

PLANNING COMMISSION AGENDA JULY 13, 2017



Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

Regular Planning Commission meetings

are held on the second and fourth

Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380



Planning Commission

Agenda

Public Hearing

July 13, 2017

5:30 PM

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

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10. **Roll Call**
 20. **Consent Calendar/Written Communications (voice vote)**
 - 20.1 **CUP-17-053** Final Order of a request for a Conditional Use Permit (CUP) to construct a new 10-12 foot wide pedestrian/bike path known as Larson Creek Trail Segment II between Black Oak Drive and Ellendale Drive within the Larson Creek Riparian Corridor. Project to include two pedestrian bridges, fence relocation and improvements spanning approximately 7.32 acres zoned SFR-4, SFR-6, MFR-20 and C-C (Single-Family Residential, 4 dwelling units per gross acre, 6 dwelling units per gross acre, Multi-Family Residential, 20 dwelling units per gross acre and Community Commercial) (371W32AA, portions of Tax Lots 200, 300, 400 and 500 and 371W32AB, portions of Tax Lots 3100, 1100 and 3000). (Medford Public Works, Applicant; Richard Stevens & Associates, Agent)
 - 20.2 **LDS-17-051 / E-17-052** Final Orders of a request for tentative plat approval for Summerfield at Southeast Park Phases 16 through 21, a 138-lot residential subdivision on approximately 96 acres located south of Cherry Lane and east of Lone Oak Drive within an SFR-4/SE (Single Family Residential-4 units per acre/Southeast Overlay) zoning district. The request includes an Exception to the standards for the permitted length of a residential lane. (Crystal Springs Development Group, Applicant; Neathamer surveying, Inc., Agent)
 - 20.3 **LDS-16-004** Request to revise the approved sidewalk alignment for Rancho McMillan, a four lot residential subdivision on a 0.95 acre parcel located on the north side of Lone Pine Road, approximately 1,100 feet west of North Foothill Road, within the SFR-4 (Single Family Residential – 4 dwelling units per gross acre) zoning district. (Michael McMillan, Applicant; Scott Sinner Consulting, Inc., Agent)
 30. **Minutes**
 - 30.1 Consideration for approval of minutes from the June 22, 2017, hearing.
 40. **Oral and Written Requests and Communications**

Comments will be limited to 3 minutes per individual or 5 minutes if representing an organization. **PLEASE SIGN IN.**
 50. **Public Hearings**

Comments are limited to a total of 10 minutes for applicants and/or their representatives. You may request a 5-minute rebuttal time. All others will be limited to 3 minutes per individual or 5 minutes if representing a group or organization. **PLEASE SIGN IN.**

Continuance Request

- 50.1 **PUD-17-023** Consideration of a Preliminary PUD Plan for Coker Butte Business Park, a proposed development consisting of office and light industrial uses to be located on a 14.5-acre site composed of five contiguous lots bounded generally by Crater Lake Highway 62, Coker Butte Road, and Crater Lake Avenue, within the Light Industrial (I-L) zoning district. (371W05 1000, 1001, 1002, 1003, and 1100). (Coker Butte Properties, LLC and Table Rock Holdings LLC, Applicants; CSA Planning Ltd., Agent). **The applicant has requested to continue this item to the July 27, 2017, Planning Commission meeting.**

New Business

- 50.2 **SV-17-039** Consideration of a request to vacate a portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive. (C.A. Galpin, Applicant/Agent)
- 50.3 **ZC-17-034** Consideration of a request to rezone the westerly 2.20 acres of an existing 7.7 acre parcel located at the southeast corner of Hillcrest Road and N Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 dwelling units per gross acre) to C-C (Community Commercial) (371W28A TL 3300). Cogswell Limited Partnership, Applicant; CSA Planning Ltd., Agent)
- 50.4 **LDS-17-050** Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9- lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, In the General Industrial (I-G) zoning district (372W14 TL 1400). (Fjarli Merlin, Applicant; Richard Stevens & Associates, Inc., Agent)

60. Reports

- 60.1 Site Plan and Architectural Commission
 - 60.2 Joint Transportation Subcommittee
 - 60.3 Planning Department
- 70. Messages and Papers from the Chair**
- 80. Remarks from the City Attorney**
- 90. Propositions and Remarks from the Commission**
- 100. Adjournment**

**BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE CUP-17-053 APPLICATION FOR A)
) **ORDER**
CONDITIONAL USE PERMIT SUBMITTED BY MEDFORD PUBLIC WORKS DEPARTMENT)

ORDER granting approval of a request for a conditional use permit for *Larson Creek Trail, Segment II* described as follows:

To construct a new 10-12 foot wide pedestrian/bike path known as Larson Creek Trail Segment II between Black Oak Drive and Ellendale Drive within the Larson Creek Riparian Corridor. Project to include two pedestrian bridges, fence relocation and improvements spanning approximately 7.32 acres zoned SFR-4, SFR-6, MFR-20 and C-C (Single-Family Residential, 4 dwelling units per gross acre, 6 dwelling units per gross acre, Multi-Family Residential, 20 dwelling units per gross acre and Community Commercial) (371W32AA, portions of Tax Lots 200, 300, 400 and 500 and 371W32AB, portions of Tax Lots 3100, 1100 and 3000).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.246 and 10.247; and,
2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit for *Larson Creek Trail, Segment II*, as described above, with a public hearing a matter of record of the Planning Commission on January 26, 2017.
3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and,
4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit for *Larson Creek Trail, Segment II*, as described above.

THEREFORE LET IT BE HEREBY ORDERED that the application for *Larson Creek Trail, Segment II*, as described above, stands approved in accordance per the Planning Commission Report dated June 22, 2017.

AND LET IT FURTHER BE OF RECORD that the action of the Planning Commission in approving this request for *Larson Creek Trail, Segment II*, as described above, is hereafter supported by the findings referenced in the Planning Commission Report dated June 22, 2017.

Accepted and approved this 13th day of July, 2017.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



PLANNING COMMISSION REPORT

PROJECT Larson Creek Trail, Segment II - Black Oak to Ellendale
 Applicant: Medford Public Works Dept.; Agent: Richard Stevens & Assoc.

FILE NO. CUP-17-053

DATE June 22, 2017

BACKGROUND

Proposal

Consideration of a request for a Conditional Use Permit (CUP) to allow the construction of a multi-use pathway known as Larson Creek Trail Segment II within the Larson Creek Riparian Corridor from Ellendale Drive to Black Oak Drive. Project to include two pedestrian bridges, fence relocation and improvements spanning approximately 7.32 acres zoned SFR-4, SFR-6, MFR-20 and C-C (Single-Family Residential, 4 dwelling units per gross acre, 6 dwelling units per gross acre, Multi-Family Residential, 20 dwelling units per gross acre and Community Commercial). (371W32AA, portions of Tax Lots 200, 300, 400 and 500 and 371W32AB, portions of Tax Lots 3100, 1100 and 3000.)

Surrounding Property Zoning and Uses

North	Zone:	One lot zoned C-C/PD (Community Commercial/Planned Unit Development), 13 lots zoned MFR-20 (Multi-Family Residential, 20 units per gross acre), 11 lots zoned SFR-4 (Single-Family Residential, 4 units per gross acre), and three lots zoned C-C.
	Uses:	Commercial offices, townhomes, condominiums, single-family homes, strip mall containing offices and financial institutions, and fraternal group.
South	Zone:	One lot zoned SFR-4/PD, one lot zoned MFR-20/PD, and one lot zoned SFR-4.
	Uses:	Retirement center, golf course, wetlands, and school.
East	Zone:	C-C, and SFR-4
	Uses:	Strip mall containing occupational health, restaurants, retail, and subdivision with single-family homes.
West	Zone:	C-C, and SFR-10/PD

Uses: Business offices, hotel, Larson Creek trail with connection to Bear Creek Greenway

Related Projects

CUP-08-151	Larson Creek Bridge (expired).
CUP-10-093	Bridge over Larson Creek at North Phoenix Road.
O-2013-164	Ordinance authorizing taking of permanent easements by eminent domain to acquire needed property for the Larson Creek Greenway Trail Improvement Project between the existing Bear Creek Greenway to Ellendale Drive.
CUP-13-138	Larson Creek Trail Segment I – Highland Drive to Ellendale Drive.
O-2014-139	Ordinance authorizing execution of an Intergovernmental Agreement Number 30143 with the Oregon Department of Transportation for Larson Creek Trail Segment II improvements.

Applicable Criteria

CONDITIONAL USE PERMIT APPROVAL CRITERIA

Section 10.248 of the Medford Land Development Code

The approving authority (Planning Commission) must determine that the development proposal complies with either of the following criteria before approval can be granted.

- (1) The development proposal will cause no significant adverse impact on the livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.*
- (2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.*

In authorizing a conditional use permit the approving authority (Planning Commission) may impose any of the following conditions:

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) Establish a special yard or other open space or lot area or dimension requirement.*
- (3) Limit the height, size, or location of a building or other structure.*
- (4) Designate the size, number, location, or nature of vehicle access points.*

- (5) *Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) *Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) *Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) *Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) *Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) *Designate the size, height, location, or materials for a fence.*
- (11) *Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

10.249 Conditional Use Permits, Mitigation of Impacts.

Development requiring the mitigation of impacts under Section 10.248(2), Conditional Use Permit Criteria, must do one (1) of the following:

- (1) *Preserve unique assets of interest to the community.*
- (2) *Provide a public facility or public nonprofit service to the immediate area or community.*
- (3) *Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.*

10.920 Riparian Corridors, Purposes

The purposes of establishing riparian corridors are:

- (1) *To implement the goals and policies of the "Environmental Element" and the "Greenway" General Land Use Plan (GLUP) designation of the Medford Comprehensive Plan and achieve their purposes.*
- (2) *To protect and restore Medford's waterways and associated riparian areas, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions these areas provide for the community.*
- (3) *To protect fish and wildlife habitat, enhance water quality, control erosion and sedimentation, and reduce the effects of flooding.*
- (4) *To protect and restore the natural beauty and distinctive character of Medford's waterways as community assets.*
- (5) *To provide a means for coordinating the implementation of the Bear Creek Greenway and other greenways or creek restoration projects within the City of Medford.*
- (6) *To enhance the value of properties near waterways by utilizing the riparian corridor as a visual amenity.*

- (7) *To enhance coordination among local, state, and federal agencies regarding development activities near waterways.*

10.925 Conditional Uses within Riparian Corridors

The following activities, and maintenance thereof, are allowed within a riparian corridor if compatible with Section 10.920, "Riparian Corridors, Purposes," and if designed to minimize intrusion. Such activities shall be subject to approval of a Conditional Use Permit, which may be considered separately or in conjunction with another plan authorization review. The approving authority must determine that the proposal complies with at least one of the Conditional Use Permit criteria. Applicable permits, if any, from the Oregon Department of State Lands and the U.S. Army Corps of Engineers shall subsequently be obtained. All development and improvement plans shall be submitted to the Oregon Department of Fish and Wildlife for a habitat mitigation recommendation pursuant to O.A.R. 635-415 "Fish and Wildlife Habitat Mitigation Policy."

- (1) Water-related or water-dependent uses, such as drainage facilities and irrigation pumps.*
- (2) Utilities or other public improvements.*
- (3) Streets, roads, or bridges where necessary for access or crossings.*
- (4) Multi-use paths, accessways, trails, picnic areas, or interpretive and educational displays and overlooks, including benches and outdoor furniture.*

10.927 Riparian Corridors, Reduction or Deviation

A request to reduce or deviate from the riparian corridor boundary provisions of this section may be submitted to the Planning Director or designee for consideration. A deviation request may be approved as long as equal or better protection of the riparian area will be ensured through a plan for restoration, enhancement, or similar means. Such a plan shall be submitted to the Oregon Department of Fish and Wildlife for a habitat mitigation recommendation pursuant to O.A.R. 635-415 "Fish and Wildlife Habitat Mitigation Policy." In no case shall activities prohibited in Section 10.926(1) through (3), "Prohibited Activities within Riparian Corridors" be located any closer than 25 feet from top-of-bank. The Planning Commission shall be kept advised of the outcome of deviation or reduction requests. Any decision of the Planning Director may be appealed to the City Council as provided in Chapter 10 of the Code of Medford.

Project History

The 2003 *Transportation System Plan* identifies the completion of the Larson Creek Multi-Use Path as a priority project to provide cyclists and pedestrians with an

alternative route to Barnett Road. In the fall of 2006, the City retained Alta Planning and Design to prepare a *Larson Creek Multi-Use Path Master Plan*. Completed in July of 2007, the *Larson Creek Multi-Use Path Route Assessment* serves as this Master Plan and implementation of the Plan is underway.

In 2013, City Council authorized the taking of permanent easements by eminent domain to acquire needed property for the Larson Creek Multi-Use Path between the existing Bear Creek Greenway to Ellendale Drive (O-2013-164, Exhibit V). Also in 2013 the Planning Commission approved a Conditional Use Permit for Segment I of the Path from Highland Drive to Ellendale Drive (CUP-13-138, Exhibit U). Segment I is located south of and generally parallel to Larson Creek and has been developed and completed.

In 2014, City Council authorized the execution of an Intergovernmental Agreement with the Oregon Department of Transportation for Larson Creek Multi-Use Path Segment II improvements (O-2014-139, Exhibit T). The Agreement provides grant funds for the design and construction of this segment of the Path, which is the subject of this application.

In *Medford Land Development Code* (“MLDC”) Section 10.922 and in the Environmental Element of the *City of Medford Comprehensive Plan*, Larson Creek from Bear Creek east 3.9 miles to North Phoenix Road, and the south fork of Larson Creek from North Phoenix Road east 1.2 miles are designated as fish-bearing streams with riparian corridors. The riparian corridor setback is measured 50-feet from the top-of-bank on each side of the stream. Portions of the multi-use path are proposed to be located inside both the 50-foot setback, as well as within the 25-foot reduced setback (Exhibit C).

The applicant is requesting a Conditional Use Permit to construct Segment II of the Multi-Use Path between Ellendale Drive and Black Oak Drive within the Larson Creek Riparian Corridor. Construction is proposed to include the multi-use pathway in varying widths of 10-12 feet with two foot gravel shoulders on each side, two pedestrian bridges, and fence relocation and improvements (Exhibit D) which will be conducted by the Medford Public Works Department.

Per MLDC Section 10.925, multi-use paths, access ways, trails and bridges are allowed within riparian corridors subject to the approval of a Conditional Use Permit, if compatible with the purposes of riparian corridors described in MLDC Section 10.920 and if designed to minimize intrusion. The applicant does propose mitigation measures to reduce the impacts associated with construction and development of the multi-use path within the riparian corridor. The approving authority must determine that the proposal complies with at least one of the Conditional Use Permit criteria in MLDC Section 10.248.

The applicant's Narrative and Findings of Fact (Exhibit B) provide further background information on the path.

ISSUES AND ANALYSIS

Comments related to the specifics of re-planting as mitigation were received from the Parks and Recreation Planner ("Parks")(Exhibit M) and the Oregon Department of Fish and Wildlife ("ODFW") (Exhibit N). These comments also address the selected path location, construction practices, intrusion into the riparian corridor, mitigation, planting and maintenance as well as concerns regarding compliance with the Land Development Code and Statewide Planning Goal 5 to protect natural resources, scenic and historic areas, and open spaces.

Committee Comments

No comments were received.

FINDINGS OF FACT

Staff has reviewed the applicant's Narrative and Findings (Exhibit B) and recommends that the Commission adopt the Findings, as supplemented with the information in the sections below.

MLDC Section 10.925 Conditional Uses within Riparian Corridors

Per MLDC Section 10.925, water-related uses such as multi-use paths and bridges are subject to the approval of a Conditional Use Permit and are allowed within a riparian corridor if compatible with MLDC Section 10.920, "Riparian Corridors, Purposes" and if designed to minimize intrusion.

Compatibility With MLDC Section 10.920 Riparian Corridors, Purposes

The first purpose in MLDC Section 10.920 is:

- (1) *To implement the goals and policies of the "Environmental Element" and the "Greenway" General Land Use Plan (GLUP) designation of the Medford Comprehensive Plan and achieve their purposes.*

This proposal supports the following specific Goals, Policies and Implementation Measures from the Environmental Element.

Goal 5: To achieve and maintain water quality in Medford's waterways.

Policy 5-B: The City of shall implement measures to reduce polluted surface water runoff into the storm drainage system.

Implementation 5-B(3): Require the use of natural waterways for storm drainage wherever possible to decrease flow speed and increase filtering prior to the runoff entering a primary waterway.

In this segment of the Larson Creek Multi-Use Path, flood control is designed to mimic the natural drainage process. Rather than detaining stormwater, it will be allowed to flow from the path into the ground where it will soak into the soil which will filter out large particles and sedimentation. Rather than creating an unnecessary point of discharge into the creek, the naturally filtered water will slowly drain into the creek.

Goal 6: To recognize Medford's waterways and wetlands as essential components of the urban landscape that improve water quality, sustain wildlife habitat and provide open space.

Policy 6-D: The City of Medford shall support the efforts of organizations such as the Bear Creek Watershed Council and the Bear Creek Greenway Foundation, which strive to improve the quality of Bear Creek and its tributaries with activities such as greenway formation, environmental education workshops, creek cleanup events, etc.

By joining Bear Creek Greenway with Segment I and now Segment II of the Larson Creek Multi-Use Path, this proposal supports the use of Bear Creek Greenway and makes the Greenway and Larson Creek more accessible for the types of environmental education, cleanup events and other activities organized by the Watershed Council and Bear Creek Foundation.

Goal 7: To preserve and protect plants and wildlife habitat in Medford.

Policy 7-A: The City of Medford shall encourage the conservation of plant and wildlife habitat...through the appropriate management of parks and public and private open space.

Implementation 7-A (2): Develop and implement regional plans for greenways, wetlands, and linear parks with Jackson County, as wildlife often travel paths that cross jurisdictional boundaries.

The Larson Creek Multi-Use Master Plan envisions a linear pathway from the Bear Creek Greenway to North Phoenix Road to the east. Planned pathways within the Southeast Plan Greenway trail system will further extend the path to the east to Chrissy Park.

The second, third and fourth purposes for riparian corridors outlined in MLDC Section 10.920 are:

- (2) *To protect and restore Medford's waterways and associated riparian areas, thereby protecting and restoring the hydrologic, ecologic, and land conservation functions these areas provide for the community.*
- (3) *To protect fish and wildlife habitat, enhance water quality, control erosion and sedimentation, and reduce the effects of flooding.*
- (4) *To protect and restore the natural beauty and distinctive character of Medford's waterways as community assets.*

In their Findings of Fact (Exhibit B, page 9), the applicant contends that the proposal is designed to restore and protect Larson Creek, the associated riparian corridor, and the natural beauty of Larson Creek as well as enhance water quality to protect fish and wildlife habitat. This will be accomplished through the following measures proposed by the applicant:

- As discussed above, improve flood control and water quality by mimicking the natural drainage process.
- Improve flood control and restore the waterway for fish migration through the removal of obstacles (non-native vegetation, shopping carts, debris, etc.) within the channel.
- Restore vegetation displaced by the path.
- Within planting areas, restore wildlife habitat through the removal of invasive species prior to planting of new plants.
- Plant native trees, shrubs and plants which will add habitat for wildlife and provide shade to the stream for fish.

In his letter, Ryan Battleson, the Assistant District Fisheries Biologist from the ODFW (Exhibit N, page 2), expresses concern that the design of the multi-use path and its proposed route will result in "a net loss of riparian habitat, a degradation of water quality, and damage to fish and wildlife habitat." He comments that the proposed path locations do not minimize intrusion into the riparian corridor, and thereby do not meet the protective purpose of the riparian corridor designation. The intrusion into the riparian corridor will be discussed in greater detail below.

Purposes five and seven for riparian corridors from MLDC Section 10.920 are similar as they are:

- (5) *To provide a means for coordinating the implementation of the Bear Creek Greenway and other greenways or creek restoration projects within the City of Medford.*
- (7) *To enhance coordination among local, state, and federal agencies regarding development activities near waterways.*

Coordination among local, state and federal agencies has and will continue to occur regarding the proposed project.

The sixth purpose for the riparian corridor is:

- (6) *To enhance the value of properties near waterways by utilizing the riparian corridor as a visual amenity.*

In their Findings of Fact (Exhibit B, page 9), the applicant contends that when the project is completed the value of the properties near Larson Creek may be enhanced due to the proximity to this amenity and asset to the neighborhood and City.

There are less tangible, potential implications of building the path which may be compatible with the purposes in MLDC Section 10.920. The construction of this segment of pathway would bring more community members through an area that is not currently well-traveled. That accessibility might create greater awareness of the waterway's health and potentially serve as a check on other, less beneficial uses of the riparian corridor, including camping, littering and dumping. As the community uses the path, Larson Creek would more likely be considered a community asset to be protected, restored and enhanced.

The applicant indicates (Exhibit B, page 4) that the wetland delineation report (Exhibit L) further demonstrates consistency with MLDC Section 10.920.

The Planning Commission must make the determination about whether the applicant has proposed adequate measures to meet MLDC Section 10.920 and protect and restore Larson Creek, its riparian corridor, fish and wildlife habitat, enhance water quality, control erosion and sedimentation, reduce the effects of flooding and protect and restore the natural beauty and distinctive character of the waterway.

Decision: The Planning Commission found that the applicant proposed adequate measures to meet MLDC Section 10.920.

Minimizing Intrusion

The second requirement in MLDC Section 10.925 is that the conditional use must be designed to minimize intrusion. As noted in the applicant's Findings of Fact (Exhibit B, page 3), the path has been located "as far away from Larson Creek and outside the riparian corridor to the greatest extent, given the existing geographical constraints and existing development. Even with this effort portions of the pathway are located within the identified riparian corridor." The path is proposed to be generally parallel to Larson Creek (Exhibits C and D).

This proposal has certain design features geared to minimize intrusion. As described in the applicant's Findings (Exhibit B) those features include the following:

- During construction every effort will be made to avoid damaging or removing any vegetation outside of the path's footprint.
- Equipment and machinery will be staged and operated outside of the riparian corridor as much as possible.
- Existing native vegetation will be protected in place to the best extent possible.

However, as discussed above, it is the opinion of the Assistant District Fisheries Biologist from the Oregon Department of Fish and Wildlife (ODFW) that the development of the multi-use path as proposed is a significant intrusion that results in permanent removal of riparian habitat. The significance is further magnified in areas where there is already little riparian habitat remaining. Therefore, intrusion must be further minimized. The applicant proposes varying path widths of 10 to 12 feet wide with two foot gravel shoulders on each side (Exhibit D). In his letter, Ryan Battleson, ODFW (Exhibit N, page 2) proposes minimizing the footprint of the pathway to 10 feet wide with two feet of gravel on each side which will still maintain the minimum recommended width of a multi-use path. He points out that "upstream of Black Oak Drive, the Larson Creek bike path width of impervious substrate is eight feet wide."

Decision: A friendly amendment was proposed and approved that directed staff to do as much as possible within the parameters of the grant requirements to reduce the width of the path to 10-feet wherever possible.

Encroachment into Riparian Setback

MLDC Section 10.923 requires a 50 foot riparian corridor setback from top-of-bank. This setback may be reduced if a request to reduce the setback is submitted to the Planning Director or designee for consideration. Per MLDC Section 10.927 the request may be approved as long as equal or better protection of the riparian area will be ensured through a plan for restoration, enhancement, or similar means. Such a plan shall be

submitted to ODFW for a habitat mitigation recommendation pursuant to O.A.R. 635-415. A condition of approval has been added requiring the applicant to submit a plan for restoration, enhancement, mitigation and maintenance to ODFW for a recommendation and to Parks and Recreation for review and approval.

In this segment of the Larson Creek Multi-Use Path a large portion of the path will be located within the 50-foot riparian setback and as well as within the 25-foot setback (Exhibit C). The applicant indicates that as a result of studies conducted, the proposed route has been altered to better protect the stream. All easements for the path are in place for this segment of the path, except for one (Exhibit D). As a result of the route alteration, some easements will have to be further negotiated so that the multi-use path is located within easement boundaries. Once the final location is determined, the last easement will be negotiated. ODFW recommends that the City obtain additional easements, if necessary, in order to reduce the amount of impervious surface placed within the reduced 25-foot riparian corridor setback. Staff notes that the adopted 2003 *Transportation System Plan* identifies the Larson Creek Multi-Use Path as a priority project. The initial assessment of proposed route locations was conducted by Alta Planning in 2006, and many of the easements in place for the path date back to 1992. ODFW's recommendation dismisses decades of planning and would result in additional costs, considerable time and the loss of grant monies obtained to implement this segment of the path which altogether would make this segment of path infeasible.

The Planning Commission must make the determination about whether the applicant has designed the project to minimize intrusion.

Decision: The Planning Commission found that the project was designed to minimize intrusion.

MLDC Section 10.248 Conditional Use Permit Criteria

Regarding MLDC Section 10.248 *Conditional Use Permit Criteria*, the proposal complies with Criterion 2. The proposed project is objectively in the public interest. The numerous benefits of the multi-use path include:

- Provides cyclists and pedestrians with a scenic, safe, convenient, alternative route to heavily trafficked Barnett Road where it is impractical to provide bike lanes due to existing development and power transmission lines adjacent to the rights-of-way.
- Provides emergency service vehicles with an alternative to Barnett Road which may be needed during disaster response.
- Provides a needed exercise opportunity for all age groups without charging a user fee.

- Provides a nature trail which is an identified community need in the adopted *Parks and Recreation Leisure Plan*.
- Provides an alternative mode of transportation.
- Incorporates and connects adjacent neighborhoods.
- Preserves and enhances Larson Creek as a natural asset to the community.
- Complies with the adopted Environmental Element (Exhibit I).
- Complies with the adopted Transportation System Plan Element (Exhibit J).
- Complies with the adopted *Parks and Recreation Leisure Plan* (Exhibit K).

The construction of the path will cause some adverse impacts. Since 2000, the 50 foot riparian corridor setback has limited permitted land uses and this project proposes to build a path and two pedestrian bridges within the riparian setback which will have adverse impacts. An additional adverse impact of this segment of the multi-use path is the close proximity to several residential units along their backyards and fences. There may be additional noise associated with users of the path. Another adverse impact is the destruction of plants, shrubs and trees in the route of the path during construction. The next impact is the permanent loss of vegetation and wildlife habitat displaced by the path. The final category of potential impacts is the erosion and creek sedimentation which can result from construction.

The applicant is proposing measures discussed below that aim to mitigate the adverse effects of the proposed facility on the riparian corridor and creek. The Planning Commission may impose additional conditions per MLDC Section 10.248 to produce a balance between the conflicting interests.

MLDC Section 10.249 Mitigation of Impacts

The first adverse impact is the encroachment into the riparian corridor setback. Such encroachment can be approved as long as equal or better protection of the riparian area will be ensured through a plan for restoration, enhancement, or similar means. A condition of approval has been included requiring the applicant to prepare such a plan and submit it to ODFW for a habitat recommendation.

The second adverse impact is the close proximity of the path to several residential units. While the applicant does not identify any mitigation factors regarding this adverse impact, the City does utilize two methods to mitigate noise and use impacts on adjacent residential uses, and those are the use of fences/walls and bufferyard landscaping. The Planning Commission may impose one or both of these, if feasible, to mitigate this adverse impact.

Note: Testimony was heard at the hearing from adjacent property owners concerned with the proximity of the path to their homes as well as safety, maintenance and privacy concerns. Documents submitted at the hearing are attached as Exhibits X through GG.

Decision: A friendly amendment was proposed and approved that directed staff to work with homeowner's along the path's route on a case-by-case basis to reach mutually agreeable solutions that would protect and enhance the privacy of the homeowner's.

The next adverse impact is the destruction of plants, shrubs and trees in the route of the path during construction. The applicant's Findings (Exhibit B, page 3) indicate that "every effort will be made during construction to avoid damaging or removing any trees, shrubs and native grasses outside of the pathway footprint." As previously discussed, to minimize intrusion equipment and machinery will be staged and operated outside of the riparian corridor "to the greatest extent possible."

The permanent loss of vegetation and wildlife habitat displaced by the path will be addressed through a mitigation re-planting plan to be reviewed and approved by both ODFW and Parks and Recreation. The applicant proposes to plant three trees/shrubs/plants for every 64 square feet of new impervious surface within the riparian corridor. This is also the standard re-stocking rate for ODFW. This mitigation measure will add wildlife habitat and provide shade to the stream for fish. Parks and Recreation will hire a riparian design consultant (paid by Public Works) to prepare the mitigation re-planting plan. In Exhibit N, ODFW notes that "the standard for such permanent removal of habitat is three acres enhanced for each acre impacted. The rate of mitigation could be reduced for more substantial mitigation efforts, such as reestablishing riparian habitat in areas where it has been completely removed on other sections of the creek."

To address the last adverse impact of erosion and creek sedimentation during construction, a condition of approval has been included requiring the applicant to implement erosion control measures before construction to ensure that the creek does not suffer from construction-related erosion.

Per MLDC Section 10.249, a development requiring mitigation of impacts under MLDC Section 10.248, must serve one of three purposes. The proposed project meets all three purposes by preserving Larson Creek, a unique asset to the community, providing a public facility to the immediate area and the community and providing an improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

The Commission can find that the development is in the public interest, and although the development may cause some adverse impacts, conditions have been imposed by the approving authority to produce a balance between conflicting interests.

CONCLUSION

The Planning Commission must make the determination about whether the applicant has proposed adequate measures to meet the purposes for the riparian corridor found in MLDC Section 10.920 and whether the project has been designed to minimize intrusion as required in MLDC Section 10.925. The Planning Commission can find that the proposal meets the approval criteria in MLDC Sections 10.248 and 10.249.

ACTION TAKEN

Adopted the applicant's findings as recommended by staff and directed staff to prepare a Final Order for approval per the Planning Commission Report dated June 22, 2017, including Exhibits A through GG.

EXHIBITS

- A-1 Conditions of Approval dated June 22, 2017
- B Applicant's Narrative and Findings of Fact, received April 17, 2017
- C Site Plan with aerial photo background, received April 17, 2017
- D Site Plan, received April 17, 2017
- E Elevations and Cross Section of Pedestrian Bridges, received April 17, 2017
- F Jackson County Assessor Maps of project area, received April 17, 2017
- G General Land Use Plan Map designations of project area, received April 17, 2017
- H Zoning Map designations of project area, received April 17, 2017
- I Excerpts from Comprehensive Plan Environmental Element Regarding Adopted Riparian Corridors and Larson Creek, received April 17, 2017
- J Excerpt from Comprehensive Plan Transportation System Element – Figure 1-6: Medford Major Pedestrian Facilities Map, received April 17, 2017
- K Excerpts from Parks and Recreation Leisure Services Plan Regarding Trails, received April 17, 2017
- L Wetland Delineation Report from Terra Science, Inc. dated June 2015, received April 17, 2017 Including: Letter from Department of the Army Corps of Engineers dated January 27, 2016 and Letter from the Oregon Department of State Lands dated December 3, 2015
- M Memorandum from Medford Parks and Recreation received May 26, 2017
- N Letter from the Oregon Department of Fish and Wildlife received May 24, 2017
- O Staff Memo from the Medford Water Commission received May 25, 2017

- P Memorandum from the Planning Department Floodplain Coordinator received May 24, 2017
- Q Email from U.S. Army Corps of Engineers received May 19, 2017
- R Memo from the Building Department received May 24, 2017
- S Ordinance 2014-139 and associated City Council minutes from November 6, 2014 and November 20, 2014
- T Minutes from the Planning Commission Meeting on March 27, 2014 Regarding CUP-13-138
- U Ordinance 2013-164 and associated City Council minutes from November 21, 2013
- V Minutes from the Planning Commission Meetings on January 27, 2011 and February 10, 2011 Regarding CUP-10-093
- W Minutes from the Planning Commission Meetings on February 12, 2009 and February 26, 2009 Regarding CUP-08-151
- X Letter from Judy Kimmons, Hilldale Estates dated June 22, 2017
- Y Photo Rendering of Multi-Use Trail Between Hilldale Estates and Quail Point Golf Course
- Z Letter from Larry A. Irwin, Knights of Columbus received June 22, 2017
- AA Photo Rendering of Multi-Use Trail Between Hilldale Estates and Quail Point Golf Course
- BB Photo Rendering of Multi-Use Trail Between Hilldale Estates and Quail Point Golf Course
- CC Section Through Proposed Larson Creek Trail at Hilldale Estates as Proposed by Medford Public Works
- DD Section Through Proposed Larson Creek Trail at Hilldale Estates Alternate with 10-Foot Wide Pavement and 10-Foot Rear Yard Setback
- EE Conditions of Approval Requested by Hilldale Estates Homeowners received June 22, 2017
- FF Suggested Shared Use Path Dimensions from the Oregon Department of Transportation Bicycle and Pedestrian Program
- GG Applicant's Agent's PowerPoint Presentation for Larson Creek Trail Segment #2 Vicinity map

MEDFORD PLANNING COMMISSION

Patrick Miranda, Chair

Planning Commission Agenda

June 22, 2017

EXHIBIT A-1
Conditions of Approval

CUP-17-053
Larson Creek Multi-Use Path Segment II
June 22, 2017

DISCRETIONARY CONDITIONS

1. The placement of benches, interpretive signage, and other ancillary structures normally associated with a multi-use path are permitted.
2. Public Works staff shall do as much as possible within the parameters of the grant requirements to reduce the width of the path to 10-feet wherever possible.
3. Public Works staff shall work with homeowner's along the path's route on a case-by-case basis to reach mutually agreeable solutions that would protect and enhance the privacy of the homeowners.

CODE REQUIREMENTS

1. Prior to issuance of the first building permit, the applicant shall:
 - a. Submit a plan for restoration, enhancement, mitigation and maintenance that will provide equal or better protection of the riparian area to the Oregon Department of Fish and Wildlife and the Parks and Recreation Planner for review and approval.
 - b. Submit a comprehensive mitigation re-planting plan to the Parks and Recreation Planner and the Oregon Department of Fish and Wildlife for review and approval.
 - c. Comply with the Staff Memo from the Medford Water Commission received May 25, 2017 (Exhibit O).
 - d. Comply with the Memorandum from the Floodplain Coordinator received May 24, 2017 (Exhibit P).
 - e. Comply with the email from the U.S. Army Corps of Engineers received May 19, 2017 (Exhibit Q).
 - f. Comply with the Medford Building Department memo received May 24, 2017 (Exhibit R).

June 22, 2017

RECEIVED

JUN 22 2017

PLANNING DEPT.

To: Medford Planning Commission

Re: Larson Creek Trail between Black Oak and Ellendale

I am Judy Kimmons, board member of Hilldale Estates. We are a 55 and older community, and as such, we have elderly people living there.

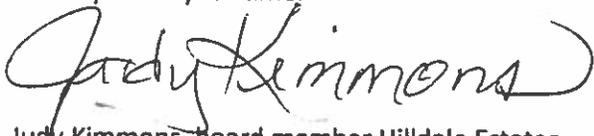
I have four main concerns about the proposed Larson Creek Trail.

1. **Property Values:** Bike paths are known as a magnet for homeless people, as well as being an area of high crime rate. Because of this, people will think twice about buying a home with a bike path right by their back door.
2. **Safety:**
 - a. Anyone on the path will have easy access to our decks and to our back doors.
 - b. Many of our owners have gardens in the back. If a retaining wall is built close to that area, the chance of someone falling off the wall and being injured when going out back is high.
 - c. Also, in case of emergency, access out of our rear doors and around to the street would be severely limited and unsafe.
3. **Security and Privacy:**
 - a. Anyone on the path would have easy access to take anything off of our decks.
 - b. Also, anyone on the path would have direct line of sight into our bedrooms and living rooms. On the east end of the development, the land in the back is flat. On the west end the land in the back is sloped. You say the retaining wall would be an 'average' height of two feet. This means to me that on one end of the development there would be no wall and on the other end it might be up to four feet. This means that on the east end anyone can look eye level into our homes and on the other end the residents risk falling four feet off of the wall.
4. **Wet area:** Unit 740 which is on the west side of our development has had to put a sump pump under their home because of water in the crawl space. This sump pump runs pretty much all of the time. My concern is that this would impact the integrity of the path and cause icy areas in the winter.

If the path has to be built, we would like it narrowed to 10 feet, which is consistent with other paths. Also, to keep us safe, we would need to have it moved further away from our homes and some kind of a barrier or hedge put between the path and our back doors.

I hope you understand our concerns.

Thank you for your time.



Judy Kimmons, board member Hilldale Estates.

CITY OF MEDFORD
EXHIBIT # X
File # CUP-17-053

RECEIVED

JUN 22 2017

PLANNING DEPT.

Property Line

Proposed
Larson Creek
Multi-Use Trail

CITY OF MEDFORD
EXHIBIT # Y
File # CUP-17-053

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JUN 22 2017
PLANNING DEPT.

Larry A. Irwin

Knights of Columbus member

Property under review is 772 Black Oak Drive called the KNICO building

We occupied this building in 1962. Built and paid for by the Knights

The building is used for meetings and family gatherings

The Knights of Columbus agreed to this path some time ago and we are currently cleaning the Bear Creek path way once a month.

CONCERNS:

DETAIL PATH PLAN: We will be losing about 350' of creek frontage and need to know what parameters the path will take.

PARKING: Will we lose parking slots? Will our parking lot turn into a trail head to users?

FENCING: Currently our patio area is next to the creek and is fenced to keep our children in and others out. We would like for this area to be refenced with an 8' chain link fence replacing our current fence. About 150'.

LIABILITY: I am not sure what our insurance will cost after this public pathway is completed.

BUILDING RESTRICTION: What additional restrictions will be placed on the property and building?

SECURITY: There have been issues at times with transients using our property and we fear this pathway will increase incidents.

CITY OF MEDFORD
EXHIBIT # 2
File # CUP-17-053

Multi-Use Trial Between Hilldale Estates & Quail Point Golf Course

Page 24

2' wide buffer zone
Right-of-way needed on golf course in blue

CITY OF MEDFORD
EXHIBIT # AA
File # CRP-17-053

Proposed Larson Creek Multi-Use Trail

Property Line
10' Wide Easement in red
12' Wide paving
2' wide buffer zone

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JUN 22 2017
PLANNING DEPT.



Multi-Use Trail Between Hilldale Estates & Quail Point Golf Course

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JUN 22 2017
PLANNING DEPT.

Page 25

Property Line

CITY OF MEDFORD
EXHIBIT # 13B
File # CUP-17-053

15' Wide Easement in red

15' Wide paving

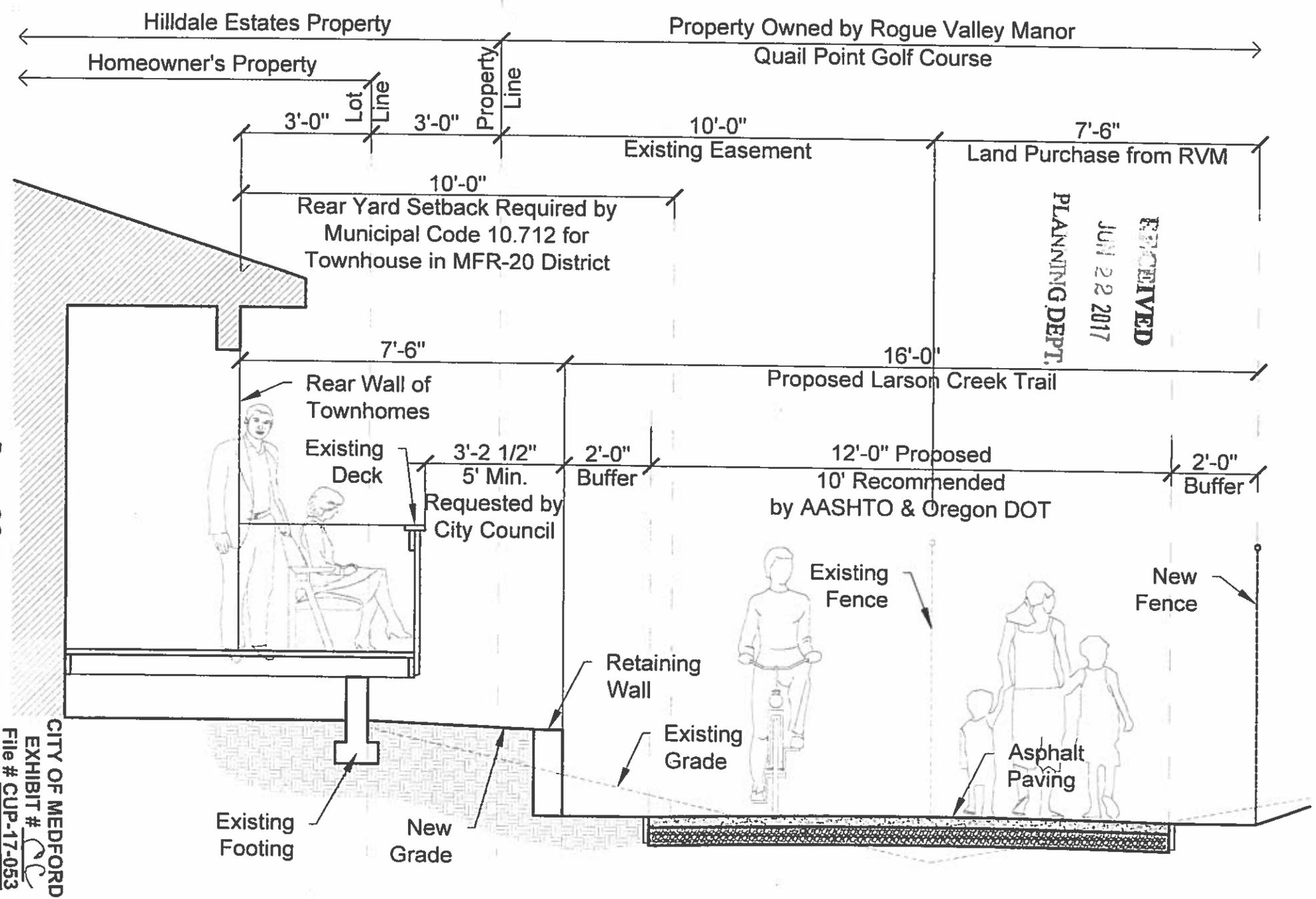
2' wide buffer zone

2' wide buffer zone

Right-of-way
needed on golf
course in blue

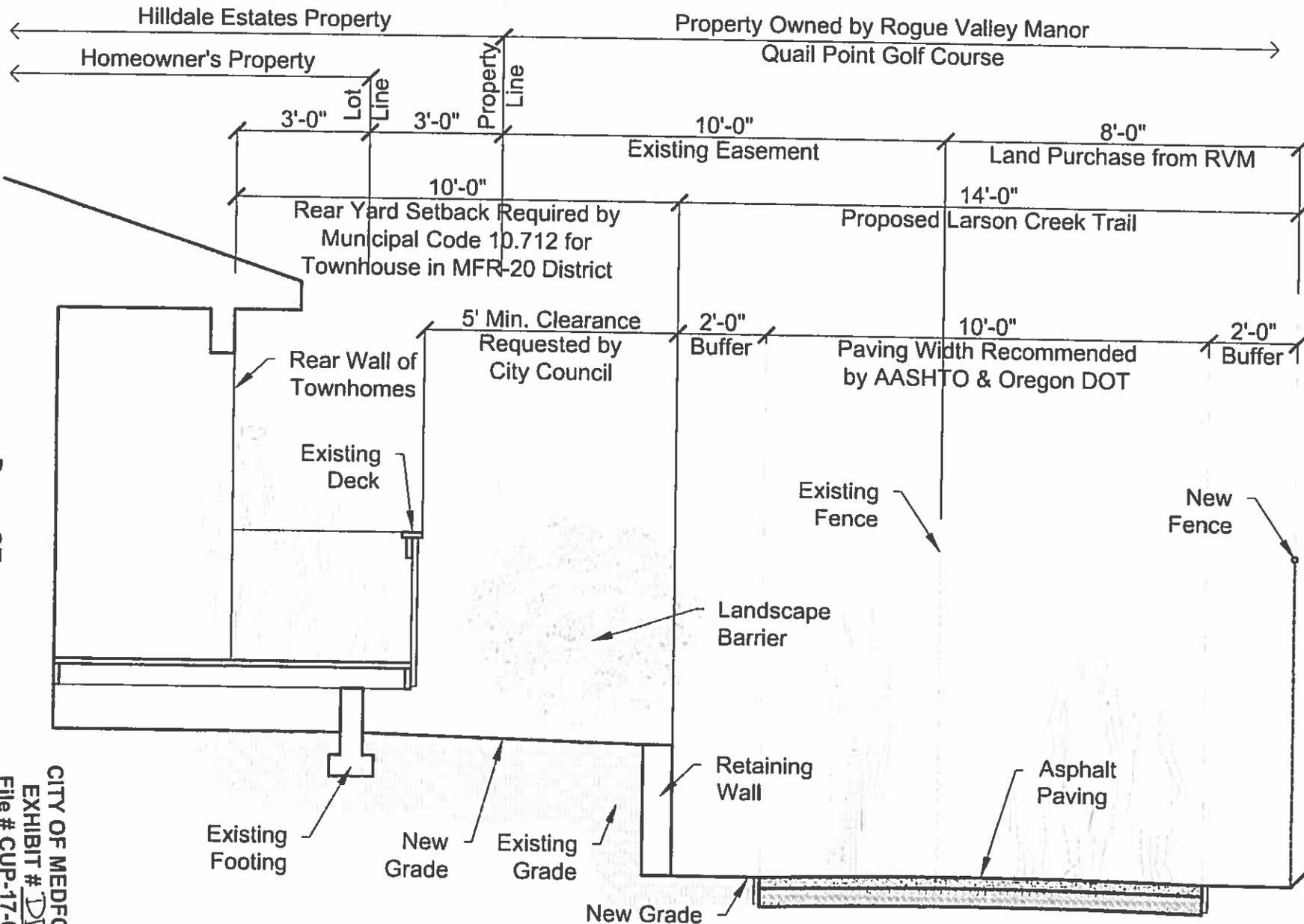
Proposed
Larson Creek
Multi-Use Trail





CITY OF MEDFORD
EXHIBIT # 
File # CUP-17-053

Section Through Proposed Larson Creek Trail at Hilldale Estates
As Proposed by Medford Public Works Department 6-22-17



Section Through Proposed Larson Creek Trail at Hilldale Estates
 Alternate with 10' Wide Pavement & 10' Rear Yard Setback 4-10-15

Page 27

CITY OF MEDFORD
 EXHIBIT # DD
 File # CUP-17-053

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 JUN 22 2017
 PLANNING DEPT.

Larson Creek Trail Conditional Use Permit Hearing 6-22-17

Conditions of Approval requested by Hilldale Estates Homeowners

- Reduce trail width to from 12' to 10'
- Provide 10' minimum rear yard width between rear wall of residences and proposed trail
- Provide visual screening between residences and trail



10'

Edge of Pavement ↗

5' min.

(12' or more in high-use area)

10'

3'

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JUN 22 2017
PLANNING DEPT.

Figure 7-3: Suggested shared use path dimensions

CITY OF MEDFORD
EXHIBIT # 11
File # CUP-17-053

City of Medford

Larson Creek Trail Segment #2

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JUN 22 2017

PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # 
File # CUP-17-053

Larson Creek Fish Passage Project

Salmon Live Here!

Larson Creek is home to native salmon and winter and summer steelhead. It flows year-round through the city of Medford and into Bear Creek.

Culverts and dams create barriers that force fish to expend significant energy trying to cross, with many ending up spawning in less than ideal sites. Eliminating these barriers can expand access to high-quality spawning and rearing areas.

The Project

The culverts carrying Larson Creek under Ellendale and Black Oak Drive prevented salmon and steelhead from swimming to their spawning grounds. The Bear Creek Watershed Council partnered with local organizations to modify these culverts, opening up access to 3 miles of valuable habitat for steelhead and 2 miles for coho. In addition to other projects completed by the watershed council and the City of Medford, almost the entire length of Larson Creek is now open to these important native fish species.

The project owes thanks to the late Dr. Eric Overland who was instrumental in its completion.

The project was funded primarily by the Oregon Watershed Enhancement Board with additional assistance provided by Bill Leavina/LAS Rock, Cascade Spore Solutions/US Forest Service, City of Medford, Department of Fish and Wildlife, Oregon Land Conservancy, St. Mary's School, US Bureau of Reclamation, and Rogue Fishkeepers. Thanks to the great landowners for their assistance and cooperation in completing this project.



Segment 1



Ellendale Segment 1



PUBLIC NOTICE
OF PROPOSED
LAND USE ACTION

CONDITIONAL
USE PERMIT
FOR LARSON CREEK
TRAIL

6/12/17
CUP-17-053

For more information:
Contact the
City of Medford Planning Department at 541-774-2380

Ellendale Segment 2



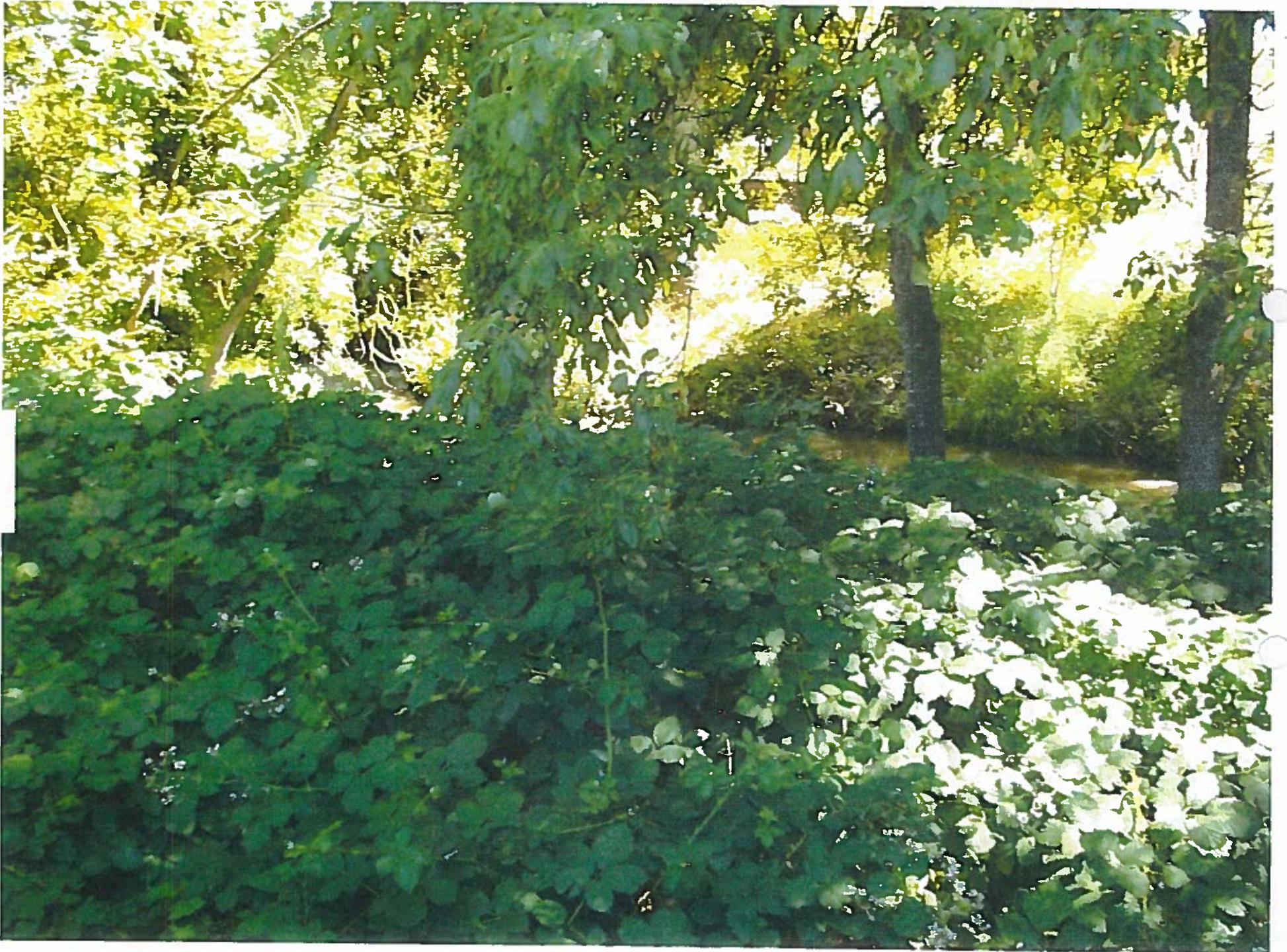
Ellendale Segment 2



Hill dale



Hilldale



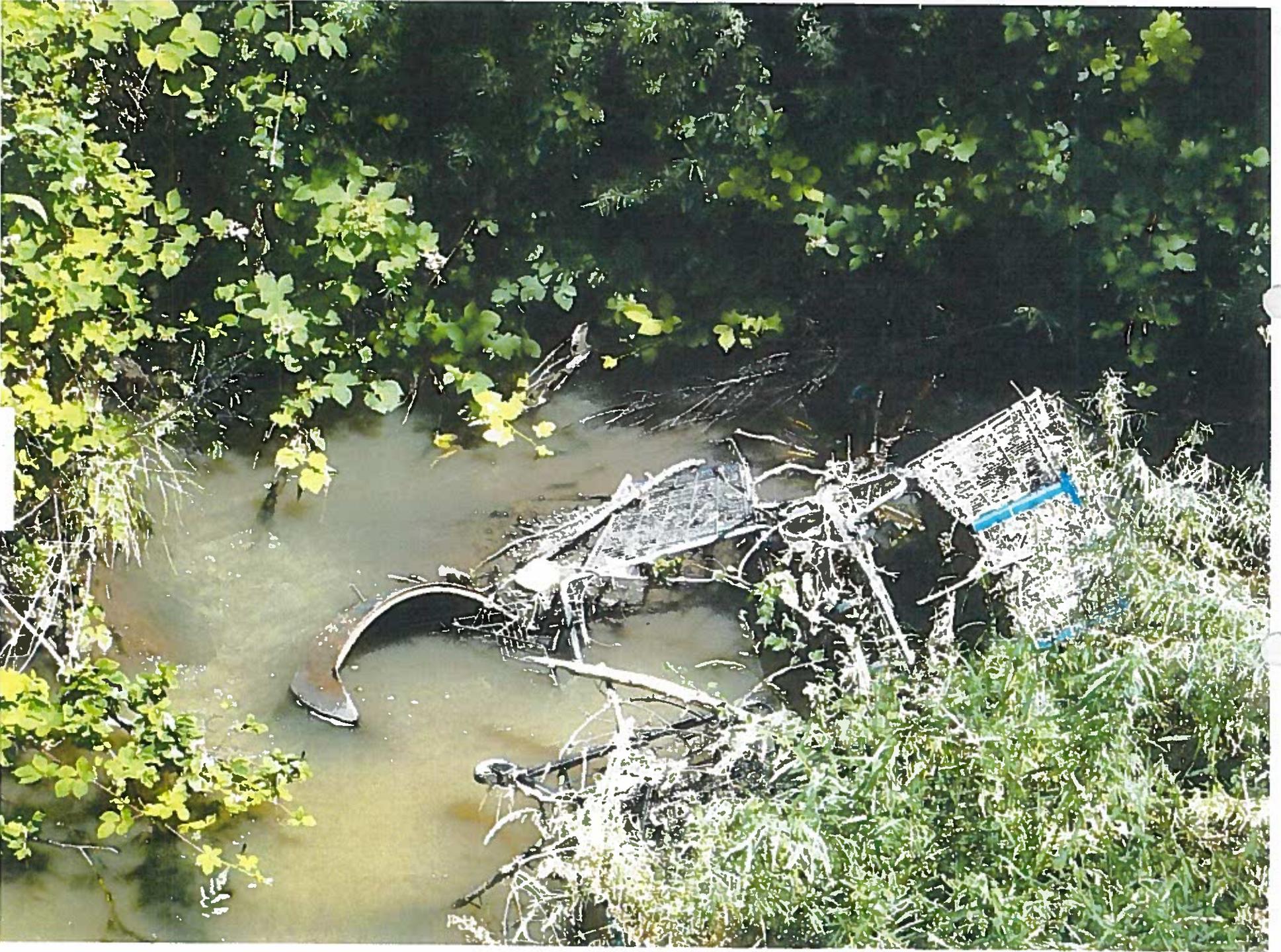
Superior Courts

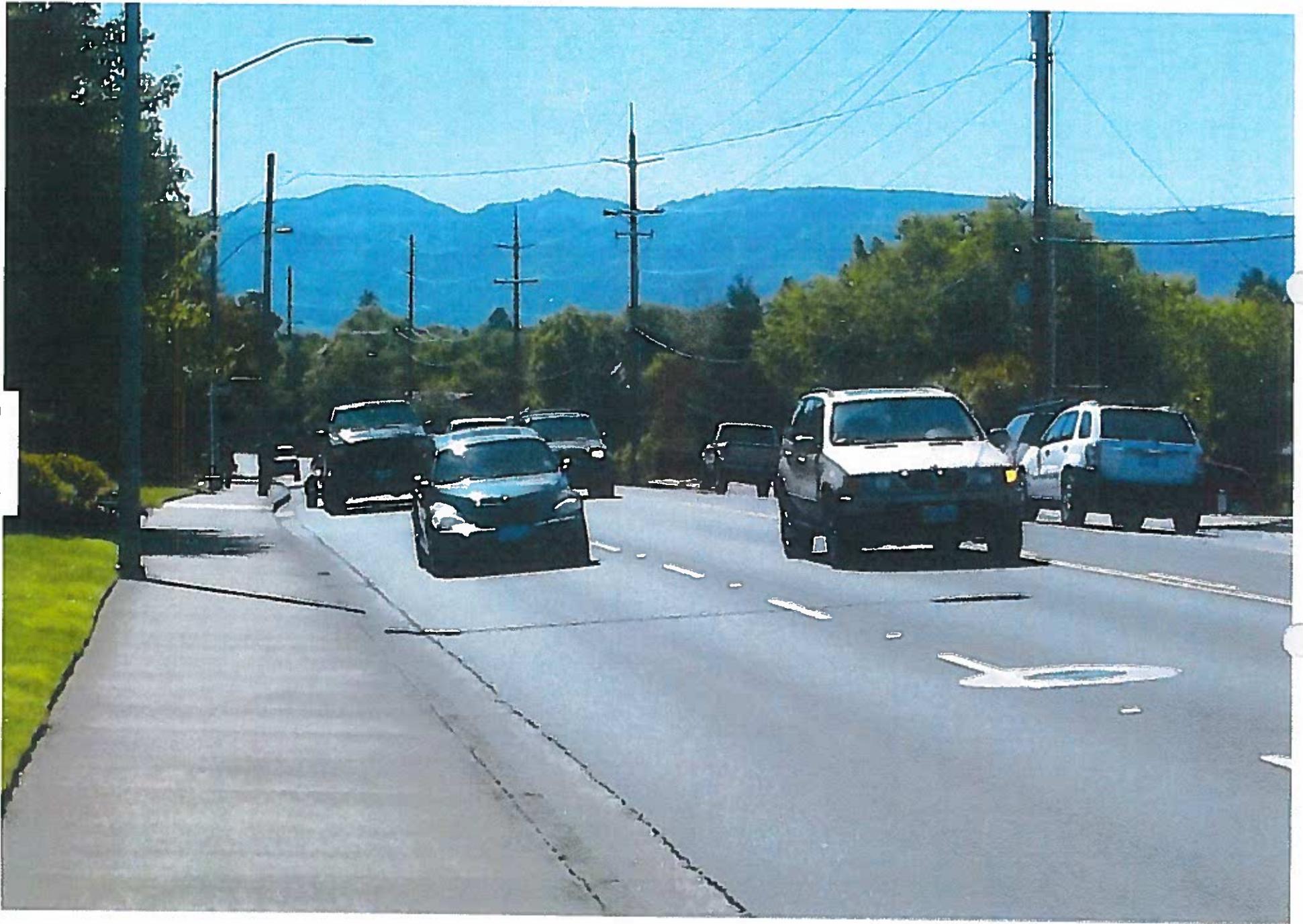




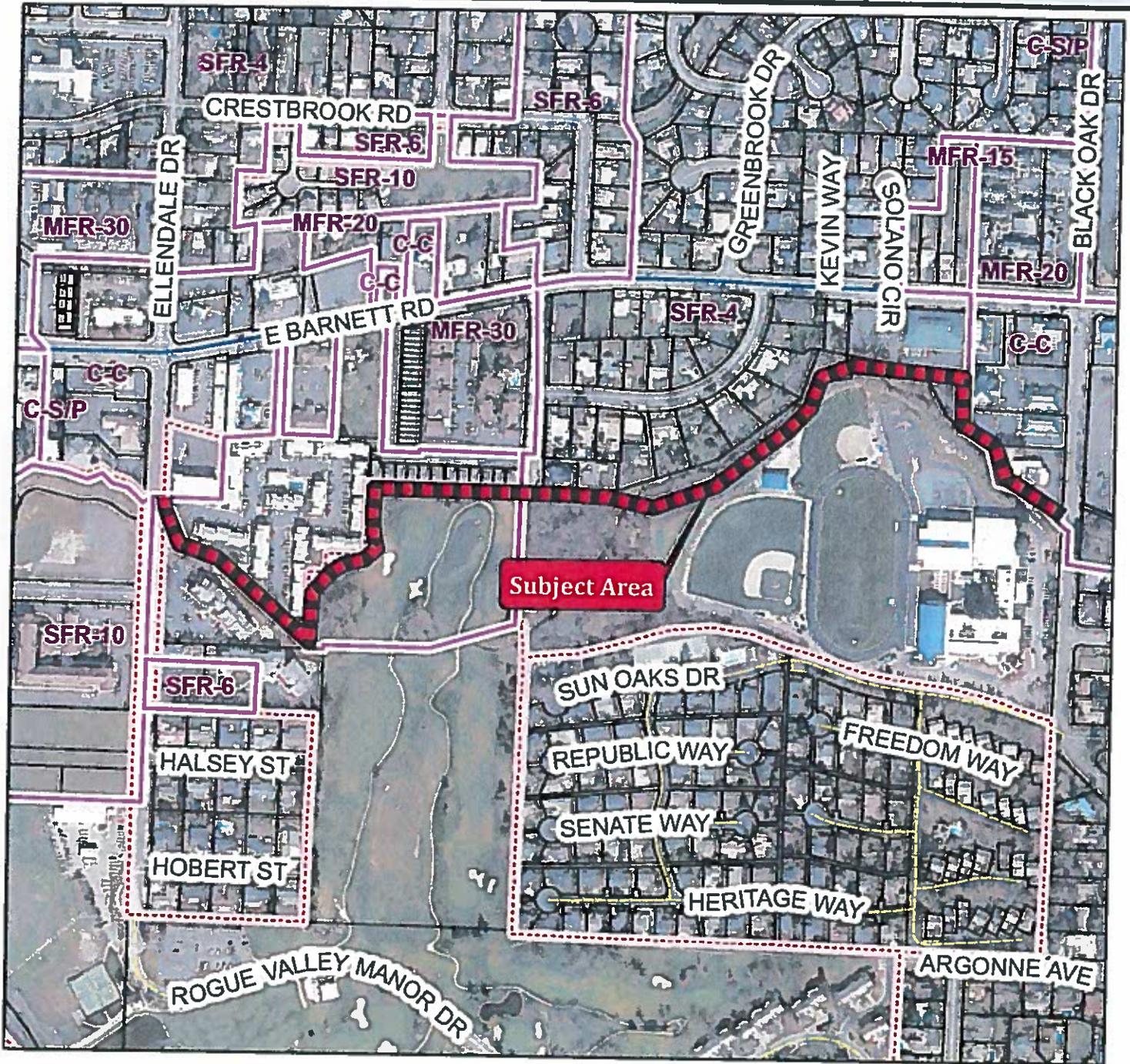


Black Oak





Barnett Road



Project Name:

**Larson Creek Trail
Segment 2**

Map/Taxlot:

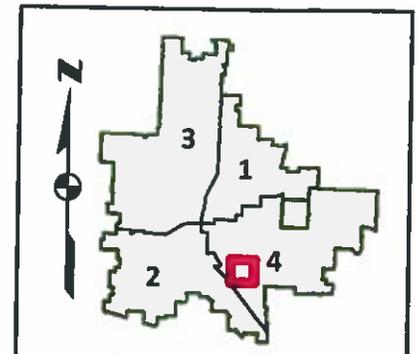
371W 32



05/10/2017

Legend

-  Larson Creek Trail, Segment 2
-  Medford Zoning
-  Tax Lots



BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF A REVISION TO THE TENTATIVE PLAT APPROVAL OF)
)
SUMMERFIELD AT SOUTHEAST PARK PHASES 16-21 [LDS-17-051]) **ORDER**

ORDER granting approval of a request for a revision to the Cedar Landing tentative plat for *Summerfield at Southeast Park Phases 16-21*, described as follows:

A 138-lot residential subdivision on approximately 96 acres located south of Cherry Lane and east of Lone Oak Drive within an SFR-4/SE (Single Family Residential-4 units per acre/Southeast Overlay) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for a revision to the Cedar Landing tentative plat for *Summerfield at Southeast Park Phases 16-21*, as described above, with the public hearing a matter of record of the Planning Commission on June 22, 2017.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted tentative plat for *Summerfield at Southeast Park Phases 16-21*, as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for *Summerfield at Southeast Park Phases 16-21*, stands approved per the Planning Commission Report dated June 22, 2017, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated June 22, 2017.

