

PLANNING COMMISSION

JULY 23, 2020



MEDFORD
OREGON

Commission Members

David Culbertson
Joe Foley
David Jordan
Bill Mansfield
David McFadden
Mark McKechnie
E. J. McManus
Jared Pulver
Jeff Thomas

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



MEDFORD OREGON

July 23, 2020

5:30 P.M.

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

10. Roll Call

20. Consent Calendar / Written Communications (voice vote). None.

30. Approval or Correction of the Minutes from July 9, 2020 hearing.

40. Oral Requests and Communications

COMMENTS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR 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.**

New Business

50.1 PUD-20-141 Consideration of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a 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); Applicant, Coker Butte Properties, LLC. And Table Rock Holdings; Agent, CSA Planning, Ltd; Planner, Dustin Severs.

60. Reports

- 60.1 Site Plan and Architectural Commission
- 60.2 Transportation Commission
- 60.3 Planning Department

70. Messages and Papers from the Chair

80. City Attorney Remarks

90. Propositions and Remarks from the Commission

100. Adjournment

PLANNING COMMISSION MINUTES



July 9, 2020

5:30 P.M.

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

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

Commissioners Present

Mark McKechnie, Chair
Joe Foley, Vice Chair
David Culbertson
David Jordan
Bill Mansfield
David McFadden
E.J. McManus
Jared Pulver

Staff Present

Kelly Evans, Assistant Planning Director
Katie Zerkel, Senior Assistant City Attorney
Terri Richards, Recording Secretary
Dustin Severs, Planner III

Commissioner Absent

Jeff Thomas, Unexcused Absence

10. Roll Call

20. Consent Calendar / Written Communications.

20.1 PUD-20-032 / LDS-20-100 Final Orders of a revised tentative plat and PUD Plan for the Springbrook Park Planned Unit Development in order to create nine additional lots at the southeast corner of the site. The subject site is contained within an approximate 1.50 acres of a 19.6-acre tract of land, and is located along Springbrook Road north of Owen Drive within the SFR-6 (Single-Family Residential, six dwelling units per gross acre) and MFR-15 (Multiple Family Residential, fifteen dwelling units per gross acre) zoning districts. Applicant: Springbrook Park, LLC; Agent: Steven Swartsley; Planner: Dustin Severs.

20.2 ZC-20-112 Final Order of a request for a change of zone of two contiguous parcels totaling 6.26 acres located approximately 880 feet east of Crater Lake Avenue, south of Owen Drive, and north of Delta Waters Road. The applicant is requesting a change from I-G (General Industrial) and I-L (Light Industrial) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre) zoning district (371W08C TL 900 & 901). Applicant: Fred Owen; Agent: Richard Stevens & Associates, Inc.; Planner; Dustin Severs.

20.3 LDP-20-120 / E-20-121 Final Orders of tentative plat approval for a two-lot partition and an Exception pertaining to relief to street and storm improvement standards on one parcel of land, 0.76 acres in size, located at 2133 Dellwood Avenue within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W29DB4300); Applicant: Ryder & Tyler West; Agent: Neathamer Surveying Inc.; Planner: Steffen Roennfeldt.

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

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Voice Vote: Motion passed, 8-0-0.

30. Approval or Correction of the Minutes from June 25, 2020 hearing

30.1 The minutes for June 11, 2020, were approved as submitted.

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

Katie Zerkel, Senior Assistant City Attorney read the Quasi-Judicial statement.

50. Public Hearings.

New Business

50.1 SN-20-118 Consideration of a request to change the name of Hoosegow Lane to Frontier Court. The subject street extends west from Nebraska Drive, terminates in a cul-de-sac, and serves six parcels. The street is located in southeast Medford, south of Kansas Drive and west of Nebraska Drive. Applicant: DRM Construction, LLC; Agent: Neathamer Surveying, Inc.; Planner: Dustin Severs.

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

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

Dustin Severs, Planner III reported that the Street Renaming, Public and Private approval criteria can be found in the Medford Land Development Code Section 10.458. The applicable criteria were addressed in the staff report, included with the property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

The public hearing was opened.

Applicant or agent were not present.

The public hearing was closed.

Motion: The Planning Commission, based on the finding and conclusions that all of the applicable criteria are satisfied, forwards a favorable recommendation for approval of SN-20-118 to the City Council per the Staff Report dated July 2, 2020, including Exhibits A through C.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 7-1-0, with Commissioner McFadden voting no.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural have not met since their last meeting.

60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission has not met.

60.3 Planning Department

Kelly Evans, Assistant Planning Director reported there is business scheduled for Thursday, July 23, 2020 and Thursday, August 13, 2020.

There will be a Planning Commission Study Session on Monday, July 13, 2020. Discussion will be on Multi-Family Pad Lot Standards.

Last week City Council approved the Electric Fence Amendments and Homeless System Action Plan.

Next week City Council will hear the Minor Comprehensive Plan Amendment for Centennial, Urbanization Plan and Annexation for MD-5f (Centennial/ Rogue Valley Manor), and Annexation for the MD-5e (Coal Mine and North Phoenix).

Chair McKechnie asked, is the study session on Monday a Zoom meeting? Ms. Evans reported that the Planning Commission study sessions will be conducted as Zoom meetings until instructed otherwise.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission.

90.1 Commissioner McFadden stated that his earlier vote was in error.

Commissioner McFadden asked, is there any guidance in naming streets? Ms. Evan responded no. The only naming conventions are when to use 'Drive', "Avenue", "Court", etc.

100. Adjournment

101. The meeting was adjourned at approximately 5:43 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Richards
Recording Secretary

Mark McKechnie
Planning Commission Chair

Approved: July 23, 2020



MEDFORD PLANNING

for a type-III quasi-judicial decision: **PUD Revision**

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

File no. PUD-20-141

To Planning Commission *for 7/23/2020 hearing*

From Dustin Severs, Planner III

Reviewer Kelly Evans, Assistant Planning Director

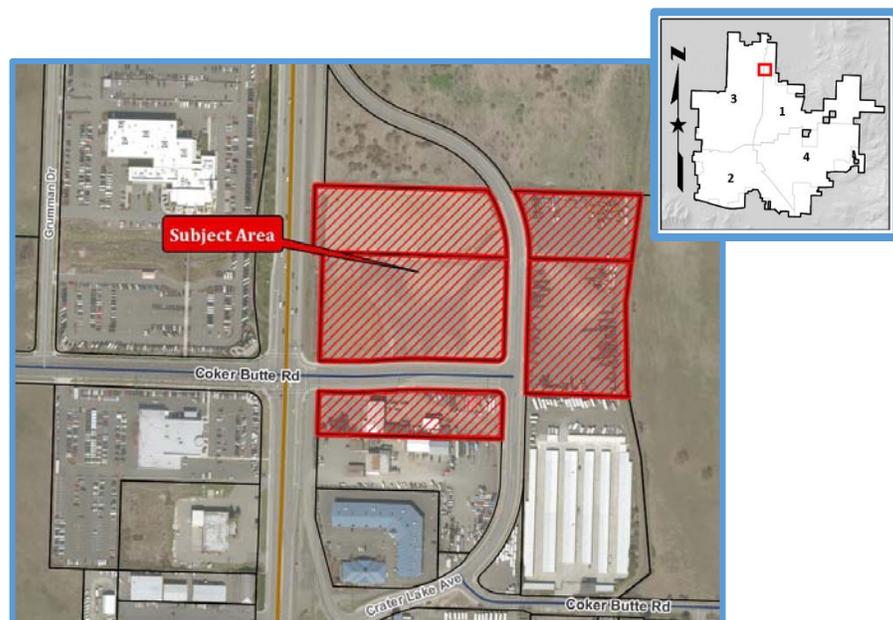
Date July 16, 2020

BACKGROUND

Proposal

Consideration of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a 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).

Vicinity Map



Subject Site Characteristics

Zoning I-L
GLUP CM Commercial
Overlay AC Airport Area of Concern
RZ Restricted Zoning
PD Planned Development
Use(s) Rogue Disposal & Recycling (TL 1003, 1002, and 1100)
Vacant (1001 and 1000)

Surrounding Site Characteristics

North Zone: Jackson County Exclusive Farm Use (EFU)
Uses: Vacant land
South Zone: I-L
Uses: Elite Collision Repair, Dick's Towing, Lock N Key Mini Storage
East Zone: Jackson County Exclusive Farm Use (EFU)
Uses: Seasonal livestock grazing; two dwellings
West Zone: I-L
Uses: Lithia Car Dealerships

Related Projects

PUD-17-023 Approval of the Coker Butte Business Park PUD

Applicable Criteria

MLDC 10.198 Revision or Termination of a PUD.

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Application for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the

owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

MLDC 10.190(D) Approval Criteria for Preliminary PUD Plan.

(D) Approval Criteria for Preliminary PUD Plan. The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:

(1) The proposed PUD:

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

- (2) *The proposed PUD complies with the applicable requirements of this Code, or*
- (a) *the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and*
 - (b) *the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and*
 - (c) *the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.*
- (3) *The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:*
- (a) *Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.*
 - (b) *Public Facilities Strategy pursuant to ORS 197.768 as amended.*
 - (c) *Limited Service Area adopted as part of the Medford Comprehensive Plan.*
- (4) *The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.*
- (5) *If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:*
- (a) *Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
 - (b) *By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*
 - (i) *Public sanitary sewerage collection and treatment facilities.*
 - (ii) *Public domestic water distribution and treatment facilities.*
 - (iii) *Storm drainage facilities.*
 - (iv) *Public streets.*

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

this criterion shall prevent the approval of early phases of a phased PUD which can be supplied with adequate public facilities.

- (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.*
- (7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.*

ISSUES AND ANALYSIS

Project Summary

Current Site Layout

The subject site is composed of five tax lots totaling 14.5 acres. The site is traversed by two higher order streets which effectively divide the property into three distinct quadrants: a north quadrant encompassing tax lots 1000 and 1001 north of Coker Butte Road; a south quadrant encompassing tax lot 1100 south of Coker Butte Road; and an east quadrant encompassing tax lots 1002 and 1003 east of Crater Lake Avenue (identified as Reserve Acreage on the PUD Concept Plan).



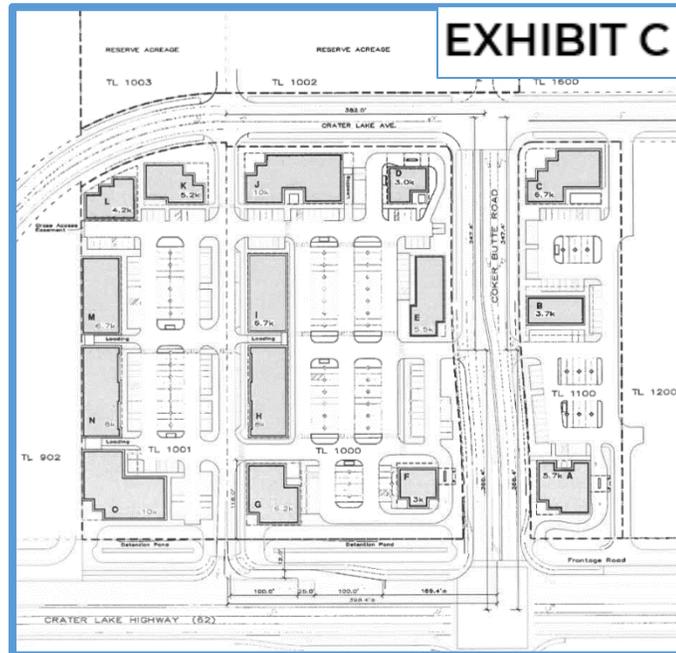
The three quadrants are divided north/south by Coker Butte Road, classified as a Major Arterial street; and divided east/west by Crater Lake Avenue, classified as a Major Collector street. The entire site is located east of Crater Lake Highway 62, a state highway under the jurisdiction of the Oregon Department of Transportation (ODOT), fronting the site along its westerly boundary.

