE DRIVEWAY ACCESS POINT FOR SHARED ACCESS TO BENEFIT LOTS 1 THROUGH 5
5. 10.00 FOOT WATER LINE EASEMENT PER INST. NO. 02-54840 OFFICIAL RECORDS, JACKSON COUNTY, OREGON
6. ACCESS RESTRICTION:
   NO LOT SHALL HAVE DIRECT VEHICULAR ACCESS FROM OWEN DRIVE, CRATER LAKE HIGHWAY OR CRATER LAKE AVENUE (OTHER THAN THE TWO SHARED ACCESSES SHOWN OFF OF THE RELOCATED CRATER LAKE AVENUE.
7. THIS PROPERTY IS SUBJECT TO A POWER LINE EASEMENT PER INST. NO. 74-02194 (EXACT LOCATION IS NOT DESCRIBED)
8. THIS PROPERTY IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN INST. NO. 03-62171 AND AS AMENDED PER INST. NO. 2006-036302
9. THIS PROPERTY IS SUBJECT TO A DECLARATION OF DEED RESTRICTION PER INST. NO. 02-63609
10. THIS PROPERTY IS SUBJECT TO AN AVIGATION, NOISE AND HAZARD EASEMENT PER INST. NO. 2007-031445
11. 10' EASEMENT FOR SANITARY SEWER PURPOSES BEING GRANTED TO THE CITY OF MEDFORD, HEREON.
12. DOMESTIC WATER SERVICE - PURSUANT TO ORS 92.0090(c), NO DOMESTIC WATER SUPPLY FACILITY WILL BE PROVIDED TO LOTS 1 THROUGH 5 AT THE TIME OF RECORDING OF THIS PLAT, EVEN THOUGH A DOMESTIC WATER SUPPLY SOURCE EXISTS IN OWEN DRIVE.

RECEIVED
Date 9-6-11 By BD
This survey contains at
2 sheets
0 pages of notes
JACKSON COUNTY SURVEYOR

HOFFBUHR & ASSOCIATES, INC.
880 GOLF VIEW DRIVE, SUITE 201
MEDFORD, OREGON 97504
(541)779-4641

BY: DARRELL L. HUCK PLS No. 2023
SCALE: 1 inch = 50' SEPT. 27, 2011
BASIS OF BEARING: TOWER BUSINESS PARK

- ○ = Set 5/8"x24" rebar with plastic cap stamped "HOFFBUHR & ASSOC., INC."
- ⌑ = Set 5/8"x30" iron reinforcing pin with plastic cap stamped "D. Huck LS 2023".
- ● = Found 5/8" rebar with plastic cap stamped "HOFFBUHR & ASSOC., INC." per plat of TOWER BUSINESS PARK
- ◉ = Found 5/8" rebar with metal cap stamped "HOFFBUHR & ASSOC., INC." per plat of TOWER BUSINESS PARK unless noted otherwise
- ⊙ = Original monument destroyed by road construction, Set 5/8" rebar with metal cap stamped "HOFFBUHR & ASSOC., INC."
- PUE = Easement for public utilities, storm drainage, irrigation, gas, water, electric, telephone, cable television and sanitary sewer, construction and maintenance

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
1	90°10'26"	50.00	78.69	70.82	S48°00'43"W
2	89°48'34"	30.00	47.00	42.36	N44°59'18"W
3	43°02'35"	340.00	246.43	240.63	S82°54'38"E
4	27°55'04"	340.00	165.69	164.40	S62°42'21"E
5	14°24'30"	340.00	85.50	85.27	S74°45'38"E
6	41°55'26"	300.00	219.50	214.48	N81°02'08"E
7	40°17'55"	300.00	192.61	188.72	S32°13'37"E
8	50°08'07"	300.00	262.50	254.38	S60°51'33"E
9	41°08'18"	300.00	215.49	210.80	N81°31'43"W
10	40°45'02"	300.00	213.38	208.74	N32°28'02"W
11	33°38'08"	147.00	86.30	84.97	N42°38'18"E
12	81°51'21"	230.00	311.40	340.05	S41°00'13"E
13	10°48'38"	147.00	27.73	27.69	N64°41'31"E
14	44°34'30"	147.00	114.34	111.11	N67°32'33"E
E1	30°37'17"	188.33	100.69	99.49	N76°47'08"E
E2	11°30'30"	178.49	35.73	35.66	N62°46'18"E
E3	85°13'16"	7.50	6.24	6.00	N72°01'40"E
E4	60°35'24"	212.50	224.71	214.47	N64°41'40"E
E5*	28°56'07"	191.00	96.50	95.51	N72°28'14"E

* E5 is a non-tangent curve

REGISTERED PROFESSIONAL LAND SURVEYOR
Darrell L Huck
OREGON
FEBRUARY 4, 1986
DARRELL L. HUCK
2023
Expires 6/30/2013

I certify this plat to be an exact copy of the original
Darrell L Huck
SURVEYOR

37 1W 08 BC T.L. 2501

(10063 S2 R1.DWG)
SHEET 2 OF 2

21063

RECEIVED
AUG 28 2019
PLANNING DEPT.

William S. Merrihew
3716 Mallard Lane
Medford, OR 97504
26 August 2019

Dear Matt Brinkley, Planning Director:
Ref: PUD-19-003/ GLUP-19-004 / ZC-19-014 dtd August 22, 2019
Thank you for the invitation to the Public Hearing for the revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planning Unit to allow for the construction of row-house-style residential buildings, including an amendment to the General Land Use Plan map from GI to UM and to change zoning to MFR-15 located at 3583 Arrowhead Drive, Medford, OR 97504. Wow.

My initial argument is that I'm opposed. You may in fact have reasonable argument for these changes but I remain opposed.

My opposition is based in part that while I have read your document my comprehension of what is being stated is close to zero. This document is meant for bureaucratic planners, lawyers, and contractors with lots of lawyers. Unless you have a survey, a documented code violations, citizens have little chance at the public meeting… I've been to one. Yeah I know only one. My opinion is that these public meeting are a means to conform to a checklist but the means by which an average citizen is to understand what is actually going on remains elusive, if not of much less importance than that checklist.

Area SFR-6, in part, was at one time designated as a wetland. I always thought wetlands were sacrosanct. According to a Planner I talked to, a few years ago, "...we just moved it to somewhere else..." Okay, if that's all it takes I doubt zoning has much validity anywhere. SFR-6 is now surveyed for 15 to 20 +/- residences, All of which I presume is de minims.

It appears that Medford can't let anything green remain so. Years ago planners had a notion that residential areas should be intermixed with green spaces. Admittedly this approach is more expensive. Planners, politicians, and contractors all like the smallest lot possible. More demands for the front of a residence pushes the set back to the point where there is a very small backyard. Lets not make the lot larger to accommodate the set back. More construction, larger tax base. Unfortunately this produces an ant-farm.

I also been told that Medford has little choice in zoning for higher population densities per acre because it doesn't met some criteria for population densities created by Salem. If that's true why not save some money and let Salem do the planning? We could have a Planner and a secretary. Oh, Okay two secretaries.

Sincerely;

William S. Merrihew
Located in SFR-6

CITY OF MEDFORD
EXHIBIT # 11
File # GLUP-19-004 ZC-19-014
PUD-19-003

DENSITY CALCULATION FORM

For all residential LDP, LDS, PUD, and AC Application Files

SQ FT		0
AC		0

File No.	GLUP-19-004, PUD-19-003 & AC-19-014
Planner	Steffen Roennfeldt
Date	September 3, 2019

GROSS ACREAGE

Tax Lot Numbers		
371W08BC2511	1.16	AC
		AC
		AC
		AC
		AC
		AC
Existing ROW to Centerline	0.20	AC
Gross Acres	1.36	AC
Effective Acres (Gross - Subtracted)	**1.36**	

SUBTRACTED ACREAGE

Large Lots for Existing Development		AC
Reserved Acreage		AC
Other[1]		
		AC
		AC
		AC
		AC
		AC
Subtracted Acres	-	AC

DENSITY RANGE

Zoning District		MFR-15
Density Range		
Minimum		10
Maximum		15
No. DU Proposed		**18**
No. DU Permitted Min.		**14**
No. DU Permitted Max.		**20**
Minimum	13.65	
Maximum	20.47	
Percentage of Maximum		**87.94%**
Less than 1 acre?	No	
Updated Minimum Density		**14**

EXISTING R-O-W CALCULATION

Street Name	LF	Width	SF	Acreage
Arrowhead Dr	297.00	30.00	8,910.00	0.20
			-	-
		-	-	-
		-	-	-
			8,910.00	**0.20**

CITY OF MEDFORD
EXHIBIT # JJ
File # GLUP-19-004 TC-19-014 PUD-19-003

[1] Such as future ROW dedication, resource protection areas, common open space, other dedication areas, etc.

5/06

Steffen K. Roennfeldt

From: Raul Woerner <raul@csaplanning.net>
Sent: Thursday, September 5, 2019 7:51 AM
To: Steffen K. Roennfeldt
Subject: FW: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

<EXTERNAL EMAIL>

Steffen:

FYI - this is regarding the adequacy of sanitary sewer facilities for the Arrowhead Business Center GLUP/ZC applications (File Nos. GLUP-19-004/ZC-19-014).

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

-----Original Message-----
From: Alex T. Georgevitch <Alex.Georgevitch@cityofmedford.org>
Sent: Wednesday, September 4, 2019 9:22 PM
To: Raul Woerner <raul@csaplanning.net>; Roger E. Thom <Roger.Thom@cityofmedford.org>
Subject: RE: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

Raul,

Sorry for the delay but I am okay with the findings...

Thanks

Alex

From: Raul Woerner <raul@csaplanning.net>
Sent: Wednesday, September 4, 2019 9:23 AM
To: Roger E. Thom; Alex T. Georgevitch
Subject: RE: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

<EXTERNAL EMAIL>

CITY OF MEDFORD
EXHIBIT # KK
File # GLUP-19-004 ZC-19-014
PUD-19-003

Roger and Alex:

Just following up on this - the PC hearing is next Thursday.