BASED UPON THE ABOVE, the Planning Commission determined that the tentative plat is in conformity with the provisions of law and Section 10.270 Land Division Criteria of the Land Development Code of the City of Medford.

Accepted and approved this 13th day of July, 2017.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative

BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR)
)
SUMMERFIELD AT SOUTHEAST PARK PHASES 16-2 [E-17-052]) **ORDER**

ORDER granting approval of a request for an exception to the standards for the permitted length of Sunleaf Avenue, a residential lane, described as follows:

Located in Summerfield at Southeast Park Phases 16 through 21, a 138-lot residential subdivision on approximately 96 acres located south of Cherry Lane and east of Lone Oak Drive within an SFR-4/SE (Single Family Residential-4 units per acre/Southeast Overlay) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.251 and 10.252; and
2. The Medford Planning Commission has duly held a public hearing on the request for an exception to the standards for the permitted length of Sunleaf Avenue, a residential lane, as described above, with the public hearing a matter of record of the Planning Commission on June 22, 2017.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception to the standards for the permitted length of Sunleaf Avenue, a residential lane, stands approved per the Planning Commission Report dated June 11, 2017 and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Planning Commission Report dated June 22, 2017.

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

Accepted and approved this 13th day of June, 2017.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



COMMISSION REPORT

for a Type-C quasi-judicial decision: **Land Division and Exception**

Project Summerfield at South East Park Phases 16-21
Applicant: Crystal Springs Development Group; Agent: Neathamer
Surveying, Inc.
File no. LDS-17-051/E-17-052
Date June 22, 2017

BACKGROUND

Proposal

Consideration of a request for tentative plat approval for Summerfield at Southeast Park Phases 16 through 21, a 138-lot residential subdivision on approximately 96 acres located south of Cherry Lane and east of Lone Oak Drive within an SFR-4/SE (Single Family Residential-4 dwelling units per gross acre/Southeast Overlay) zoning district. The request includes an Exception to the standards for the permitted length of a residential lane.

Subject Site Zoning, GLUP Designation and Existing Uses

Zone: SFR-4/SE (Single Family Residential-4 dwelling units per gross acre/Southeast Overlay)
SE Plan Sub-Area: 2 – Standard Lots
GLUP: UR (Urban Residential)
Use: Vacant land and one single family residential dwelling

Surrounding Property Zoning and Uses

North Zone: SFR-2/SE (Single Family Residential - 2 dwelling units per gross acre/Southeast Overlay)
SE Plan Sub-Area: 1
SE Plan Category: Estate Lot
Use: Single family dwellings

Zone: SFR-00/SE (Single Family Residential – 1 dwelling unit per existing lot/Southeast Overlay)
SE Plan Sub-Area: 1

	SE Plan Category:	Estate Lot
	Use:	Single family dwellings
	Zone:	County RR-5 (Rural Residential – 1 unit per 5-acre lot)
	Use:	Rural residential dwellings, vacant land
<i>South</i>	Zone:	SFR-4/SE (Single Family Residential - 4 dwelling units per gross acre/Southeast Overlay)
	SE Plan Sub-Area:	9
	SE Plan Category:	Park
	Use:	Vacant land
	Zone:	SFR-10/SE (Single Family Residential – 10 dwelling units per gross acre/Southeast Overlay)
	SE Plan Sub-Area:	11
	SE Plan Category:	Small Lot
	Use:	Vacant land
	Zone:	MFR-20/SE (Multiple-Family Residential – 20 dwelling units per gross acre/Southeast Overlay)
	SE Plan Sub-Area:	Village Center - 10
	SE Plan Category:	High Density
	Use:	Vacant land
<i>East</i>	Zone:	SFR-00/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Vacant land
	Zone:	County EFU (Exclusive Farm Use)
	Use:	Vacant land
<i>West</i>	Zone:	SFR-4/SE
	SE Plan Sub-Area:	2
	SE Plan Category:	Standard Lot
	Use:	Single family Dwellings, vacant land

Zone: SFR-10/SE
SE Plan Sub-Area: 6
SE Plan Category: Small Lot
Use: Single family dwellings, vacant land

Related Projects

LDS-06-278 Summerfield at Southeast Park, Phases 14-22 (expired)
E-06-274 Exception for length of residential lane (expired)
ZC-02-081 Zone Change from EFU to SFR-4/SE
ZC-03-180 Zone Change from EFU to SFR-4/SE
ZC-03-278 Zone Change from EFU to SFR-4/SE
ZC-06-277 Zone Change from SFR-10/SE to SFR-4/SE

Applicable Criteria

Medford Municipal Code §10.270 - Land Division Criteria

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that the proposed land division, together with the provisions for its design and improvement:

1. Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;
2. Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;
3. Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;
4. If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property, unless the

approving authority determines it is in the public interest to modify the street pattern;

5. If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;
6. Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.

Medford Municipal Code §10.253 -Exception Approval Criteria

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

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

Corporate Names

According to the Oregon Secretary of State Business Name Registry, the authorized representative for Crystal Springs Development Group Joint Venture is John Hassen, and the registrant is Michael Mahar.

ISSUES AND ANALYSIS

Background

A tentative plat for phases 14-21 of Summerfield at Southeast Park was granted a five-year approval on April 26, 2012. An exception to the standard for the permitted length of a residential lane was also approved on April 26, 2012. The tentative plat and the exception request expired April 26, 2017.

Phase 14 obtained final plat approval and was recorded on June 10, 2014, while Phase 15 obtained final plat approval and subsequently recorded May 4, 2016.

The applicant is now requesting approval of the remainder of the project, phases 16 through 21 consisting of 138 residential lots on approximately 96 acres. The proposal includes the previously approved exception which is for the residential lane in Phase 19.

Density

The proposed subdivision is within Sub-area 2 of the Southeast Plan Overlay, and is designated for standard residential lots. The standard density calculation for the SFR-4 zone is between 2.5 and 4.0 dwelling units per acre. Per the MLDC Section 10.373, the Standard Lot Land Use Category for the Southeast Plan permits an increase in the maximum density to 6.0 units per acre. As a result, the permitted density range for this development is between 118 and 282 dwelling units. This applicant is proposing 138 lots to be constructed to the SFR-4 development standards in six phases.

Southeast Plan

Street Tree and Planter Strip

As the proposed tentative plat is within the Southeast Plan Overlay, the applicant is required by MLDC 10.379 to submit a Streetscape and Planter Strip Plan. The applicant has submitted a Street Tree Master Plan that indicates a variety of tree species proposed for the planter strips throughout the subdivision (Exhibit F). The plan indicates that any additional plant material in the planter strip will be at the discretion of the property owner. The Street Tree Master Plan lists the variety of trees proposed in the development. It is stated that an appropriate sized underground irrigation system will be designed and as-built drawings shall be submitted. A condition is included that

requires the CC&R's for each phase to contain provisions for the installation and maintenance of the planter strip vegetation, in compliance with MLDC 10.379(1)(b).

The Code requires the applicant to enter into an agreement that will guarantee the installation of street trees prior to issuance of the Certificate of Occupancy. A condition is included requiring the applicant to comply with MLDC 10.379(6) prior to approval of the final plat for each phase.

Lighting Plan

The Southeast Plan also requires the applicant to install pedestrian-scale street lights in accordance with MLDC 10.380. A condition is included requiring the applicant to install pedestrian-scale street lighting within the subdivision in accordance with Section 10.380.

Greenway Planting Plan

The proposed subdivision contains a planned greenway trail through portions of Phases 17, 19 and 20 (Exhibit G). Per the Southeast Circulation Plan map, the greenway is designated a G3, or minor greenway with surface drainage. The tentative plat indicates the creek bed will be re-routed in conformance with the submitted plan, and is to be dedicated to the City of Medford (Exhibit B). The proposed 40-foot wide greenway includes a 2-foot wide cobble streambed, a 10-foot wide planted riparian zone, and an 8-foot wide asphalt pathway lined on both sides by lawn grasses. In accordance with MLDC Section 10.384, the applicant is required to obtain approval of the greenway plan from the Site Plan and Architectural Commission prior to approval of the final plat for any phase containing the greenway. Such a condition is included.

Additionally, staff notes that detailed agreements have yet to be made regarding the installation, transfer of ownership, and maintenance of the greenway. A condition is included that requires the applicant to enter into an agreement with the City, to the satisfaction of the City Attorney, that will address these issues in compliance with MLDC Section 10.384.

Finally, staff has concerns regarding the section of the greenway that is located between the lots that front on Autumn Hill Drive and Birchcreek Drive, within Phases 19 and 20. The section of the Greenway between lots 569, 570, and 571 on Autumn Hills Drive, and lots 578, 579, and 580 on Birchcreek Drive, cannot be seen from any public location. Per the MLDC, property owners of those lots would be allowed to install fences up to eight feet in height, effectively creating a 200-foot long corridor that could compromise the safety and security of the greenway path. To address the situation, a discretionary condition is included that limits the fencing along those lots to black powder-coated chain link, in accordance with MLDC 10.382(3).

Streets

The street circulation proposed is consistent with the Southeast Plan Circulation Map (Exhibit U), and conforms to the plats of land divisions already approved for adjoining properties. The report from the Public Works Department describes the required dedications and improvements for the proposal (Exhibit M).

The Public Works report also contains conditions for shared driveways with onsite vehicular turnaround areas for lots that have direct access on Cherry Lane, so that vehicles can access Cherry Lane in a forward manner per MLDC 10.746. To facilitate vehicular access to the lower order streets, the report places access restrictions on specific lots on Major Collector streets and on corner lots within the subdivision (Exhibit M, p. 5).

Exception Request

Sunleaf Avenue is proposed as a Residential Lane oriented in an east-west direction between Waterstone Drive and Autumn Hills Drive. As described above, the applicant is requesting relief from the Code standard for the permitted length of a Residential Lane. The length of the proposed residential lane is 807 feet; MLDC 10.430(3) limits the length of a Residential Lane to no more than 450 feet. The applicant's Findings state that a central reason for approving the exception request is to provide a context-sensitive street that is collinear with a planned greenway trail and the Southeast Plan recognizes this arrangement as beneficial to the greenway resource (Exhibit J). Regarding health and safety, the residential lane will serve five lots, less than the eight permitted by Section 10.430, and can be accessed from two directions. The approval of the Exception will not establish a use that is not permitted in the zone; as the applicant's Findings point out, the nature of the request is one that was contemplated by the Southeast Neighborhood Circulation Plan.

The Findings provide the discussion of Section 10.384(C)(1)(d), the Greenway Special Design and Development Standards within the Southeast Plan; that states "where feasible, street shall be collinear and adjacent to Greenways". The applicant presents alternative designs and compares the attributes of each with the proposed design, stating the requirement for a minor residential street in that location would serve no legitimate purpose and would be an unnecessary increase in the ratio of public street area to private residential acreage (Exhibit J). The Findings also conclude that the exception is a function of specific components of the Southeast Plan itself, and that there is no evidence that this request is the result of an illegal act or that the impacts of the greenway and circulation planning by the property directly.

Per the Public Works report, if the Exception request is approved, the applicant shall dedicate a 33-foot right-of-way, and construct a 26-foot wide paved section, complete with curb and gutter, a 5-foot sidewalk adjacent to the north curb, and street lights (Exhibit M). Should the Commission deny the Exception request, then Sunleaf Avenue shall be dedicated and improved to Minor Residential Street standards, including a 55-foot right-of-way width, with a 28-foot paved section. The same specifications for curb, gutter, a 5-foot sidewalk, and street lights shall apply. If the Exception is not approved by the Commission, the tentative plat cannot be approved as submitted, as no alternative design has been proposed.

Staff supports the applicants Findings for the Exception, and recommends the Commission approve the request.

Sanitary Sewer

Per the report from the Public Works Department, the public sanitary sewer system within this development shall be extended to the boundary of the subdivision such that future development can extend service without having to excavate back into the improvements provided in this subdivision (Exhibit M).

Storm Drainage

The report from the Public Works Department requires the storm drainage system for this development to extend to the boundary of the subdivision, such that future development does not require work beyond its boundaries in order to serve the future developments. The report also contains conditions that refer to the dedication and improvement of the 40-foot wide drainage swale, as designated on the tentative plat (Exhibit B). According to the report, the swale shall be designed and constructed with the adjacent phases.

Medford Fire Department

The report from the Fire Department includes, but is not limited to, requirements and specifications for address identification and fire hydrants within the development (Exhibit O). The report also requires the developer to install residential fire sprinklers within 26 homes where the access roads exceed a 10% grade. The affected lots are in the southeast area of the subdivision, within Phase 21, and are specifically identified as 597 through 609, and 614 through 626. Driveways on the Minor Residential Streets throughout the subdivision shall be clustered and offset, and parking shall be prohibited and posted on one side of the Residential Lane.

Agricultural Impact Assessment

The proposed subdivision abuts the City limits and the Urban Growth Boundary on a portion of the east property line, and the abutting property carries a County zoning designation of Exclusive Farm Use (EFU). The land was historically farmed for fruit crops, but active agriculture has long since been abandoned in anticipation of urbanization. As required by MLDC Section 10.802, the applicant has submitted an Agricultural Impact Assessment (AIA), and stipulates to the required mitigation measures for passive agricultural use, (Exhibit L). These include a deed declaration per MLDC 10.804(3)(b), and fencing along the east boundary of Phase 21. The applicant's AIA states that generally accepted engineering practices for storm water management for urban development will assure the potential for storm and irrigation runoff will not impact the subject property or surrounding lands zoned EFU (Exhibit L).

Approval Period and Phase Boundaries

As it is the applicant's intent to develop the subdivision in phases, the approving authority may authorize an extended approval period no greater than five years, per MLDC Section 10.269(2), and the applicant is requesting a 5-year approval period. A condition is included that grants the applicant a 5-year approval period for the tentative plat for Summerfield at Southeast Park Subdivision, Phases 16-21.

The applicant's has also request, that the applicant be granted "flexibility with respect to the precise phase boundary locations to allow for minor phasing changes as the same is often appropriate to respond to detailed engineering issues." A discretionary condition is included that allows the applicant to make minor changes to the precise phase boundaries without amending a previously approved planning action, providing there are no changes to the number or size of lots approved for the development as a whole.

Committee Comments

No comments were received from a committee.

No other issues were identified by staff.

FINDINGS OF FACT

Staff has reviewed the applicant's Findings of Fact and Conclusions of Law (Exhibits H and I) and recommends that the Commission adopt the Findings as presented.

ACTION TAKEN

Adopt the Findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-17-051 and E-17-052 per the Commission Report dated June 22, 2017, including Exhibits A-1 through Z.

EXHIBITS

- A-1 Conditions of Approval dated June 22, 2017**
- B Tentative Plat, received June 8, 2017
- C Exception Site Plan, received April 14, 2017
- D Conceptual grading Plan, received April 14, 2017
- E Slope Analysis, received April 14, 2017
- F Street Tree Master Plan, received April 14, 2017
- G Greenway Planting Plan, received April 14, 2017
- H Jackson County Assessor's Map page, received April 14, 2017
- I Applicant's Land Division Findings of Fact and Conclusions of Law, received April 14, 2017
- J Applicant's Exception Findings of Fact and Conclusions of Law, received April 14, 2017
- K Geotechnical Evaluation Report, received April 14, 2017
- L Agricultural Impact Assessment Report, received April 14, 2017
- M Public Works Department Report, received June 12, 2017
- N Medford Water Commission Memorandum, received June 8, 2017
- O Fire Department Report, received May 31, 2017
- P City of Medford Building Department Memo, received May 23, 2017
- Q Response from Department of State Lands, received June 8, 2017
- R Jackson County Roads letter, received May 25, 2017
- S Oregon Department of Aviation comments, received May 19, 2017
- T Jackson County Airport Comments, received May 19, 2017
- U Southeast Circulation Plan Map dated March 7, 2013
- V Southeast Plan Map, dated March 7, 213
- W Medford Slope Map, Excerpt
- X 2002 Local Wetland Inventory, Excerpt
- Y Urban Growth Boundary Amendment Map dated April 13, 2016
- Z Density Calculation dated June 8, 2017
Vicinity Map

PLANNING COMMISSION AGENDA:

June 22, 2017

EXHIBIT A-1
CONDITIONS OF APPROVAL
LDS-17-051/E-17-052
SUMMERFIELD AT SOUTHEAST PARK PHASES 16-21
June 15, 2017

DISCRETIONARY CONDITIONS

1. The Commission authorizes a 5-year approval period allowed for a phased project in compliance with Medford Land Development Code Section 10.269(2).
2. Minor changes to the precise phase boundaries may be made without an amendment to a previously approved planning action, as long as there are no changes to the number or size of lots approved for the development as a whole.
3. Fencing along the rear property lines of lots 569, 570, and 571 in Phase 19, and lots 578, 579, and 580 in Phase 20 shall be limited to black dip coated chain link in accordance with MLDC 10.382(3).
4. The Commission accepts the applicant's stipulations below. If a stipulation conflicts with a requirement of the Medford Land Development Code or other condition of approval applied by the Commission, the MLDC or other condition applies.
 - a. **Storm Drainage; Storm Water Detention.** Applicant will undertake detailed engineering of a storm drainage system to serve the property. The system will be engineered and constructed according to Medford standards and will meet the storm water conditions attached at the time of tentative plat approval.
 - b. **Final Landscape Plans.** Detailed final landscape plans, where required, will be furnished as part of the Final Plat process and at the time permits are issued for individual houses.
 - c. **Restrictive Covenant.** Pursuant to MLDC 10.804(2)(C) Applicant agrees at the time of Final Plat to record in the official records of Jackson County, a deed restriction accepting and acknowledging farm practices on the lands zoned EFU that are outside the UGB.

CODE CONDITIONS

5. Prior to approval of the final plat for each phase, the applicant shall provide evidence of compliance with MLDC 10.379(1)(b), regarding the installation and maintenance of the planter strip vegetation.
6. Prior to approval of the final plat for each phase, the applicant is required to comply with MLDC 10.379(6) regarding the provisions that guarantee the installation of street trees prior to the issuance of the Certificate of Occupancy.
7. Prior to approval of the final plat for each phase, the applicant shall comply with MLDC 10.380 regarding street lighting standards.

8. Prior to approval of the final plat for any phase containing the proposed greenway (Phases 17, 19, and 20), the applicant is required to obtain approval of the entire greenway plan, as proposed on the tentative plat for Summerfield Phases 16 through 21, from the Site Plan and Architectural Commission per MLDC 10.384.
9. Prior to approval of the final plat for any phase containing the proposed greenway (Phases 17, 19, and 20), the applicant shall enter into an agreement with the City, to the satisfaction of the City Attorney, that will address the installation, transfer of ownership, and maintenance of the greenway, in compliance with MLDC Section 10.384.
10. Prior to approval of the final plat for Phase 21, the applicant shall comply with MLDC 10.804(3) regarding mitigation for passive agriculture.
11. Prior to approval of the final plat, the applicant shall comply with the Department of State Lands received June, 8, 2017 (Exhibit Q).
12. Prior to approval of the final plat for each phase, the applicant shall:
 - a. Comply with the report from the Public Works Department, received June 12, 2017 (Exhibit M);
 - b. Comply with the memorandum from the Medford Water Commission, received June 8, 2017 (Exhibit N);
 - c. Comply with the report from the Medford Fire Department, received May 31, 2017 (Exhibit O).

RECOMMENDED ACTION

Approve the request to allow a 7-foot curb-tight sidewalk per the staff report dated July 6, 2017, including Exhibits A through C.

EXHIBITS

- A Applicant's request dated March 17, 2017
- B Proposed sidewalk alignment received March 17, 2017
- C Approved tentative plat
Vicinity map

PLANNING COMMISSION AGENDA:

JULY 13, 2017



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

March 17, 2017

Matt Brinkley
Planning Director, City of Medford
200 S Ivy
Medford, OR 97501

Re Rancho McMillian sidewalk LDS-16-004

Matt,

I would like to request the Planning Commission review and approve the proposed adjustment to the location of the sidewalk on the referenced subdivision. Lone Pine Road is classified as a major collector and the approval of LDS-16-004 required a 7 dedication of right of right of way.

Lone Pine Road is currently improved with a paved section, curb and gutter and the Planning Commission approval and Public Works conditions did not require any further improvements to Lone Pine Road. The approval also required a 5 foot sidewalk to be placed at the edge of the new dedication.

Placing the sidewalk at the currently approved sidewalk would result in a 16 foot planter strip for this property due to the variance between the standards to which Lone Pine was improved and the current standard section for a major collector as contained in the MLDC.

Lone Pine Road was improved to a different standard and the majority of properties on Lone Pine Road have a 7 foot sidewalk at the back of the curb. We would request the Planning Commission approve a 7 foot back of curb sidewalk on the frontage of the subject property.

MLDC 10.505 (5) ...If there are existing sidewalks on the same side of the street in the same block, then the sidewalk location shall be determined by the approving authority.

100% of the existing sidewalks on the same side of the street on the same block are curb tight. Additionally, 100% of the sidewalks on the opposite side of the street in the same block are also curb tight. This meets the standard for the Planning Commission to approve a curb tight sidewalk for this development.

We are requesting a new 7 foot sidewalk be placed at the back of the existing curb, and as per the attached exhibit, we are proposing a new 4 foot sidewalk behind the existing driveway approach to



4401 San Juan Drive, Suite G
Medford, Oregon 97504

Phone and Fax 541-772-1494
Cell 541-601-0917

Email scottsinner@yahoo.com

CITY OF MEDFORD

EXHIBIT # A

File # LDS-16-004



Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

comply with the ADA standards for sidewalks and driveway approach slopes as recommended by Public Works.

We intend to utilize the existing approach for the approved development, however the existing slope does not comply with current ADA standards. The proposed 4 foot sidewalk bypassing the approach complies with the ADA standards.

The requested 7 foot back of curb sidewalk is consistent with the vast majority of the existing development on the entire Lone Pine road from Springbrook to Foothills Road.

The approval of the requested curb tight sidewalk will allow the existing 40' evergreen tree to remain on the site. The current approved sidewalk location will require the removal of the tree.

The requested curb tight 7 foot sidewalk with the 4' sidewalk around the existing driveway apron will be compatible and consistent with the existing development in the area and will comply the MLDC and with the ADA requirements.

Please feel free to contact me if you have any questions.

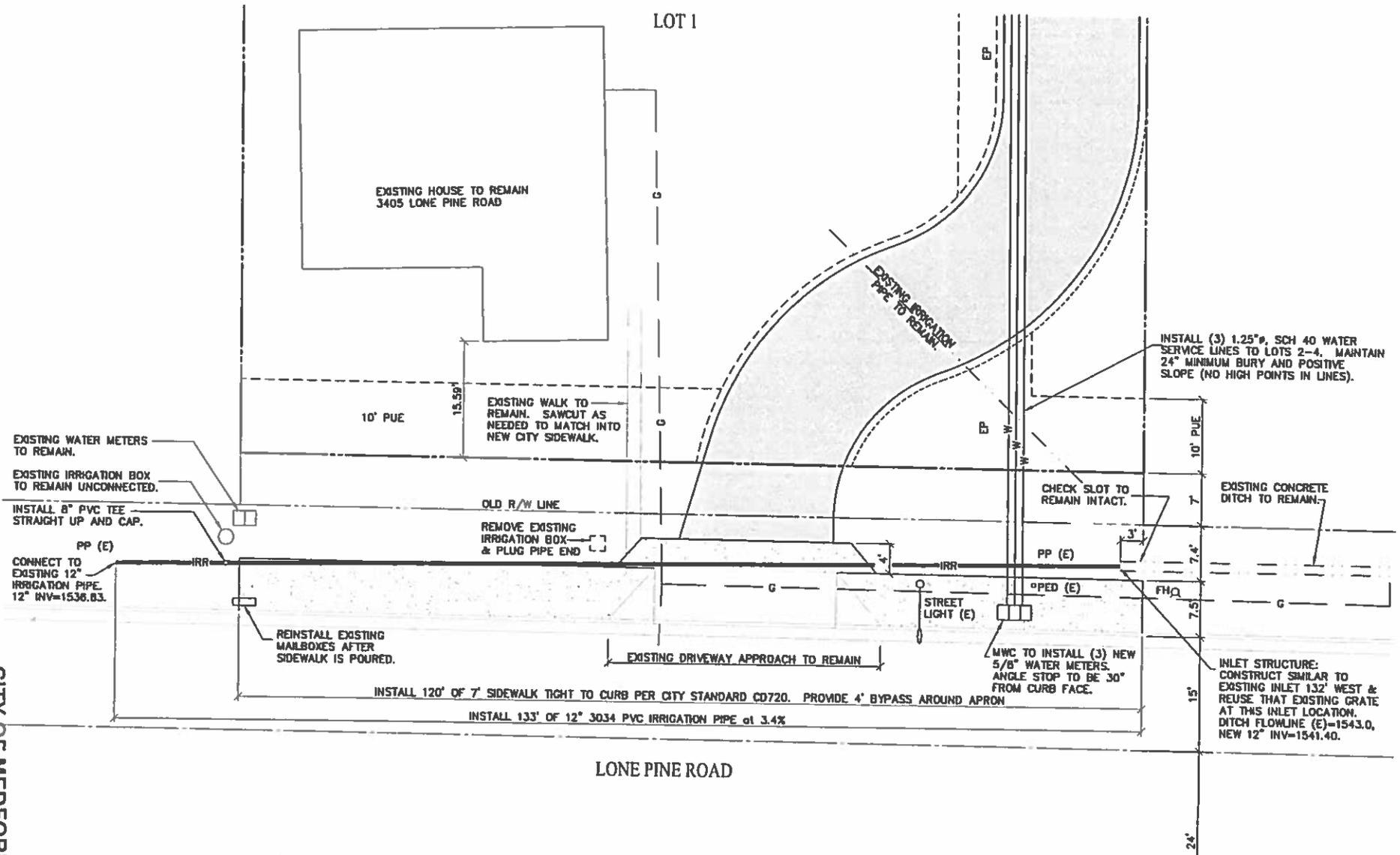
Regards,

Scott Sinner, President
Scott Sinner Consulting, Inc.



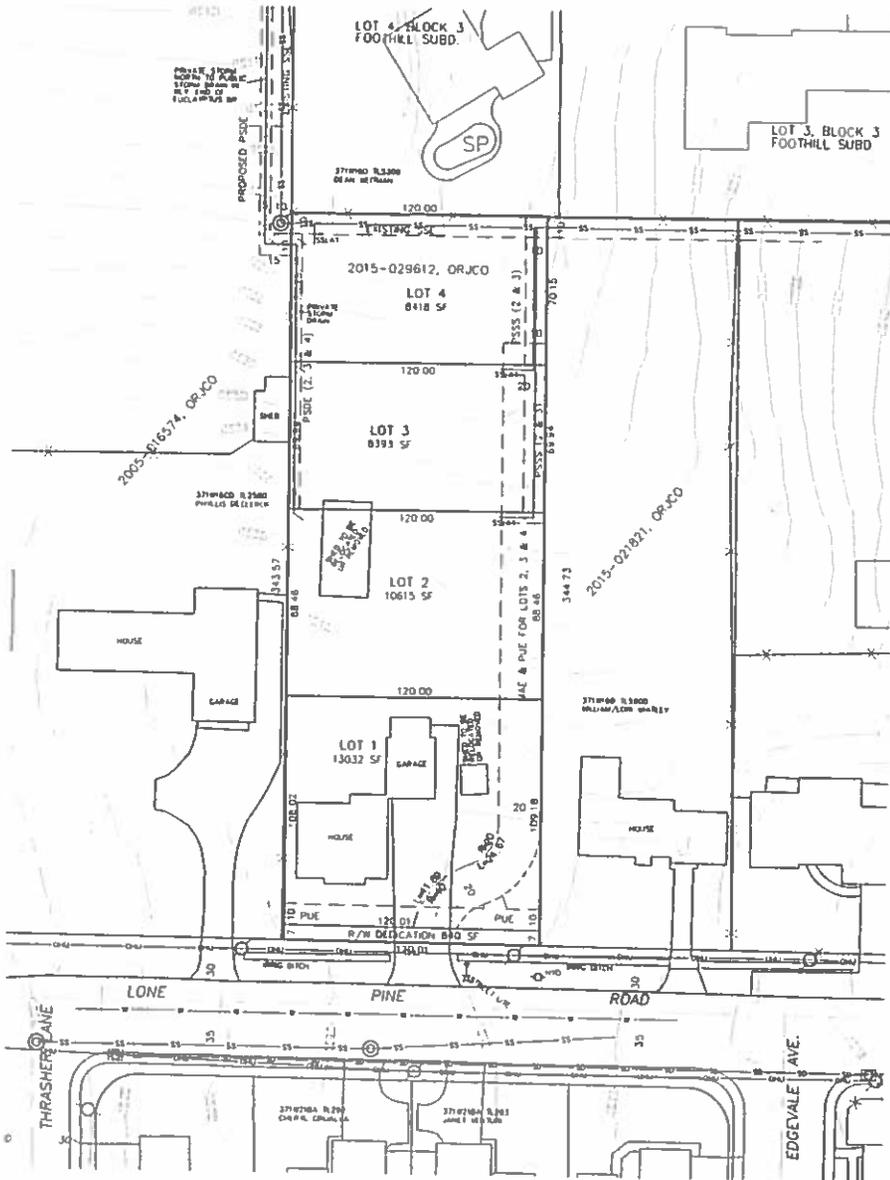
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Email scottsinner@yahoo.com



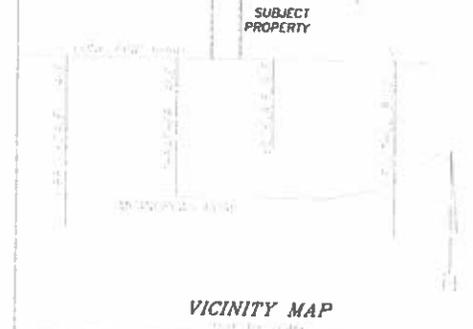
CITY OF MEDFORD
 EXHIBIT # 13
 File # LDS-16-004
 5th EDITION REVISION

**TENTATIVE PLAT
RANCHO MCMILLAN
A SUBDIVISION**
In the N.W. 1/4 of Sec. 8, T.37S, R.1W, W.M. &
in the City of Medford Jackson County, Oregon



CITY OF MEDFORD
EXHIBIT #C OF 2
File # LDS-16-004

Sidewalk Decision



VICINITY MAP

1" = 100'

FILE NO. _____ DATE _____
 ASSESSOR'S PARCEL NO. 371W16D 06000
 FORMER DISTRICT 578-6
 MIN LOT SIZE 6500 SQ FT MAX LOT SIZE 10736 SQ FT
 NO. OF LOTS 6
 MAPS PACT _____
 COMP. PLAN DESIGNATION URBAN RESIDENTIAL
 RECEIVED BY _____ DATE _____
 RECEIVED BY _____ DATE _____

NOTES:
 SCHOOL DISTRICT: MEDFORD 549C
 IRRIGATION DISTRICT: M 10
 GROSS ACREAGE: 44800 SQ FT OR 1031 ACRES
 NET ACREAGE: 41298 SQ FT OR 948 ACRES
 TOPO TAKEN FROM CITY OF MEDFORD AERIAL MAPPING
 CONTOURS ARE NOW 20 UNIMPROVED
 TO PUE ADJACENT TO STREET
 LOTS 2, 3 & 4 TO HAVE FIRE SPRINKLERS INSTALLED
 PSDE = PROPOSED PRIVATE STORM DRAINAGE EASEMENT
 PSSE = PROPOSED PRIVATE SANITARY SEWER EASEMENT
 MAE = PROPOSED MINIMUM ACCESS EASEMENT
 SSE = PUBLIC SANITARY SEWER EASEMENT

OWNER OF RECORD:
 MICHAEL D. MCMILLAN
 JULIA DODDAN
 18117 CASCADE ESTATES DR
 BEND, OR 97701

REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hobbs
 OREGON
 JULY 22, 1988
 JAMES E. HOBBS
 2234
 REBIRTH DATE 6-30-17

NO. 1 TENTATIVE SUBDIVISION PLAT ASSESSOR'S MAP # 371W16D 16000 FOR MICHAEL D. MCMILLAN 18117 CASCADE ESTATES DR BEND, OR 97701	DATE 11 MAR 2016 SCALE 1 inch = 60 feet DRAWN BY JEH CHECKED BY JEH CHECKED BY JEH
L.J. FRAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. BOX 1467, MEDFORD, OR 97530 (541) 772-3760 www.frar.com	PROJECT # JLDL 1300000 SHEET # OF #



Project Name:

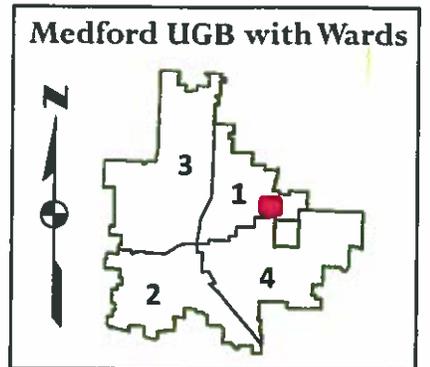
**Rancho McMillan
4 Lot Subdivision**

Map/Taxlot:

371W16D TL6000



-  Subject Area
-  Medford Zoning
-  Streets
-  Tax Lots





Minutes

From Public Hearing on June 22, 2017

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

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
Joe Foley
Bill Mansfield
E.J. McManus
Alex Poythress
Jared Pulver

Staff Present

Matt Brinkley, Planning Director
Kelly Akin, Assistant Planning Director
Kevin McConnell, Deputy City Attorney
Alex Georgevitch, City Engineer
John Wilcox, Engineering Tech III
Terri Rozzana, Recording Secretary
Praline McCormack, Planner II
Liz Conner, Planner II

Commissioners Absent

Mark McKechnie, Excused Absence
David Culbertson, Excused Absence

10. **Roll Call**

20. **Consent Calendar/Written Communications.**

20.1 **LDS-16-090 / E-16-091** Consideration of request to allow a five year expiration period for Delta Estates Subdivision Phases 2 – 5, a 93-lot residential subdivision on 22.34 acres and the associated Exception requests seeking relief to planter strip requirements and street spacing. The subject site is located east of the terminus of Owen Drive and north of the terminus of Cheltenham Way. (Hayden Homes LLC, Applicant; CSA Planning Ltd/Jay Harland, Agent)

Motion: Adopt the consent calendar as submitted.

Moved by: Vice Chair McFadden **Seconded by:** Commissioner Foley

Voice Vote: Motion passed, 7–0.

30. **Minutes**

30.1. The minutes for June 8, 2017, were approved as submitted.

40. **Oral and Written Requests and Communications.** None.

Kevin McConnell, Deputy City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – New Business

50.1 CUP-17-053 Consideration of a request for a Conditional Use Permit (CUP) to construct a new 10-12 foot wide pedestrian/bike path known as Larson Creek Trail Segment II between Black Oak Drive and Ellendale Drive within the Larson Creek Riparian Corridor. Project to include two pedestrian bridges, fence relocation and improvements spanning approximately 7.32 acres zoned SFR-4, SFR-6, MFR-20 and C-C (Single-Family Residential, 4 dwelling units per gross acre, 6 dwelling units per gross acre, Multi-Family Residential, 20 dwelling units per gross acre and Community Commercial) (371W32AA, portions of Tax Lots 200, 300, 400 and 500 and 371W32AB, portions of Tax Lots 3100, 1100 and 3000). (Medford Public Works, Applicant; Richard Stevens & Associates, Agent)

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner McManus disclosed that his spouse's employer, Pacific Retirement Services, has property in the subject area of Larson Creek Corridor. He does not think he has a potential conflict so he thinks he could still do his role in participating in discussions and make an impartial decision and vote.

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

Praline McCormack, Planner II, read the conditional use permit approval criteria and gave a staff report. Ms. McCormack reviewed Medford Land Development Code Section 10.920 Purpose of Riparian Corridors.

Commissioner Pulver asked, when discussing path width, is that the paved portion and the gravel on the exterior is not included? Ms. McCormack stated that is correct.

The Public Hearing was opened.

a. Clark Stevens, Richard Stevens & Associates, P. O. Box 4368, Medford, Oregon, 97501-0168. Mr. Stevens reported that he was present tonight representing the applicant on this application for a conditional use permit which is the Medford Public Works Department. It is for a portion of the Larson Creek Trail identified as Segment 2. Segment 1 has been completed west of Ellendale to Highland Avenue. This proposal is in the public interest and what the Planning Commission is here tonight is to balance between the two conflicting uses of the pathway within the Riparian Corridor and what mitigation measures are to be mitigated for that. This is a public facility for a need of a pathway and bike lane from Ellendale to Black Oak Drive. Staff has determined that this proposal complies with Criterion 2. It is also compliant with the Environmental Element, Transportation Element and the Parks and Recreation Leisure Plan. These are all plans that are in the Comprehensive Plan of Medford which is the guiding document to

propose these types of projects and also the land development ordinance. Staff has also determined that this application meets all three purpose statements within Section 10.249 of Medford Land Development Code. They did delineation and identified wetlands that will have to be mitigated. They will be part of the plan once they get under construction. Part of the proposal with Segment 2 is how the applicant is going to enhance and restore the creek with native grasses with density that will filter some of the runoff water into the creek. There is five year maintenance for the new plantings to ensure they get established. This is in the public interest for creating an additional avenue to safely get from Ellendale to Black Oak Drive without having to use Barnett Road.

Commissioner Pulver stated that it does not sound like there is anything being proposed for residential buffering. Mr. Stevens deferred the statement to the applicant.

Mr. Stevens reserved rebuttal time.

Alex Georgevitch, Public Works, responded to Commissioner Pulver's statement stating that they have not currently put any plans in place for any type of treatment for adjoining properties. They will do that through project negotiations for any easements, etc. There are some properties that they have to negotiate with. The apartments closest to Ellendale have concerns that they will be negotiating easements of some form with them and most likely some form of mitigation for the trail being next to them. They are not proposing anything at this time.

Commissioner Pulver asked, is lighting common on sections of the greenway like this? Mr. Georgevitch deferred the question to the Parks and Recreation Department but there was no representation but generally speaking they have not seen those and they are not proposing any. They did not install lighting on Segment 1 and he is not sure if there is any lighting along the Bear Creek Greenway. Public Works is building the facility and the Parks and Recreation Department will be taking it over for operations and maintenance. If there is a desire or requirement of the Leisure Services Plan (which he does not think there is) then they would work with the Parks and Recreation Department to provide that. He does not think there has been any discussion with homeowners.

Commissioner Pulver asked, are there hours on the paths like a typical park and is the paths monitored by the Medford Police Department or like body? Mr. Georgevitch stated that he would have to defer the question to the Parks and Recreation Department on the operations of the facility.

b. Larry Irwin, 1531 Stardust Way, Medford, Oregon, 97504. Mr. Irwin reported that he is a member of the Knights of Columbus. They own 350 feet of the parkway. They have been in their location since 1962. They have used the facility for meetings and for

family gatherings. The Knights of Columbus agreed to the pathway approximately ten years ago. They have not yet had anyone come back and speak to them about what is going to happen to their property. They have concerns that they need to try and resolve. One is the detailed path plan. They will be losing approximately 350 feet of creek frontage. They need to know what perimeter the path will take because some of their property is almost 30 feet wide full of Himalayan fruit trees. The second concern is parking. They have a partial paved parking lot and the other part of the walkway across from them. They are worried they will lose part of their parking. The other concern is that the parking lot is right next to the trail. Will trail headers all of a sudden find that it is there and start parking? The third concern is fencing. They currently have a patio area in back next to the creek. It is fenced to keep their children in and others out. They would like to keep this area to be re-fenced with an 8-foot chain-linked fence replacing their current fence approximately 150 feet. He does not know what their liability will be. What additional restrictions will be placed on the property and building? There have been issues with transients using their property. They fear the pathway will increase the incidents. They are behind the project. They currently clean the creek parkway from the ball park to roughly the Black Bear Diner approximately a mile and a quarter. They would love to have someone come talk to them.

c. Judy Kimmons, 756 Hilldale Avenue, Medford, Oregon, 97504. Ms. Kimmons stated that she is a Board member of Hilldale Estates. Hilldale Estates is a 55 and older community. Ms. Kimmons has four main concerns regarding the proposed path: 1) Property values, 2) Safety, 3) Security and privacy, and 4) Wet area. Unit 740 on the west side of the development has had to put a sump pump under their home because of water in the crawl space. This sump pump runs pretty much all the time. This would impact the integrity of the path and cause icy areas in the winter. If the path has to be built, they would like it narrowed to 10 feet, which is consistent with other paths. To keep them safe, they would need to have the path moved further away from their homes and some kind of a barrier or hedge put between the path and their back doors.

d. Roger Sayre, 740 Hilldale Avenue, Medford, Oregon, 97504. Mr. Sayre is concerned that the proposed trail is too close to their homes for the comfort of either the residents or trail users. He believes that the trail as proposed will have significantly adverse impact on the livability and value of the homes in Hilldale Estates. The Hilldale Estates Homeowners requested: 1) To reduce the trail width from 12 feet to 10 feet; 2) Provide 10 feet minimum rear yard width between rear wall of residences and proposed trail; and 3) Provide visual screening between residences and the trail.

e. Jon Jalai, 744 Hilldale Avenue, Medford, Oregon, 97504. Mr. Jalai suggested making the trail 10 feet instead of the 12 feet. He would like a barrier so that people cannot look right into his living room.

f. Mark Knox, 485 West Nevada Street, Ashland, Oregon, 97520. Mr. Knox is a land use planner and an occasional bike rider. He uses the Bear Creek Greenway for recreational use and he supports the Public Works application to extend the Larson Creek Trail between Black Oak and Ellendale. He is also a Bear Creek Greenway Foundation member. It is his opinion that the applicant has provided findings of fact including multiple exhibits from the natural resource professionals and civil engineers that explain and illustrate how the proposed path meets the conditional use permit criteria.

g. Karol Mak, 755 Hilldale Avenue, Medford, Oregon, 97504 and Joan Kennedy, 757 Hilldale Avenue, Medford, Oregon, 97504. Ms. Mak reported that they have had multiple calls to the police for incidents of camping in the wetlands area. They have worked with St. Mary's to help them patrol the area and keep it clean. She is not against the path but they want it to be safe. She does not know if there will be a group that will work with the property owners on some of their issues. She has not heard much about the buffering for the residences. She has more questions than answers.

Chair Miranda reported that the purpose of the meeting tonight is to bring those questions to the Planning Commission and staff. It is not necessarily to address those questions tonight. The Planning Commission is not in a position to do that.

Ms. Mak requested that there be some sort of forum working with the residents on what is going to be possible. Not just implemented without some input from them. She has concerns with fires in that area and transients. She suggested a double fence. Fencing protecting St. Mary's property from camping and a fence that protects her property from accessibility.

h. David Jordan, 1166 Todd Circle, Medford, Oregon, 97504. Mr. Jordan stated that he is an east Medford resident and a Bear Creek Greenway Foundation board member. He focused his comments as a private citizen and a regular bike commuter to work. He works in the Larson Creek shopping center off Barnett and North Phoenix Road. Currently, any type of east/west travel that he does down to the Bear Creek Greenway requires him to go west on Juanipero. At some point he has to cross and navigate Barnett Avenue to Siskiyou and has another challenge getting around the roundabout. The second phase of the Larson Creek trail would get them closer to North Phoenix Road and would allow direct access to Bear Creek Greenway. Also, it increases the safety component to his commute.

i. Lee Mills, 5629 Fallbrook Lane, Medford, Oregon, 97504. Mr. Mills supports the path. It is a good thing for the City of Medford. It would be a huge benefit to the public approving this application. As a taxpayer he would appreciate it if the grant was not lost. These are not easy to get. In the future they may be harder to get. The elimination of the blackberry bushes will help safety. The more people using the

pathway legitimately makes for a much safer environment. It is a huge issue for public health for people wanting to get out and walk or cycle.

j. Fred Smith, 750 Hilldale Avenue, Medford Oregon, 97504. Mr. Smith is the President of the Hilldale Estates Homeowners Association. He thinks the trail is a beautiful thing. He bikes and it would be beneficial to them because they would be right next door to it. However, the path is right in their backyard. They have no room to move back there. That is wrong. There has to be some kind of compromise on the 10 foot trail and the 10 foot easement. The problem they have is their property line. When the properties were built they were put right on the property line going north. They are constricted because of the golf course.

Mr. Georgevitch reported that the Larson Creek Trail has been around prior to 2003. That was the adoption of the Transportation System Plan when it became a Public Works facility as opposed to a multi-use path. There was already a phase built east of here off Creek View just west of North Phoenix Road well before that.

There have been a lot of concerns of the proximity of this path to the property owners of Hilldale Estates. It is a very challenging situation. The homeowners have a lot of concerns.

The City Council dealt with this issue several years ago. There is an easement that has been in place for years. It was obtained through the Rogue Valley Manor. When this issue came to light when they were doing work on the overall master plan the City Council heard from members of Hilldale Estates and weighed in on how to deal with this. They gave Public Works clear direction to work with the Manor. Public Works obtained an additional 5 to 7 foot easement to move south which unfortunately puts it where they see in the photos presented this evening. That was the limits Public Works was given and the Manor is not willing to give Public Works any additional land and the City Council was not willing to condemn. They have an easement and condemnation process would be difficult because they already have an easement in place.

There was a request wanting a forum to discuss impacts. Public Works had multiple open houses on this. It has been a while and obviously homeowners come and go through neighborhoods but Public Works had the outreach. They can still work with neighbors anytime they have situations where Public Works is going to be obtaining right-of-way. It will be a negotiation process. The Knights of Columbus mentioned that Public Works had not been out there to speak to them. Public Works wants to start their discussions as early as possible. They did participate in the open house along with the Manor and several residents years ago. They will begin their final plans and negotiations once they get through the approval process and any conditions. They want to work with the community members because they are employed for their benefit.

There have been several issues of wanting to discuss the reduction of the path down to 10 feet. The grant currently states that Public Works will build this to a 12 foot width. If this can be approved tonight knowing Public Works will work with Oregon Department of Transportation with their grant to see if they can reduce the width in certain areas down to 10 feet. Public Works is not opposed to it. They are trying to build to the standards that are required under the Oregon Bike and Pedestrian Plan and the AASHTO Bike and Pedestrian Guidelines. Right now they are locked it at 12 feet. He believes they will be able to reduce the width where there are environmental concerns. He also thinks the Hilldale Estates has a compelling argument to at least reduce it. He does not think they will be able to meet the 10 foot setback and make this work. Public Works can work with them with fencing and other screening.

There was a request to lower below grade. Public Works does not have final design. Right now there is no way to get water out of there with the current grade. They have already lowered it between 1 and 2 feet. The current preliminary design has it between 1 and 2 feet. This is from surveyed grade data. Public Works is comfortable with that number. It is going to be a challenge to get storm drain water to flow east or west.

There was discussion on what type of restrictions there would be on use and building by the Knights of Columbus representation. There would be no impacts that he is aware of. He would also want planning staff to discuss this but it is his understanding that if this puts it into a nonconforming use it would still be permitted and they would be able to maintain whatever they have there. He is not aware of any setbacks to the bike paths.

The Knights of Columbus representation mentioned their fencing. If Public Works moves any fencing along the entire project they would replace or pay for damages and let the property owner replace the fence in kind or however they see fit.

There were concerns of safety. Unfortunately they are broad reaching. It is not part of the criteria for a conditional use permit in a Riparian corridor in his opinion. He understands they are real concerns by the neighbors. As stated by some testimonies in support of the project there is a good chance safety could be increased because they are going to clean out blackberry bushes and other types of plants that are not native that provide shelter. They will be planting a significant amount of new native plantings in certain areas along St. Mary's and potentially on the north side of the creek along Superior. They will work with property owners to replant along the creek. They plan on working with the Parks and Recreation Department because they will be operating and maintaining the area for five years as required by the Oregon Department of Fish and Wildlife. Public Works will pay a consultant to be hired by the Parks and Recreation Department to create a plan that will be satisfactory to the Oregon Department of Fish and Wildlife.

Commissioner McManus asked, when referring to the Parks and Recreation Department being responsible for a maintenance program, would that be an appropriate forum if some of the neighbors wanted to address somehow integrating issues in that maintenance program? Mr. Georgevitch reported that he does not want to make any promises for the Parks and Recreation Department. Public Works will be working with the Parks and Recreation Department to hire a consultant. They could do an outreach and provide an opportunity for the neighborhood to comment on any restoration plan in the area. They are limiting those because of access to the restoration area because this is a long linear path of 3,500 feet. They are not planning on doing restoration the entire way. About a third of the area is not inside the Riparian area. Two-thirds that is in the Riparian area there will be some form of mitigation and they will cluster the mitigation around St. Mary's.

Vice Chair McFadden stated that money has been secured or looks like money will be secured. He is surprised that the project does not seem to have moved over the years. It seems to him there is a plan but it is kind of nebulous and there is a lot of room for flexibility once it is funded and goes through other hoops. He has a tendency to feel often things get locked in as soon as paper and pencil are put together saying this is what you are getting. He gets nervous about changes to the plan. Is he reacting to this too negatively? Mr. Georgevitch stated that Public Works secured funding years ago. They are a year behind on this project due to the work they have been doing over the last year and half or two years. They have been doing environmental work and preliminary layouts. They realized early on they would need to cross the creek with structures up to three. Eventually they got it reduced to two because of the work they had done with some property owners off Ellendale. They had a floodplain issue through the area. Bridges cannot be designed until they get their 100 year floodplain established. There has been a tremendous amount of work. They will be over budget because the work is extensive and expensive. Through all that they have had a preliminary design. A path is not like a roadway system. It does not require the same approval process. There is a lot that is locked in on the plan they see today. They could be turned into construction plans quickly. They recognize they are at the mercy of the Planning Commission for the future conditions. Public Works will always try to minimize impacts to the surrounding community.

Chair Miranda asked, how far into the Riparian Corridor are they now in relation to the residents at Hilldale? Mr. Georgevitch reported that the apartments east of Ellendale are close to the 50 foot setback which pushes them to the 25 foot setback in some areas. There is a portion of this that falls outside the Riparian setbacks. There is no creek along Hilldale. Public Works has approximately 60% of the path in the Riparian setback that can be as little as a foot all the up to fully encroaching into the 25 foot setback. There are some areas that are very tight east of Superior. There is a 10 foot easement from the Manor. The dilemma is the Manor installed a fence on the easement line not on their property line. This created a false understanding where that

property line is for Hilldale Estates. Their property line is approximately a foot off several of their rear porches. Public Works easement starts from there and goes to the fence. The City Council negotiated with the Manor and came up with the final decision to move it a certain distance south. He does not know the exact number.

Kelly Akin, Assistant Planning Director, reported that one of the speakers brought up Section 10.712 which is the development standards for townhouse units. It does require a 10 foot setback for the buildings but not for the pathway. There is not a setback requirement for the path.

Mr. Georgevitch brought up a question about nonconformities and whether or not this project would render properties nonconforming. When in a nonconforming status it means that one was legally established and then something happened. In this case if they took required parking then that property would become nonconforming. It does not mean the use has to stop. It just means it no longer meets the standard of the code because the City changed something.

Ms. Akin stated that there were several speakers that showed items on the ELMO. Staff needs to capture those for the record and would they please deliver those or she would pick them up.

The Public Hearing was closed.