The site's northerly and easterly boundaries are located on the edge of the City's corporate limits, and the abutting Jackson County land is located within the Urban Growth Boundary (UGB). The County land abutting the site's northerly boundary is zoned EFU with a GLUP designation of Commercial (CM). The land abutting the site's easterly boundary is also zoned EFU, but with a GLUP map designation of Urban Residential (UR).

The applicant's submitted findings (Exhibit I) state that tax lots 1002 and 1003 are currently used by Rogue Disposal & Recycling for the storage and maintenance of dumpsters and other garbage receptacle equipment in connection with its business, tax lot 1100 has an existing building used by Rogue Disposal, and tax lots 1000 and 1001 are currently vacant.

Site History

The Coker Butte Business Park received Preliminary PUD approval on August 10, 2017 (PUD-17-023). (As required per MLDC 10.194, the applicant held a neighborhood meeting on December 7, 2016.) The approved Preliminary PUD Plan (Exhibit C) included 92,600 square feet of built space in 15 buildings on 9.54 acres. The remaining 4.96 acres, located east of Crater Lake Avenue (Tax Lots 1002 and 1003), was approved as Reserve Acreage. The applicant contemplated the PUD to be developed in phases; however, no precise phasing boundaries were shown on the approved Preliminary PUD Plan.



The approval of the Coker Butte PUD also included the approval of a modified standard—pursuant to MLDC 10.192(B)—for two additional driveway accesses to serve the development. The PUD was also approved for uses not permitted in the site's underlying I-L zone. Pursuant to MLDC 10.192(B)(7)(c), uses not permitted in the

underlying zone may be permitted and approved to occupy up to 20% of the gross area of a PUD; however, if any portion of the use(s) is nearer than 200 feet from the exterior PUD boundary, then said use(s) shall be considered to be a conditional use and may be approved subject to compliance with the conditional use permit criteria in Section 10.184(c). The approval of PUD-17-023 included the finding that all uses permitted in commercial zones are consistent with the CUP criteria outlined in MLDC 10.184 for the subject PUD—and thereby compliant with PUD criterion #6. Any uses proposed by the applicant in the future that are not permitted in the underlying zone nor in any commercial zone (e.g., single-family homes, heavy industrial uses, etc.) will require the applicant to submit a revised Preliminary PUD Plan, and provide findings addressing the CUP criteria.

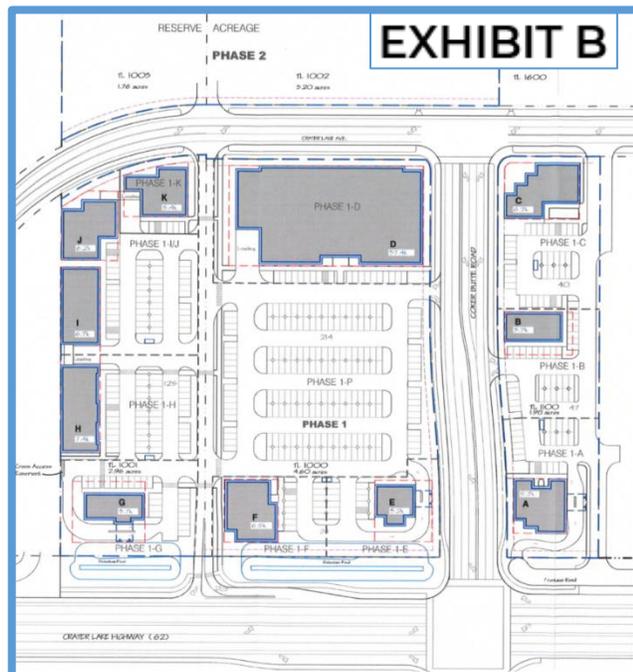
Both an Agricultural Impact Assessment (AIA) and a Limited Traffic Analysis were submitted with PUD-17-023, and included in the approval.

Since the Preliminary approval of the Coker Butte PUD, no part of the development has received Final PUD Plan approval.

Current Proposal

With the subject application, the applicant is requesting to revise the previously approved Preliminary PUD Plan (PUD-17-023). The proposed revisions are slight, and include the following:

- The consolidation of several smaller buildings into one large building, as well as revising the square footage of some of the remaining buildings. As stated in the applicant's findings, the total square footage on the site is proposed to remain the same.
- The revised Preliminary PUD Plan shows the PUD divided into phases. Phase 1 is proposed to encompass the three parcels west of Crater Lake Avenue (Tax Lots 100, 1001, and 1100), while Phase 2 is proposed to encompass the two parcels east of Crater Lake Avenue (Tax Lots 1002 and 1003), identified as Reserve Acreage. Phase 1 is proposed to be further divided into several sub-phases.



- The applicant is requesting an amendment to Condition #1, included with PUD-17-023. The PUD was originally proposed and approved as a potential condominium project with the buildings under individual ownership, and with the remainder of the property under common ownership. Accordingly, staff included a condition that the applicant submit the development for approval as a pad lot development, pursuant to MLDC 10.703. Since that time, the applicant has decided that they would like to have individual subdivided parcels in addition to pad lots. As stated in their findings, the future land division is anticipated to reflect the proposed sub-phases.

Facility Adequacy

Per the agency comments submitted to staff (Exhibits J-L), it can be found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

Other Agency Comments

Rogue Valley International–Medford Airport (Exhibit M)

Requests an Avigation, Noise and Hazard Easement to be required as part of the permit process. In a 2010 LUBA decision, Michelle Barnes vs. City of Hillsboro and the Port of Portland, LUBA found that Nollan/Dolan findings are required to support a request for an Avigation, Noise and Hazard Easement (LUBA No. 2010-011). None were provided; therefore, a condition requiring compliance with the airport's request for an Avigation, Noise and Hazard Easement has not been included.

Committee Comments

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

Neighbor Comments

None

FINDINGS AND CONCLUSIONS

MLDC 10.198 Revision or Termination of a PUD.

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same

procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Application for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

The applicant owns 100% of the land within the PUD and submitted the application on forms supplied by the Planning Department.

This criterion is satisfied.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

The applicant has not requested a consolidated application.

This criterion is inapplicable.

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

At this time no development has begun on the PUD property. The Reserve Acreage continues to be used as previously described for dumpster storage. The changes proposed do not impact any existing development on-site.

This Criterion is satisfied.

MLDC 10.190(D) Approval Criteria for Preliminary PUD Plan.

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

(1) The proposed PUD:

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

The proposed PUD includes common elements (e.g., parking, landscaping, etc.) that will come under common ownership.

This criterion is satisfied.

(2) The proposed PUD complies with the applicable requirements of this Code, or

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

The PUD does not comply with all applicable design standards set forth in Articles IV and V (in regards to access requirements); however, relief was granted with the PUD-17-023—pursuant to MLDC 10.192(B)(1)—that can be found to be consistent with conditions a-c.

This criterion is satisfied.

(3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:

- (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.*
- (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.*
- (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.*

The property is not subject to a moratorium on construction or land development, Public Facilities Strategy, or a Limited Service Area.

This Criterion is inapplicable.

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

The PUD includes common elements (e.g., parking, landscaping, etc.) to be held under common ownership, and are appropriate for their intended use and function.

This criterion is satisfied.

- (5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:*

- (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or*
- (b) By the time of development the property can be supplied with the following Category "A" public facilities in sufficient condition and capacity to support development of the proposed use:*
 - (i) Public sanitary sewerage collection and treatment facilities.*
 - (ii) Public domestic water distribution and treatment facilities.*
 - (iii) Storm drainage facilities.*
 - (iv) Public streets.*

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

The exact uses of the proposed buildings are not yet known; however, pursuant to MLDC 10.100, a PUD may consist of up to twenty percent of uses not permitted in the underlying zone. Per the agency comments submitted to staff (Exhibits J-L), it can be

found that, with the imposition of the conditions of approval contained in Exhibit A, there are adequate facilities to serve the future development of the site.

This criterion is met.

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

The PUD Plan shows buildings which are located within 200 feet of the PUD boundary and abut property zoned County EFU; however, the County EFU land has the same Commercial GLUP designation as the subject property. When said property is annexed into the City, it will be required to change its underlying zone to a commercial designation consistent with its GLUP designation. With the imposition of the conditions of approval, this criterion can be satisfied.

This criterion is satisfied.

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

The PUD application does not include the division of land or other concurrent land use applications.

This criterion is inapplicable.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of PUD-20-141, per the staff report dated July 16, 2020, including:

- Exhibits A-N;
- Amendment to condition #1—as previously required per the approval of PUD-20-023—to allow the applicant to submit for subdivision plat and/or pad lot subdivision prior to, or concurrent with, application for the Final PUD Plan applicable to that phase.

EXHIBITS

- A Conditions of Approval, drafted July 16, 2020.
- B Preliminary PUD Plan, submitted May 20, 2020.
- C Preliminary PUD Plan (approved), approved on August 10, 2017.
- D Landscape Plan, submitted May 20, 2020.
- E Applicant's Vicinity Map, submitted May 20, 2020.
- F GLUP Map, submitted May 20, 2020.

- G Zoning Map, submitted May 20, 2020.
- H Assessor's Map, submitted May 20, 2020.
- I Applicant's Findings of Fact and Conclusions of Law, submitted May 20, 2020.
- J Public Works Staff Report, received July 1, 2020.
- K Medford Water Commission memo & associated map, received July 1, 2020.
- L Medford Fire Department Report, received July 1, 2020.
- M Rogue Valley International-Medford Airport, email received June 19, 2020.
- N Conditions of Approval (PUD-17-023), adopted August 10, 2017.
Vicinity map

PLANNING COMMISSION AGENDA:

JULY 23, 2020

EXHIBIT A

Coker Butte Business Park PUD
PUD-20-143
Conditions of Approval
July 16, 2020

All conditions of the previously approved Coker Butte Business Park PUD (PUD-17-023) are still in effect, other than those modified by this revision request.

The Commission accepts the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit I), and applies them as conditions except as modified.

CODE REQUIRED CONDITIONS

Prior to final PUD Plan approval for the next phase, the applicant shall:

1. Comply with all conditions stipulated by the 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).

DISCRETIONARY CONDITIONS

4. The applicant shall submit for subdivision and/or pad lot subdivision prior to, or concurrent with, application for the Final PUD Plan applicable to that phase.

RECEIVED
MAY 20 2020
PLANNING DEPT.

RESERVE ACREAGE

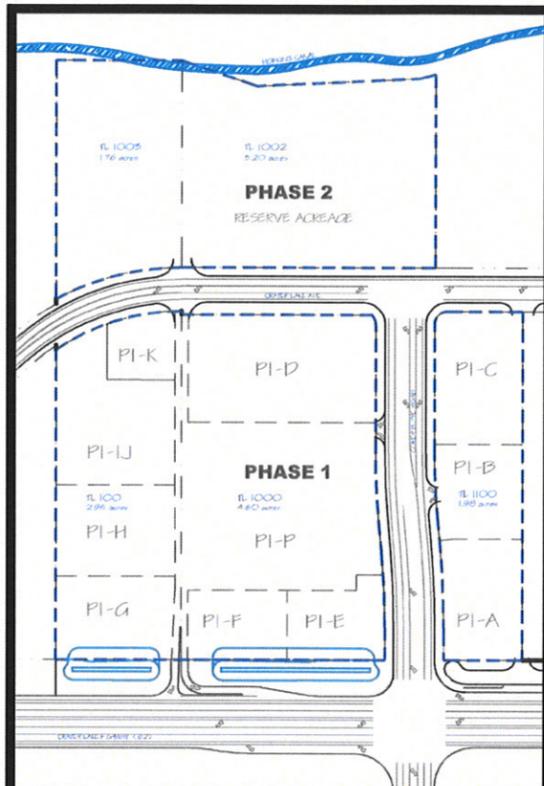
PHASE 2

TL 900

TL 1003
1.76 acres

TL 1002
3.20 acres

TL 1600



KEY PLAN

SCALE- NTS

KEY

- PUD BOUNDARY
- PHASE BOUNDARY
- PROPERTY LINE
- BUILDING ID
- CONCEPTUAL BUILDING
- CONCEPTUAL SIZE
- BUILDING ENVELOPE

TL 902

Cross Access Easement

TL 1001
2.96 acres

TL 1000
4.60 acres

TL 1200



CRATER LAKE HIGHWAY (62)

COKER BUTTE ROAD

COKER BUTTE BUSINESS PARK
Hwy 62 & Coker Butte Rd.

Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (37 IW 05)
Table Rock Holdings Property- TL 1001, TL 1003 (37 IW 05)

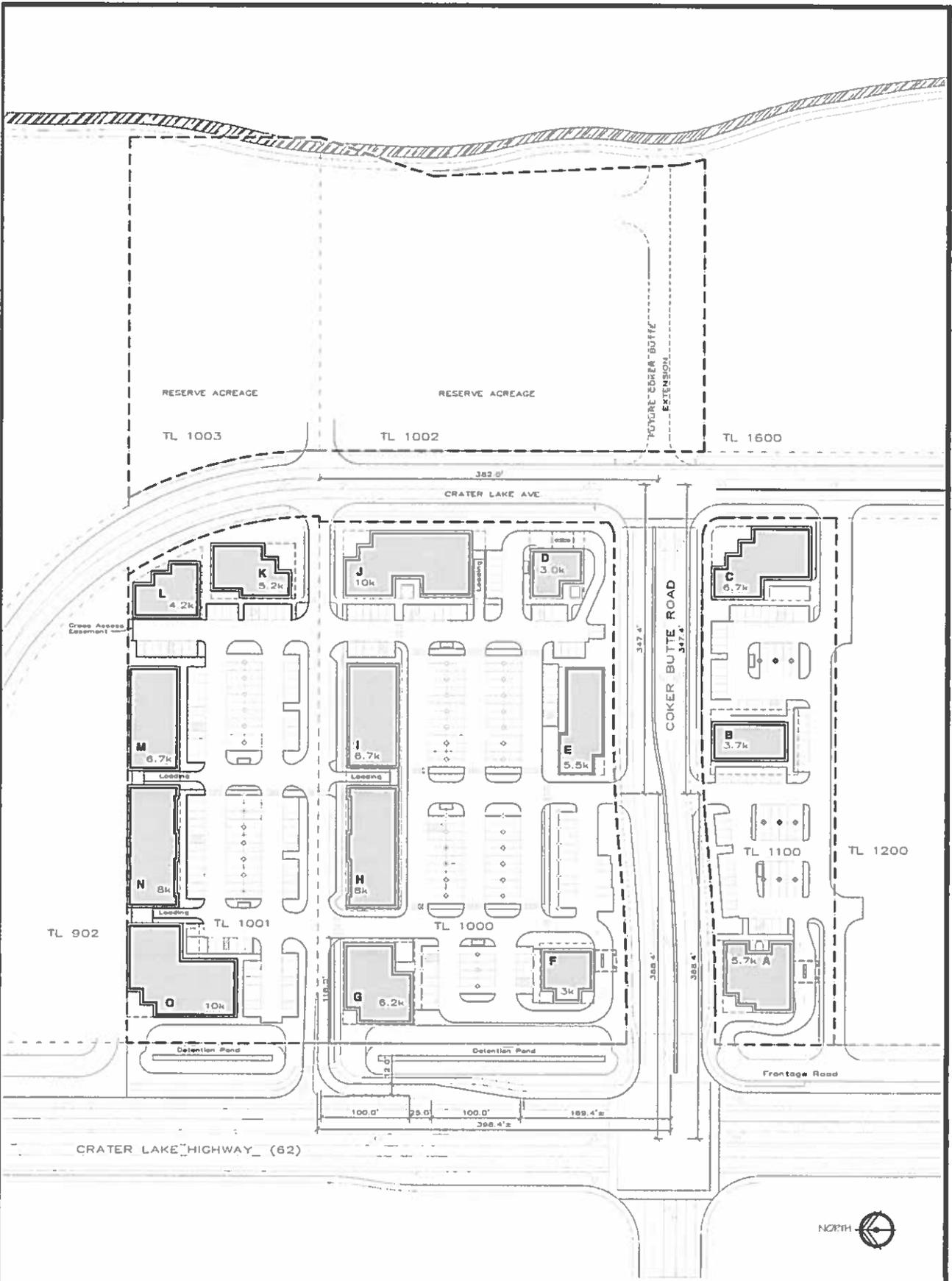
PUD CONCEPTUAL PLAN

DATE: 04/30/20
SCALE: 1:100

CITY OF MEDFORD

EXHIBIT #
FILE # PUD-20-141

Page 21



DATE: 06/07/17
 SCALE: 1/100

**PUD CONCEPT PLAN
 COKER BUTTE BUSINESS PARK
 Hwy 62 & Coker Butte Rd.**

Coker Butte Properties, LLC - TL 1000, TL 1002 & TL 1100 (27/1W/05)
 Table Rock Holdings Property - TL 1001, TL 1003 (27/1W/05)



KEY

- PUD BOUNDARY
- PROPERTY LINE
- BUILDING ID **B** --- CONCEPTUAL BUILDING
- 3.7k --- CONCEPTUAL SIZE
- POTENTIAL BUILDING ENVELOPE

CONCEPTUAL PLANT LEGEND

TREE SPECIES

- HORNBEAM TREE - *Carpinus betula* 'Fastigiata'
- SAWTOOTH ZELKOVA - *Zelkova 'serrata'*
- TRIDENT MAPLE - *Acer buergerianum*
- BIGTOOTH MAPLE - *Acer grandidentatum* var 'Rocky Glow'

- ORNAMENTAL PEAR - *Pyrus calleryana* 'Chanticleer'

SHRUBS

- PURPLE ROCKROSE - *cistus x 'purpurea'*
- PINK ROCKROSE - *cistus argenteus* 'Blushing Peggy Sammons'
- LAVENDER - *Lavandula x intermedia* 'Hidcote Giant'

HEDGES

- GLOSSY ABELIA - *Abelia x grandiflora*

FLOWERING PERENNIALS

- DAYLILY - *Hemerocallis* 'Hall's Pink'
- DAYLILY - *Hemerocallis* 'Mond' 'Starburst Red'
- SEA PINK - *Armeria maritima* 'Splendens'
- SHASTA DAISY - *Leucanthemum superbum* 'Banana Cream'
- SHASTA DAISY - *Leucanthemum superbum* 'Paladin'
- BLACK EYED SUSAN - *Rudbeckia fulgida* 'Goldsturm'

GROUND COVER

- KINNIKINNICK - *Arctostaphylos uva-ursi*
- STONECROP - *Sedum spurium* 'Dragons Blood'
- BLUE PACIFIC JUNIPER - *Juniperus conferta* 'Blue Pacific'

- BIOSWALE PLANTING

TL 900

TL 1003
1.76 acres

TL 1002
3.20 acres

TL 1600

TL 902

TL 1001
2.96 acres

TL 1000
4.60 acres

TL 1200

TL 1100
1.95 acres

COKER BUTTE BUSINESS PARK
Hwy 62 & Coker Butte Rd.

Coker Butte Properties, LLC TL 1000, TL 1002 & TL 1100 (37 IW 05)
Table Rock Holdings Property- TL 1001, TL 1003 (37 IW 05)

PUD CONCEPTUAL LANDSCAPE PLAN

DATE: 04/30/20
SCALE: 1:100

KEY

- PUD BOUNDARY
- PHASE BOUNDARY
- - - PROPERTY LINE
- BUILDING ID
- CONCEPTUAL BUILDING
- CONCEPTUAL SIZE
- - - BUILDING ENVELOPE



CITY OF MEDFORD
EXHIBIT #
File # PUD-20-141

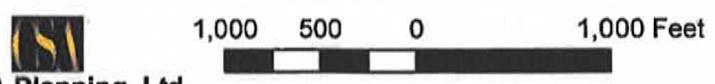


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

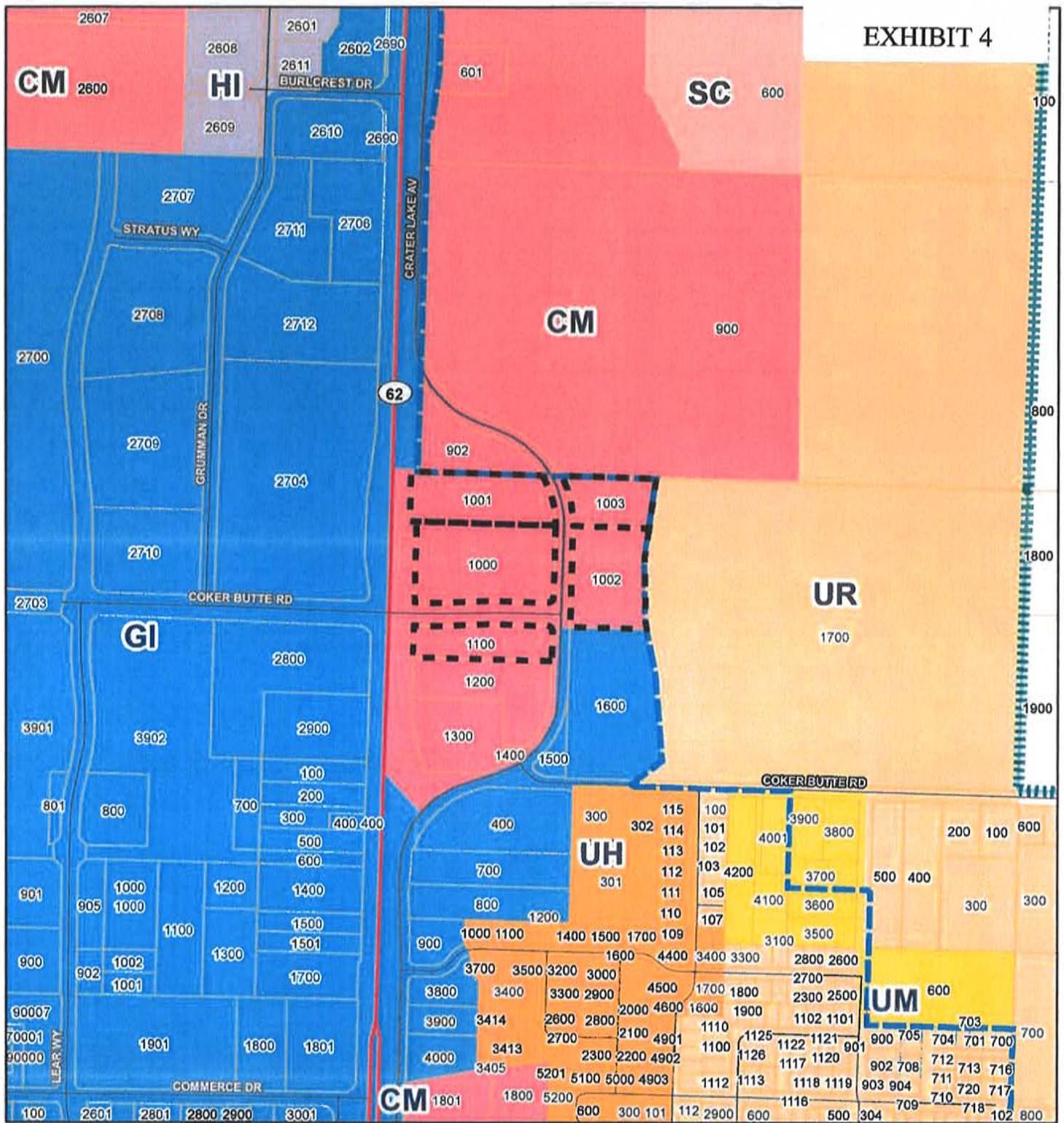
-  Subject Lots
-  City Limits
-  Urban Growth Boundary
-  Tax Lots

Vicinity Map with Existing Land Uses on Aerial

Table Rock Holdings, LLC /
 Coker Butte Properties, LLC
 PUD Revision
 37S-1W-5 tax lots 1000, 1001, 1002, 1003, 1100



CSA Planning, Ltd.