Thank you,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

-----Original Message-----
From: Roger E. Thom <Roger.Thom@cityofmedford.org>
Sent: Thursday, August 22, 2019 4:52 PM
To: Alex T. Georgevitch <Alex.Georgevitch@cityofmedford.org>
Cc: Raul Woerner <raul@csaplanning.net>
Subject: FW: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

Alex:
Are the findings that CSA wrote regarding SS capacity acceptable to you.
Thanks,
Roger

-----Original Message-----
From: Raul Woerner [mailto:raul@csaplanning.net]
Sent: Thursday, August 22, 2019 4:26 PM
To: Roger E. Thom <Roger.Thom@cityofmedford.org>
Subject: RE: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

<EXTERNAL EMAIL>

Roger:

Has Alex had a chance to finalize on this one?

Thanks,

Raul

-----Original Message-----
From: Roger E. Thom <Roger.Thom@cityofmedford.org>
Sent: Thursday, August 15, 2019 10:54 AM
To: Raul Woerner <raul@csaplanning.net>

Cc: Alex T. Georgevitch <Alex.Georgevitch@cityofmedford.org>
Subject: RE: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

Raul:
Alex and I have discussed the conditions.
We might be okay accepting your proposed findings for SS capacity, but Alex needs to finalize this.
Thanks,
Roger

-----Original Message-----
From: Raul Woerner [mailto:raul@csaplanning.net]
Sent: Wednesday, August 14, 2019 5:17 PM
To: Roger E. Thom <Roger.Thom@cityofmedford.org>
Subject: Zone Change/GLUP Amendment for Arrowhead Business Center (Reeces) - LDC comments

<EXTERNAL EMAIL>

Roger:

The comments related to Sanitary Sewer Facilities state that the GLUP amendment (GI to UM) and Zone Change (I-L to MFR-15) have the potential to increase flows. When I spoke to you by phone in May prior to submitting the applications, it was my understanding that you said that this wasn't an issue under the new sewer master plan. We included findings specific to the adopted plans as follows:

"Sanitary Sewage Collection and Treatment: The site lies within the Medford sewer service area. An 8-inch sanitary sewer line in Arrowhead Drive serves the site. Sewage treatment is provided at the regional treatment plant. The City of Medford Sanitary Sewer Service Collection System Master Plan (January 2019), which has been incorporated as part of the Public Facility Element of the Medford Comprehensive Plan, establishes future planning flow factors for each land use type in Table 2.20 of the plan. Pursuant to Table 2.20, the wastewater flow factor for the General Industrial land use class (i.e., the GLUP Map) is 1,000 gallons per acre per day. The future planning flow factor for Urban Medium Density Residential land is 930 gallons per acre per day. Accordingly, development under the proposed UM GLUP Map Designation would be expected to generate 70 fewer gallons per acre per day than development under the existing GI GLUP Map Designation." Finding of Fact No. 10 in both the GLUP Amendment Findings and the ZC Findings as filed.

Could you please let me know if that is sufficient to address the concern or whether additional information is still needed.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

Steffen K. Roennfeldt

From: Raul Woerner <raul@csaplanning.net>
Sent: Friday, September 6, 2019 12:23 PM
To: Steffen K. Roennfeldt
Subject: PUD-19-003 (Tower Business Park) - parking spaces

<EXTERNAL EMAIL>

Steffen:

Would a third option be available to the Planning Commission to authorize the two parking spaces (8 & 9 on the plan) as a modification of standards pursuant to Section 10.192(B)(3) as relating to Parking, Bicycle and Pedestrian Standards in PUDs? It would seem a reasonable modification to allow given the generous landscaping provided between the spaces and the street and in recognition of the site constraints and curvilinear street alignment.

The needed housing statute - in addition to requiring that cities apply only clear and objective standards, conditions and procedures regarding the development of housing - also provides that the same may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost and delay. ORS 197.304(4)(b). At least in the spirit of that requirement, if a modification can be considered and approved as part of the current PUD permitting process rather than requiring a separate exception application to be filed and approved, I would ask that the Planning Commission to authorize a modification to allow the two spaces as presented.

Very truly yours,

CSA Planning, Ltd.
Raul Woerner

(541) 779-0569

CITY OF MEDFORD
EXHIBIT # LL
File # PUD-19-003
GLUP-19-004 ZC-19-014

PLANNING COMMISSION MINUTES - EXCERPT

MEDFORD OREGON

September 12, 2019
5:30 P.M.
Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

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

Commissioners Present
Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
Bill Mansfield
David McFadden
Jared Pulver
Jeff Thomas

Staff Present
Kelly Evans, Assistant Planning Director
Carla Paladino, Principal Planner
Eric Mitton, Deputy City Attorney
Alex Georgevitch, City Engineer
Karl MacNair, Transportation Manager
Greg Kleinberg, Fire Marshal
Terri Richards, Recording Secretary
Kyle Kearns, Planner II
Steffen Roennfeldt, Planner III

Commissioner Absent
E.J. McManus, Excused Absence

10. Roll Call

20. Consent Calendar / Written Communications (voice vote).
Commissioner Mansfield requested that agenda item 20.4 be removed from the Consent Calendar and considered individually.

20.1 ZC-19-011 Final Order of a request for a zone change of three contiguous parcels totaling 5.26 acres located north of Barnett Road and east of Murphy Road, from MFR-30 (Multiple Family, thirty dwelling units per gross acre) to C-S/P (Commercial, Service & Professional Office) (371W28DC TL 400, 500 & 600); Applicant, Mahlum Architects; Planner, Dustin Severs.

20.2 ZC-19-012 Final Order of a request for a change zone of a 0.155-acre portion of a single 4.4-acre parcel located at 4088 Table Rock Road from I-G (General Industrial) to I-L (Light Industrial) (372W01D901). Applicant: JBR Table Rock, LLC; Planner; Dustin Severs.

20.3 ZC-19-010 Final Order for a minor General Land Use Plan (GLUP) amendment to reclassify 5.07 acres, located at 709 N Phoenix Road, currently containing the "Court House Family Fitness", from

CITY OF MEDFORD
EXHIBIT # mm
FILE # PUD-19-003 / GLUP-19-004 / ZC-19-014

Mr. Neathamer reserved rebuttal time.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of LDS-19-069 per the staff report dated September 5, 2019, including Exhibits A through R, revising Exhibit A adding the requirement that a note be on the plat for Condition 3, vehicle access restrictions and Condition 7 needs to include Phase 25.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

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

50.5 PUD-19-003 / GLUP-19-004 / ZC-19-014 Consideration of a revision to the approved Preliminary PUD Plan for Lot 6 of the Tower Business Park Planned Unit Development to allow for the construction of rowhouse-style residential buildings, including an amendment to the General Land Use Plan map from GI (General Industrial) to UM (Urban Medium Density Residential) and to change the zoning to MFR-15 (Multiple Family Residential – 10 to 15 dwelling units per gross acre) on 1.16 acres located at 3583 Arrowhead Drive within the I-L (Light Industrial) zoning district (371W08BC2511). Applicant: Dan & Gina Reece; Agent: CSA Planning, Ltd.; Planner: Steffen Roennfeldt.

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

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

Steffen Roennfeldt, Planner III reported that the Minor Comprehensive Plan Amendment approval criteria can be found in the Medford Land Development Code Section 10.222(B). The Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204(B). The Revision to Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.198. The Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.190. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report and stated that staff received an email from the applicant requesting to use Code Section 10.192, relief from off-street parking standard, building orientation and entrance standards and to allow for rowhouse-style, multi-family development within the PUD. Staff supports the proposed deviation request. This email will be entered into the record as Exhibit LL.

Commissioner McFadden asked, what is the total number of modifications and deviations that are being requested for this development? Mr. Roennfeldt responded there are two units that face the public right-of-way and the off-street parking standard. There are three modifications.

Commissioner Pulver asked Mr. Roennfeldt to review the topic of architecture review. He heard the Planning Director had the option to require it, he did not. Does the Planning Commission have the option to require that or make it a condition of approval? Mr. Roennfeldt replied yes.

Chair McKechnie asked, how deep are the driveways on the units and if there is a garage and driveway are both allowed to be counted as spaces? Mr. Roennfeldt responded yes if the driveway meets the standard.

Chair McKechnie asked, are the parking spaces in the front going away? Mr. Roennfeldt replied no. If the Planning Commission agrees with the applicant that he can use Code Section 10.192 to modify the PUD standards when it pertains to the locational criteria for parking, they can remain where they are.

The public hearing was opened.

a. Raul Woerner, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Woerner reported that the applicant wants to construct affordable market rate housing on their one acre similar to the adjacent housing.

They requested a modification where the units have the front door within 30 feet of the street, facing the street or visible from the street but within a 90 degree access. The northeast unit meets that standard but the southern row is more than 90 degrees depending on where it is measured from the street. The doors are still visible from the street.

If they tried to move the parking spaces to the back there would be no open parking near the front. It is currently spaced evenly. The two parking spaces between the building and street have a lot of landscaping in between.

The applicant hopes that Planning Commission looks at the architecture. The have incorporated all the requirements under the new multi-family design code.

The driveways meet the driveway standards on a public street.

Chair McKechnie asked, what is the length of the driveways? Mr. Woerner stated they are 20 feet on the north side and 20 feet on the south side. The driveway is recessed under the second floor. There is also a 5 foot pedestrian walkway.

Chair McKecknie stated that the building code requires two accessible parking spaces for an apartment complex. Where is the applicant putting those?

Chair McKechnie asked, does the applicant object to forwarding the architecture and site plan to the Site Plan and Architectural Commission? Mr. Woerner would like to get the architecture reviewed this evening. A final PUD plan still has to be presented that is the Planning Director's approval process. The applicant can make some adjustments to the number one space adjusting the landscaping to carve enough room to back out. He thought there was a revised site plan that showed the ADA. Spaces six and seven were adjusted to have a center aisle between them. At the end of the development on the lower southwest they could put an isle next to the last space to get a wheelchair out.

Commissioner McFadden commented that his questions would be more for site plan and if they refer it to the Site Plan and Architectural Commission there is no reason for him to ask. He would like something with more shape and see what the neighborhood looked like. Mr. Woerner showed a photograph of the complex next to the subject property. The photograph was the same that was in the agenda packet.

Chair McKechnie asked, was the complex next to the subject property built before or after the multi-family standards? Mr. Roennfeldt replied before.

Vice Chair Foley asked, is there a requirement for bicycle parking? Mr. Woerner responded that in the application the applicant asked that the bicycle parking be placed inside the garages. The chose that on the final design plan with the option of adding some on the outside.

Mr. Woerner reserved rebuttal time.