Vice Chair McFadden stated that from what he has heard tonight he feels comfortable with the plan the way it is. Does the Planning Commission start with a general motion and amend it as various members feel appropriate? What is the best way to handle this? Mr. McConnell reported that he tries to stay away from getting too technical on Robert's Rules and how to do things. Usually a motion is made and seconded it becomes the body's motion. Any changes would be voted on by the Commission as an amendment instead of a friendly amendment. Technically, friendly amendments have to come before a second. As long as the Commission understands what they are doing is fine. He leaves it to the Planning Commission to come up with a motion and decide this issue properly.

Commissioner Foley stated that he would like the Planning Commission to request that there be mitigation in place for fencing or vegetation between the path and property line.

Commissioner Mansfield suggested that a flat motion be made and then various Commissioners want as much mitigation as they can get by making amendments to the motion.

Motion: The Planning Commission adopts the Findings as recommended by staff and directs staff to prepare the Final Order for approval of CUP-17-053, per the Staff Report dated June 13, 2017, including Exhibits A through W.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Mansfield

Amended Motion: The Planning Commission recommends that the City through the City Council and Public Works Department try to enhance and protect the privacy of the homeowners along the route by a mutual agreeable solution during the project.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Mansfield

Commissioner Pulver stated that if the Planning Commission is going to approve this based on Criterion 2 either they are saying the City or applicant has taken sufficient steps to mitigate the impacts to the neighboring properties or the Planning Commission needs to do that. He believes that is what they are being tasked to do.

Commissioner Pulver has discomfort with a lack of commentary from the Parks and Recreation Department given that they are going to manage this facility. His impression of the Greenway is far removed from residential. Not nearly as close as this particular facility is to some residents. Some of the Greenway's problem with vagrants, safety, etc. have been well publicized. He thinks those are valid concerns with these residents. It is important to understand how the Parks and Recreation Department either directly or through the use of the Medford Police Department are going to maintain the safety and usability of this path both for the people using the path as well and the neighboring property owners.

Commissioner Mansfield stated that those concerns can be done procedurally by the various amendments he thinks some of the Commissioners are going to propose. He suggested voting on Vice Chair McFadden's amendment and he presumes the floor will be open again for other amendments.

Mr. McConnell addressed Commissioner Pulver's concerns stating this body has the ability to impose conditions on the conditional use permit per Code Section 10.248. If he wants to impose conditions to minimize adverse impacts that can be done then this body can clearly do so.

Commissioner Foley requested to hear the amendment again.

Vice Chair McFadden stated that the gist of it is that the Planning Commission is directing staff to do what they can and maybe whatever it takes to ensure privacy for the homeowners most concerned of their privacy. He hopes that the City contact the people who spoke tonight addressing their concerns.

Commissioner Mansfield summarized Vice Chair McFadden's amendment if enacted is to require staff to do all they can in terms of privacy.

Commissioner Pulver has discomfort with the amendment. Not the spirit of it but it is important that some boundaries be put on it. He finds it difficult to be concrete that the City do whatever it takes to ensure privacy.

Mr. McConnell reported that his understanding of Oregon land use law is that may be deemed aspirational. When you have a good faith type condition of approval it may not be enforceable if someone attempted to have it enforced on appeal.

Commissioner Mansfield urged the Planning Commission to vote in favor of the motion and do it soon.

Commissioner Foley asked, is aspirational good or bad from the Planning Commission perspective? Mr. McConnell stated he considers it good. It may not be an enforceable condition.

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

Second Amended Motion: Direct staff to take as much steps as they are able to from a standpoint of being directed by the State as to the width of the path reducing it to 10 feet where possible.

Moved by: Commissioner Mansfield

Seconded by: Vice Chair McFadden

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

Roll Call Vote on the Main Motion: Motion passed, 7-0.

50.2 LDS-17-051 / E-17-052 Consideration of a request for tentative plat approval for Summerfield at Southeast Park Phases 16 through 21, a 138-lot residential subdivision on approximately 96 acres located south of Cherry Lane and east of Lone Oak Drive within an SFR-4/SE (Single Family Residential-4 units per acre/Southeast Overlay) zoning district. The request includes an Exception to the standards for the permitted length of a residential lane. (Crystal Springs Development Group, Applicant; Neathamer Surveying, Inc., Agent)

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Poythress disclosed

that one of his companies is doing some marketing consulting for Neathamer Surveying, Inc. He does not believe that imposes conflict of interest.

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

Liz Conner, Planner II, reported that under the conditions of approval, page 143 of the agenda packet, condition 12 has dates that are wrong; 12a should be the Public Works Department Report was received on June 12, 2017, 12b should be the Medford Water Commission report was received June 8, 2017 and the Medford Fire Department report was received May 31, 2017. The exhibits have them listed as the correct date they were received. The land division approval criteria are found in the Medford Land Development Code Section 10.270. The exception approval criteria are found in the Medford Land Development Code Section 10.253. The applicable criteria were included in the staff report, property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Ms. Conner gave a staff report.

The Public Hearing was opened.

a. Bob Neathamer, Neathamer Surveying, Inc., 3126 State Street, Suite 203, Medford, Oregon, 97504. Mr. Neathamer reported that Mr. Randy Jones from Crystal Springs Development Group was in the audience that would be able to answer questions that he may not be able to.

Vice Chair McFadden asked, is there parking on the lane, one side parking or no parking? Mr. Neathamer reported that design allows parking on one side. The idea is to park on the same side as the sidewalk which will be along the greenway side.

Mr. Neathamer requested rebuttal time if necessary.

b. Michael Vernier, 3955 Calle Vista Drive, Medford, Oregon, 97504. Mr. Vernier testified that he believes there is an assumption in the neighborhood circulation plan for which there is no reason to believe it will be satisfied on any particular specific time frame. That situation may present a potential public safety issue. The assumption is contemplated as Shamrock Drive would provide direct access from North Phoenix Road to the portion of the proposal currently under review tonight. That is the southern and eastern portion of the proposed plat as well as the southern end of the development currently underway south of Sun Leaf which is not on the agenda tonight. Shamrock Drive from North Phoenix Road is not a developed street. It consists of what is effectively a driveway that terminates. Shamrock Drive continues as has been built out and into the subdivision but there is a barrier that prevents people from going through Shamrock Drive. Direct access is not available from North Phoenix Road. He thinks this is first and foremost a public safety issue for emergency vehicle access and resident

access and egress in an event of an emergency; fire, flood i.e. brush fire of significance and of course it is a matter of convenience for the residents. He does not think it would be prudent for the plat to be approved without specifically considering the negative effects of the lack of additional direct access to those elements of the subdivision that will be farthest from the Calle Vista Drive entrance. For example he does not know if there have been but he would be interested in knowing if there are studies as to the amount of emergency vehicle time it would take in excess of what it would have taken had Shamrock Drive been opened. Because of that he does not either oppose or approve the particular proposal. He thinks it should be conditioned on this Commission consideration of the public safety issue that might be presented by this.

c. Randy Jones, Crystal Springs Development Group/Mahar Homes, 815 Alder Creek Road, Medford, Oregon, 97504. Mr. Jones reported that they are the developers of all the phases of Summerfield to date. The portion of Shamrock Drive to the west to North Phoenix Road is not land or right-of-way that they control. There are three property owners along there that do and have no intention at this time to develop their properties. There will be a no-through barricade that will be put up at the full completion of Phase 9. They have no control as far as using Shamrock Drive because of a circulation plan is not in the near future. Lone Oak that goes north/south that goes to Cherry Lane is a major collector street. The section of Cherry Lane that it attaches to they have improved to North Phoenix Road. They paid for the signal at that intersection and before Public Works required it. They took the old Cherry Lane away and made the new Cherry Lane safer. Even though they have no control of Shamrock Drive to the west there is Calle Vista Drive which is heavily traveled. It has been signed that heavier trucks do not use. Lone Oak to Cherry Lane, Cherry Lane to North Phoenix Road is the safety route. A fire truck coming from the East Barnett Fire Station in an emergency can and would use Calle Vista Drive even though it is a heavier truck.

The Planning Commission will see before them in the near future a phasing tentative plan in the area that intersects Shamrock Drive, Lone Oak south to East Barnett. In that plan, even though they do not control all the land, west to North Phoenix Road will be an emergency lane and all weather road. As they develop south they will fully improve everything and hopefully by then the people west of them that they do not control will be ready for development work.

Mr. Neathamer reported that the application that was submitted and the recommendations from staff that the applicant has met all the approval criteria for this particular development. As it was approved before, keeping in mind there are several new access routes that as this is developed will have secondary routes for residents to take. He respectfully requests that the Planning Commission approve the application this evening.

The Public Hearing was closed.

Motion: The Planning Commission adopts the Findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-17-051 and E-17-052, per the Staff Report dated June 15, 2017, including Exhibits A through Z with the corrections of dates in the conditions of approval.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 7-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Ms. Akin reported that the Site Plan and Architectural Commission met on Friday, June 16, 2017. They considered a proposal to construct a 52,000 square foot mini-storage facility on 2.5 acres located between Nansen Drive and Bullock Road at 2884 Nansen Drive. They also considered an eight unit apartment complex on a 0.32 acre parcel approximately 150 feet east of the intersection of Table Rock Road, Merriman Road and Swing Lane at 766 Swing Lane. They approved both applications.

TAKEN OUT OF ORDER

70. Messages and Papers from the Chair.

Chair Miranda commented that agenda item 50.1 that they heard tonight sounded like the Parks and Recreation Department had a certain level of vestment in the project. It disturbs him that there was not a Parks and Recreation Department representative at the meeting tonight. Maybe that can be avoided in the future. Ms. Akin replied that they will try.

Vice Chair McFadden stated that it does not seem the problem has been solved of getting clear maps into the system. He could barely read them on his iPad. Ms. Akin reported that separate 11 x 17's will be provided to the Commissioners to download to their iPad.

TAKEN OUT OF ORDER

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver, reported that the Joint Transportation Subcommittee has not met since their last meeting.

60.3 Planning Department

Matt Brinkley, Planning Director reported that the Urban Growth Boundary amendment was approved by the Jackson County Board of Commissioner's yesterday, Wednesday, June 21, 2017. This is not the end of the process. Now it goes to LCDC. Staff is hoping to get on their November agenda. The meeting will be in Florence, Oregon.

It was a good meeting with a lot of public testimony between the two public hearings in front of the County Board of Commissioners. The Commissioners reached an agreeable consensus on the most important issues. They had some of the same concerns. They were supportive of the application. Staff would like to send this type of message to LCDC.

Commissioner Pulver asked, what was the nature of the testimony in opposition? Mr. Brinkley stated that the opposition primarily from what he saw at the Planning Commission and the County Board of Commissioners was specific to certain neighborhoods that abutted the urban reserve where there was going to be any kind of density and commercial development. A lot of the people that came to testify were not familiar with Regional Problem Solving (RPS). They did not understand that the entire region had gone through this ten plus year process to identify land that would be most beneficial least costly to urbanize.

Vice Chair McFadden asked, are there any other cities that have been approved on their plans? Mr. Brinkley reported not in a significant way. Central Point has done one minor UGB amendment to address one of their logistic companies. They are preparing to do a significant UGB amendment to add a lot of residential land. They are working on their housing needs assessment. They plan on filing the application relatively soon. The City of Phoenix was on track to get their UGB amendment done but they have had staff turnover the past six months that has delayed them a little bit. Talent is also interested not just doing a UGB amendment but potentially amending the Regional Plan.

The GIS Specialist has created a web app so that one can enter their own observations about the current state of the Transportation System Plan.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 7:55 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder’s office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: July 13, 2017



Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST

for a Type-C quasi-judicial decision: Planned Unit Development (PUD)

Project Coker Butte Business Park – Preliminary PUD
Applicant: Table Rock Holdings, LLC. / Coker Butte Properties, LLC.
Agent: CSA Planning, Ltd.

FILE NO. PUD-17-023

TO Planning Commission *for 07/13/2017 hearing*

FROM Dustin Severs, Planner III

REVIEWER Kelly Akin, Assistant Planning Director

DATE July 6, 2017

BACKGROUND

Proposal

Consideration of a Preliminary PUD Plan for Coker Butte Business Park, a proposed development consisting of office and light industrial uses to be located on a 14.5-acre site composed of five contiguous lots bounded generally by Crater Lake Highway 62, Coker Butte Road, and Crater Lake Avenue, within the Light Industrial (I-L) zoning district (371W05 TL 1000, 1001, 1002, 1003, and 1100).

Request

The applicant has requested that the item be continued to July 27, 2017, in order to revise submitted Findings of Fact and Conclusions of Law.

EXHIBITS

- A Continuance request, received July 6, 2017.
Vicinity Map

PLANNING COMMISSION AGENDA:

JULY 13, 2017

JULY 27, 2017



CSA Planning, Ltd

4497 Brownridge, Suite 101
Medford, OR 97504

Telephone 541 779 0569
Fax 541 779 0114

Craig@CSAplanning.net

Memorandum

To: Medford Planning Commission
Medford Planning Department

Date: July 5, 2017

Subject: Coker Butte Business Park PUD
Medford File PUD-17-023

Today we met with Medford Planning Department representative Dustin Severs to discuss the above captioned project during which minor changes in the project were covered and are explained below:

Dumpster Storage

In the application, it was explained that Applicant's intention was to relocate its dumpster storage/maintenance facility to Rogue Disposal's White City Transfer Station. Applicant's plans have changed since the application was filed and Applicant now intends to continue use of the easterly most portions of the property (east of Crater Lake Avenue) for the dumpster storage/maintenance function. The use is permitted in the property's existing I-L zoning district. In the future when a different use for this portion of the property is proposed, the same will require amendment of the PUD.

Cross Access Easement

Provisions of the MLDC arguably require a driveway that connects by easement to the adjacent property to the north. Applicant contends that such a driveway connection should not be required in this instance for reasons explained in Applicant's Findings of Fact and Conclusions of Law. Moreover, the Planning Commission has authority to not require cross access (as a PUD waiver). However, should the Planning Commission not agree, Applicant has prepared and herewith submits an alternative site plan (attached) which provides for the access easement/driveway connection and illustrates its location.

Uses Not Otherwise Permitted in the Underlying I-L Zone

The Commission is aware that the MLDC allows up to 20 percent of a PUD to be used for uses that would not otherwise be permitted (in an I-L zone). Staff Report page 9 reports that Applicant (through its agent) agreed to limit commercial uses that are not otherwise permitted in I-L to be selected from only the C-C zone and not the City's other commercial zones. Under the former tight timeline (to publish the staff report) Applicant's agent had agreed to the same but without consulting with its client and upon consulting later with Applicant, it has decided to withdraw its stipulation because of a desire to maintain a greater degree of flexibility. The specific uses that Applicant earlier agreed should not occupy the property are not proposed to change.

Land Use Intensity

In Applicant's supplemental findings contained in a memorandum dated June 2, 2017, Applicant explains why Commercial is a more intensive land use designation than General Industrial (and I-L zoning) by comparing potential public facilities impacts and on that subject, Applicant has one additional piece of evidence that goes to comparative land use intensity regarding sanitary sewers. That is, according to the Medford Sanitary Sewer Master Plan (April 2005), Table 2-5, Commercial Uses produce an "average flow" of 1,700 gallons per acre per day (gpad) while Industrial uses produce only 1,000 gpad. This further evidences that Commercial is a more intensive land use designation than Light Industrial I-L zoning, in compliance with the precepts of *Baker v. City of Milwaukee*.

Continuance Request

To enable Planning Department staff to digest and report back to the Commission on these PUD changes, Applicant has agreed to a two (2) week continuance to the Commission's next regularly scheduled meeting on July 27, 2017. In making this request, Applicant hereby agrees to waive for a two week period, the statutory decision making timeframe for this application.

CITY OF MEDFORD

EXHIBIT # A

File # PUD-17-023

Respectfully submitted,

CSA Planning, Ltd

A handwritten signature in black ink, appearing to be 'Craig A. Stone', written over a horizontal line.

Craig A. Stone

CAS/m

cc. Mike Montero
Raul Woerner
Eric Stark
File



Project Name:
Coker Butte Business Park

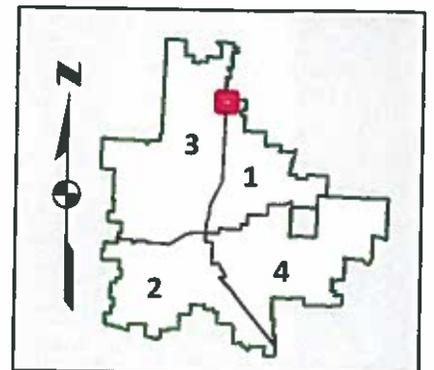
Map/Taxlot:
**371W05
PL 1000, 1001,
1002, 1003, 1100**



02/16/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





STAFF REPORT

for a Class-B decision: Street Vacation

Project Belknap Street Vacation
Applicant: Southside Center, LLC

File no. SV-17-039

To Planning Commission for July 13, 2017 hearing

From Sarah Sousa, Planner IV

Date July 6, 2017

BACKGROUND

Proposal

Consideration of a request to vacate a portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive



History

The segment of Garfield Street, east of South Pacific Highway, was known as Belknap Road until after the South Interchange project in 2009. It is now named Garfield Street, which aligns with Garfield Street to the west at the intersection of South Pacific Highway. The only portion remaining of Belknap Road, is an unimproved segment off of Garfield Street, approximately 900 linear feet. Of this, 540 feet is requested to be vacated.

Authority

This proposal is a Class-B application for vacation of public right-of-way. The Planning Commission is authorized to recommend, and the City Council to approve vacations under Medford Municipal Code Sections 10.102–122, 10.165, and 10.185.

ISSUES AND ANALYSIS

Background

An application to vacate the subject portion of Belknap Road was submitted in March of 2017. The submittal included a letter requesting the City Council initiate the vacation process. The City Council initiated the vacation on June 1, 2017 by Resolution No. 2017-048.

City Surveyor Comments

As part of the process, the City Surveyor is routed the legal description and the map of the area proposed for vacating. When the City Surveyor conducted his review on the subject application, he found some items needing correction and raised some concerns. The applicant's surveyor was able to make the corrections needed. However some of the concerns still needed addressing.

First, the City Surveyor questioned the jurisdiction. No record exists showing a jurisdictional transfer from Jackson County to the City of Medford for the subject portion of Belknap Road. However, local access roads do not necessarily go through this process. Oregon Revised Statute 368.031 describes local access roads outside any city limits as under the jurisdiction of the governing County. The subject road is within the city limits.

Another item of concern by the City Surveyor was that a portion of the road is owned in fee by Jackson County. This was confirmed by the Property Manager at the Jackson County Clerk's Office. Jackson County will therefore sell this portion of right-of-way after the vacation process is complete.

In order to resolve the question about jurisdiction and ownership, the City Attorney recommends the applicant go through the vacation process with both the City and the County. A condition is included requiring the applicant to go through the Jackson County vacation process. This will remove ambiguity related to jurisdiction and ownership. **Exhibit G**

Agency Comments

The following agencies did not have any concerns or issues with the proposal: Medford Fire Department, Medford Building Department, Medford Parks & Recreation Department, Medford Police Department, Avista Gas, Charter Communications, Pacific Power, Centurylink, Rogue Disposal, Rogue Valley Transit District, Oregon Department of Transportation (ODOT), and Jackson County Roads.

Comments, including conditions of approval, were submitted by Medford Public Works Department and the Medford Water Commission. Both request utility easements over the existing right-of-way. **Exhibits D & F**

Committee Comments

The Bicycle and Pedestrian Advisory Committee (BPAC) reviewed the vacation application on May 8, 2017. The Committee had no comments regarding the subject request.

FINDINGS AND CONCLUSIONS

The criteria that apply to vacations are in Medford Municipal Code Section 10.202.

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

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

Findings: Satisfied. A review of the goals and policies in the Comprehensive Plan that relate to public facilities, transportation and the Transportation System Plan (TSP) do not specifically address the topic of right-of-way vacation.

The subject right-of-way is classified as a local access road and is not shown on any of Medford's circulation plans. And since the South Medford Interchange has been completed, this segment of right-of-way is not required as part of any current or future plans for street improvement projects.

Conclusion: Since the goals and policies of the comprehensive plan are silent on right-of-way vacations, using the comprehensive plan directly for approval is unnecessary in this instance. This right-of-way is not needed as part of any current or future street circulation plan. Therefore, the criterion has been satisfied.

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

Findings: Satisfied. The application was not initiated by petition per the requirements in ORS 271.080(2); therefore the findings required by ORS 271.120 are not applicable.

Conclusion: This criterion is not applicable to the project.

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

The proposal will comply with the requirement of ORS 271.130 if the City Council can make the following findings:

- a. That the owners of more than 50% of the affected area do not object in writing; and
- b. That the vacation will not substantially affect the market value of any abutting property where the owner objects, unless the City provides for paying damages to the owner.

Findings: Satisfied. The City Council initiated the vacation on June 1, 2017. Consents have been provided by two of the three adjoining property owners. The majority of the right-of-way adjoins Tax Lot 200 of Jackson County Assessor's Map 371W32C. This tax lot has approximately 500 feet of frontage on the Belknap Road right-of-way while the other two properties that have provided consent have approximately 300 feet of frontage along this stretch. To date, the owner of Tax Lot 200 has not provided any written comments in objection.

It is not anticipated that the vacation will substantially affect the market value of any abutting property. They will all continue to have access to a public road from Center Drive or the remaining portion of Belknap Road.

Conclusion: No objections have been submitted regarding the proposal and a substantial effect in market value positively or negatively is not likely. The criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, forward a favorable recommendation to the City Council for approval of the street vacation per the staff report dated July 6, 2017, including Exhibits A through J including the following conditions of approval:

1. Comply with the Public Works Report, related to the reservation of a public utility easement over the vacated area (Exhibit D);
2. Comply with the Medford Water Commission Memo (Exhibit F);

3. Submit a vacation application to Jackson County and receive Jackson County approval to vacate the proposed portion of Belknap Road.

EXHIBITS

- A Legal description of area proposed for vacation
- B Map showing area proposed for vacation
- C Applicant's Findings of Fact received March 22, 2017
- D Medford Public Works Department Staff Report received June 7, 2017
- E Medford Fire Department Report received June 7, 2017
- F Medford Water Commission Memo and Facility Map received June 7, 2017
- G City Surveyor comments received May 5, 2017
- H Jackson County Road Department Letter received May 10, 2017
- I Aerial Photo received March 22, 2017
- J Jackson County Assessor's Map received March 22, 2017
Vicinity map

PLANNING COMMISSION AGENDA: JULY 13, 2017

Exhibit A

Legal Description



TELEPHONE 541-772-2782
FAX 541-772-8465
JAMES E. HIBBS, PLS
L.J. FRIAR & ASSOCIATES P.C.
CONSULTING LAND SURVEYORS
P.O. BOX 1947
PHOENIX, OR 97535
lfriar@charter.net

LEGAL DESCRIPTION
City of Medford File #SV-17-039

Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°54' West), 41.80 feet; thence South 50°57'13" West, 1356.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road; thence along the Northerly line thereof, South 72°37'00" West, 310.06 feet; thence South 72°29'36" West, 92.53 feet to the Southwesterly line of Center Drive set forth in Document No. 2006-C13916, Official Records of Jackson County, Oregon and the true point of beginning; thence along the Southeasterly prolongation of said Southwesterly line, South 56°05'07" East, 64.17 feet to the South line of Belknap Road set forth in Volume 549, Page 108, said Deed Records; thence along said South line and the South line of Belknap Road set forth in Volume 416, Page 434, said Deed Records, South 72°37'00" West, 542.76 feet to a 1.5 inch iron pipe marking the Northwest corner of Parcel 2 per Document No. 2004-057473, said Official Records; thence North 34°08'51" West, 25.94 feet to the a 5/8 inch iron pin situated at centerline Station "GH" 0+974.437 (17.260 meters left) as shown on Survey No. 21255 in the Office of the Jackson County Surveyor; thence along the arc of a 761.81 foot radius curve to the left having a central angle of 19°40'55", a distance of 248.40 feet (the long chord of which bears North 50°14'57" East, 247.30 feet) to the South line of Lot 17 of SOUTH GATEWAY CENTER SUBDIVISION, according to the official plat thereof, now of record, in Jackson County, Oregon; thence along the South line thereof, North 72°34'49" East, 184.97 feet to the Southeast corner of said Lot 17; thence along the East line of said SOUTH GATEWAY CENTER SUBDIVISION, South 00°07'49" West, 72.32 feet to the Northerly line of Belknap Road; thence along said Northerly line, North 72°37'22" East, 118.24 feet to the true point of beginning. Containing 41776 square feet or 0.95 acres, more or less.

Basis of Bearings: Survey No. 21982.

See also Exhibit Map.

PORTION OF BELKNAP ROAD
TO BE VACATED
371W32B
Galpin Group, LLC
15-217
May 23, 2017

Exhibit B

Map Showing Area to Be Vacated

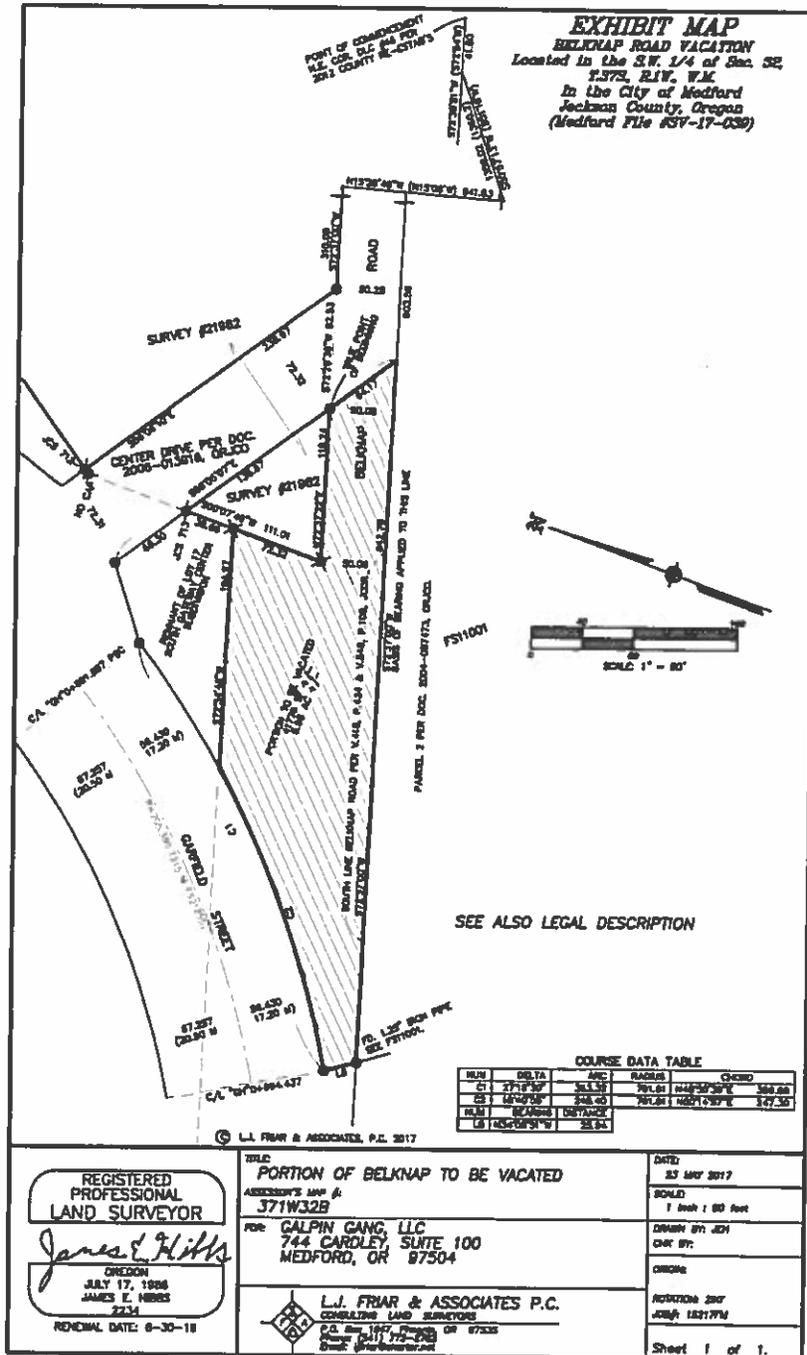


Exhibit C

Applicant's Findings of Fact

FINDINGS OF FACTS

RECEIVED
MAR 22 2017
PLANNING DEPT.

Criteria 1.

1. That the vacation complies with the Public Facilities Element of the Comprehensive plan, including the Transportation System Plan.

Applicants Response:

After reviewing the Public Facilities and Transportation System plans of the Comprehensive Plan, the applicant finds the following facts to be true:

- a) The vacation lies within the City of Medford's Urban Growth Boundary.
- b) The vacation is bordered on three sides by City of Medford commercial zoned land and Jackson County residential land (SFR-00) on the remaining side.
- c) The physical facilities necessary to support the vacated property, including water service, sanitary sewer collection and treatment and storm water management are in place.
- d) The vacated property has access to public services that include fire protection, law enforcement, solid waste management, schools and health services.
- e) The property has access to and complies with the City of Medford's Transportation System Plan.

Criteria 2.

2. If initiated by petition under ORS 271.080 per ORS 271.120, the City Council must determine the following:
 - a. For a plat vacation or part thereof: that two-thirds of the affected property owners consent in writing. Affected property owners are all owners of property embraced within the plat or part thereof.
 1. For a street or alley vacation: that 100 percent of the abutting property owners and two-thirds of the affected property owners consent in writing. Affected property owners are owners of all land lying on either side of the street or alley proposed to be vacated and extending laterally to the next street that serves as a parallel street not to exceed 200 feet, and within 400 feet of the terminus of the part of the street or alley to be vacated.
 - b. That the required notice has been given.

Applicants Response:

The above is not applicable because the subject street vacation will not be initiated by petition as described in ORS 271.080 per ORS 271.120. Instead the vacation will be initiated by the by Council on its own motion as described in ORS 271.130 which is explained below in Criteria 3

Criteria 3:

3. If initiated by the City Council under ORS 271.130, the City Council must determine the following:
 - a. That more that 50 percent of the affected property owners do not object in writing; and,
 - b. That the vacation will not substantially affect the property value of any abutting property, or if the vacation will substantially affect the market value of any abutting property where the owner objects, the City will provide for paying damages.

Applicants Response:

As evidenced by the attached Written Consent of Owners, all lands to the North and East of the portion of Belknap Road to be vacated represent in excess of two thirds of the ownership of all real property deemed potentially affected by a vacation initiated by the Council under ORS 271.130. The ownership of these properties feel that the vacation will not substantially affect the market value of their property that would require the City to be responsible for any damages as required under ORS 271.130.

Exhibit D

Public Works Report



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 6/7/2017
File Number: SV-17-039

PUBLIC WORKS DEPARTMENT STAFF REPORT **Belknap Road Street Vacation**

Project: Consideration of a request to vacate the remaining portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive.

Applicant: C.A. Galpin, Applicant. Sarah Sousa, Planner IV, Long Range Division.

Public Works concurs with the request to vacate the subject existing right-of-way, with the condition that an easement over the entire area shall be reserved for public utilities that exist therein. The easement shall include the right to access, maintain, and construct these utilities within the easement area. No structures shall be built over the easement area.

Prepared by: Doug Burroughs

P:\Staff Reports\SV\2017\SV-17-039 Belknap Road Street Vacation\SV-17-039 Staff Report.docx

Page 1

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2100
FAX (541) 774-2553

Exhibit E

Fire Department Report



Medford Fire Department

200 S. Ivy Street, Room #160
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire1ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 06/07/2017

From: Fire Marshal Kleinberg

Report Prepared: 05/26/2017

File #: SV - 17 - 39

Site Name/Description:

Consideration of a request to vacate the remaining portion of Belknap Road, Located south of the intersection of Garfield Street and Center Drive. Applicant, C.A. Galpin. Planner, Sarah Sousa.

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.
Specific fire protection systems may be required in accordance with the Oregon Fire Code.
This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.
Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

Exhibit F

Medford Water Commission Memo & Facility Map



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: SV-17-039
PARCEL ID: 371W30AC TL 2500
PROJECT: Consideration of a request to vacate the remaining portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive.
DATE: June 7, 2017

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

CONDITIONS

1. Applicant or applicant's civil engineer shall coordinate with MWC Engineering department for intended use within this right-of-way vacation.
2. MWC requests that a 20-foot wide (minimum) water facility easement be create over the existing 24-inch water transmission line. Applicant shall coordinate with MWC Engineering department for proposed easement width and location of water line within said easement. If a wider easement (50-foot) is provided for both existing Power and Water Facilities that would be preferred. Applicants civil engineer shall provide a map showing proposed easement and all existing utilities within said easement.

COMMENTS

1. MWC-metered water service does not exist to this property.
2. Access to MWC water lines is available. There is an existing 24-inch water transmission line that exists across a portion of this "public right-of-way". The water transmission line is currently located within an easement per OR 531-42. This water transmission line shall be protected in place.

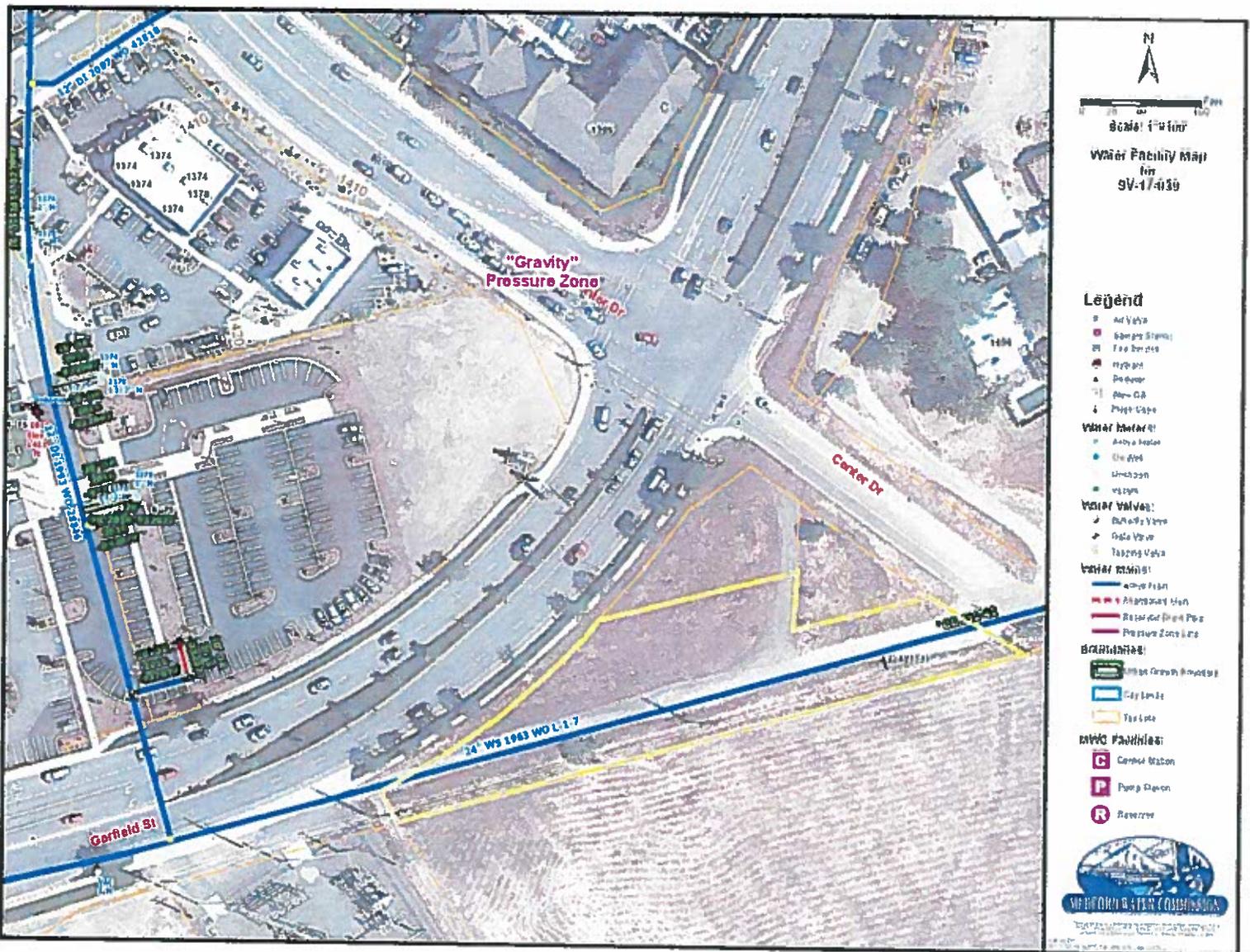


Exhibit G

City Surveyor Comments



CITY OF MEDFORD MEMORANDUM

To: Jon Proud, Engineering
From: Sarah Sousa
Date: May 3, 2017
Subject: Legal Description (File No. SV-17-039)

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

1. SV 17-039 (C.A. Galpin Southside Center LLC, Applicant).

Sarah, (1) Please see redlines on attached DESC & BULK MAP. Please forward to applicant for revision.

(2) It is not clear to me who (City/City) has jurisdiction of this road.

cp
Attachments

The last vacation with these circumstances I remember is Plum Street JOB# 2609-35035/2010-2397 in which the street was vacated by City & County.

Thanks, Jon 5/5/17

"Working with the Community to Shape a Vibrant and Exceptional City"

Exhibit H

Letter from Jackson County Roads



JACKSON COUNTY
Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

230 Antelope Road
White City, OR 97503
Phone: (541) 774-6228
Fax: (541) 774-6255
Email: kchristiansen@jacksoncounty.org
www.jacksoncounty.org

May 9, 2017

Attention: Sarah Sousa
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

RE: Street Vacation for Belknap Road – a city maintained section of road.
Planning File: SV-17-039.

Dear Sarah:

Thank you for the opportunity to comment on the consideration of a request for the vacation of 41,776 square feet of surplus street right-of-way located at the southeast corner of the intersection of Garfield Street and Center Drive. Jackson County Roads has no comment.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,

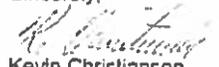

Kevin Christiansen
Construction Manager

Exhibit I

Aerial Photograph (submitted by applicant)

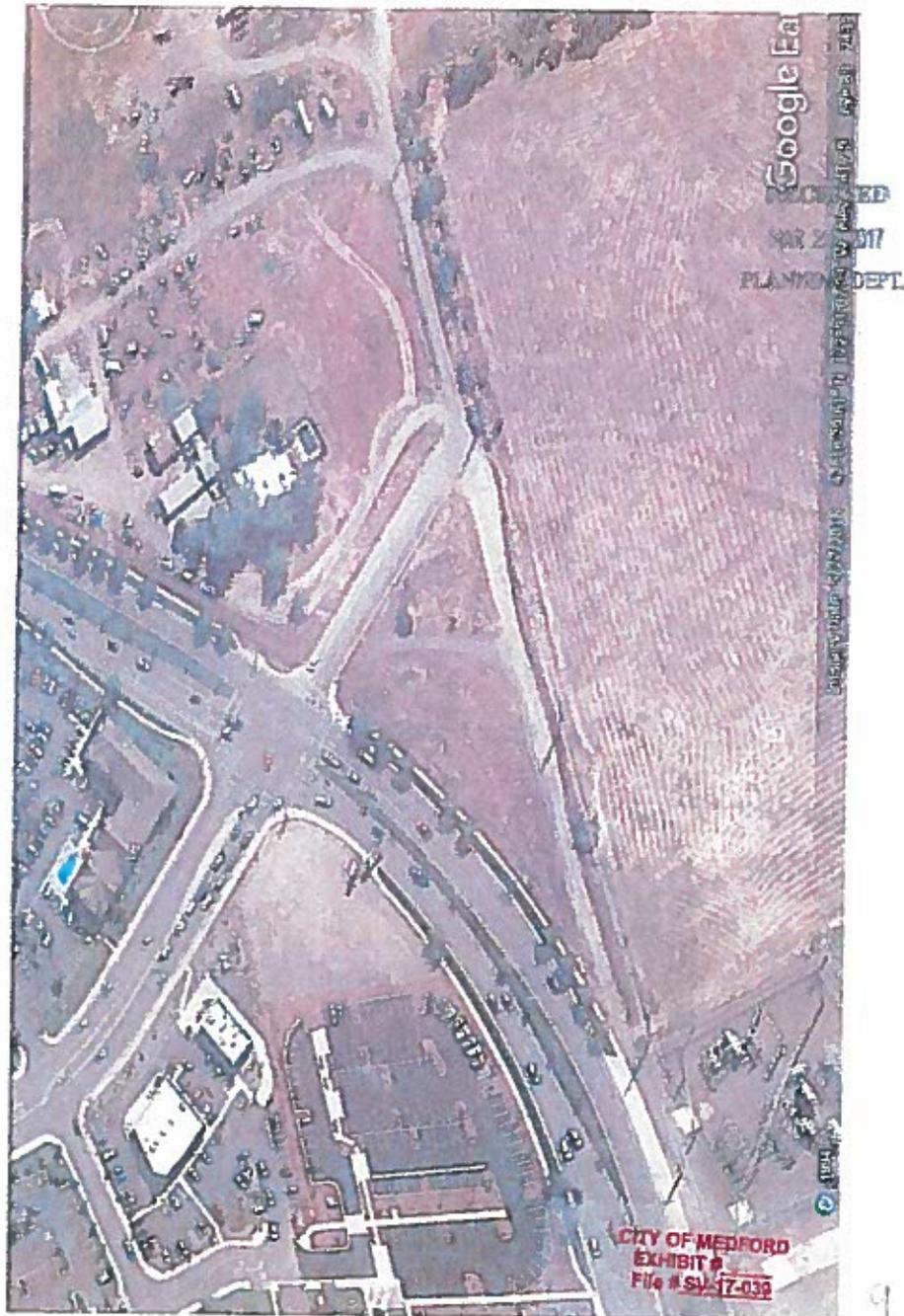
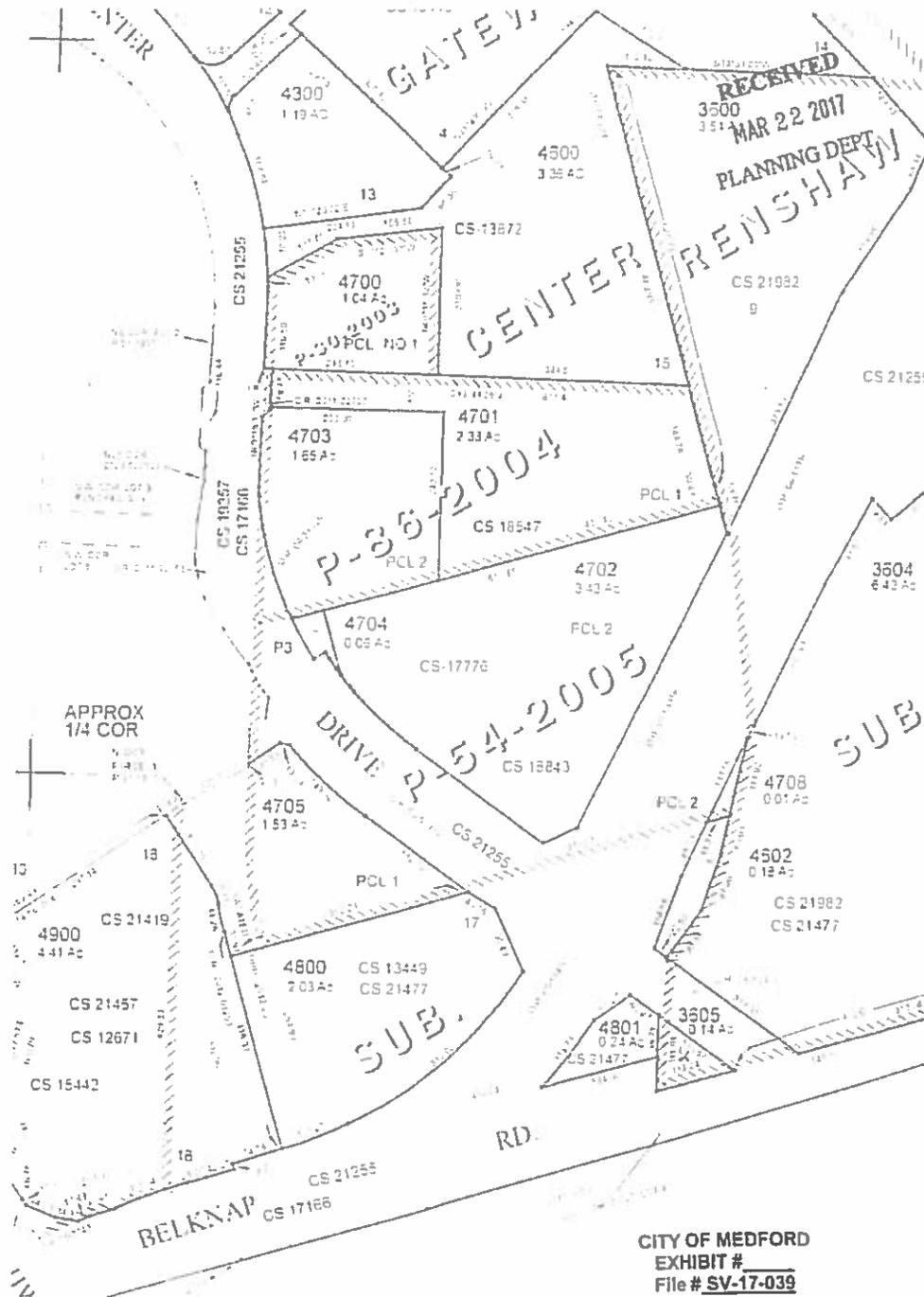
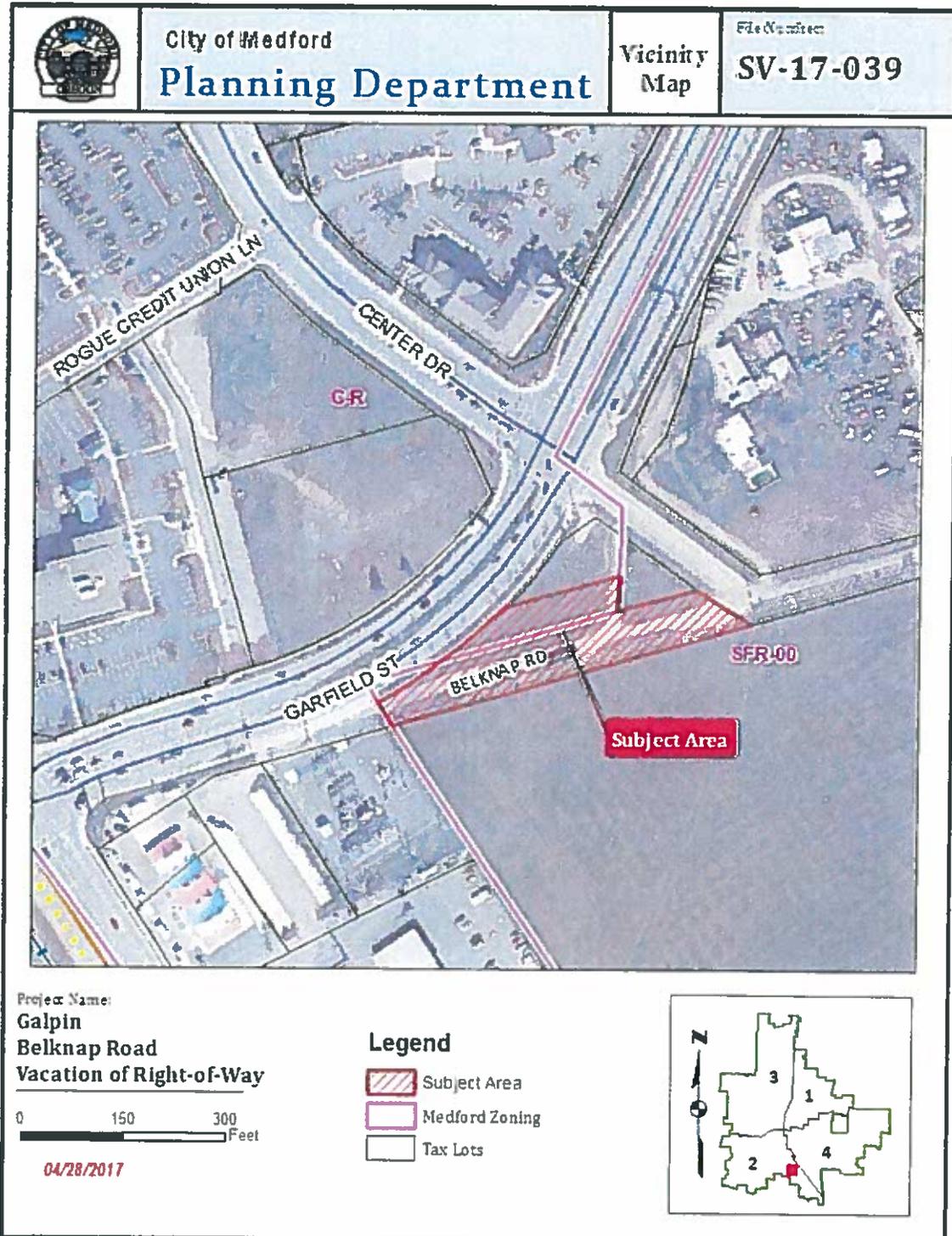


Exhibit J

Jackson County Assessor's Map (submitted by applicant)



Vicinity Map





STAFF REPORT

for a Type-C quasi-judicial decision: **Zone Change**

Project Cogswell Limited Partnership - Zone Change
 Applicant: Cogswell Limited Partnership; Agent: CSA Planning Ltd.

File no. ZC-17-034

To Planning Commission *for July 13, 2017 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Akin, Assistant Director

Date July 6, 2017

BACKGROUND

Proposal

Consideration of a request to rezone the westerly 2.20 acres of an existing 7.7 acre parcel located at the southeast corner of Hillcrest Road and N Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 dwelling units per gross acre) to C-C (Community Commercial).

Subject Site Characteristics

Zoning MFR-20

GLUP CM (Commercial)

Use Vacant

Surrounding Site Characteristics

North Zone: Jackson County - Exclusive Farm Use (EFU)
 Use(s): Hillcrest Orchard

South Zone: SFR-4 (Single Family Residential, 4 dwelling units per gross acre)
 Use(s): 9-lot residential subdivision, 10th Fairway PUD, Rogue Valley Country Club

East Zone: C-S/P (Commercial – Service-Commercial/Professional office)
 Use(s): Hillcrest Office Park

West Zone: SFR-4
 Use(s): Single-family homes

Related Projects

- CP-02-038 GLUP Amendment (UR to UH)
- ZC-03-041 Zone change (SFR to MFR-20)
- CPA-13-032 GLUP Amendment (UH to CM)

Applicable Criteria

Inapplicable criteria have been omitted from this report. Omitted sections are identified by ***.

Medford Land Development Code §10.227, Zone Change Criteria

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. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(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.*

- (c) *For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:*

- (ii) *The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.*

- (e) *For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:*

- (i) *The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;*
- (ii) *At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;*
- (iii) *At least fifty percent (50%) of the subject property's boundaries abut properties that contain one(1) or more existing uses which are permitted*

- or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or*
- (iv) *Notwithstanding the definition of “abutting” in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the “unsuitable” zone by a public right-of-way of at least sixty (60) feet in width.*
- (2) *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 (1) proposed or anticipated development, 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:*
- (a) *the project is in the City’s adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State’s current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
- (b) *when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. 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 approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:*
 - (i) Restriction of uses by type or intensity; however, 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 property or adjacent parcels. In no case shall residential densities be approved which 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.*

ISSUES AND ANALYSIS

Background

The subject 7.7-acre parcel (tax lot 3300) is currently split-zoned, with the easterly portion (not part of this application) zoned Community Commercial (C-C), while the subject 2.20-acre westerly portion is currently zoned MFR-20. The subject application seeks to consolidate the zoning of the parcel by rezoning the westerly portion to Community Commercial (CC) to match the easterly portion of the parcel.

The entire parcel was part of a minor amendment to the General Land Use Plan (GLUP) map in 2002 (CP-02-038), resulting in the subject westerly portion being re-designated to Urban High Density Residential (UH), and the easterly portion being re-designated to its current

Commercial (CM) GLUP. In 2003, in response to the GLUP amendment, the property was approved for a rezone (ZC-03-041), changing the easterly portion from a single-family residential (SFR) zone to its current Community Commercial (C-C) classification, and changing the subject westerly portion from an SFR zone to its current MFR-20 classification – bringing the zoning for both portions of the property into compliance with their respective GLUP designations as established with the minor map amendment from the previous year. However, later in 2014, the subject westerly portion was once again part of a city-wide map amendment, this time a major map amendment effecting the General Land Use Plan (GLUP) designations of 500 acres within the City (CPA-13-032), resulting in the re-designation of the subject site's GLUP from Urban High Density Residential (UH) to Commercial (CM) – consolidating the parcel under a single GLUP designation while simultaneously creating an inconsistency between its zoning and the GLUP of the subject portion of the property. Per the General Land Use Plan element of the *Comprehensive Plan*, the subject site's underlying MFR-20 zoning is incompatible with its CM GLUP designation as established with the major map amendment from 2014.

While the 2014 major map amendment consolidated the parcels under a single CM GLUP designation, the subject lot continues to be split-zoned, with the easterly portion of the lot zoned Community Commercial (C-C) – consistent with its CM GLUP designation – while the subject 2.20 acre portion of the lot has retained its underlying MFR-20 zoning. The proposed zone change will eliminate the split zone, and bring the subject property's underlying zoning into compliance with its CM GLUP designation.

Criteria Compliance

GLUP/TSP Consistency

The General Land Use Plan (GLUP) designation for the subject site is CM (Commercial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-C zoning district is a permitted zone within its CM GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. The TSP Functional Classification Plan identifies N Phoenix Road as a Major Arterial higher-order street, and Hillcrest Road as a Major Collector higher-order street. The applicant's submitted *Findings of Fact and Conclusions of Law* (Exhibit B, page 8-9) concluded that the proposed zone change is indeed consistent with the TSP, stating that the proposal will not change or conflict with any existing or planned transportation facility as identified in the City's adopted Transportation Facility plan, nor will it result in an upgrade in street classification in a residential area to a higher-order street; the subject property is not located within an area for which a Neighborhood Circulation Plan has been adopted, and no new streets or site development are proposed at this time.

It is staff's view that the applicant's findings adequately demonstrate that the proposed zone change is consistent with the goals outlined in the City's TSP, and accordingly, this

demonstration of consistency assures compliance with the Oregon Transportation Planning Rule.

Locational Criteria

The subject zone change proposal requires assessment of the locational criteria for the C-C zoning district. The overall area of the proposed C-C zoning district meets the locational criteria by having the following characteristics: it is more than three acres in size, and it fronts upon an arterial street.

Facility Adequacy

MLDC 10.227(2) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and streets) 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. The agency comments included in Exhibits N through P demonstrate that the Category A facilities are either adequate or can be made adequate to serve the site under the C-C zoning district, subject to conditions of approval.

The staff report provided by Public Works (Exhibit N) recommended that the proposed zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitations, or the developer make improvements to the downstream sanitary system to alleviate the capacity constraints. Public Works recommendation was based on the determination that the proposed zone change has the potential to increase flows to the downstream sanitary sewer system that currently has a number of capacity constraints. In response, the applicant submitted a sewer system analysis (Exhibit V) performed by a registered engineer licensed in the State of Oregon. The analysis showed that the proposed zone change will actually reduce flows to the sanitary sewer system, concluding that the sewer services that serve the property are adequate under the terms of the Medford Sanitary Sewer Master Plan.

As of this writing, the applicant's submitted sewer system analysis (Exhibit V) is still under review by Public Works. As a condition of approval, the applicant will be required to either comply with the conditions per the Public Works report (Exhibit N), or gain approval from Public Works for the submitted sewer system analysis (Exhibit V).

Traffic Impact Analysis

MLDC 10.461(3) requires a Traffic 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. In their scoping letter to the applicant, Public Works determined that a change of zone to Community Commercial (CC) for the subject property would generate an increase in excess of 250 ADT; therefore, the applicant was required to submit a TIA prepared by a licensed engineer in the State of Oregon to determine project impacts to the transportation system (exhibit R). A TIA was prepared by Lancaster

Engineering, and the final analysis was submitted to Public Works on June 7, 2017 (Exhibit T). Based on the results of the analysis the effected intersections are not projected to meet the minimum City of Medford intersection performance standards. Accordingly, pursuant to MLDC 10.461, the applicant has elected to stipulate to a trip cap in lieu of mitigation over the entire property of 9,397 daily trips.

The revised Analysis was found to adequately address the concerns expressed by Public Works in their initial review, and the Traffic Engineering division of the Public Works Department recommends approval of the submitted TIA (Exhibit U).

Committee Comments

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

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the findings with the following modifications.

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the CM General Land Use Plan Map designation and the Transportation System Plan, and that the site meets the locational criterion for the C-C zoning district. The Commission can find that this criterion is satisfied.
- With regard to Criterion 2, the agency comments included as Exhibits N through P demonstrate that there are adequate Category A facilities available to serve the subject site, or can be made adequate through the conditions of approval contained within Exhibit A.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-17-034 per the staff report dated July 6, 2017, including Exhibits A through V.

EXHIBITS

- A Conditions of Approval, drafted July 6, 2017.
- B Applicant's Findings of Fact and Conclusions of Law (revised), received June 27, 2017.
- C City of Medford Map, received, March 9, 2017.
- D Photo Key Map (3), received March 9, 2017.
- E Topography Map, received March 9, 2017
- F Medford GLUP Map, received March 9, 2017.
- G Vicinity Map, received March 9, 2017.
- H SAL Map, received March 9, 2017.
- I Medford Zoning Map, received March 9, 2017.