GLUP

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

- CM
- GI
- HI
- SC
- UH
- UM
- UR

General Land Use Plan (GLUP) Map

**Table Rock Holdings, LLC /
Coker Butte Properties, LLC**
PUD Revision
37S-1W-5 tax lots 1000, 1001, 1002, 1003, 1100

600 300 0 600 Feet

CSA Planning, Ltd.



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

2018 Aerial

-  Subject Lots
-  City Limits
-  Tax Lots
-  Medford Zoning

Zoning Map

**Table Rock Holdings, LLC /
Coker Butte Properties, LLC**
PUD Revision
37S-1W-5 tax lots 1000, 1001, 1002, 1003, 1100





300 150 0 300 Feet



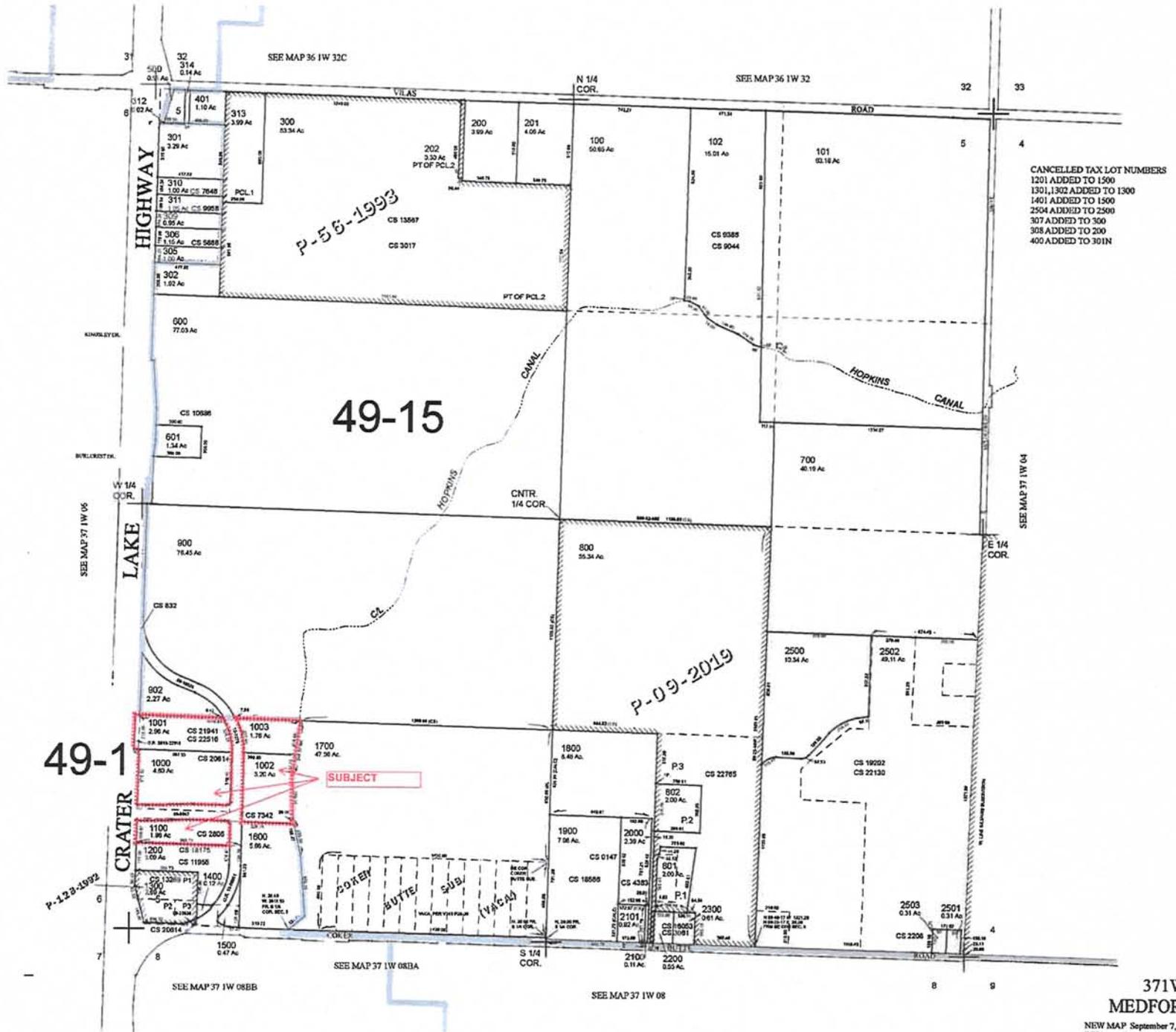
CSA Planning, Ltd.

FOR ASSESSMENT AND TAXATION ONLY

SECTION 5 T.37S. R.1W. W.M.
JACKSON COUNTY
1" = 400'

EXHIBIT 2

371W5
MEDFORD



CANCELLED TAX LOT NUMBERS
 1201 ADDED TO 1500
 1301, 1302 ADDED TO 1300
 1401 ADDED TO 1500
 2504 ADDED TO 2500
 307 ADDED TO 300
 308 ADDED TO 200
 400 ADDED TO 301N

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

**IN THE MATTER OF AN APPLICATION)
TO REVISE AN INDUSTRIAL PLANNED)
UNIT DEVELOPMENT ON 5 TAX LOTS)
LOCATED ON THE NORTH AND SOUTH)
SIDES OF COKER BUTTE ROAD, THE)
EAST AND WEST SIDES OF CRATER)
LAKE AVENUE AND FRONTING UPON)
CRATER LAKE HIGHWAY 62 WITHIN)
AND ABUTTING THE CORPORATE)
LIMITS OF THE CITY OF MEDFORD.)**

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Applicant's Exhibit 1

Owner/Applicant:)
Coker Butte Properties, LLC and Table Rock)
Holdings, LLC)
Agent: CSA Planning, Ltd.)

I

**NATURE AND SCOPE OF APPLICATION
PUD PROJECT RATIONALE**

The Applicants, Coker Butte Properties, LLC and Table Rock Holdings, LLC, seek a minor revision to the *Coker Butte Business Park* Planned Unit Development (PUD).

The PUD land is located on the east side of the *Old Crater Lake Highway 62* at its intersection with Coker Butte Road. The project is unique in that it exists in three quadrants divided by arterial and collector streets, while also fronting upon *Old Crater Lake Highway 62*. The PUD property comprises 14.5 acres in five tax lots. Phase 1 of the Coker Butte Business Park includes the three tax lots fronting on Crater Lake Highway 62. It is designed to serve office and light industrial enterprises operating from enclosed buildings that will offer attractive office-like storefronts served by facilities for heavier shipping and loading for several of the buildings. The project is designed to also attract supporting commercial services such as banks and restaurants on the site's most highly visible frontage along Highway 62. The goal is to create a successful project with its most attractive buildings facing the direction of highest community visibility. Phase 2 includes the tax lots east of Crater Lake Avenue that will remain as reserve acreage for future expansion of the Business Park.

The Preliminary PUD Plan approval was for a project that was intended to be constructed and operated by Applicant, and designed to later be converted to Unit Ownership according to the



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

Oregon Condominium Act.¹ Under this model, the approval included a condition that required submittal for approval as a pad lot development with fifteen buildings with common areas that included shared parking, lighting, storm drainage, and landscaping. Since that approval, the Applicants plans for the marketing, sale and operation of the property have evolved. The proposed revision is intended to allow some advance land divisions to occur for future building lots that can meet all City requirements as standard (rather than pad lots). The revised design also contemplates one single larger central parking area that would be held in common ownership of the PUD.

To support the new approach, the Applicants are requesting approval of three revisions to the approved Preliminary PUD Plan that include:

- A. A Revised Preliminary PUD Plan that reconfigures the buildings in the central portion of the plan by combining several smaller buildings into one large anchor building. The square footage of some of the remaining buildings have also been adjusted. The total square footage on the site remains the same as approved.
- B. Addition of sub-phases to Phase 1 of the PUD, as shown on the revised Preliminary PUD Plan.
- C. Revision of Discretionary Condition 1 to allow the Applicants to submit for standard lot divisions as well as pad lots. A substantial amount of the property will remain under common ownership, but some of the land and parking will be included with the sale of some individual building sites.

None of these requested changes increase the overall impact of the project on the surrounding area as the uses remain the same and there are no changes to the site access or traffic generated.

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant has submitted the following evidence with its application for Revision of an approved Preliminary PUD Plan:

- Exhibit 1.** The proposed Findings of Fact and Conclusions of Law (this document) demonstrating how the revised Preliminary PUD Plan complies with the applicable substantive criteria of the MLDC
- Exhibit 2.** Assessor’s plat map T37S-R1W-Section 5 which depicts the subject properties
- Exhibit 3.** Vicinity Map with Existing Land Uses on Aerial Photograph
- Exhibit 4.** City of Medford GLUP Map
- Exhibit 5.** City of Medford Zoning Map shown on Aerial Photograph
- Exhibit 6.** PUD-17-023: Previously approved Preliminary PUD Plan

¹ The Oregon Condominium Act is contained in ORS Chapter 100



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

Exhibit 7. Applicants’ Revised PUD Plans, which include:

- A. Revised Preliminary PUD Plan
- B. Revised Preliminary Landscape Plan

Exhibit 8. Completed PUD application form including a duly authorized Power of Attorney which authorizes CSA Planning, Ltd. to act procedurally on behalf of Applicants Coker Butte Properties, LLC and Table Rock Holdings, LLC

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which the applications for Preliminary PUD Plan and for Tentative Subdivision Plat must be approved are in Article II of the Medford Land Development Code (MLDC). The criteria for the land use application are recited verbatim below and again in Section V where each is followed by the conclusions of law:

REVISION OF A PRELIMINARY PUD PLAN

MLDC10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

(1) Applicant for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

(4) De Minimis Revisions.

Notwithstanding Section 10.192(E), the Planning Director may approve revisions to an approved Preliminary or Final PUD Plan that they determine is de minimis. Proposed revisions shall be considered de minimis if the Planning Director determines the changes to be slight and inconsequential and will not violate any substantive provision of this Code. The Planning Director's written approval of a de minimis revision(s) shall be appended to the Final Order of the Planning Commission or Final Approval of the Final PUD Plan. Revisions that are de minimis shall not require public notice, public hearing or an opportunity to provide written testimony. However, if, while the record is open, any party requests in writing to be notified of future de minimis revisions of a Preliminary PUD Plan, then all de minimis revisions of a Preliminary PUD Plan shall be subject to review as a Type III land use action or such other procedure as may be permitted by law.

PRELIMINARY PUD PLAN CRITERIA

MLDC10.190 Planned Unit Development (PUD) - Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan.