Ms. Evans reported that the Planning Commission can approve the architecture. Staff felt this project met the new residential design standards with the two exceptions that have been discussed this evening. From staff's perspective they did not feel there was a reason that they could not ask the Planning Commission to review because the standards are clear and objective with the two exceptions. They can make a decision on it this evening or they can send architecture and site design to the Site Plan and Architectural Commission but need to be specific on what it is they want them to look at and decide. Alternatively they could send it to the Planning Director but need to be specific what it is they want the Director to decide. It is a limited review not a full application to the Site Plan and Architectural Commission.

Commissioner Pulver asked, how does it play into time requirements? Is there a 120-day requirement? Ms. Evans responded that if the Planning Commission sends it to the Planning Director it would be looked at in the building permit process with a final decision. Sending it to the Site Plan and Architectural Commission would become a condition of approval. It is awkward for the Site Plan and Architectural Commission. It would be a second 120-day process.

Commissioner McFadden asked, did the Oregon state law change that the classification for homes for speedy development that limited and shortened the 120-day rule that were preapproved? Would this applicant qualify for their low income housing? Ms. Evans understood this to be market rate housing, not affordable housing. There is something for affordable housing at certain income levels.

The public hearing was closed.

Main Motion: The Planning Commission forwards a favorable recommendation for approval of GLUP-19-004 to the City Council per the staff report dated September 5, 2019, including Exhibits A through LL.

Also, the Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Orders for approval of ZC-19-014 and PUD-19-003 per the staff report dated September 5, 2019, including Exhibits A through LL, provided the City Council approves the GLUP amendment.

Moved by: Vice Chair Foley Seconded by: Commissioner McFadden

Commissioner Thomas asked, can the motions be separate? How do they approve parking issues outstanding? Vice Chair Foley responded that if there is further review with the Site Plan and Architectural Commission it would be an amendment to the motion.

Commissioner Thomas asked, is it correct that you cannot approve the project without handicap parking? Mr. Mitton that the Planning Commission should address the handicap parking issue.

In terms of the Site Plan and Architectural Commission (SPAC) review it can go to them in two different ways. Before this hearing the Planning Director can route something to SPAC. This Commission as a condition of approval can require a SPAC review on certain specified issues. In order to address changes the Planning Commission could break it up into two separate motions one for the GLUP recommendation to the City Council then a second motion for the issues resolved at this level or amend the motion that would have the same affect.

Commissioner McFadden commented that the Commission could make a condition of approval provided the applicant fixes the handicap parking problem according to staff if staff were not able to prove the legality of the proper handicap parking.

Chair McKechnie stated that they could also include the Site Plan and Architectural Commission review the two modifications to the multi-family standards. The front door not facing the street and parking in the front yard.

Vice Chair Foley is inclined to deal with the handicap parking but not the other one.

Commissioner Pulver's discomfort is the Planning Commission asked to do SPAC's job because it is procedurally allowed. He does not know what the look at or what their requirements are.

Vice Chair Foley shares Commissioner Pulver's discomfort but the applicant applied all the new multi-family residential standards. That eased his concerns.

Commissioner Pulver stated the front door and parking on the street issues do not concern him. The handicap parking should be addressed if the Commission chooses not do anything beyond that on site plan review.

Chair McKechnie responded that standards are there for a reason. If one cannot meet them for a legitimate reason they cannot meet them. He reviewed the floor plans and it is simple to turn the door another direction. He does not know if it makes the plan any worse. The comment about there is plenty of landscaping in front of the parking spaces so that really should not apply is a bogus argument. There are issues with the parking overall on the Site with the extra spaces. With a little creative work they can find more spaces that meet the criteria without having the Planning Commission to give up arbitrarily. He is happy to do it either way. If they want to act as SPAC the Commission needs to add a lot of conditions. If the Commission feels more comfortable letting SPAC look at the issues he is happy to illuminate the Items he thinks they should review. The zone change and GLUP change makes perfect sense and he does not have an issue with either one of those.

Ms. Evans reported that if the Commission's concern is parking it is clear and objective that staff can change it. She did not encourage the Commission to send parking to SPAC. She does not know how Commissioner Culbertson feels about that since he is the liaison.

Commissioner Culbertson is good with seeing it again or deferring it to Planning.

Commissioner McFadden asked, in Ms. Evans comment is she also referring to the handicap parking? Ms. Evans replied yes. It is a federal requirement. Are Chair McKechnie's comments Items that can be managed through the building permit process or are they so substantive and require such discretion that it needs to go to SPAC?

Chair McKechnie has concerns when staff has already said they think it sort of meets the standards. There are some design tweaks which is more SPAC purview that they would pick up on. Those things need to be addressed. SPAC looks more at the overall development. The parking can be tweaked to get more spaces than they need with some design flips. The front doors is an easy fix. That needs to be looked at. According to the site plan there is a significant slope in the front corner that the two front parking spaces are not going to fit without a four foot retaining wall.

MEDFORD PLANNING

Vicinity Map

File Number: GLUP19-004 PUD19-003 ZC19-014

Project Name:

Arrowhead Business Center & MFR Housing

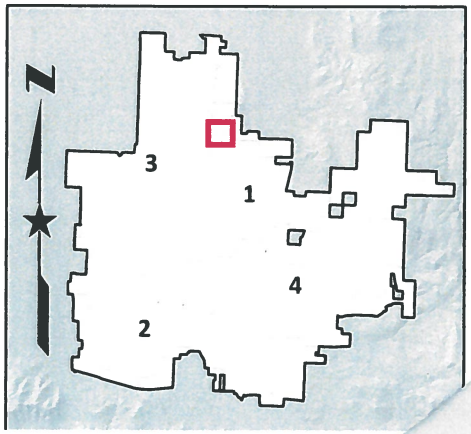
Map/Taxlot:

371W08BC2511

0 255 510 Feet

Legend

- Tax Lots selection
- Zoning Districts
- Tax Lots



7/15/2019

MEDFORD
OREGON

cityofmedford.org

Item No: 80.3

AGENDA ITEM COMMENTARY

DEPARTMENT:	Planning Department	**AGENDA SECTION:**	Public Hearings
PHONE:	(541) 774-2390	**MEETING DATE:**	October 17, 2019
STAFF CONTACT:	Angela Durant, Principal Planner		

COUNCIL BILL 2019-112

A resolution adopting the Consolidated Annual Performance and Evaluation Report (CAPER) pertaining to Community Development Block Grant (CDBG) funds for the 2018-19 program year.

SUMMARY AND BACKGROUND

Council is requested to consider approval of a resolution to adopt the City's 2018/19 Consolidated Annual Performance Evaluation Report (CAPER) associated with the City's Community Development Block Grant (CDBG) program. As per federal regulations, the City is required to submit a CAPER to the U.S. Department of Housing and Urban Development (HUD) at the end of each program year. The 2018/19 CAPER reflects performance outcomes of public service programs, housing projects and other eligible development activities completed during the fiscal year ending June 30, 2019. This period concludes the fourth year of the 2015-2019 Consolidated Plan for Housing and Community Development. The Consolidated Plan is the driving document for annual CDBG funding allocations and expected performance outcomes. The CAPER provides an evaluation of the following categories: a) one-year and five-year expected versus actual outcomes; b) racial, ethnic and income composition of beneficiaries; c) resources, investments and leveraging; d) affordable housing; e) homeless and other special needs; f) public housing; g) other actions to address community needs; h) program monitoring; and i) changes in CDBG program objectives.

HUD requires the City to conduct a 15-day public comment period and public hearing to solicit citizen input pertaining to the 2018/19 CAPER. The comment period began October 1, 2019, and will end on October 17, 2019. The Community Development Grants Commission (CDGC) held a public meeting on Wednesday, October 2, 2019, to solicit feedback and to review the draft CAPER. The Commission approved the draft 2018/19 CAPER for presentation to Council, as presented by staff. This public hearing is the final step prior to seeking Council approval of a resolution to adopt the 2018/19 CAPER for submission to HUD.

PREVIOUS COUNCIL ACTIONS

On September 20, 2018, Council approved Council Bill 2018-112 adopting a fourth Supplemental Budget for the 2017-19 biennium.

On June 21, 2018, Council approved Council Bill 2018-66 adopting the 2018/19 Action Plan and Council Bill 2018-65 adopting Substantial Amendment No. 2 to the 2017/18 Action Plan to expand Habitat for Humanity's scope of 1026 W 10th Street from acquisition for rehabilitation of one unit to new construction of three units.

On May 3, 2018, Council approved Council Bill 2018-40 adopting Substantial Amendment No. 1 to the 2017/18 Action Plan to allocate funds to Rogue Valley Youth for Christ for rehabilitation of Fire Station

#2 to be used as a youth community center.

On June 15, 2017, Council approved Council Bill 2017-57 adopting the budget for the City of Medford for the biennium commencing July 1, 2017.

On June 1, 2017, Council approved Council Bill 2017-54 adopting the 2017/18 Action Plan for use of CDBG funds for the fiscal year 2017-18 and a Substantial Amendment to the 2016/17 Action Plan to allocate any surplus funds to the Medford Senior Center Facility Improvement project.

On September 15, 2016, Council approved Council Bill 2016-120 adopting the 2015/16 CAPER to report performance data for the program year ending June 30, 2016.

On May 5, 2016, Council approved Council Bill 2016-57 adopting the 2016/17 Action Plan for use of CDBG funds for the fiscal year 2016-17.

On June 4, 2015, Council approved Council Bill 2015-57 adopting the budget for the City of Medford for the biennium commencing July 1, 2015.

On May 7, 2015, Council approved Council Bill 2015-46 adopting the 2015-2019 Consolidated Plan for Housing and Community Development to establish the City's priority needs and goals associated with the use of CDBG funds. This resolution also adopted the 2015/16 Action Plan for use of CDBG funds for the fiscal year 2015-16.

ANALYSIS

The City's 2015-19 Consolidated Plan identifies the following three goals: 1) Improve the condition and availability of affordable housing; 2) Improve the ability of low/moderate-income residents to become self-sustaining through the availability of public services; and 3) Improve living conditions through improvements to public infrastructure, community facilities and neighborhood revitalization.