- J Proposed Zoning Map, received March 9, 2017.
- K Medford Water Facilities Map, received March 9, 2017.
- L Gross Area of Traffic Study Map, received March 9, 2017.
- M Jackson County Assessor’s Map, received March 9, 2017.
- N Public Works Staff Report dated April 19, 2017.
- O Medford Water Commission Staff Memo and Map dated April 19, 2017.
- P Medford Fire Department Land Development Report dated April 19, 2017.
- Q Oregon Department of Aviation email, received April 7, 2017.
- R Public Works TIA Scoping Letter dated March 29, 2016.
- S Public Works TIA report drafted March 21, 2017.
- T Traffic Impact Analysis- revised (Cover & Executive Summary only), received June 7, 2017.
- U Public Works memo approving TIA, received June 28, 2017.
- V Sewer System Analysis, received June 27, 2017.
Vicinity Map

PLANNING COMMISSION AGENDA:

JULY 13, 2017

EXHIBIT A

Cogswell Limited Partnership – Zone Change
ZC-17-034
Conditions of Approval
July 6, 2017

DISCRETIONARY CONDITIONS

1. Comply with all conditions stipulated by the Public Works Department - Traffic Engineering (Exhibit U).
2. Within 30-days of the Final Order of Approval, the applicant shall produce a restrictive covenant, in a form acceptable to the City Attorney, and record such covenant stipulating the number of vehicle trips will not exceed 9,397 Daily Trips over the entire 7.7 acres.
3. In compliance with the conditions stipulated by the Public Works Department (Exhibit N) in regards to sewer flow capacity, the applicant shall stipulate to only develop so the total sewer flows do not exceed current zoning limitations, and within 30-days of the Final Order of Approval, the applicant shall produce a restrictive covenant of said stipulation; or the developer shall make improvements to the downstream sanitary system to alleviate the capacity constraints; or the applicant gain approval from Public Works for the submitted sewer system analysis (Exhibit V).

CODE REQUIRED CONDITIONS

1. Comply with all conditions stipulated by the Medford Water Commission (Exhibit O).
2. Comply with all conditions stipulated by the Public Works Department (N).
3. Comply with all requirements of the Medford Fire Department (Exhibit P).

CITY OF MEDFORD
EXHIBIT # A
File # ZC-17-034

RECEIVED

JUN 27 2017

PLANNING DEPT

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF A REQUEST FOR)
CHANGE OF ZONE FROM MULTIPLE)
FAMILY RESIDENTIAL (MFR-20) TO)
COMMUNITY COMMERCIAL (C-C) FOR)
A 2.20 ACRE PORTION OF A 7.77 ACRE)
PARCEL AND 0.94 ACRES OF)
ADJACENT PUBLIC RIGHT-OF-WAY)
WHICH IS LOCATED AT THE)
SOUTHEAST CORNER OF HILLCREST)
ROAD AND NORTH PHOENIX ROAD)
WITHIN THE CORPORATE LIMITS OF)
THE CITY OF MEDFORD, OREGON)

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

Applicant's Exhibit 2

Owner/ Applicant:)
Cogswell Limited Partnership)

Agent: CSA Planning, Ltd.)

I

NATURE AND SCOPE OF APPLICATION; BACKGROUND

Applicant Cogswell Limited Partnership (Cogswell) seeks to rezone the westerly 2.20 acres of an existing 7.77 acre parcel, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multi-Family Residential, 20 units per acre) to C-C (Community Commercial). The subject property is located at the southeast corner of Hillcrest Road and North Phoenix Road and is identified as Tax Lot 3300 on Jackson County Assessor's Map 37-1W-28A. The western 2.20 acres was re-designated as Commercial (CM) by City of Medford Ordinance No. 2014-154 on December 4, 2014 as part of a city-wide major map amendment project which changed the general land use designation of lots in the urban growth boundary to increase development capacity affecting approximately 500 acres. The subject area was identified as Selected Amendment Location ("SAL") 320a-cm in that action. The easterly portion of the subject parcel was previously designated Commercial and is already zoned C-C (Community Commercial). The proposed zone change will eliminate the split-zoning situation and comport the zoning with the current GLUP Map designation for the property.



CITY OF MEDFORD
EXHIBIT # B
File # ZC-17-034

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant herewith submits the following evidence with its zone change application:

- Exhibit 1.** Completed Zone Change Application Form with Duly Executed Limited Power of Attorney for CSA Planning, Ltd to represent Applicant/Property Owner
- Exhibit 2.** Applicants' Proposed Findings of Fact and Conclusions of Law
- Exhibit 3.** Jackson County Assessor's Plat Map 37-1W-28A
- Exhibit 4.** Vicinity Map Depicting Proposed Zone Change Area with GLUP Map Designations Shown
- Exhibit 5.** City of Medford ISA Adoption Ordinance and Map
- Exhibit 6.** Medford General Land Use Plan Map
- Exhibit 7.** Zoning Map (Current) on Aerial
- Exhibit 8.** Zoning Map (Proposed) on Aerial
- Exhibit 9.** Legal Description and Map of Area to be Changed
- Exhibit 10.** Topography Map
- Exhibit 11.** Photos of site and surrounding properties
- Exhibit 12.** Sanitary Sewer Calculations by Construction Engineering Consultants, Inc. dated June 16, 2017.
- Exhibit 13.** Medford Water Facilities Map for the subject area
- Exhibit 14.** Medford Storm Sewer Facilities Map for the subject area
- Exhibit 15.** Traffic Impact Analysis by Lancaster Engineering dated June 6, 2017

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which a zone change application must be considered are in Section 10.227 of the Medford Land Development Code (MLDC). The relevant approval criteria are recited verbatim below and again in Section V where each is followed by the conclusions of law of the Commission:

MLDC 10.227 ZONE CHANGE CRITERIA *(Inapplicable provisions omitted)*

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. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special



Findings of Fact and Conclusions of Law

Zone Change Application

Applicant: Cogswell Limited Partnership

area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

- ...
- (c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:
- ...
- (ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.
- ...
- (2) 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 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 (1) proposed or anticipated development, 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:
- (a) 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
- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. 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 approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, 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 property or adjacent parcels. In no case shall residential densities be approved which 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 findings of fact are reached and found to be true with respect to this matter:

1. **Property Location:** The property is located at the southeast corner of the intersection of Hillcrest Road and North Phoenix Road, within the corporate limits of the City of Medford and its adopted and acknowledged urban growth boundary.
2. **Subject Property Ownership:** The subject property is owned by Cogswell Limited Partnership.
3. **Property Description and Acreage:** The area of the subject property to be rezoned includes the westerly 2.20 acre portion of the 7.77 acre parcel identified in the records of the Jackson County Assessor as Tax Lot 3300 in Township 37 South Range 1 West in Section 28A, plus 0.94 acres of the adjacent right-of-way on the north, west and south.
4. **Previous Planning Actions:**
 - A. *Ordinance No. 2002-183*, Approved October 17, 2002
A minor amendment to the General Land Use Plan (GLUP) Map that changed the land use designation for the subject property from Urban Residential to a mixture of Urban High Density Residential and Service Commercial. The westerly 2.2 acre portion of the property was re-designated as Urban High Density Residential and the easterly 5.57 acre portion was re-designated as C-S/P. The amendment was undertaken in coordination with a major arterial realignment connecting North Phoenix Road with Foothill Road.
 - B. *ZC-03-41*, Approved April 10, 2003
Rezoned subject parcel and adjacent right-of-way from SFR-4. The westerly 2.2 acre portion of the property was rezoned to MFR-20 and the easterly 5.57 acre portion was rezoned to C-C. The abutting parcel to the east was also rezoned C-S/P.
 - C. *Ordinance 2014-154*, Approved December 4, 2014
The subject property was re-designated Commercial (CM) by the City of Medford through its Internal Study Area (ISA) project which was ultimately adopted by City of Medford Ordinance 2014-154. *See*, Applicant's Exhibit 5.
5. **Comprehensive Plan Map Designation:** The property is designated CM (Commercial) on the Medford Comprehensive Plan's GLUP Map. *See*, Applicants' Exhibit 6.
6. **Zoning Map Designation:** The 2.20 net-acre portion of the property being rezoned is currently zoned MFR-20 (Multi-Family Residential, 20 dwelling units per gross acre). *See*, Applicant's Exhibit 7. The 5.57 acre remainder of parcel is zoned C-C.



7. **Proposed Zoning:** The applicant proposes to rezone the 3.14 gross acres (being 2.20 net acres plus .094 acres of adjacent public street right-of-way to center line) from MFR-20 to C-C. A legal description and map of the proposed zone change area have been prepared by Oregon registered land surveyor James Hibbs and are provided at Applicant's Exhibit 9. A proposed zone change area map prepared by CSA Planning, Ltd. is also provided at Applicant's Exhibit 8.
8. **Existing Land Use:** Vacant Land.
9. **Topography:** The property is moderately sloped (approximately 4.5% average over length of parcel, 4% average over zone change portion) with westerly aspect. *See*, Applicants' Exhibit 10.
10. **Wetlands; Floodplain:** There are no wetlands identified on local or national wetland inventories; the subject property is not within any FEMA mapped flood hazard area.
11. **Surrounding Land Uses:** The Vicinity Map (Applicant's Exhibit 4) and Assessor's Plat Map (Applicant's Exhibit 3) show the pattern of parcelization and development in the surrounding area. Photos of the site and surrounding properties are included at Applicant's Exhibit 11. Existing surrounding land uses are further described as follows:
 - A. **North:** Hillcrest Road is the north border of the property. Beyond Hillcrest Road to the north is the Hillcrest Orchard, a 276-acre tract outside the City of Medford Urban Growth Boundary (UGB) but within the City of Medford Urban Reserve Area MD-4. The City of Medford has adopted Comprehensive Plan amendments to add this property to the City's UGB which are currently pending review by Jackson County for mutual approval and adoption. If approved, the UGB inclusion area opposite the subject property will be designated as CM on the Medford GLUP Map. The Hillcrest property is improved with a residence and ensemble of accessory buildings, a winery, a tasting room and a farm stand situated near Hillcrest Road. The balance of the tract contains a combination of planted and fallow farm land and various other farm structures.
 - B. **South:** North Phoenix Road abuts the property's south border. Beyond North Phoenix Road is the 10th Fairway PUD. The westerly portion of the PUD includes a small nine lot residential development, while the easterly portion is approved for commercial office pad lot development. Further to the south, is golf course land that is part of the Rogue Valley Country Club.
 - C. **West:** North Phoenix Road also abuts the property to the west. Beyond North Phoenix Road to the west is a tract of single family lots.
 - D. **East:** The remainder of the subject property extends to the east. The portion of the parcel not included in the application is currently zoned C-C and is also vacant. Beyond the subject parcel to the east is the Hillcrest Office Park which is a fully developed office park.
11. **Essential (Category "A") Public Facilities:** The comprehensive plan defines Category "A" public facilities as follows: (1) Sanitary sewage collection and treatment; (2) Storm Drainage; (3) Water Service; (4) Transportation Facilities. The following facts are found with respect to each of the Category "A" public facilities:



- A. Sanitary Sewer Service/flow rates:** There is an existing 8-inch sanitary sewer line stubbed out to the property which connects with a sewer line in North Phoenix Road that ultimately ties into the main receptor to the southwest.

Applicant's Exhibit 12 includes a sanitary sewer capacity and feasibility analysis conducted by Construction Engineering Consultants, Inc. (CEC). According to the study the existing sewer system is adequate to serve the property with the requested zone change. The study projects that the sewer flows from the proposed zone change will be substantially less than the sewer flows that would be produced by 62 dwellings (~equivalent the minimum gross density under the MFR-20 zoning). The analysis indicates that the sewer system is capable of handling the calculated 5-year peak flow of 21.56 gallons per minute that would be generated by the existing zoning and will therefore have adequate condition and capacity to handle the projected 4.13 gallons per minute associated with the proposed commercial zoning.

- B. Municipal Water Service:** There is a 12-inch water main stub located in North Phoenix Road and Hillcrest Road intersection as well as a 12-inch stub in Hillcrest Road at the property's east boundary. See, Applicants' Exhibit 13. The properties are located in Pressure Zone 1 which is the City's base pressure zone and is anticipated to have adequate storage and supply to the subject site.

- C. Storm Drainage:** The site lies within the Larson Creek Drainage Basin. An 18-inch municipal stormwater collection line is stubbed to the property connecting to the 60-inch main within the adjacent street right-of-way. See, Applicant's Exhibit 14. Storm water and detention facilities to serve new development are required to be designed and constructed in accordance with Medford Land Development Code standards at MLDC 10.485-10.488.

- D. Streets and Traffic:** The following facts pertain to streets and traffic as proposed in this project:

- **Street Functional Classification and Standards:** North Phoenix Road on the subject property's south and west sides is classified as a major arterial in the Medford Transportation System Plan. Hillcrest Road on the north side of the subject property is classified as a major collector.
- **Improvement Projects:** The City of Medford has a funded improvement project to widen Foothills Road between Hillcrest Road and Lone Pine Road and bring the road up to an urban standard major arterial (RTP Project #863).
- **Access:** The subject parcel has an existing direct access onto Hillcrest Road.
- **Vehicular Traffic:** Pursuant to MLDC 10.461(3) a Transportation Impact Analysis is required:

"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, a TIA will be required to evaluate development impacts to the transportation system. The Public Works Department may waive a TIA if it is concluded that the impacts are not substantial."



A Transportation Impact Analysis has been prepared by Applicant's registered professional traffic engineer, Todd Mobley PE, PTOE of Lancaster Engineering, LLC. See, Applicant's Exhibit 15. The analysis concludes that mitigation would be required to maintain Level of Service "D" for the intersection of North Phoenix Road with Barnett Road to allow an unconditional zone change approval. Pursuant to MLDC Section 10.227(2)(c), Applicant requests that the zone change be approved based on imposition of a special development condition limiting traffic generation to 1,192 ADT (Weekday Trips). The transportation impact study establishes that the existing MFR-20 zoning has potential to generate up to 432 weekday trips and that an additional 760 weekday trips (or 76 evening peak hour trips) could be added before 25-peak hour trips would be distributed the nearest failing intersection (i.e., East Barnett at North Phoenix Road). See, Page 25 of TIS at Applicant's Exhibit 15. The proposed trip cap is the sum of potential trip generation under the existing zoning plus the 760 additional trips that could be generated from the zone change without distributing 25 peak hour trips to an intersection that would not otherwise maintain Level of Service "D" of better function.

- E. Police and Fire Protection:** The property is served by the Medford Fire Department from Fire Station 6, located approximately 1.3 miles to the south. Police protection is from the City of Medford Police Department.

V

CONCLUSIONS OF LAW

The following conclusions of law are reached for each of the relevant substantive criteria with respect to this matter:

***City of Medford Approval Criteria
Medford Land Development Code (MLDC) 10.227***

MLDC 10.227 ZONE CHANGE CRITERIA

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:

Criterion 1

- (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. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(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.

Conclusions of Law (Criterion 1): The proposal will expand the existing C-C zoning district to include the entirety of the subject parcel – thereby increasing the net area of that zoning district from 5.57 acres to 7.77 acres. The proposal will not change or conflict with



any existing or planned transportation facility as identified the City's adopted Transportation Facility Plan, nor will have the effect of inducing an increase in street classification in a residential area to a higher order classification (thereby complying with TSP Policy 2-B). See, Page 24 of the Transportation Impact Study at Applicant's Exhibit 15 which also includes direct findings of compliance with the state Transportation Planning Rule.

The subject property is not located within an area for which a Neighborhood Circulation Plan has been adopted, and no new streets or site development are proposed at this time. With the Applicant's stipulation to accept a trip cap as special development condition, the application also complies with the Medford TSP Strategy to maintain the current Level of Service "D" standard relating to traffic congestion. Subsequent development of the property under C-C zoning will be subject to all otherwise applicable facility improvement standards of the TSP and its implementing ordinances. Accordingly, it is concluded that the proposed zone change is consistent with the Medford Transportation System Plan.

According to the General Land Use Plan Element of the Medford Comprehensive Plan, the C-N (Neighborhood Commercial), C-C (Community Commercial), C-R (Regional Commercial) and C-H (Community Commercial) zoning districts are permitted in the Commercial (CM) GLUP Map Designation. In particular, the GLUP Element establishes that the C-C zone provides land for the development of commercial facilities servicing the shopping needs of the local community. Pursuant to the GLUP Element, the C-C zone shall be located on collector and arterial roadways and cohesive, integrated shopping facilities shall be encouraged. The subject property is currently designated as "CM" land on Medford's GLUP Map and is located adjacent to an arterial (North Phoenix Road) and a collector (Hillcrest Road) consistent with the GLUP Element's requirement for C-C zoning districts. Accordingly, it is concluded that the proposed zoning is consistent with the General Land Use Plan Map Designation.

The additional locational standards in MLDC Subsections 10.227 (1)(a, b and d) apply only to proposed residential or industrial zoning districts. Subsection 10.227(1)(c) applies to requests for commercial zoning and is addressed below separately under Criterion 2. Accordingly, it is concluded that Criterion 1 is met.

Criterion 2

10.227 Zone Change Criteria

- (1)(c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:
 - (i) The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one (1) boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.
 - (ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.
 - (iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is



ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

- (iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

Conclusions of Law (Criterion 2): The proposed zone change will expand an existing C-C zoning district by 3.14 additional acres (gross) such that the entire 7.77 acre parcel and adjoin street rights-of-way (approximately 8.71 gross acres in all) are included within the district. Also, there are no residential zoning districts adjoining the subject property. Accordingly, the subject property will not qualify for C-N zoning under the additional locational standards at MLDC 10.227(1)(c)(i).

Technically, the size of the proposed zone change area is 3.14 acres but the net area of the affected portion of the subject parcel only contains 2.2 acres. (*See, Surveyor's Legal Description at Applicant's Exhibit 9*). The locational standards for the C-R and the C-H zoning district could be satisfied for a stand-alone C-R or C-H zoning district having more than three gross acres where situation along an arterial street, and where there is no abutting residential or I-H zone as is the situation in this case. However, the property is located in an area of the City that is primarily populated with residential neighborhoods for which there are few nearby shopping centers to serve. The existing C-C zoning over the eastern portion of the property indicates that the City has already determined that the subject area is appropriate to serve as a neighborhood shopping center because the GLUP Element establishes that the C-C zone provides land for the development of commercial facilities servicing the shopping needs of the local community. Given that, the locational requirement for C-R zoning to be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof would disqualify the subject property as appropriate for C-R zoning. That leaves only the C-C and the C-H zoning districts as potential zones to implement the CM GLUP Map designation. The MLDC zone change approval criteria do not require a demonstration that a proposed zoning district be the "most" appropriate in situations where the locational criteria for more than one zoning district are met. However, Applicant believes that the C-C zoning is most appropriate to serve the surrounding neighborhoods as a local shopping center and that it makes the most sense to unify the zoning as C-C for the entirety of the property as proposed. It is found to so qualify under the locational standards for C-C zoning districts under MLDC 10.227(1)(c)(ii) above. Accordingly, it is concluded that Criterion 2 is met.

Criterion 3

10.227 Zone Change Criteria

- (2) 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.



Findings of Fact and Conclusions of Law

Zone Change Application

Applicant: Cogswell Limited Partnership

- (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.

Discussion; Conclusions of Law: Goal 2 of the Public Facilities Element is to assure that General Land Use Plan (GLUP) designations and development approval process remain consistent with the City of Medford's ability to provide adequate levels of essential public facilities and services. The subject area has already been designated as Commercial Land on the GLUP Map and is currently zoned MFR-20 for high density residential use at 20 dwelling units per acre, and there were no restrictions imposed in conjunction with the current zoning on allowable MFR-20 uses. With regard to most public facilities, the proposed zone change is effectively a lateral impact from a high-density residential urban zone to a community commercial zone. In that context, the following conclusions of law are reached with respect to each of the Category "A" infrastructure components:

Wastewater Collection and Treatment: Based upon the flow projections provided by Construction Engineering Consultants, Inc. (See, Applicant's Exhibit 12) and the findings of fact in Section IV, it is estimated that the proposed zone change to commercial would generate approximately 17.43 gallons per minute of peak flows *less* than the peak flows projected for 62 MF dwellings that would be allowed for the current MFR-20 zone.

As stated in the report:

"Medford has adopted standards designed to ensure that key public facilities (including sanitary sewer) are available and adequate as a prerequisite to plan or zone changes. The sanitary sewer standard is expressed in Goal 2, Policy 2(A) which states that sanitary sewers are considered adequate if they are consistent with the applicable sewer plan document. Under the terms of the Medford Sanitary Sewer Master Plan (2005), the sanitary sewers that serve this property are adequate."

Based upon the analysis of Applicant's engineer, it is concluded that the sanitary sewer collection system is shown to be adequate to accommodate development under the proposed zone. Applicant further stipulates to agree, as requested by Medford Public Works, to accept a condition of approval limiting development for the area to be re-zoned so the total sanitary sewer flows do not exceed current zoning limitations (being 21.56 gallons per minute)..

Storm Drainage System: The anticipated development of the subject property will cause no more than nominal impacts to projected peak flows for that specific service area as determined by the Comprehensive Medford Area Drainage Master Plan (1996) because the City's development standard now require detention systems designed to minimize off-site impacts to the City's storm drainage system for the design-year storm specified in the City's Master Plan. There is adequate area on the subject property to accommodate storm-water detention facilities to control discharge in accordance with local, state and federal permitting standards.

Water System: Based upon the findings of fact in Section IV, it is concluded that the water system is sufficient to provide the subject property with a permanent water supply having adequate water pressure and volume for projected commercial fire control needs consistent



Findings of Fact and Conclusions of Law

Zone Change Application

Applicant: Cogswell Limited Partnership

with the GLUP designation, and that these facilities are available to adequately serve the property under the proposed Community Commercial zone.

10.227 Zone Change Criteria (cont'd)

- (2)(b) Adequate streets and street capacity must be provided in one 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 (1) proposed or anticipated development, 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:
 - (a) 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
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. 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 approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
 - (i) Restriction of uses by type or intensity; however, 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 property or adjacent parcels. In no case shall residential densities be approved which 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.

Discussion and Conclusions of Law Continued: As described in Section IV findings, the north leg of the intersection, Foothill Road, is a currently funded project. A Traffic Impact Analysis, submitted as Applicant's Exhibit 15, provides trip generation calculations prepared by Lancaster Engineering that concludes that there are several intersections within the study area that are already projected to fail or would be caused to fail as a result of an unrestricted zone change. Therefore, a trip cap will be stipulated to as part of the zone change.

It is concluded that the evidence in Section II and the Findings of Fact in Section IV include



all appropriate and relevant facts needed to properly consider this zone change with respect to traffic pursuant to MLDC 10.227(2)(b). Pursuant to MDC10.227(2)(b)(iii)(c), the Applicant may – and does – stipulate to accept a special development condition, in the form of a trip cap of 760 additional weekday trips (being 1,192 total weekday trips) for the proposed zone change area, to prevent a significant effect on the transportation system. The proposed trip cap is adequate to allow for reasonable development of the zone change area and adjoining land, and therefore will not preclude such future development, given that the majority of the property is already zoned C-C which already has a potential to generate 8,205 weekday trips. See, "Project Trip Summary with Zone Change Site Area Trip Cap Stipulation" table at Page 25 of the TIS – Applicant's Exhibit 15.

Conclusions of Law Continued: Based upon the foregoing findings of fact and conclusions of law, it is concluded that the application is consistent with the requirements of Zone Change Criterion 3.

VI

AGREED TO STIPULATIONS

Applicant herewith agrees to stipulate to the following to which it agrees to comply if the same is made a condition attached to the approval of this land use application:

1. Vehicular trip generation for the 2.20 acre portion of the subject property, Tax Lot 3300, shall be limited to 760 additional Weekday Trips (or 76 PM Peak Hour trips) for a total of 1,192 Weekday Trips (or 119 PM Peak Hour trips). These trips are in addition to existing trips on the remainder of the property that is already zoned C-C.
2. Sewer flows for the subject zone change area shall be limited to no more than 21.56 gallons per minute as would be anticipated for development under the current MFR-20 zone with an existing potential for 62 multi-family dwellings.

VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for a zone change from existing Multi-Family Residential (MFR-20) to Community Commercial (C-C) is consistent with all of the relevant substantive approval criteria.



Respectfully submitted on behalf of applicant on **March 8, 2017**

(as revised **June 27, 2017**):

CSA PLANNING, LTD.

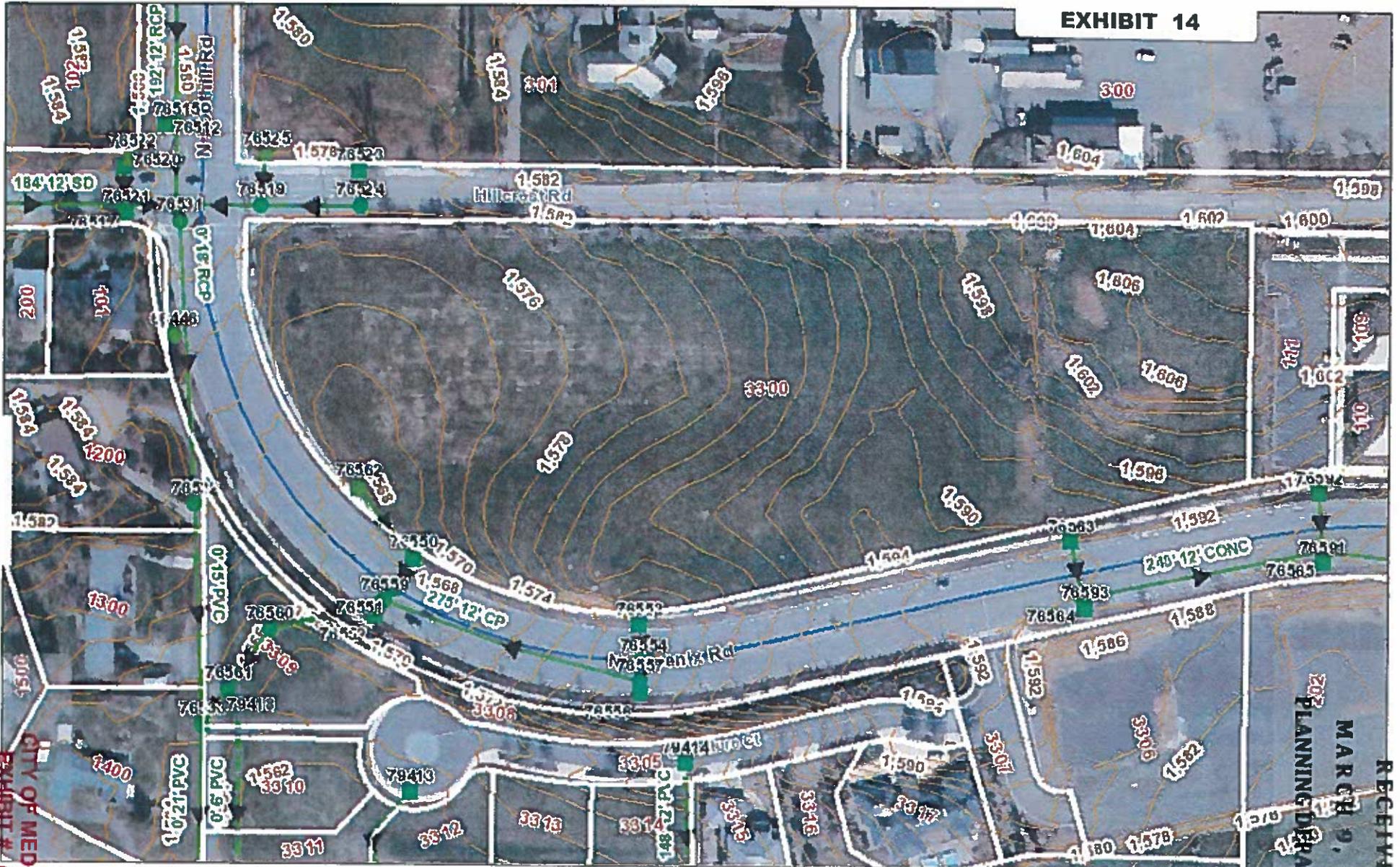


Raul Woerner
Consulting Planner



City of Medford Map

EXHIBIT 14



Page 126

File # ZC-17-034

CITY OF MEDFORD
EXHIBIT #

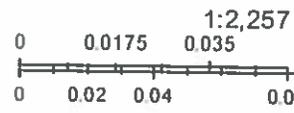
January 10, 2017

Taxlot/Maplot Labels

Stormwater Drain Node by Type

- Catch Basin
- Curb Inlet

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Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey.

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MARCH 9, 2017
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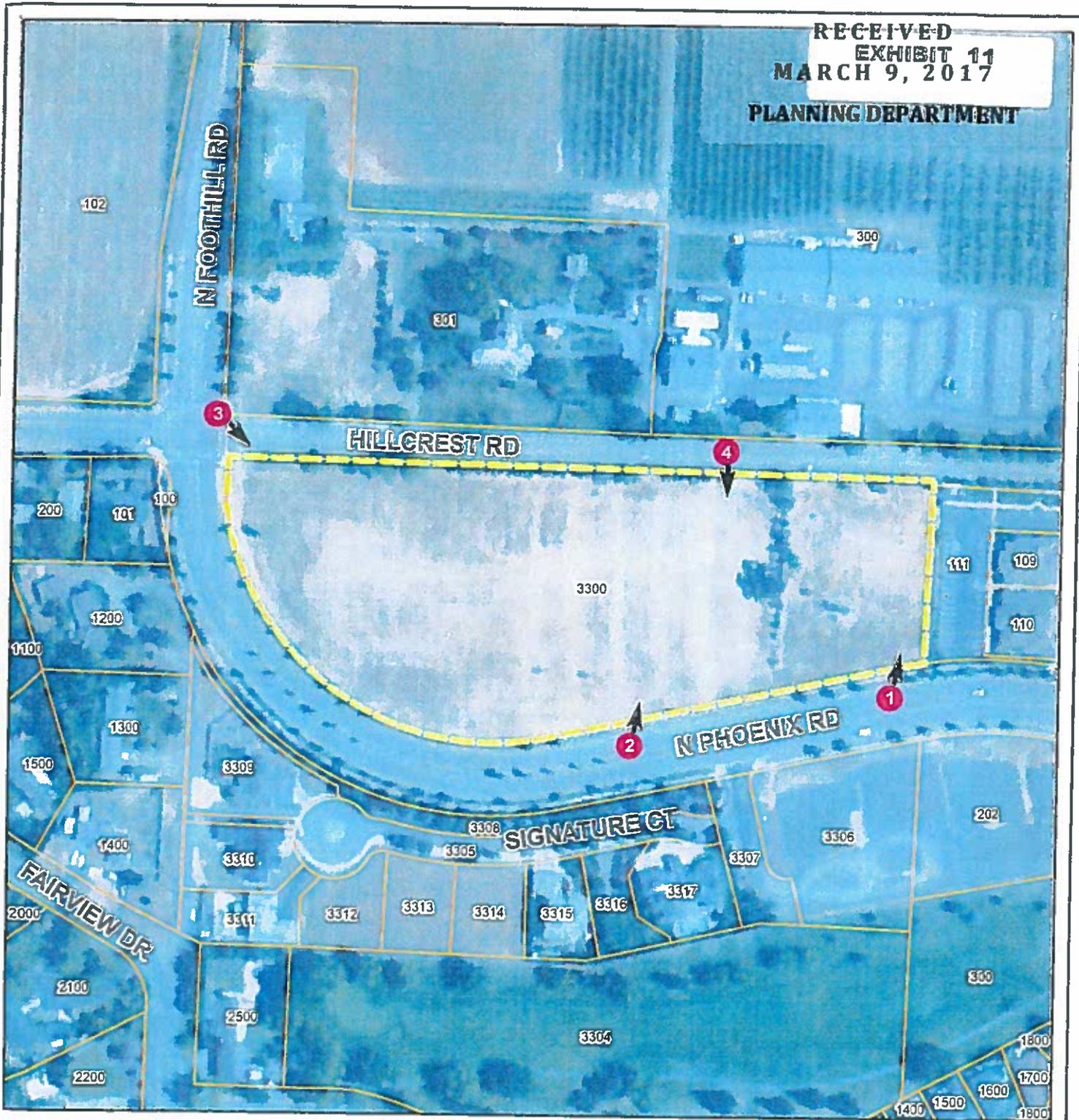


 Photo Location & Direction

 37-1W-28A-3300

 Tax Lots

2016 Aerial

Photo Key Map

Cogswell Ltd. Partnership
37-1W-28A-3300



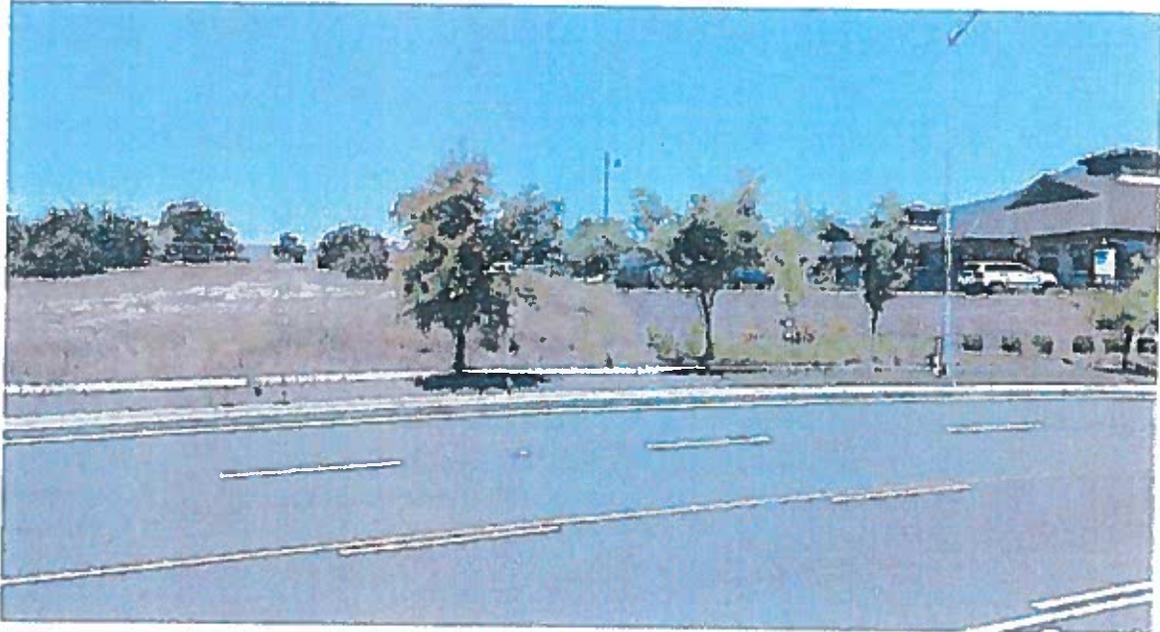
 0 200 Feet

 CSA Planning, Ltd.

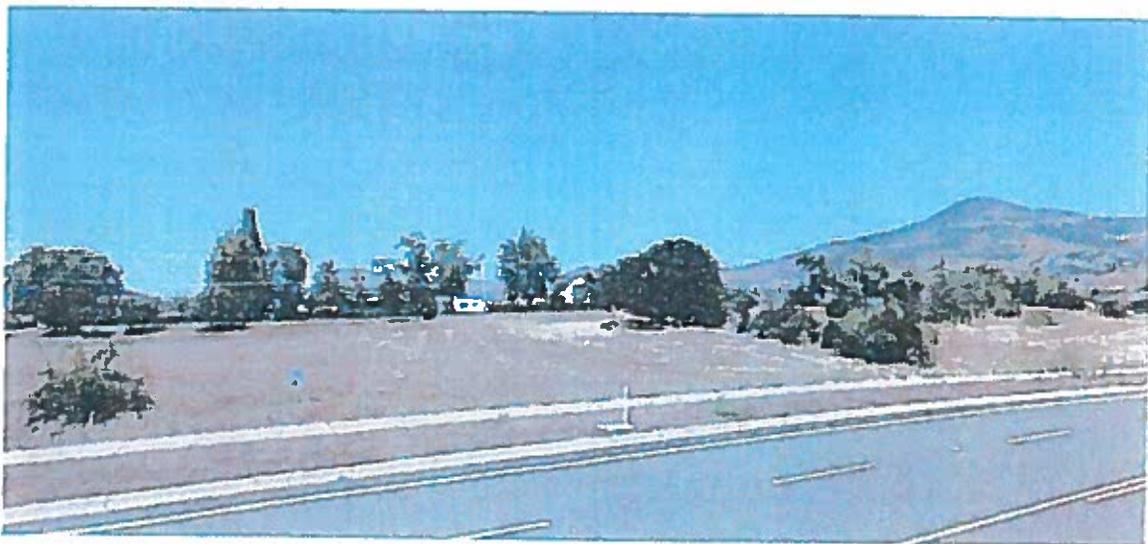
CITY OF MEDFORD
EXHIBIT # D
File # ZC-17-034

02-15-2017 Source: CSA Planning, Ltd. / Medford GIS

16



① Looking North from N. Phoenix Rd. property line



② Looking North from N. Phoenix Rd. view towards Roxy Ann

Legend

②

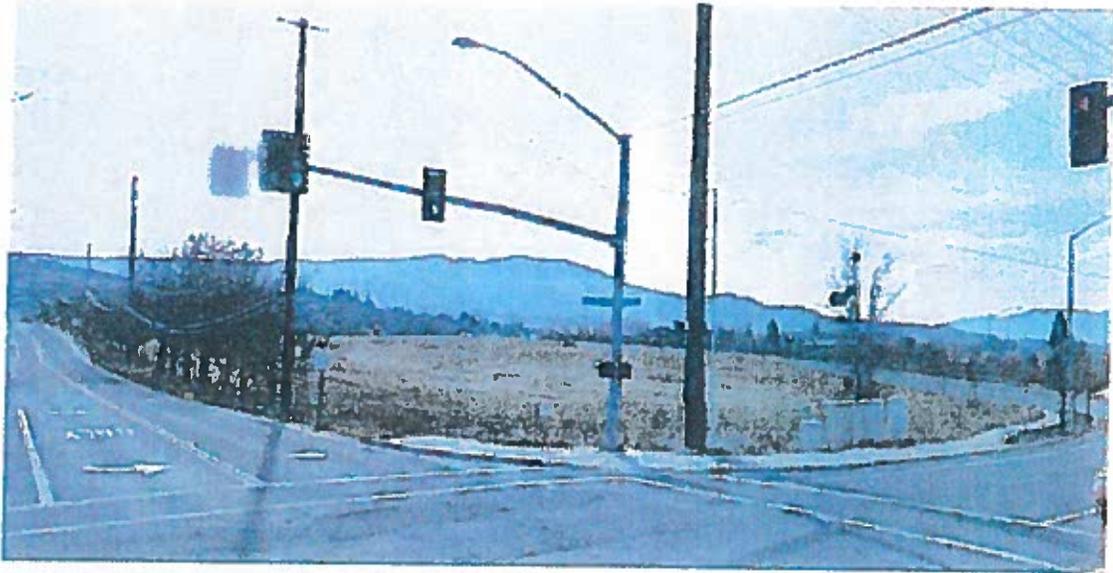
Photo ID
Number

Site Photos

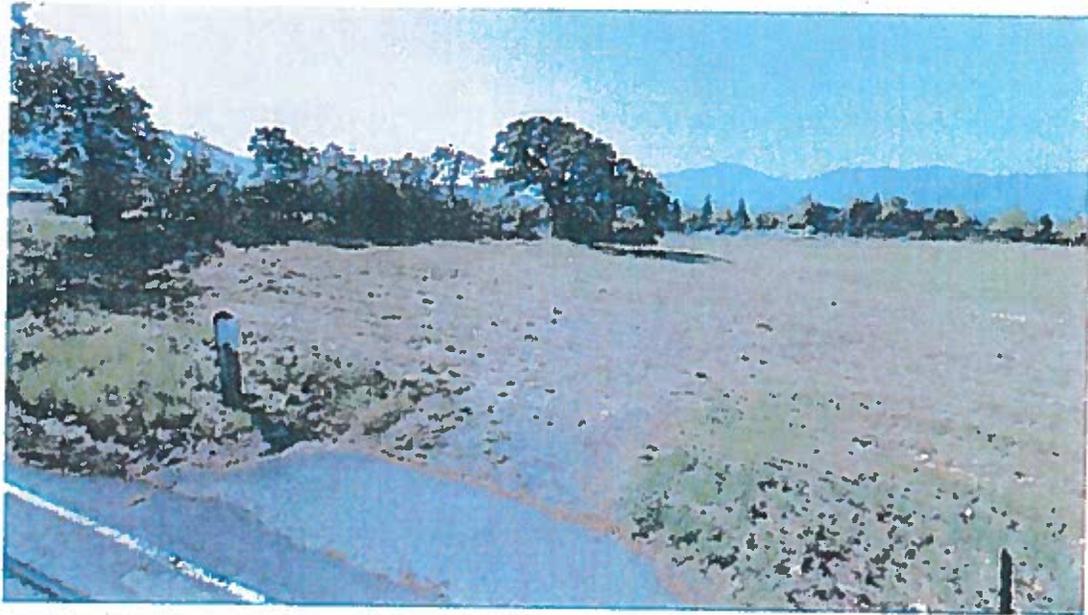
Zone Change
Cogswell Ltd. Partnership
37-1W-28A-3300



CSA Planning, Ltd.



3 Corner of Hillcrest Rd. and N. Phoenix Rd.



4 Hillcrest Rd. access

Legend

2 Photo ID Number

Site Photos

Zone Change
Cogswell Ltd. Partnership
37-1W-28A-3300



CSA Planning, Ltd

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 Subject Lot
 Tax Lots
 Contours 2-Foot

2016 Aerial

Topography Map

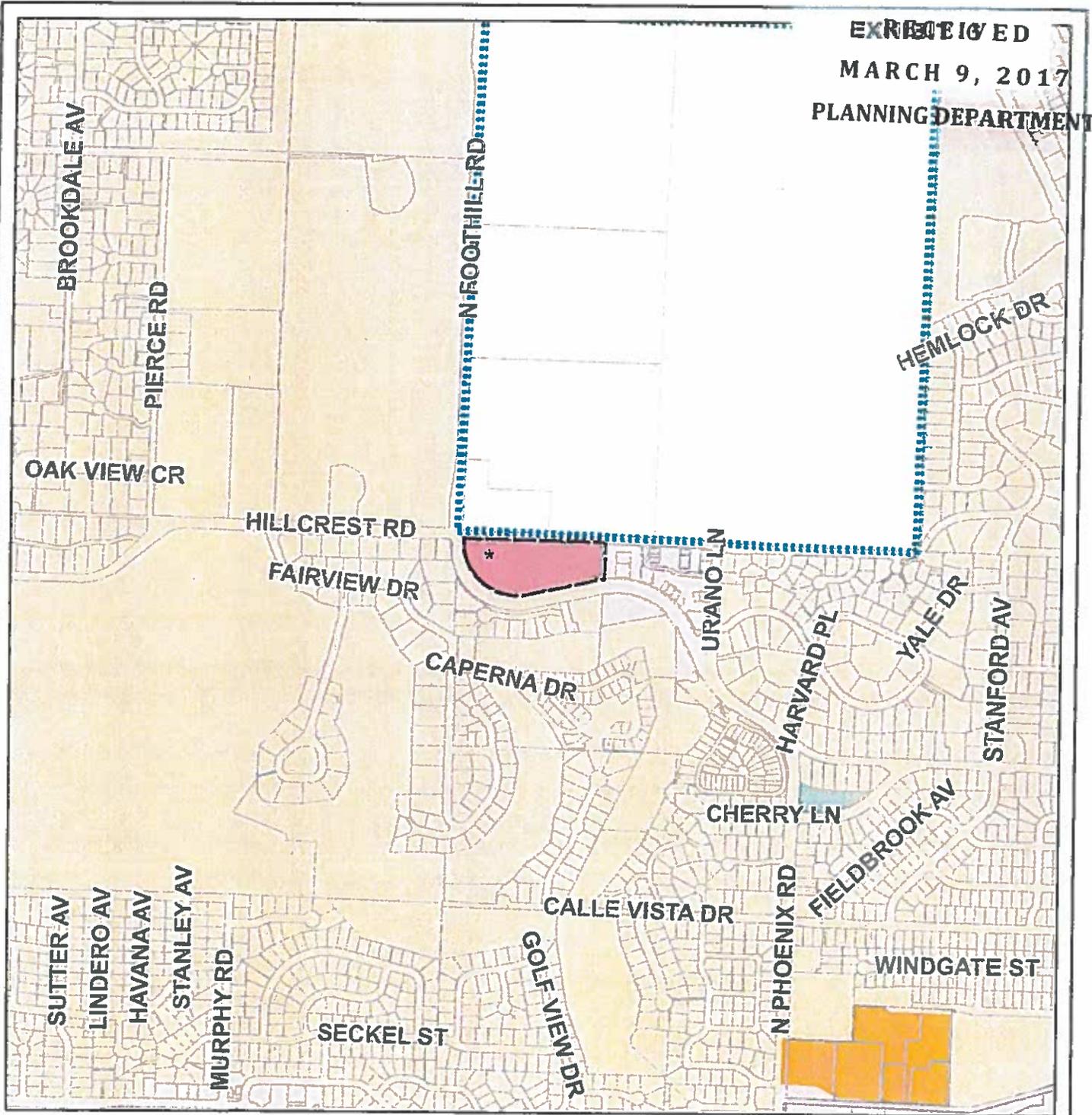
Cogswell Ltd. Partnership
37-1W-28A-3300



 CITY OF MEDFORD 
EXHIBIT # F
File # ZC-17-034

CSA Planning, Ltd.
01-16-2017 Source: CSA Planning, Ltd. Jackson County GIS; Medford GIS





GLUP	Subject
CM	Tax Lots
SC	
UH	
UM	
UR	* GLUP established by:
PS	Ord. no. 2014-154

Medford GLUP

Cogswell Ltd. Partnership
 37-1W-28A-3300



CSA Planning, Ltd.

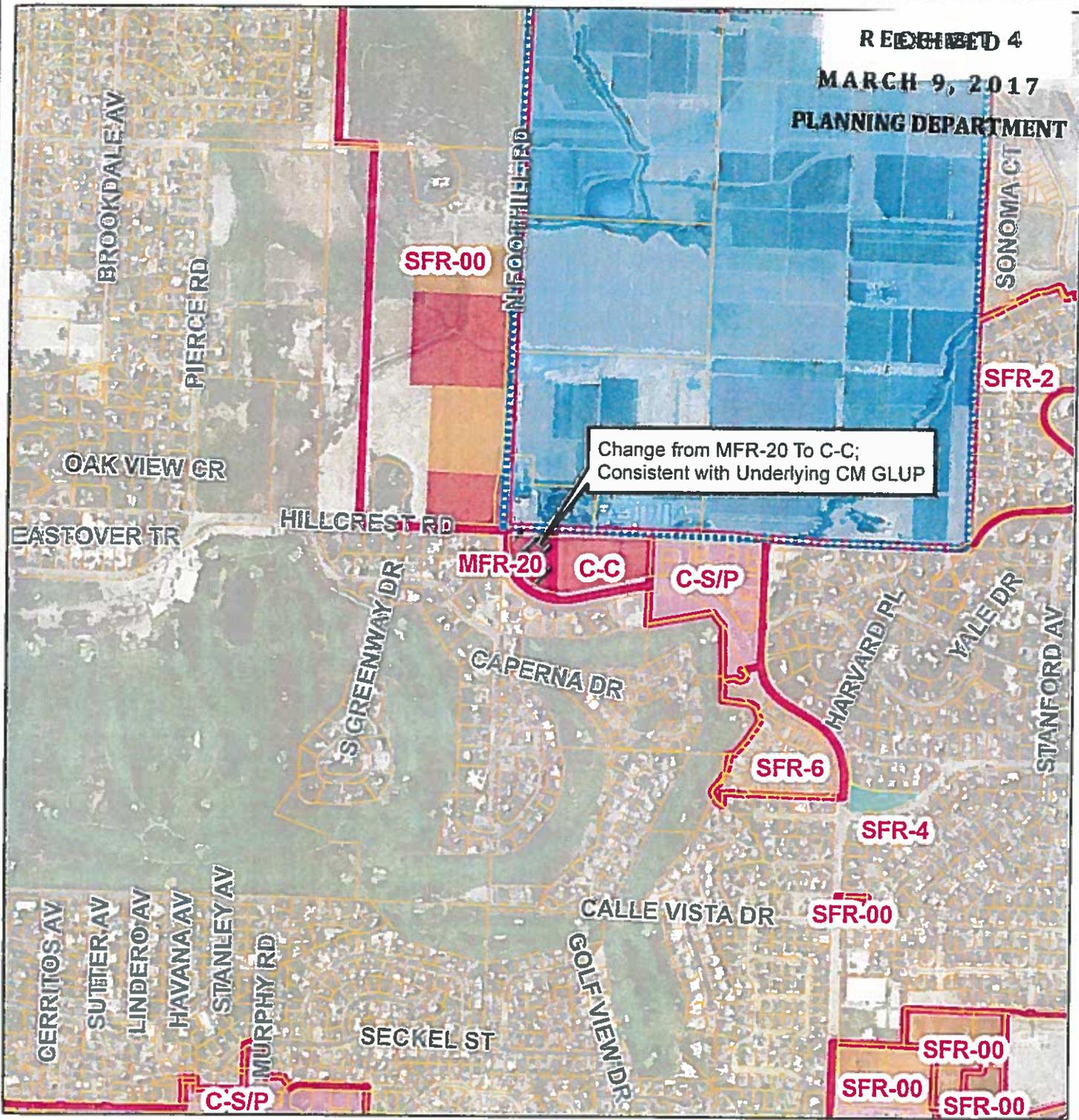


1 inch = 1,000 feet

1-27-2015 Source: CSA Planning, Ltd. CITY OF MEDFORD

EXHIBIT # F
File # ZC-17-034

12



Medford GLUP

	CM		Urban Growth Boundary
	SC		Tax Lots
	UH		Medford Zoning
	UM		Area of Proposed Zone Change To C-C **
	UR	** 2.2 Acre Portion of Lot 3300 3.14 Acre with R.O.W. Area	

Vicinity Map

Cogswell Ltd. Partnership
37-1W-28A-3300

2016 Aerial

0 1,000 Feet

1 inch = 1,000 feet

CSA Planning, Ltd.

01-10-2017 Source: CSA Planning, Ltd. Jackson County GIS, Medford GIS

CITY OF MEDFORD

EXHIBIT # 6

File # ZC-17-034

MARCH 9, 2017

PLANNING DEPARTMENT

Amendment	Cases by	New
2000	52	
2002	41	
2003	63	
2004	01	
2005	223	
2006	38	
2007	42	
2008	27	
2009	18	
2010	48	
2011	32	
2012	31	
2013	38	
2014	271	
2015	71	
2016	02	
2017	211	
2018	127	
2019	18	
2020	58	
2021	155	
2022	77	
2023	193	
2024	32	
2025	11	
2026	63	
2027	15	
2028	53	
2029	46	
2030	00	
2031	04	
2032	02	
2033	03	
2034	48	
2035	91	
2036	68	
2037	43	
2038	13	
2039	24	
2040	03	

UGBA

SAL map (Selected Amendment Locations)

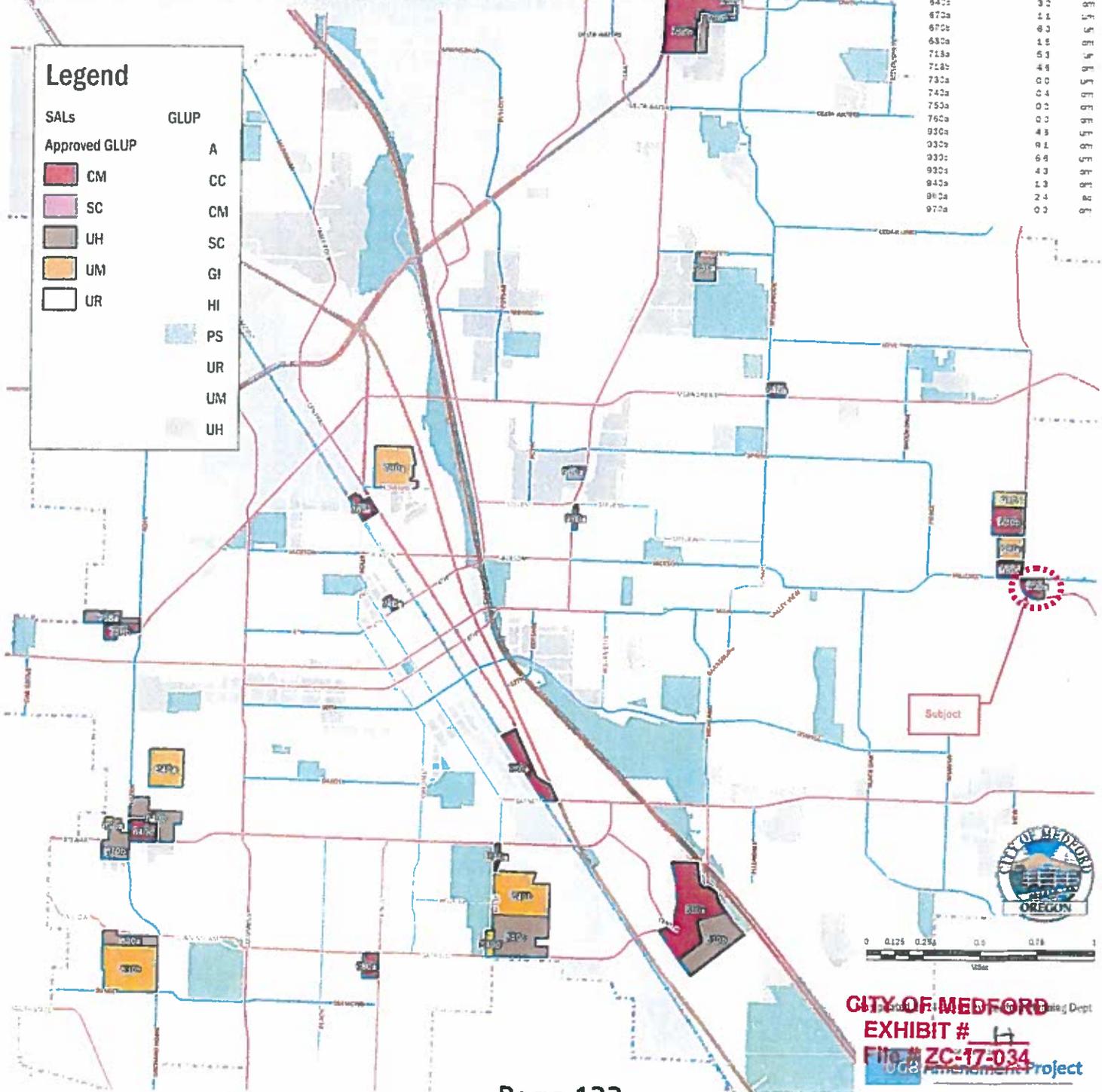
in GLUP context

City Council decision
Ord. no. 2014-154

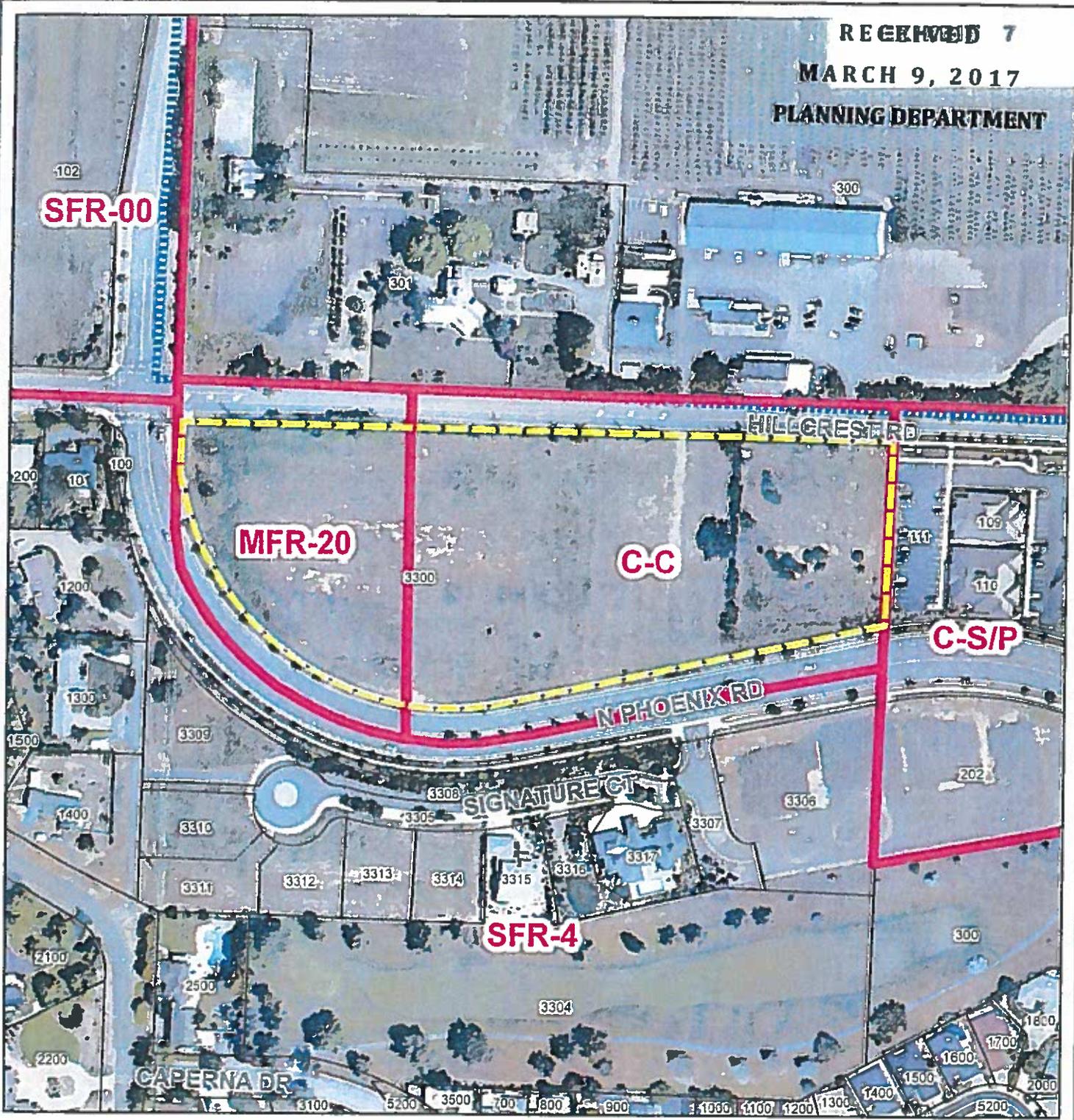
The "Selected Amendment Locations" (SALs) were approved for General Land Use Plan map changes by the Medford City Council on 4 December 2014. The SALs total about 500 acres.