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

- (1) The proposed PUD:
 - (a) preserves an important natural feature of the land; or
 - (b) includes a mixture of residential and commercial land uses; or
 - (c) includes a mixture of housing types in residential areas; or
 - (d) includes open space, common areas, or other elements intended for common use or ownership; or
 - (e) is otherwise required by the Medford Land Development Code.
- (2) The proposed PUD complies with the applicable requirements of this Code, or
 - (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
 - (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and
 - (c) the proposed modifications to the limitations, restrictions, and design standards of this Code will not materially impair the function, safety, or efficiency of the circulation system or the development as a whole.
- (3) The property is not subject to any of the following measures or if subject thereto the PUD can be approved under the standards and criteria thereunder:
 - (a) Moratorium on Construction or Land Development pursuant to ORS 197.505 through 197.540, as amended.
 - (b) Public Facilities Strategy pursuant to ORS 197.768 as amended.
 - (c) Limited Service Area adopted as part of the Medford Comprehensive Plan.
- (4) The location, size, shape and character of all common elements in the PUD are appropriate for their intended use and function.
- (5) If the Preliminary PUD Plan includes uses not allowed in the underlying zone pursuant to Subsection 10.192(B)(7)(c), the applicant shall alternatively demonstrate that either:
 - (a) Demands for the Category "A" public facilities listed below are equivalent to or less than for one or more permitted uses listed for the underlying zone, or



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

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

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

- (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.
- (7) If approval of the PUD application includes the division of land or the approval of other concurrent land use applications as authorized in Subsection 10.190(B), approval of the PUD shall also be subject to compliance with the substantive approval criteria in Article II for each of the additional land use applications.

(E) Conditions of Preliminary PUD Plan Approval.

If the Planning Commission approves a Preliminary PUD Plan, in addition to conditions of approval authorized under Section 10.200(F), it may attach conditions to the Preliminary PUD Plan approval which are determined to be reasonably necessary to ensure:

- (1) The Final PUD Plan will be substantially consistent with the approved Preliminary PUD Plan and specifications related thereto.
- (2) Development of the PUD will be consistent with the approved Final PUD Plan and specifications related thereto. To ensure satisfactory completion of a PUD in compliance with the approved plans, the Planning Commission may require the developer to enter into an agreement with the City as specified under Section 10.200(I).
- (3) The PUD will comply with the Comprehensive Plan, the Medford Municipal Code and all provisions of this Code except the specific provisions for which there are approved modifications.
- (4) There are appropriate safeguards to protect the public health, safety and general welfare.
- (5) There will be ongoing compliance with the standards and criteria in this Section.
- (6) To guarantee that streets, public facilities and utilities can be appropriately extended from one PUD phase to each successive future phase in accordance with the approved Preliminary PUD Plan, the City may require the conveyance of easements or other assurances.

IV

FINDINGS OF FACT

Applicants have offered and the Planning Commission has accepted the following facts and find them to be true with respect to this matter:

- 1. Property Location and Jurisdiction:** The property is located east of Highway 62, Crater Lake Highway, and west the Hopkins Canal, on both sides of Coker Butte Road and Crater Lake Avenue. The land has been annexed to and is inside the corporate limits of the City of Medford and its UGB. As such, land use activities are subject to the laws and regulations of



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

the City of Medford, including the Medford Land Development Code (MLDC) within which is the PUD Ordinance comprised of MLDC Section 10.190 through 10.198.

- 2. Subject Property Description, Ownership and Authorization:** The subject property is comprised of three tracts² and five tax lots. The three tracts are separately owned by Coker Butte Properties LLC and Table Rock Holdings LLC which below appear in this matter as “Applicants.” Tract A is comprised of Tax Lots 1000 and 1002. Tract B is comprised of Tax Lots 1001 and 1003. Tract C is comprised of Tax Lot 1100. The ownership and size of the various parcels and tracts is reported in below Table 1 and referred to variously hereinafter as the “subject property,” the “PUD” or “the Project.”

Table 1

Ownership, Description and Acreage of Subject Property

Sources: Jackson County Assessor; CSA Planning, Ltd. (GIS Division)

Property Ownership	Tax Lot	Acreage
TRACT A		
Coker Butte Properties LLC	1000	4.60
Coker Butte Properties LLC	1002	3.20
TRACT B		
Table Rock Holdings LLC	1001	2.96
Table Rock Holdings LLC	1003	1.76
TRACT C		
Coker Butte Properties LLC	1100	1.98
TOTAL		14.50

The Applicants’ tracts were divided by the reconfiguration of Crater Lake Avenue at Coker Butte Road. Tax Lots 1002 and 1003, located east of Crater Lake Avenue, is a part of this PUD although those 4.96 acres are identified as Reserve Acreage.

This application has been duly authorized by Applicants who have further authorized the application to be represented by CSA Planning, Ltd. and a Power of Attorney to that effect is included as part of Exhibit 8.

- 4. Comprehensive Plan and Zoning Designations:** In 2008, the subject property was annexed to the City of Medford and rezoned from Jackson County’s Light Industrial zone to Medford’s Light Industrial (I-L) zone. A portion of the property is additionally denoted on the official zoning map as RZ, which signifies that a traffic Trip Cap³ was applied to Tax Lots 1000, 1002 and 1100 as part of an earlier land use action.

² Pursuant to definition in the MLDC the subject property (even though segregated by major streets) is considered a single tract.

³ A trip cap signifies that only a certain amount of traffic can be produced by a given tract of land. The same is typically imposed with an owner’s consent at the time a property is rezoned. A trip cap can also (or in addition) be imposed when the GLUP designation of a property is changed. In this instance, the trip cap was imposed when the property was rezoned.



Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

In 2016, the City concluded work on the Internal Study Area phase of its larger Urban Growth Boundary (UGB) amendment process. The same culminated in a legislative amendment to Medford's General Land Use Map (GLUP) that affected roughly 800 acres, including the subject property, which was changed to Commercial. The Commercial designation is not incompatible⁴ with the property's I-L zoning because the industrial uses contemplated for this Business Park PUD and those permitted in an I-L zone, by nearly all measures, are similar or *less* intensive than the broad range of retail and service commercial uses that are permitted under the Commercial GLUP designation.

5. **Existing Use of Subject Property:** Tax Lot 1000 is vacant. Tax Lot 1001 was once occupied by a dwelling that has been demolished. Tax Lot 1001 is now vacant.

Tax lots 1002 and 1003 are still currently being used by Rogue Disposal & Recycling, Inc. primarily for the storage of dumpsters and other garbage receptacles equipment in connection with its business. Tax Lot 1100 has an existing building that is used to maintain trash containers in serviceable condition for use by Rogue Disposal's customers. As the subject property develops in accord with this PUD plan, Rogue Disposal's uses and facilities will be relocated to a different site, most likely to its Transfer Station in White City.

6. **Surrounding Area:** Applicant's Exhibit 3 is an aerial photograph which shows the location of existing land uses that surround the subject property and which constitute the surrounding area which is coincidental to the area entitled to notice under the MLDC:

North: The northern boundary of the subject property coincides with Medford's present corporate limits. Property immediately adjacent to the north is vacant, at a higher elevation than the majority of the subject property and served by Crater Lake Avenue and a highway frontage road. The property appears not to have been farmed for an extended period of time. It and the property beyond to the north is part of the MD-2 Urbanization Planning Area which was recently brought into the UGB.

East: The easterly boundary of the subject property is collinear with Medford's present corporate limits and Urban Growth Boundary (UGB). The subject property is also bordered on the east by Medford Irrigation District's Hopkins Canal maintenance road. The large tract east and beyond the canal is zoned Exclusive Farm Use (EFU) appears to be used for seasonal livestock grazing and has two dwellings. This parcel is inside the UGB. To the southeast is a mini-storage and truck/trailer rental facility; truck and trailer parking are on the land directly across subject property Tax Lot 1100.

South: Land to the south contains a variety of light industrial and retail uses. The abutting parcel is headquarters for Dick's Towing, a local tow truck operator and contains multiple buildings and a large area used for parking and outdoor storage. Further to

⁴ In 1975 the Oregon Supreme Court decision in *Baker v. City of Milwaukie*, 271 Or 500, 533 P2d 772 (1975) held that: " * * * a zoning ordinance which allows a more intensive use than that prescribed in the [comprehensive] plan must fail."



the south is a small shopping center and Hertz automobile sales lot. To the southeast is a large mini-storage facility.

West: The subject property is bordered on the west by Highway 62. Across the highway are well-established and attractive new automobile dealerships which extend an appreciable distance to the north. There is a commercial truck sales and service facility further south on the west side of the highway.

7. **Topography:** The natural grade of the subject property is such that it gently slopes and drains from northeast to southwest. There is a more substantial grade change at/near the subject property's north boundary and along the south side of Crater Lake Avenue.
8. **Hydrology:** No streams or jurisdictional wetlands have been identified on the property. Medford Irrigation's Hopkins canal runs adjacent to the eastern boundary of Tax Lots 1002 and 1003. A large storm detention area is present in the highway right-of-way along the western boundary of Tax Lot 1000. This detention area may be expanded onto Tax Lot 1000 and 1001 to provide for detention of project area storm water in addition to the run-off from the highway.
9. **Adjacent EFU Land:** The previous application included an Agricultural Impact Assessment. Since that time, the property abutting to the north was brought into Medford's Urban Growth Boundary as part of the MD-2 Urbanization Planning Area.

10.801 Agricultural Buffering in Non-Urban Reserve Areas

E. Alteration or Removal of Buffering Measures.

The measures required by the approving authority to buffer agricultural land from urban uses and development may be altered or removed entirely when the zoning of an adjacent and touching agricultural land is changed from EFU or EA to a city zoning district other than EA. No alteration or removal of the agricultural land buffering features shall cause the removal of fencing or landscaping which is required to meet the Bufferyard requirements of Sections 10.790 through 10.796.

While the land is still zoned Exclusive Farm Use (EFU) by Jackson County, but it is Commercial GLUP mapped and is part of the lands intended for urbanization within the UGB. Therefore, MLDC10.801(E) provides that, if the adjacent land has been rezoned to a non-agricultural zone, prior to vertical construction then no agricultural buffer will be required.

10. **Public Facilities and Services:** Applicant notes that none of changes proposed for this PUD will create an impact on public facilities and services different from the conditions present at the time of the current PUD approval.

11. Transportation:

- A. **Road Classifications:** Medford's TSP Figure 1-2 designates Coker Butte Road as a Major Arterial and Crater Lake Avenue as a Major Collector. There are no lower order (non-arterial/collector) streets which adjoin or otherwise provide access to the property.

The subject property also abuts *Old Crater Lake Highway 62* on the west side. At the time of the review, Highway 62 was designated as a Statewide Expressway. The project was approved with the condition that the Applicant must wait to move forward with development of the requested Highway 62 access until both the State highway designation is changed and jurisdiction has been transferred to the City. Since the

Findings of Fact and Conclusions of Law

Application for Revision of an Industrial Preliminary PUD Plan
Applicant: Table Rock Holdings, LLC/Coker Butte Properties, LLC

approval of the PUD, the new Oregon 62 Rogue Valley Expressway which bypasses the portion of Crater Lake Highway 62 that abuts the property, has been completed. Therefore, this highway segment will be changed from its present classification of Statewide Expressway to a different classification that can accommodate Applicant’s access plan. Completion of the expressway also will result in an exchange of jurisdiction, after which this segment of Highway 62 will be owned and controlled by the City of Medford. These changes are now in process. Upon the completion of both of these items, the Applicant intends to move forward with the application for and construction of the Highway 62 access as approved.

- B. **Existing Trip Cap:** In 2008, the zoning on Tax Lots 1000, 1002 and 1100 was changed to Medford’s Light Industrial (I-L) zone. A Traffic Impact Analysis was conducted for these properties at the time of rezoning and established a “trip cap” amounting to the lesser of 2,480 average daily trips (ADT) or 248 peak hour trips, a matter to which Applicant then agreed to stipulate and the same was made a condition of the zone change approval. Tax Lots 1001 and 1003 are similarly zoned I-L but have no trip cap.