The following agencies assisted the City in achieving performance outcomes during the 2018/19 year:

Public Services	Affordable Housing
Center for Nonprofit Legal Services	Housing Authority of Jackson County:
Community Volunteer Network	- Homeowner Repair
Consumer Credit Counseling	- Newbridge Place
Hearts with a Mission	Habitat for Humanity
Maslow Project	PeopleFirst Properties
Consumer Credit Services	St. Vincent de Paul
	Youth 71Five Ministries

Community Development
Children's Advocacy Center
City of Medford Code Enforcement
Compass House
Medford Senior Center
Youth 71Five Ministries

Collectively, these agencies achieved the following performance outcomes:

- Emergency home repairs to 15 homeowners, all of which were elevated from substandard condition
- Permanent supportive housing to three individuals transitioning from homelessness and addiction through the rehabilitation of one blighted rental unit
- Rapidly rehousing or stabilizing housing for 40 households
- Homeless prevention services to 1,012 individuals through homeless youth outreach and eviction prevention services
- Emergency homeless shelter for 87 youth
- Non-housing public services to 259 persons through volunteer mentorship and financial counseling programs
- New ADA accessible access for two public facilities serving 496 seniors and youth
- Resolution of 16 blighted property code violations in Liberty Park Neighborhood

As illustrated in Table 1 of the CAPER, the City fell short in creating more opportunities for low-moderate-income and special needs residents to secure affordable and livable rental and/or homeowner housing. Three specific areas of under-performance included: 1) creation of 14 new transitional beds for youth ages 18-24 receiving vocational training; 2) construction of 64 new affordable rental units for low-income residents including 24 set aside for youth and veterans; and 3) construction of three new ownership units through the disposition of one blighted property. All three associated projects experienced unanticipated delays resulting from the federal environmental review process and delayed construction; however, all three projects are marked for completion during the current year.

The category of public facility or infrastructure activities other than LMI housing benefit also fell short due to environmental and construction delays. However, the City also expects to meet performance outcomes in the current year through completion of renovations to a clubhouse serving persons with

mental illness and disabilities, and a youth community center seeking to address gang related activities.

As stated in the 2018/19 CAPER, the City focused primarily on strategies to reduce barriers to the development of affordable housing, improve housing stability for families at risk of becoming homeless, and increase sustainable community capacity to address homelessness. Building awareness and understanding; increasing collaboration, partnership, and political will; strengthening impact through strategic investment of existing City resources; and helping to secure additional resources are flagged as key initiatives during the year.

A summary of notable actions and/or accomplishments during the program year include but are not limited to the following:

- Completed the Medford Homeless System Action Plan (HSAP) to define the City's role in addressing homelessness and housing instability; identify actionable goals for the City to implement and/or support based on identified system and service gaps; and 3) develop a driving document to assist Council with establishing priorities, partnerships and funding decisions over the next several biennia;

- Actively participated on the Continuum of Care (CoC) Board and other CoC workgroups at a level that allows Council to stay connected with the priority needs and efforts of the CoC in addressing homelessness;

- Established housing related 2019-21 Council Goals including:
    - Develop 100 housing units affordable to households @ ≤ 80% & 120% AMI
    - Increase the supply of supportive housing
    - Address unsheltered homelessness and encampments
    - Increase temporary housing programs that lead to permanent housing placements
    - Increase collaboration with nonprofits, faith-based organizations, businesses and other government agencies
    - Implement actions recommended in the HSAP in coordination with the CoC
    - Expand homelessness diversion and prevention strategies through partnerships and funding;

- Launched the City's Housing Opportunity Fund to provide housing developers and providers with a flexible, dedicated funding source to incentivize development;

- Allocated $150,000 for the implementation of appropriate actions recommended in the HSAP during the next biennium;

- Established an annual Council study session to prioritize City funding in a manner that can build a community investment system to align strategic priorities, increase the project pipeline, and build policies, processes and incentives that facilitate additional community investments;

- Divided Council appointed advisory roles in the arenas of housing and homelessness between the Housing Advisory Commission and the Community Development Grants Commission, both of which are rostered with experts in essential fields that provide a framework for increased impact;

- Established an institutional arrangement with Camas Consulting to improve services as a Responsible Entity under the National Environmental Policy Act to complete environmental assessments for the development of affordable housing projects involving both CDBG and non-CDBG funds;

- Hired a Grant Support Technician under the Principal Planner of the Housing and Community Development Division to increase capacity to carryout housing and homeless related initiatives; and

- Continued to provide nonprofits, private businesses, faith-based organizations and other jurisdictions with technical assistance to cultivate collaborative community leveraging, partnership-ready initiatives, shovel-ready projects, and the implementation of economic incentives and policy change for the development of housing.

The performance outcomes referenced above were accomplished through the implementation of 10 of the 16 Consolidated Plan strategies, as illustrated in Exhibit A. However, the City has implemented 14 strategies throughout the consolidated plan period of July 1, 2015 through June 30, 2020. The following two strategies may be targeted during the final program year and/or during subsequent consolidated plan periods, per Council direction:

- Provide financial assistance to help potential low/moderate-income homeowners with down payment and closing costs (Strategy 1.2.1) ; and
- Support programs that provide loans and technical assistance to small businesses and promote development of mechanisms that will encourage micro-enterprise such as the creation of small business incubators (Strategy 2.1.4).

The City will begin preparing the 2020-2024 Consolidated Plan in November 2019, which will serve as the driving document for City investments for the time period of July 1, 2020 through June 30, 2025.

FINANCIAL AND/OR RESOURCE CONSIDERATIONS

Available resources of $1,530,279 was budgeted in 731-CDBG Fund on page 1-27 of the 2017-19 Adopted Biennial Budget, of which $1,282,352 , or 83.80% was expended. The City is on track to expend the balance of $247,927 during the 2019/20 program year ending June 30, 2020. The City

maintained HUD mandated entitlement allocations of no greater than 15% to public service programs and 20% to program administration with actual City allocations of 11.32% and 15.54%, respectively.

TIMING ISSUES

Staff is requesting Council approval of the 2018/19 CAPER prior to submission to HUD on October 21, 2019.

COUNCIL OPTIONS

Approve the resolution as presented.
Modify the resolution as presented.
Decline to approve the resolution and provide direction to staff.

STAFF RECOMMENDATION

Staff recommends approval of the resolution adopting the 2017/18 CAPER.

SUGGESTED MOTION

I move to approve the resolution authorizing adoption of the 2018/19 CAPER.

EXHIBITS

Resolution
Exhibit A: 2015-19 Consolidated Plan Summary of Annual Expenditures by Strategy
2018/19 CAPER on file in the City Recorder's Office.

RESOLUTION NO. 2019-112

A RESOLUTION adopting the Consolidated Annual Performance and Evaluation Report (CAPER) pertaining to Community Development Block Grant (CDBG) funds for the 2018-19 program year.

WHEREAS, each year a CAPER is developed and adopted indicating how the activities funded during the program year will meet the needs identified in the City's Consolidated Plan for Housing and Community Development which is a comprehensive planning document identifying the City's overall housing and community development issues and outlining a five-year strategy to address those issues which was adopted by the City Council on May 7, 2015; and

WHEREAS, this public hearing is a Housing and Urban Development (HUD) requirement to solicit citizen input regarding the City's CAPER to use CDBG funds for the 2018-19 program year and outlines the goals and strategies that have been met during this fifth program year; and

WHEREAS, the City Council must approve the 2018-19 CAPER prior to submitting it to HUD for approval which document in its entirety is available in the City Manager's Office and as required by HUD, is available for public comment for a 15-day period which ends on October 17, 2019; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON that the Consolidated Annual Performance and Evaluation Report (CAPER) pertaining to Community Development Block Grant (CDBG) funds for the 2018-19 program year, which is on file in the City Recorder's Office, is hereby adopted.

PASSED by the Council and signed by me in authentication of its passage this ____ day of October, 2019.

ATTEST: _____ _____

City Recorder Mayor

Exhibit A
2015-19 Consolidated Plan
Summary of Annual Expenditures by Strategy
2018/19 Program Year *(July 1, 2018 - June 30, 2019)*

GOAL 1	**Improve the Condition and Availability of Affordable Housing over a Five-Year Period**		
Objective 1.1	Improve and maintain living conditions, safety and long-term affordability of rental and/or homeowner housing occupied by low/moderate-income households.		
Strategy 1.1.1	Provide no-interest loans to low/moderate-income homeowners for the correction of recognized hazards to health and safety such as leaking roofs, failed heating systems, unsafe wiring, failed plumbing and other necessary eligible repairs.		
	2015	Housing Authority - Homeowner Repair Program	$ 252,240
	2016	Housing Authority - Homeowner Repair Program	219,495
	2017	Housing Authority - Homeowner Repair Program	334,362
	2017	PeopleFirst Properties - Rental Rehabilitation Project	25,000
	2018	**PeopleFirst Properties - Rental Rehabilitation Project** *(reported performance outcomes)*	**0**
	2018	**Housing Authority - Homeowner Repair Program**	**325,495**
Strategy 1.1.2	Support programs that provide low/moderate-income homeowners and/or renters with minor and emergency repairs, and rehabilitation and weatherization assistance.		
	2015	ACCESS - Navigator and Companion Program for Seniors and Persons with Disabilities	3,653
	2015	Housing Authority - Homeowner Repair Program	*
	2016	Housing Authority - Homeowner Repair Program	*
	2017	Housing Authority - Homeowner Repair Program	*
	2018	**Housing Authority - Homeowner Repair Program**	*
Objective 1.2	Create more opportunities for low/moderate-income residents to secure affordable and livable rental and/or homeowner housing.		
Strategy 1.2.1	Provide financial assistance to help potential low/moderate-income homeowners with down payment and closing costs.		
	2015	No activity	0
	2016	No activity	0
	2017	No activity	0
	2018	**No activity**	**0**
Strategy 1.2.2	Support programs that provide financial assistance to low/moderate-income residents with rental deposits, rent and utility payments, and foreclosure prevention services.		
	2015	St. Vincent de Paul - Reducing Homelessness Program	7,000
	2015	Center for Nonprofit Legal Services - Pathways to Self-Sufficiency Program	3,000
	2015	ACCESS - Navigator and Companion Program for Seniors and Persons with Disabilities Program	*