Legend

SALS	GLUP
Approved GLUP	A
CM	CC
SC	CM
UH	SC
UM	GI
UR	HI
	PS
	UR
	UM
	UH



CITY OF MEDFORD
EXHIBIT # H
File # ZC-17-034
UGBA Amendment Project



 Subject
 Medford Zoning
 Tax Lots

2012 Aerial

Medford Zoning

Cogswell Ltd. Partnership
 37-1W-28A-3300

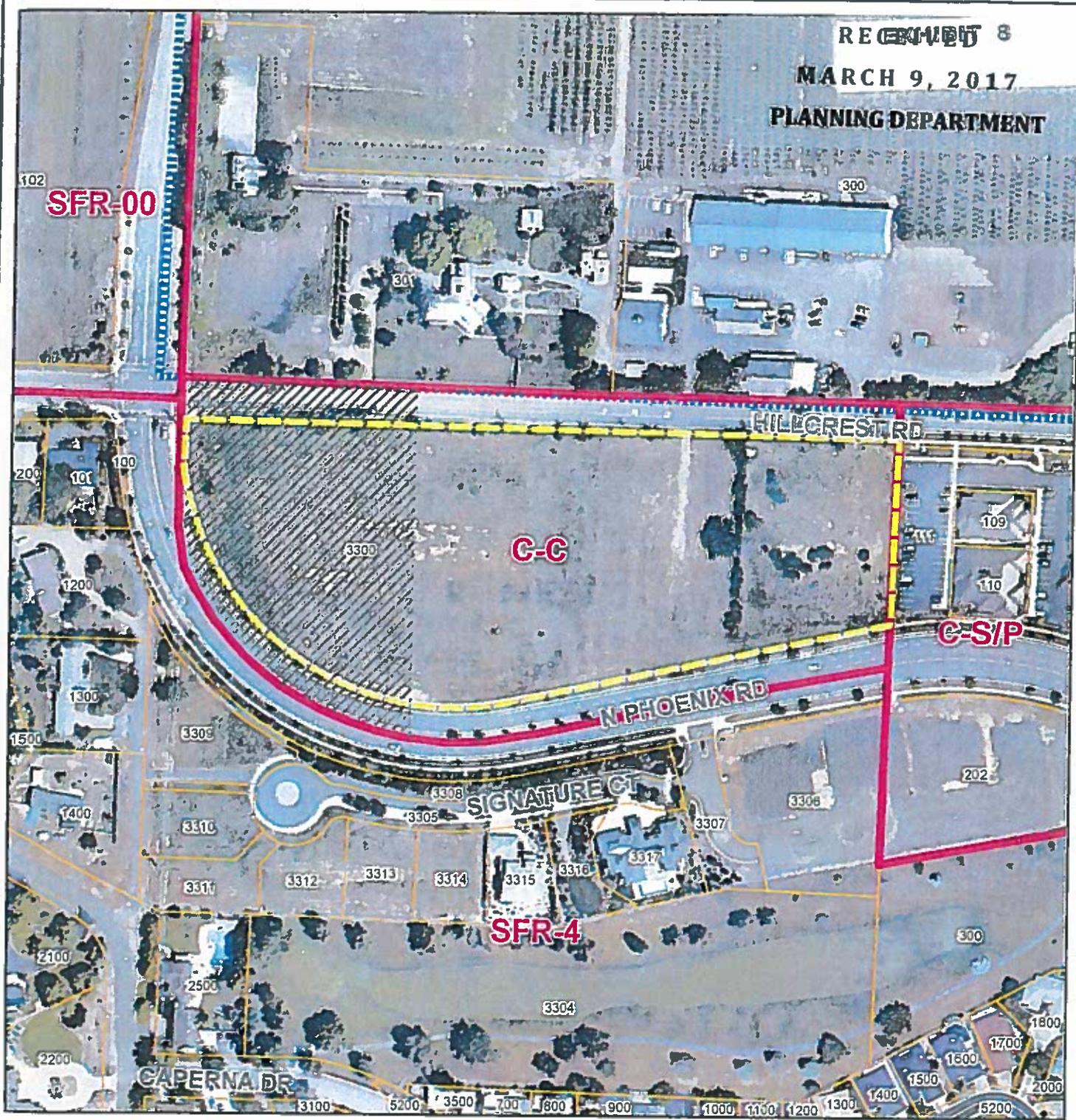


CSA Planning, Ltd.


CITY OF MEDFORD
EXHIBIT # 1
File # ZC-17-031

1-27-2015 Source: CSA Planning, L.P. back to front GIS, Medford GIS





 Subject Lot
 Proposed Zoning
 Area of Proposed Change
 Tax Lots

2012 Aerial

Proposed Zoning

Cogswell Ltd. Partnership
 37-1W-28A-3300


 CSA Planning, Ltd.

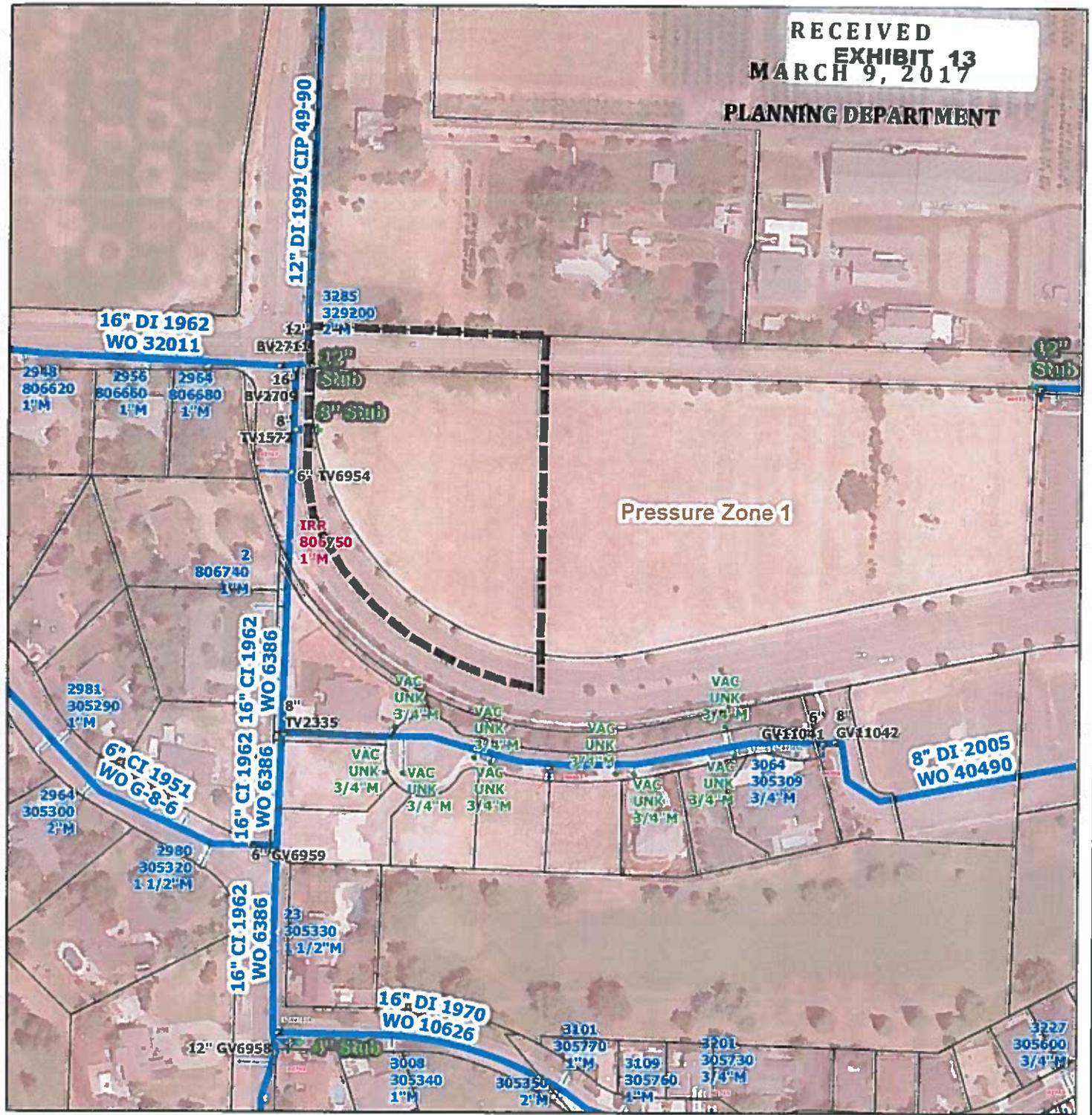

 CITY OF MEDFORD
 EXHIBIT #
 File # CG-2003 et

1-27-2015 Source: CSA Planning, Ltd. Jackson County GIS; Medford GIS

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EXHIBIT 13
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Water Main Lines

- ACTIVE
- LATERAL
- Water Service Lines
- Pressure Zone 1

Subject

Tax Lots

Medford Water Facilities

Zone Change
Cogswell Ltd. Partnership
37-1W-28A-3300



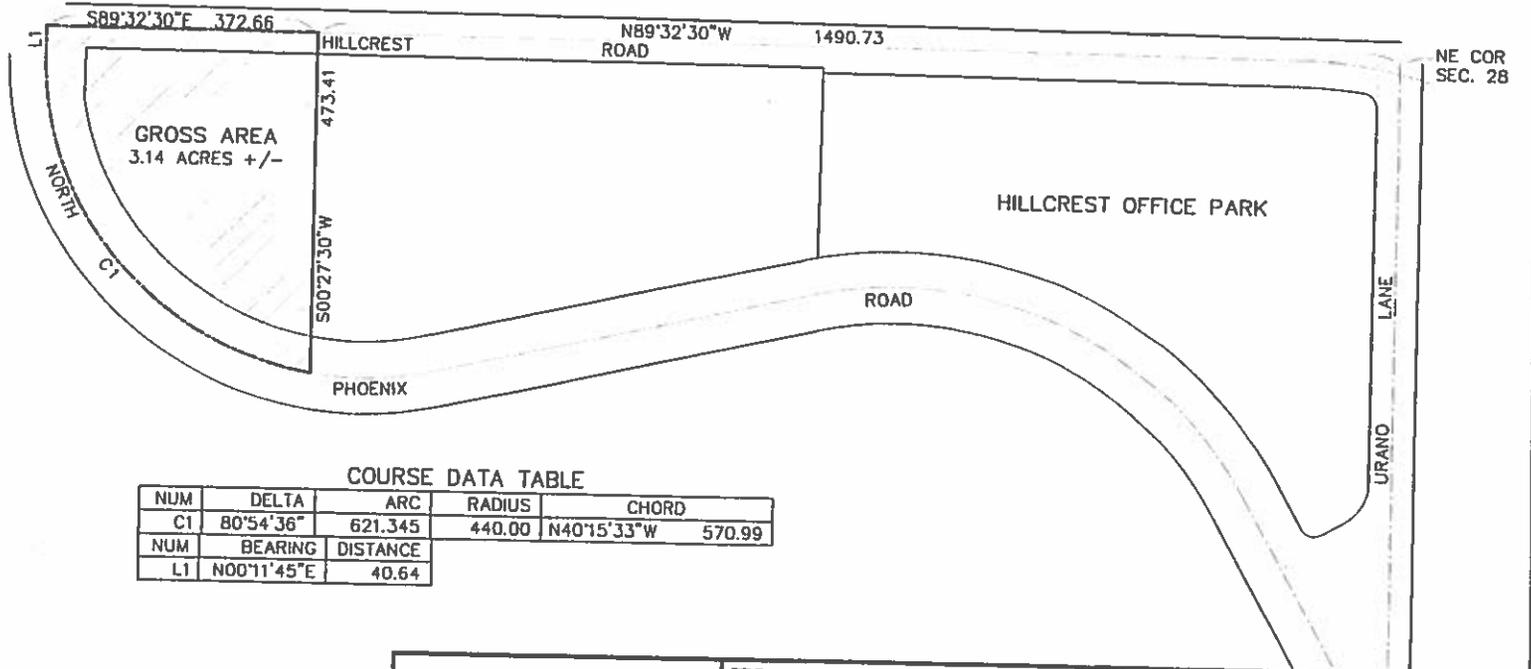
1 inch = 200 feet

CITY OF MEDFORD
EXHIBIT # K
File # ZC-170034 Aerial

CSA Planning, Ltd.

4-6-2016 Source: CSA Planning, Ltd. Jackson County GIS, Medford GIS

18



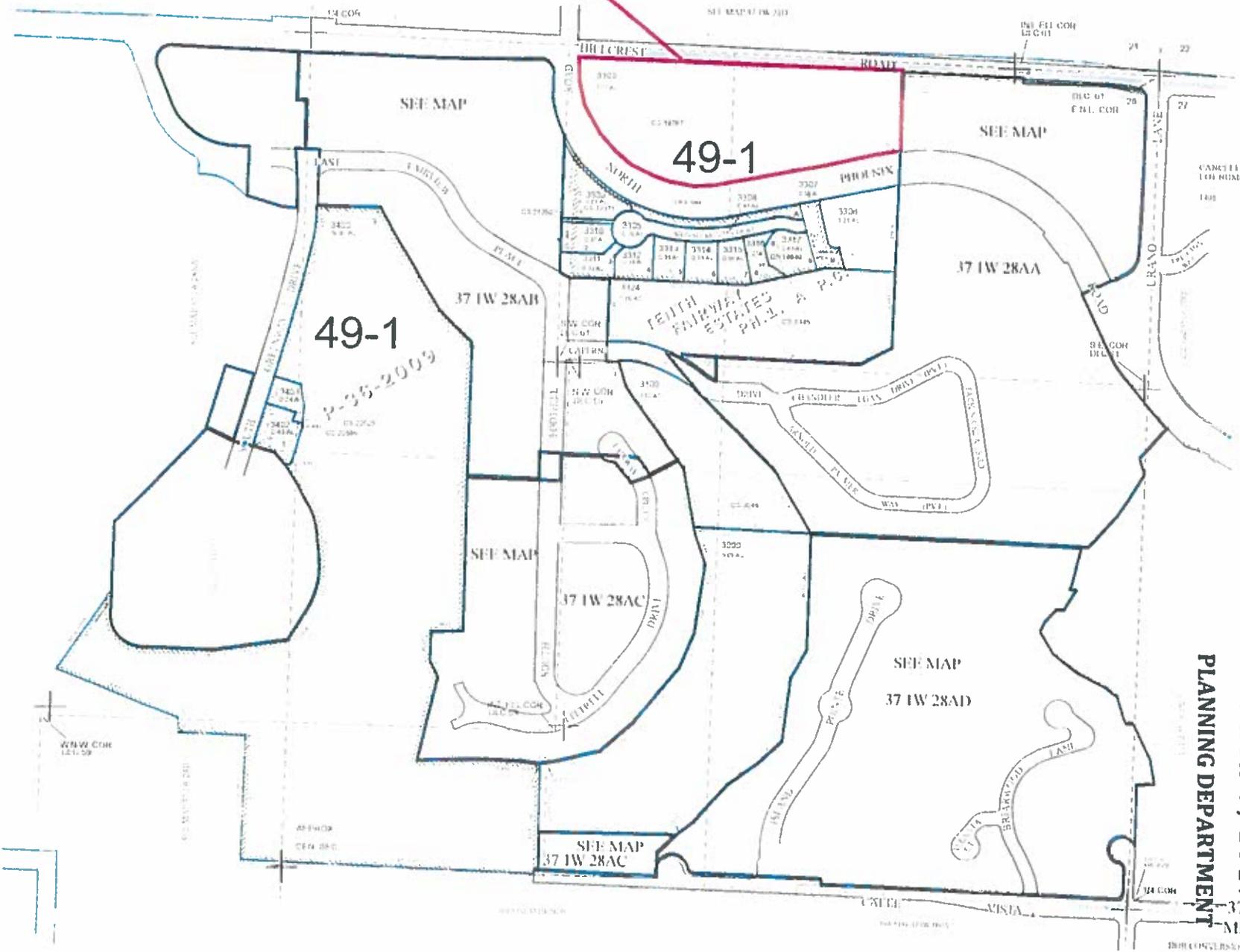
COURSE DATA TABLE

NUM	DELTA	ARC	RADIUS	CHORD
C1	80°54'36"	621.345	440.00	N40°15'33"W 570.99
NUM	BEARING	DISTANCE		
L1	N00°11'45"E	40.64		



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE: 6-30-17</p> <p>© L.J. FRIAR & ASSOCIATES, P.C. 2017</p>	<p>TITLE: GROSS AREA FOR TRAFFIC STUDY</p> <p>ASSESSOR'S MAP #: 371W28A TL3300</p> <p>FOR: HILLCREST CORPORATION 3285 HILLCREST ROAD MEDFORD, OR 97504</p>	<p>DATE: 18 JAN 2017</p> <p>SCALE: 1 inch = 200 feet</p> <p>DRAWN BY: JEH CHK BY:</p> <p>ORIGIN:</p> <p>ROTATION: 0° JOB#: 17103FM</p>
	<p>L.J. FRIAR & ASSOCIATES P.C. CONSULTING LAND SURVEYORS</p> <p>P.O. Box 1947, Phoenix, OR 97535 Phone: (541) 772-2782 Email: ljfriar@charter.net</p>	<p>Sheet 1 of 1.</p>

SUBJECT PROPERTY



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MARCH 9, 2017
PLANNING DEPARTMENT
37 1W 28A
MEDFORD

A



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 4/19/2017
File Number: ZC-17-034

PUBLIC WORKS DEPARTMENT STAFF REPORT **Zone Change – Hillcrest Rd at N Phoenix Rd** **(371W28A TL 3300)**

Project: Consideration of a request to rezone the westerly 2.20 acres of an existing 7.7 acre parcel.

Location: Located at the southeast corner of Hillcrest Road and N Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 Dwelling units per gross acre) to C-C (Community Commercial) (371W28A TL 3300)).

Applicant: Applicant, Cogswell Limited Partnership; Agent, CSA Planning Ltd.; Planner, Dustin Severs.

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 Category 'A' urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City's sewer service boundaries, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

This site lies within the City of Medford Sewer Service area. The proposed zoning to C-C has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has a **number of capacity constraints**, and based on this information the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitations, or the Developer make improvements to the downstream sanitary sewer system to alleviate the capacity constraints.

II. Storm Drainage Facilities

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 will 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

Public Works has received your traffic impact analysis report for the Cogswell zone change on the westerly 2.3 acres of parcel 271W28A3300, and have the following comments:

1. Page 5 – The report should specify a legally definable area that is subject to the zone change. This could be “the westerly 2.3 acres of parcel 271W28A3300” or a meets and bounds description.
2. Page 5 - Correct references: McAndrews is classified as a major arterial and is posted at 40 MPH east of Brookhurst.
3. Page 6 – Correct references; all streets listed are major collectors or major arterials. Valley view Dr. is a local street north of Hillcrest.
4. Page 13 – Recalculate the trip distribution; Per the municipal code and scoping letter, trip distribution shall be derived from analysis of existing traffic counts. Per figure 3, the distribution calculates as, EB 9%, WB 40%, NB 40% with no trips turning right onto Hillcrest, and SB 10%. This does not correspond to the data presented on page 12 or the existing counts. Per figure 2, Existing Conditions, the percentages at Hillcrest and N. Phoenix should be; EB 27%, WB 10%, NB 38% and SB 25% based on existing counts.
5. Page 11 – Correct percent split. Unless a specific use is expected, which should be listed in the report the entry/exit splits at PM peak hour should be approximately 50/50, based on shopping center splits in the Trip Generation Manual.
6. Page 12 – Correct the driveway assumption; Per Medford Municipal code section 10.550, access to the site will be limited to the existing access on the neighboring parcel via cross access easements unless an analysis is provided showing the benefits to the transportation system for additional accesses on either Hillcrest or N. Phoenix. We do not recommend access from N. Phoenix due to horizontal and vertical curvature of the roadway.
7. Page 17, Figure 6, Clarify caption; The figure title includes MFR-20 trips; there is no figure for CC trips. Traffic volumes correspond to SYNCHRO out-put sheets titled 2023 Planning Horizon, but with no description including CC or MFR trips.
8. Page 28 – The study may state that traffic signals will be constructed at the intersections of McAndrews & Foothill EB and McAndrews & Foothill WB as part of the funded Foothill Rd project whose limits are Hillcrest to McAndrews & Foothill WB.
9. Page 95, Page 100, page 105, and page 110 – Intersection 9, E Barnett Rd & N Phoenix Rd; Correct input; The eastbound left turn lane has a maximum storage length of 810 feet including 540 feet of pocket and 270 feet of center turn lane. The analysis shows a 95% queue length of 2,158 feet and a link distance of 1,873 feet.
10. Provide a figure showing the trip distribution for the development with the proposed trip cap.

11. The scoping letter was not included in the TIA and has expired. Attached please find a copy of the revised scoping letter provided for inclusion in the revised report.

Address the above comments and resubmit the report for approval.

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements may include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared 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.

P:\Staff Reports\CP, DCA, & ZC\ZC only\2017\ZC-17-034 SE Corner Hillcrest Rd & N Phoenix Rd (TL 3300)\ZC-17-034 Staff Report-L.D.docx

Page 3

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-17-034

PARCEL ID: 371W28A TL 3300

PROJECT: Consideration of a request to rezone the westerly 2.20 acres of an existing 7.7 acre parcel located at the southeast corner of Hillcrest Road and N Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 Dwelling units per gross acre) to C-C (Community Commercial) (371W28A TL 3300) Applicant, Cogswell Limited Partnership; Agent, CSA Planning Ltd.; Planner, Dustin Severs

DATE: April 19, 2017

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

COMMENTS

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 MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does not exist to this property.
7. Access to MWC water lines for connection is available. There is an existing 12-inch water line in Hillcrest Road near the northeast property corner. There is also an 8-inch water line stubbed to the west property line of this parcel along N Phoenix Road, approximately 90-foot south of Hillcrest Road. (See attached Water Facility Map)



Page 143



0 37.5 75 150 Feet
Scale: 1"=150'

Water Facility Map for ZC-17-034

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



This map is based on a digital orthophoto provided by Medford Water. Medford Water is not responsible for any errors or omissions. Medford Water disclaims any liability for any damages or losses resulting from the use of this map. © Medford Water 2017. All rights reserved.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Dustin Severs

LD Meeting Date: 04/19/2017

From: Fire Marshal Kleinberg

Report Prepared: 04/07/2017

File #: ZC - 17 - 34

Site Name/Description:

Consideration of a request to rezone the westerly 2.20 acres of an existing 7.7 acre parcel located at the southeast corner of Hillcrest Road and N Phoenix Road, plus 0.94 acres of adjacent right-of-way, from MFR-20 (Multiple-Family, 20 Dwelling units per gross acre) to C-C (Community Commercial) (371W28A TL 3300)

DESCRIPTION OF CORRECTIONS	REFERENCE
<u>Approved as Submitted</u> Meets Requirement: No Additional Requirements	

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

Dustin J. Severs

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Friday, April 07, 2017 1:21 PM
To: Dustin J. Severs
Subject: ZC-17-034 - ODA Comments

Dustin:

Thank you for allowing ODA to comment on the proposed zone change located at Hillcrest Rd & N Phoenix Rd. ODA has reviewed the zone change and have the following comments:

The site is located approximately 3.25 miles SE of the Rouge Valley Int'l airport. Although this is a zone change application for future development ODA finds that the zone change will not cause a hazard to air navigation nor will any future developments cause a hazard to air navigation due to both distance and existing topographical features and development. Therefore, no FAA Form 7460-1 will be required.

Thank you again, please feel free to contact me if you or the applicant have any questions.

Jeff

Jeff Caines, AICP
Oregon Department of Aviation
Aviation Planner / SCIP Coordinator
3040 25th St. SE | Salem, OR 97302
Office: [503.378.2529](tel:503.378.2529)
Cell / Text: [503.507.6965](tel:503.507.6965)
Email: Jeff.Caines@aviation.state.or.us

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CITY OF MEDFORD

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION 200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552
RECEIVED

March 29, 2016

MAR 29 2016

Lancaster Engineering
321 SW 4th Ave., Suite 400
Portland, OR 97204

PLANNING DEPT.

Changing zoning from Multi Family Residential 20 units per acre (MFR-20) to Community Commercial (C-C) on Township 37 Range 1W Section 28A tax lot 3300, totaling approximately 7.77 acres (approximately 3.25 developable acres), will require a traffic impact analysis (TIA) to determine project impacts to the transportation system. The existing MFR-20 zoning is expected to generate 432 ADT. The C-C zone would generate 4,875 ADT. The difference between these two proposals is 4,443 ADT, which exceeds 250 ADT, which is the code standard beyond which a TIA is required. The analysis must be prepared by a licensed engineer in the State of Oregon and follow our current TIA methodology. The general format is as follows and pertains to City of Medford and Jackson County facilities that involve collector and arterial streets. ODOT facilities should be addressed with ODOT using ODOT criteria.

1. A TIA should always analyze the potential traffic generation of a parcel(s) with the following exceptions:
 - a. A Planned Unit Development (PUD) is being proposed with a site plan that the traffic analysis will be based on and stipulated to.
 - b. The potential traffic generation of the parcel(s) cannot be supported by the transportation facilities and a stipulation (trip cap) is being proposed.
2. All trip distributions into and out of the transportation system must reflect existing traffic count data for consistency or follow the current transportation model used by the City. If alternate splits are used to distribute traffic, then justification must be provided and approved by the Public Works Director prior to first submittal of the TIA.
3. Any intersection where the proposed development can be expected to contribute 25 or more trips during the analysis peak period shall be analyzed. Intersections having less than 25 peak period trips are not substantially impacted and will not be included in the study area.
4. Pipeline traffic must be considered into the existing count data before the impacts of project traffic are evaluated. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all necessary pipeline information within one week.
5. The TIA shall determine all improvements or mitigation measures necessary to maintain facility adequacy at study area intersections. Mitigation measures may include stipulations and/or construction of necessary transportation improvements and shall be required to bring

CITY OF MEDFORD
EXHIBIT # R
File # ZC-17-034

transportation facilities operate to an acceptable level of service (LOS) with the addition of project traffic.

6. Peak period turning movement counts must be at least two-hour minimums and capture the peak period. Counts must be less than two years old and adjusted to the design year of the project. A seasonal traffic adjustment is required on study area streets if counts were not prepared during the peak period of the year and count data shows a 10% increase in traffic volumes.
7. All LOS analyses shall follow operational procedures per the current Highway Capacity Manual. Ideal saturation flow rates greater than 1800 vehicles per hour per lane should not be used unless otherwise measured in the project vicinity. Queue lengths shall be calculated at the 95th percentile where feasible. A peak hour factor of 1.0 should be used for each movement or lane group in the analysis.
8. Unsignalized intersections shall be evaluated for signal warrants if the level of service (LOS) is determined to be below standard minimums. Channelization requirements, such as left and right turn lanes, shall also be evaluated where failing facilities are identified and none are currently provided.
9. Signalized intersection analyses shall be in accordance with the City's timing sheets. Analyses will follow either pre-timed, actuated-coordinated, or actuated-uncoordinated timing plans, as applicable to each location. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all timing information within one week.
10. Comprehensive Plan Amendment application requires a Year 2023 analysis that includes an analysis of the TSP project list. If additional projects are required, then a financial analysis shall also be included. The Zone Change application shall include Year of Build analysis and mitigation.
11. This scoping letter shall be included as an appendix in the initial study and subsequent revisions.
12. This scoping letter and any traffic impact analysis will expire after 180 days. It is the applicant's responsibility to resubmit the scoping letter request if the traffic impact analysis is not submitted during 180 days period.

The City's complete TIA methodology can be found in the Medford Land Development Code, section 10.461. Any TIA that is not in accordance with this methodology will be returned to the applicant without review. If you have any questions, feel free to contact me at 774-2121

Sincerely,


Peter Mackprang
Associate Traffic Engineer

Cc: Alex Georgevitch, Transportation Manager
Planning Department



RECEIVED

MAR 21 2017

PLANNING DEPT.

Continuous Improvement Customer Service

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

CITY OF MEDFORD
200 SOUTH IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us

TELEPHONE (541) 774-2100
FAX (541) 774-2552

March 21, 2017

Lancaster Engineering
321 SW 4th Ave; Suite 400
Portland, OR. 97204

We have received your traffic impact analysis report for the Cogswell zone change on the westerly 2.3 acres of parcel 271W28A3300, and have the following comments:

1. Page 5 – The report should specify a legally definable area that is subject to the zone change. This could be “the westerly 2.3 acres of parcel 271W28A3300” or a meets and bounds description.
2. Page 5 - Correct references: McAndrews is classified as a major arterial and is posted at 40 MPH east of Brookhurst.
3. Page 6 – Correct references; all streets listed are major collectors or major arterials. Valley view Dr. is a local street north of Hillcrest.
4. Page 13 – Recalculate the trip distribution; Per the municipal code and scoping letter, trip distribution shall be derived from analysis of existing traffic counts. Per figure 3, the distribution calculates as, EB 9%, WB 40%, NB 40% with no trips turning right onto Hillcrest, and SB 10%. This does not correspond to the data presented on page 12 or the existing counts. Per figure 2, Existing Conditions, the percentages at Hillcrest and N. Phoenix should be; EB 27%, WB 10%, NB 38% and SB 25% based on existing counts.
5. Page 11 – Correct percent split. Unless a specific use is expected, which should be listed in the report the entry/exit splits at PM peak hour should be approximately 50/50, based on shopping center splits in the Trip Generation Manual.
6. Page 12 – Correct the driveway assumption; Per Medford Municipal code section 10.550, access to the site will be limited to the existing access on the neighboring parcel via cross access easements unless an analysis is provided showing the benefits to the transportation system for additional accesses on either Hillcrest or N. Phoenix. We do not recommend access from N. Phoenix due to horizontal and vertical curvature of the roadway.
7. Page 17, Figure 6, Clarify caption; The figure title includes MFR-20 trips; there is no figure for CC trips. Traffic volumes correspond to SYNCHRO out-put sheets titled 2023 Planning Horizon, but with no description including CC or MFR trips.
8. Page 28 – The study may state that traffic signals will be constructed at the intersections of McAndrews & Foothill EB and McAndrews & Foothill WB as part of the funded Foothill Rd project whose limits are Hillcrest to McAndrews & Foothill WB.
9. Page 95, Page 100, page 105, and page 110 – Intersection 9, E Barnett Rd & N Phoenix Rd; Correct input; The eastbound left turn lane has a maximum storage length of 810 feet including 540 feet of pocket and 270 feet of center turn lane.

The analysis shows a 95% queue length of 2,158 feet and a link distance of 1,873 feet.

10. Provide a figure showing the trip distribution for the development with the proposed trip cap.
11. The scoping letter was not included in the TIA and has expired. Attached please find a copy of the revised scoping letter provided for inclusion in the revised report.

Address the above comments and resubmit the report for approval.

If you have questions, please contact me at (541) 774-2121.

Sincerely,


Peter Mackprang
Associate Traffic Engineer



Continuous Improvement Customer Service

CITY OF MEDFORD

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501
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TELEPHONE (541) 774-2100
FAX (541) 774-2552

March 21, 2017

Lancaster Engineering
321 SW 4th Ave., Suite 400
Portland, OR 97204

Changing zoning from Multi Family Residential 20 units per acre (MFR-20) to Community Commercial (C-C) on a portion of Township 37 Range 1W Section 28A tax lot 3300, totaling approximately 7.77 acres (approximately 2.23 acres affected by the zone change), will require a traffic impact analysis (TIA) to determine project impacts to the transportation system. The existing MFR-20 zoning is expected to generate 297 ADT. The C-C zone would generate 3,345 ADT. The difference between these two proposals is 4,048 ADT, which exceeds 250 ADT, which is the code standard beyond which a TIA is required. The analysis must be prepared by a licensed engineer in the State of Oregon and follow our current TIA methodology. The general format is as follows and pertains to City of Medford and Jackson County facilities that involve collector and arterial streets: (ODOT facilities should be addressed with ODOT using ODOT criteria.)

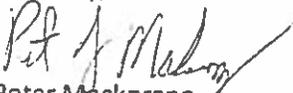
1. A TIA should always analyze the potential traffic generation of a parcel(s) with the following exceptions:
 - a. A Planned Unit Development (PUD) is being proposed with a site plan that the traffic analysis will be based on and stipulated to.
 - b. The potential traffic generation of the parcel(s) cannot be supported by the transportation facilities and a stipulation (trip cap) is being proposed.
2. All trip distributions into and out of the transportation system must reflect existing traffic count data for consistency or follow the current transportation model used by the City. If alternate splits are used to distribute traffic, then justification must be provided and approved by the Public Works Director prior to first submittal of the TIA.
3. Any intersection where the proposed development can be expected to contribute 25 or more trips during the analysis peak period shall be analyzed. Intersections having less than 25 peak period trips are not substantially impacted and will not be included in the study area.
4. Pipeline traffic must be considered into the existing count data before the impacts of project traffic are evaluated. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all necessary pipeline information within one week.
5. The TIA shall determine all improvements or mitigation measures necessary to maintain facility adequacy at study area intersections. Mitigation measures may include stipulations and/or construction of necessary transportation improvements and shall be required to bring

transportation facilities operate to an acceptable level of service (LOS) with the addition of project traffic.

6. Peak period turning movement counts must be at least two-hour minimums and capture the peak period. Counts must be less than two years old and adjusted to the design year of the project. A seasonal traffic adjustment is required on study area streets if counts were not prepared during the peak period of the year and count data shows a 10% increase in traffic volumes.
7. All LOS analyses shall follow operational procedures per the current Highway Capacity Manual. Ideal saturation flow rates greater than 1800 vehicles per hour per lane should not be used unless otherwise measured in the project vicinity. Queue lengths shall be calculated at the 95th percentile where feasible. Peak hour factors shall be assumed to be 1.00 for all analysis.
8. Unsignalized intersections shall be evaluated for signal warrants if the level of service (LOS) is determined to be below standard minimums. Channelization requirements, such as left and right turn lanes, shall also be evaluated where failing facilities are identified and none are currently provided.
9. Signalized intersection analyses shall be in accordance with the City's timing sheets. Analyses will follow either pre-timed, actuated-coordinated, or actuated-uncoordinated timing plans, as applicable to each location. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all timing information within one week.
10. Comprehensive Plan Amendment application, including a Zone Change, requires a Year 2023 analysis that includes an analysis of the TSP project list. If additional projects are required, then a financial analysis shall also be included. The application shall also include Year of Build analysis and mitigation.
11. This scoping letter shall be included as an appendix in the initial study and subsequent revisions.
12. This scoping letter and any traffic impact analysis will expire after 180 days. It is the applicant's responsibility to resubmit the scoping letter request if the traffic impact analysis is not submitted during 180 days period.

The City's complete TIA methodology can be found in the Medford Land Development Code, section 10.461. Any TIA that is not in accordance with this methodology will be returned to the applicant without review. If you have any questions, feel free to contact me at 774-2121

Sincerely,



Peter Mackprang

Associate Traffic Engineer

Cc: Karl MacNair, Transportation Manager
Planning Department

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CITY OF MEDFORD

**COGSWELL ZONE CHANGE
TRAFFIC IMPACT STUDY**

MEDFORD, OREGON

DATE:
June 6, 2017

PREPARED FOR:
Michael Savage, Associate
CSA Planning Ltd.

PREPARED BY:
Daniel Stumpf, EI
Todd E. Mobley, PE



RENEWS: 12/31/18



**LANCASTER
ENGINEERING**

321 SW 4th Ave., Suite 400 | Portland, OR 97204 | 503.248.0313 | lancasterengineering.com

**CITY OF MEDFORD
EXHIBIT # I
File # ZC-17-034**

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EXECUTIVE SUMMARY

1. The proposed Cogswell Zone Change seeks to modify the existing zoning of the westerly 2.2-acre (net) section of a property, identified in the records of the Jackson County Assessor as tax lot 3300 in Township 37 South Range 1 West in Section 28A (371W28A3300), from *Multiple-Family Residential – 20 Dwelling Units per Gross Acre* (MFR-20) to *Community Commercial* (C-C). The area proposed for a change in zoning is located north and east of N Phoenix Road and south of Hillcrest Road in Medford, Oregon.
2. The trip generation calculations show that the subject property under existing MFR-20 zoning could generate up to 33 morning peak hour, 40 evening peak hour, and 432 weekday trips. Under C-C zoning, the conservative trip generation rate provided by the City that represents the reasonable worst-case development scenario estimates approximately 345 peak hour trips and 3,450 weekday trips. The net change in potential trip generation as a result of the zone change shows an increase of 312 morning peak hour trips, 305 evening peak hour trips, and 3,018 weekday trips.
3. Based on the results of the operational analysis the following three study intersections are not projected to meet the minimum City of Medford intersection performance standards:
 - a. Valley View Drive at Hillcrest Road;
 - b. Pierce Road at Hillcrest Road;
 - c. E Barnett Road at N Phoenix Road.
4. All other study intersections are currently operating acceptably per the City of Medford standards and are projected to continue operating acceptably through year 2023 either with or without the addition of potential zone change trips under existing zoning
5. Study-area intersections that do not meet City of Medford operational standards are projected to not meet standards during the 2023 planning horizon, even under existing zoning. Therefore, a trip cap will be stipulated to as part of the zone change. Regarding capacity and queuing, no mitigations are necessary or recommended as part of the proposed zone change aside from the trip cap conditioned on the section of the property currently zoned as MFR-20.
6. According to section 10.461 of the City of Medford's Municipal Code, a mitigation plan, which may include stipulations and/or construction of necessary transportation improvements, is required if impacts to study intersections reduce LOS to levels below acceptable minimum City of Medford performance standards. The section of the property currently zoned as MFR-20 could generate an additional 760 average daily trips, or 76 evening peak hour trips, over the reasonable worst-case development trip generation under MFR-20 zoning before the 25 evening peak hour trip impact threshold is met at the nearest intersection that does not meet City of Medford capacity standards. Therefore, the trip cap on the section of property proposed for rezoning will be 760 average daily trips over the current MFR-20 zone.
7. Based on the Transportation Planning Rule analysis, the proposed zone change is expected to degrade the performance of transportation facilities projected to fail within the City of Medford's

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Transportation System Plan (TSP). However, if a trip cap is conditioned on the rezoned section of the property to limit the development potential to what would otherwise be allowed in the current zone by City of Medford code, the proposed zone change will not significantly degrade the performance of any existing or planned transportation facilities that would otherwise not meet performance standards beyond what is allowed per City of Medford code. Therefore, the Transportation Planning Rule is satisfied.

8. Based on the most recent five years of crash data, no significant safety hazards were identified at any of the study intersections. Accordingly, no mitigation related to intersection safety is necessary or recommended.
9. Traffic signal warrants are triggered at the intersection of Foothill Road at the E McAndrews eastbound ramps under existing conditions per *Condition B – Interruption of Continuous Traffic* and a *Combination Warrant* (utilizing 70 percent standard warrants due to a posted speed in excess of 40 mph). This intersection is identified in the TSP for future signalization. With the proposed trip cap, no other mitigation is necessary. No other unsignalized study intersections are projected to trigger signal warrants under any of the analysis scenarios.



MEMORANDUM

Date: June 28, 2017

To: Doug Burroughs, Development Services Manager
Daniel Stumpf, Lancaster Engineering
Mike Savage, CSA Planning Ltd.

From: Peter Mackprang, Associate Traffic Engineer

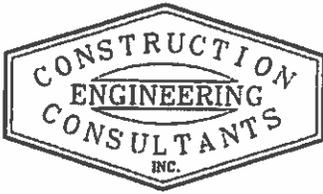
Subject: Cogswell Zone Change ZC-17-034

Public Works received a Traffic Impact Report from Lancaster Engineering, dated February 6, 2017, and an addendum dated June 6, 2017 titled, "Cogswell Zone Change Traffic Impact Study" for the property bounded by N. Phoenix Rd, Hillcrest, and Urano Ln . The report studies the impact of a zone change from MFR-20 to C-C on 2.2 acres of the 7.7 acre site, (the remainder is already zoned C-C). The report studies facility adequacy on the surrounding street system.

The report shows that several intersections in the study area are or will be at LOS E during the study period. As a result the potential trip generation for the proposed zone change cannot be supported without mitigation. The developer has elected to stipulate to a trip cap in lieu of mitigation. The 2.2 acres of the development considered for zone change can generate 1,192 daily trips before critical intersections receive 25 P.M. peak hour trips. The existing zoning on 5.5 acres has the potential to generate 8,205 daily trips. The developer has offered to stipulate to a trip cap over the entire property of 9,397 daily trips.

Traffic Engineering recommends approval of the zone change from MFR-20 to C-C on the westerly 2.2 acres of parcel 371W28A3300 contingent upon the following conditions:

1. The developer shall stipulate to a trip cap of 9,397 daily trips over the entire 7.7 acres until such time as a traffic impact analysis is approved and showing that the transportation system can support additional trips without intersections exhibiting deficient levels of service. As development occurs, a trip accounting shall be provided by the developer for approval by the City detailing the trips expected to be generated by each use in the development.
2. Access to the site shall comply with Medford municipal code section 10.550 and shall be limited to Hillcrest Rd. Access will not be allowed directly from the property to/from N. Phoenix Rd
3. Driveways accessing the street system shall comply with Medford code section 10.735.



P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268 • FAX (541) 779-3139

June 16, 2017

CSA Planning, Ltd
ATTN: Mike Savage
4497 Brownridge, Suite 101
Medford, Oregon 97504

RE: Cogswell Ltd. Partnership, (Hillcrest Orchards) Property Sanitary Sewer Study

Dear Mr. Savage,

The purpose of this study is to analyze the Hillcrest Orchards property and the potential capacity impacts to the existing sewer system as a result of the proposed comprehensive plan amendment zone change from Urban Residential (MFR-20) to Service Commercial (C-C). The study area is located southeast corner of the intersection of Hillcrest Road and North Foothill Road. The site is comprised of 3.14 acres of gross area and 2.2 acres of net area. A portion of Tax Lot No. 3300 as seen in map 37-1W-28A; see attached map A.1 for location and sanitary sewer flow route.

The sewer analysis was performed using the current City of Medford Sanitary Sewer Master Plan (2005) and City supplied data. The study was conducted on the existing sanitary sewer system downstream of the Hillcrest Orchard property. All flows generated are based on full build-out of the flow basin. As specified in the City's Sanitary Sewer Master Plan, commercial properties are to use a flow factor of 1700gal/acre/day to determine the anticipated sewer flows.

Sewer model analysis was run with the "Pre-Zone Change" flows and the "Post-Zone Change" flows. The analysis shows that the proposed zone change will reduce flow from this property. The "Pre-Zone Change" basin flow is anticipated to be 21.56 gallons per minute and the "Post-Zone Change" basin flow is anticipated to be 4.13 gallons per minute. The proposed zone change will reduce the hydraulic grade line (HGL) during the prescribed peak (5-year) event. The analysis of the existing system using the City provided data shows no surcharging areas downstream of the Hillcrest Orchard property to the outlet into the RVSS Trunk Main at the intersection of Barnett Road and Alba Drive.

Medford has adopted standards designed to ensure that key public facilities (including sanitary sewer) are available and adequate as a prerequisite to plan or zone changes. The sanitary sewer standard is expressed in Goal 2, Policy 2(A) which states that sanitary sewers are considered adequate if they are consistent with the applicable sewer plan document. Under the terms of the Medford Sanitary Sewer Master Plan (2005), the sanitary sewers that serve this property are adequate.

Please see the enclosed calculations and reference material from the City of Medford Sanitary Sewer Master Plan (2005).

Sincerely,

Tony Bakke, P.E.
Construction Engineering Consultants, Inc.



EXPIRES:

CITY OF MEDFORD
EXHIBIT # V
File # ZC-17-034

Flow Summary Estimate for Sewer Basin I

Land Use Unit Flow Factors

Land Use	Flow
Commercial	1,700 gpad
Industrial	1,000 gpad
*MFR	180 gpd
*SFR	200 gpd
*Inflow & Infiltration	1000 gpad

These factors are from the 2005 City of Medford Sanitary Sewer Master Plan, Ch.2 Table 2-5

* Note: Adjusted or provided by the City Utility Engineer

- Gallons per acre per day (gpac)
- Gallons per day per dwelling unit (gpd)
- SFR Population 2.5 people per Dwelling
- MFR Population 2.2 people per Dwelling

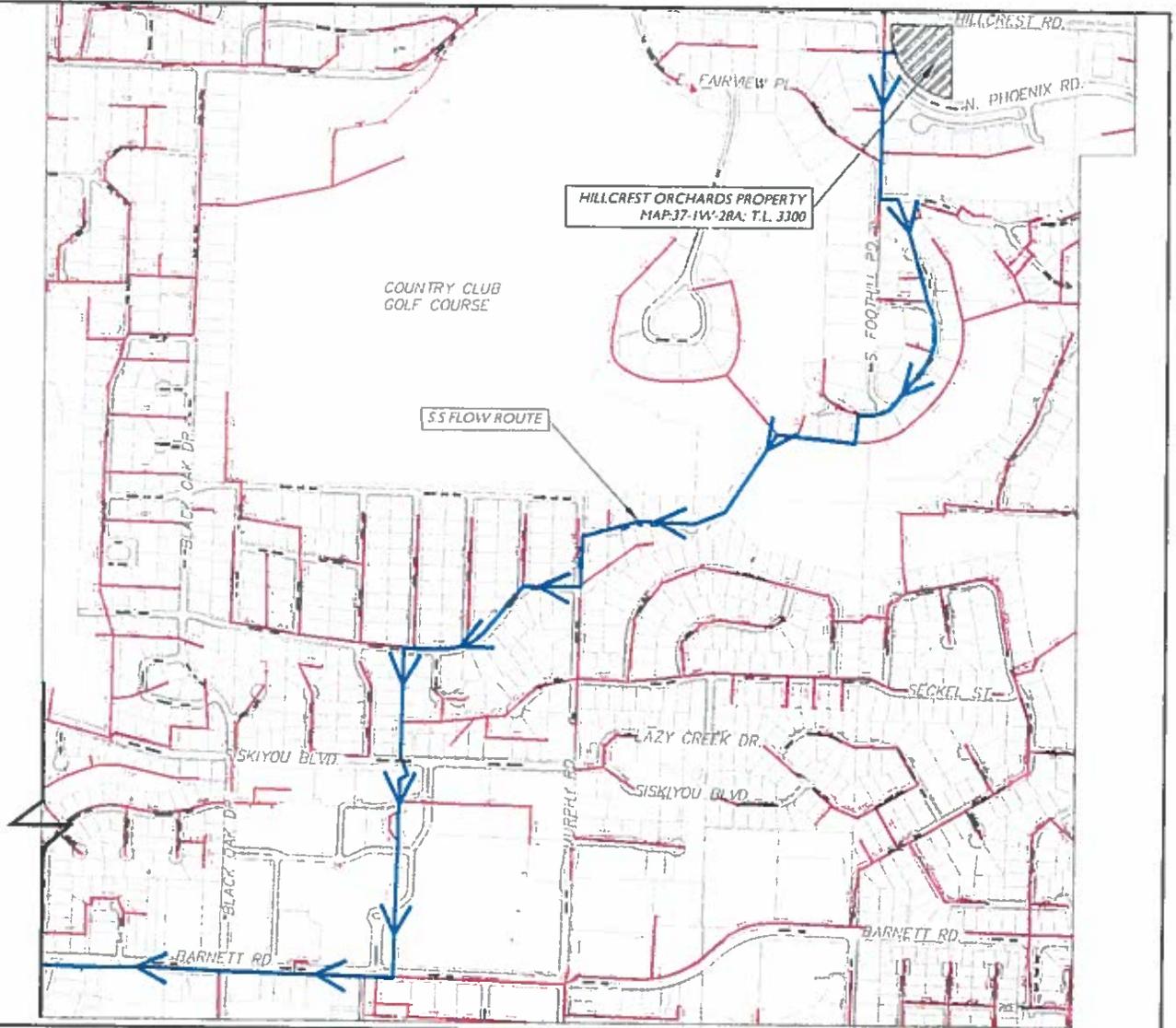
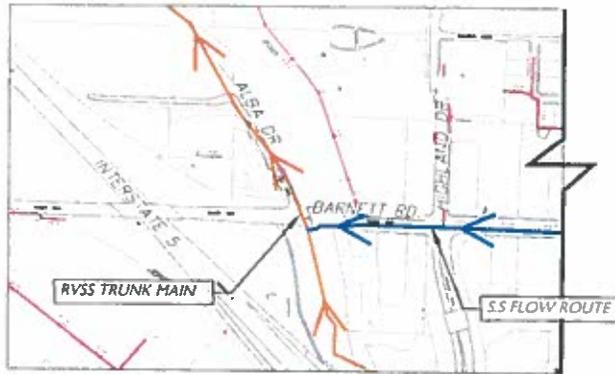
Hillcrest Orchards Property Existing Conditions

Estimated Flows -MFR								
Basin	Population	Dwellings	GPD	PF	Acres (Gross)	Base Flow	Flow (cfs)	Flow (GPM)
I	136	62	180	2.5	3.14	0.043	0.05	21.56

Hillcrest Orchards Property Proposed Conditions

Estimated Flows -Commercial					
Basin	GPD	Acres (Net)	Base Flow	Flow (cfs)	Flow (GPM)
I	1700	2.20	0.01	0.009	4.13

NORTH
 SCALE: 1"=600'



DRAWN BY: BSH	DATE: 01/16
CHECKED BY: AWP	DATE: 01/16
APPROVED: [Signature]	DATE:
APPROVED: [Signature]	DATE:
APPROVED: [Signature]	DATE:

NO	REVISION	DATE	BY

NOT FOR CONSTRUCTION

CONSTRUCTION ENGINEERING CONSULTANTS
 HILLCREST ORCHARD EXHIBIT

REV: CITY ENGINEER DATE: PROJECT NO: 15-07 DATE: 01-15-16



Project Name:

Cogswell Limited Partnership

Map/Taxlot:

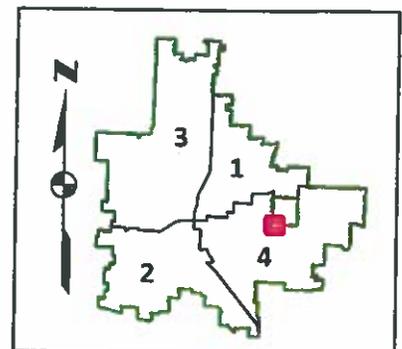
371W28A TL 3300



03/14/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a type-C quasi-judicial decision: Land Division

PROJECT Jam Industrial Park – Pad lot development
Applicant: Fjarli Merlin and Joann Foundation, Inc.
Agent: Richard Stevens and Associates, Inc.

FILE NO. LDS-17-050

TO Planning Commission *for July 13, 2017 hearing*

FROM Dustin Severs, Planner III

REVIEWER Kelly Akin, Assistant Planning Director

DATE July 6, 2017

BACKGROUND

Proposal

Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district.

Subject Site Characteristics

Zoning: I-G
GLUP: HI (Heavy Industrial)
Overlays: I-00 (Limited Industrial) & AC (Airport Area of Concern)
Use: Industrial Park

Surrounding Site Characteristics

<i>North</i>	Zone: Jackson County – GI (General Industrial) Use(s): Boise Cascade Wood Products
<i>South</i>	Zone: SFR-6 (Single-Family Residential, 6 dwelling units per gross acre) Use(s): Industrial Warehouse Buildings
<i>East</i>	Zone: Jackson County – LI (light Industrial) Use(s): Consolidated Graphics, Suburban Propane.
<i>West</i>	Zone: Jackson County – Exclusive Farm Use (EFU) Use(s): Agricultural uses and warehouse building

Related Projects

- A-07-147 Annexation
- LDS-11-045/E-11-126 Industrial Subdivision with Exception request for reduced right-of-way length and width. Request Denied.
- A-13-041 De-annexation. Request denied.

Applicable Criteria

MLDC 10.270: Land Division Criteria

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;*
- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;*
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

Applicable Code Sections

10.703 Pad Lot Development

A. Purpose. It is the purpose of this Section to provide a process for the creation of tax lots within a common area for non-residential uses. This Section is not intended to provide relief from the strict standards elsewhere established in this Code.

B. Development Standards.

(1) All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.

(2) The parent parcel shall meet the site development standards established in Section 10.721.

(3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative plat application being accepted for review by the Planning Commission.

(4) A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and recorded. The recorded CC&Rs shall provide:

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.

(b) An association for the purpose of governing the operation of the common interests.

(c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.

(d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.

ISSUES AND ANALYSIS

Project Summary

Site Description

The subject site consists of a 17.3-acre industrial park containing nine existing industrial buildings on a single tax lot developed as a flag lot in 2003 through Jackson County. Vehicular access to and within the subject site are provided by the privately-owned Ehrman Way and Ehrman Circle (cul-de-sac). Ehrman Way serves as access to the subject site and consists of a 1,350-foot long extension (flag pole) of the dedicated section of Ehrman Way extended from Joseph Street, and terminating at the westerly lot line of the site. Ehrman Way was constructed and inspected per Jackson County standards in order to serve the development of the subject site; however, Jackson County would not accept the right-of-way due to an encumbrance with an easement. The nine existing industrial buildings total 187,000 square feet, and range in size from 1,500 to 27,500 square feet; all approved and constructed through the Jackson County permitting process.

Background

The subject lots, including the construction of the existing industrial buildings, were approved through the Jackson County permitting process in 2003. Jackson County and the City of Medford have an Urban Growth Management Agreement (UGMA) that requires the County to request comment from the City when development applications are received for areas within the Urban Growth Boundary. The City Public Works Department responded to the request in 2003, identifying certain improvements to be constructed to City standards. The UGMA also requires that the County obtain an Irrevocable Consent to Annex form at the time the development occurs; a condition of approval was included in the decision. Despite being aware at the time of the 2003 Jackson County approval that the improvements should be constructed to City standards, and that annexation was imminent, the applicant opted to continue under Jackson County jurisdiction. After construction was completed, the applicant requested that the site be annexed to the City. The site was annexed in its current developed condition on March 5, 2009.

On April 4, 2011, the applicant submitted an application for a Land Division (LDS-11-045). The proposal was to create nine lots, one for each of the existing nine buildings. An Exception application requesting relief from various dimensional requirements for public streets was filed concurrently with the land division request for the privately-owned streets, as the 1,350-foot long dead-end street (Ehrman Way) and the 630-foot long cul-de-sac (Ehrman Circle) exceeded the 450-foot maximum lengths allowed per MLDC 10.439 and 10.450, respectively (E-11-126). Concurring with the recommendations of Public Works and the Planning Staff, the Planning Commission denied the application, with the Commission determining that the proposal did not meet the requirements for dead-end streets per MLDC 10.439, cul-de-sacs per MLDC 10.450, and street widths per MLDC 10.430(B). The applicant would go on to request that the public hearing be continued a total of 11 times, but the Planning Commission ultimately adopted the Final Orders denying the Land Division and Exception applications on February 23, 2012 - an appeal of the decision was not filed. In response to the denial of the land division request, the

applicant submitted a request to de-annex from the City in 2013 - this request was likewise denied by the City (A-13-041).

Current Proposal

The applicant is now once again requesting to divide the property, this time opting to divide the property as a pad lot development, while submitting a virtually identical plat for the subject request as the plat that was denied by the City in 2012. As with PUD's, pad lot developments may be approved without dedicating the roadways as public streets and constructed to City standards; effectively bypassing the issue in which prevented the approval of the property from being divided through the conventional land division process in 2011-12. The nine-lot pad lot development is proposed to create a shared common area which includes the access, utilities, and common landscaping of the property. The applicant's submitted findings (Exhibit H) state that there are no plans at this time to change the existing use of the property or to modify any of the existing development, and the approval for the creation of a pad lot would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

Pad Lot Development Criteria – Analysis

(1) All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.

The submitted tentative pad lot does not show the proposed lot lines located along a common wall, nor within four feet of an exterior building wall; however, the Code does provide the Planning Commission the authority to allow a greater distance for *special purposes*. It is the burden of the applicant to effectively demonstrate such *special purposes* in their submitted findings. Accordingly, the applicant's findings assert that the fact that this is an existing development constitutes a *special purpose*, and that the need for the lots to extend beyond four feet of the exterior walls is created by the existing use of the property and orientation of existing development, specifically, the existing loading docks associated with the individual buildings extend well beyond four feet from the exterior building walls, which prevent lot lines from being located within four feet from the exterior building walls.

Staff disagrees with the applicant's general assertion that the fact that the site is an existing development constitutes a *special purpose*. Staff further disagrees with the specific finding that the existing loading docks prevent the lot lines from being located within four feet from the exterior building walls, as the loading dock areas of the building could in fact be located within the common area of the site. Nevertheless, it is staff's view that the applicant's intention to locate the loading dock, along with necessary space to allow sufficient maneuverability for trucks, is a reasonable request, and therefore, provides a sufficient rationale to constitute a *special purpose*- justifying the approval of relief. However, only five of the nine proposed lots (lots 1, 2, 5, 8, and 9) identify a loading dock on the submitted plat. Staff fails to see how this same rationale for relief can be applied to the proposed lots that do not contain loading docks.

Staff further fails to understand why - on the lots identified with loading docks - the proposed lot lines along the exterior walls on the side of the buildings opposite of the loading docks cannot comply with this provision. As such, it is staff's view that the applicant fails to effectively demonstrate in their findings that unique circumstances exist on the property that can reasonably be considered to constitute *special purposes*; justifying the granting of relief for all of the lot lines proposed within the pad lot development from complying with this criterion.

Staff understands that it is the applicant's intent to prepare the site for the individual sale of the existing buildings along with the associated parking, maneuvering and loading areas contained within the same lot, and that separating these associated areas from the buildings and locating them within a common area would not be ideal for the marketing of the individual buildings for sale. Regardless, this application is subject to the requirements for dividing land pursuant to a pad lot development, and the intent and purpose of a pad lot development - per the Code - is not to provide relief from the strict standards elsewhere established in this Code. Based on this analysis, staff has included a condition requiring compliance with MLDC 10.703(B)(1), while allowing the loading docks and maneuvering areas to be included in lots 1,2,5,8, and 9.

This criterion is not met with the tentative plat as submitted, but can be made to comply with the criterion through the imposition of the aforestated condition.

(2) The parent parcel shall meet the site development standards established in Section 10.721.