12. Prior PUD Approval: The Coker Butte Business Park was approved under *PUD-17-023* on August 10, 2017. The approved Preliminary PUD plan included 92,600 square feet of built space in fifteen buildings on 9.54 acres. The remaining 4.96 acres, located east of Crater Lake Avenue, are set aside as Reserve Acreage. Common Areas for the development include off-street parking, site lighting, landscaping, drainage and stormwater detention facilities, signs and pedestrian appurtenances. Applicants conducted a neighborhood meeting in accordance with the requirements of the MLDC. The meeting was held at CSA Planning on December 7th, 2016.

As part of the current approval, the Planning Commission approved code modifications and allowed uses not permitted in the I-L zone and nothing in the proposed revision alters these approvals or the rationale adopted by the Planning Commission approving the same.

13. Revision Requests to the Approved PUD: The Applicants are requesting approval of three revisions to the original approval, including:

- A. *A Revised Preliminary PUD Plan that combines several smaller buildings into one large building, and revises the square footage of some of the remaining buildings, such that the total square footage on the site remains the same as approved.*

The number of buildings proposed onsite have been reduced from fifteen to eleven and the square footage of some buildings have been revised as follows:

ADJUSTMENT TO PUD BUILDING SQUARE FOOTAGE				
Original PUD ID	Original Size	Revised PUD ID	Revised Size	Notes
A, B, C	16,100	A, B, C	16,100	No changes on TL 1100
D	3,000	D	37,400	New large anchor building
E	5,500	Removed		
F	3,000	F	3,200	



ADJUSTMENT TO PUD BUILDING SQUARE FOOTAGE				
Original PUD ID	Original Size	Revised PUD ID	Revised Size	Notes
G	6,200	E	6,500	
H	8,000	Removed		
I	6,700	Removed		
J	10,000	Removed		
K	5,200	K	5,400	
L	4,200	J	6,200	Cross Access easement relocated near Building G
M	6,700	I	6,700	
N	8,000	H	7,400	
O	10,000	G	3,700	Relocated Drive-thru from Building D
TOTAL	92,600		92,600	No change to total square footage within the PUD

See, Revised Preliminary PUD Plan, Exhibit 7. As before, the Plan illustrates the revised locations of conceptual buildings on the PUD property. These conceptual building footprints are generic and the final configurations are expected to differ somewhat from those shown on the Preliminary PUD Plan as actual tenants are identified and the buildings are adjusted to suit their unique needs. To facilitate reasonable flexibility in ultimate building design, Applicant has shown Building Envelopes around each building. The Building Envelope is a simple tool intended to confine and restrict the limits of any future building while permitting a degree of flexibility in building design.

B. Division of Phase 1 into sub-phases: The PUD was approved previously as a phased plan, but only two phases were identified. The Applicant now is identifying specific sub-phases for Phase 1 based on the proposed buildings and identified by the building ID. Each phase includes a single building, with the exception of Phase 1-I/J, which includes two buildings. The central common parking area and entry driveways also comprise a separate phase, Phase 1-P.

C. Amendment of Condition 1. to allow for standard lot divisions as well as pad lots.

The entire development was proposed and approved as a potential condominium project with individual building ownership and the remainder of the property in common ownership. As such, a condition was applied requiring the Applicants' to submit the development for approval as a pad lot development. Since that approval, the Applicants have decided that they would prefer to have both individual subdivided parcels as well as some of the buildings being on pad lots. Future divisions are anticipated to reflect the proposed sub-phases. This approach will provide more flexibility for marketing the building sites. The updated plan now includes a large



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central common parking lot which along with the storm detention areas and landscaped areas around the perimeter comprise the common areas that will be maintained and managed by the current owners until such time as a Unit Owners Association is formed for the development.

V

CONCLUSIONS OF LAW

The following conclusions of law are based upon the evidence enumerated in Section II and the findings of fact contained above in Section IV of this document and relate to the approval criteria for a Preliminary PUD Plan as set forth in Section III. The approval criteria are recited verbatim below and are followed by the conclusions of law of the Planning Commission:

REVISION OF A PRELIMINARY PUD PLAN

10.198 Revision or Termination of a PUD

(A) Revision of a Preliminary or Final PUD Plan.

The expansion or modification of a PUD approved under earlier PUD ordinances of the City or the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:

PUD Revision Criterion 1

(1) Applicant for Revision; Filing Materials; Procedures.

An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.

Conclusions of Law: The Applicants, who control 100% of the assessed value of the PUD property, have submitted the application and hereby request the Planning Director to deem the requested changes Minor. As such, only exhibits related to the specific revisions requested are attached to this application.

(2) Consolidated Procedure.

At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.

Conclusions of Law: The Applicants are not requesting any additional procedures at this time.

(3) Burden of Proof; Criteria for Revisions.

The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature



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and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning Commission can approve a PUD Plan revision, it must determine that the proposed revision is compatible with existing developed portions of the whole PUD.

Conclusions of Law: At this time no development has begun on the PUD property. The Reserve Acreage continues to be used as previously described for dumpster storage. Therefore, the changes proposed do not impact any existing development on-site.

* * * * *

PRELIMINARY PUD PLAN CRITERIA

MLDC10.190 Planned Unit Development (PUD) - Application and Approval Provisions

(D) Approval Criteria for Preliminary PUD Plan.

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

PUD Criterion 1

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

Conclusions of Law: The Planning Commission concludes from the evidence including Applicant’s explanation offered in Section I that this revision to the PUD includes common elements that will include its off-street parking, site lighting, landscaping, drainage and stormwater detention facilities, signs and pedestrian appurtenances that will be held, managed and maintained by the future owners of land parcels on which individual buildings in the PUD are constructed. Therefore, it is concluded that the PUD will continue to include open space, common areas, or other elements intended for common ownership consistent with PUD Criterion 1(d). The five criteria within PUD Criterion 1 operate as alternatives, the compliance with any one of which serves to establish compliance with PUD Criterion 1 and the Planning Commission concludes that PUD Criterion 1 has been satisfied.

* * * * *

PUD Criterion 2

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



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Conclusions of Law: Based on the Evidence in Section II and the Findings in Section IV, the Planning Commission concludes that none of the revisions requested would cause any substantial change to any of the modifications approved as part of the original PUD approval and that no new modifications are requested. Therefore, the Planning Commission concludes that this PUD application is consistent with PUD Criterion 2.

PUD Criterion 3

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

Conclusions of Law: The Planning Commission concludes the existing approved PUD was not found to be subject to any of the above and the facts have not changed since the original approval. Although portions of the property are subject to a Trip Cap, the same is neither a moratorium nor a Limited Service Area. Through the prior application, the Planning Commission found that the property can be developed as contemplated under the Trip Cap earlier imposed upon the property by the City. For these reasons, the Planning Commission concludes that the application and PUD is consistent with PUD Criterion 3.

PUD Criterion 4

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

Discussion; Conclusions of Law: The Planning Commission concludes that the revisions to the proposed common elements (shown on the Revised Preliminary PUD plans in Exhibit 7) are appropriate with respect to location, size, shape and character. Based upon the PUD plans, common elements will provide for appropriate parking and maneuvering sufficient for the range of uses proposed for the site and consistent with City standards. The planned landscaping, which is consistent with City standards, is appropriate and used to define and shade the off-street parking areas. The stormwater detention ponds, also a commonly owned and maintained area is appropriate to its function and intended to be attractively landscaped and maintained in concert with the City of Medford. The lighting system, also an element of common utility, will provide a safe nighttime environment and enhanced security. In conclusion, the Planning Commission concludes that the revised Preliminary PUD Plan is consistent with PUD Criterion 4.

PUD Criterion 5

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



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

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

Conclusions of Law: The approved Preliminary PUD Plan devotes up to twenty (20) percent of the PUD to uses that would not otherwise be allowed in the underlying I-L zone. Hence section (5) applies. Based upon the facts pertaining to the PUD revision requested herein, the Commission has determined that none of changes proposed in this application will create an impact on public facilities and services different from the conditions present at the time of the original PUD approval.

Therefore, based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that the application is consistent with the requirements of PUD Criterion 5.

PUD Criterion 6

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

Conclusions of Law: The Planning Commission concludes that this Planned Unit Development was approved to devote 20 percent of the PUD area to uses not otherwise permitted in an I-L zone and was found to comply with the conditional use permit (CUP) criteria in MLDC 10.248, which states:

10.184 Conditional Use Permit

(C) Conditional Use Permit Approval Criteria.

- (1) The Planning Commission must determine that the development proposal complies with either of the following criteria before approval can be granted.
 - (a) 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.
 - (b) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the Planning Commission to produce a balance between the conflicting interests.

Discussion; Conclusions of Law: The Commission finds that none of the proposed revisions will add any additional conditional uses or increase impacts from the development beyond those that were approved previously. Therefore, the Planning Commission concludes that the



project satisfies PUD Criterion 6.

PUD Criterion 7

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

Conclusions of Law: The Planning Commission concludes this application for Preliminary PUD Plan approval is not accompanied by any other submitted applications and PUD Criterion 7 is met by reason of its inapplicability.

VI

**SUMMARY OF
STIPULATIONS AGREED TO BY APPLICANT**

The following summarizes the agreed to stipulations offered by Applicants in this matter. The stipulations will be adhered to by Applicant if made conditions attached to the approval of this application for Revised Preliminary PUD Plan.

Summary of Applicant Stipulations:

1. Applicant stipulates to continue to meet all conditions required and agreed to under the previous Preliminary PUD approval, with the exception of the following revision of Condition 1 below:
 1. Applicant will submit for subdivision and/or pad lot subdivision prior to, or concurrent with, application for the Final PUD Plan applicable to that phase(s).

VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, it is ultimately concluded that the case for approving a Revised Preliminary PUD Plan is consistent with all of the relevant criteria in the Medford Land Development Code (MLDC) as hereinabove enumerated and addressed.

Respectfully submitted on behalf of Applicant:

CSA Planning, Ltd.



Jay Harland
President

Dated: May 12, 2020





LD DATE: 7/1/2020

File Number: PUD-20-141

Reference: ZC-07-272, CP-13-032, PUD-17-023

PUBLIC WORKS DEPARTMENT STAFF REPORT

Coker Butte Business Park PUD – REVISION

Coker Butte Road at Crater Lake Highway (TLs 1000, 1001, 1002, 1003 and 1100)

Project: Consideration of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a development consisting of office and light industrial uses.

Location: 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).

Applicant: Applicant, Coker Butte Properties, LLC. And Table Rock Holdings; Agent, CSA Planning, Ltd; Planner, Dustin Severs.

Applicability: The Medford Public Works Department's conditions of Preliminary Plan Approval for Coker Butte Business Park PUD were adopted by Order of the Medford Planning Commission on August 10th, 2017 (PUD-17-023). The adopted condition of this action shall remain in full force as originally adopted except as amended or added to below.

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

Approval of Final Plat:

- Right-of-way/PUE dedication, construction and/or assurance of the public improvements in accordance with Medford Land Development Code (MLDC), Section 10.666 & 10.667 (Items A, B & C)

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

- Submittal and approval of plans for site grading and drainage, and detention, if applicable.
- Completion of all public improvements, if required. The Applicant may provide

security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements shall be approved by the Public Works Engineering Division prior to acceptance of security.

- Items A – D, unless noted otherwise.

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

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

A. STREETS

1. Dedications

Crater Lake Highway (Highway 62) is under the jurisdiction of the Oregon Department of Transportation (ODOT). However, **this section is currently in the process of a jurisdictional transfer with the City of Medford. The Developer shall contact ODOT to see if additional right-of-way is required. Once the jurisdictional transfer is completed the City of Medford will not require any additional right-of-way.**

Coker Butte Road is classified as a Major Arterial street, and in accordance with Medford Land Development Code (MLDC) Section 10.428, requires a total right-of-way width of 100-feet. **No additional right-of-way is required.**

Crater Lake Avenue is classified as a Major Collector street, and in accordance with MLDC Section 10.428, requires a total right-of-way width of 74-feet. **No additional right-of-way is required.**

Public Utility Easements, 10-feet in width, shall be dedicated along the street frontage of all the Lots within this development (MLDC 10.471).