	2016	St. Vincent de Paul - Reducing Homelessness Program	25,000
	2016	Center for Nonprofit Legal Services - Furthering Fair Housing Program	12,000
	2017	St. Vincent de Paul - Reducing Homelessness Program	20,903
	2018	**St. Vincent de Paul - Reducing Homelessness Program**	**28,804**
	2018	**Center for Nonprofit Legal Services - Furthering Fair Housing Program**	**20,826**
Strategy 1.2.3	Support the creation of higher density, mixed-income and mixed-use housing in the redevelopment of the downtown area.		
	2015	No activity	0
	2016	Housing Authority - *"The Concord,"* Fire Hydrant Installation	24,000
	2017	No activity	0
	2018	**No activity**	**0**
Strategy 1.2.4	Provide financial assistance to acquire land and/or improve infrastructure in support of new affordable housing.		
	2015	Housing Authority - *"The Concord,"* Fire Hydrant Installation	*
	2016	Habitat for Humanity - Morian Park Land Acquisition *(previous Consolidated Plan expenditure)*	0
	2017	Habitat for Humanity - Acquisition for New Construction	96,251
	2017	Housing Authority - *"Newbridge Place,"* Off-site Infrastructure Improvements	19,974
	2018	**Housing Authority - *"Newbridge Place,"* Off-site Infrastructure Improvements**	**323,504**
	2018	**Youth 71 Five Ministries – Transitional Housing/Vocational Training Facility**	**250,000**
	2018	**Habitat for Humanity - Acquisition for New Construction *(pending completion)***	**0**
Strategy 1.2.5	Support for housing programs that help homeless persons transition from homelessness to permanent housing.		
	2015	Hearts with a Mission - Sheltering and Safety Net Services Program	18,750
	2015	Maslow Project - Wrap-around Case Management for Homeless Program	15,000
	2015	Community Works - Transitional Living and Financial Empowerment Program	10,000
	2015	St. Vincent de Paul - Reducing Homelessness Program	*
	2015	ACCESS - Navigator and Companion Program for Seniors and Persons with Disabilities Program	*
	2016	Hearts with a Mission - Shelter and Safety Net Services Program	17,500
	2016	Maslow Project - Wrap-around Case Management for Homeless Youth and Families Program	22,500
	2016	Center for Nonprofit Legal Services - Furthering Fair Housing Program	*
	2016	St. Vincent de Paul - Reducing Homelessness Program	*
	2017	Hearts with a Mission - Emergency Homeless Youth Shelter	17,951
	2017	Maslow Project - Wrap-around Case Management Program	23,455
	2017	Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program	13,563
	2017	St. Vincent de Paul - Reducing Homelessness Program	20,903
	2018	**Hearts with a Mission - Emergency Homeless Youth Shelter**	**24,992**
	2018	**Maslow Project - Wrap-around Case Management Program**	**25,000**

	2018	**Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program**	*
	2018	**St. Vincent de Paul - Reducing Homelessness Program**	*
Strategy 1.2.6	Reduce barriers to affordable housing by developing a plan to address the Regulatory Barriers Report for Medford, which will include plans to reduce these barriers.		
	2015	No activity	0
	2016	No activity	0
	2017	Planning Department - ECONorthwest Housing Strategy	21,755
	2018	**Homeless System Action Plan**	**27,375**
GOAL 2	**Improve the Ability of Low/Moderate-Income and Special Needs Populations to Become Self-Sustaining**		
Objective 2.1	Improve the opportunities of low/moderate-income residents and special needs populations to become self-sustaining through the availability and accessibility of essential support services offered directly through public service agencies.		
Strategy 2.1.1	Support public services agencies that assist low/moderate-income and special needs populations with safety net services to overcome barriers including mental illness, substance abuse, domestic violence, child abuse, physical and mental disabilities, and homelessness.		
	2015	Medford Senior Center - Senior Advocacy Program	7,250
	2015	CASA of Jackson County - Recruit and Train CASA Staff for Abused Children Program	4,500
	2015	Community Volunteer Network - Foster Grandparent Program	7,000
	2015	Hearts with a Mission - Sheltering and Safety Net Services for At-risk and Homeless Youth and Families	*
	2015	Maslow Project - Wrap-around Case Management for Homeless Youth and Families Program	*
	2015	Community Works - Transitional Living and Financial Empowerment Program	*
	2015	St. Vincent de Paul - Reducing Homelessness Program	*
	2015	ACCESS - Navigator and Companion Program for Seniors and Persons with Disabilities Program	*
	2016	Community Volunteer Network - Foster Grandparent Program	9,000
	2016	Hearts with a Mission - Shelter and Safety Net Services Program (Homeless Youth and Families)	*
	2016	Maslow Project - Wrap-around Case Management for Homeless Youth and Families Program	*
	2016	Center for Nonprofit Legal Services - Furthering Fair Housing Program	*
	2016	St. Vincent de Paul - Reducing Homelessness Program	*
	2017	Hearts with a Mission - Emergency Homeless Youth Shelter	*
	2017	Maslow Project - Wrap-around Case Management Program	*
	2017	Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program	*
	2017	St. Vincent de Paul - Reducing Homelessness Program	*
	2017	Community Volunteer Network - Foster Grandparent Program	10,172
	2017	Consumer Credit Counseling Services - Credit Report Counseling Program	4,620
	2018	**Hearts with a Mission - Emergency Homeless Youth Shelter**	*
	2018	**Maslow Project - Wrap-around Case Management Program**	*
	2018	**Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program**	*
	2018	**St. Vincent de Paul - Reducing Homelessness Program**	*

	2018	**Community Volunteer Network - Foster Grandparent Program**	**8,693**
	2018	**Consumer Credit Counseling Services - Credit Report Counseling Program**	**2,860**
Strategy 2.1.2	Support programs that provide fair housing services and education to low/moderate-income and special needs populations.		
	2015	Center for Nonprofit Legals Services - Pathways to Self-Sufficiency Program	
	2016	Center for Nonprofit Legal Services - Furthering Fair Housing Program	
	2017	Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program	*
	2018	**Center for Nonprofit Legal Services - Affirmatively Furthering Fair Housing Program**	*
Strategy 2.1.3	Support programs that assist low/moderate-income residents to become self-sustaining through job skills training and workforce readiness programs, transportation services, and the availability and affordability of day care and after school care.		
	2015	Rogue Valley YMCA - No Child Left Alone After School Program	7,250
	2015	Kids Unlimited - After School Programs	6,750
	2015	Roots and Wings Child Development - Tuition and Assistance Program	3,653
	2016	No activity	0
	2017	No activity	0
	2018	**No activity**	**0**
Strategy 2.1.4	Support programs that provide loans and technical assistance to small businesses, and promote development of mechanisms that will encourage micro-enterprise such as the creation of small business incubators.		
	2015	No activity	0
	2016	No activity	0
	2017	No activity	0
	2018	**No activity**	**0**
GOAL 3	**Improve Living Conditions in by Addressing Community Development Projects that Improve Public Infrastructure, Public Facilities and Neighborhood Revitalization Over a Five Year Period**		
Objective 3.1	Improve community infrastructure and facilities, reduce blighting influences, and preserve and build community through neighborhood revitalization in low/moderate-income neighborhoods.		
Strategy 3.1.1	Provide assistance to repair and improve public infrastructure including street improvements, sidewalks, water and sewer improvements, curbs, gutters, lighting and street trees in low/moderate-income neighborhoods.		
	2015	No activity	n/a
	2016	Housing Authority - *"The Concord,"* Fire Hydrant Installation	*
	2017	Housing Authority - Royal Apartments Infrastructure Improvement Project	48,975
	2017	City Public Works Department - Neighborhood Infrastructure Improvements Project (sidewalks)	136,643
	2018	**No activity**	**0**
Strategy 3.1.2	Provide assistance to develop neighborhood facilities such as youth centers, senior centers, parks and recreation facilities, open space and community centers.		
	2015	City Parks and Recreation Department - Jackson Park Renovation Project	40,000
	2015	Medford Senior Center - Parking Lot Renovation Project	24,727

	2016	No activity	0
	2017	City Parks and Recreation Department - Jackson Park ADA Upgrade Project	32,500
	2017	City Parks and Recreation Department - Union Park ADA Upgrade Project	8,500
	2017	Medford Senior Center - Facility Improvement Project	13,754
	2017	Children's Advocacy Center - Porch Rehabilitation/ADA Upgrade	2,500
	2018	**Children's Advocacy Center - Porch Rehabilitation/ADA Upgrade**	**21,800**
	2018	**Medford Senior Center - Facility Improvement**	**104,316**
	2018	**Compass House - Property Renovation**	**1,150**
	2018	**Youth 71 Five Ministries – Youth Community Center**	**0**
Strategy 3.1.3	Support the removal of dilapidated structures and other blighting influences in low/moderate-income areas and on a spot blight basis.		
	2015	No activity	0
	2016	City Building Safety/Code Enforcement - Demolition/Abatement of Unsafe Problem Properties	4,790
	2017	City Public Works - Demolition of 1615 Thomas Road	40,570
	2018	**No activity**	**0**
Strategy 3.1.4	Actively enforce City codes to improve the habitability and safety of housing and eliminate blighting influences in neighborhoods.		
	2015	No activity	
	2016	City of Medford Code Enforcement of Blighted Properties	574
	2017	City of Medford Code Enforcement of Blighted Properties	800
	2018	**City of Medford Code Enforcement of Blighted Properties**	**2,375**

(Note: Funding amounts have been rounded; "" represents funding previously referenced.)*

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Item No: 100.1

AGENDA ITEM COMMENTARY

DEPARTMENT: City Manager
PHONE: (541) 774-2000
STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: City Manager Report
MEETING DATE: October 17, 2019

Revised June 25, 2019

MEDFORD
PUBLIC WORKS

MEMORANDUM

To: Mayor and City Council

From: Alex Georgevitch, PE, Deputy Public Works Director – City Engineer

CC: Brian Sjothun, City Manager

Date: October 2019

Subject: Engineering Project Update

Public Works Engineering Division has 45 projects in the budget across 3 sections for the biennium. This project update is to inform Council on the status of each project using a simple symbol and a description of current progress.

○ = Project is complete
● = Project is on schedule, within budget and no foreseeable obstacles
● = Project started but needs TF and/or not anticipated to be completed this biennium
● = Project has delays and/or budget issues but is anticipated to be complete before end of biennium.
● = Project is delayed
● = Project has not yet been started

Completed Projects

Table Rock Road / Morningside Street Left Turn
Project Budget: $ 300,000
Project Status: ○
Status: **Project is complete.**

Bridge Rail Fix Main/Jackson
Project Budget: $150,000
Project Status: ○
Status: The project has been completed by the Operations Division to minimize the gaps in the bridge rail and meet current standards.

Storm Drain Cherry/Prune-Lewis St Park
Project Budget: $ 275,000
Project Status:
Status: **Project is complete.**

Larson Creek Trail-Greenway/Ellendale
Project Budget: $ 17,200
Project Status:
Status: Project is in riparian mitigation planting monitoring but is **considered complete and open to the public.**

Larson Creek Trail-Greenway /Black Oak
Project Budget: $ 2,683,700
Project Status:
Status: **Project is substantially complete,** and we anticipate a ribbon cutting before end of October 2019.