The applicant's submitted narrative demonstrates that the parent parcel meets the site development standards established in MLDC 10.721. Criterion is met.

(3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative plat application being accepted for review by the Planning Commission.

This criterion is inapplicable, as there is no new development proposed with this application. The existing structures were all reviewed and approved through the Jackson County permitting process prior to being annexed into the City. Criterion is met.

(4) A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and recorded. The recorded CC&Rs shall provide:

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.

- (b) An association for the purpose of governing the operation of the common interests.*
- (c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
- (d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

The submitted tentative plat identifies that Jam Industrial Park is a pad lot development (Exhibit H, p.11). The applicant's narrative further states that the site's CC&R's will be provided prior to the recording of the final plat, and will likewise provide the information required per MLDC 10.703(4)(a-d). Criterion is met.

Agricultural Impact Assessment

Per MLDC 10.801, land proposed for urban development which abuts and has a common lot line with other land which is zoned EFU requires agricultural buffering. The subject property shares a common lot line along its westerly border with land located outside of both the City and the Urban Growth Boundary (UGB), and zoned EFU.

MLDC 10.801(D)(1) states the following:

(1) Agricultural Classification (Intensive or Passive). For the purposes of this Section, agricultural land is hereby classified as either intensive or passive. Intensive agriculture is defined as farming which is under intensive day-to-day management, and includes fruit orchards and the intensive raising and harvesting of crops or, notwithstanding its current use, has soils of which a majority are class I through IV as determined by the NRCS, has irrigation water available and is outside of the Urban Growth Boundary. Passive agriculture is defined as farming that is not under intensive day-to-day management, and includes land used as pasture for the raising of livestock. The approving authority shall determine whether adjacent agricultural uses are intensive or passive based upon the specific circumstances of each case and the nature of agriculture which exists on the adjacent land zoned EFU or EA at the time the urban development application is filed and accepted by the City.

Pursuant to MLDC 10.801(C), the applicant has included an Agricultural Impact Assessment (AIA) Report (Exhibit P) consistent with requirements of MLDC 10.801(A-E). The submitted AIA explains that the abutting EFU land, also owned by the applicant, is developed with a large, approximately 340 x 80 square foot storage warehouse used for farm equipment storage and repair; there is no agricultural activity present along the common boundary; and the nearest crop production, consisting primarily of organic butternut squash and pumpkins, is located more than 260 feet west of the boundary. Though the abutting property is not under intensive day-to-day farming management, the parcel does have soils which the NRCS has determined are a majority class I through IV, has irrigation water available, and is outside of the UGB. Therefore, the abutting EFU land does meet the definitions for both intensive and passive

agriculture (landscaping in addition to fencing is the only additional requirement for intensive agriculture buffering), and as such, the AIA concludes that the standards and general criteria for “intensive agriculture” apply.

Mitigation standards for properties abutting Passive Agricultural land require that measures be undertaken by the applicant in order to minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses. These measures include the following: the construction of a 6 foot fence or masonry wall to serve as a buffer between the uses, a planted row of evergreen trees having a width of not less than 8 feet, a Deed Declaration identifying the maintenance and care responsibilities for the agricultural buffer consistent with the requirements outlined in MLDC 10.801(D)(2)(c), and irrigation runoff mitigation.

In the AIA, the applicant stipulates to the Code requirements of agricultural mitigation for properties abutting EFU land classified as intensive agriculture consistent with MLDC 10.801(D)(1), including the construction of a 6 foot chain link fence along the 775 feet of the common lot line, and the recording of a Deed Declaration for the lots abutting the EFU land. However, the AIA concludes that, “since the agricultural uses are not occurring within 200 feet of the industrial development, the landscaping requirements by Section 10.801(D) is not necessary, and requiring trees to be planted along the boundary between these two existing developments would create new conflicts rather than mitigate existing conflicts”. The AIA further finds that, “The existing storage yard and storage building provide more than 260-feet of separation between the urban industrial use and the crop production. In addition, the existing storage building provides a barrier between the two uses, reducing visibility, and lessening potential impacts from noise and dust. These existing conditions exceed the buffering standards required by Section 10.801(D).”

Staff concurs with the applicant’s AIA findings that given the existing crop production is located over 260 feet from the subject site, coupled with the fact that the existing storage yard and storage building already serve as an effective buffer, that the requirements for landscaping per MLDC 10.801(D) is not necessary. Therefore, It is staff’s view that the granting of relief from complying with the Code requirement for the planting of a landscape buffer in order to minimize or mitigate the adverse potential impacts associated with the proximity of the subject industrial uses and the abutting agricultural uses, can be granted in keeping with the intent and purpose of MLDC 10.801. Ultimately, the approval of this application will only allow the existing buildings to be individually owned; the act of dividing the land does not generate additional impacts on the agricultural lands.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits J-L), including the Rogue Valley Sewer Services (RVSS) (Exhibit O), it can be found that there are adequate facilities to serve the development.

Committee Comments

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

FINDINGS AND CONCLUSIONS

Land Division Criteria

Staff finds the applicant's tentative plat (Exhibit B) consistent with the Comprehensive Plan and all applicable design standards set forth in Article IV and V. Furthermore, it can be found that the land division will not prevent development of the remainder of the property under the same ownership or of adjoining land, bears a name that has been approved by the approving authority (Exhibit J), criteria 4 and 5 are inapplicable, and an Agricultural Impact Assessment report has been submitted with the application which adequately addresses agricultural mitigation measures to avoid an unmitigated conflict between the land division and the adjoining agricultural land zoned EFU. Staff recommends that the Commission adopt the Applicant's Findings of Fact pertaining to the land division criteria (Exhibits H) as presented.

Pad lot Development Criteria

Staff finds the applicant's tentative plat (Exhibit B) meets the criteria established for a pad lot development, with the exception of criterion 1 cited above. As such, staff recommends as a condition of approval that the applicant submit a revised tentative plat delineating lot lines within four feet of the exterior walls of the existing buildings consistent with the requirements of MLDC 10.703(B)(1) (excepting the proposed lot lines immediately adjacent to the existing loading docks identified on lots 1,2,5,8 and 9).

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of LDS-17-050 per the staff report dated July 6, 2017, including Exhibits A through P.

EXHIBITS

- A Conditions of Approval, dated July 6, 2017.
- B Tentative Plat, received April 13, 2017.
- C Storm Detention Plans (8) (County approved from 2003), received April 13, 2017.
- D Approved Property Line Adjustment from 2003, received April 13, 2017.
- E Approved Site Plan from 2003, received April 13, 2017.
- F Assessors Map, received April 13, 2017.
- G Aerial Map, received April 13, 2017.
- H Applicant's Findings of Fact and Conclusions of Law, received April 13, 2017.
- I Subdivision and Condominium Plat Name Approval Request Form (2) (Jackson County) dated March 1, 2017.
- J Public Works Staff Report dated May 24, 2017.
- K Medford Water Commission memo and map, dated May 24, 2017.
- L Medford Fire Department Report, dated May 24, 2017.

- M Oregon Department of Aviation email, received May 18, 2017.
- N Jackson County Roads email, received May 15, 2017.
- O Rogue Valley Sewer Services (RVSS) email, received May 17, 2017.
- P Agricultural Impact Assessment, received April 13, 2017.
Vicinity map

PLANNING COMMISSION AGENDA:

JULY 13, 2017

EXHIBIT A

Jam Industrial Park – Pad Lot Development
LDS-17-050
Conditions of Approval
July 6, 2017

DISCRETIONARY CONDITIONS

Prior to approval of the final plat, the applicant shall:

1. Submit a revised tentative plat delineating lot lines within four feet of the exterior walls of the existing buildings consistent with the requirements of MLDC 10.703(B)(1) (excepting the proposed lot lines immediately adjacent to the existing loading docks identified on lots 1,2,5,8 and 9).

CODE REQUIRED CONDITIONS

Prior to the approval of the final plat, the applicant shall:

1. Comply with all conditions stipulated by Medford Public Works Department (Exhibit J)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit K).
3. Comply with all requirements of the Medford Fire Department (Exhibit L).

JAM INDUSTRIAL PARK

(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:

The Merlin and JoAnn Fjari Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:

Kaiser Surveying
19754 Highway 62
Eagle Point, OR. 97524

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**

Barry D. Kaiser

CREATED
JULY 15, 2003
BARRY D. KAISER
EXP. 6-30-17

LEGEND

- +—+— = Fence
- +—+— = Overhead Power Lines
- +—+— = Sewer Main
- +—+— = Sewer Service
- +—+— = Stormdrain
- E.T. = Electric Transformer
- C.B. = Catch Basin (Stormdrain)

RECEIVED

APR 13 2017

PLANNING DEPT

SCALE 1" = 100'

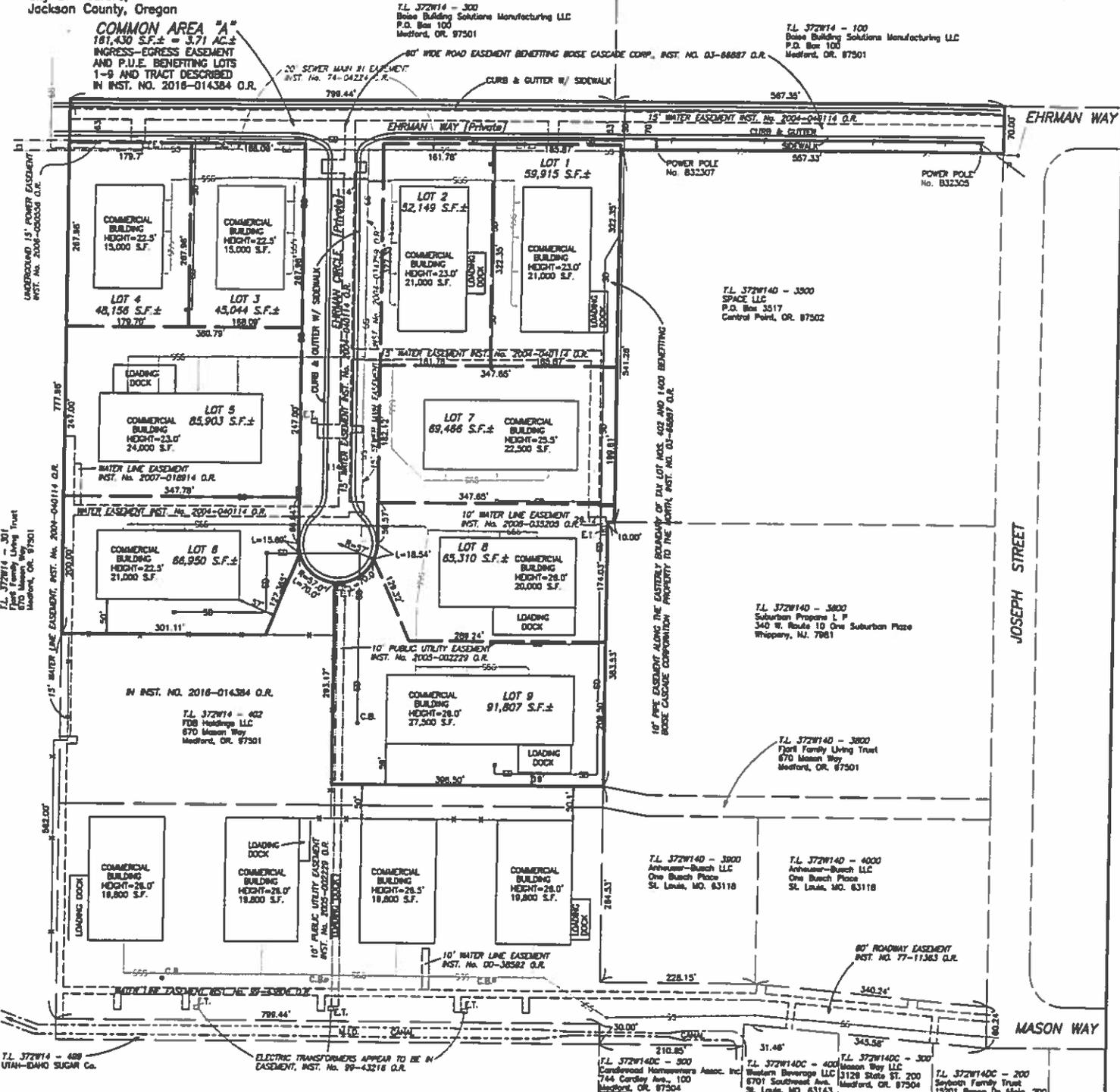
LOCATION: Tax Lot No. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE: December 6, 2016

COMMON AREA "A"
181,430 S.F. ± = 3.71 AC. ±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITTING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014384 O.R.

T.L. 372W14 - 300
Boise Building Solutions Manufacturing LLC
P.O. Box 100
Medford, OR. 97501

T.L. 372W14 - 100
Boise Building Solutions Manufacturing LLC
P.O. Box 100
Medford, OR. 97501



REQUIRED INFORMATION (FROM APPLICATION FORM)

1. There are no wells or septic systems on site. All tax lots receive water and sewer service from mains located in easements and/or mains as shown. The location of stormdrain lines and catch basins were located from survey lines and Engineers drawings. Stormdrain facilities located on tax lot 1400 drain Northwly to Boise Cascade log pond and stormdrain lines located on tax lot 402 drain Southwly to M.I.O. canal.

2. All structures are commercial buildings. The buildings are concrete block and metal constructed and are single story with building Heights as shown.

ZONING INFORMATION:
Properties are located in I-G zone.

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

1. Power line easements recorded in Vol. 228, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57853 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.

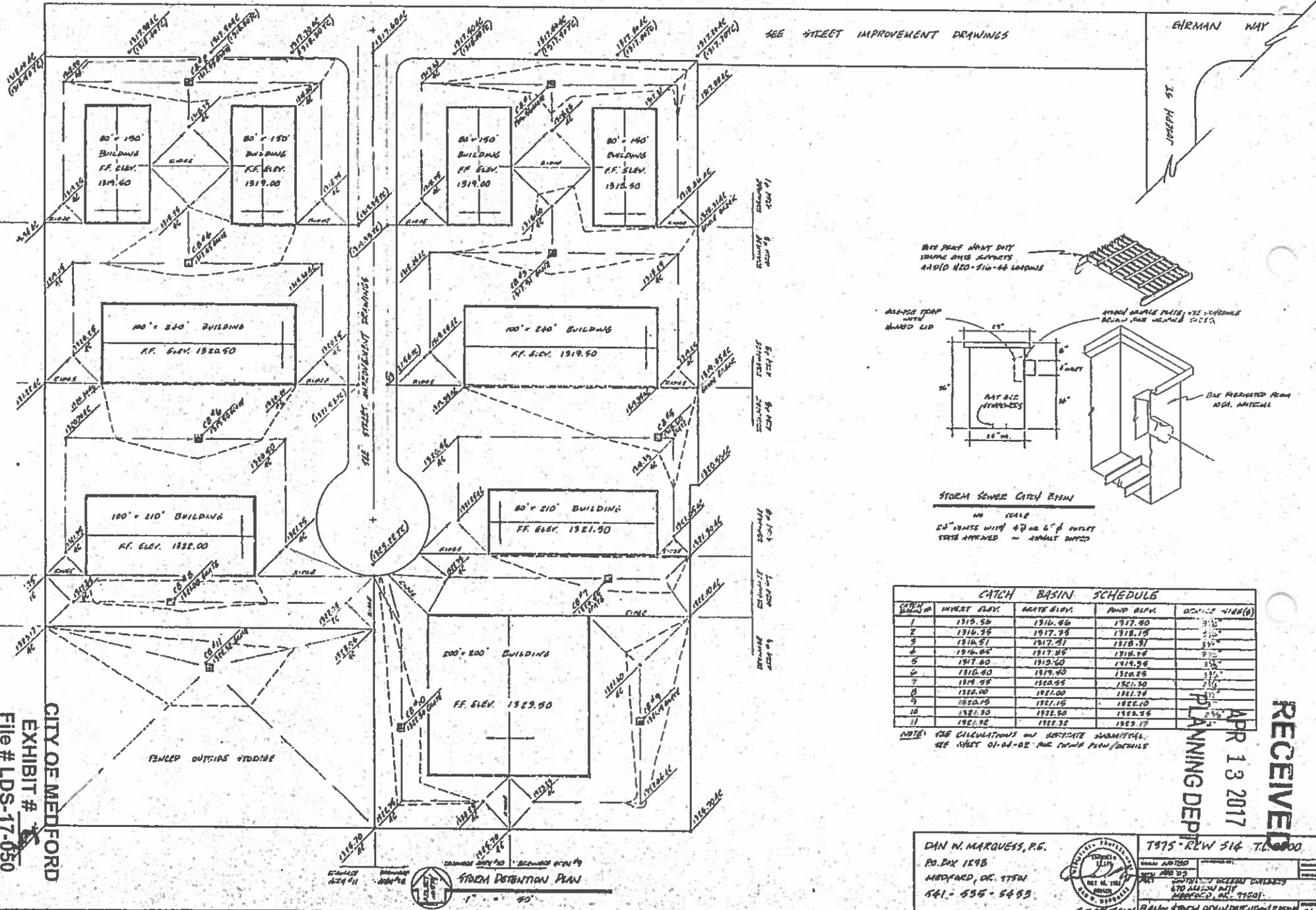
2. Documents recorded in Inst. Nos. 76-22853 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.

3. Gas line easements recorded in Inst. Nos. 73-17369 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southernly portion of tax lot 402. The canal is shown hereon. Document recorded in inst. No. 91-23858 O.R. appears to a blanket easement for maintenance of natural gas facilities.

4. Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easement. E

CITY OF MEDFORD
EXHIBIT # B
File # **LDS-17-050**

CITY OF MEDFORD
EXHIBIT # 1
File # LDS-17-050

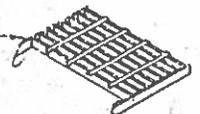


SEE STREET IMPROVEMENT DRAWINGS

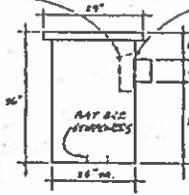
GERMAN WAY

ST. HENRY ST.

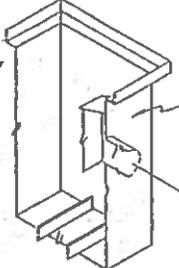
BOX REST ALONG DUTY
TRAFFIC LIGHT SUPPORTS
44510 420-210-66 LAMP



ACCESS TRAP
WITH
HAND LID



STEEL GRATE PLATE; SEE LITERATURE
BELOW FOR VENTING DETAILS



BOX PROTRUDING FROM
100% MATERIAL

STORM SEWER CATCH BASIN

NO SCALE
24" BASE WITH 42" OR 6" INLET
100% APPROVED - 100% DUTY

STATION	INVERT ELEV.	GATE ELEV.	AMP. DEPTH	DEPTH - 1/20(1)
1	1919.58	1916.66	1917.40	2.18
2	1916.95	1917.95	1918.19	2.24
3	1916.57	1917.97	1918.91	2.34
4	1916.05	1917.85	1918.56	2.51
5	1917.80	1919.50	1919.98	2.18
6	1918.40	1919.40	1920.25	1.85
7	1919.55	1922.25	1922.50	2.95
8	1920.00	1921.00	1921.79	1.79
9	1920.75	1921.15	1922.10	1.35
10	1921.50	1922.50	1922.75	1.25
11	1921.92	1922.72	1923.17	1.25

NOTE: THE CALCULATIONS AND LOCATIONS SUBMITTED.
SEE SHEET 01-04-02 FOR DRAIN PLAN/DETAILS

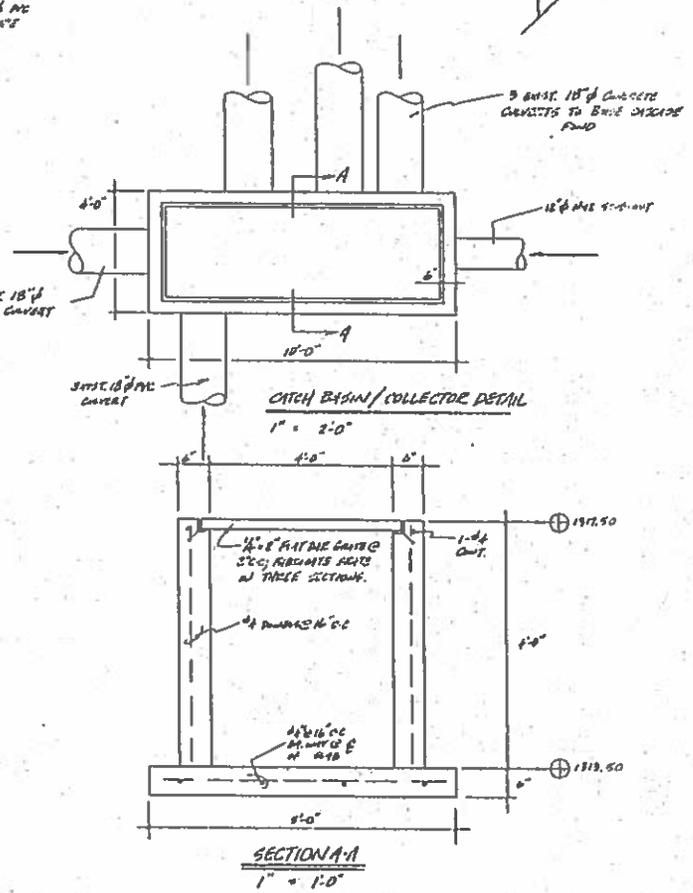
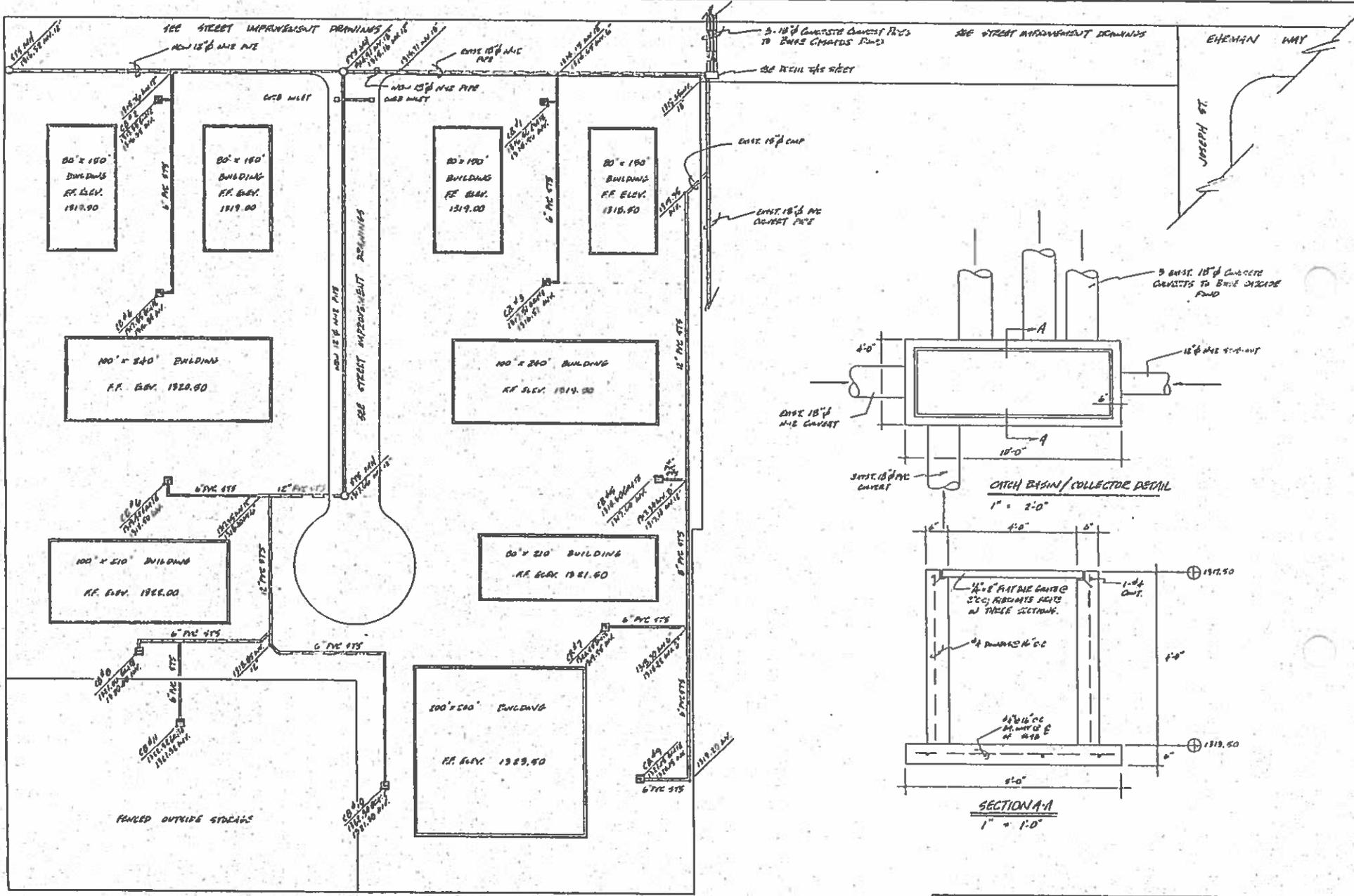
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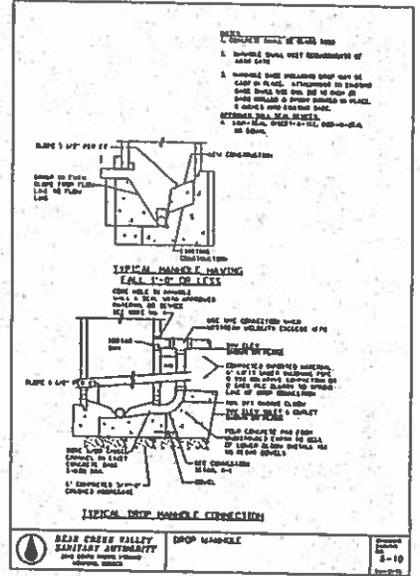
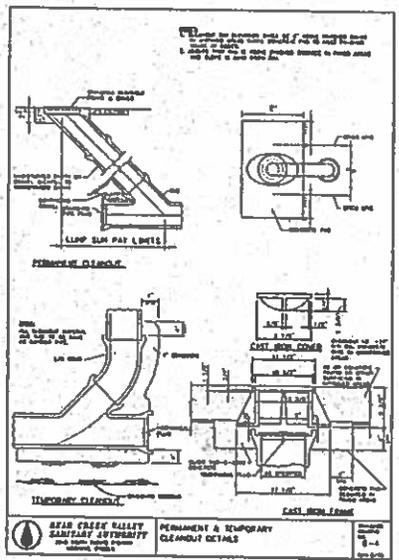
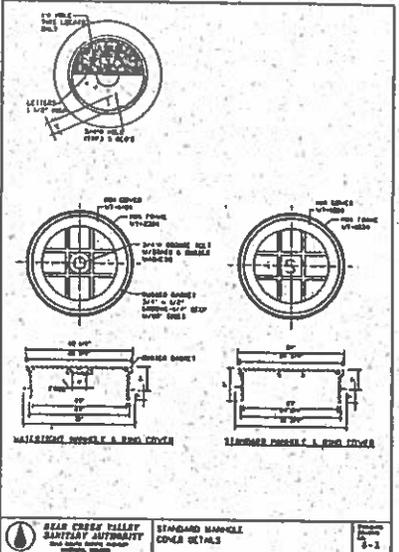
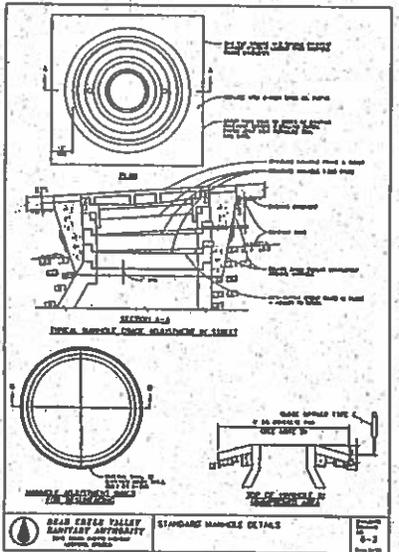
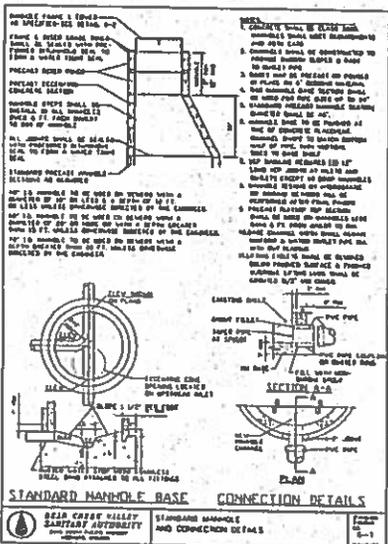
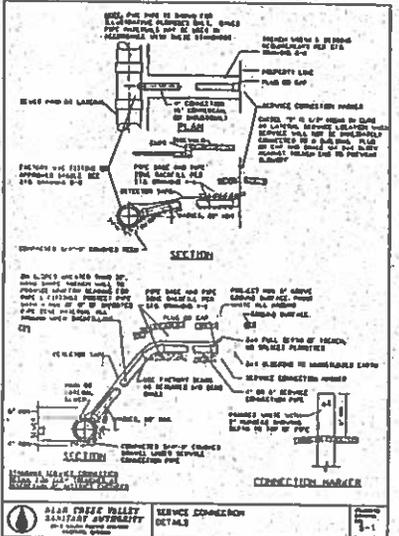
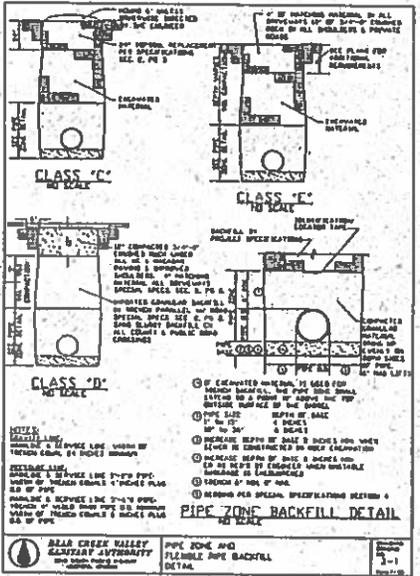
DAN W. MARQUESS, P.E.
P.O. BOX 1295
MEDFORD, OR. 97501
541-536-5453

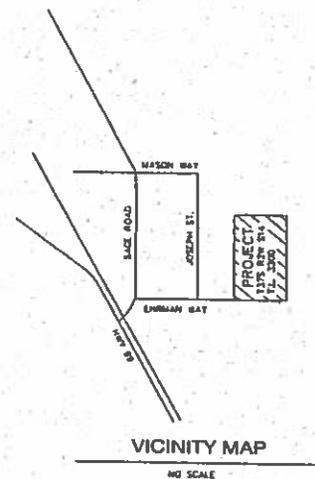
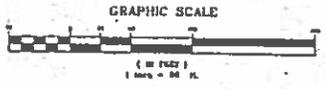
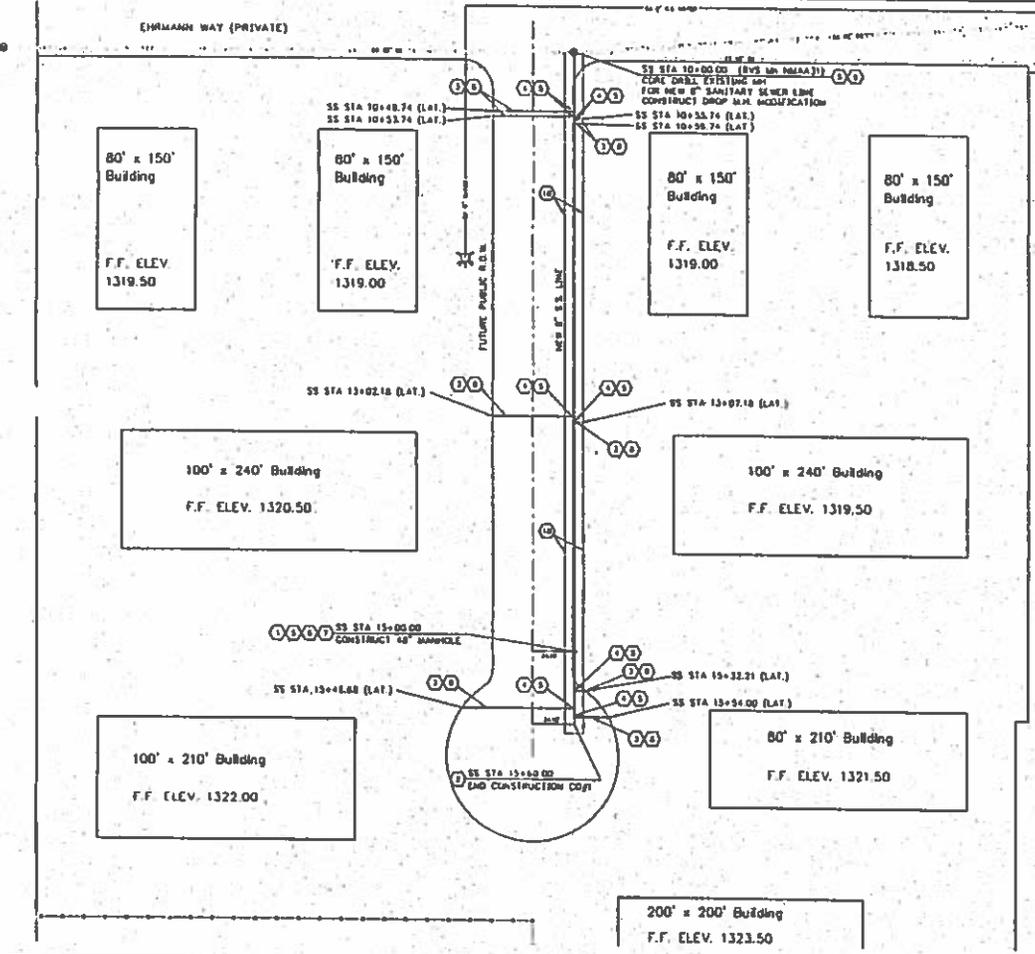


7975-KW 514 T.L. 000
PLAN - STORM DETENTION BASIN 01-1

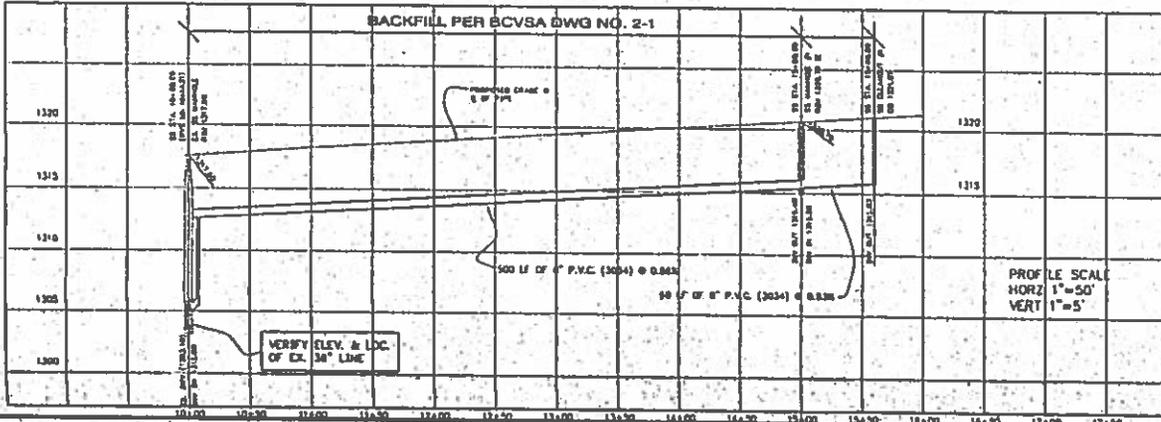


DAN W. MARQUESS, P.E. P.O. Box 1298 MARIETTA, GA 30067 541-535-5453			7575 E2W 314 TL 3300 670 ANTONIANG MARIETTA, GA 30067 HYDRA-LOGIC PIPING PLAN/DETAILS 01
DATE: 12/10/14 DRAWN BY: J. G. HARRIS CHECKED BY: J. G. HARRIS DATE: 12/10/14			1" = 2'-0" 1" = 1'-0"





- CONSTRUCTION NOTES**
- 1 INSTALL 18" MANHOLE PER BCVSA STD. DWG NO. 8-1
 - 2 CONSTRUCT CLEANOUT PER BCVSA STD. DWG NO. 8-4
 - 3 CONSTRUCT FRENCH BACKFILL PER BCVSA STD. DWG NO. 2-1
 - 4 CONSTRUCT SERVICE CONNECTION PER BCVSA STD. DWG NO. 9-1
 - 5 CONSTRUCT MANUFACTURED WYE'S & TEE'S AS NEEDED FOR A SEALED SYSTEM
 - 6 CONSTRUCT MANHOLE ADJUSTMENT PER BCVSA STD. DWG NO. 8-2
 - 7 CONSTRUCT MANHOLE COVER PER BCVSA STD. DWG NO. 8-3
 - 8 CONSTRUCT 6" SANITARY SEWER LATERALS (3034)
 - 9 CONTRACTOR TO CORE DRILL EXISTING SANITARY SEWER MANHOLE. CONTRACTOR TO REMOVE INTERFERING PORTION MANHOLE, MODIFY EXISTING MANHOLE TO A DROP MANHOLE, AND PROVIDE FOR A WATER TIGHT SEAL. SEE BCVSA STD. DWG. NO. 8-10
 - 10 15' BCVSA EASEMENT (1.5' EACH SIDE)



MATERIAL LIST:

STD. MANHOLE	1
STD. CLEANOUT (8")	1
8" P.V.C. 3034 PIPE	560 LF.
6" P.V.C. 3034 PIPE	340 LF.
8" x 10" WYE	9

DEVELOPER:
SOUTHERN OREGON BUILDERS
870 MASON WAY
MEDFORD, OREGON 97501
541-779-2233

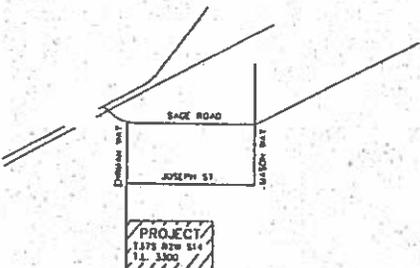
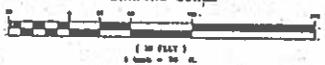
Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501
(541) 535-5453

**SANITARY SEWER PLAN
& PROFILE SHEET FOR**
SOUTHERN OREGON BUILDERS
JACKSON COUNTY
1375 R2W S14 T.L. 3300

Sheet: 03-08-01
DESIGN: J.O.S. BY: D.W.M.
DRAWN: J.O.S. BY: S.A.T.
CHECKED: J.O.S. BY: D.W.M.
FILE NO.: DAN-EJUB
DRAWING FILE: EASL03W

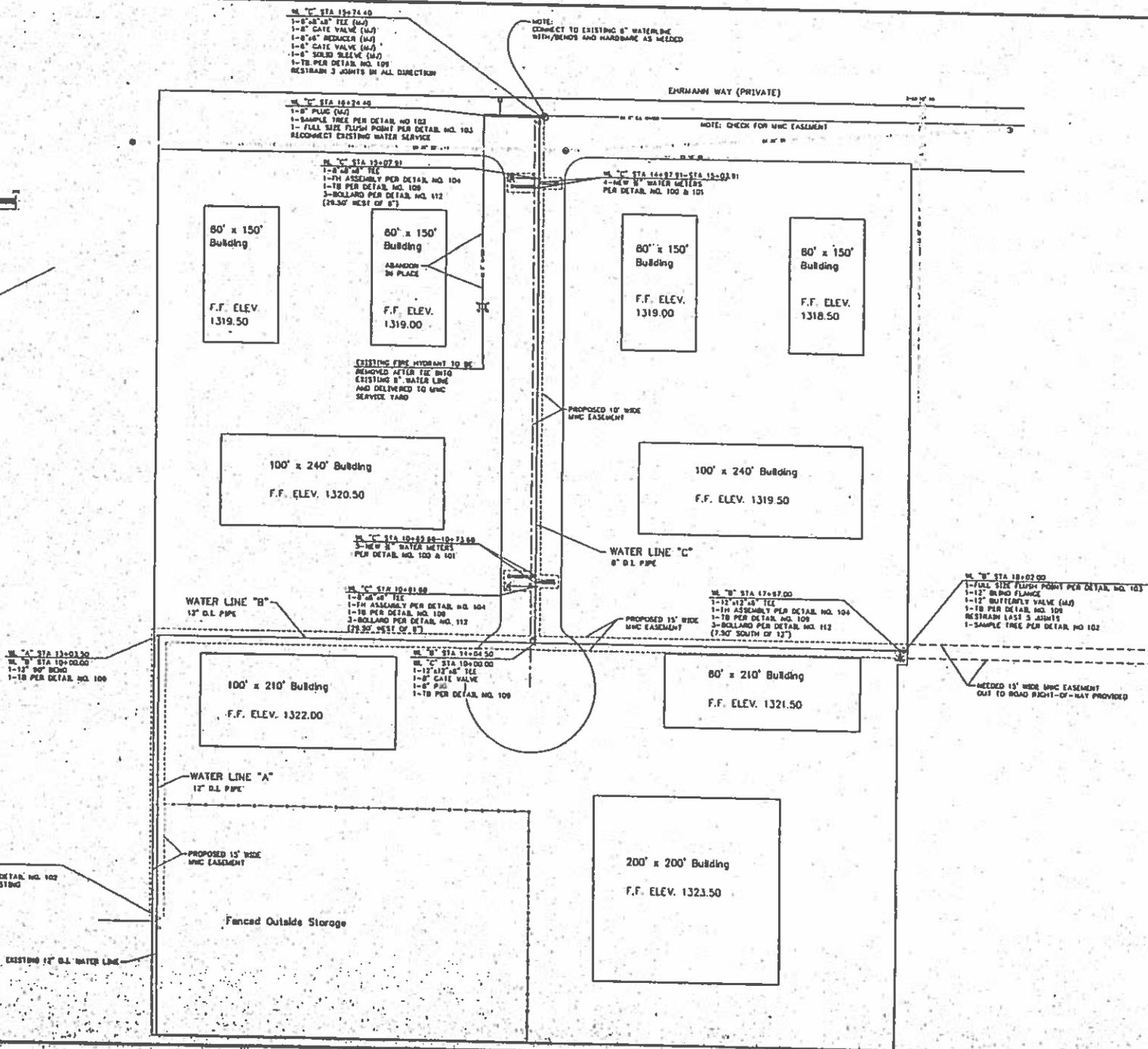


GRAPHIC SCALE



VICINITY MAP

NO SCALE



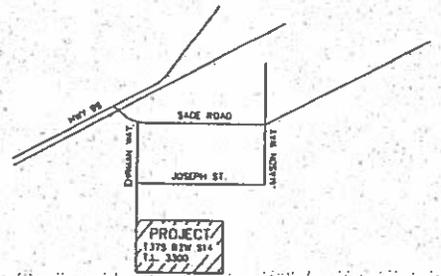
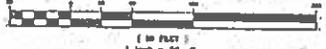
Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501
(541) 535-5453

WATER LINE PLAN
SHEET FOR
SOUTHERN OREGON BUILDER
JACKSON COUNTY
T375 R2W S14 T.L. 3300

Professional Engineer Seal for Dan W. Marquess, P.E., License No. 12345. Includes drawing information: SHEET: 03-09-01, DESIGN: J.A.O., DRAWN: J.A.O., CHECKED: J.A.O., FILE NO.: DAN-12345, DRAWING FILE: JAR/DWG, DATE: 12/31/04.



GRAPHIC SCALE



VICINITY MAP

NO SCALE

Page 177

ML "C" STA 15+74.40
1-8" 45° TEE (M/J)
1-8" GATE VALVE (M/J)
1-8" 45° REDUCER (M/J)
1-8" GATE VALVE (M/J)
1-8" SOLED SLEEVE (M/J)
1-TB PER DETAIL NO. 109
RESTRAIN 3 JOINTS IN ALL DIRECTIONS

NOTE:
CONNECT TO EXISTING 8" WATERLINE
WITH/BENDS AND HARDWARE AS NEEDED

ML "C" STA 16+22.40
1-8" PLUG (M/J)
1-SAMPLE TREE PER DETAIL NO. 103
1-TB PER DETAIL NO. 109
RECONNECT EXISTING WATER SERVICE

NOTE: CHECK FOR MHC EASEMENT

ML "C" STA 15+07.81
1-8" 45° TEE
1-7M ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(19.50' WEST OF 8')

ML "C" STA 14+97.81-STA 15+03.91
4-NEW 8" WATER METERS
PER DETAIL NO. 100 & 101

80' x 150'
Building
F.F. ELEV.
1319.50

80' x 150'
Building
ABANDON
IN PLACE
F.F. ELEV.
1319.00

80' x 150'
Building
F.F. ELEV.
1319.00

80' x 150'
Building
F.F. ELEV.
1318.50

EXISTING FIRE HYDRANT TO BE
REMOVED AFTER THE INFO
EXISTING 8" WATER LINE
AND DELIVERED TO MHC
SERVICE YARD

100' x 240' Building
F.F. ELEV. 1320.50

100' x 240' Building
F.F. ELEV. 1319.50

ML "C" STA 15+05.88-10+22.88
3-NEW 8" WATER METERS
PER DETAIL NO. 100 & 101

WATER LINE "C"
8" O.D. PIPE

WATER LINE "B"
12" O.D. PIPE

ML "C" STA 14+81.68
1-8" 45° TEE
1-7M ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(19.50' WEST OF 8')

PROPOSED 15' WIDE
MHC EASEMENT

ML "B" STA 17+97.00
1-12" 45° TEE
1-7M ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(7.50' SOUTH OF 12')

ML "C" STA 16+02.00
1-FULL SIZE PLUSH PONY PER DETAIL NO. 103
1-12" BLIND FLANGE
1-12" BUTTERFLY VALVE (M/J)
1-TB PER DETAIL NO. 109
RESTRAIN LAST 3 JOINTS
1-SAMPLE TREE PER DETAIL NO. 102

ML "A" STA 13+03.50
ML "B" STA 10+00.00
1-12" 90° BEND
1-TB PER DETAIL NO. 109

300' x 210' Building
F.F. ELEV. 1322.00

ML "B" STA 14+04.00
ML "C" STA 10+00.00
1-12" 45° TEE
1-8" GATE VALVE
1-8" PIG
1-TB PER DETAIL NO. 109

80' x 210' Building
F.F. ELEV. 1321.50

NEEDED 15' WIDE MHC EASEMENT
OUT TO ROAD RIGHT-OF-WAY PROVIDED

WATER LINE "A"
12" O.D. PIPE

PROPOSED 15' WIDE
MHC EASEMENT

ML "A" STA 10+00.00
1-12" PIG
1-OVERSIZING TREE PER DETAIL NO. 102
REMOVE PLUG CONNECT EXISTING
12" WATER LINE

EXISTING 12" O.D. WATER LINE

Fenced Outside Storage

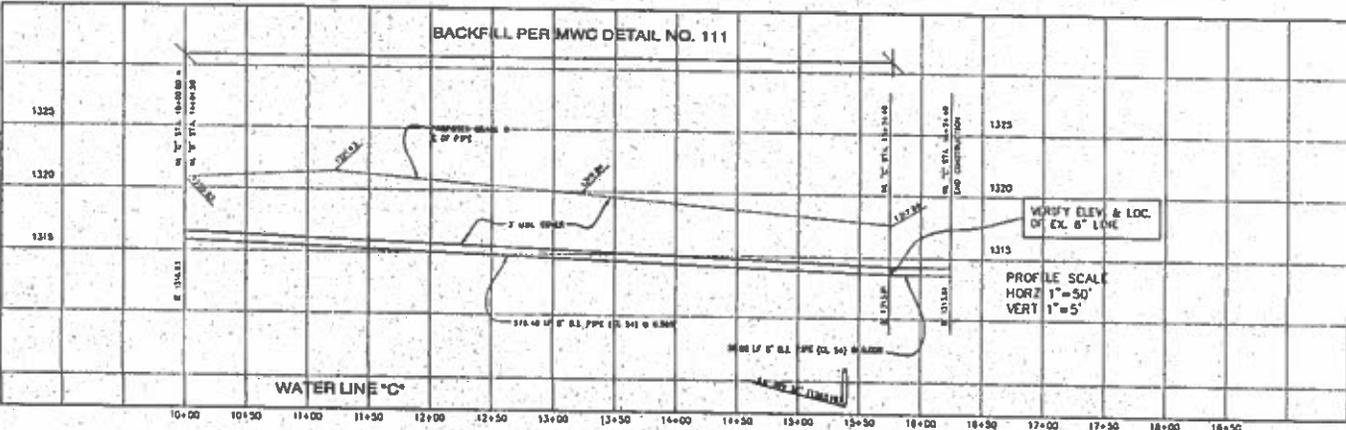
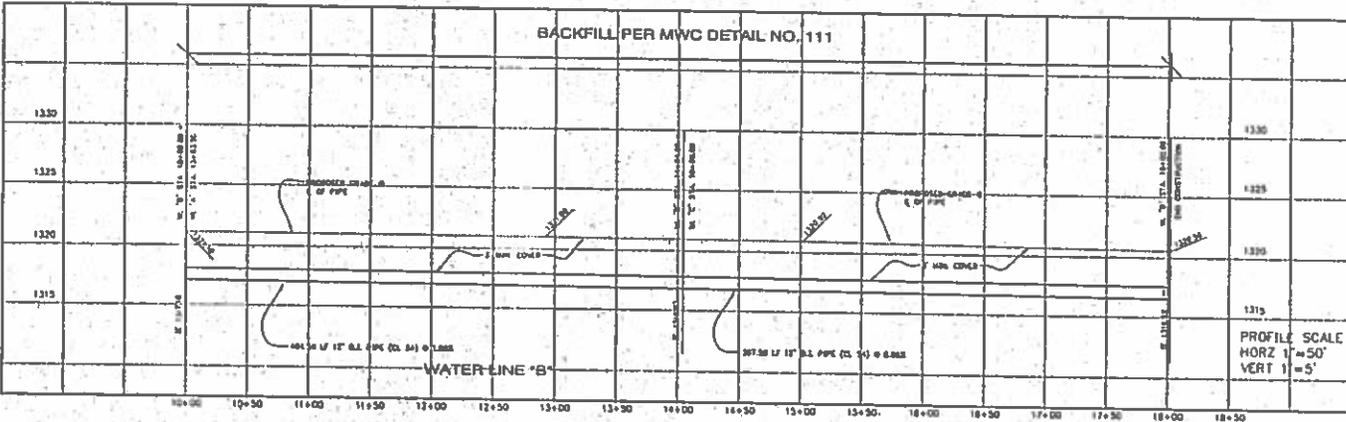
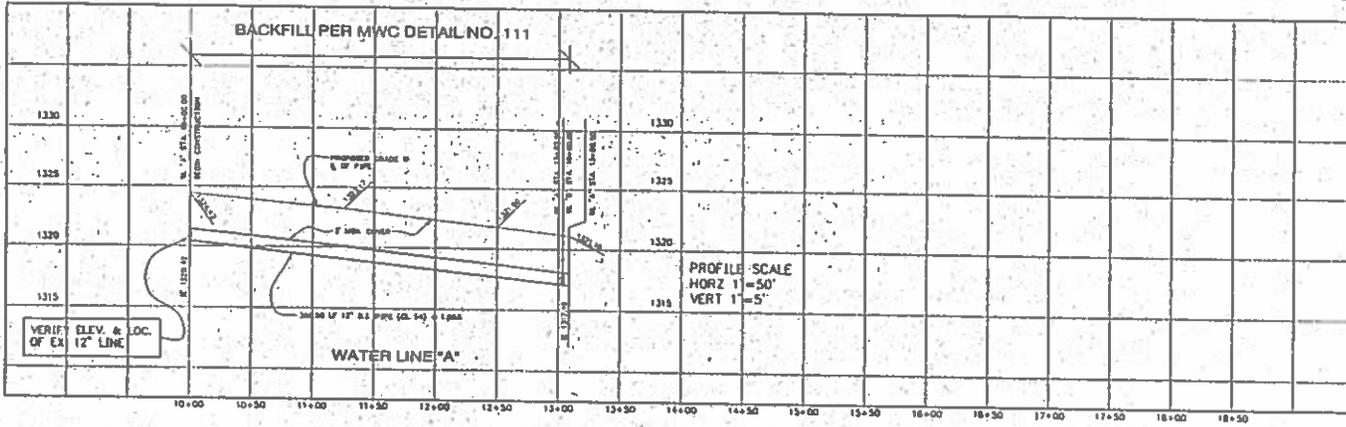
200' x 200' Building
F.F. ELEV. 1323.50

Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501

WATER LINE PLAN
SHEET FOR



SHEET: 03-09-01
DESIGN: 7/03 BY: D.W.M.
DRAWN: 7/03 BY: M.A.T.
CHECKED: 7/03 BY: D.W.M.



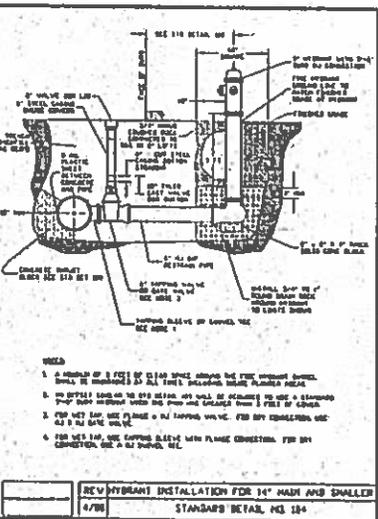
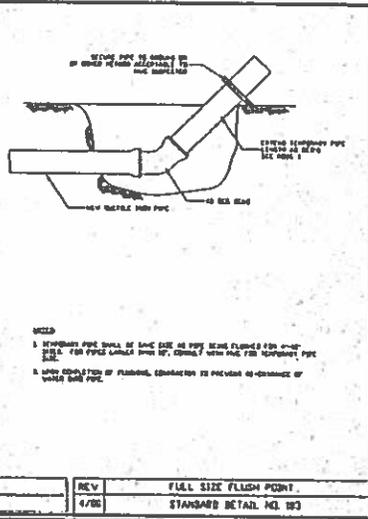
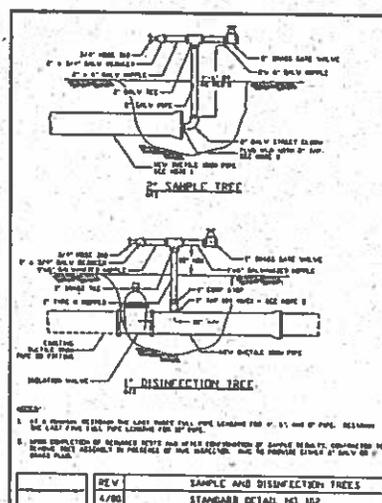
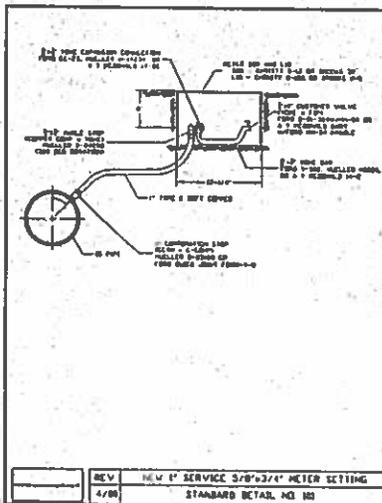
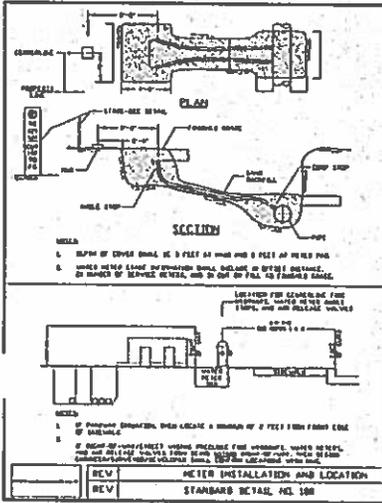
Dan W. Marquess P.E.
P.O. Box 1298

WATER LINE PROFILE
SHEET FOR

SHEET: 03-09-02
 DESIGN: 7/03 BY: D.W.M.
 DRAWN: 7/03 BY: J.A.L.