The easement dedications shall be submitted directly to the Engineering Division of the Public Works Department. The submittal shall include: the right-of-way and easement dedication, including an exhibit map; a copy of a current Lot Book Report, Preliminary Title Report, or Title Policy; a mathematical closure report (if applicable), and the Planning Department File Number; for review and City Engineer acceptance signature prior to recordation by the applicant. Releases of interest shall be obtained by holders of trust deeds or mortgages on the right-of-way and PUE area.

2. Public Improvements

a. Public Streets

Highway 62 is under the jurisdiction of the ODOT. The Developer is advised to consult with ODOT regarding any possible requirements for roadway improvements on Highway 62, before commencing any work on this Development. The Developer shall obtain all necessary permits from ODOT for work within the Highway 62 right-of-way.

However, considering the pending jurisdictional transfer, the City of Medford is recommending to the Commission that the Developer construct full-height-curb along the entire Highway 62 frontage at a distance of 8-feet from the existing fog line or as otherwise approved by the City Engineer, as well as, a 5-foot wide sidewalk separated from the curb with a 10-foot wide planter strip. The improvements also include installation of street lights as outlined below.

Coker Butte Road and Crater Lake Avenue – All street section improvements have been completed to current standards as part as capital improvement project P1542, including pavement, curb and gutter, street lights, and sidewalks. **No additional public improvements.**

b. Street Lights and Signing

The Developer shall provide and install in compliance with Section 10.495 of the Medford Municipal Code (MMC). Based on the preliminary plan submitted, the following number of street lights and signage will be required:

Street Lighting – Developer Provided & Installed:

- A. 2 – Type A-400 LED (Highway 62)
- B. 1 – BMC (*Could utilize the existing BMC on the SW corner of Highway 62 intersection. Would need to include a breaker and contactor for a new circuit.*)
- C. Provide voltage drop calculations for the new circuit.
- D. Maintain/protect existing lighting conduit on Coker Butte Road (north side) for new driveway entrance. Conduit may have to be lowered.

Traffic Signs and Devices – City Installed, paid by the Developer:

- A. None

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request. All street lights shall be operating and turned on at the time of the final “walk through” inspection by the Public Works Department.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Coker Butte Road or Crater Lake Avenue.

d. Access and Circulation

Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 (aside from the driveway locations referenced in the Traffic Impact Report discussed below in "Transportation System") and 10.426.

In accordance with MLDC 10.550, cross-access easements and/or restrictive covenants are required between lots 902 and 1001, between lots 1000 and 1001, between lots 1002 and 1003, and between lots 1100 and 1200. The site design must accommodate future use of such accesses..

e. Transportation System

In accordance with the approval for PUD-17-023, Public Work recommends approval of all the studied driveway locations. The driveway onto Crater Lake Highway shall be contingent upon the City of Medford and ODOT executing a jurisdictional transfer agreement, transferring jurisdiction of this portion of Crater Lake Hwy from ODOT to the City of Medford. The jurisdictional transfer has been approved by the Medford City Council and is anticipated to be executed after the Oregon Transportation Commission meeting in July 2020 but has not been executed as of the date of this memo.

In accordance with the approval for PUD-17-023, the entire PUD is conditioned with a trip cap of 415 peak hour trips. The applicant shall submit trip accountings with each individual building permit showing that the proposed new buildings will not cause the trip generation to exceed 415 peak hour trips.

f. Easements

Easements shall be shown on the final plat and the public improvement plans for all sanitary sewer and storm drain mains or laterals which cross lots, including any common area, other than those being served by said lateral. The City requires that easement(s) do not run down the middle of two tax lot lines, but rather are fully contained within one tax lot.

3. Section 10.668 Analysis

To support a condition of development that an Applicant dedicate land for public use or provide a public improvement, the Medford Code requires a nexus and rough proportionality analysis which is essentially a codification of the constitutional provisions in

Nollan and Dolan cases.

10.668 Limitation of Exactions

Notwithstanding any other provisions of this Chapter 10, an Applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless:

(1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose and that there is a rough proportionality between the burden of the exaction on the Developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or

(2) a mechanism exists and funds are available to fairly compensate the Applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, emergency services and pedestrians. Further, these rights-of-way are used to provide essential services such as sanitary sewer, domestic water and stormdrain to serve the developed parcels. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

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

No mathematical formula is required to support the rough proportionality analysis. Furthermore, benefits to the development resulting from the dedication and improvements when determining “rough proportionality” have been considered, including but not limited to: increased property values, intensification of use, as well as connections to municipal services and the transportation network.

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

Highway 62, Coker Butte Road & Crater Lake Avenue:

Highway 62, also known as Crater Lake Highway, is functionally classified as a Major Arterial street. It is the primary connector between Interstate-5 and adjacent cities, Highway 62 will have two travel lanes in each direction, a center-turn median, bike lanes in

each direction, sidewalks and street lights. It is a 45 mile per hour facility. It will provide safe travel for vehicles, bicycles, and pedestrians.

The additional street lighting on Highway 62 will provide the needed illumination to meet current MLDC requirements.

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

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. These will be the primary route for pedestrians traveling to and from this development. The area required to be dedicated for the PUE for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

Cross Access Easement:

The applicant is not required to actually dedicate any land for the cross access easement. Therefore, the impacts of creating a cross access easement on the proposed development are the minimum required to protect the public interest.

A. 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.

B. STORM DRAINAGE

1. Hydrology

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.

2. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first building permit application for approval.

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

A Site/Utility Plan shall be submitted with the building permit application to show the location of existing or proposed stormdrain lateral/s for the site.

All private storm drain lines shall be located outside of the public right-of-way and/or any public utility easements (PUE).

3. Stormwater Detention and Water Quality Treatment

This 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. For developments over five acres, Section 10.486 requires that the development set a minimum of 2% of the gross area as open space to be developed as open ponds for stormwater detention and treatment.

Each phase will be required to have its own stormwater detention and water quality treatment. If the Developer desires to do so, a Stormdrain Masterplan may be submitted in lieu of requiring each phase to have separate stormwater detention and water quality treatment. The Stormdrain Masterplan shall be submitted and reviewed with each phase's construction plans and shall be constructed with any phase to be served by the facility.

Prior to acceptance of the public improvements, the developer's design engineer shall provide verification that the stormwater quality and detention system is constructed per plan. Verification shall be provided to the Engineering Division on a form provided by the Engineering Division.

The City is responsible for operational maintenance of the public storm water facility. Irrigation and maintenance of landscape components shall be the responsibility of the Developer during the three year vegetation establishment period. The Developer shall establish vegetation per the Rogue Valley Stormwater Quality Design Manual. The Developer's engineer shall submit a draft agreement to this effect (provided by the City or in a form acceptable to the City) during plan review and shall execute the agreement prior to final plat.

4. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed subdivision will be submitted with the public improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

5. 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.

6. Erosion Control

Subdivisions of one acre and greater require a run-off and erosion control permit from DEQ. The approved permit must be submitted to the Engineering Division prior to public improvement plan approval. The erosion prevention and sediment control plan shall be included as part of the plan set. Erosion Control set shall include a plan for site stabilization at time of Public Improvement Plan acceptance.

7. Easement

Developer shall provide an easement, to be a minimum of 20-feet from centerline, for the portion of Hopkins Canal which encroaches upon TL 1002 and TL 1003.

C. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to approval of the final plat.

D. GENERAL CONDITIONS

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the governing commission's Final Order, together with all pertinent details and calculations. A checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

3. Phasing

The Tentative Plat illustrates that this subdivision/development will be developed in phases. Any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the geometric boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase.

4. Draft of Final Plat

The Developer shall submit 2 copies of the preliminary draft of the final plat at the same

time the public improvement plans (3 copies) are submitted. Neither lot number nor lot line changes shall be allowed on the plat after that time, unless approved by the City and all utility companies.

5. Permits

Building Permit applications for vertical construction shall not be accepted by the Building Department until the Final Plat has been recorded, and a “walk through” inspection has been conducted and approval of all public improvements as required by the Planning Commission has been obtained for this development.

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.

6. System Development Charges (SDCs)

Buildings in this development are subject to SDC fees. 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 Developer is eligible for storm drain system development charge credits for the installation of storm drain pipe which is 24-inches in diameter or larger and is not used for storm drain detention in accordance with Medford Municipal Code (MMC), Section 3.891. The storm drain system development charge shall be collected at the time of the approval of the final plat.

7. Construction and Inspection

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

SUMMARY CONDITIONS OF APPROVAL

Coker Butte Business Park PUD – REVISION

Coker Butte Road at Crater Lake Highway (TLs 1000, 1001, 1002, 1003 and 1100)

PUD-20-141

A. Streets

1. Street Dedications to the Public:

- **Highway 62** – Consult with Oregon Department of Transportation (ODOT).
- **Coker Butte Road & Crater Lake Avenue** – No dedications are required for this development.
- Dedicate 10-foot public utility easements (PUE).

2. Improvements:

Public Streets

- **Highway 62** – Consult with ODOT. City recommends improvements.
- **Coker Butte Road and Crater Lake Avenue** – Improvements have been completed.

Lighting and Signing

- Developer supplies and installs all street lights at own expense.
- City installs traffic signs and devices at Developer’s expense.

Access and Circulation

- Driveway access and circulation to and through the proposed development shall comply with MLDC 10.550 and 10.426.
- In accordance with MLDC 10.550, cross-access easements and/or restrictive covenants are required. The site design must accommodate future use of such accesses.

Transportation System

- In accordance with the approval for PUD-17-023, Public Work recommends approval of all the studied driveway locations.
- The applicant shall submit trip accountings with each individual building permit showing that the proposed new buildings will not cause the trip generation to exceed 415 peak hour trips.

Other

- No pavement moratorium currently in effect along this frontage to Coker Butte Road or Crater Lake Avenue.

B. Sanitary Sewer:

- Contact RVSS for sanitary sewer connections.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide an investigative drainage report.
- Provide water quality and detention facilities.
- Provide Engineers verification of stormwater facility construction.
- Provide a comprehensive grading plan.
- Provide storm drain laterals to each tax lot.
- Provide Erosion Control Permit from DEQ.
- Provide an easement for Hopkins Canal.

D. Survey Monumentation

- Provide all survey monumentation.

E. General Conditions

- Provide public improvement plans and drafts of the final plat.
 - = City Code Requirement
 - = Discretionary recommendations/comments

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: PUD-20-141

PARCEL ID: 371W05 TL's 1000, 1001, 1002, 1003, and 1100

PROJECT: Consideration of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a 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); Applicant, Coker Butte Properties, LLC. And Table Rock Holdings; Agent, CSA Planning, Ltd; Planner, Dustin Severs.

DATE: July 1, 2020

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of "On-Site" 8-inch water lines is required. Applicants Civil Engineer shall coordinate with MWC Engineering Staff for approved Water Facility Layout, including domestic water meters, fire service vaults, including fire hydrant locations per Medford Fire Department requirements.
4. Dedication of a 10-foot wide (minimum) access and maintenance easement to MWC over all water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.
5. Installation of "Off-Site" 8-inch water lines and Fire Hydrants is required Crater Lake Avenue. Applicants Civil Engineer shall coordinate with MWC Engineering staff, and Medford Fire Department for approved "Off-Site" Water Line and Fire Hydrant layout.
6. Fire hydrants are required to be installed at all dead-ends streets for flushing and water quality purposes.