Design and Construction Section

Springbrook-Cedar Links/Pheasant
Project Budget: $ 4,335,500
Project Status:
Status: Thornton Engineering performed a hydraulic study of Lone Pine Creek at Springbrook Road and is analyzing the impacts, if any, from lengthening the existing box culvert beneath Springbrook Road. CEC Engineering is currently working on a storm water management plan for the project. Terra Science, the wetland consultant, is working to obtain a permit from the Army Corps of Engineers and Division of State Lands for impacts to Lone Pine Creek. Estimated timeline is 9-12 months for environmental permitting. Overall project design continues to move forward with an emphasis placed on final location and geometric shape of the roundabout at Springbrook and Cedar Links. **Project is anticipated to be completed by end of biennium.**

Foothill Rd Improvements
Project Budget: $ 13,000,000
Project Status:
Status: Final design plan preparation continues on this project. Public Works has completed right-of-way acquisition and is working on ODOT certification. Currently coordinating with utility relocations as needed to construct the project. Terra Science has submitted a joint permit application to Division of State Lands and Army Corps of Engineers for impacts to wetlands. Geotechnical field work scheduled to be completed

October 2019. Landscaping and irrigation design work will be performed by Madara Design Inc. and is scheduled to begin October 2019. **This project might see a delay of up to 6 months depending on BUILD grant.**

Owen Drive Extension/ Springbrook to 360 Feet E.
Project Budget: $ 525,000
Project Status:
Status: Currently working with Hayden Homes, developer for Delta Estates, to complete this work using SDC credits.

Columbus Extension/W McAndrews to Hwy 238
Project Budget: $ 4,000,000
Project Status:
Status: Preliminary layout is being updated to reflect the recently approved Transportation System Plan (TSP). Transportation Facility application will be submitted to Planning Department. Final approval of the Transportation Facility application and the proposed scope of work will be made by the City Council. **This project is not anticipated to be complete by the end of the biennium.**

Delta Waters Fill Ins (17-Project List)
Project Budget: $ 1,800,000
Project Status:
Status: Preparing preliminary layout and will hold a neighborhood meeting to discuss project. Meeting anticipated to occur in November 2019. **Project is anticipated to be completed by end of biennium.**

SDC Credit Payments - Street and Right of Way
Project Budget: $7,782,900
Project Status:
Status: This is an on-going program to reimburse developers that build higher order streets and dedicate right-of-way. There is no start or end date for it.

Utilities Section
Unidentified Storm Drain
Project Budget: $ 200,000
Project Status:
Status: The budget is for unanticipated projects that might arise during the biennium. No current need has been identified.

Oregon Hills Detention Facility
Project Budget: $ 2,452,600
Project Status:
Status: Design is 90%, submittal of application for DSL and ACOE permits pending finalization of mitigation for stream impacts. RH2's subcontractor, Pacific Habitat Services, is preparing riparian planting plan and will include a planned fish passage project on Lazy Creek as mitigation. **Project is anticipated to be completed by end of biennium.**

Riparian Planting
Project Budget: $ 100,000
Project Status:
Status: Planting will be designed and contracted to provide mitigation for Oregon Hills Stormwater Quality Facility. **Project is anticipated to be completed by end of biennium.**

Storm Drain Improvements on West Main
Project Budget: $ 400,000
Project Status:
Status: Survey work is complete for project. Design will be completed in-house. **Project is anticipated to be completed by end of biennium.**

Sanitary Sewer Improvement Alley between Ivy and Holly
Project Budget: $ 87,800
Project Status:
Status: CEC Engineering provided design and construction was bid, but came in substantially over estimate. A redesign is underway to make the sewer shallower and will be rebid. **Project is anticipated to be completed by end of biennium.**

Sanitary Sewer Improvements in Alley to Academy
Project Budget: $ 400,000
Project Status:
Status: Project has been started and we are contracting design with CEC Engineering. **Project is anticipated to be completed by end of biennium.**

Sanitary Sewer Improvements Terminal Spur
Project Budget: $ 1,300,000
Project Status:
Status:

Sanitary Sewer Improvements Dellwood-Murphy
Project Budget: $ 425,000
Project Status:
Status: City Survey crews are collecting data and the project will be designed in-house.
Project is anticipated to be completed by end of biennium.

Sanitary Sewer Improvements Winter Nell Circle
Project Budget: $ 400,000
Project Status:
Status: **Project is anticipated to be completed by end of biennium.**

Sanitary Sewer Improvements East of Jack Nicholas
Project Budget: $ 80,000
Project Status:
Status: **Project is anticipated to be completed by end of biennium.**

Sanitary Sewer Improvements on Golf View Drive
Project Budget: $ 450,000
Project Status:
Status: **The project is anticipated to start within the biennium but will not be completed by the end of the biennium.**

Sanitary Sewer Improvements Ford-Springbrook
Project Budget: $ 210,000
Project Status:
Status: **The project is anticipated to start within the biennium but will not be completed by the end of the biennium.**

Sanitary Sewer Unidentified Project
Project Budget: $ 100,090
Project Status:
Status: The budget is for unanticipated projects that might arise during the biennium. This budget will be used to support the funding shortfall in the Alley project downtown.
Project is anticipated to be complete by the end of the biennium.

MEDFORD
PUBLIC WORKS

Traffic Section

Delta Waters Sidewalk Infill
Project Budget: $ 440,000
Project Status:
Status: Currently scoping the project for right of way issues, utility conflicts, and impacts to adjacent property owners. Anticipate separating project into smaller pieces to deliver most-ready segments in an expeditious manner. **Project is anticipated to be complete by the end of the biennium.**

Safe Route to School Grant - W13th / W 14th Sidewalk Infill
Project Budget: $ 80,000
Project Status:
Status: Currently scoping the project for right of way issues, utility conflicts, and impacts to adjacent property owners. **Project is anticipated to be complete by the end of the biennium.**

Safe Route to School Grant - Morrow / Velia Sidewalk Infill
Project Budget: $ 60,000
Project Status:
Status: Currently scoping the project for right of way issues, utility conflicts, and impacts to adjacent property owners. **Project is anticipated to be complete by the end of the biennium.**

Main and Keene Way Crosswalk Improvements
Project Budget: $ 212,500
Project Status:
Status: Design is underway. **Project is anticipated to be complete by the end of the biennium.**

Safe Routes to School - Columbus & Prune
Project Budget: $ 120,000
Project Status:
Status: City Survey crews are collecting data. Preliminary design is underway. **Project is anticipated to be complete by the end of the biennium.**

Columbus Ave Lane Reconfiguration, Prune to McAndrews
Project Budget: $ 300,000
Project Status:
Status: The project is planned to occur during maintenance overlays planned for summer 2020 and summer 2021. **A portion of the project may not be completed by the end of the biennium.**

NE Medford Bikeway - Corona, Roberts, Melody
Project Budget: $ 20,000
Project Status:
Status: **Project is anticipated to be complete by the end of the biennium.**

Residential Street Lights
Project Budget: $ 30,000
Project Status:
Status: **Project is anticipated to be complete by the end of the biennium.**

Traffic System Management
Project Budget: $ 250,000
Project Status:
Status: The budget is for unanticipated projects that might arise during the biennium. No current need has been identified.

Owen and Crater Lake Ave Intersection Improvements
Project Budget: $ 1,559,800
Project Status:
Status: Project is nearly complete. Currently waiting on City-furnished signal poles to arrive from the manufacturer. Contractor has completed all other items and is scheduled for total project completion 3 weeks after poles arrive. **Project will be complete by end of biennium.**

Adaptive Signal-Barnett
Project Budget: $ 581,000
Project Status:
Status: A coordinated timing plan has been implemented on Barnett Rd between Ellendale and Golfview. Concept of Operations for new signal controllers and central software is 85% complete. The City intends to issue a Request for Industry Comment on the technical documents by end of 2019. **Project is anticipated to be complete by the end of the biennium.**

Adaptive Signal – McAndrews
Project Budget: $ 550,000
Project Status:
Status: **The project is anticipated to start within the biennium but will not be completed by the end of the biennium.**

HSIP-E Jackson St Signal Improvements
Project Budget: $ 188,000
Project Status:
Status: Signal upgrades design is complete and equipment is on order. Upgrades will be installed via Operations as crew has time. **Project is anticipated to be complete by the end of the biennium.**

HSIP-E McAndrews Signal Improvements
Project Budget: $ 298,000
Project Status:
Status: Signal upgrades design is complete and equipment is on order. Upgrades will be installed via Operations as crew has time. **Project is anticipated to be complete by the end of the biennium.**

ARTS-E Jackson Striping
Project Budget: $ 255,600
Project Status:
Status: Design continues on the Jackson Street re-striping project. Re-striping will be completed in summer 2020 in conjunction with a pavement maintenance overlay. **Project is anticipated to be complete by the end of the biennium.**

ARTS-Court and McAndrews Signal
Project Budget: $ 247,000
Project Status:
Status: City Survey crews are collecting data. Preliminary design is underway. **Project is anticipated to be complete by the end of the biennium.**

ARTS-Stewart and Riverside Signal
Project Budget: $ 135,000
Project Status:
Status: City Survey crews are collecting data. Preliminary design is underway. **Project is anticipated to be complete by the end of the biennium.**

Traffic Central System Upgrades
Project Budget: $ 250,000
Project Status:
Status: Concept of Operations for new signal controllers and central software is 85% complete. The City intends to issue a Request for Industry Comment on the technical documents by the end of 2019. **Project is anticipated to be complete by the end of the biennium.**

Stewart Ave Railroad Crossing
Project Budget: $ 30,000
Project Status:
Status: City crews will install the yellow tactile warnings and complete some concrete work on the south side of Barnett in fall 2019. A contractor will install guardrail on the north side of Barnett in spring 2020. **Project will be complete by the end of the biennium.**

Unidentified Traffic Signal
Project Budget: $ 400,000
Project Status:
Status: The budget is for unanticipated projects that might arise during the biennium. No current need has been identified.

Main and Highland Intersection Improvements
Project Budget: $ 700,000
Project Status:
Status: **The project is anticipated to start within the biennium but will not be completed by the end of the biennium.**

Grants

2019 BUILD Grant
Request = $20,500,000
Status: Currently waiting to hear back from FHWA, rule requires notification of awards by November.