WATER GENERAL NOTES

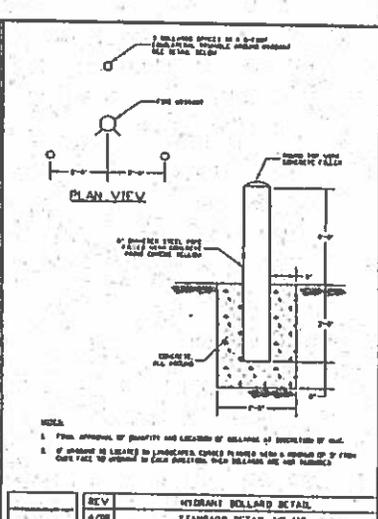
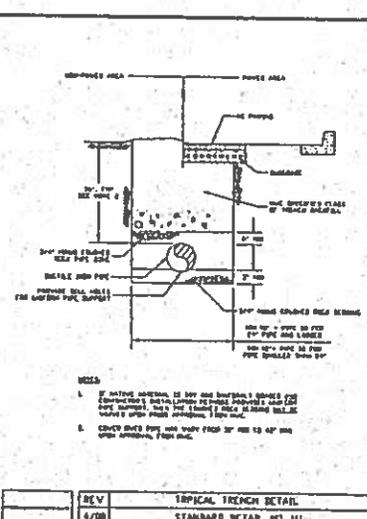
1. ALL WATER WORKS SHALL BE DONE IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MEDFORD WATER COMMISSION STANDARD SPECIFICATIONS.
2. SERVICE CONNECTIONS ARE TO BE INSTALLED FOR EACH PARCEL PER MEDFORD WATER COMMISSION STANDARDS (STANDARD DETAIL NOS. 100 AND 101).
3. THE MEDFORD WATER COMMISSION REQUIRES "POLY PIPES" TO BE USED ON ALL NEWLY LAID WATER LINES.
4. COVER OVER EXISTING MAINS SHALL NOT BE CHANGED WITHOUT WRITTEN AUTHORIZATION OF THE COMMISSION.
5. NEW MAINS ARE TO BE PRESSURE TESTED, DISINFECTED AND PROVEN TO BE BACTERIOLOGICALLY SAFE PRIOR TO PLACING NEW MAINS IN SERVICE BY THE MEDFORD WATER COMMISSION.
6. INITIAL BACKFILL TO TOP OF WATER MAINS AND FIRE HYDRANT RUNS SHALL BE COMPACTED IN ACCORDANCE WITH MEDFORD WATER COMMISSION STANDARD SPECIFICATIONS FOR TRENCH EXCAVATION AND BACKFILL, OR BACKFILL MATERIAL AND COMPACTION SHALL MEET THE REQUIREMENTS OF THE CONTROLLING AGENCY.
7. WATER MAINS AND FIRE HYDRANTS ARE TO BE INSTALLED WITH REFERENCE TO ALIGNMENT AND GRADE STATUS AND ONLY UPON NOTIFICATION OF THE MEDFORD WATER COMMISSION INSPECTOR.
8. WATER MAINS ARE TO BE INSTALLED AFTER SANITARY SEWERS AND STORM DRAIN LINES.
9. FIRE HYDRANT RUNS ARE TO BE INSTALLED BEFORE CURBS OR GUTTERS. IN THE EVENT A WATER MAIN IS INSTALLED LARGER THAN EIGHT (8) INCHES, OR IF THE MAIN HAS MORE THAN THREE (3) FEET OF COVER, THE CONTRACTOR SHALL BE REQUIRED TO INSTALL AN OFFSET SIMILAR TO STANDARD DRAWING 103 TO PERMIT USE OF A STANDARD 3'-6" BURY FIRE HYDRANT.
10. STUB SERVICE RUNS SHALL BE INSTALLED PRIOR TO CURB AND CUTTER CONSTRUCTION.
11. APPROVED PLANS AND SPECIFICATIONS SHALL BE AVAILABLE AT SITE OF CONSTRUCTION AT ALL TIMES DURING CONSTRUCTION OF WATER FACILITIES.
12. THE MINIMUM HORIZONTAL SPACING BETWEEN WATER MAINS AND STORM SEWERS, GAS LINES, AND OTHER UNDERGROUND UTILITIES, EXCEPTING SANITARY SEWERS, SHALL BE THREE (3) FEET HORIZONTALLY, TRENCH WALL TO TRENCH WALL. THE MINIMUM VERTICAL SPACING, AS NOTED ABOVE, SHALL BE SIX (6) INCHES VERTICALLY OUTSIDE OF WATER MAIN TO OUTSIDE OF UTILITY. IN SOME CASES, DEPENDING ON SIZE AND TYPE OF FACILITY, CONCRETE BRACING PILERS OR SUPPORTS WILL BE REQUIRED TO SPAN THE WATER FACILITY.
13. THE CONTRACTOR WHO WILL BE INSTALLING THE WATER FACILITIES SHALL BE APPROVED BY THE MEDFORD WATER COMMISSION. WORK PERFORMED BY OTHER THAN APPROVED CONTRACTORS WILL NOT BE ACCEPTED.
14. CONTRACTOR SHALL ADAPT ALL 104 VAPOR CANS AND UTILITY BOXES TO GRADE, THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES SHOWN ARE FROM RECORD ONLY. THE CONTRACTOR SHALL VERIFY ALL UTILITIES IN POTENTIAL CONFLICT AREAS PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY IF ANY CONFLICTS OCCUR.
15. THE CONTRACTOR MUST ARRANGE A PRECONSTRUCTION MEETING AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION BETWEEN HIMSELF, THE ENGINEER, AND THE MEDFORD WATER COMMISSION.
16. WATER FACILITIES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.
17. MEDFORD WATER COMMISSION INSPECTOR TO CHECK COMPLIANCE WITH THE PLANS AND SPECIFICATIONS.
18. THE COMMISSION SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION STEPS.
19. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE FOR INSPECTIONS PRIOR TO BACKFILLING OPERATIONS.
20. WORK ACTIVITIES ON WATER PROJECTS SHALL BE CONFINED TO NORMAL WORKING HOURS (8:00 A.M. TO 5:00 P.M. - MONDAY THROUGH FRIDAY).
21. UPON COMPLETION OF THE PROJECT, THE CONTRACTOR WILL NOTIFY THE MEDFORD WATER COMMISSION 48 HOURS IN ADVANCE OF A DESIRED FINAL INSPECTION.
22. NO OTHER UTILITY APPURTENANCE WITHIN 5' FEET OF WATER FACILITY APPURTENANCES.
23. SANITARY SEWER MAINS TO HAVE 6' TRENCH WALL TO TRENCH WALL (4' E TO E), 6" OUTSIDE TO OUTSIDE MINIMUM (D.L. 55 WHICH LESS THAN 18').



HYDRANT BLOCK SIZING TABLE

DRY PIPE LENGTH (FEET)	VALVE SIZE (INCHES)	VALVE WEIGHT (LBS)	VALVE WEIGHT (LBS)	VALVE WEIGHT (LBS)	VALVE WEIGHT (LBS)
0	2 1/2	60	100	15	100
0	3 1/2	60	100	20	100
0	4 1/2	70	100	25	100
0	5 1/2	80	100	30	100

REV 4/78



Property Line Adjustment

NOTE: City of Medford approved new deeds

SURVEY FOR:
Southern Oregon Builders
670 Mason Way
Medford, Oregon 97501

LOCATION:
South-Hall of Section 14,
T.37S., R.2W., W.M.,
Jackson County, Oregon

SURVEY BY:
Kaiser Surveying
19754 Highway 62
Eagle Point, Oregon 97524

DATE:
May 10, 2011



LEGEND

- = Found 5/8" Rebar with Plastic Cap - S.N. 16327
- = Found Monument as Indicated
- = Set 5/8" x 24" Rebar with Plastic Cap marked "KAISER RLS 803"
- ▲ = Set 5/8" x 24" Rebar with Aluminum Cap marked "KAISER RLS 803"
- S.N. = Filed Survey Number County Surveyors Office
- = Fence

REGISTERED PROFESSIONAL LAND SURVEYOR

Barry D. Kaiser

CREW
JULY 15, 2003
BARRY D. KAISER
No. 32922
Exp. 6-30-11

RECEIVED
Date *Feb 11 2011*
This survey consists of:
1 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY SURVEYOR

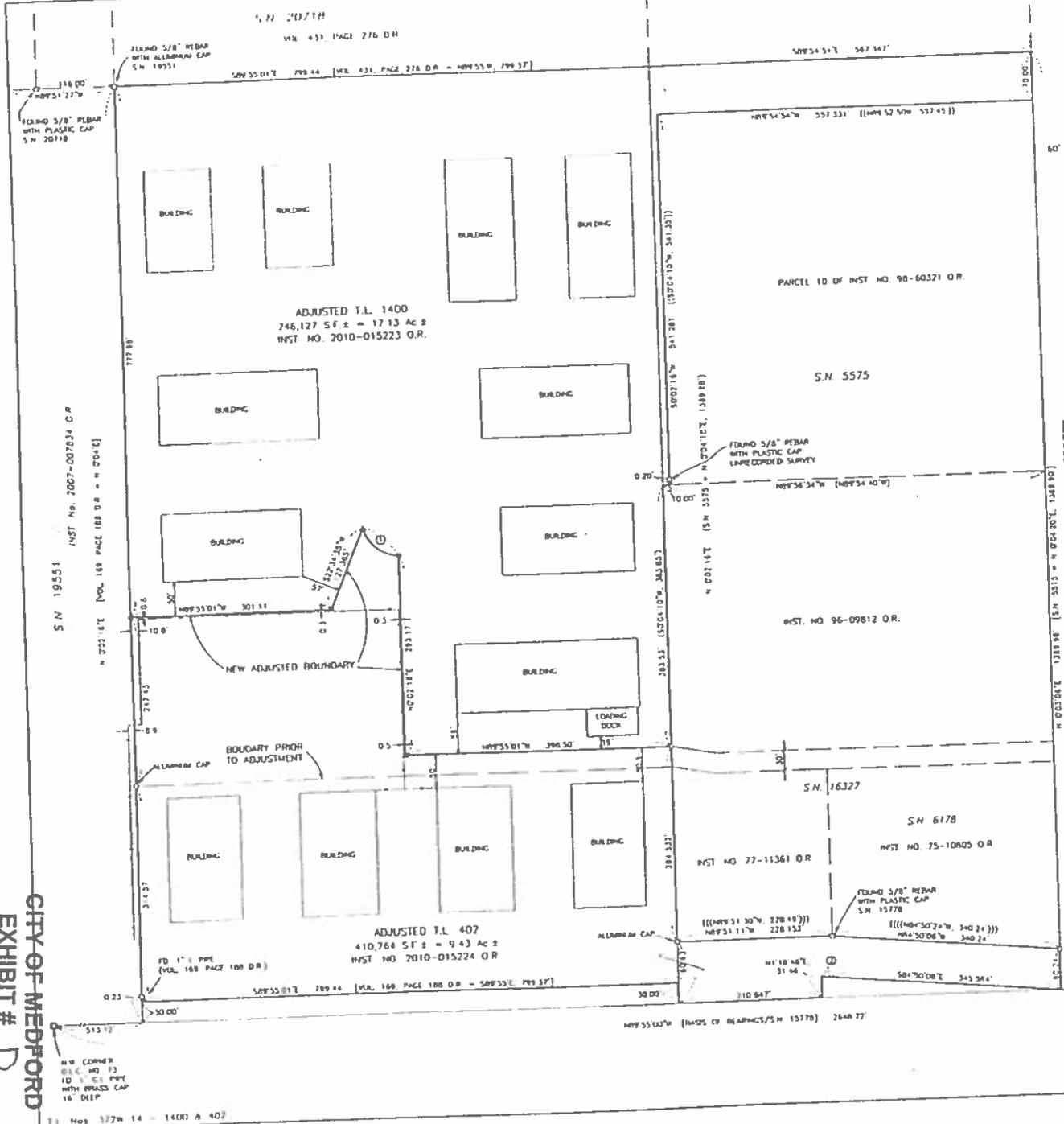
CURVE TABLE

Δ	R	L	LC
① 70°21'48"	57.00'	70.00'	160°51'37" W, 45.643'
② 1°46'52"	370.00'	11.50'	185°45'31" W, 11.50'

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

PURPOSE: Property-Line-Adjustment Survey adjusting the common boundaries of tracts described in Instrument No. 98-25094 O.R. (T.L. 402) and in Inst. No. 98-25093 O.R. (T.L. 1400). Also prepared descriptions of the Adjusted Tax Lots.

PROCEDURE: Equipment used to perform survey was a Nikon DTM 530 total station. Information on Filed Survey Nos. 15778, 16327, 19551, 5575 and 6178 along with recorded deed documents as shown were used to locate the existing boundaries. The New Adjusted Boundaries were located per the clients direction and the City Approval.



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CITY OF MEDFORD
EXHIBIT # D
File # LDS-17-050

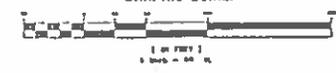
APR 13 2017
PLANNING DEPT.

COMMERCIAL SITE PLAN FOR SOUTHERN OREGON BUILDERS

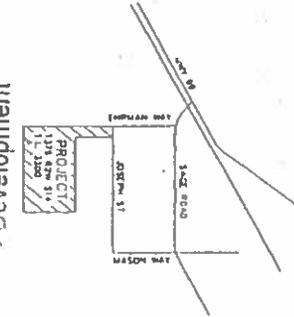
Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501
(541) 752-6162

SITE PLAN FOR SOUTHERN OREGON BUILDERS

137S R2W S14 D
T.L. 3300



COPY



VICINITY MAP

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SEP 17 2003
JACKSON COUNTY PLANNING

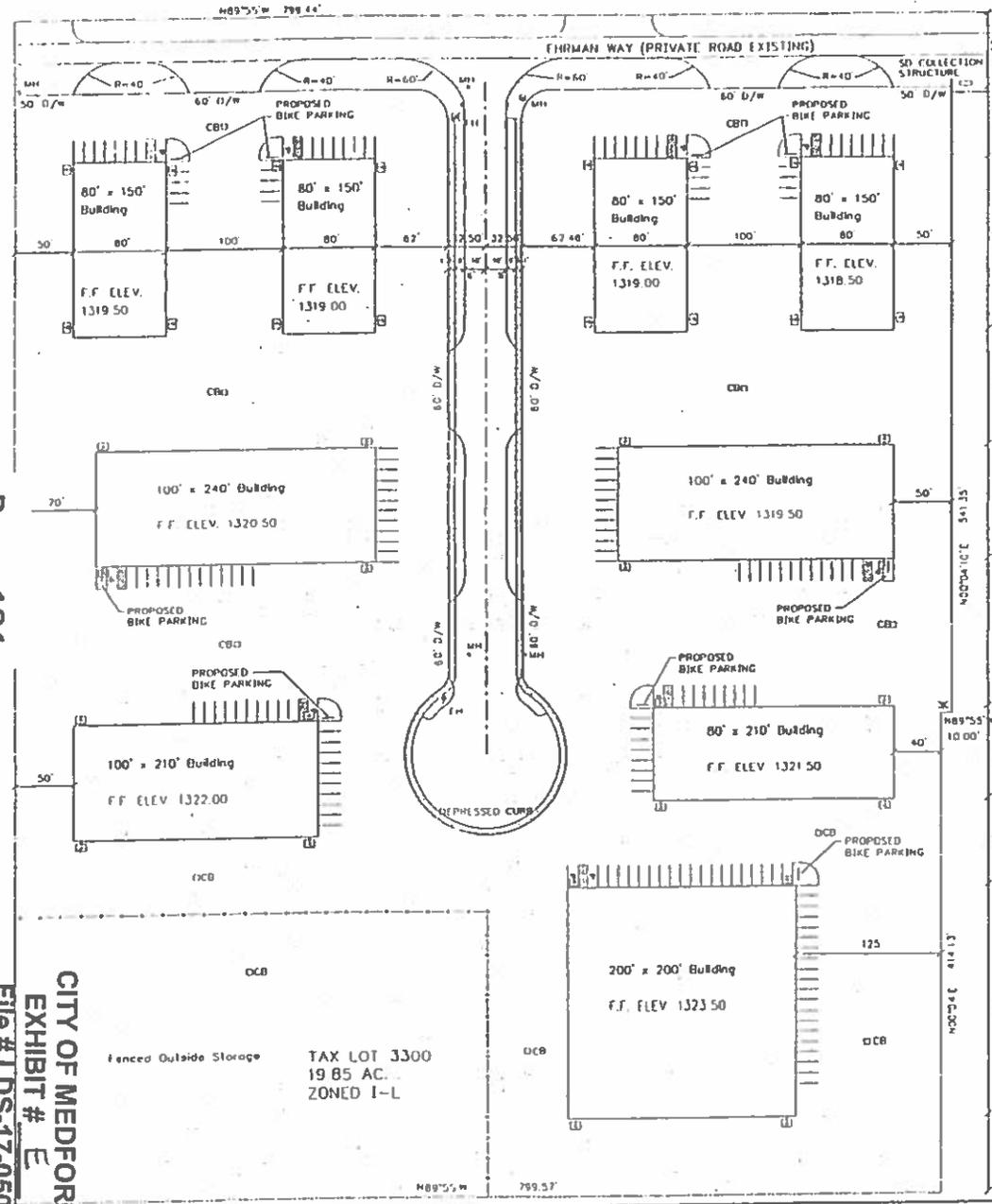
Applicant: SOUTHERN OREGON BUILDERS
670 MASON WAY
MEDFORD, OREGON 97501
Owner: SOUTHERN OREGON BUILDERS
670 MASON WAY
MEDFORD, OREGON 97501

LEGEND: LIGHTING

- (L) TYPE 'A' LITHONIA LIGHTING
- (S) 501 SQUARE CUTOFF LIGHTING
- (C) CONTOUR SERIES

Conditionally Approved (✓)
Approved ()
Denied ()

By: T.L.B. Date: 12-5-03
Jackson County Development



TAX LOT 3300
19.85 AC.
ZONED I-L



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APR 13 2017
LDS-17-050

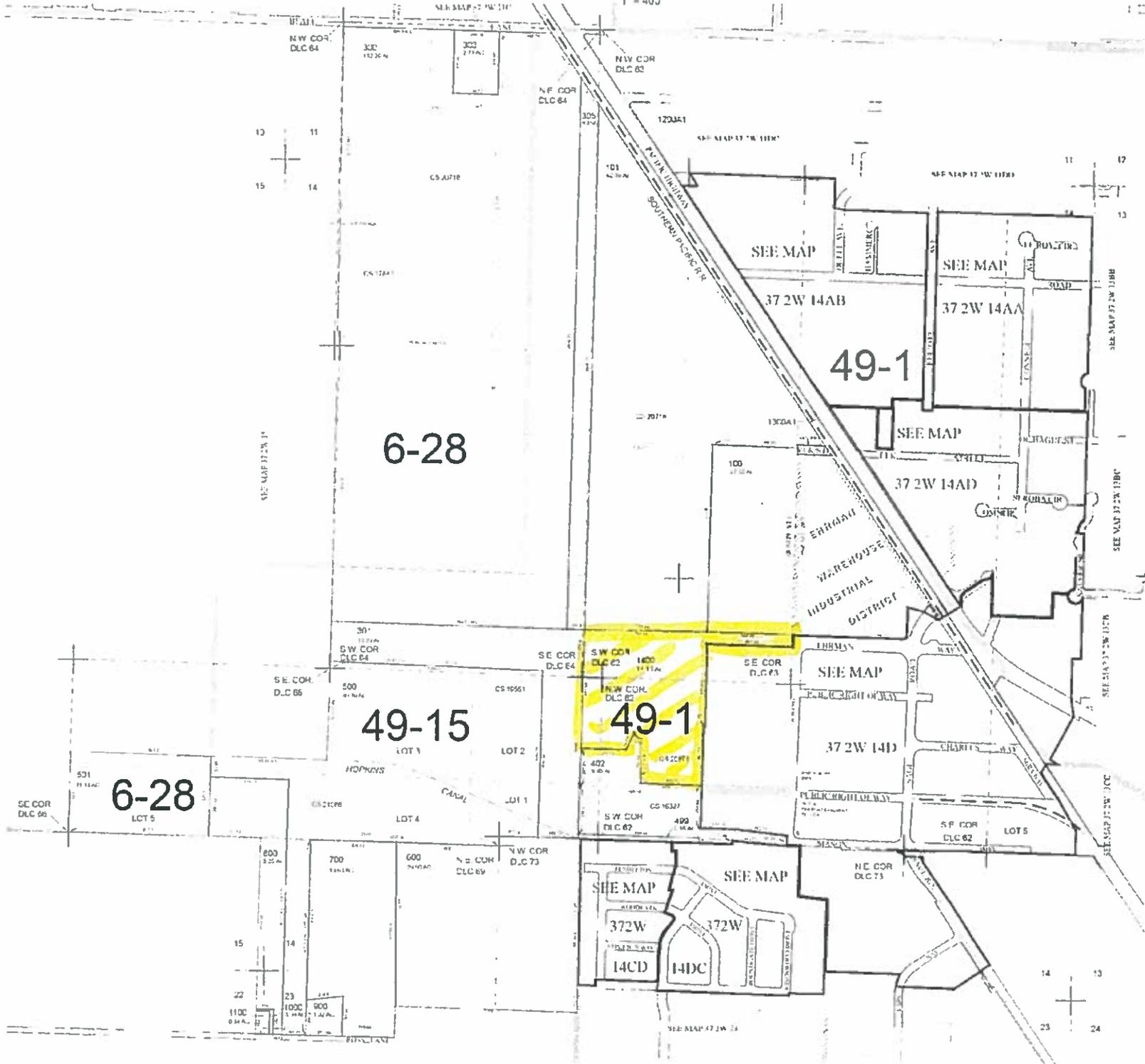
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PLANNING DEPT.

FOR ASSESSMENT AND TAXATION ONLY

SECTION 14, T.57S., R.27W., W.M.
JACKSON COUNTY
T# 40J

37 2W 14
& INDEA
MEDFORD



CANCELLED TAX LOT NUMBERS

- 87
- 88
- 89
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APR 13 2017
PLANNING DEPT.

37 2W 14
& INDEA
MEDFORD
DOR CONVERSION MARCH 30, 2003
REV JULY 12, 2002

CITY OF MEDFORD
EXHIBIT # F
File # LDS-17-050

6
MFD03242102.01
PLANS

2012 Aerial

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Subject Property

APR 13 2017
PLANNING DEPT



1 inch = 400 feet

RECEIVED



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied
3-31-17



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, SGP, swisstopo, and the GIS User Community

RECEIVED

APR 13 2017

PLANNING DEPT.

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

IN THE MATTER OF AN APPLICATION FOR)
A 9-LOT PAD LOT DEVELOPMENT AND)
ASSOCIATED LAND DIVISION FOR 17.13)
ACRES OF LAND LOCATED WEST OF)
JOSEPH STREET AND SOUTH OF EHRMAN)
WAY. THE PROPERTY IS DESCRIBED AS)
ASSESSOR'S MAP NO. 37-2W-14, TAX LOT)
1400; MERLIN AND JOANN FJARLI)
FOUNDATION INC., OWNER/APPLICANT;)
RICHARD STEVENS & ASSOCIATES,)
INC. AGENTS.)

FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

I. RECITALS PERTAINING TO THE PROPERTY:

PROPERTY OWNER: Fjarli Merlin and Joann Foundation, Inc.
670 Mason Way
Medford, OR 97501

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

INTRODUCTION:

The subject site is located in the northwest corner of Medford, approximately 800 feet west of the intersection of Sage Road and Ehrman Way. The property is zoned General Industrial (I-G) and is approximately 17.13 acres in size. There are nine existing industrial buildings on the site, totaling 187,000 square feet, and ranging in size from 15,000 to 27,500 square feet. The structures on the property were approved and constructed through Jackson County permitting process (File 439-SIT2003-00018 SPR).

In preparation for their plans to subdivide the property in the future, the applicants constructed Ehrman Way west of Joseph Street, and Ehrman Circle, into the subject property to provide frontage for the buildings and future lots. The property was annexed to the City in 2007 and the applicants submitted an application to subdivide the property in 2011. The subdivision application was denied in 2012. The applicants then requested the property be "de-annexed" (removed from the city) in 2013. That request was denied and the property remains a part of the city of Medford.

The purpose of this application is to create a nine-lot Pad Lot Development with each of the pad lots containing one of the nine existing industrial building. All shared access, utilities, and common landscaping will be in common area created by this Pad Lot Development and Land Division application. There are no plans at this time to change the existing use of the property or to modify any of the existing development. The proposed application would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

There is no further development proposed with this application. All site improvements were reviewed, permitted, and constructed through Jackson County (see approved site plan in Exhibit A and approved utilities plans in Exhibit B from Jackson County File 439-SIT2003-00018 SPR). All access ways and utilities serving the site are constructed and will remain privately owned and maintained.

II. APPLICABLE CRITERIA:

The Land Division Criteria are listed in Section 10.270, Medford Land Development Code. The criteria are:

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V.*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter.*
- (3) Bears a name that has been approved by the approving authority...*
- (4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary...*
- (5) Has streets that are proposed to be held for private use...*
- (6) Contains streets and lots which are oriented to make maximum effective use of passive solar energy.*

The Pad Lot Development Criteria are listed Section 10.703 B., Medford Land Development Code. The criteria are:

- (1) All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.*

- (2) *The Parent parcel shall meet the site development standards established in Section 10.721.*
- (3) *All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative application being accepted for review by the planning Commission.*
- (4) *A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and Recorded. The recorded CC&Rs shall provide:*
 - (a) *That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.*
 - (b) *An association for the purpose of governing the operations of the common interests.*
 - (c) *Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
 - (d) *The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

III. FINDINGS IN COMPLIANCE WITH THE CRITERIA FOR LAND DIVISION AND PAD LOT DEVELOPMENT:

COMPLIANCE WITH SECTION 10.270 LAND DIVISION

The approving authority (Planning Commission) shall not approve any tentative plat unless it first finds that, the proposed land division together with the provisions for its design and improvement:

Section 10.270(1) *Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, and all applicable design standards set forth in Article IV and V.*

Discussion:

The subject property is designated on the Medford Comprehensive Plan, General Land Use Plan (GLUP) Map as Heavy Industrial (HI). The property is zoned I-G/I-00 (General Industrial /Limited Industrial Overlay), which is consistent with the HI GLUP map designation. There is no Neighborhood Circulation Plan applicable to this site.

The subject site is fully developed with existing structures which are used for industrial use. Although these structures, and their permitted uses, were established through Jackson County review, prior to annexation, the existing use is consistent with the Comprehensive Plan.

The proposed Land Division is somewhat atypical in that it involves the creation of a Pad Lot Development (Section 10.703). In the case of a Pad Lot Development the design standards set forth in Article IV and V apply only to the Parent parcel as demonstrated in Section 10.703 B. (2). Compliance with the applicable standards of Article IV and V will be addressed in detail below under the findings in compliance with Section 10.703 (Pad Lot Development).

CONCLUSION:

The City of Medford concludes that the proposal is consistent with the Comprehensive Plan in that the zoning of the site is consistent with the GLUP designation. The existing use of the property is consistent with the zoning for the property. There are no plans to change either the existing development or the existing use, and therefore, the property will remain consistent with the Comprehensive Plan and existing zoning.

The design standards set forth in Article IV and V apply only to the Parent parcel as demonstrated in Section 10.703 B. (2). Compliance with the applicable standards of Article IV and V will be addressed in detail below under the findings in compliance with Section 10.703 (Pad Lot Development).

FINDING:

The City of Medford finds that this proposed land division is in compliance with the Comprehensive Plan and the standards set forth in Article IV and V.

Section 10.270(2) *Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter.*

Discussion:

The subject site is fully developed with existing structures which are used for industrial use. The properties to the north, south, and east of the subject site have been developed with industrial uses and have existing access. The property to the west is also owned by the applicant and is accessed by Ehrman Way, a private street owned by the applicant (west of Joseph Street).

CONCLUSION:

The City of Medford concludes that the proposed subdivision will not prevent development of adjoining land or of access thereto.

FINDING:

The City of Medford finds that the property is fully developed and the proposed subdivision will not prevent development of adjoining land or of access thereto, in compliance with Section 10.270(2).

Section 10.270(3) Bears a name that has been approved by the approving authority...

Discussion:

The name of the Pad Lot Development "JAM Industrial Park" bears a name approved by the Jackson County Surveyor's Office.

CONCLUSION:

The City of Medford concludes that the name, JAM Industrial Park, bears a name approved by the Jackson County Surveyor.

FINDING:

The City of Medford finds that the name for the site "JAM Industrial Park" meets the requirements of Section 10.270(3).

Section 10.270(4) Includes the creation of streets, that such streets are laid out to conform, within the limits of the City of Medford and its Urban Growth Boundary...

Discussion:

In preparation for their plans to subdivide the property in the future, the applicants constructed Ehrman Way west of Joseph Street, and Ehrman Circle, into the subject property to provide frontage for the buildings and future lots. The property was annexed to the City in 2007 and the applicants submitted an application to subdivide the property in 2011. The subdivision application was denied in 2012. The City views the existing private streets into this development (Ehrman Way and Ehrman Circle) as private drive/access ways. Regardless of their classification, these existing facilities which provide access to the individual buildings, will also provide access to the individual pad lots as proposed. These private streets/private access ways will remain

privately held and maintained. These access facilities, along with all shared utilities and shared landscaped areas, will be located within the common area identified on the proposed tentative plat for the Pad Lot Development. There are no streets being created through this application.

There is no Neighborhood Circulation Plan applicable to this site, the subject site is fully developed with existing structures, and the properties to the north, south, and east of the subject site have been developed and have existing access. The property to the west is also owned by the applicant and is accessed by Ehrman Way, a private street owned by the applicant (west of Joseph Street).

CONCLUSION:

The City of Medford concludes that there are no new streets being created through this application.

FINDING:

The City of Medford finds that this criterion is not applicable, as there are no new streets being created through this application.

Section 10.270(5) *Has streets that are proposed to be held for private use...*

Discussion:

In preparation for their plans to subdivide the property in the future, the applicants constructed Ehrman Way west of Joseph Street, and Ehrman Circle, into the subject property to provide frontage for the buildings and future lots. The property was annexed to the City in 2007 and the applicants submitted an application to subdivide the property in 2011. The subdivision application was denied in 2012. The City views the existing private streets into this development (Ehrman Way and Ehrman Circle) as private drive/access ways. Regardless of their classification, these existing facilities which provide access to the individual buildings, will also provide access to the individual pad lots as proposed. These private streets/private access ways will remain privately held and maintained. These access facilities, along with all shared utilities and shared landscaped areas, will be located within the common area identified on the proposed tentative plat for the Pad Lot Development. There are no new private streets being created through this application.

CONCLUSION:

The City of Medford concludes that there are existing private streets/access ways (Ehrman Way and Ehrman Circle) that provide access to the individual buildings and

proposed pad lots. These existing facilities will remain, will continue to provide access to the individual properties after the creation of pad lots, and will be located within common area for the Pad Lot Development.

FINDING:

The City of Medford finds that the street circulation system will not be significantly impacted with the existing private streets/access ways located within common area for the Pad Lot Development and intended to provide access to the individual properties.

Section 10.270(6) Contains streets and lots which are oriented to make maximum effective use of passive solar energy.

Discussion:

The private streets within the existing development and proposed Pad Lot Development are oriented in cardinal directions; Ehrman Way runs east-west and Ehrman Circle runs north-south. The industrial structures were built to the criteria required by Jackson County through File 439-SIT2003-00018 SPR. JAM Industrial Park contains lands that are basically flat, therefore, no shading due to slopes is contemplated. The spacing of the existing buildings provides solar access to each of the buildings. The size of the proposed pad lots will help to protect solar access for the individual buildings.

CONCLUSION:

The City of Medford concludes that although not contemplated during the permitting process for the existing development, the existing configuration of the industrial buildings, which will remain unchanged through this application, provides solar access to each of the existing structures. The City of Medford further concludes that making the maximum effective use of passive solar energy will be part of the approval criteria for any newly proposed structures within the city limits of Medford.

FINDING:

The City of Medford finds that this criterion is not applicable as the subject property is fully developed with existing structures and private streets. There are no changes proposed to the existing street and building orientations which would require the consideration of the use of passive solar energy.

COMPLIANCE WITH SECTION 10.703 PAD LOT DEVELOPMENT

It is the purpose of this Section to provide a process for the creation of tax lots within a common area for non-residential use. Development Standards:

Section 10.703 B. (1) *All lot-lines created within the common area shall be located along a common or exterior building wall, or within four (4) feet of an exterior building wall, unless the approving authority (Planning Commission) allows a greater distance for special purposes.*

Discussion:

As shown on the submitted tentative plat, the proposed pad lot development will create 9 pad lots, each of which will contain one of the existing industrial buildings along with the existing parking, maneuvering, and loading dock areas associated with the individual buildings. In order to assign the appropriate parking, maneuvering, and loading areas to each of the existing buildings, the lot-lines must extend beyond four feet of the existing exterior building walls. The special purpose behind this orientation is the fact that this is an existing development; the existing loading docks associated with the individual buildings extend well beyond 4 feet from the exterior building walls; the existing development will not be changed through this application; and the application is intended only to allow for the individual buildings to be sold and held separately. The use and appearance of the existing development will remain unchanged. This application is consistent with the purpose of the Pad Lot Development Section in that it will create tax lots (lots) within a common area for non-residential purposes. The need for the lots to extend beyond four feet of the exterior walls is created by the existing use of the property and orientation of existing development.

CONCLUSION:

The City of Medford concludes that the orientation of the existing development, with individual parking, maneuvering, and loading areas for each of the existing buildings, is in fact a unique circumstance requiring the approval of lot-lines that are located beyond four feet of the existing exterior building walls. The Planning Commission is allowing this greater distance for the special purpose of providing for the individual ownership of each of the existing industrial building, consistent with the purpose of the Pad Lot Development Section, while not forcing a change to the use or the functioning of the existing development.

FINDING:

The City of Medford finds that there is a special purpose for allowing lot-lines to be located at a greater distance than four feet

from the exterior building walls for this Pad Lot Development. With this finding, the City of Medford finds the proposed Pad Lot Development to be consistent with Section 10.703 B. (1).

Section 10.703 B. (2) *The Parent parcel shall meet the site development standards established in Section 10.721.*

Discussion:

The property is zoned General Industrial (I-G). Per Section 10.721 the property must meet the following Site Development Standards:

Development Standards	I-G
Minimum and Maximum Area for Zoning District (Acres)	None
Minimum Lot Area (Square Feet)	10,000
Maximum Coverage Factor (See 10.706)	90%
Minimum Lot Width	70 feet
Minimum Lot Depth	100 feet
Minimum Lot Frontage	70 feet
Minimum Front & Street Side Yard Building Setback	10 feet Except 20 feet for vehicular entrances to garages and carports
Minimum Side and Rear Yard Building Setback	None Except ½ foot for each foot in building height over 20 feet

The Parent Parcel has the following site characteristics (see Existing Site Plan in Exhibit A):

Minimum and Maximum Area for Zoning District (Acres)	17.13
Minimum Lot Area (Square Feet)	746,127
Maximum Coverage Factor (See 10.706)	25% (187,000 sq ft building area)
Minimum Lot Width	70 feet at end of flag pole
Minimum Lot Depth	805 feet in center
Minimum Lot Frontage	70 feet on Joseph Street
Minimum Front & Street Side Yard Building Setback	40 feet
Minimum Side and Rear Yard Building Setback	50 feet

CONCLUSION:

The City of Medford concludes that the Parent property meets or exceeds all required Development Standards of Section 10.721 for the G-I zoning district.

FINDING:

The City of Medford finds that the Parent Parcel meets or exceeds all Development Standards of Section 10.721 for the G-I zoning district, therefore the proposed Pad Lot Development meets the criterion in Section 10.703 B. (2).

Section 10.703 B. (3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative application being accepted for review by the planning Commission.

Discussion:

This requirement is intended to verify that development occurring in pad lot developments will both fit on the proposed pad lots and meet Development Code requirements for development (parking, landscaping, etc.). In this case, there are nine existing industrial buildings on the site that range in size from 15,000 to 27,500 square feet. The structures were all reviewed and approved through the County's site review process (File 439-SIT2003-00018 SPR). Since there is no new development proposed at this time, there is no need for a Site Plan and Architectural Review.

CONCLUSION:

The City of Medford concludes that the application does not include plans for additional development on the subject property. All existing development was reviewed and approved through Jackson County and found to be consistent with the County's standards for site development at that time. Additional development, should it be proposed in the future, must meet applicable City of Medford Standards.

FINDING:

The City of Medford finds that the property contains existing development that was approved by Jackson County prior to the property being annexed. The application does not include any plans for additional development. Site Plan and Architectural Review is not required for pre-existing development. Section 10.703 B. (3) does not apply.

Section 10.703 B. (4) *A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and Recorded. The recorded CC&Rs shall provide:*

- (a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.*
- (b) An association for the purpose of governing the operations of the common interests.*
- (c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
- (d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

Discussion:

The tentative plat submitted with this application clearly identifies that JAM Industrial Park is a pad lot development. The final plat, when it is prepared, will also identify JAM Industrial Park as a pad lot development.

Covenants, Conditions, and Restrictions (CC&Rs) will be provided prior to the recording of the final plat. The CC&Rs will provide:

- (a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.*
- (b) An association for the purpose of governing the operations of the common interests.*
- (c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
- (d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:
The Merlin and JoAnn Fjarli Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:
Kaiser Surveying
18754 Highway 62
Eagle Point, OR. 97524



RECEIVED

APR 13 2017

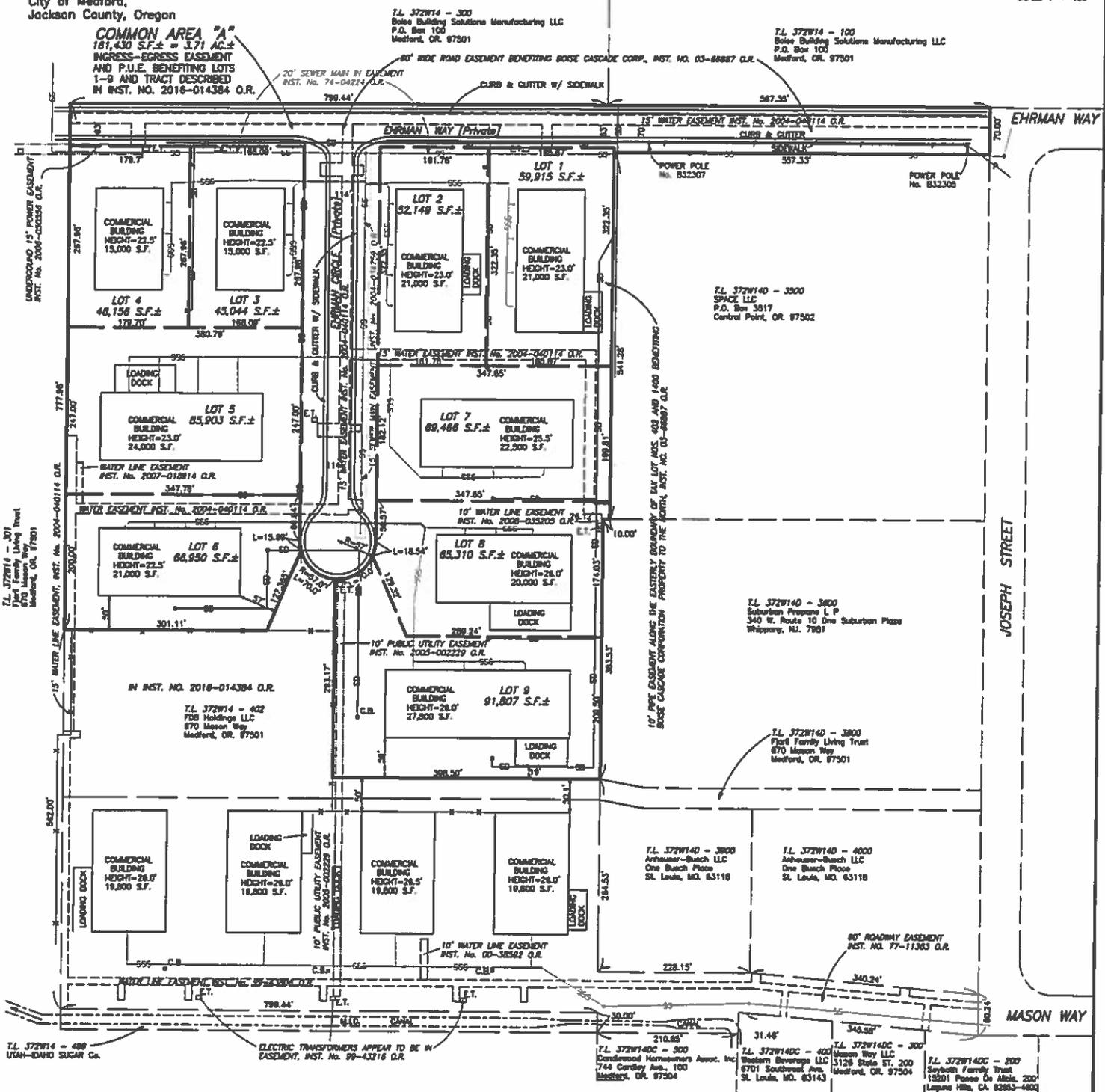
PLANNING DEPT.

SCALE 1" = 100'

LOCATION: T.L. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE:
December 6, 2016

COMMON AREA "A"
181,430 S.F. ± = 4.17 AC ±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014384 O.R.



REQUIRED INFORMATION (FROM APPLICATION FORM)

1. There are no wells or septic systems on site. All tax lots receive water and sewer service from mains located in easements and/or mains as shown. The location of stormdrain lines and catch basins were located from survey files and Engineers drawings. Stormdrain facilities located on tax lot 1400 drain Northernly to Boise Cascade log pond and stormdrain lines located on tax lot 402 drain Southernly to M.L.D. canal.

2. All structures are commercial buildings. The buildings are concrete block and metal constructed and are single story with building heights as shown.

ZONING INFORMATION:
Properties are located in I-C zone.

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

1. Power line easements recorded in Vol. 228, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.

2. Documents recorded in Inst. Nos. 78-22653 O.R., 78-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.

3. Gas line easements recorded in Inst. Nos. 73-17369 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southernly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23685 O.R. appears to a blanket easement for maintenance of natural gas facilities.

4. Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easement. Ex

CITY OF MEDFORD
EXHIBIT #
File # LDS-17-050

CONCLUSION:

The tentative plat does, and the final plat will, identify this development (JAM Industrial Park) as a pad lot development. CC&Rs, providing the four elements required by this criterion, will be provided to the City and recorded prior to final plat approval.

FINDING:

The City of Medford finds that the tentative plat identifies JAM Industrial Park as a pad lot development. The City of Medford also finds that as conditions of approval, the final plat shall also identify JAM Industrial Park as a pad lot development and that CC&Rs, providing the four elements required by this criterion, will be provided to the City and recorded prior to recording of the final plat.

IV. SUMMARY AND CONCLUSIONS:

The City of Medford concludes that this application for JAM Industrial Park Pad Lot Development has addressed the applicable criteria for a Land Division as outlined in Section 10.270 MLDC and the applicable criteria for a Pad Lot Development as outlined in Section 10.703 MLDC. The City of Medford can also conclude that this application is in compliance with the Medford Land Development Code and the Medford Comprehensive Plan.

The applicant respectfully requests approval of this application for a Pad Lot Development for JAM Industrial Park.

Respectfully Submitted:



RICHARD STEVENS & ASSOCIATES, INC.

APR 13 2017



Subdivision and Condominium Plat Name Approval Request Form

PLANNING DEPT.
Surveyor's Office
10 S. Oakdale Ave., #318
Medford, OR 97501
surveyor@jacksoncounty.org

This form must be submitted to the Jackson County Surveyor for subdivision and condominium plat name approval. This document may be submitted by email in PDF file format. Before the plat name is approved a \$100 processing fee must be paid.

PROPOSED NAME: JAM Industrial Park ALTERNATE NAME: _____

Applicant/ Organization Name: Richard Stevens & Associates Map and Tax Lot Number: 372W14 TL 1400

Address: P.O. Box 4368, Medford OR 97501

Phone Number: 541 773 2646 Location in City/County: In City of Medford

Signature of Applicant: [Signature] Date: 3/1/2017

Property Owner's Name and Address: The Merlin and JoAnn Fjarli Foundation
670 Mason Way
Medford, OR 97501 Surveyor/Engineer Name/Address: Kaiser Surveying
19754 Highway 62
Eagle Point, OR 97524

This Plat name will be reserved for a period of two years after which it will automatically expire. This form is a result of Oregon Revised Statutes Chapters 100.105 (5) & (6) and 92.090 (1) which states: ORS 92.090 Approval of subdivision plat names: requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party filed and record the consent of the party that platted the contiguous subdivision bearing that name. ORS 100.105 Contents of declaration; property name; variable property description. (5) The name of the property shall include the word "condominium" or condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.

Plat Name Approved: as requested Date Fee Paid: 2/21/17
[Signature] Date: 3/3/17 Invoice Number #7436*
Jackson County Surveyor

* Original request denied, see attached.



Subdivision and Condominium Plat Name Approval Request Form

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PROPOSED NAME:

Ehrman Way Industrial Park

ALTERNATE NAME:

Ehrman Way Industrial Subdivision

Applicant/ Organization Name:

Richard Stevens & Associates

Map and Tax Lot Number:

372W14 TL 1400

Address:

P.O. Box 4368, Medford OR 97501

Phone Number:

541 773 2646

Location in City/County:

In City of Medford

Signature of Applicant:

2/21/17
Date

Property Owner's Name and Address:

The Merlin and JoAnn Fjarli Foundation

670 Mason Way

Medford, OR 97501

Surveyor/Engineer Name/Address:

Kaiser Surveying

19754 Highway 62

Eagle Point, OR 97524

This Plat name will be reserved for a period of two years after which it will automatically expire. This form is a result of Oregon Revised Statutes Chapters 100.105 (5) & (6) and 92.090 (1) which states: ORS 92.090 Approval of subdivision plat names: requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party filed and record the consent of the party that platted the contiguous subdivision bearing that name. ORS 100.105 Contents of declaration; property name; variable property description. (5) The name of the property shall include the word "condominium" or condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.

Plat Name Approved:

Denied 2/23/17

Date Fee Paid:

2/21/17

Invoice Number

7436

Jackson County Surveyor

Date



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 5/24/2017
File Number: LDS-17-050

PUBLIC WORKS DEPARTMENT STAFF REPORT **JAM Industrial Park** **Pad Lot Development**

- Project:** Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot.
- Location:** Located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400).
- Applicant:** Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.
-

A. STREETS

1. Dedications

Ehrman Way and Ehrman Circle are both private streets along this frontage. **No additional right-of-way is required.**

2. Public Improvements

a. Public Streets

Ehrman Way and Ehrman Circle – All street section improvements have been completed to Jackson County standards per Public Improvement Plans P1785D. That said, both streets along this frontage are privately maintained and **no additional improvements are required.**

b. Street Lights and Signing

No additional street lights are required as streets fronting this development are private.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Ehrman Way or Ehrman Circle as they are privately maintained.

d. Access to Public Street System

Driveway access to the proposed development site shall comply with MLDC 10.550.

Access to the Site shall be restricted to the currently existing access points as identified on the tentative plat. No additional direct access shall be approved.

e. Easements

Easements shall be shown on the final plat for all sanitary sewer and stormdrain mains or laterals, which cross lots, including any common area, other than those being served by said lateral.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

C. STORM DRAINAGE

1. Hydrology

With future development, the Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division. Please include engineering for the infiltration trenches.

2. Stormwater Detention and Water Quality Treatment

Future development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481.

Upon completion of the project, the developer’s design engineer shall provide written certification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

3. Grading

Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement.

4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to the final "walk-through" inspection of the public improvements by City staff.

E. GENERAL CONDITIONS

1. Permits

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

2. System Development Charges (SDC)

This development is subject to sewer treatment and street SDCs. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges. The storm drain system development charge shall be collected at the time of future building permits.

3. Construction and Inspection

Contractors proposing to do work on public streets, 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.

Prepared by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

JAM Industrial Park
Pad Lot Development
LDS-17-050

A. Streets

1. Street Dedications to the Public:

- Ehrman Way & Ehrman Circle – No additional right-of-way required.

2. Improvements:

a. Public Streets

- Ehrman Way & Ehrman Circle – No additional improvements are required.

b. Lighting and Signing

- No additional street lights are required.

c. Other

- There is no pavement moratorium currently in effect on Ehrman Way & Ehrman Circle.

B. Sanitary Sewer

- The site is situated within the RVSS area.

C. Storm Drainage

- Provide an investigative drainage report, with future development.
- Provide water quality and detention facilities, with future development
- Provide Stormdrain and other utility easements.
- Provide a comprehensive grading plan, with future development.

D. Survey Monumentation

- Provide all survey monumentation.

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.



Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-17-050

PARCEL ID: 372W14 TL 1400

PROJECT: Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400); Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.

DATE: May 24, 2017

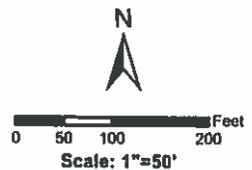
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be served by existing water meters.
3. "Private" water service line easements are required over existing water service lines that cross one parcel to serve another. These "private" easements are required to be in place to provide access for potential repairs to the water service line from each water meter to the plumbing entry point of each building. These "private" easements shall be recorded at the County.

COMMENTS

1. MWC-metered water service does exist to each of these properties. There is also a dedicated landscape irrigation water meter located on west side of Ehrman Circle near existing fire hydrant near Ehrman Way
2. Access to MWC water lines is available. The water line in Ehrman Way east of Ehrman Circle is 6-inch cast iron and 8-inch ductile iron west of Ehrman Circle. The water line in Ehrman Circle is comprised of both 8-inch and 12-inch ductile iron pipe. There is a 12-inch water line which extends across these parcels both east and west of Ehrman Circle.
3. The static water pressure in this area is approximately 78 psi. PRV's are not required.



**Water Facility Map
for
LDS-17-050**

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



This map is based on a digital orthophoto provided by Woodford Water Resources with a variety of overlays. Woodford Water Resources does not assume responsibility for errors or omissions in published information. Maps are not intended for navigation or other purposes.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Dustin Severs

LD Meeting Date: 05/24/2017

From: Greg Kleinberg

Report Prepared: 05/19/2017

Applicant: Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens &

File #: LDS - 17 - 50

Site Name/Description:

Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400); Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Requirement FIRE HYDRANTS	OFC 508.5
----------------------------------	------------------

Fire hydrants with reflectors will be required for this project.

The building on Lot #9 is out of compliance with the below listed fire code requirement, therefore one additional fire hydrant will be required to be located on the south side of the Ehrman Circle cul-de-sac.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).
- Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).

(Ref: OFC 507.5.1)

CITY OF MEDFORD
EXHIBIT # L
File # LDS-17-050

Development shall comply with access and water supply requirements in accordance with the Fire Code in affect at the time of development submittal.

Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Specific fire protection systems may be required in accordance with the Oregon Fire Code.

This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on the information provided only.

Design and installation shall meet the Oregon requirements of the IBC, IFC, IMC and NFPA standards.

Dustin J. Severs

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Thursday, May 18, 2017 1:53 PM
To: Dustin J. Severs
Subject: LDS-17-050 - ODA Comments

Dustin:

Thank you for allowing ODA to comment on the proposed 9-lot development located at 301 Ehrman Way. After further review ODA finds that this subdivision will not cause a hazard to air navigation since the site is already developed and has existing structures. Therefore, no FAA Forms 7460-1 will be required.

Thank you again, please feel free to contact me if you or the applicant have any questions.

Jeff

Jeff Caines, AICP
Oregon Department of Aviation
Aviation Planner / SCIP Coordinator
3040 25th St. SE | Salem, OR 97302
Office: 503.378.2529

Cell / Text: 503.507.6965
Email: Jeff.Caines@aviation.state.or.us

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.



JACKSON COUNTY

Roads

Roads Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone (541) 774-6255
Fax (541) 774-6295
christie@jacksoncounty.org
www.jacksoncounty.org

May 15, 2017

Attention: Dustin Servers
Planning Department
City of Medford
200 South Ivy Street, Lausmann Annex, Room 240
Medford, OR 97501

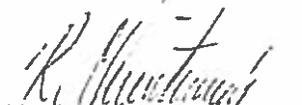
RE: Consideration for a tentative plat approval for JAM Industrial Park off Ehrman Way – a privately maintained road.
Planning File: LDS-17-050

Dear Dustin:

Thank you for the opportunity to comment on the consideration of a request for a tentative plat approval for JAM Industrial Park. A proposed 9-lot industrial pad Lot Development on 17.13 acre lot located at 301 Ehrman Way in the general Industrial (I-G) zoning district (37-2W-14 TL 1400). Jackson County Roads has no comments.

If you have any questions or need further information feel free to call me at 774-6255.

Sincerely,


Kevin Christiansen
Construction Manager



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

May 17, 2017

Medford Planning Department
200 S. Ivy Street
Medford, Oregon 97501

Re: JAM Industrial Park, LDS-17-050 (Map 372W14C, Tax Lot 1400)

ATTN: Dustin,

Currently each existing commercial building is connected via 4" sewer service to the 8" sewer main on Ehrman Circle. Sanitary sewer is not required for this development.

Feel free to call if you have any questions regarding this project.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, PE
District Engineer

RECEIVED
APR 13 2017
PLANNING DEPT.

JAM INDUSTRIAL PARK

AGRICULTURAL IMPACT ASSESSMENT

CITY OF MEDFORD
EXHIBIT # P
File # LDS-17-050

I. INTRODUCTION

Richard Stevens & Associates was retained by the owners/applicants of JAM Industrial Park (Fjarli Merlin and Joann Foundation, Inc.) to prepare this Agricultural Impact Assessment (AIA). This AIA has been prepared in accordance with Section 10.801 of the City of Medford Land Development Code (MLDC). This ordinance specifies the information to be submitted to the Planning Department prior to development of urban lands that abuts Exclusive Farm Use (EFU) zoned lands. The Medford Comprehensive Plan, Urbanization Element; Policies 11 & 12 also aid in the development of property that abuts EFU zoned lands.

This report addresses the potential impacts of a proposed pad-lot subdivision with abutting EFU zoned lands towards the west, owned by Fjarli Properties LLC.

II. PROJECT DESCRIPTION

JAM Industrial Park is located on property described as Township 37S, Range 2W, Section 14, Tax Lot 1400, Jackson County, Oregon; west of Sage Road and south of Erhman Way, in Medford (See Appendix A).

The subject site is located inside the Medford City Limits and is currently zoned I-G/I-00 (General Industrial / Limited Industrial Overlay) (See Appendix B). There are nine existing industrial buildings on the site, totaling 187,000 square feet, and ranging in size from 15,000 to 27,500 square feet. The structures on the property were approved and constructed through Jackson County permitting process (File 439-SIT2003-00018 SPR).

The proposed subdivision will create a nine-lot Pad Lot Development with each of the pad lots containing one of the nine existing industrial building (See Appendix C). There are no plans at this time to change the existing use of the property or to modify any of the existing development. The proposed pad-lot subdivision would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

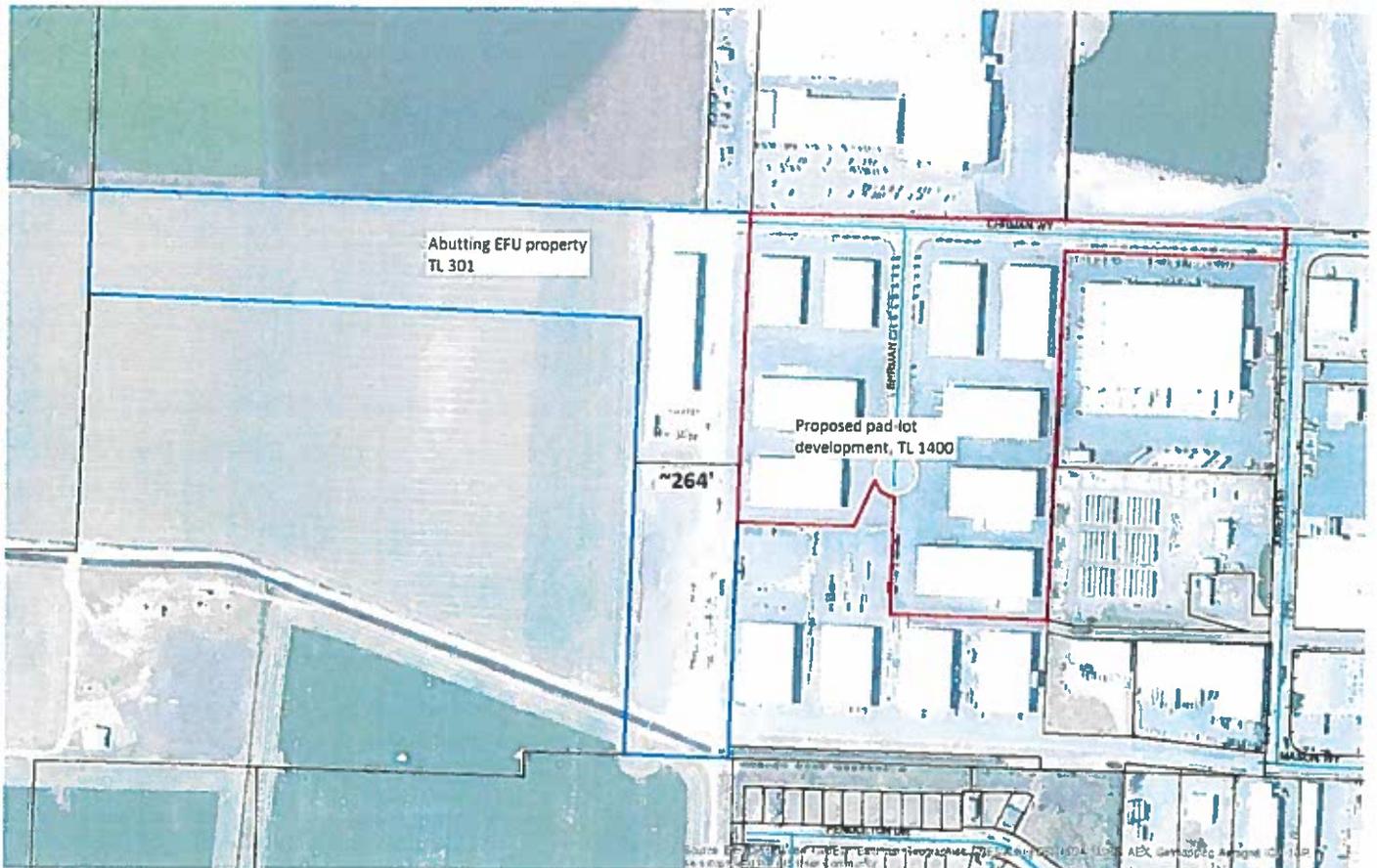
The abutting EFU lands, as prescribed in Section 10.801(B), MLDC, consists of a common lot line with property identified as T.37S-R.2W-Section 14, Tax Lot 301, in the ownership of Fjarli Properties LLC.

III. DEVELOPMENT/ABUTTING AGRICULTURE

The Fjarli Properties LLC property is zoned EFU, based on the Jackson County Official Zoning Map. Natural Resource Conservation Service (NRCS) soils data for Tax Lot 301

indicates the soils on this site are Gregory silty clay loam (76A), with an irrigated Class of II and a non-irrigated Class of IV, and Medford silty clay loam (127A), with an irrigated Class of I and a non-irrigated Class of IV (See Appendix D).

The abutting EFU property, Tax Lot 301, is 16.29 acres in size. The property is “L” shaped with one portion of the “L” running north-south along the common property line with the proposed pad-lot development and the other portion of the “L” running east-west away from the northern portion of the proposed pad-lot development (see map below). As shown on the aerial photo in Appendix B and photographs in Appendix F, the portion of Tax Lot 301 which abuts the proposed pad-lot development is developed with a large, approximately 340-foot by 80-foot storage building. This portion of Tax Lot 301 is approximately 264 feet wide, is used for farm equipment storage and repair, and the entire east boundary of the property is fenced with a 6-foot high, sight-obscuring, chain-link fence with slats. There is no agricultural activity present along the common boundary and the nearest crop production activity is more than 260 feet west of the boundary.