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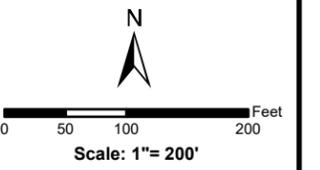
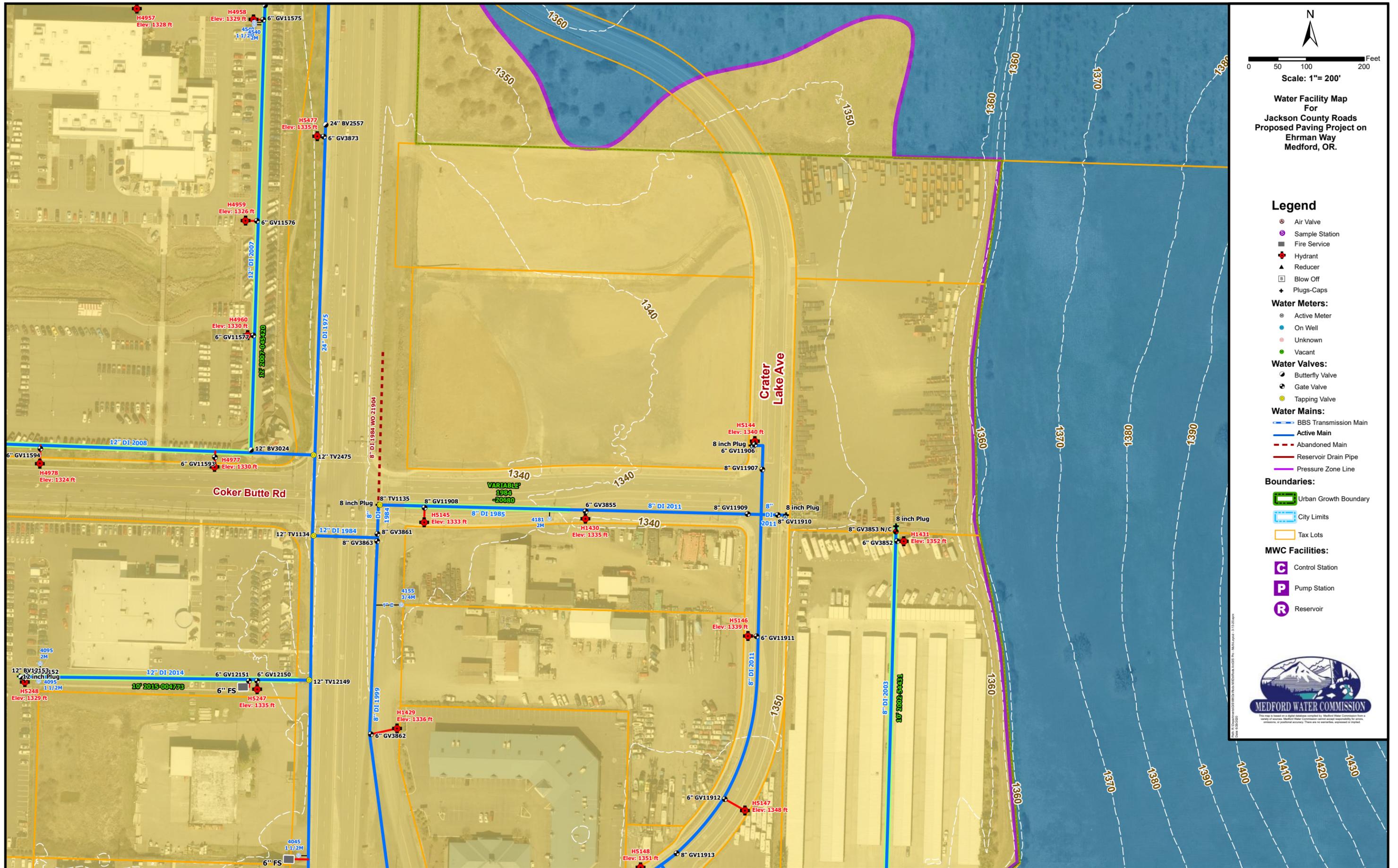


Continue from Previous Page

7. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35> .
8. Applicant and/or their Civil Engineer shall coordinate with MWC engineering staff for available pressure, and fire hydrant flow testing for design use in the proposed fire sprinkler system.
9. If a well is located on this parcel it will be required to be abandoned per State of Oregon water Resources Department regulations per Oregon Water Resources Department Chapter 690 Division 220.
10. The two parcels designated as "Reserve Acreage" can secure domestic water service upon future land development review.
11. A pre-design meeting between the applicants Civil Engineer and MWC Engineering staff is required prior to plan review submittal to MWC.

COMMENTS

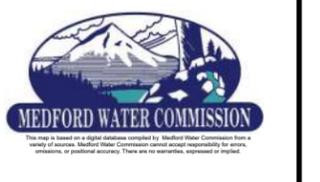
1. Static water pressure is expected to be 72 psi.
2. MWC-metered water service does exist to these properties. There is an existing 2-inch water meter that is located on the south side of Coker Butte Road which serves the existing Rogue Disposal site south of Coker Butte Road.
3. Access to MWC water lines is available.
 - a. There is an existing 8-inch water line located in Coker Butte Road between Hwy 62 and Crater Lake Avenue.
 - b. There is an existing 8-inch water line in Crater Lake Avenue south of Coker Butte Road.
 - c. There is an existing 8-inch water line in Crater Lake Avenue



Water Facility Map
For
Jackson County Roads
Proposed Paving Project on
Ehrman Way
Medford, OR.

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:**
 - BBS Transmission Main
 - Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
 - Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
 - Control Station
 - Pump Station
 - Reservoir





Medford Fire-Rescue Land Development Report

Review/Project Information

Reviewed By: Kleinberg, Greg

Review Date: 6/24/2020
Meeting Date: 7/1/2020

LD File #: PUD20141

Planner: Dustin Severs

Applicant: Coker Butte Properties

Site Name: Coker Butte Business Park

Project Location: Bounded generally by Crater Lake Highway 62, Coker Butte Road, and Crater Lake Avenue

ProjectDescription: Consideration of a proposed revision to the Preliminary PUD Plan for the Coker Butte Business Park, a 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);

Specific Development Requirements for Access & Water Supply

Reference	Comments	Conditions Description
505.1	The address numbers shall be visible on each building.	Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/8 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.
OFC 507.5	Five (5) new fire hydrants will be required for this project located as follows: One on Crater Lake Avenue near Building J; One along the main drive aisle across from the loading area and the NW corner of Building D; One near the driveway entrance across the drive aisle and the SW corner of Building D; One along the main aisle across from Building F; and one across the driveway and the SE corner of Building E.	When fire hydrants are required, the approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site. In addition, blue reflective fire hydrant markers are required to be installed on the road surface to identify fire hydrant locations at night. Plans and specifications for fire hydrant system shall be submitted to Medford Fire-Rescue for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

<p>OFC 503.4; D103.6; D103.6.1; D103.6.2</p>	<p>Curbs shall be painted/stenciled along the fire lanes to prohibit parking.</p>	<p>Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).</p> <p>Where parking is prohibited for fire department vehicle access purposes, NO PARKING-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in 1 & 2 family residential areas) and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING-FIRE LANE" (See handout).</p> <p>For privately owned properties, posting/marking of fire lanes may be accomplished by any of the following alternatives to the above requirement (consult with the Fire Department for the best option):</p> <p>Alternative #1: Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals.</p> <p>Alternative #2: Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals.</p> <p>Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).</p> <p>This restriction shall be recorded on the property deed as a requirement for future construction.</p> <p>A brochure is available on our website at: http://www.ci.medford.or.us/Files/Fire%20Lane%20Brochure.pdf</p>
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<p>OFC 503.2.1</p>	<p>Fire apparatus access road/fire lane design requirements.</p>	<p>Fire apparatus access roads and fire lanes shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road or fire lane shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road or fire lane shall be constructed as asphalt, concrete or other approved all-weather driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds. (See also OFC 503.4; D102.1)</p> <p>The turning radius on fire department access roads and fire lanes shall meet the following Medford Fire Department requirements:</p> <p>Minimum Inside Turning Radius: 25 feet</p> <p>Minimum Outside Turning Radius: 35 feet</p> <p>(OFC 503.2.4)</p>
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Construction General Information/Requirements

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

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

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

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

www.medfordfirerescue.org

Dustin J. Severs

From: Amber Judd <JuddAJ@jacksoncounty.org>
Sent: Friday, June 19, 2020 12:22 PM
To: Dustin J. Severs
Subject: File No. AC-20-141 Project Name: Coker Butte Business Park

Dustin,

The Airport requests an Avigation, Noise and Hazard Easement be a requirement of this project. In addition, due to the proximity to the Airport, the applicant needs to contact the FAA regarding filing a 7460-1 Notice of Proposed Construction or Alteration. The FAA contact is: Paul Holmquist, phone (206) 231-2990.

I have inserted some information below from the FAA's website:

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference CFR Title 14 Part 77.9.

You must file with the FAA at least 45 days prior to construction if:

- Your structure will exceed 200 ft above ground level
- Your structure will be in proximity to an airport and will exceed the slope ratio
- Your structure involves construction of a traverseway (i.e. highway, railroad, waterway, etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- Your structure will emit frequencies, and does not meet the conditions of the FAA Co-location Policy
- Your structure will be in an instrument approach area and might exceed part 77 Subpart C
- Your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- Your structure will be on an airport or heliport
- Filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the Air Traffic Areas of Responsibility map for Off Airport construction, or contact the FAA Airport Region/District Office for On Airport construction.

Results

You exceed the following Notice Criteria:

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

77.9(b) by 14 ft. The nearest airport is MFR, and the nearest runway is 14LF/32RF.

The FAA requests that you file.

Thank you,

Amber Judd

Director of Finance and Administration

Rogue Valley International-Medford Airport (MFR)



1000 Terminal Loop Parkway, Suite 201

Medford, Oregon 97504

541-776-7222

EXHIBIT A-1

Coker Butte Business Park
PUD-17-023
Conditions of Approval
July 27, 2017

DISCRETIONARY CONDITIONS

The Commission accepts the applicant's stipulations as stated in the submitted Findings of Fact and Conclusions of Law (Exhibit H), and applies them as conditions except as modified.

Prior to final plan approval, the applicant shall:

1. **Gain tentative plat approval from the Planning Commission for the establishment of a pad lot development consistent with the requirements outlined in MLDC 10.703.**
2. Provide staff with a copy of documentation recorded in the official records of Jackson County declaring as a restrictive covenant upon the lands located within the PUD the following prohibited land uses as found in the Medford land Development Code (MLDC) 10.337:
 - A. 003 Marijuana Related Business
 - B. All Uses in the Agriculture Division 01 and 02
 - C. 29 Petroleum and Coal Products
 - D. 376 Guided Missiles, Space Vehicles (but not to exclude Parts)
 - E. 423 Trucking Terminal Facilities
 - F. 45 Transportation by Air
 - G. 822 Colleges and Universities
3. The approval of final landscaping plans and architectural plan shall be deferred to the Site Plan & Architectural Commission for each phase of the development.

CODE REQUIRED CONDITIONS

Prior to the issuance of a building permit for vertical construction, the applicant shall:

1. **Comply with all conditions stipulated by the Medford Water Commission (Exhibit K-1).**
2. **Comply with all conditions stipulated by the Public Works Department (J-1).**
3. Comply with all requirements of the Medford Fire Department (Exhibit L).
4. Comply with all conditions stipulated by the Rogue Valley Sewer Services (Exhibit P).



Project Name:

Coker Butte Business Park

Map/Taxlot:

**371W05 TL 1000, 1001,
1002, 1003 & 1100**

Legend

-  Subject Area
-  Tax Lots

6/15/2020