CMAQ Grant for Alley between Orange and Hamilton, South of 10th Street
Request = $319,723
Match = $80,000
Status: Applications submitted to RVMPO on September 30, 2019. Anticipate decision by end of calendar year.

MEDFORD
PUBLIC WORKS

STBG / CMAQ Grant for Stevens Street east of Crate Lake Avenue

Request = $2,145,002
Match = $600,000
Status: Applications submitted to RVMPO on September 30, 2019. Anticipate decision by end of calendar year.

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Item No: 100.2

AGENDA ITEM COMMENTARY

DEPARTMENT: City Manager
PHONE: (541) 774-2000
STAFF CONTACT: Brian Sjothun, City Manager

AGENDA SECTION: City Manager Report
MEETING DATE: October 17, 2019

Revised June 25, 2019

MEDFORD
FINANCE

MEMORANDUM

To:	Brian Sjothun, City Manager
From:	Ryan Martin, CFO/Deputy City Manager
CC:	Mayor and City Councilmembers
Date:	October 4, 2019
Subject:	Rogue Disposal Rates

Paragraph 7.5 of the Solid Waste Collection Franchise Agreement (Franchise) between the City of Medford (City) and Rogue Disposal and Recycling, Inc. (Rogue) provides for an annual adjustment of the approved service rate schedule based on the changes in the Consumer Price Index (CPI) during the previous year.

The CPI change between August 2018 and August 2019 equals a percentage change of 1.7%. The enclosed table taken from the Bureau of Labor Statistics details the CPI increase for the Consumer Price Index-All Urban Customers. Accordingly, under the Annual Rate Adjustment Formula, the service rate for a particular rate category is increased by 1.7% to equal the Adjusted Rate Category Rate (ARCR). For example, residential garbage/curbside recycling (one can) current rate of $19.96 renders the following adjustment:

$19.96 x 1.7% (CPI) = $.34

Thus, the rate as of January 1, 2020 adjusted for the CPI (1.7%) equals:

$19.96 + $.34 = $20.30 (ARCR)

Enclosed for your review are copies of:

- Consumer Price Index – August 2019
- Exhibit C – Maximum Monthly Collection Rates effective January 1, 2020
- Exhibit D – Maximum Monthly Collection Rates effective January 1, 2019

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FINANCE

Under the Franchise, the City has 30 day to review the increase for the cost of living calculations. I have reviewed the adjustments and have notified Rogue Disposal and Recycling that we agree with the calculations.

CONSUMER PRICE INDEXES PACIFIC CITIES AND U. S. CITY AVERAGE
AUGUST 2019

(All items indexes. 1982-84=100 unless otherwise noted. Not seasonally adjusted.)

MONTHLY DATA	All Urban Consumers (CPI-U)						Urban Wage Earners and Clerical Workers (CPI-W)					
	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		1 Month ending				Year ending		1 Month ending
	Aug 2018	Jul 2019	Aug 2019	Jul 2019	Aug 2019	Aug 2019	Aug 2018	Jul 2019	Aug 2019	Jul 2019	Aug 2019	Aug 2019
U. S. City Average	252.146	256.571	256.558	1.6	1.7	0.0	246.336	250.236	250.112	1.4	1.5	0.0
West	264.395	271.029	271.264	2.7	2.6	0.1	256.311	262.401	262.416	2.6	2.4	0.0
West – Size Class A[1]	272.606	279.726	279.891	2.8	2.7	0.1	262.699	269.338	269.231	2.7	2.5	0.0
West – Size Class B/C[2]	153.797	157.465	157.654	2.6	2.5	0.1	153.625	157.058	157.134	2.5	2.3	0.0
Mountain[3]	102.488	105.099	105.477	2.5	2.9	0.4	102.994	105.383	105.678	2.3	2.6	0.3
Pacific[3]	102.831	105.397	105.382	2.8	2.5	0.0	102.881	105.349	105.239	2.7	2.3	-0.1
Los Angeles-Long Beach-Anaheim, CA	266.665	274.682	274.579	3.3	3.0	0.0	257.318	265.012	264.687	3.3	2.9	-0.1
BI-MONTHLY DATA (Published for odd months)	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		2 Months ending				Year ending		2 Months ending
	Jul 2018	May 2019	Jul 2019	May 2019	Jul 2019	Jul 2019	Jul 2018	May 2019	Jul 2019	May 2019	Jul 2019	Jul 2019
Riverside-San Bernardino-Ontario, CA[3]	103.139	105.959	105.816	2.9	2.6	-0.1	103.181	106.159	105.815	3.0	2.6	-0.3
San Diego-Carlsbad, CA	295.185	300.303	299.333	3.8	1.4	-0.3	279.145	281.727	281.391	3.0	0.8	-0.1
Urban Hawaii	277.389	282.271	281.928	2.1	1.6	-0.1	273.619	278.551	278.099	2.1	1.6	-0.2
BI-MONTHLY DATA (Published for even months)	Indexes			Percent Change			Indexes			Percent Change		
				Year ending		2 Months ending				Year ending		2 Months ending
	Aug 2018	Jun 2019	Aug 2019	Jun 2019	Aug 2019	Aug 2019	Aug 2018	Jun 2019	Aug 2019	Jun 2019	Aug 2019	Aug 2019
Phoenix-Mesa-Scottsdale, AZ[4]	139.554	142.997	143.760	2.2	3.0	0.5	138.241	141.580	142.070	2.3	2.8	0.3
San Francisco-Oakland-Hayward, CA	287.664	295.259	295.490	3.2	2.7	0.1	281.536	288.581	288.514	3.0	2.5	0.0
Seattle-Tacoma-Bellevue, WA	271.625	278.631	280.286	2.3	3.2	0.6	267.757	273.488	274.520	1.7	2.5	0.4
Urban Alaska	228.716	234.179	230.406	2.5	0.7	-1.6	224.691	229.121	226.667	2.1	0.9	-1.1

[1] Population over 2,500,000 [2] Population 2,500,000 and under, Dec 1996 = 100 [3] Dec 2017=100 [4] Dec 2001=100 Dash (-) = Not available

NOTE: In January 2018, BLS introduced a new geographic area sample for the Consumer Price Index (CPI): www.bls.gov/regions/west/factsheet/2018cpirevisionwest.pdf

1967=100 base year indexes and historical tables including semiannual and annual average data are available at: www.bls.gov/regions/west/data/cpi_tables.pdf

Release date September 12, 2019. The next release date is scheduled for October 10, 2019. For questions, please contact us at BLSinfoSF@bls.gov or (415) 625-2270.

EXHIBIT C
CITY OF MEDFORD, OREGON
ROGUE DISPOSAL AND RECYCLING, INC.
MAXIMUM MONTHLY COLLECTION RATES
EFFECTIVE JANUARY 1, 2020

Residential Collection

Garbage/Curbside Recycling			
35 gallon cart @ curb (1 can service)	$	20.30	Per month
65 gallon cart @ curb (2 can service)	$	34.04	Per month
95 gallon cart @ curb (3 can service)	$	47.78	Per month
Each Additional Can Serviced Weekly	$	13.74	Per month
Extra 32 gallon Can or Bag On Route	$	5.07	Each
Special Pick-up - Non-Garbage Customer	$	17.23	Each
Recycling Cart - Non-Garbage Customer	$	6.01	Per month
Green Waste Cart - Garbage Customer	$	7.75	Per month
Green Waste Cart - Non-Garbage Customer	$	9.95	Per month

Commercial (Front-Load)

Monthly Front-Load Rates by Container size and Frequency of Pickup

	1 1/2 YD	2 YD	3 YD	4 YD	6 YD	8 YD
1 x Week	$ 135.99	$ 177.24	$ 209.98	$ 271.86	$ 390.63	$ 509.28
2 x Week	$ 220.26	$ 285.61	$ 395.80	$ 504.15	$ 705.57	$ 905.10
3 x Week	$ 318.33	$ 406.11	$ 566.14	$ 714.12	$ 1,077.19	$ 1,440.31
4 x Week	$ 416.39	$ 511.05	$ 724.45	$ 967.08	$ 1,416.15	$ 1,867.06
5 x Week	$ 497.31	$ 615.97	$ 906.85	$ 1,199.35	$ 1,758.64	$ 2,317.85
6 x Week	$ 564.40	$ 738.23	$ 1,077.19	$ 1,429.97	$ 2,099.31	$ 2,768.74
Extra p/u	$ 49.03	$ 59.32	$ 80.00	$ 100.70	$ 141.96	$ 183.25

Commercial Commingle Recycling (Front-Load)

Monthly Front-Load Rates by Container size and Frequency of Pickup

	1 1/2 YD	2 YD	3 YD	4 YD	6 YD	8 YD
1 x Week	$ 40.80	$ 53.17	$ 62.99	$ 81.56	$ 117.19	$ 152.78
Extra p/u	$ 14.71	$ 17.80	$ 24.00	$ 30.21	$ 42.59	$ 54.98

Commercial Commingle Recycling (Bins)

65 gallon cart @ curb (2 can service)	$	10.21
95 gallon cart @ curb (3 can service)	$	14.33

Industrial (Roll-off)

DROP BOX SERVICE RATES

	RATE PER LOAD		DAILY RENT	
SIZE	LOOSE	COMPACT	PERM	TEMP
10 Yard Box (rate per haul)	$ 277.19	$ 464.54	$ 2.96	$ 5.90
20 Yard Box (rate per haul)	$ 416.69	$ 788.60	$ 3.70	$ 7.37
27 Yard Box (rate per haul)	$ 514.54		$ 4.41	$ 8.86
30 Yard Box (rate per haul)	$ 555.84		$ 4.41	$ 8.86
33 Yard Box (rate per haul)	$ 595.36		$ 4.41	$ 8.86
40 Yard Box (rate per haul)	$ 721.18		$ 4.41	$ 8.86
50 Yard Box (rate per haul)	$ 901.85		$ 4.41	$ 8.86

EXHIBIT C
CITY OF MEDFORD, OREGON
ROGUE DISPOSAL AND RECYCLING, INC.
MAXIMUM MONTHLY COLLECTION RATES
EFFECTIVE JANUARY 1, 2020

Residential Collection Miscellaneous Charges

$ 28.47	Exchange Roll Cart	$ 6.92	Long Driveway with Cart (per Month)
$ 2.35	32 Gal Can Extra GW Pick-Up	$ 117.95	Misc. Labor (Truck and Driver) per Hour
$ 1.62	Extra GW Cart Rent Per Month	$ 51.59	Misc. Labor (Helper) per Hour
$ 3.09	On Call Extra GW Cart Pick-up	$ 49.98	Small Quantity Pgm - 5 Pre-Paid Bags
$ 7.66	Recycle Bin Not Returned	$ 69.00	Small Quantity Pgm - 10 Pre-Paid Bags
$ 3.09	For Each Addtl Resident Roll Cart	$ 76.65	1st Appliance
$ 26.26	Off Route Charge	$ 38.33	Ea. Additional Appliance
$ 63.39	35 Gal Lost Cart Replacement	$ 14.74	Tire - Passenger
$ 73.73	65 Gal Lost Cart Replacement	$ 29.48	Tire - Truck
$ 92.88	95 Gal Lost Cart Replacement	$ 29.48	Misc. Loose Waste - Per Yard
$ 6.62	Cart/Can not at Curb (per Month)	$ 9.30	Christmas Tree - Per 3 Ft Section

Commercial Collection Special Charges

$ 29.48	Per month temporary container rental
$ 29.48	Per month temporary cardboard only; waived if minimum p/u every other week
$ 38.33	Trip charge/pull fee
$ 58.97	Cleaning
$ 58.97	Deposit
$ 58.97	Pickup & Delivery
$ 17.71	Pull Out from 30-90 ft (multiply by p/u per week)
$ 13.27	Key Acct
$ 7.37	Per month auto lock container
$ 23.59	Lock replacement
$ 119.41	6 yd. or under FL compactor cleaning fee

		Deliver	Pickup
$ 129.16	Bin for a day - 5 yard - 24 hours 1 Dump		
$ 146.37	Bin for a week-end - 5 yard - 48 hours 1 Dump	Fri	Mon am
$ 163.58	Bin for 72 hours - 5 yard - 1 Dump	1st day	4th day
$ 116.43	Yard debris bin for a week-end - 5 yard 1 Dump	Fri	Mon am
$ 133.08	Yard debris bin for 72 hours - 5 yard 1 Dump	1st day	4th day
$ 99.78	Yard debris bin for a day - 5 yard - 24 hours 1 Dump		

Industrial Special Charges

$ 39.38	Compactor - Per Yard Under 20 Yds
$ 36.44	Compactor - Per Yard 20 Yds and Over
$ 131.22	Compactor Cleaning
$ 38.33	Trip Charge(move box @ location) / Turn Around Charge
$ 123.85	Haul Fee - Asbestos Box (Requires special per yard disposal charge)
$ 123.85	Wood Box Haul Fee
$ 2.96	Per Mile, starting after border boundary
$ 29.48	Car tire in drop box
$ 44.22	Truck tire in drop box
$ 76.65	Haul Fee to haul appliance from landfill to transfer station

Medical Waste

$ 22.10	1 Gallon container (Residential)	$ 40.07	15 Gallon Steri-Box (Commercial Pick-Up)
$ 27.58	2 Gallon container (Residential)	$ 53.12	34 Gallon Steri-Box (Commercial Pick-Up)
		$ 49.18	21 Gallon Steri-Tub (Commercial Pick-Up)
		$ 58.87	48 Gallon Steri-Tub (Commercial Pick-Up)

EXHIBIT D
CITY OF MEDFORD, OREGON
ROGUE DISPOSAL AND RECYCLING, INC.
MAXIMUM MONTHLY COLLECTION RATES
EFFECTIVE JANUARY 1, 2019

Residential Collection

Garbage/Curbside Recycling			
35 gallon cart @ curb (1 can service)	$	19.96	Per month
65 gallon cart @ curb (2 can service)	$	33.47	Per month
95 gallon cart @ curb (3 can service)	$	46.97	Per month
Each Additional Can Serviced Weekly	$	13.51	Per month
Extra 32 gallon Can or Bag On Route	$	4.99	Each
Special Pick-up - Non-Garbage Customer	$	16.94	Each
Recycling Cart - Non-Garbage Customer	$	5.91	Per month
Green Waste Cart - Garbage Customer	$	7.62	Per month
Green Waste Cart - Non-Garbage Customer	$	9.78	Per month

Commercial (Front-Load)

Monthly Front-Load Rates by Container size and Frequency of Pickup

	1 1/2 YD	2 YD	3 YD	4 YD	6 YD	8 YD
1 x Week	$ 133.72	$ 174.28	$ 206.47	$ 267.32	$ 384.10	$ 500.77
2 x Week	$ 216.58	$ 280.84	$ 389.18	$ 495.72	$ 693.78	$ 889.97
3 x Week	$ 313.01	$ 399.32	$ 556.68	$ 702.18	$ 1,059.18	$ 1,416.23
4 x Week	$ 409.43	$ 502.51	$ 712.34	$ 950.91	$ 1,392.48	$ 1,835.85
5 x Week	$ 489.00	$ 605.67	$ 891.69	$ 1,179.30	$ 1,729.24	$ 2,279.11
6 x Week	$ 554.97	$ 725.89	$ 1,059.18	$ 1,406.07	$ 2,064.22	$ 2,722.46
Extra p/u	$ 48.21	$ 58.33	$ 78.66	$ 99.02	$ 139.59	$ 180.19

Commercial Commingle Recycling (Front-Load)

Monthly Front-Load Rates by Container size and Frequency of Pickup

	1 1/2 YD	2 YD	3 YD	4 YD	6 YD	8 YD
1 x Week	$ 40.12	$ 52.28	$ 61.94	$ 80.20	$ 115.23	$ 150.23
Extra p/u	$ 14.46	$ 17.50	$ 23.60	$ 29.71	$ 41.88	$ 54.06

Commercial Commingle Recycling (Bins)

65 gallon cart @ curb (2 can service)	$	10.04
95 gallon cart @ curb (3 can service)	$	14.09

Industrial (Roll-off)

DROP BOX SERVICE RATES

	RATE PER LOAD		DAILY RENT	
SIZE	LOOSE	COMPACT	PERM	TEMP
10 Yard Box (rate per haul)	$ 272.56	$ 456.77	$ 2.91	$ 5.80
20 Yard Box (rate per haul)	$ 409.72	$ 775.42	$ 3.64	$ 7.25
27 Yard Box (rate per haul)	$ 505.94		$ 4.34	$ 8.71
30 Yard Box (rate per haul)	$ 546.55		$ 4.34	$ 8.71
33 Yard Box (rate per haul)	$ 585.41		$ 4.34	$ 8.71
40 Yard Box (rate per haul)	$ 709.12		$ 4.34	$ 8.71
50 Yard Box (rate per haul)	$ 886.77		$ 4.34	$ 8.71

EXHIBIT D
CITY OF MEDFORD, OREGON
ROGUE DISPOSAL AND RECYCLING, INC.
MAXIMUM MONTHLY COLLECTION RATES
EFFECTIVE JANUARY 1, 2019

Residential Collection Miscellaneous Charges

$ 27.99	Exchange Roll Cart	$ 6.80	Long Driveway with Cart (per Month)
$ 2.31	32 Gal Can Extra GW Pick-Up	$ 115.98	Misc. Labor (Truck and Driver) per Hour
$ 1.59	Extra GW Cart Rent Per Month	$ 50.73	Misc. Labor (Helper) per Hour
$ 3.04	On Call Extra GW Cart Pick-up	$ 49.14	Small Quantity Pgm - 5 Pre-Paid Bags
$ 7.53	Recycle Bin Not Returned	$ 67.85	Small Quantity Pgm - 10 Pre-Paid Bags
$ 3.04	For Each Addtl Resident Roll Cart	$ 75.37	1st Appliance
$ 25.82	Off Route Charge	$ 37.69	Ea. Additional Appliance
$ 62.33	35 Gal Lost Cart Replacement	$ 14.49	Tire - Passenger
$ 72.50	65 Gal Lost Cart Replacement	$ 28.99	Tire - Truck
$ 91.33	95 Gal Lost Cart Replacement	$ 28.99	Misc. Loose Waste - Per Yard
$ 6.51	Cart/Can not at Curb (per Month)	$ 9.14	Christmas Tree - Per 3 Ft Section

Commercial Collection Special Charges

$ 28.99	Per month temporary container rental
$ 28.99	Per month temporary cardboard only; waived if minimum p/u every other week
$ 37.69	Trip charge/pull fee
$ 57.98	Cleaning
$ 57.98	Deposit
$ 57.98	Pickup & Delivery
$ 17.41	Pull Out from 30-90 ft (multiply by p/u per week)
$ 13.05	Key Acct
$ 7.25	Per month auto lock container
$ 23.20	Lock replacement
$ 117.41	6 yd. or under FL compactor cleaning fee

		Deliver	Pickup
$ 127.00	Bin for a day - 5 yard - 24 hours 1 Dump		
$ 143.92	Bin for a week-end - 5 yard - 48 hours 1 Dump	Fri	Mon am
$ 160.85	Bin for 72 hours - 5 yard - 1 Dump	1st day	4th day
$ 114.48	Yard debris bin for a week-end - 5 yard 1 Dump	Fri	Mon am
$ 130.86	Yard debris bin for 72 hours - 5 yard 1 Dump	1st day	4th day
$ 98.11	Yard debris bin for a day - 5 yard - 24 hours 1 Dump		

Industrial Special Charges

$ 38.72	Compactor - Per Yard Under 20 Yds
$ 35.83	Compactor - Per Yard 20 Yds and Over
$ 129.03	Compactor Cleaning
$ 37.69	Trip Charge(move box @ location) / Turn Around Charge
$ 121.78	Haul Fee - Asbestos Box (Requires special per yard disposal charge)
$ 121.78	Wood Box Haul Fee
$ 2.91	Per Mile, starting after border boundary
$ 28.99	Car tire in drop box
$ 43.48	Truck tire in drop box
$ 75.37	Haul Fee to haul appliance from landfill to transfer station

Medical Waste *

$ 21.73	1 Gallon container (Residential)	$ 39.40	15 Gallon Steri-Box (Commercial Pick-Up)
$ 27.12	2 Gallon container (Residential)	$ 52.23	34 Gallon Steri-Box (Commercial Pick-Up)
		$ 48.36	21 Gallon Steri-Tub (Commercial Pick-Up)
		$ 57.89	48 Gallon Steri-Tub (Commercial Pick-Up)

* Published medical rates (see Rogue Disposal web site) added to enhance transparency.