Primary crops grown on the property include organic butternut squash and pumpkins. Frost protection is not required for these crops. Hopkins Canal provides irrigation for this area, which is currently applied by wheel lines. The topography of the site and surrounding area is shown in Appendix D. The general surface gradient decreases from the south to the north. The surface water also drains towards the north over the agricultural property toward an existing irrigation ditch. Tractors with various implements are used during planting and harvesting operations.

A summary of precipitation, wind speed and wind direction is located in Appendix E. This information was collected at the Medford/Jackson County Airport. In general, hot, dry summers are followed by cooler fall and wet winter months. Weather data indicates winds in the area are predominately north to northwest.

Yearly average precipitation is just under 20 inches per year at the Medford Airport. The majority of the precipitation falls in the winter months. At the airport, the prevailing wind direction is from the northwest from March through September, changing to the south and north from October through February. The average yearly wind speed is 4.8 miles per hour, with higher winds reported in the summer months.

V. ADVERSE IMPACTS

The list of adverse impacts when urban developments abut EFU lands are generally Noise, Odors, Dust, Drift, Trespass and Vandalism, with Irrigation and Storm Water Runoff.

Noise- This inclusion of the noise impact is to make aware of the present source of noise. The most common noise source with the strongest potential for intensity is the tractors with various implements that are used during planting and harvesting operations.

Dust- The use of irrigation water during the growing season helps to reduce the presence of dust during most of the driest parts of the year. However, planting and harvesting processes do produce dust that can drift with the presence of wind.

Odor- It is inevitable that slight odors from fertilizer or spraying may occur, mostly in the spring and summertime. The transport mechanism most likely involved is the occasional breeze.

Trespass and Vandalism- Common knowledge points to two main adverse impacts from developments to abutting agricultural operations; the first is people trespassing onto agricultural property. Most of such trespassing is accomplished for the purpose of removing crops. The second and more severe incident is the removal of mechanical parts from vehicles and equipment.

Pesticides- Complaints about spray drift from pesticide applications is a potential adverse impact. The farm operations occurring on Tax Lot 301 are certified organic, which prohibits the use of chemical pesticides.

VI. MITIGATION MEASURES

The proposed development is abutting Fjarli Properties LLC. property that is zoned EFU, which contains predominately Gregory and Medford silty clay loam soils that are irrigated with Rogue River Valley Irrigation District water. Thus, the soil classification with the irrigation rights determines that the soils are Class I and Class II agricultural soils according to the Natural Resource Conservation Service (NRCS). Therefore, the standards and general criteria in Section 10.801(D)(2), MLDC "Intensive Agriculture" apply.

The Medford Code, Section 10.801(D)(2) requires the developer to address how the proposed development mitigates potential adverse impacts between agricultural uses and urban uses.

Trespass/Vandalism- The potential for trespassing will be mitigated by the use of a 6-foot high chain link fence with 2 strands of barbed wire, between the storage yard associated with the EFU property and the existing industrial buildings. This has been the existing condition since the development of this property more than a decade ago and there have not been any issues with trespass or vandalism.

Noise, Odors and Drift- The potential impact for agricultural noise, odors, and drift have been, and will continue to be, mitigated by the use of the spatial separation from the existing industrial development and the agricultural practices occurring more than 260 feet away. The existing storage building also acts as a physical barrier between the two uses for approximately 340 feet.

Irrigation and Storm Water Runoff- The existing industrial development has an on-site system to deal with storm water surface runoff as detailed in the grading and utility plans for the Southern Oregon Builders (SOB) industrial subdivision by Dan Marquess, PE (see Appendix C).

There is an existing berm that separates the agricultural storage building and yard from the areas planted with crops. This berm keeps irrigation water contained on the portion of the property used for crop production. Agricultural irrigation runoff flows generally northerly with the natural slope of the land into a ditch that runs along the northern boundary of the property (see Appendix F).

Right to Farm- The agricultural land adjacent to the proposed subdivision, has established a "Right to Farm" as provided by Oregon Law, ORS 30.930 to 30.947, and

there exist certain limitations on lawsuits against or relating to the farm or the farming practices and the impacts to adjoining property. The "Right to Farm" provisions of state law protect the adjacent agricultural operation and allow farming to continue within acceptable farming practices.

Mitigation Summary- Although the Fjarli Properties LLC. property abuts the proposed development, there is no crop production occurring within 200 feet of the property boundary. The existing storage yard and storage building provide more than 260-feet of separation between the urban industrial use and the crop production. In addition, the existing storage building provides a barrier between the two uses, reducing visibility, and lessening potential impacts from noise and dust. These existing conditions exceed the buffering standards required by Section 10.801D.(2)(a) and (b). Since the agricultural uses are not occurring within 200 feet of the industrial development, the landscaping required by Section 10.801D.(2)(b) is not necessary, and requiring trees to be planted along the boundary between these two existing developments would create new conflicts rather than mitigate existing conflicts. The following measures can also be used to further mitigate potential impacts between the two uses:

Proposed Mitigation:

- 1) A six foot chain link fence along the west property line of the subject parcel for a distance of approximately 775 feet.
- 2) Deed declarations for Lots 3, 4, 5, & 6 will be recorded requiring the owner and all successors in interest to recognize and accept common, customary, and accepted farming practices. The deed declarations shall be approved by the City of Medford and recorded in the official records of Jackson County, and copies mailed to the owners of Lots 3, 4, 5, and 6.

VII. SUMMARY AND CONCLUSIONS

In accordance with the Medford Land Development Code, this AIA was prepared to address the potential impacts of the JAM Industrial Park pad-lot subdivision on agricultural lands zoned EFU. Currently, Fjarli Properties LLC. is in ownership of the abutting EFU zoned lands to the west, which is developed in large part for equipment storage and maintenance but does include some agricultural production (organic pumpkins and butternut squash).

It is believed that the examination of impacts from the proposed JAM Industrial Park pad-lot development contained herein has adequately considered potential impacts and demonstrates the effective application of buffering and physical separation to mitigate those potential impacts in accordance with the requirements of Medford Land Development Code, Section 10.801. The existing conditions, together with the mitigation measures outlined above, are adequate to protect the adjacent EFU land from adverse impacts resulting from the proposed subdivision.

Respectfully Submitted,

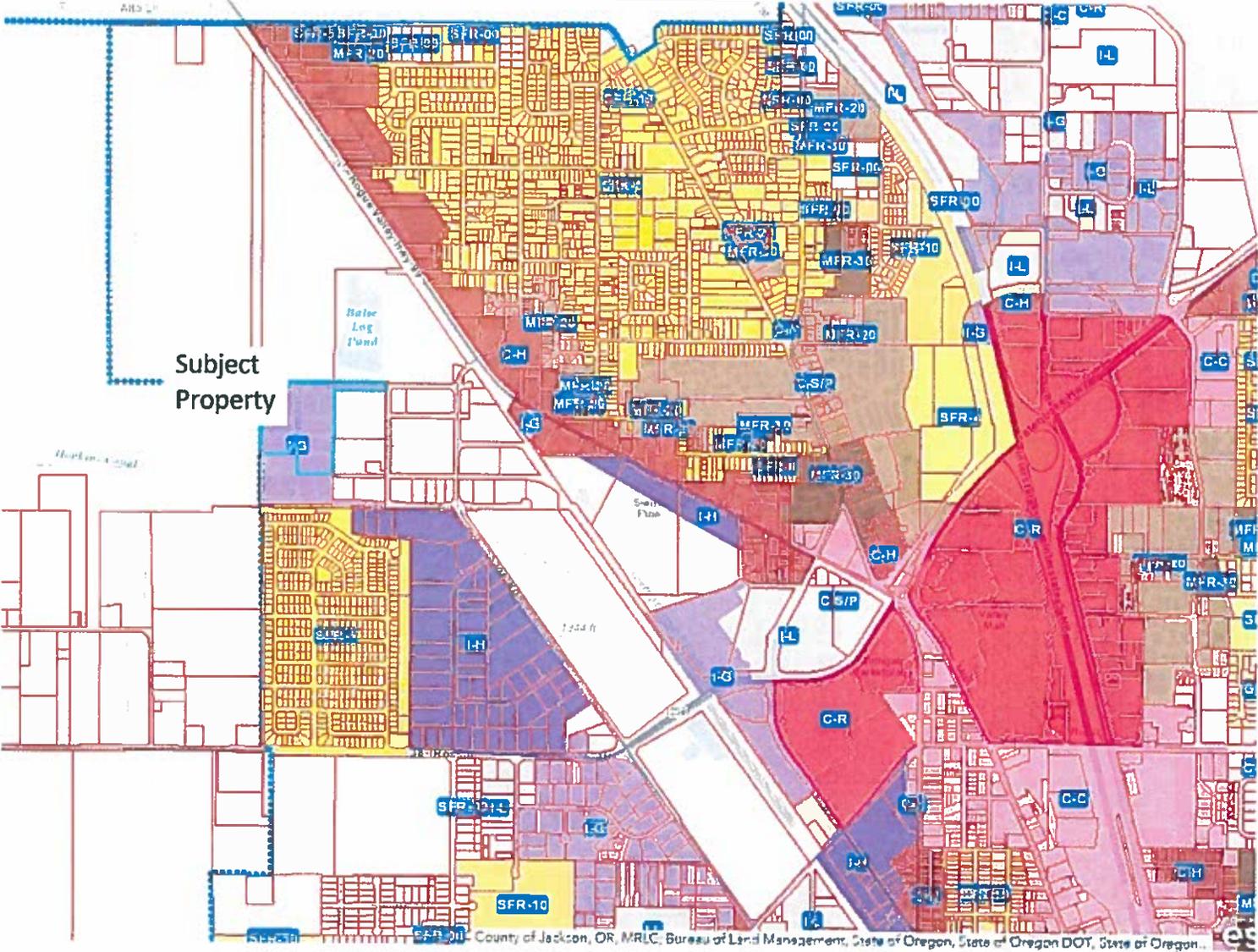
A handwritten signature in black ink, appearing to read 'Richard Stevens', with a long, sweeping horizontal line extending to the right.

RICHARD STEVENS & ASSOCIATES, INC.

Appendix “A”

Vicinity Map

Vicinity Map



Subject Property

Appendix “B”

Aerial Photo & Zoning Map



2012 Aerial

37-2W-14 TL 1400



Legend

- Building Footprints
- Subject Property

0 200 400 Feet

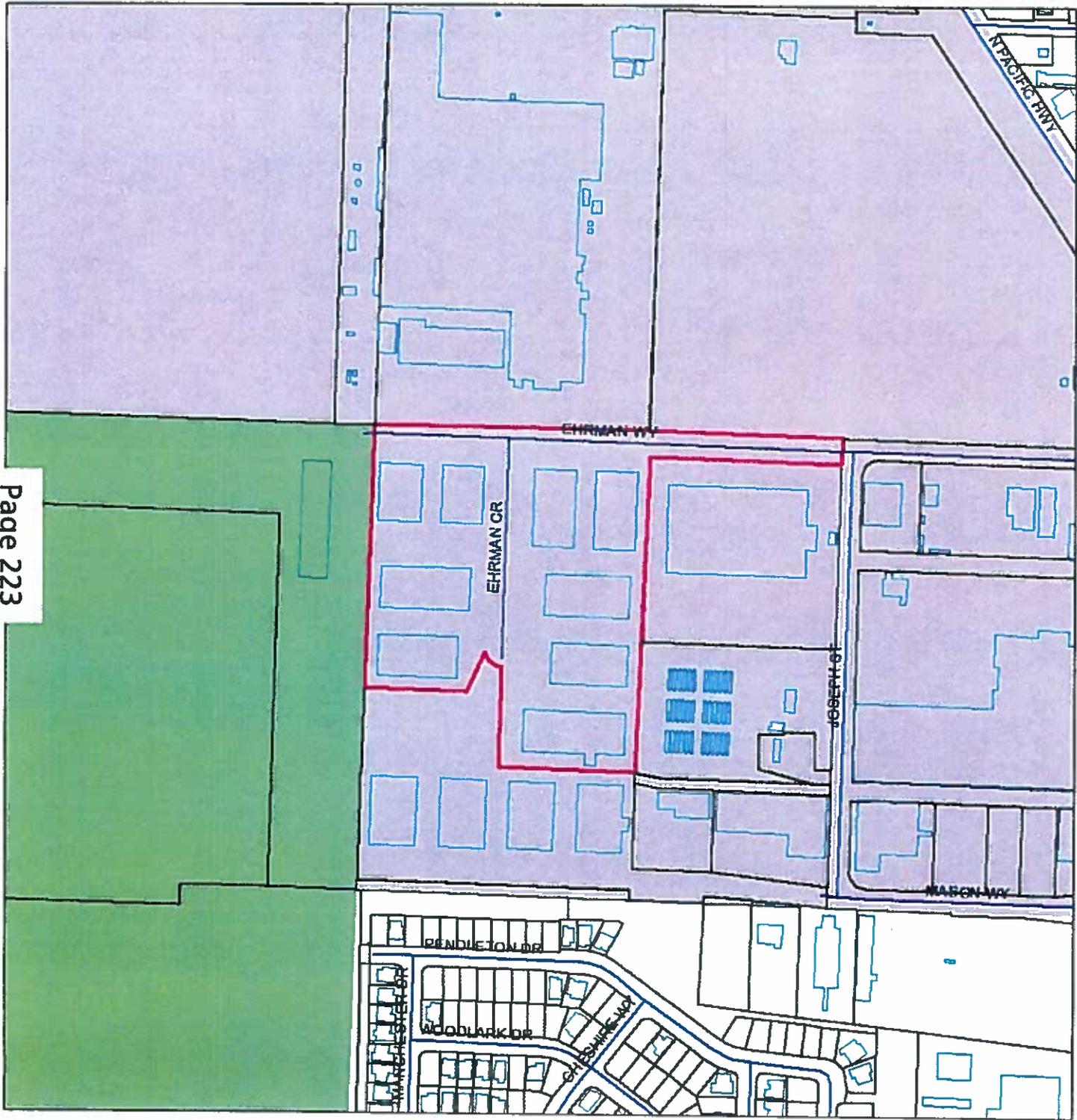
1 inch = 400 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources and may include RBA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties expressed or implied.

3-31-17

Source: ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, SPT, Swisstopo, and the GIS User Community



County Zoning

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Subject Property
-  Agricultural Land (EFU)
-  Limited Use Land
-  Urban Residential Land
-  Industrial Land
-  Commercial Land
-  Forest/WR/OSR
-  Rural Residential Land
-  Aggregate Removal Land

0 200 400
 Feet

1 inch = 400 feet



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3-31-17

Appendix “C”

Tentative Pad-Lot Subdivision Plan

&

Approved Grading and Storm Water Plans for Existing Development

JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:
The Merlin and JoAnn Fjarli Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:
Kaiser Surveying
19754 Highway 62
Eagle Point, OR. 97524

REGISTERED PROFESSIONAL LAND SURVEYOR
Bary G. Sarsen
EXPIRES JULY 14, 2023
BARY G. SARSEN
No. 37924
EXP. 6-30-17

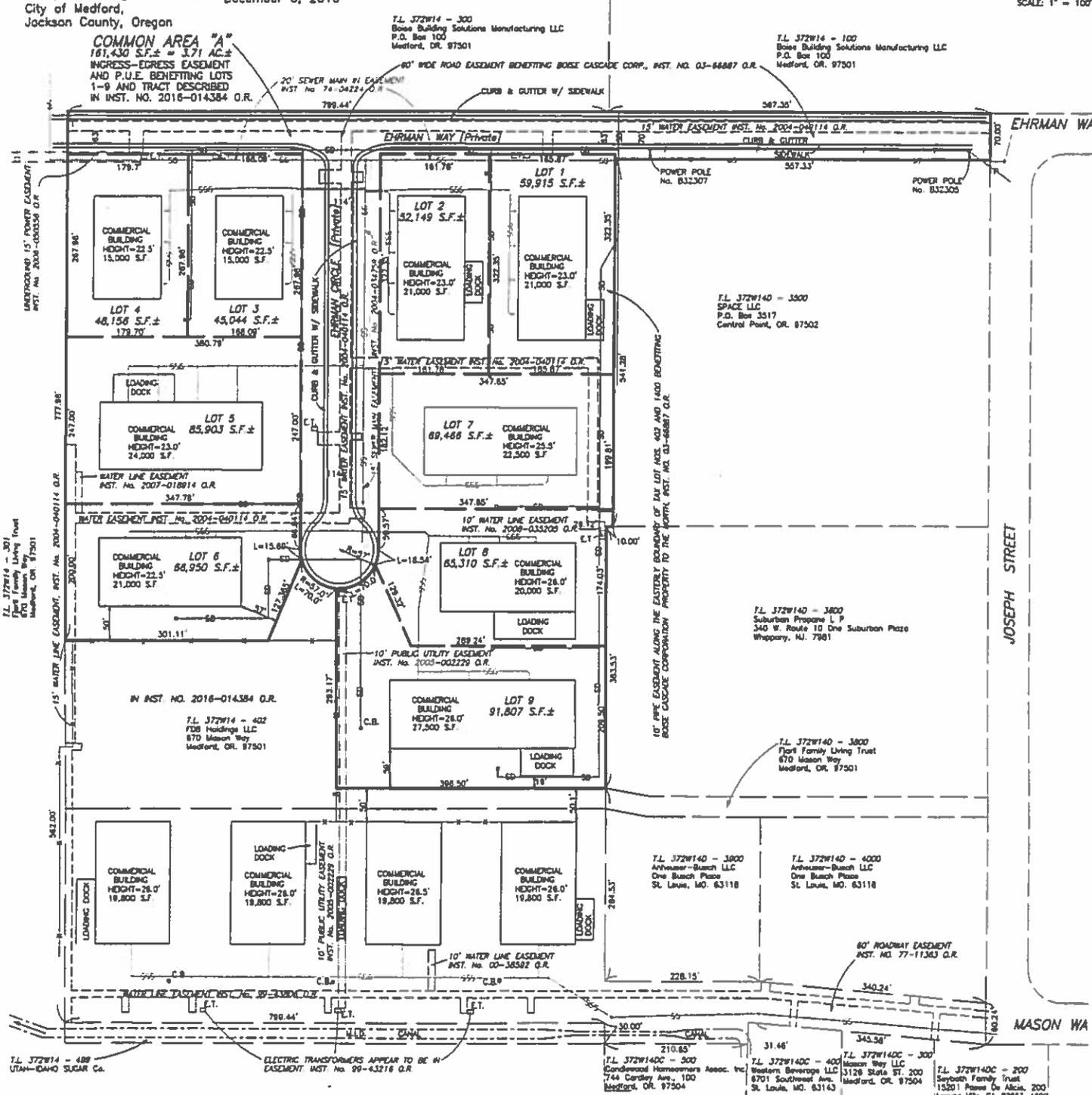
LEGEND
— = Fence
— = Overhead Power Lines
— = Sewer Main
— = Sewer Service
— = Stormdrain
E.T. = Electric Transformer
C.B. = Catch Basin (stormdrain)



LOCATION: T.L. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE: December 6, 2016

COMMON AREA "A"
181,430 S.F. ± = 3.71 AC. ±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014384 O.R.



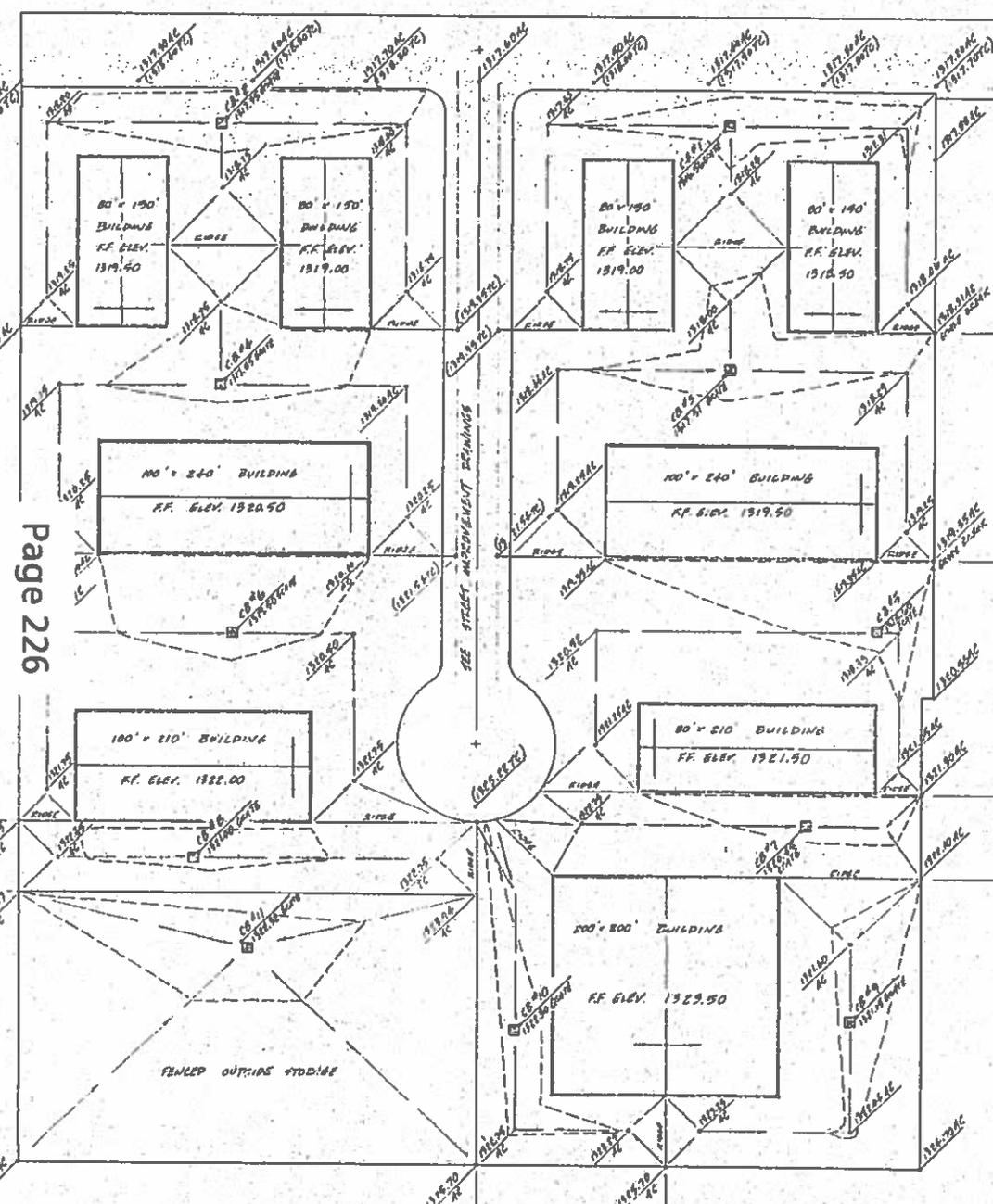
REQUIRED INFORMATION (FROM APPLICATION FORM)

- There are no wells or septic systems on site. All tax lots receive water and sewer service from mains located in easements and/or mains as shown. The location of stormdrain lines and catch basins were located from survey ties and Engineers drawings. Stormdrain facilities located on tax lot 1400 drain Northwerty to Boise Cascade log pond and stormdrain lines located on tax lot 402 drain Southerly to M.I.D. canal.
- All structures are commercial buildings. The buildings are concrete block and metal constructed and are single story with building heights as shown.

ZONING INFORMATION:
Properties are located in I-G zone.

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

- Power line easements recorded in Vol. 226, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.
- Documents recorded in Inst. Nos. 76-22653 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.
- Gas line easements recorded in Inst. Nos. 73-17389 O.R., 95-37541 O.R., 90-28488 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southerly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23665 O.R. appears to a blanket easement for maintenance of natural gas facilities
- Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easer

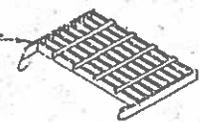


SEE STREET IMPROVEMENT DRAWINGS

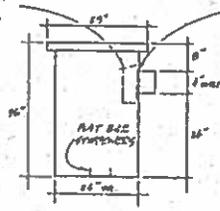
SHERMAN WAY

JOSEPH ST

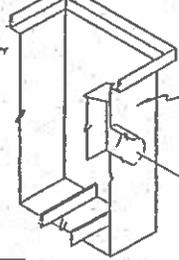
SEE PLAN ABOUT DUTY
TRAP AND SUBMITTERS
AS TO 400-516-64 LANDING



GRATE TOP
WITH
MOUNTED LIP



STEEL GRATE WITH 1/2\"/>



DO NOT FABRICATE FROM
HIGH ALLOY STEEL

STORM SEWER CATCH BASIN

NO SCALE
50' DRAIN WITH 4\"/>

CATCH BASIN #	INVERT ELEV.	GRATE ELEV.	POND ELEV.	OVERFLOW HEIGHT
1	1310.50	1310.56	1317.50	3.44'
2	1316.95	1317.35	1318.15	3.24'
3	1318.51	1317.31	1318.31	3.11'
4	1316.85	1317.85	1318.75	3.12'
5	1317.80	1318.50	1319.55	3.15'
6	1318.50	1318.55	1320.25	3.13'
7	1319.75	1318.55	1320.25	3.13'
8	1320.00	1321.00	1321.50	3.15'
9	1320.15	1321.15	1322.10	3.15'
10	1321.90	1322.90	1323.55	2.95'
11	1321.32	1322.32	1323.17	2.95'

NOTE: SEE CALCULATIONS AND SETTING DIMENSIONS
SEE SHEET 01-04-02 FOR FURTHER PLAN DETAILS

15' SCALE
1:24
1" = 30'



SYSTEM DETENTION PLAN

DAN W. MARQUESS, P.E.
PO BOX 1598
MIDFORD, OR 97501
541-535-5453



T975 REW 514 T.L. 9500

DATE: 01-04-01
DRAWN BY: DAN MARQUESS
CHECKED BY: T.L. 9500
PROJECT: STORM SEWER CATCH BASIN
SHEET: 01-04-01

Appendix “D”

Agricultural Land Information

Soils

37-2W-14 TL 301



Legend

-  Subject Property
-  Soils

0 150 300
Feet

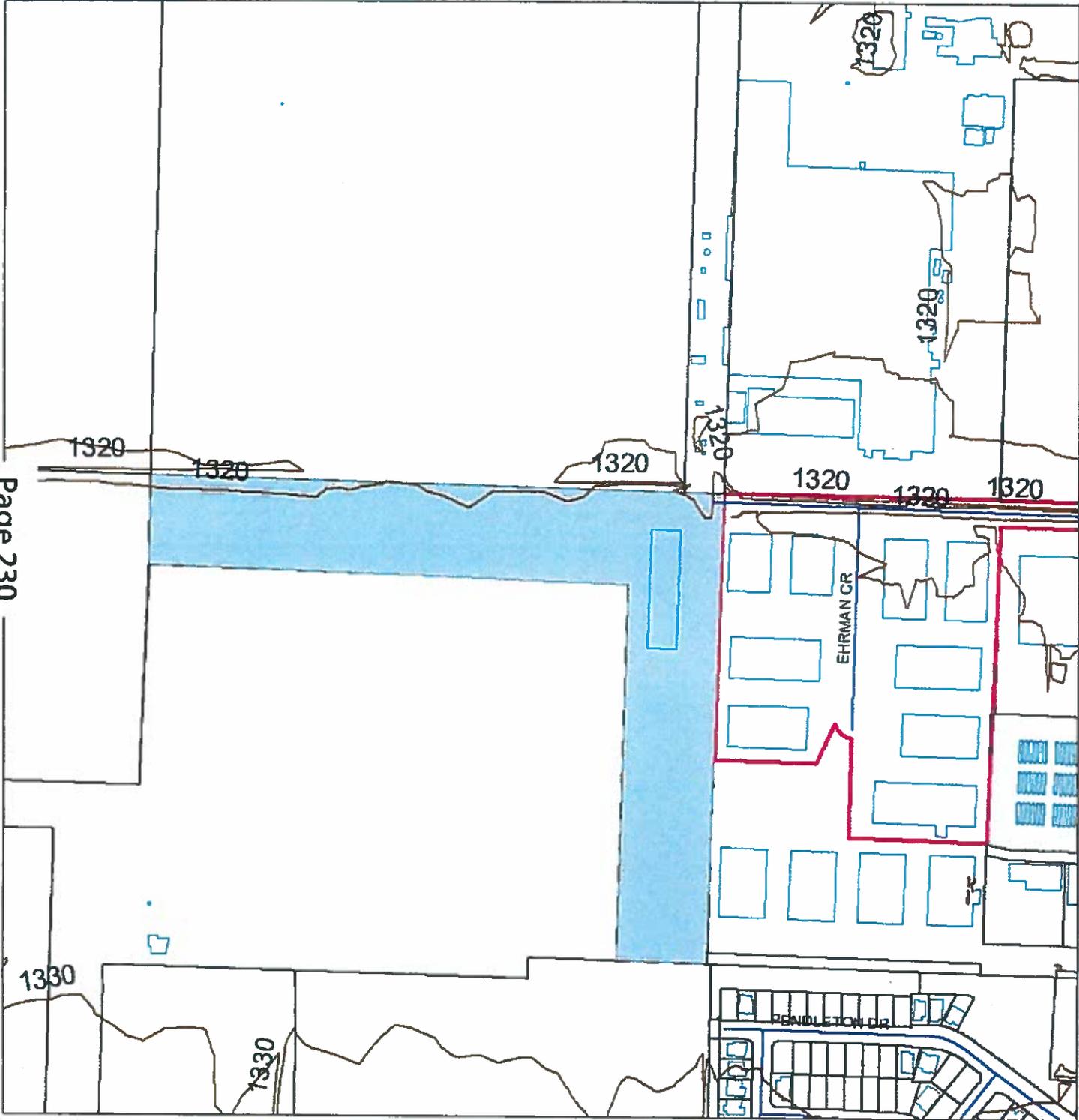
1 inch = 300 feet

Soils					
Symbol	Name	Slope	NonIrr	Irr	Gubic Ft
127A	Medford silty clay loam	0-3%	IV (4)	I (1)	0
76	Gregory silty clay loam	0-3%	IV (4)	II (2)	0



This map is based on a digital database compiled by Jackson County GIS from a variety of sources, and may include RSA field data recieved by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

3/31/2017



Contours

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Industrial Property TL 1400
-  10-Foot Contour
-  EFU Property TL 301



1 inch = 400 feet



This map is based on a digital database compiled by Jackson County GIS from a variety of sources and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties expressed or implied.

3-31-17

Account Sequence	Map ID Sequence	Assessment Year 2016	Print Window Close Window
Assessment Info for Account 1-046271-8 Map 372W14 Taxlot 301 Report For Assessment Purposes Only Created March 31, 2017			
Account Info		Tax Year 2016 Info	
Account: 1-046271-8		Pay Taxes Online	
Map: 372W14 301		Tax Report: Details	Tax Code: 49-15
Owner: FJARLI PROPERTIES LLC		Tax Statement: Details	Acreage: 16.29
Situs Address: NORTH PACIFIC HWY MEDFORD/COUNTY B		Tax History: Details	Zoning: Zoning
Mailing Address: FJARLI PROPERTIES LLC JO ANW FJARLI MEMBER 1570 ROSS LN MEDFORD OR, 97501			Land Class: Land Class
- Associated Taxlots : 1 Acct		Tax Code 49-15	
49-15 R: 1-046271-8 372W14 1601 ACTIVE		Tax Type: Advalorem	JK 0.68 Ac BK 2.11 Ac RT 4.50 Ac
Appraiser: 95		Due Date: 11/15/16	Property Class: 511
		Amount: \$3,154.31	Stat Class: 300
		Tax Rate: 13.375%	Unit ID: 170233-2
		District Rates: Details	Maintenance Area: 5
		District Amounts: Details	Neighborhood: 000
		Tax Rate Sheet: Details	Study Area: 21
			Account Status: ACTIVE
			Tax Status: Assessable
			Sub Type: NORMAL
Sales Data (AS 400)			
Last Sale		Sale Date	Instrument Number
\$475,000.00		8/11/1997	1997-26372
			Details
+ Value Summary Detail (For Assessment Year 2016)			
- Market Value Summary (For Assessment Year 2016)			
Code Area	Type	Acreage	RMV
49-15	LAND	4.50	\$ 50,560
49-15	LAND	11.79	\$ 132,460
49-15	IMPR	0.00	\$ 470,290
Value History Details		Total:	\$ 653,310
M5	MAV	AV	\$ 36,430
\$ 0	\$ 0	\$ 0	\$ 338,880
\$ 0	\$ 338,880	\$ 338,880	\$ 375,310
- Specially Assessed Value Summary (For Assessment Year 2016)			
Code Area	Type	Acreage	SAV
49-15	LAND	11.79	\$ 13,150
		Total:	\$ 13,150
- Total (Market + Specially Assessed) Value Summary (For Assessment Year 2016)			
Code Area	RMV	M5	MAV
49-15	\$ 653,310	\$ 534,000	\$ 385,367
Improvements			
Site	Building #	Code Area	Year Built
	1	49-15	2006
		Eff Year Built	Stat Class
		2006	300
		Description	Type
		Residential Other Improvements	Residence 0
		SqFt	% Complete
		0	100 %
Details			
Images / Plans			
Image type	Item Number	Image Files	
RESIDENTIAL	1	2	PDF
ACCOUNT PHOTOS	2	6	PDF
		All in One Report	PDF
+ Improvement Comments			
- Appraisal Maintenance			
2004 - R T (X-% COMP/INOR CHGS/LNDS/CP)			
2004 - R T (R-FIELD REV/CODE INSP/AUSE CHNG)			
- Account Comments			
VALUED W/TL 500, 372W14-1601 #25>>> 12/18/00 CURRENTLY BEING FARMED #98>>> 01/28/03 NO CHANGE -CONT RT 2004>>> 06/10/04 NO CHANGE TO ACCT FOR 2004 #95>>> 01/15/08 NO LAND CHANGES #98 >>>08/12/09 DISQUALIFIED 4.50 ACRES OF LAND DUE TO THE FARMLAND CURRENTLY LYING IDLE OR NO LONGER IN A QUALIFYING FARM USE #74			
Exemptions / Special Assessments / Notations / Potential Liability			
Notations	Description	Tax Amount	Year Added Value Amount
	FARM LAND-POTENTIAL LIABILITY		
	2009-10 TRC 500/600 PCL NOT CPR'D	2009	
	POT'L ADD'L TAX LIABILITY ORS 308A 083	2128.86	2009
	CARTOGRAPHIC ACTIVITY	2007	
- Location Map			
Close Window		Print Window	

Appendix “E”

Weather Data

Average Weather for Medford, Oregon, USA Provided by weatherspark.com

Location

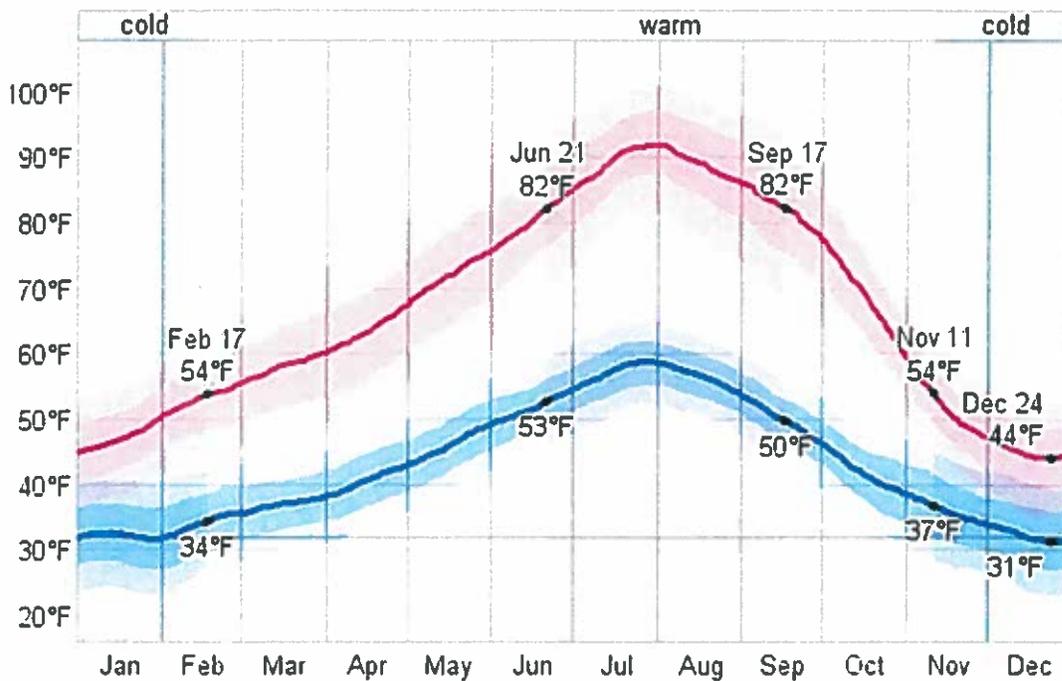
This report describes the typical weather at the Rogue Valley International-Medford Airport (Medford, Oregon, United States) weather station over the course of an average year. It is based on the historical records from 1974 to 2012. Earlier records are either unavailable or unreliable.

Medford, Oregon has a mediterranean climate with dry hot summers and mild winters. The area within 25 miles of this station is covered by *forests* (86%) and *croplands* (13%).

Temperature

Over the course of a year, the temperature typically varies from 31°F to 92°F and is rarely below 23°F or above 101°F.

Daily High and Low Temperature

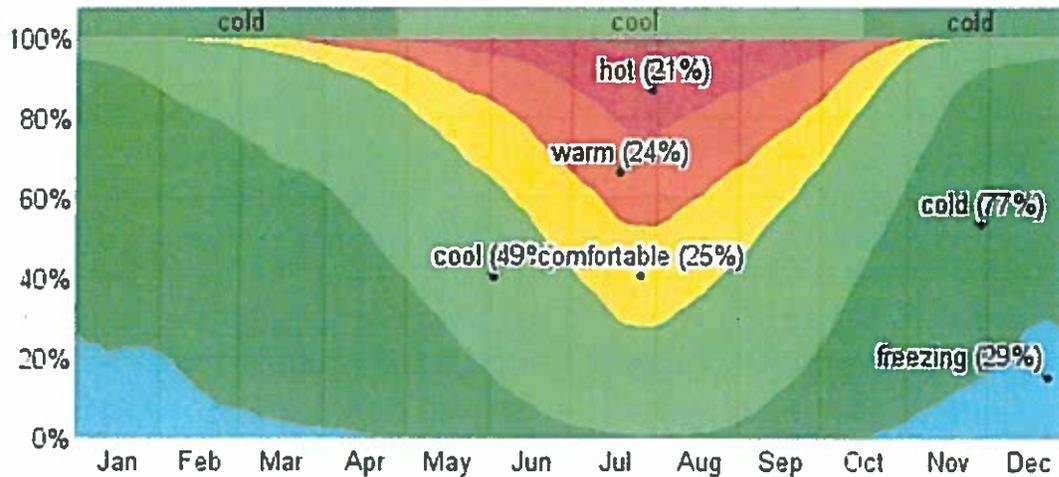


The daily average low (blue) and high (red) temperature with percentile bands (inner band from 25th to 75th percentile, outer band from 10th to 90th percentile).

The *warm season* lasts from June 21 to September 17 with an average daily high temperature above 83°F. The hottest day of the year is July 30, with an average high of 92°F and low of 59°F.

The *cold season* lasts from November 11 to February 17 with an average daily high temperature below 54°F. The coldest day of the year is December 25, with an average low of 31°F and high of 44°F.

Fraction of Time Spent in Various Temperature Bands



The average fraction of time spent in various temperature bands: frigid (below 15°F), freezing (15°F to 32°F), cold (32°F to 50°F), cool (50°F to 65°F), comfortable (65°F to 75°F), warm (75°F to 85°F), hot (85°F to 100°F) and sweltering (above 100°F).

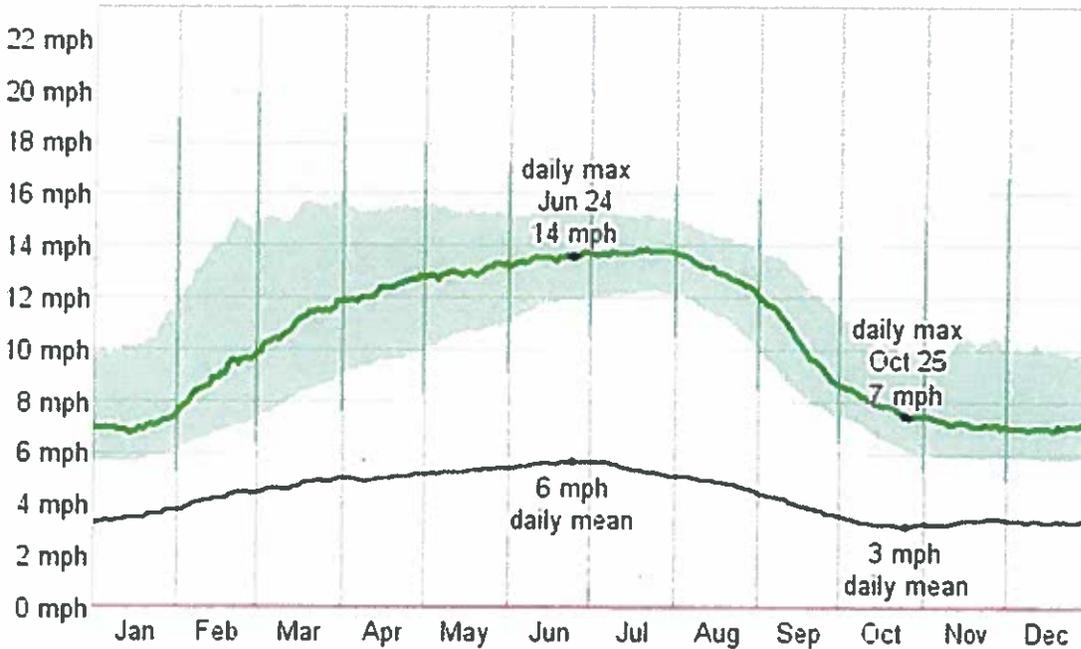
Wind

Over the course of the year typical wind speeds vary from 0 mph to 14 mph (calm to moderate breeze), rarely exceeding 21 mph (fresh breeze).

The *highest* average wind speed of 6 mph (light breeze) occurs around June 24, at which time the average daily maximum wind speed is 14 mph (moderate breeze).

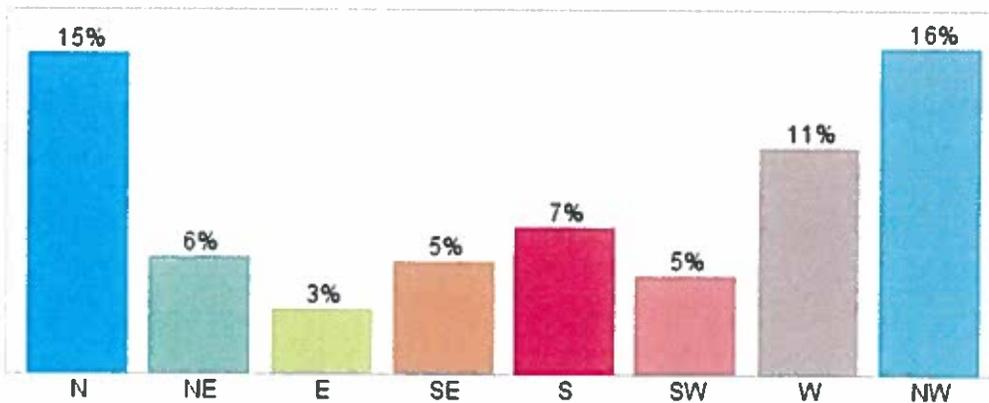
The *lowest* average wind speed of 3 mph (light air) occurs around October 25, at which time the average daily maximum wind speed is 7 mph (light breeze).

Wind Speed



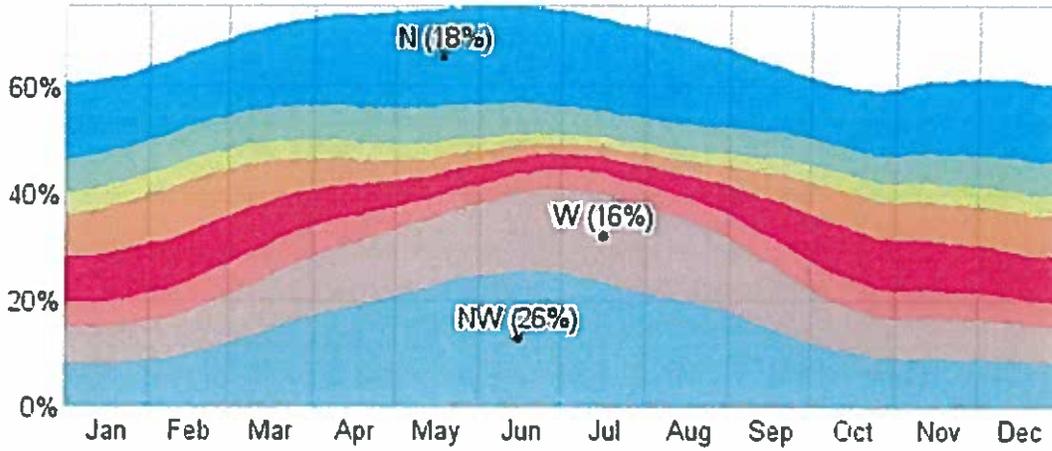
The average daily minimum (red), maximum (green), and average (black) wind speed with percentile bands (inner band from 25th to 75th percentile, outer band from 10th to 90th percentile). The wind is most often out of the *north west* (16% of the time), *north* (15% of the time), and *west* (11% of the time). The wind is least often out of the east (3% of the time) and south west (5% of the time).

Wind Directions Over the Entire Year



The fraction of time spent with the wind blowing from the various directions over the entire year. Values do not sum to 100% because the wind direction is undefined when the wind speed is zero.

Fraction of Time Spent with Various Wind Directions



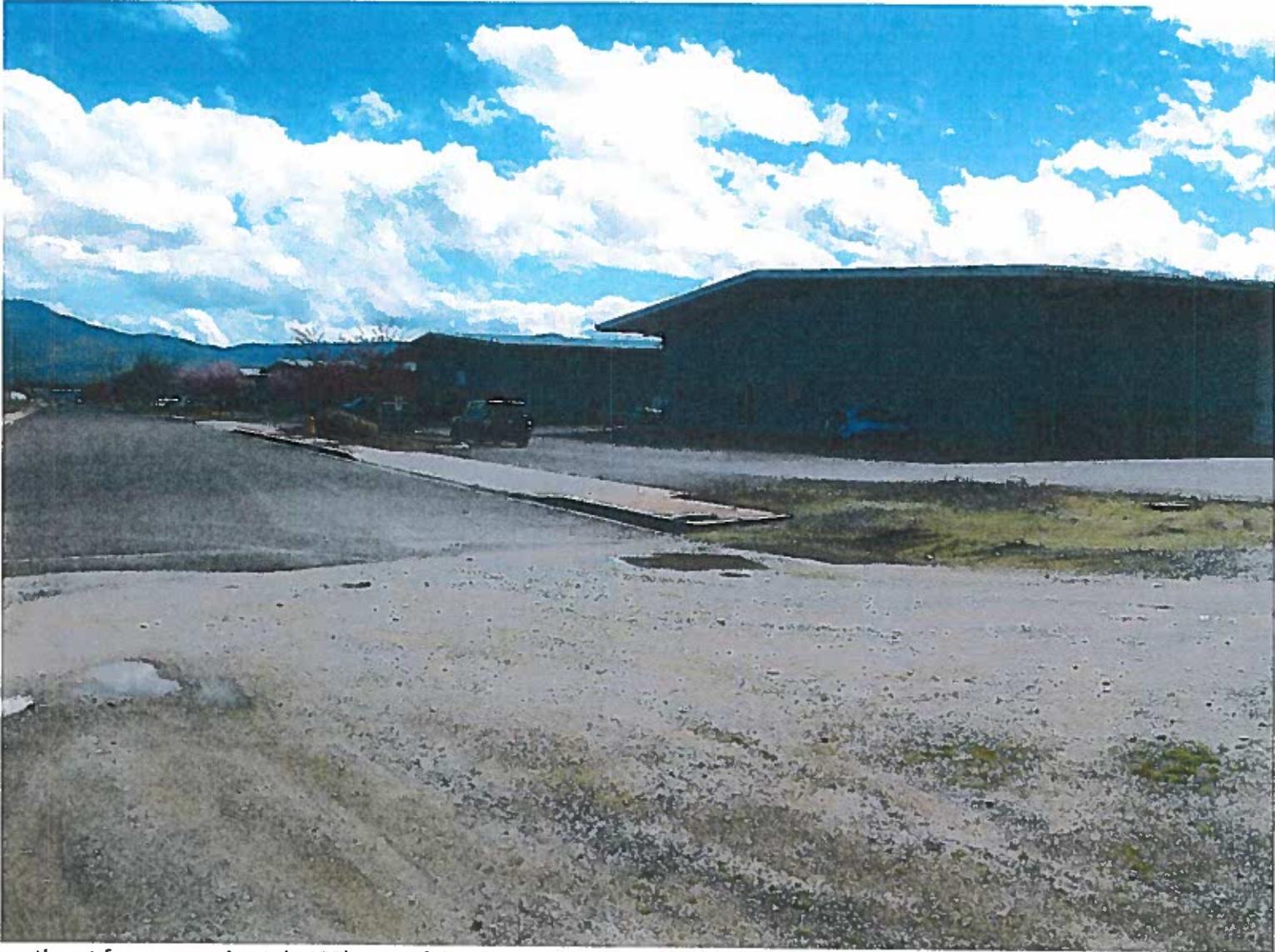
The fraction of time spent with the wind blowing from the various directions on a daily basis. Stacked values do not always sum to 100% because the wind direction is undefined when the wind speed is zero.

Appendix “F”

Photographs



Looking north from approximately 150' west of the northeast corner of TL 301. Notice: 1) The existing ditch along the north property boundary, and 2) the baricade at the end of Ehrman Way to block entrance to the agricultural land.



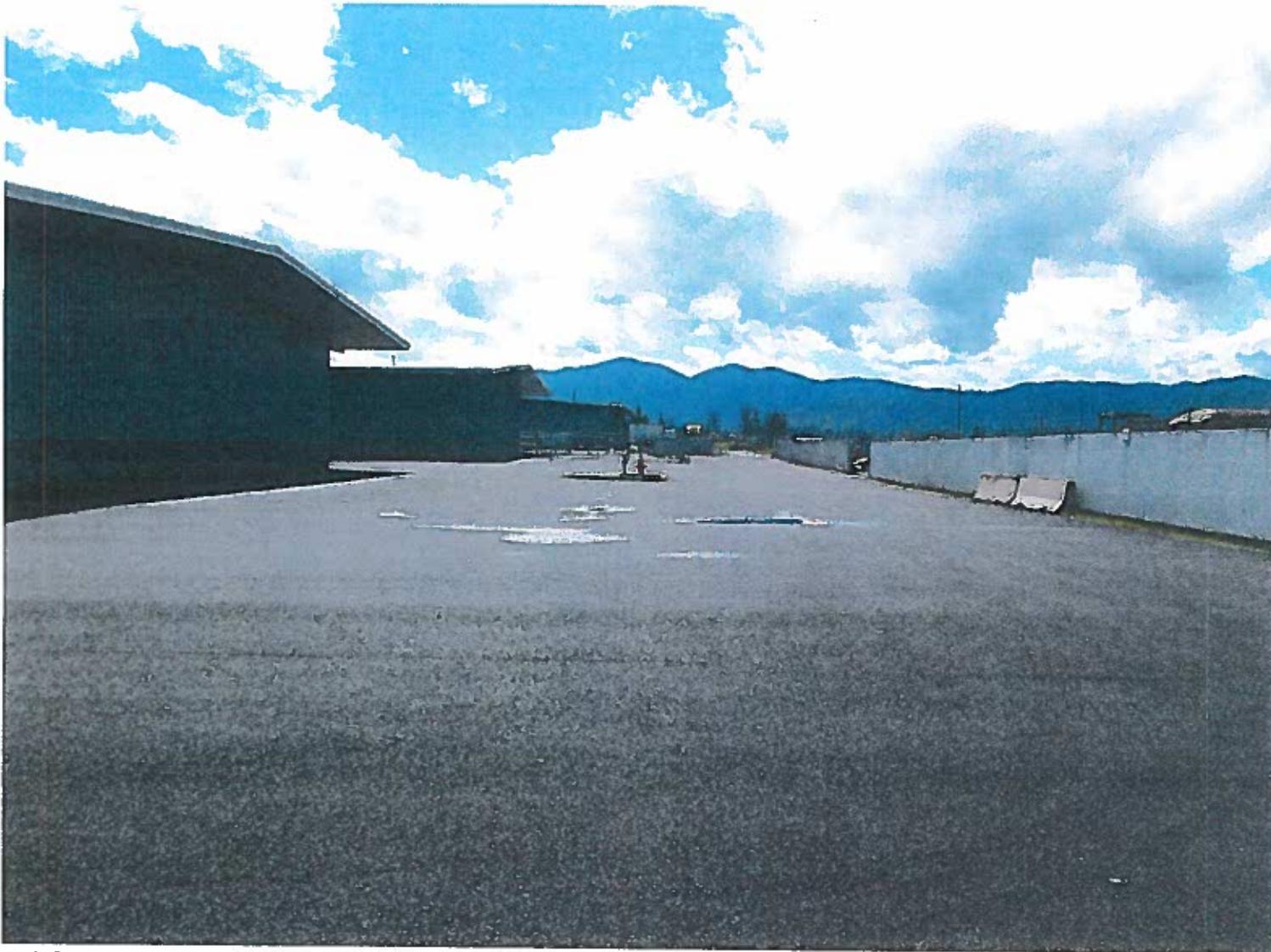
Looking southeast from approximately 100' west of the the northeast corner of TL 301. Notice: 1) The existing curb and stormwater inlets along the private portion or Ehrman Way.



Looking south from near the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings on the left and the existing agricultural storage and maintenance building on the right.



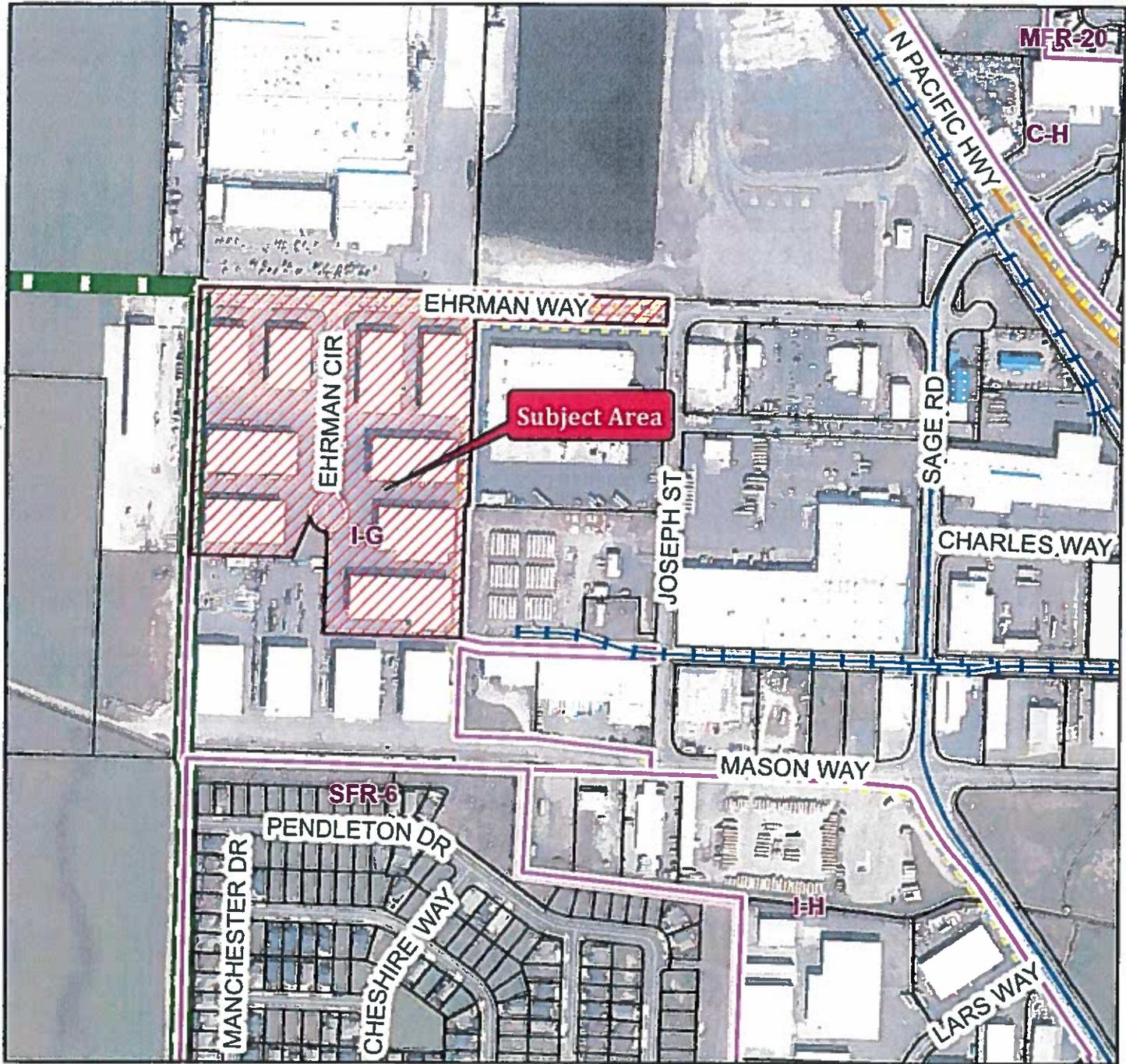
Looking south from a point approximately 170 feet west and 50 feet south of the northeast corner of TL 301. Notice: 1) The grade difference between the existing storage and maintenance building/yard and the portion of the property used for crop production.



Looking south from a point approximately 150 feet south of the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings and the property boundary.



Looking west from a point approximately 350 feet south of the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings and the property boundary.



Project Name:

JAM Industrial Park

Map/Taxlot:

372W17 TL 1400



05/01/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots

