

# PLANNING COMMISSION

## AUGUST 13, 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

August 13, 2020

5:30 P.M.

Medford City Hall, Council Chambers  
411 West 8<sup>th</sup> Street, Medford, Oregon

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**10. Roll Call**

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

**20.1 PUD-20-141** Final Order 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.

**30. Approval or Correction of the Minutes from July 23, 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 ZC-20-154** Consideration of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300). Applicant: Zach Macormic; Planner; Dustin Severs.

**50.2 UP-20-078** A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 74.6 acres of property located east of North Phoenix Road and South of Coal Mine Road, a portion of Planning Unit MD-5e (371W34 TL 5000, 5001, 5002, 5100, 5200, 5201, & 5300 and 381W03 TL 300). Applicants: Rania Sawabini, Sawabini Rania Trustee, Bottala Enterprises LLC, C & L Western, Inc., and Shannon Bewley; Agent: Clark Stevens, Richard Stevens & Associates; Planner: Sarah Sousa.

**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**

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

IN THE MATTER OF PLANNING COMMISSION FILE PUD-20-141 )  
FOR REVISION TO COKER BUTTE BUSINESS PARK PLANNED UNIT ) **ORDER**  
DEVELOPMENT SUBMITTED BY COKER BUTTE PROPERTIES LLC )

ORDER granting approval for a revision to the approved Preliminary PUD Plan, described as follows:

A 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).

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.198(A), Revision of a Preliminary or Final Planned Unit Development Plan; and
2. The Medford Planning Commission has duly held a public hearing on the request for a revision to the approved Preliminary PUD Plan as described above, with the public hearing a matter of record of the Planning Commission on July 23, 2020; and
3. At the public hearing evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a revision to the approved Preliminary PUD Plan, as described above and directed staff to prepare a final order with all conditions and findings set forth for granting the revision.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the approved Preliminary PUD Plan, as described above stands approved, per the Planning Commission Report dated July 23, 2020.

Accepted and approved this 13th day of August, 2020.

CITY OF MEDFORD PLANNING COMMISSION

\_\_\_\_\_  
Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Department Representative



## PLANNING COMMISSION REPORT

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

**Date** July 23, 2020

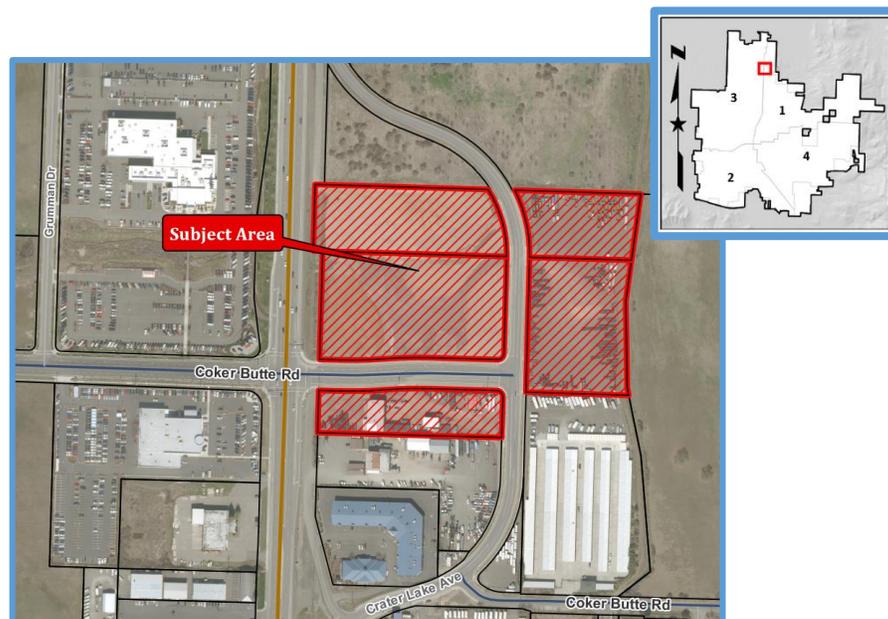
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### BACKGROUND

#### 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*

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*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.*
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- (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.*

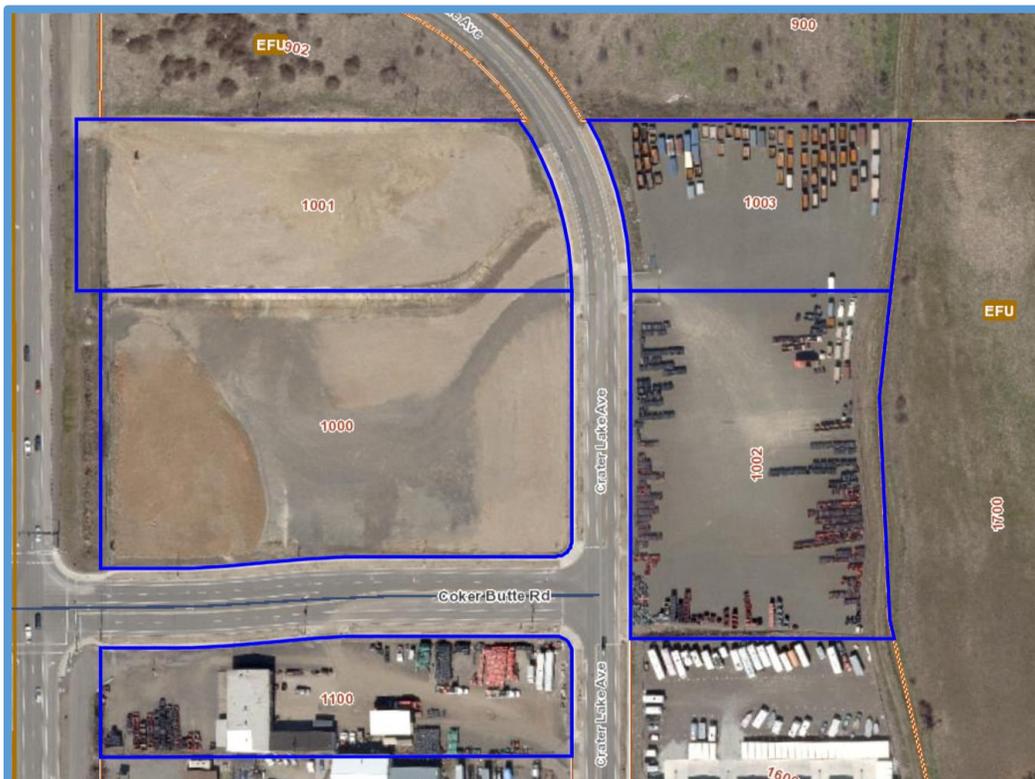
- (6) If the Preliminary PUD Plan includes uses proposed under Subsection 10.192(B)(7)(c), approval of the PUD shall also be subject to compliance with the conditional use permit criteria in Section 10.184.*
- (7) If approval of the PUD application includes the division of land or the approval of other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



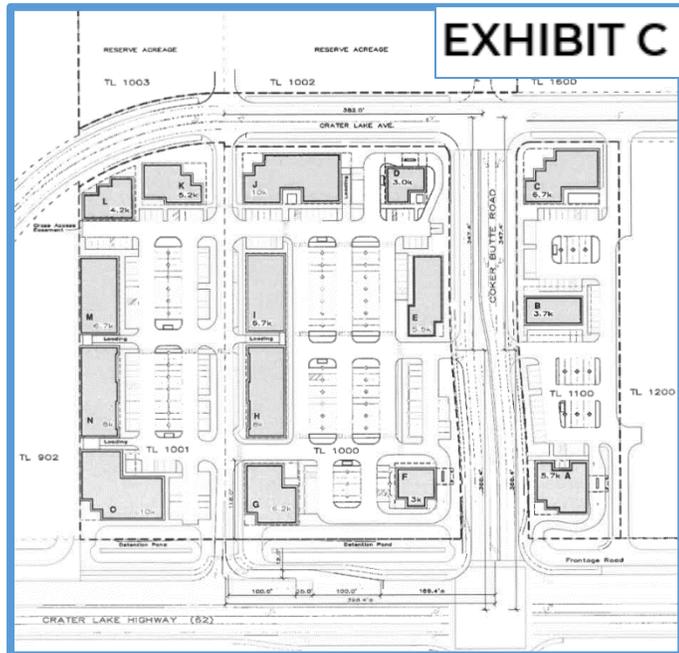
The three quadrants are divided north/south by Coker Butte Road, classified as a Major Arterial street; and divided east/west by Crater Lake Avenue, classified as a Major Collector street. The entire site is located east of Crater Lake Highway 62, a state highway under the jurisdiction of the Oregon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

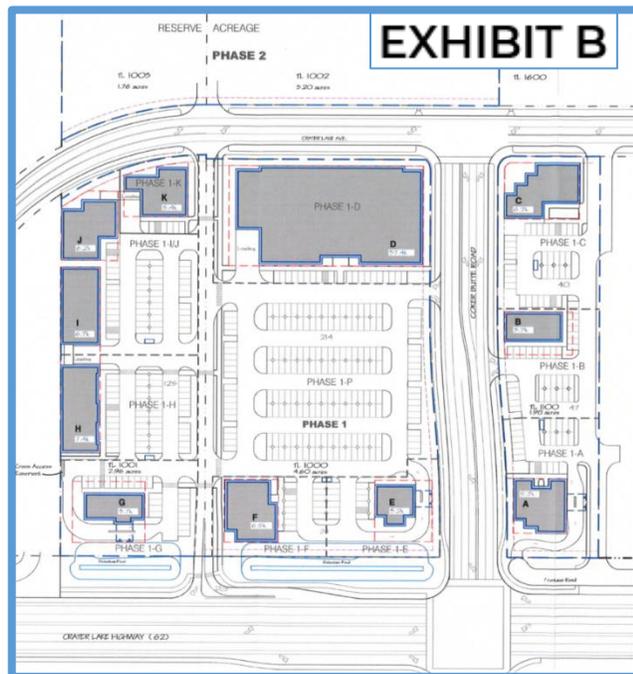
Both an Agricultural Impact Assessment (AIA) and a Limited Traffic Analysis were submitted with PUD-17-023, and included in the approval.

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.**

## **DECISION**

At the public hearing held on July 23, 2020, the Commission voted unanimously to approve the request. During the hearing, the applicant's agent, Jay Harland of CSA Planning, spoke and requested that Public Works revise the language in their report. Mr. Harland asked that the Public Works condition requiring that building permits not be issued for the site until Final Plat approval be changed to *"...until all Public Works improvements have been completed..."* Staff was amenable to the change, and the Commission included in their motion that Public Works revise the language in their report accordingly. Included with this Planning Commission Report is a revised Public Works Report, included as Exhibit J-1.

## **ACTION TAKEN**

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of PUD-20-141, per the Planning Commission report dated July 23, 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-1 Public Works Staff Report (revised), received August 5, 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  
AUGUST 13, 2020**

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**Mark McKechnie, Chair**

## EXHIBIT A-1

Coker Butte Business Park PUD  
PUD-20-143  
Conditions of Approval  
July 23, 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-1).**
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.





LD DATE: 7/1/2020

Commission Update: 8-5-2020

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 10<sup>th</sup>, 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.

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**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.

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## **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.

**Commission Update: The Planning Commission approved a request from the Applicant to allow building permits to be accepted and issued prior to approval of a Final Plat. However, building permits for vertical construction shall not be issued until any required public improvements have been completed or financial security provide as noted above.**

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.

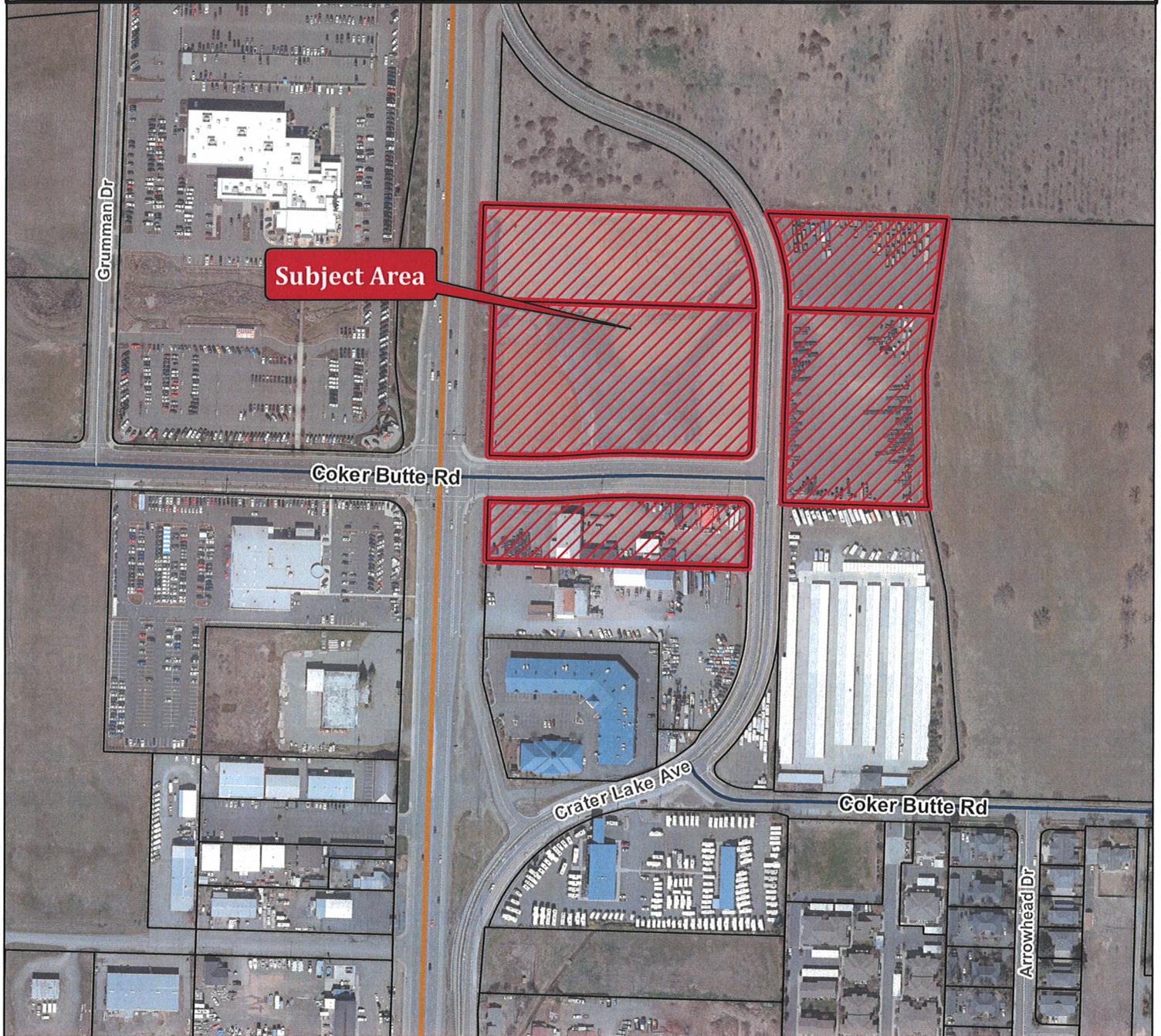
### D. Survey Monumentation

- 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.**



Project Name:

**Coker Butte Business Park**

Map/Taxlot:

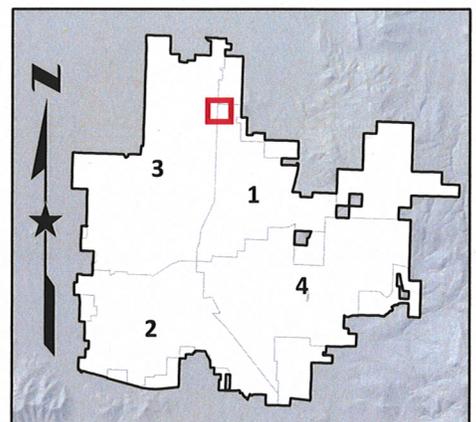
**371W05 TL 1000. 1001,  
1002, 1003 & 1100**



**Legend**

-  Subject Area
-  Tax Lots

6/15/2020



# PLANNING COMMISSION MINUTES



**MEDFORD**  
OREGON

July 23, 2020

5:30 P.M.

Medford City Hall, Council Chambers  
411 West 8<sup>th</sup> Street, Medford, Oregon

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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  
Jared Pulver  
Jeff Thomas

### Staff Present

Kelly Evans, Assistant Planning Director  
Eric Mitton, Deputy City Attorney (via phone)  
Alex Georgevitch, City Engineer  
Chase Browning, Deputy Fire Marshal (arrived 6:03 p.m.)  
Terri Richards, Recording Secretary  
Dustin Severs, Planner III

### Commissioner Absent

E.J. McManus, Excused Absence

## 10. Roll Call

20. Consent Calendar / Written Communications. None.

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

30.1 The minutes for July 9, 2020, were approved as submitted.

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

Kelly Evans, Assistant Planning Director read the Quasi-Judicial statement.

## 50. Public Hearings.

### 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,

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1003, and 1100); Applicant, Coker Butte Properties, LLC. and Table Rock Holdings; Agent, CSA Planning, Ltd; 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 Preliminary Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.190(D). The Revision or Termination of a Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.198. 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.

Commissioner McFadden stated he would not have expected the Oregon Department of Transportation to allow access to the highway but the City only took possession of the highway property several days ago. He thought the City would follow the Oregon Department of Transportation limiting access onto a major road. He is surprised to see the right-in and right-out. Mr. Severs deferred the issues to Alex Georgevitch.

Commissioner McFadden asked, is the Planned Unit Development requirement 20% of the square footage being developed or 20% of the buildings? Mr. Severs responded it is the total area of the site that can be 20%.

Alex Georgevitch, City Engineer reported that a traffic study was evaluated by the traffic section in Engineering and they supported the right-in and right-out as a benefit to the overall system. He does not know what the Oregon Department of Transportation (ODOT) would have required. The City knew they would be taking over jurisdiction and ODOT worked closely with the City to meet the requirements. The benefit to the system is that there is a signalized intersection that will reduce traffic volumes turning at the intersection and causing backups.

Commissioner McFadden asked, does the City foresee any increases or reduction in the 45 miles per hour speed limit through there? Mr. Georgevitch stated that traffic speeds are determined by ODOT. The City can make a request if citizens request the speed to be increased or reduced. Mr. Severs added that a Planned Unit Development has modified standards that are allowed. One of those modified standards is from access. The previous approval was approved for additional access points.

The public hearing was opened.

a. Jay Harland, CSA Planning Ltd., 4497 Brownridge Terrace, Suite 101, Medford, Oregon, 97504. Mr. Harland reported that the Public Works staff report had one section that stated to complete the public improvements prior to building permits. There was another place where land division is contemplated it states prior to final plat. Building permits will not be issued prior to final plat. There are no dedications being required for this project just improvements in the public right-of-way. The applicant requests to strike the wording of *"...until the Final Plat..."*

Mr. Harland addressed Commissioner McFadden's comments stating that Coker Butte Road has a median on the piece along the subject property. Previously the client donated land for the right-of-way which was some of the match to get the improvements done. Without the right-in there would be three left turns to get into the site. That uses a lot of capacity on the system.

Vice Chair Foley requested clarification on the applicant's request. Mr. Harland stated that the applicant requests that on page 52 under permits of the record to read: *"...until all Public Works improvements have been completed..."*

Mr. Harland reserved rebuttal time.

Mr. Severs reported that staff will make the revision to the Public Works report. Exhibit J will be replaced with Exhibit J-1 with the Commission report.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of PUD-20-141 per the staff report dated July 16, 2020, including Exhibits A through N, replacing Exhibit J with Exhibit J-1 to read: *"...until all Public Works improvements have been completed..."* and an amendment to Condition #1 as previously required per the approval of PUD-17-023 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.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Roll Call Vote: Motion passed, 8-0-0.

## 60. Reports

### 60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural met on Friday, July 17, 2020 but they did not have a quorum.

### 60.2 Transportation Commission.

Commissioner Pulver reported that the Transportation Commission met yesterday, Wednesday, July 22, 2020. Two carry overs from their previous meeting of working on a recommendation to the City Council on a six year budget for road projects and staff is working on an application to the State for a grant on Safe Schools; sidewalk infills.

Commissioner McFadden asked, has the Transportation Commission thought of adding to the project list of extending the sidewalks on Biddle Road out to the airport? Mr. Pulver will inquire about that. Typically they wait for development to occur for those improvements. That might be an opportunity for a grant option.

### 60.3 Planning Department

Kelly Evans, Assistant Planning Director reported there is a Planning Commission study session scheduled for Monday, July 27, 2020. Discussion will be on Flexible Design Standards. Staff wants to bring to the Planning Commission in a study session House Bill 2001.

There is business scheduled for Thursday, August 13, 2020, Thursday, August 27, 2020 and Thursday, September 10, 2020.

Last week City Council approved the Minor Comprehensive Plan Amendment for Centennial, Urbanization Plan and Annexation for MD-5f (Centennial/ Rogue Valley Manor), initiated an Annexation for the MD-5e (Coal Mine and North Phoenix) and made two appointments to the Site Plan and Architectural Commission, Paul McClay who is an attorney with Foster and Denman and Chris Zelmer an engineer with the Oregon Department of Transportation.

In two weeks City Council will hear the Public Utility Easement Amendment, Street Name change from Hoosegow Lane to Frontier Court, Housing Authority of Jackson County Homeowner Repair Program Contract, St. Vincent de Paul COVID-19 Emergency Rent Payments and Compass House Property Renovation Phase II.

In an August study session the City Council will review the cottage cluster program.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission.

90.1 Commissioner Mansfield noted for the record that for the July 13, 2020 Planning Commission study session he attended by phone and was apparently muted. He attempted to have input. His position was that none of staff's recommendations needed to be amended. Members of the Commission had modifications. He wants no modifications to those recommendations.

100. Adjournment

101. The meeting was adjourned at approximately 6:07 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Richards  
Recording Secretary

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Mark McKechnie  
Planning Commission Chair

Approved: August 13, 2020



## STAFF REPORT

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

**Project** Macormic Zone Change  
Applicant: Zach Macormic

**File no.** ZC-20-154

**To** Planning Commission

*for 8/13/2020 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

**Date** August 6, 2020

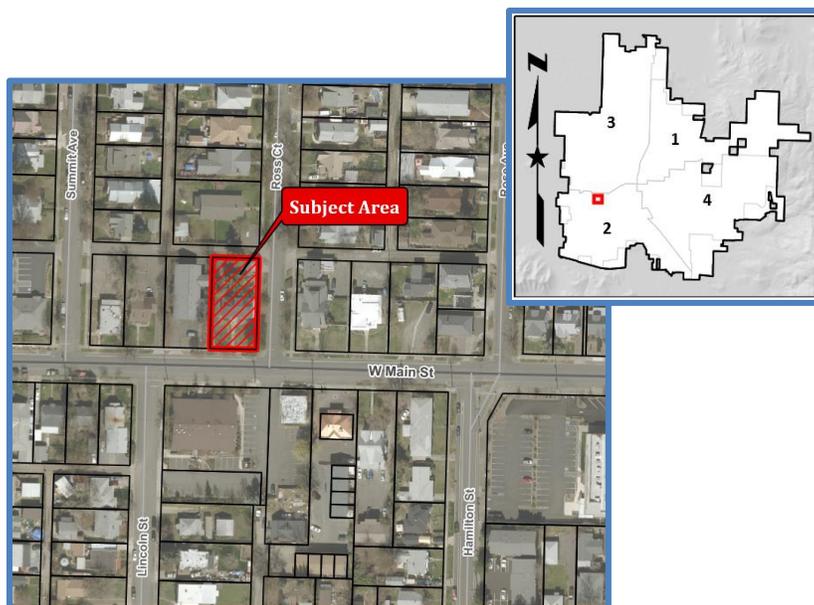
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### BACKGROUND

#### Proposal

Consideration of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300).

#### Vicinity Map



### Subject Site Characteristics

GLUP SC (Service Commercial)  
Zoning SFR-10  
Overlay None  
Use Single-family residence

### Surrounding Site Characteristics

*North* Zone: SFR-6 (Single-family Residential, 6 dwelling units per gross acre)  
Use(s): Single-family residential

*South* Zone: C-S/P  
Use(s): Flavor Restaurant & Bar; La Clinica, West Medford Health Center

*East* Zone: SFR-10  
Use(s): Multi-family residential

*West* Zone: C-S/P  
Use(s): Multi-family residential

### Related Projects

None

### Applicable Criteria

#### MLDC 10.204: Zone Change Criteria

*The Planning Commission shall approve a quasi-judicial, minor zone change if it finds that the zone change complies with subsections (1) through (3) below:*

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.*
- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.*
- (3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as*

*provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.*

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.*
- (b) Adequate streets and street capacity must be provided in one (1) of the following ways:*
  - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or*
  - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or*
  - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:*
    - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or*
    - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.*
  - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.*

(c) *In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:*

- (i) *Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
- (ii) *Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
- (iii) *Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

### Approval Authority

This is a Type III land use decision. The Planning Commission is the approving authority under Medford Land Development Code (MLDC) Section 10.108(1).

### ISSUES AND ANALYSIS

#### Background

The subject site consists of a single parcel totaling 0.23 acres, and contains a two-story, single-family residence with a detached garage. The parcel is located at the northwest corner of West Main Street and Ross Court, and is fronted by an alley along its northerly boundary. Access to the property is provided by a driveway off of Ross Court.

The property is zoned SFR-10; however, its GLUP designation is SC (Service Commercial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-S/P zoning district is the only permitted zone within the SC GLUP





### GLUP Map



### Permitted Uses in the C-S/P Zone

Per MLDC 10.326, the C-S/P zone is described as follows:

*The C-S/P district provides land for professional offices, hospitals, and limited service commercial uses. This district is intended to be customer-oriented, however, retail uses are limited. Development in this zone is expected to be suitable for locations adjacent to residential neighborhoods.*

Per MLDC 10.837, dwelling units held to the site development standards for the MFR-30 zone are also allowed in the C-S/P zone.

Finally, per MLDC 10.033(2), an existing structure in any commercial zone that was originally built for residential use may be converted to a permitted commercial use and then converted back to a residential use, subject to the requirements of the Building Code.

### Sanitary Sewer Facilities

Per the staff report submitted by Public Works (Exhibit E), the downstream sanitary sewer system currently has capacity constraints, and the proposed zone change to C-S/P has the potential to increase the flows to the sanitary sewer system.

Pursuant to MLDC 10.204(3), the applicant must demonstrate that Category A urban services and facilities are available or can and will be provided to adequately serve the subject property with the permitted uses allowed under the proposed zoning. Accordingly, Public Works has recommended this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

As a condition of approval, the applicant will be required to provide staff with a deed restriction recorded in the official records of Jackson County stipulating to only develop the property so that the total sewer flows do not exceed current zoning limitations. The property's approved C-S/P zoning classification will additionally be designated with a Restricted Zoning (R-Z) administrative mapping overlay, restricting the property from exceeding current zoning limitations until the time that the improvements have been made. Once the improvements are completed, the Restricted Zoning overlay will be removed.

### **Criteria Compliance**

#### *GLUP/TSP Consistency*

The General Land Use Plan (GLUP) designation for the subject site is SC (Service Commercial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the C-S/P zoning district is the only zone permitted within the SC GLUP designation.

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. A traffic Impact Analysis (TIA) is required when an application has the potential of generating more than 250 net Average Daily Trips (ADT) or the Public Works Department has concerns due to operations or accident history.

Public Works has reviewed the proposed zone change and found that a Traffic Impact Analysis (TIA) is not required.

#### *Locational Criteria*

A zone change to the C-S/P zone does not include locational criteria.

#### *Facility Adequacy*

MLDC 10.204(3) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and transportation) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

The agency comments included in Exhibits E-G demonstrate that, with the imposition of conditions of approval contained in Exhibit A, Category A facilities will be adequate to serve the property at the time it is developed.

### **Committee Comments**

No other issues were identified by staff.

### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings and conclusions (Exhibit B) and recommends the Commission adopt the findings as provided by staff below:

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the SC General Land Use Plan Map designation and the Transportation System Plan. The Commission can find that this criterion is met.
- With regard to Criterion 2, there are no locational criteria for a change of zone to C-S/P. The Commission can find that this criterion is inapplicable.
- With regard to Criterion 3, the agency comments, included as Exhibits E-G, demonstrate that, with the imposition of the condition of approval contain in Exhibit A, Category A facilities will be adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.

### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of ZC-20-154 per the staff report dated August 6, 2020, including Exhibits A through G.

### **EXHIBITS**

- A Conditions of Approval, drafted August 6, 2020.
- B Applicant's Findings of Fact and Conclusions of Law, received June 2, 2020.
- C Legal description, received June 2, 2020.
- D Applicant's Assessor's map, received June 2, 2020.
- E Public Works staff report, received July 15, 2020.
- F Medford Water Commission report/map, received July 15, 2020.
- G Medford Fire Department memo, July 15, 2020.  
Vicinity Map

**PLANNING COMMISSION AGENDA:**

**AUGUST 13, 2020**

## EXHIBIT A

Macormic Zone Change  
ZC-20-154  
Conditions of Approval  
August 6, 2020

### CODE REQUIRED CONDITIONS

Prior to the approval of the zone change, the applicant shall:

- 1.) Provide staff with a deed restriction recorded in the official records of Jackson County stipulating to only develop the property so that the total sewer flows do not exceed current zoning limitation, which will result in the property's approved C-S/P zoning classification being additionally designated with a Restricted Zoning (R-Z) administrative mapping overlay, restricting future development of the property; or the applicant shall make improvements to the downstream sanitary sewer system to alleviate capacity constraints; or the developer shall provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.



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**EXHIBIT**  
**A**

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## Findings of Fact

To whom it may concern,

I would like to change the zoning of the property located at 1306 West Main St in Medford from SFR-10 to C-S/P. I believe this change should be approved as it goes with the city's General Land Use Plan; the property has a Service Commercial designation and per the GLUP element of the Comprehensive Plan, the corresponding zoning district permitted in the Service Commercial designation is the C-S/P zone.

Additionally, the abutting properties immediately to the west and south are zoned C-S/P. I expect minimal additional traffic impacts as the property and existing structure will be used to house a small independent real estate firm. I spoke to Peter Mackprang at Public Works regarding the Traffic Impact Analysis and he confirmed an analysis will not be required. The subject property is located at the corner of West Main and Ross Court and has alley way access in addition to the street frontage on two sides – providing an even disbursement of any additional traffic impacts; a new approach directly off Main Street will not be needed for future use.

Thank you very much,

Zach Macormic



**EXHIBIT  
B**

**LEGAL DESCRIPTION**

**EXHIBIT "A"**

**ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF JACKSON AND STATE OF OREGON BEING KNOWN AND DESIGNATED AS FOLLOWS:**

**LOT 1 AND THE EAST HALF OF LOT 2 IN BLOCK 2 OF WOOLVERTON SUBDIVISION TO THE CITY OF MEDFORD, JACKSON COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 147, PLATS RECORDS.**

**APN: 10403140**

SERVICELINK TITLE COMPAN



**EXHIBIT**

**C**

CLTA Preliminary Report Form Modified (11/17/06)

S.E. 1/4 N.W. 1/4 SEC. 25 T. 37S. R. 2W. W.M.  
 JACKSON COUNTY  
 1" = 100'

37 2W 25BD  
 MEDFORD

ASSESSMENT AND  
 TAXATION ONLY



CANCELLED TAX LOT NUMBERS  
 1401  
 1500 REFERRED TO L380



GIS DATA  
 06/10/2016 2:31

**D**

**EXHIBIT**

37 2W 25BD  
 MEDFORD  
 SEE MAP 17 2W 251A  
 REV September 8, 2015



## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **1306 West Main Street (TL 12300)**

**Project:** Consideration of a request for a change of zone of a single parcel totaling 0.23 acres.

**Location:** Located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300).

**Applicant:** Applicant: Zach Macormic; Planner; Dustin Severs.

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

#### **I. Sanitary Sewer Facilities**

The proposed zone change has the potential to increase flows to the sanitary sewer system. The downstream sanitary sewer system currently has capacity constraints. Based on this information, the Public Works Department recommends this zone change be denied, or the applicant stipulate to only develop so the total sewer flows do not exceed current zoning limitation, or the Developer make improvements to the downstream sanitary sewer system to alleviate capacity constraints, or the Developer provide an engineering study of the downstream sewer system to show capacity exists to allow the proposed zone change.

#### **II. Storm Drainage Facilities**

The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site may be required to



**EXHIBIT  
E**

provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

### **III. Transportation System**

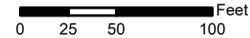
No traffic impact analysis (TIA) will be required for this zone change. The proposed application doesn't meet the requirements for a TIA, per Medford Municipal Code (MMC), Section 10.461 (3).

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

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



Scale: 1" = 100'

### Water Facility Map for (ZC-20-154)

Medford, OR.  
July, 2020

### Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps

### Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

### Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

### Water Mains:

- Active Main
- Active Main w/ Easement
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

### Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

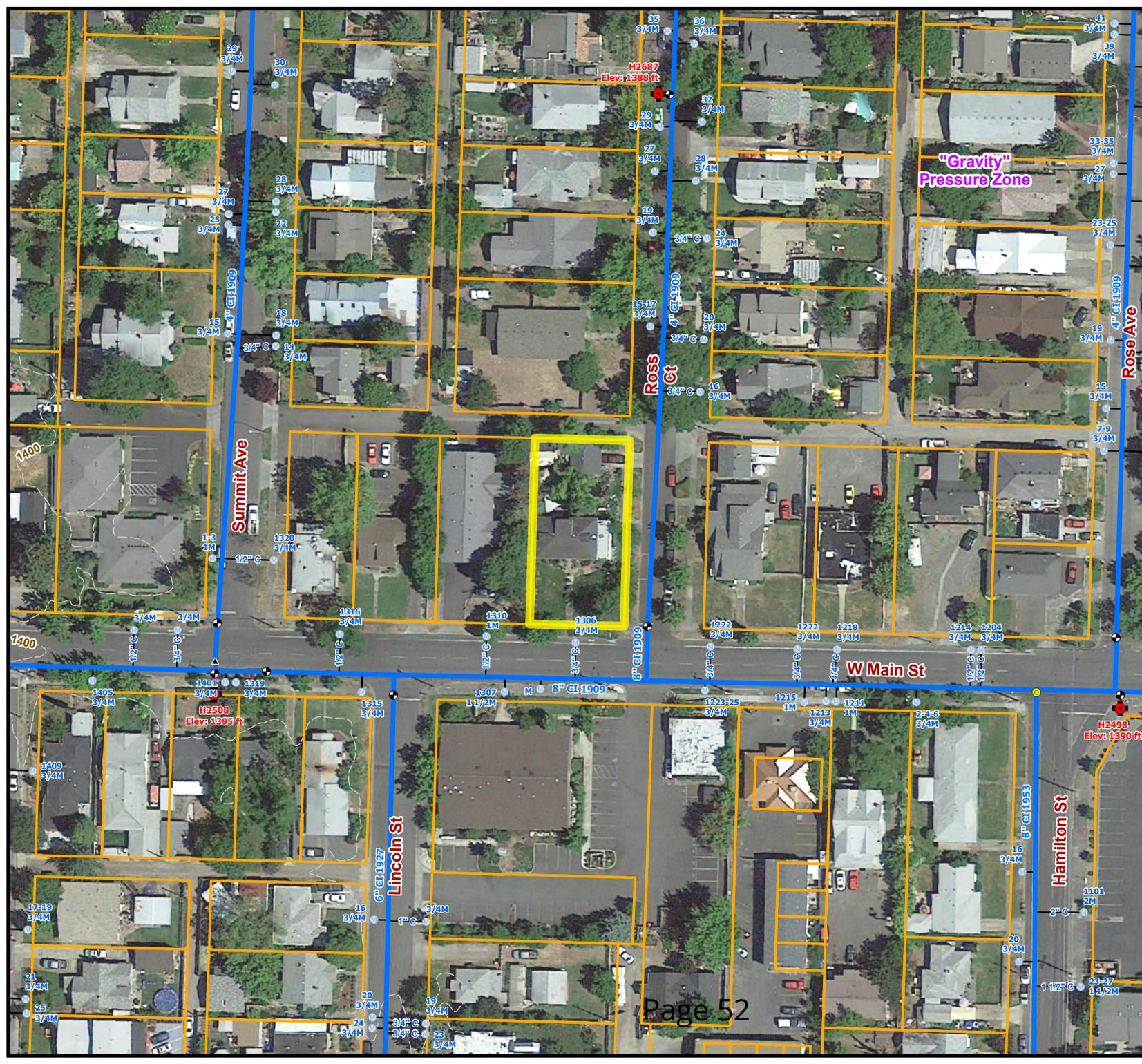
### MWC Facilities:

- Control Station
- Pump Station
- Reservoir



This map is based on a digital database compiled by Medford Water Commission from a variety of sources. Medford Water Commission cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.

Date: 7/17/2020  
Path: P:\Department\GIS\MapDocs\Roads\MWD\Roads\ACGIS Pro - Multi-Layered - 3-13-20.aprx





BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford

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

**SUBJECT:** ZC-20-124

**PARCEL ID:** 371W30AC TL 2500

**PROJECT:** Consideration of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300). Applicant: Zach Macormic; Planner; Dustin Severs.

**DATE:** July 15, 2020

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

**COMMENTS**

1. The MWC system does have adequate capacity to serve this property.
2. Off-site water line installation is not required.
3. On-site water facility construction is not required.
4. MWC-metered water service does exist to this property. A 3/4" water meter serves the existing dwelling at 1306 W Main Street.
5. Access to MWC water lines is available. A 8" water line is located in W main Street.



**EXHIBIT  
F**



## Medford Fire-Rescue Land Development Report

### Review/Project Information

**Reviewed By:** Kleinberg, Greg

**Review Date:** 7/7/2020  
**Meeting Date:** 7/15/2020

**LD File #:** ZC20154

**Planner:** Dustin Severs

**Applicant:** Zach Macormic

**Site Name:** n/a

**Project Location:** 1306 West Main Street

**ProjectDescription:** Consideration of a request for a change of zone of a single parcel totaling 0.23 acres, located at 1306 West Main Street. The applicant is requesting a change from the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) zoning district to the C-S/P (Service Commercial and Professional Office) zoning district (372W25BD12300).

### Specific Development Requirements for Access & Water Supply

#### Conditions

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

### Construction General Information/Requirements

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

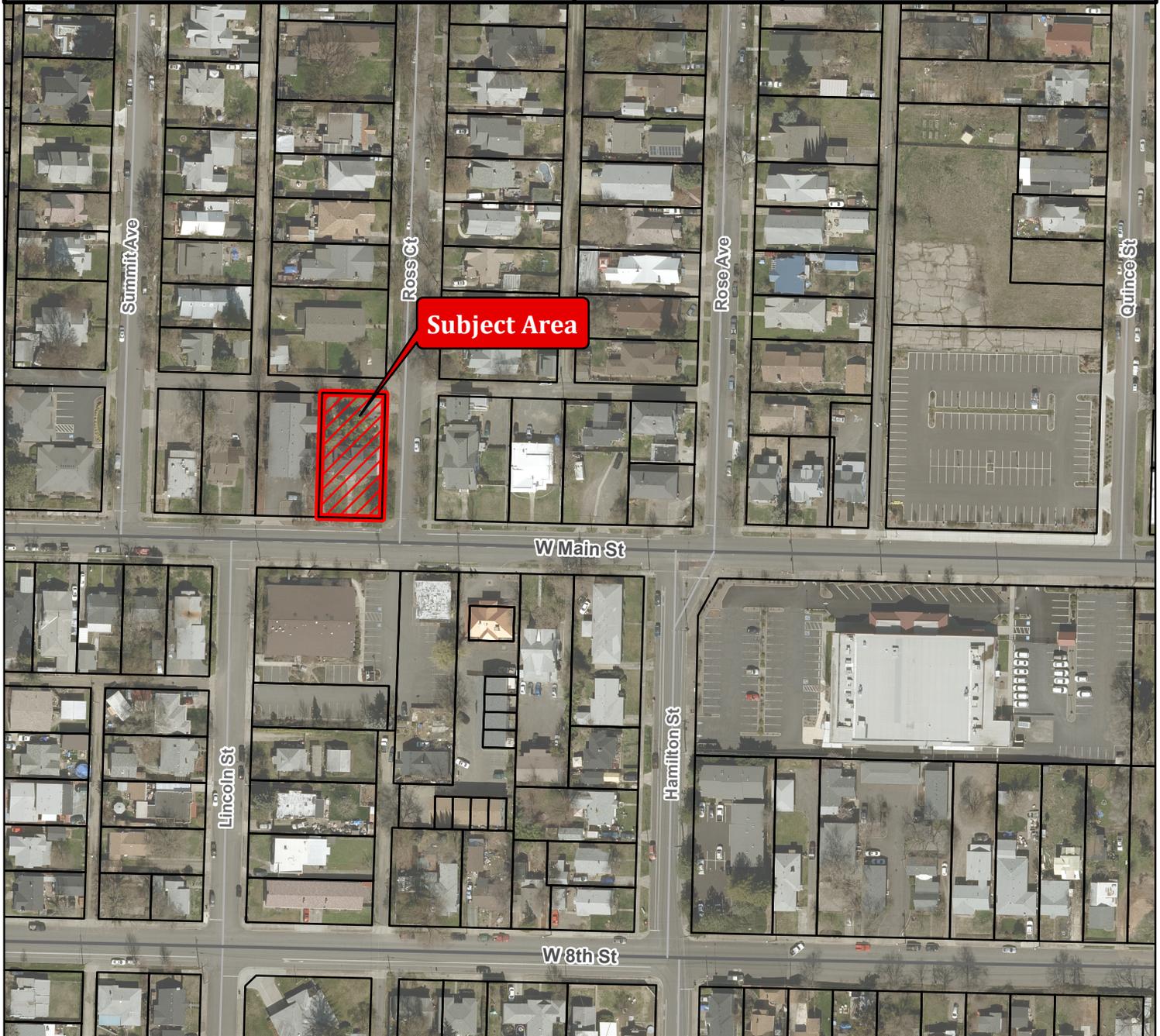
Specific fire protection systems may be required in accordance with the Oregon Fire Code. This plan review shall not prevent the correction of errors or violations that are found to exist during construction. This plan review is based on information provided only.

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

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

[www.medfordfirerescue.org](http://www.medfordfirerescue.org)





Project Name:

**1306 W. Main Street**

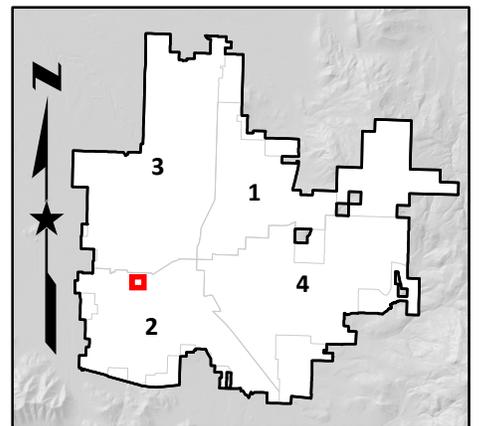
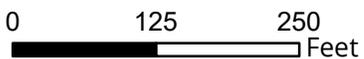
Map/Taxlot:

**372W25BD TL 12300**

**Legend**

-  Subject Area
-  Tax Lots

6/15/2020





**STAFF REPORT** for a Type-IV legislative decision: **Comprehensive Plan Amendment – Urbanization Plan**

**Project** Urbanization Plan for Planning Unit MD-5e

**Applicant:** Rania Sawabini, Sawabini Rania Trustee, Bottala Enterprises, LLC, C & L Western, Inc., and Shannon Bewley

**Agent:** Clark Stevens, Richard Stevens & Associates

**File no.** UP-20-078

**To** Planning Commission *for 08/13/2020 hearing*

**From** Sarah Sousa, Planner III

**Reviewer** Carla Angeli Paladino, Principal Planner

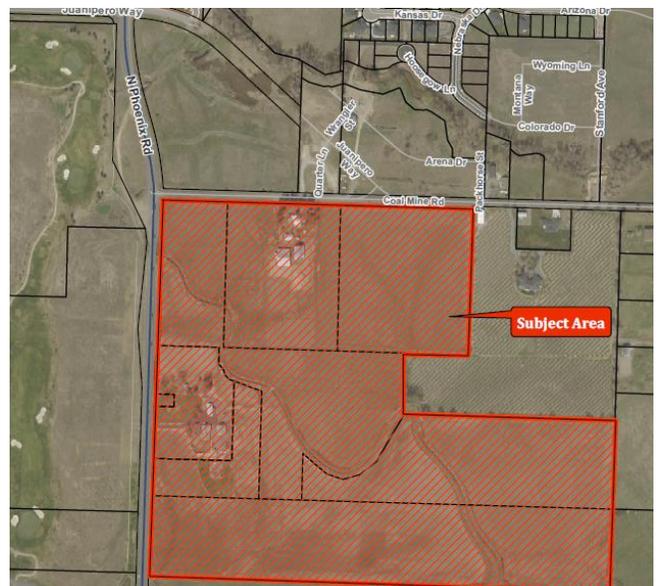
**Date** August 6, 2020

**BACKGROUND**

**Proposal**

A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 74.6 acres of property located east of North Phoenix Road and south of Coal Mine Road, a portion of Planning Unit MD-5e (371W34 5000, 5001, 5002, 5100, 5200, 5201, & 5300; and 381W03 300).

The Urbanization Plan is filed in conjunction with an annexation request for five tax lots within the Urbanization Plan area, plus half of the adjacent right-of-way along Coal Mine Road (totaling approximately 66.75 acres). (ANNX-20-079).



**Urbanization Plan Details**

Minimum Residential Density	Open Space	Street Extensions
<p><u>Required:</u> Target residential density is 6.6 dwelling units per acre x 28.01 acres = 185 units</p> <p><u>Proposed:</u> 420 dwelling units</p>	<p>Required: 19.0% (14.1 acres)</p> <p>Proposed: 19% (14.1 acres)</p>	<p>Extension of Coal Mine Road to Juanipero and conversion of Coal Mine Road west to North Phoenix Road as minor residential</p> <p>No higher order streets within the properties</p>

**Subject Site Characteristics**

Zoning: Exclusive Farm Use

GLUP: Urban High Density Residential and Commercial

Uses: One single family home, agriculture and vacant land

Acreage: 74.6 acres

**Surrounding Site Characteristics**

North Zone: Single Family Residential – 4 dwelling units per acre / Southeast  
 Uses: Vacant Land

South Zone: Exclusive Farm Use  
 Uses: Vacant Land

East Zone: Exclusive Farm Use  
 Uses: Vacant Land, Single Family Homes

West Zone: Exclusive Farm Use  
 Uses: Golf Course

## History

In June 2018, the Department of Land Conservation and Development acknowledged the City of Medford's proposed Urban Growth Boundary (UGB) amendment providing for the inclusion of 1,658 acres of buildable land to be developed. Following the adoption of the UGB, the City established the Urbanization Planning process in order to provide a regulatory framework for ensuring specific development goals are met as land converts from rural to urban uses. The land included in the UGB was categorized into distinct planning units and coded with a specific numbering and lettering system (e.g. MD-5e). Each planning unit must adopt an Urbanization Plan prior to or in conjunction with a proposal for annexation. The Urbanization Plans are high level master plans intended to show conformance with the Regional Plan and transportation plan requirements.

A pre-application conference with planning staff and other internal and external review agencies is required prior to submitting a formal application in order to discuss the proposal. A pre-application conference was held with the applicants to discuss the subject properties on December 4, 2019. In addition, applicants are required to hold a neighborhood meeting with surrounding neighbors and property owners in order to provide an opportunity to explain the proposal and provide for questions and answers. A neighborhood meeting was held for this project on January 13, 2020.

The portion of Planning Unit MD-5e within the UGB, was approved with two General Land Use Plan (GLUP) designations: Urban High Density Residential (UH) and Commercial (CM). The planning unit consists of eight tax lots that are located south of Coal Mine Road and east of North Phoenix Road. The proposal was initiated by Rania Sawabini, Bottala Enterprises LLC, C & L Western, Inc., Shannon Bewley, and Sawabini Rania Trustee. Consent forms have been submitted by those owning all eight of the tax lots, making up 100 percent of the planning unit.

Two of the property owners that initiated the Urbanization Plan have also requested concurrent annexation of 66.75 acres within the plan area, along with half of the adjacent right-of-way along Coal Mine Road. The City Council set the annexation hearing date for September 17, 2020, through Resolution No. 2020-96. The review and decision on the Urbanization Plan and Annexation will be held on the same evening.

## Public Comments

No public comments on the proposal have been received at the time of the writing of this report.

## **Related Projects**

PA-19-076 Pre-application for urbanization plan

ANNX-20-079 Annexation request for five parcels and adjacent right-of-way

## **Authority**

This proposed plan authorization is a Type IV legislative Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code Section 10.102-10.122, 10.214, and 10.220.

## **ANALYSIS**

Planning Unit MD-5e was adopted into the City's Urban Growth Boundary in 2016 and acknowledged by the State in 2018 to help accommodate future growth. The site is located in southeast Medford, just south of the Southeast Overlay boundary. The area is bordered by North Phoenix Road to the west, a Regional Arterial street, and Coal Mine Road to the north, a Minor Residential street. Both abutting streets have been maintained by Jackson County. In accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance of both at the time of annexation, and a request that a jurisdictional transfer be completed. This portion of North Phoenix Road has recently been annexed to the City as part of the MD-5f, the Centennial Golf Course property. Upon completion of this annexation, the south half of Coal Mine Road will be annexed and a jurisdictional transfer will be performed.

Planning Unit MD-5e has two General Land Use Plan designations, Urban High Density Residential and Commercial. The applicants propose to change approximately 4.05 acres of land from the Commercial designation to the Urban High Density Residential designation. The proposed General Land Use Plan map amendment results in a small reduction in Commercial land and can be considered a Minor Spatial Adjustment.

This proposal meets the plan requirements and criteria for incorporation into the Neighborhood Element of the Comprehensive Plan as discussed in the Applicant's Findings and the Findings described below.

## **FINDINGS AND CONCLUSIONS**

### Applicable Criteria

For the applicable criteria, the Medford Municipal Code Section 10.220(B)(4) redirects to the criteria in the "Review and Amendments" chapter of the Comprehensive Plan. The applicable criteria in this action are those for an Urbanization Plan found in Sections 5 and 6 in the Urbanization Planning Chapter of the Neighborhood Element. The criteria are set in *italics* below; findings and conclusions are in roman type.

The applicant's findings of fact and conclusions address each of the criteria in detail and are attached as **Exhibit B**.

### **Section 5 - PLAN CONTENTS**

*Criterion 5.1 RPS Density Requirements: Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:*

*5.1.1 Specify residential zoning districts for certain areas.*

*5.1.2 Commit to specific quantities of residential development in commercial areas.*

*The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.*

The text below also includes findings that demonstrate compliance with Goal 10 (Housing).

### Findings

The Regional Plan Element of the Comprehensive Plan was adopted in August 2012 and established the minimum residential densities that each of the participating jurisdictions agreed to achieve. For Medford, the minimum target density is 6.6 dwelling units per gross acre until 2035, when the density increases to 7.6 dwelling units per gross acre. Gross acreage in the City of Medford includes the total area of the properties' boundaries plus any adjacent right-of-way measured to the center line, multiplied by the zoning district minimum and maximum density factors.

The City's Housing Element indicates 15,050 dwelling units are needed between 2009 and 2029. Of that total, the need for single-family detached housing is 9,034 units, of which 384 are identified as being attached units. The need for multi-family housing includes 651 duplexes and 4,586 multi-units. The applicant proposes to supply a minimum total of 420 dwelling units within the overall planning area. The total will be supplied within the approximately 28.01 acres of Urban High Density Residential designated area. Although no future zoning was specified in the submittal, the submitted Findings calculate density at 15 units per acre, matching the MFR-20 zoning level.

The table below demonstrates how the proposal meets the target residential density and provides additional needed units.

Target Residential Density	Provided Residential Density
6.6 dwelling units x 28.01 acres =185 dwelling units	15 dwelling units per acre x 28.01 acres = 420 dwelling units

### Conclusions

**Satisfied.** The minimum residential density requirement based upon the Regional Plan is 185 dwelling units, and the applicant proposes to exceed this number by providing 420 dwelling units. To ensure this number of units is met, the applicant proposes 15 dwelling units per gross acre, consistent with the Multi-Family Residential – 20 units per gross acre zoning designation. The re-zoning of the property and future development will be required to meet the minimum residential densities as an obligation of meeting the Regional Plan elements.

The City has an adopted Housing Element (2010) that describes the housing needs of the City through 2029. The future multi-family zoning for the Urban High Density General Land Use area within the planning unit allows a mix of housing types including duplexes, townhomes, and apartments, which are all needed housing types.

The Regional Plan (2012) imposes a density standard that exceeds that outlined in the Housing Element at a minimum density of 6.6 dwelling units per gross acre. The City has committed to this density until 2035, and then the density factor increases to 7.6 dwelling units per gross acre from 2036 through 2050. Land use changes made as part of the Urban Growth Boundary Phase I (Internal Study Areas 2014) project increased the supply of medium and high density residential designations within the City limits and reallocated lower density residential into the expansion areas. The

Urbanization Planning (2018) process was established in order to establish minimum residential density standards and track housing production within each planning unit as the land develops. This process helps ensure land within the Urban Growth Boundary is being used to its maximum capacity to ensure needed housing of all types is being constructed and the City's obligations under the Regional Plan are being met to the extent possible. This criterion is satisfied.

*Criterion 5.2 Transportation Planning: A neighborhood circulation plan map showing:*

*5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.*

*The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.*

*The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.*

*Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.*

*Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.*

### Findings

The City's Transportation System Plan does not show the extension of any higher order streets within this Planning Unit. The submitted circulation plan shows the extensions of Standard Residential and Commercial streets (**Exhibit D**). Three streets are shown to be extended south across Coal Mine Road from Horse Arena Subdivision and Stonegate Estates. They include Packhorse Street, Quarter Lane and Stanford Avenue. There are also three unnamed, east-west oriented streets shown from North Phoenix Road to the extension of Stanford Avenue.

The Public Works Report states that the block length between the southern property and the next Standard Residential street to the north appears to exceed the

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maximum block length for commercial areas (**Exhibit H**). However, if that area is rezoned to Regional Commercial, it may meet the block length standard. At the time of future development, another east-west street may be required.

The Public Works Report also addressed the two options shown on the circulation plan related to the proposed east-west oriented street at the southerly border of the Planning Unit. Option A shows a Standard Residential street connecting from Stanford Avenue and extending westerly. This option extends downward into a southern property outside of the Urban Growth Boundary to align with an existing driveway at the Centennial Golf Course across North Phoenix Road. Option B includes a street to North Phoenix Road, but within the subject planning unit and without the alignment with the existing driveway across North Phoenix Road. The Public Works Report states that Option A is not feasible as it would require an exception from State planning goals. However, the applicant may seek to file this exception with Jackson County. Staff supports keeping both options on the adopted circulation plan in case the applicant gets the necessary approvals.

The Public Works report also notes that the section of Coal Mine Road that currently adjoins the Planning Unit will be realigned to the north and will no longer connect directly with North Phoenix Road. This will occur when the property to the north develops.

### Conclusions

**Satisfied.** There are no higher order streets planned within this planning unit. The future extension of Stanford Avenue will run along a portion of the planning unit's eastern boundary. Local streets from the subdivision to the north, including Quarter Lane and Packhorse Street, can extend south through the Planning Unit and connect with future east-west oriented streets. The spacing between the streets is arranged in a street grid that is in accordance with City block length standards as long as Regional Commercial zoning is applied to the commercial area. Otherwise, another east-west street may be required of future development. This criterion is satisfied.

***Criterion 5.3** Compliance with the open space allocation for an urban reserve area. Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:*

***5.3.1** Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy*

*the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted toward open space percentages.*

*5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.*

*5.3.3 Riparian corridors shall be counted.*

*5.3.4 Areas under an "open space" tax assessment shall be counted.*

*5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.*

*5.3.6 Slopes greater than 25 percent*

### Findings

The Regional Plan allocated employment, residential and open space land use requirements within each of the planning units. For the planning units within MD-5, 19 percent of the land is to be designated open space. Based on 74.6 acres in MD-5e, a 19 percent allocation would provide 14.1 acres of open space within the planning unit. The area proposed as open space as shown on the urbanization plan is dispersed throughout the Planning Unit to comply with the 19 percent requirement **(Exhibit A)**.

The proposed open space includes portions of areas that contain wetlands as well as some areas where recreational amenities (private or public) could potentially be developed. There are no permanent agricultural buffers, riparian corridors, areas under an "open space" tax assessment, or slopes greater than 25 percent within the planning unit that would count towards open space.

The first submittal by the applicant only provided 4.44 acres of open space. It included a .44 acre pet cemetery as well as a 4 acre future park. As the pet cemetery does not have a specific restriction on future development or any documentation providing it would be open space in perpetuity, staff concluded it could not be counted toward open space.

During the UGB expansion process, the applicant understood the open space requirement would be MD wide, not per individual planning unit. In order to keep

the open space requirement fair, the City has required each sub-unit to provide the required amount of open space individually. Despite this difference in interpretation, the applicant submitted a revised Urbanization Plan which demonstrates compliance of the 19 percent open space within the Planning Unit.

The Applicant's Findings also address open space within Planning Unit MD-5f, the Centennial Golf Course property across North Phoenix Road to the west. Planning Unit MD-5f provided 120 acres of open space amounting to 29 percent of open space for that unit. The Applicant's Findings would like the City to acknowledge a 24 percent open space total between the two Planning Units. However, this is not how the City interprets the open space calculation. Each of the units have individually shown how the 19 percent of open space can be accommodated within each unit. The City does not acknowledge the percentage of open space allotment together. However, since there is a surplus of open space in Planning Unit MD-5f, if a process can be established that provides for an equitable way of allocating excess open space to other Planning Units, complete with proper deed restrictions and agreements, the City may support this potential option with an amendment to the Urbanization Plan in the future.

### Conclusions

**Satisfied.** The property owners are subject to a 19 percent open space requirement that equates to 14.1 acres. The proposed plan designates 14.1 acres as open space within the planning unit, thereby meeting the requirement. This criterion is satisfied.

*Criterion 5.4 Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.*

### Findings

Section 4.1.6 of the Regional Plan Element points to the 2020 benchmark targets identified in the most recent Regional Transportation Plan (RTP-2017) for number of dwelling units and new employment in mixed-use and pedestrian friendly developments or activity centers. Activity centers are defined in the RTP as:

- Areas of development that contribute to achieving mixed-use, pedestrian friendly development;
- Neighborhood commercial and employment centers, parks, and schools;
- Downtown areas;

- Transit Oriented Developments; and
- Development that is vertically or horizontally mixed-use

The 2020 target for new dwelling units in the RTP is identified as 49 percent, and for new employment in activity centers it is 44 percent. Data from 2001 indicated that Medford was already exceeding these targets at 61 percent and 48 percent, respectfully. The City is required to continue meeting or exceeding these targets as required by the Regional Plan.

The intent of the mix of land uses distributed throughout each of the planning units within the Urban Growth Boundary Expansion areas is to continue this trend of providing housing, employment, and open space in close proximity to one another. The subject planning unit includes residential and commercial land uses to achieve a mix of uses that are accessible and will serve those living or working in the planning unit or the surrounding neighborhoods. The distribution of residential and commercial designations aligns with that adopted through the Urban Growth Boundary process, with commercial proposed along the higher order street of North Phoenix Road. Multi-family residential is located in the eastern section of the planning unit and is abutting the commercial area to the west. Mixed-use buildings as well as attached housing is allowed within the commercial area. Two large areas of open space provide an opportunity for a future City park.

The Applicant's Findings point to two Planning Units to the west across North Phoenix Road (MD-5f and MD-5g), which include low and high density residential along with commercial development and an employment center. The combination of the units in near proximity should encourage the development of transit routes.

The urbanization plan submitted includes a gridded street pattern with sidewalks on all streets. As a Regional Arterial Road, North Phoenix Road will be developed with a multi-use path that will traverse the length of the Planning Unit's frontage. The proposed street network and multi-use path will provide multi-modal access to internal and external developments.

### Conclusions

**Satisfied.** MD-5e has the appropriate combination of residential and commercial land uses, street connectivity, and allowed versatility within the commercial components to meet the Regional Plan requirements related to housing and employment in activity centers. This criterion is satisfied.

*Criterion 5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.*

*5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.*

### Findings

Comments were provided during the pre-application process and through this formal application. The guidance from utility providers at this stage is informational only and serves to guide the applicants with their future development plans. No utilities are being extended to serve the property during the urbanization planning process.

The subject plans were routed to utility providers prior to a Land Development Committee meeting on July 22, 2020. Written comments were received from Medford Public Works Department (**Exhibit H**), Jackson County Roads (**Exhibit I**), Rogue Valley Sewer Services (**Exhibit J**), Medford Parks and Recreation (**Exhibit K**), and Medford Water Commission (**Exhibit L**). Medford Building Department (**Exhibit M**), Medford Fire Department (**Exhibit N**), and Talent Irrigation District (**Exhibit O**), also provided standard comments with no specific conditions that must be addressed at this time. The installation of off-site and on-site utilities will be coordinated with future development plans.

According to the Public Works Department report, the City will assume maintenance jurisdiction of North Phoenix Road at the time of annexation and will request a jurisdictional transfer. However, this should be accomplished as part of the annexation of Planning Unit MD-5f, which was annexed to the City on July 16, 2020 by Ordinance #2020-99. The City will take over maintenance of Coal Mine Road at the time of the annexation of the subject Planning Unit and will request a jurisdictional transfer. All other future streets proposed in the plan will be maintained by the City of Medford. As mentioned earlier in this report, the block length requirement may be met depending on future commercial zoning. If not, another future east-west street may be required as part of future development. In addition, future intersection treatments for local streets will be studied at the time of zone change.

Jackson County Roads provided comments related to the annexation and urbanization plan. Conditions were written if a jurisdictional transfer of North Phoenix Road and Coal Mine Road is not completed. If County storm drain facilities are utilized, the runoff will be limited to the area currently draining to the County storm drainage system, and construction of the storm drainage system will need to be done per plans approved by Jackson County Roads.

The subject area is within the Rogue Valley Sewer Services area. The memo from Rogue Valley Sewer Service states that while the area is within their boundary, there are no sewer facilities near the subject area. Two connection options are not easily available: 1) from the Upper Bear Creek Inceptor located west of Interstate 5 and Bear Creek or the other 2) from the line just north of Home Depot in Phoenix. A portion of the area along Coal Mine Road that is acceptable for standard gravity sewer may connect to the City of Medford system via a service boundary revision.

Medford Parks and Recreation Department commented that although there are no specific plans to acquire and develop a park within the subject area, there is a park watershed gap and the Parks and Recreation Department is open to identifying strategic opportunities. The Leisure Services Plan indicates a shared-use pathway along North Phoenix Road, which is shown on the Urbanization Plan. The Parks and Recreation Department memo encourages the implementation of the right-of-way cross section for North Phoenix Road, which would include an off-street bike and pedestrian facility. This would satisfy the shared-use path requirement without the need for a separate facility.

Medford Water Commission provided comments as well. Access to Medford Water Commission water lines are available in North Phoenix Road south of Juanipero Way as well as a stub in Coal Mine Road at Stanford Avenue. On-site water facility construction will be conditioned formally at the time of future development of the site.

### Conclusions

**Satisfied.** Utility providers have reviewed the urbanization plan and have provided preliminary comments that the applicant can use and apply to the next stage of development for the property. This criterion is satisfied.

*Criterion 5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.*

### Findings

The planning unit does not contain any riparian corridors, historic buildings or resources, or habitat protections. The City's adopted 2017 Local Wetland Inventory identifies wetlands within the southern section of MD-5e (**Exhibit P**). The Applicant's Findings discuss the potential relocation of a Medford Irrigation District canal as there are wetlands that may be associated with the leaking of irrigation water from the canal. The Applicant's Findings also state a wetland delineation will be conducted

prior to development to comply with all regulations. Some of the wetlands may be protected and enhanced for stormwater detention as part of future development.

### Conclusions

**Satisfied.** The plan includes identified wetlands. A future delineation will be conducted prior to future development to comply with State regulations. This criterion is satisfied.

*Criterion 5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.*

### Findings

The property is currently within the Urban Growth Boundary and is subject to the provisions in the Urban Growth Management Agreement (UGMA) as included in the Urbanization Element.

Applicable policies in the UGMA include the protection of agricultural land zoned Exclusive Farm Use (EFU) outside of the Urban Growth Boundary. There is land zoned EFU located along the south and east sides of the planning unit. The plan includes interim agricultural buffers along the full lengths of the eastern abutting properties that are zoned EFU. The southern agricultural buffer is shown entirely on the property to the south, outside of the UGB.

### Conclusions

**Satisfied.** Segments of the property are and will be subject to agricultural buffering standards which are included in the plan. This criterion is satisfied.

*Criterion 5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.*

### Findings

The annexation policies as outlined in the Comprehensive Plan includes a special agreement for this planning unit. There is a requirement that MD-5 properties provide a donation of land for trails per the approved master plan. The Leisure Services Plan shows a shared-use path along the North Phoenix Road. The Parks and Recreation Department memo encourages the implementation of the right-of-way cross section for North Phoenix Road, which would include an off-street bike and

pedestrian facility. This would satisfy the shared-use path requirement without the need for a separate facility.

### Conclusions

**Satisfied.** The submitted Urbanization Plan shows a pathway that will be constructed on North Phoenix Road adjacent to this planning unit in compliance with the special agreement within the annexation policies of the Comprehensive Plan. This criterion is satisfied.

*Criterion 5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Service Plan related to open space acquisition and proposed trail and path locations.*

### Findings

The Leisure Services Plan indicates a shared-use pathway along North Phoenix Road, which is shown on the Urbanization Plan. The Parks and Recreation Department memo encourages the implementation of the right-of-way cross section for North Phoenix Road, which would include an off-street bike and pedestrian facility. This would satisfy the shared-use path requirement without the need for a separate facility.

The Urbanization Plan also shows land designated as open space. The Parks and Recreation Department may be interested in coordinating with the property owners in developing a portion of the 14 acres of open space as a future public park.

### Conclusions

**Satisfied.** The plan shows a multi-use path along the North Phoenix roadway in accordance with the Leisure Service Plan. The Parks and Recreation Department encourages the implementation of the Regional Arterial cross section along this frontage, which would fulfill this requirement. The Parks and Recreation Department may entertain the development of a public park somewhere within the open space of the planning unit. This criterion is satisfied.

*Criterion 5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations.*

### Findings

The applicants provided a map that identifies the General Land Use Plan designations for the adjacent Planning Unit MD-5f to the west (**Exhibit F**).

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### Conclusions

**Satisfied.** The applicants have provided a map showing the subject property in relationship to the adjacent and adjoining properties, including their General Land Use Plan designations. This criterion is satisfied.

*Criterion 5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*

### Findings

The circulation plan depicts the property lines of the lands within and adjacent to the planning unit. The plan allows for the extension of future streets to serve land outside of the planning unit.

### Conclusions

**Satisfied.** The required information has been provided by the applicant. This criterion is satisfied.

*Criterion 5.12 Existing easements of record, irrigation canals, and structures.*

### Findings

A map of existing easements, irrigation canals, and structures was submitted with the application (**Exhibit G**). A Medford Irrigation District canal runs from the top westerly portion of the planning unit to the southeastern section. Structures associated with a pet cemetery exist on one of the westerly tax lots (371W345200). A single family home exists of a tax lot to the north (371W345002). The remainder of the land is vacant land, much of which has been used for agricultural purposes. The applicant also submitted a list of easements that encumber the properties.

### Conclusions

**Satisfied.** The applicant has provided documentation of existing easements and shown the location of existing irrigation canals and structures within the planning unit. This criterion is satisfied.

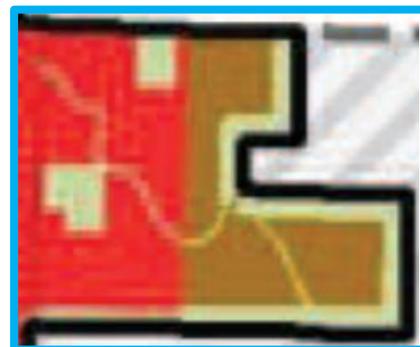
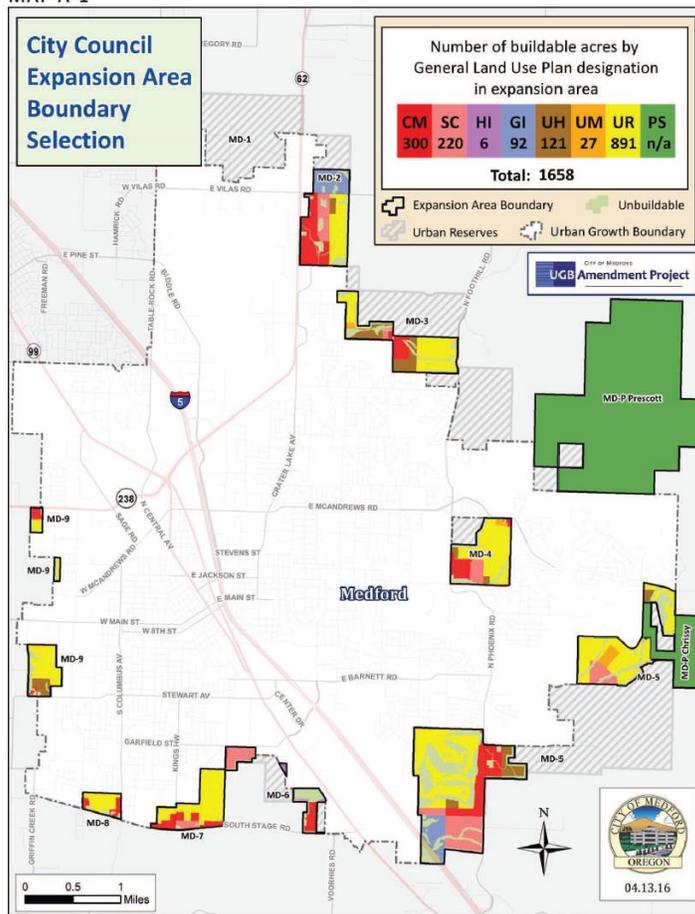
*Criterion 5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.*

Findings

The figure below is Map A-1 which is part of the Urban Growth Boundary Amendment project report adopted by City Council on August 18, 2016. The subject planning unit is enlarged and outlined in blue. The map outlines the unbuildable areas with a green color.

The areas identified as unbuildable for this planning unit include agricultural buffers, wetlands, existing development, and the irrigation canal. As described in the Applicant’s Findings, most of the agricultural buffers are interim as they will be developed once additional portions of MD-5e are brought into the UGB. The agricultural buffer along the south of the subject area will be placed on the adjacent property to the south out of the planning unit. If it is determined that any of the wetlands are significant, they will be protected in place but other wetlands may be mitigated elsewhere (**Exhibit P**). If the Medford Irrigation District canal can be relocated west into an underground pipe along the North Phoenix Road right-of-way, that area will no longer be unbuildable.

MAP A-1



### Conclusions

**Satisfied.** There are no areas identified as unbuildable on the Urbanization Plan. The agricultural buffers are either temporary or to be located outside of the planning unit. A wetland delineation will be conducted prior to development, which will determine whether or not those areas will become unbuildable. The irrigation canal may be relocated in the future so this too may change the amount of unbuildable area for the planning unit. Existing structures may be removed as part of future development as well. The amount of open space is shown on the Urbanization Plan but may shift in the future. This criterion is satisfied.

*Criterion 5.14 Contour lines and topography.*

### Findings

The applicants have submitted a topographical and slope map (**Exhibit E**) that was prepared by a licensed engineer. None of those areas exceed 35 percent slope.

### Conclusions

**Satisfied.** The applicants have provided a contour map showing the grade changes for the property, and there are no developable areas in the planning unit that are 35 percent slopes or greater. This criterion is satisfied.

*Criterion 5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:*

*5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.*

*5.15.2 Limitations on development due to facility capacity shortfalls.*

*5.15.3 Architectural details.*

*5.15.4 Specifics about building types and building placement.*

*5.15.5 Access and internal circulation on prospective lots or development sites.*

## Findings

The applicant does not propose any deviations from the code, limitations on development due to capacity shortfalls, architectural details, building types or placement, or access points.

## Conclusions

**Satisfied.** The proposed urbanization plan does not contain any of the above listed deviations or details that are inappropriate at this level of the planning stage. This criterion is satisfied.

## ***Section 6 - GLUP AMENDMENTS***

### ***Criteria***

***6.1.1 Minor Spatial Adjustments:*** *If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.*

***6.1.2 Moderate Spatial Adjustments:*** *If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.*

***6.1.3 Complex Spatial Adjustments:*** *More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with all applicable provisions of the Regional Plan for the area specifically and the City as a whole.*

## Findings

Planning Unit MD-5e has two General Land Use Plan designations, Urban High Density Residential and Commercial. The applicants propose to change approximately 4.05 acres of land from the Commercial designation to the Urban High

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Density Residential designation. The purpose of the change relates to a Standard Residential street (Quarter Lane) that would spilt a 95 foot wide section of the Commercial designation between tax lots 5001 and 5002 and extend through tax lots 5000 and 300 to the south. The area proposed for change continues the length of the planning unit from north to south and is identified on the Urbanization Plan in a hatched section. This small strip of commercial on the eastern side of the future Quarter Lane would not be sufficient for a commercial development.

Changing the General Land Use Plan in this area to High Density Residential will allow for the development of more residential units. Within the corresponding Multi-Family Residential – 20 dwelling units per acre zoning district, an additional 60-81 units would be permitted.

The proposed General Land Use Plan map amendments result in a small reduction in Commercial land and should be considered a Minor Spatial Adjustment. Upon approval by City Council, the City's General Land Use Plan map will be updated to reflect the modifications to the Urban High Density Residential and Commercial boundaries.

### Conclusions

**Satisfied.** The applicant proposes to modify the location of the General Land Use Plan designations between the Commercial and Urban High Density Residential classifications. The approval of the Urbanization Plan provides for this adjustment without the need for a separate General Land Use Plan Amendment process. The changes represent a Minor Spatial Adjustment that the City Council can approve with this application. This criterion is satisfied.

### **RECOMMENDED ACTION**

Based on the findings and conclusions that all of the applicable criteria are satisfied, forward a favorable recommendation to the City Council per the staff report dated August 6, 2020, including Exhibits A-Q for approval of UP-20-078, and adopting Exhibit Q into the Neighborhood Element of the Comprehensive Plan.

### **EXHIBITS**

- A Urbanization Plan Map received July 30, 2020
- B Applicant's Findings of Fact and Conclusions of Law received July 30, 2020
- C Summary Residential Density Calculator Spreadsheet received March 18, 2020
- D Circulation Plan Map received July 30, 2020

- E Contour Map received March 18, 2020
- F Map of Existing General Land Use Plan designations received March 18, 2020
- G Map of Existing Easements, Irrigation Canals, and Structures received March 18, 2020
- H Public Works Comments received July 24, 2020
- I Jackson County Roads Comments received July 16, 2020
- J Rogue Valley Sewer Services Comments received July 23, 2020
- K Parks and Recreation Department Comments received July 22, 2020
- L Medford Water Commission Comments received July 31, 2020
- M Medford Building Safety Department Comments received July 22, 2020
- N Medford Fire-Rescue Comments received July 9, 2020
- O Talent Irrigation District Comments received July 13, 2020
- P Wetland Inventory Maps
- Q Neighborhood Element Amendment  
Vicinity Map

**PLANNING COMMISSION AGENDA:**

**AUGUST 13, 2020**

(MINOR RESIDENTIAL)

COAL MINE ROAD (MAJOR COLLECTOR)

-  OPEN SPACE - 14.17 ACRES
-  COMMERCIAL (CM) - 32.32 ACRES
-  URBAN HIGH-DENSITY RESIDENTIAL (UH) - 28.01 ACRES

371W34 5000

371W34 5002

371W34 5001

TENTATIVE 100' AG BUFFER

371W34 4901

NOTE:  
A MULTI-USE PATH WILL BE DEVELOPED ALONG THE NORTH PHOENIX ROAD FRONTAGE OF THIS PROJECT

371W34 5201

371W34 5000

URBAN GROWTH BOUNDARY

NORTH PHOENIX ROAD (MAJOR ARTERIAL)

371W34 5200

OPEN SPACE 5.56 ACRES

371W34 5300

TENTATIVE 100' AG BUFFER

371W34 5100

GENERAL LAND USE CHANGE FROM COMMERCIAL (CM) TO URBAN HIGH DENSITY RESIDENTIAL (UH) 4.05 ACRES

OPEN SPACE 8.61 ACRES

381W03 300

EXISTING CENTENNIAL GOLF CLUB ENTRANCE

381W03 400

EX. 200' AG BUFFER PER INSTRUMENT NO. 2018-006701



**EXHIBIT A**  
SCALE: 1" = 100'

EXHIBIT A  
ID-5e URBANIZATION PLAN

NO.	DATE	DESCRIPTION
1	MAY 16, 2018	CURBAN
2		RSG
3		RSG
4		CHECKED

SHEET  
**1**  
OF 1 SHEETS

HAYA PARK

NORTH PHOENIX ROAD AND COAL MINE ROAD  
MEDFORD OREGON



YOUR PROFESSIONAL ENGINEERING TEAM SINCE 1937  
STRUCTURAL | MECHANICAL | ELECTRICAL  
CIVIL | GEOTECHNICAL | SURVEY | CONSTRUCTION TESTING

PRELIMINARY  
THESE DRAWINGS SHALL NOT BE USED FOR:  
CONSTRUCTION BIDDING  
RECORDATION  
CONVEYANCE  
ISSUANCE OF A PERMIT  
07/29/2020

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

**IN THE MATTER OF AN APPLICATION FOR )  
A COMPREHENSIVE PLAN AMENDMENT )  
– URBANIZATION PLAN – FOR THE )  
PORTIONS OF MD-5E LOCATED WITHIN THE )  
URBAN GROWTH BOUNDARY OF THE CITY )  
OF MEDFORD; RANIA SAWABINI, BOTTALA )  
ENTERPRISES AND SHANNON BEWLEY, )  
APPLICANTS; RICHARD STEVENS & )  
ASSOCIATES, INC., AGENTS )**

**FINDINGS OF FACT**

**I. RECITALS PERTAINING TO THE PROPERTY:**

**APPLICANTS:**

Rania Sawabini  
203 Rebecca Drive  
San Dimas, CA 91773

Sawabini Rania  
Trustee 142 Bonita  
Ave, 12 San Dimas, CA  
91773

Bottala Enterprises, LLC  
215 Rebecca Drive San  
Dimas, CA 91773

C&L Western, Inc.  
3619 Ross Lane Central  
Point, OR 97502

Shannon Bewley  
3619 Ross Lane Central  
Point, OR 97502

**ENGINEER:**

Robert Gunter  
Marquess & Associates, Inc.  
1120 East Jackson Street  
Medford, Oregon 97501

**AGENTS:**

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

## **PURPOSE OF APPLICATION:**

The Applicants propose a Comprehensive Plan amendment to adopt an Urbanization Plan for the portions of planning unit MD-5e located within the Urban Growth Boundary (UGB) of the City of Medford. The MD-5e planning unit is located east of North Phoenix Road and south of Coal Mine Road. The proposed Urbanization Plan for MD-5e includes eight tax lots totaling 74.6 acres, which are all owned by the Applicants to this application. The subject properties are described as: T.37S-R.1W-SEC 34, Tax Lots 5000, 5001, 5002, 5100, 5200, 5201 & 5300 and T.38S-R.1W-SEC 03, Tax Lot 300.

## **II. PROCEDURE:**

Medford Land Development Code (MLDC) Section 10.220 governs Major Type IV Amendments. Per MLDC Section 10.220(A)(8) Urbanization plans are a Major Type IV Amendment. Per Section 10.220(C), an application for an Urbanization Plan shall contain the following items:

- (1) *Written consent of the owner(s) within the planning unit per the Urbanization Planning requirements in the Comprehensive Plan.*
- (2) *Urbanization Plan map(s) drawn to scale that includes the Plan Contents found in Section 5 in the Urbanization Planning Chapter in the Neighborhood Element (20 copies).*
- (3) *One reduced copy of each size plan (8.5" x 11" and 11" x 17").*
- (4) *Electronic files in dwg format or shapefiles.*
- (5) *Vicinity map including other adjacent planning units and their General Land Use Plan designations.*
- (6) *Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*
- (7) *Existing easements of record, irrigation canals, and structures.*
- (8) *Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.*
- (9) *Written or graphical representation of compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element.*
- (10) *Written findings showing compliance with the Regional Plan requirements*
- (11) *Contour lines and topography*
- (12) *Property owners' names, addresses, and map and tax lot numbers within 200 feet of the project boundaries, typed on mailing labels.*
- (13) *Documentation that a neighborhood meeting was conducted in accordance with Section 10. 194*

**Discussion:** The Applicants own all of the properties within the planning unit and have consented to the proposed Urbanization Plan. Urbanization Plan maps have been submitted as required (Exhibit A). A vicinity map including other adjacent planning units, with their GLUP designations and adjacent property lines has been submitted (Exhibit B). An exhibit showing existing easements of record, irrigation canals and structures has been submitted (Exhibit C). Areas shown as unbuildable on the City Council Report dated August 18, 2016 (Map A-1) are discussed in these findings. The submitted plan, exhibits and these findings demonstrate compliance with the Plan Contents found in Section 5 of the Urbanization Planning Chapter in the Neighborhood Element and compliance with the Regional Plan requirements. An exhibit showing contour lines and topography has been submitted (Exhibit D). Required mailing labels have been prepared and submitted. Appropriate documentation that a neighborhood meeting was conducted in accordance with Section 10.194 has also been submitted.

**FINDING:**

**The City of Medford finds that this application includes the required plans, findings and exhibits for an Urbanization Plan application.**

**III. APPLICABLE CRITERIA:**

**Per MLDC Section 10.220(B)(4) for Urbanization Plan Approval Criteria refer to Sections 5 and 6 in the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan. The application form provided by the City for Urbanization Plan approval also requires findings in compliance with Regional Plan Element Section 4.1.8 of the Comprehensive Plan.**

**IV. FINDINGS IN COMPLIANCE WITH SECTIONS 5 & 6 OF THE URBANIZATION PLANNING CHAPTER IN THE NEIGHBORHOOD ELEMENT AND SECTION 4.1.8 OF THE REGIONAL PLAN ELEMENT, OF THE COMPREHENSIVE PLAN:**

***5. PLAN CONTENTS*** *In order to adopt an urbanization plan, the City Council shall be satisfied that the plan substantially conforms to the performance measures outlined in the Regional Plan Element and the submitted plan adequately demonstrates each of the following:*

***5.1 RPS Density Requirements:*** *Compliance with the Regional Element minimum gross density performance measures. The urbanization plan shall include specific zoning designations or text that assures development under the minimum densities will meet or exceed the density expected to be achieved for the planning unit(s) in the*

*UGB Amendment residential land supply analysis. Plan techniques that can be employed to achieve this standard include but are not limited to the following:*

*5.1.1 Specify residential zoning districts for certain areas. City of Medford Comprehensive Plan Chapter 10. NEIGHBORHOODS Urbanization plans p. 10–53*

*5.1.2 Commit to specific quantities of residential development in commercial areas. The findings supporting the urbanization plan submittal shall include density calculations that explain how the plan complies.*

**Discussion:** All of the subject properties have been designated for Commercial (CM) and Urban High-Density Residential (UH) development through the conceptual planning process and urban growth boundary expansion process. The applicants do not propose any changes to the GLUP map designations. As such, the minimum residential density that can be developed on the portions of the properties with a residential (UH) GLUP map designation is 15 dwelling units (DU) per gross acre. There are approximately 28.01 acres designated as UH on the proposed Urbanization Plan. It must be demonstrated that all residential development will meet or exceed the required minimum density of 6.6 DU/acre. Development of the 28.01 residential acres at 6.6 DU/acre would result in a total of 185 DU. The minimum density possible in the UH designation, 15 DU/acre, will result in a minimum of 420 DU. The portions of the property with the CM designation could also be developed with residential development at a minimum density of 20 DU/gross acre. Given the GLUP map designations for the properties, it is demonstrated that all residential development shown on the proposed Urbanization Plan will exceed the minimum required density of 6.6 DU/gross acre without the need for additional zoning restrictions or the need to commit specific portions of the development to a specific density.

Neighborhood Element Section 4.3 requires an application for Urbanization Plan to identify whether the plan includes no spatial changes, minor spatial adjustments, moderate spatial adjustments or complex spatial adjustments. The proposed Urbanization Plan includes only minor spatial adjustments as the plan has been developed to match the GLUP map for the area. The existing GLUP map shows the property being designated CM along North Phoenix Road and designated UH on the eastern portions of the property. The split between the two land use types is shown near the common property line between tax lots 5002 and 5001. The proposed Urbanization Plan also shows the property being divided between the CM and UH land use categories near this common property line, however, the split on the proposed Urbanization Plan is occurring along the centerline of a new north/south street, paralleling North Phoenix Road. This proposed street location has been designed to align with Quarter Lane at its intersection with Coal Mine Road on the north side of the planning unit.

This new standard residential street traverses the subject properties and connects to a planned new street which will run along the south boundary of the planning unit. As Quarter Lane had not been shown on a tentative plat, dedicated, or built at the time the City developed the land use designations for this planning unit, the location of Quarter Lane and the alignment of a street through this planning area were not considered in determining a precise location for the split between the commercial and residential designations. The proposed conceptual plan balances the need for proper street alignments with the planned land use designations without significantly altering the ratio between CM and UH land use designations. This minor adjustment consists of approximately 4.05 acres, or an adjustment of approximately 95-feet. The proposed Urbanization Plan shows a total of 32.32 acres of CM land and 28.01 acres of UH land with 14.17 acres of open space/parks.

**FINDING:**

**The City of Medford finds that it has been demonstrated that the assigned GLUP map designations for this planning unit assures that residential development will exceed 6.6 DU/gross acre, thus satisfying the Regional Element minimum gross density performance measure.**

*5.2 Transportation Planning: A neighborhood circulation plan map showing:*

*5.2.1 Locations of higher-order streets. Locations and alignments of higher order streets should be planned in appropriate locations.*

*The plan will depict how local streets, alleys and paths could be arranged to comply with the City's applicable street connectivity requirements. Typically, a well-connected street grid is desirable both for efficient utilization of urban land and to serve the transportation needs of all modes.*

*The urbanization plan may seek approval for local street arrangements with less connectivity (fewer intersections, longer block lengths, more dead-ends, greater potential out-of-direction travel) that is otherwise allowed by the code. Such arrangements may be justified on the basis of topographical and other environmental or development constraints, access management requirements, and/or the particular needs of adjacent land uses and those of the surrounding vicinity.*

*Proposed networks with lower vehicular connectivity may also include mitigation measures including enhanced pedestrian and other active transportation facilities. An example of an active transportation facility may include off-road multi-use paths.*

*Maps depicting street functional classifications shall utilize a system that is the same as or readily convertible to the City's adopted Transportation System Plan.*

**Discussion:** The City of Medford Transportation System Plan (TSP) does not show the extension of any collector or arterial streets into the subject planning unit. Stanford Avenue north of Coal Mine Road is designated as a Major Collector Street; Coal Mine Road on the north side of the planning unit is designated a Major Collector Street; and North Phoenix Road on the west side of the planning unit is designated a Regional Arterial Street. The Local Circulation Plan (Exhibit E) submitted shows Stanford Avenue being extended into the planning unit as a standard residential street. The plan also shows standard commercial and residential streets connecting east-west through the site from North Phoenix Road to the extension of Stanford Avenue along with standard commercial and residential streets connecting north-south through the site. The pattern of gridded streets has been laid out to limit access points onto North Phoenix Road while also providing for vehicle, bicycle and pedestrian connectivity throughout the planning unit in compliance with applicable block length and perimeter standards.

The Local Circulation Plan also shows two possible alignments for the southernmost street connecting to North Phoenix Road. Option A shows this street aligning with the existing Centennial Golf Club driveway which will eventually redevelop into a public street serving planning unit MD-5f. This proposed alignment would benefit the transportation system by providing for a four-way intersection rather than 2 off-set intersections, but this alignment will require additional consideration as it would require extending the street outside of the UGB, Urban Reserves, and City limits. Option B shows the alignment of this street staying within the UGB and the subject planning unit. This alternative alignment will be easier to permit but it will result in a less than optimal street alignment. Neither of these possible orientations are intended to be selected through the adoption of the proposed Urbanization Plan, but rather, they are shown in the attached exhibits for long-range planning purposes so that the proper alignment can be discussed as the properties in and around the subject planning unit are developed.

Likewise, all other local streets shown on the Local Circulation Plan are intended to demonstrate how site circulation and block length standards can be addressed. The exact location and orientation of streets through these properties will be determined at the land development stage (subdivision/partition) and will be based on site engineering and development code requirements.

**FINDING:**

**The City of Medford finds that the submitted materials includes a neighborhood circulation plan which demonstrates that there are no higher-order streets located within the planning unit, consistent with the**

**Medford TSP; planned local streets with associated sidewalks will provide connectivity within and through the site; and consideration for reduced connectivity in a local street arrangement based on environmental and development constraints is not needed and therefore mitigation measures for lower vehicular connectivity are not required with this application.**

*5.3 Compliance with the open space allocation for an urban reserve area (see land use distribution table in RPE or Table 9-1 below). Units that contain only Industrial GLUP designations are exempt from this requirement. The following classifications count as open space for purposes of fulfilling the RPE requirements:*

*5.3.1 Parks, both public and private shall be counted as open space. Schools may be counted as open space. Where land acquisition is not complete or where specific open space dedications were not offered and accepted as part of the UGB process, park and school sites may be identified as opportunity areas on maps and the acreage planned may be described in text form that explains how the planning unit can satisfy the open space requirement. Areas where specific open space dedications were offered and accepted as part of the UGB review process shall be depicted and the acreage counted open space percentages.*

*5.3.2 Agricultural buffers. Proposed agricultural buffers within the UGB shall be counted as open space. Interim agricultural buffers shall not be counted toward open space percentages unless an additional legal or planning mechanism is imposed to render such areas as open space even after a future UGB amendment in the applicable MD area.*

*5.3.3 Riparian corridors shall be counted.*

*5.3.4 Areas under an “open space” tax assessment shall be counted.*

*5.3.5 Locally significant wetlands and any associated regulatory buffer shall be counted.*

*5.3.6 Slopes greater than 25 percent.*

**Discussion: MD-5 as a whole is committed to providing 19% open space per the Regional Element. During the UGB expansion process it was communicated to property owners that the open space percentages, like the residential and employment land figures provided in Section 3.3 of the Regional Element, would be addressed on an MD-wide (a larger urban reserve area) basis and that individual sub-areas (now known as planning units) would not be required to meet the open space, employment, or residential land type commitments individually as these were intended to be addressed across the larger urban reserve area.**

In the case of open space, property owners were told that if they could demonstrate that open space was assured across a group (any number more than 1) of sub-areas (planning units), they could demonstrate compliance with the open space requirement without having to demonstrate that each of the planning units would provide 19% open space independently. After the adoption of the expanded UGB, the City amended the Neighborhood Element of the Comprehensive Plan to add a section related to Urbanization Plans. In that section, Table 9-1 indicates that the planning units in MD-5 must provide 19% open space. This table does not indicate that each of these planning units must meet the 19% threshold on its own. As such, it appears that all portions of the Comprehensive Plan allow for the interpretation that has been provided throughout the adoption of the urban reserves and expansion of the UGB, that open space requirements could be distributed outside of individual planning unit boundaries.

**Planning unit MD-5f, located across North Phoenix Road, is required to provide a minimum of 120 acres of open space, which amounts to 29% open space for that planning unit. MD-5f is 417.18 acres in area and MD-5e is approximately 74.5 acres. A total of 93.44 acres of open space is required to meet the 19% open space requirement considering these two planning units. The 120 acres of open space already provided by MD-5f amounts to 24% open space across these two planning units. In this way, it is demonstrated that the 19% open space requirement is met in this portion of MD-5 and it is met for each of these planning units..**

**This planning unit, MD-5e, borders EFU zoned properties to the east and south and agricultural buffers will be required around the external border of all of these properties with the exception of the frontages along North Phoenix Road and Coal Mine Road. However, these agricultural buffers do not count towards the open space percentage as most of them are interim agricultural buffers which can be developed when the UGB is expanded in the future. The agricultural buffer along the south property border will be placed on the adjacent property to the south, T-38 R-1W SEC-03, Tax Lot 400 (Tax Lot 400), consistent with MLDC Section 10.802 (G) (1). Likewise, there are several wetlands located within this portion of planning unit MD-5e. Locally significant wetlands will be protected in place but other wetlands may be mitigated elsewhere to provide for the urbanization of the site. Mitigation wetlands associated with the development of these properties will also be located on Tax Lot 400 to the south and therefore these wetland areas will not count as open space in this planning unit.** Plan identifies two areas for future public parks that are designated as open space areas. In addition, there is a pet cemetery area that is approximately ½ acre in size that will be held in private ownership as open space. As shown on the Urbanization Plan map, the future parks will be located at street intersections of the planning area.

As the properties that comprise planning unit MD-5e develop, the locations for additional open space areas will be identified. These will include open space with playground areas associated with multiple-family developments, wetlands that are protected in place, and storm water management areas. It has been demonstrated that the open space requirement has been met across this portion of MD-5.

**FINDING:**

**The City of Medford finds that the applicants have demonstrated that the required 19% has been identified on the subject tract and that the 120 acres of open space provided for the Centennial golf course will amount to 24% open space for planning units MD-5e and MD-5f. In addition, the 0.5-acre pet cemetery will be held in private ownership as an open space feature, along with additional open space areas associated within the multiple family housing that will be identified through the development of the properties.**

*5.4 Compliance with the requirements of Regional Plan Element, Section 4.1.6, for mixed-use/pedestrian-friendly development and any specific land use performance obligation. Planning units containing only an Industrial GLUP Map designation are exempt from the mixed-use pedestrian friendly development evaluation.*

**Discussion:** Regional Plan Element, Section 4.1.6 requires that the City achieve 2020 benchmark targets for the number of dwelling units (Alternative Measure no. 5) and employment (Alternative Measure no. 6) in mixed-use/pedestrian friendly areas as established in the 2009 Regional Transportation Plan (RTP) for lands within urban reserve areas and for lands within the UGB but outside of the City Limit. According to the 2009 RTP:

*The objective of these measures is to demonstrate progress towards creating mixed-use, pedestrian-friendly developments in the metropolitan planning organization (MPO). Progress towards meeting the benchmarks and targets for these measures would be determined by monitoring development after the appropriate land use and development regulations have been adopted.*

The Measure 5 target for 2020 is that at least 49% of new dwelling units will be developed within new and existing activity centers and the Measure 6 target for 2020 is that at least 44% of new employment will be developed within new and existing activity centers.

The properties in this planning unit have been designated for Commercial (CM) and High-Density Residential (UH) development. These land use designations provide ample opportunity to develop the properties with a mix of commercial and residential

components. The property designations ensure that this mix will exist horizontally, with commercial development to the west nearer North Phoenix Road and residential development to the east. Commercial zoning in the City also allows for the development of vertical mixed use on the portions of this planning unit with the CM designation. The Urbanization Plan for this planning unit shows that high density residential development will be located within close proximity to commercial development. Exhibit E also shows that a network of gridded streets will be developed through this planning unit to meet maximum block length and perimeter standards. The streets will be developed to City of Medford standards, including sidewalks on both sides of the streets.

The plan identifies the location of a future public park adjacent to the eastern and southern boundaries of this planning unit. The Leisure Services Plan identifies a future park location, identified as P-2 on the Proposed Parkland Acquisition Target Areas map (Map 12), located in the southeast corner of the urban area near Coal Mine Road. The Parks and Recreation Department has expressed interest in the possibility of developing either a neighborhood park (3-10 acres) or a community park (15+ acres) consistent with what is shown in the Leisure Services Plan. The submitted Urbanization Plan map shows that public parks are planned at several street intersections and adjacent to the EFU lands to the south and east for expansive views. The park's location will encourage pedestrian travel from both nearby commercial and residential development into the park rather than the reliance on automobile travel to access public park space. These conditions demonstrate that the Urbanization Plan is in compliance with the requirements of the Regional Plan Element for mixed-use/ pedestrian-friendly development.

In addition, the land use designations on the planning units adjacent to the subject property also provide for opportunities to develop a larger-scale activity center in the vicinity of North Phoenix Road and South Stage Road. MD-5f to the west is designated for low and high-density residential development along with commercial development and MD-5g to the southwest is designated as an employment center. These planned land uses should encourage the development of transit routes into the area to serve the residential, commercial and employment uses that will be developed.

The availability of transit will help to connect these planning units to other parts of the city and the MPO as a whole without strong reliance on personal automobiles. To facilitate transit use, and to further limit the vehicle miles traveled, each of these planning units should provide for bicycle and pedestrian connectivity to major transportation facilities that could be used for future transit routes. For MD-5e, it is important that pedestrians and bicyclists can safely travel through all parts of the development to get to North Phoenix Road. The Urbanization Plan includes the development of a network of gridded streets which will be developed through the planning unit to meet maximum block length and perimeter standards. The streets will be developed to City of Medford standards, including sidewalks on both sides of the

streets. The proposed Urbanization Plan, without showing development plans, has demonstrated that the designated land uses have been appropriately located to provide for mixed-use development. The provisions of the MLDC will ensure that bicycle and pedestrian facilities are constructed as the property develops.

**FINDING:**

**The proposed Urbanization Plan for MD-5e has demonstrated that the development of this property will help the City in meeting the 2020 targets of the RTP for new residential and employment development within activity centers by providing a mix of commercial and residential uses, by providing a well-connected grid of local streets, and by providing for the development of a new activity center. The plan, along with assigned land use designations on adjacent planning units, provide for the opportunity to develop a large-scale activity center in the area of North Phoenix Road and South Stage Road.**

*5.5 Preliminary coordination and discussions with public utility providers, including water, sewer, transportation, and irrigation districts.*

*5.5.1 Coordination may include identifying any existing infrastructure on or adjacent to the site and determining whether it can be maintained or needs to be moved.*

**Discussion:** The Applicants' development team has been communicating with applicable utility providers throughout the development of the Urbanization Plan and associated master plan for the property. A portion of the MID Medford Canal is located within the planning unit. The Applicants have been coordinating with the Medford Irrigation District to relocate the canal into a pipe underground adjacent to and along the North Phoenix Road right-of-way on the west side of the planning unit. The pipe would then extend easterly from the south boundary of the planning unit to reconnect with the existing canal south of the planning unit. The location of available utility infrastructure along with available capacity with existing and future utility infrastructure have been key considerations during the development of the phasing associated with the development plan for the subject property.

**FINDING:**

**The City of Medford finds that the Applicants have had, and continue to have, discussions with public utility providers, including water, sewer, transportation, and the Medford and Talent Irrigation Districts regarding coordinating the proposed development with existing infrastructure adjacent to the site and future infrastructure needs.**

*5.6 Location or extensions of riparian corridors, wetlands, historic buildings or resources, and habitat protections and the proposed status of these elements.*

**Discussion:** There are no riparian corridors or historic buildings located within this planning unit. A portion of the MID Medford Canal is located within the planning unit. The Applicants have been coordinating with the Medford Irrigation District to relocate the canal into a pipe along the North Phoenix Road right-of-way on the west side of the planning unit. Based on the Medford LWI, there are suspected wetlands present on this planning unit near the existing canal that appear to be associated with the leaking of irrigation water from the canal. A wetland delineation will be conducted to determine the locations, size and extent of wetlands on the property prior to development and any/all development will comply with applicable local, state and federal regulations regarding wetland protection and development. Some wetlands may be protected, enhanced and utilized for stormwater detention areas through the development of the property and others may be mitigated off site onto Tax Lot 400 to the south of this planning unit.

**FINDING:**

**The City of Medford finds that the location and extent of water bodies, wetlands and possible wetlands for this planning unit are shown on the updated LWI for the City of Medford. A wetland delineation will be conducted to determine the location and extent of wetlands on the property prior to development and any/all development will comply with applicable local, state and federal regulations regarding wetland development. Some wetlands may be protected, enhanced and utilized for stormwater detention areas through the development of the property and others may be mitigated onto Tax Lot 400 to the south of this planning unit. There are no riparian corridors or historic structures within this planning unit.**

*5.7 Compliance with applicable provisions of the Urban Growth Management Agreement.*

**Discussion:** Per policy number 2 of the Urban Growth Management Agreement (UGMA):

*“The City Council will request surrender of the following roads within the UGB expansion area upon annexation of the road. City shall not annex property fronting any of these roads without also annexing the full road width.”*

On that list is:

*“MD-5 North Phoenix Road, Coal Mine Road to 2780 feet north of Grove Way (southern boundary of MD-5).”*

A concurrent application for annexation is submitted with this request for Urbanization Plan approval. Although MLDC Section 10.216 (F) (4) requires annexation applications to include a “legal metes and bounds or lot and block description of the annexation area including to the centerline of the adjacent right-of-way”, the annexation application submitted includes the remaining Coal Mine Road right-of-way adjacent to the subject planning unit, in accordance with this portion of the UGMA. The entire existing North Phoenix Road right of way is being included into the City Limits with another pending annexation application.

Policy 12 of the UGMA requires the City to consider compatibility of uses within the UGB with uses outside of the UGB and policy 13 requires uses within the UGB to provide buffering between adjacent EFU lands. This planning unit borders EFU zoned properties to the east and south and agricultural buffers will be required around the external border of all of these properties with the exception of the frontages along North Phoenix Road and Coal Mine Road. Most of these agricultural buffers are interim buffers which can be developed when the UGB is expanded in the future. The required agricultural buffer along the southern property border for Tax Lot 300 will be placed on the adjacent property to the south (Tax Lot 400) consistent with MLDC Section 10.802 (G) (1).

**FINDING:**

**The annexation application submitted concurrently with this request for Urbanization Plan approval includes the remaining width of the Coal Mine Road right-of-way adjacent to the subject planning unit consistent with UGMA policy 2. The City of Medford has adopted agricultural buffering standards to implement policies 12 and 13 of the UGMA which will apply to much of the external boundaries of this planning unit.**

*5.8 Compliance with the terms of special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary, as detailed in the Urban Growth Management Agreement.*

**Discussion:** The “special agreements between the landowners and other public entities that were part of the basis for including an area in the urban growth boundary” are located in the Annexation Policies of the Urbanization Element rather than the Urban Growth Management Agreement, which is also located in the Urbanization Element. These agreements are listed under Section 2.1.7(6) of the Annexation

Policies. Only one of these policies appears to apply to this subject planning unit. There is a requirement for MD-5 properties to provide donation of land for trails per the approved master plan, with the commitment to construct trails that are built concurrently with private development. Map 11 of the Leisure Services Plan shows the location of a new multi-use path to be constructed along the extension of South Stage Road and then north along North Phoenix Road to connect to the existing and proposed Larson Creek Trail network at Coal Mine Road. North Phoenix Road is a Regional Arterial street. One cross-section option (MLDC Section 10.428(A)(1) or (2)) for this kind of street includes a multi-use path on both sides of the street. The submitted Urbanization Plan for MD-5e shows a multi-use path on the east side of the street, adjacent to this planning unit. This alignment is based on the understanding that the City will elect to construct North Phoenix Road with the cross-section having multi-use paths on each side of the street, consistent with the Regional Arterial street standards.

**FINDING:**

**The City of Medford finds that the submitted Urbanization Plan recognizes that a multi-use path will be constructed on North Phoenix Road adjacent to this planning unit, thereby demonstrating compliance with the “special agreements” to provide right-of-way for and to construct trails per the approved trails plan.**

*5.9 Coordination with the Parks and Recreation Department for adherence to the Leisure Services Plan related to open space acquisition and proposed trail and path locations.*

**Discussion:** The Urbanization Plan for MD-5f shows the placement of a multi-use path along the extension of South Stage Road and North Phoenix Road adjacent to the site, consistent with Map 11 of the Leisure Services Plan. North Phoenix Road is a Regional Arterial street. One cross-section option (MLDC Section 10.428(A)(1) or (2)) for this kind of street includes a multi-use path on both sides of the street.

The submitted Urbanization Plan for MD-5e shows a multi-use path on the east side of North Phoenix Road, adjacent to this planning unit. This alignment is based on the understanding that the City will elect to construct North Phoenix Road with the cross-section having multi-use paths on each side of the street.

The Leisure Services Plan also shows a future park location, identified as P-2 on the Proposed Parkland Acquisition Target Areas map (Map 12), located in the southeast corner of the urban area near Coal Mine Road. The Applicants' development team has been in contact with the Parks and Recreation Department to coordinate the

development of this property as it relates to park facilities. The Parks and Recreation Department has expressed interest in the possibility of developing either a neighborhood park (3-10 acres) or a community park (15+ acres) consistent with what is shown in the Leisure Services Plan. While the final size and location of this future park has yet to be determined, the submitted Urbanization Plan map shows that a public park is planned for at internal street intersections of the planning unit. The plan shows the parks being approximately 5.56 acres and 8.61 acres in size; however, the size of the parks may change as future development plans are refined.

**FINDING:**

**The City of Medford finds that the submitted Urbanization Plan for MD-5e complies with the Leisure Services Plan by showing planned trail improvements along North Phoenix Road. If the City elects to construct North Phoenix Road with multi-use paths on both sides of the street, then a multi-use path should be constructed adjacent to this planning unit. The submitted Urbanization Plan also shows the placement of an approximately 14.17-acres for public parks within planning unit MD-5e, consistent with Map 12 of the Leisure Services Plan.**

*5.10 Vicinity map including adjacent planning units and their General Land Use Plan designations. City of Medford Comprehensive Plan Chapter 10.*

**FINDING:**

**The application includes a vicinity map (Exhibit B) which shows the adjacent planning units and their GLUP designations.**

*5.11 Property lines for the subject planning unit and adjacent properties, particularly where new streets are proposed.*

**FINDING:**

**The application includes a vicinity map (Exhibit B) which shows the property lines for the subject planning unit and adjacent properties.**

*5.12 Existing easements of record, irrigation canals, and structures.*

**FINDING:**

**The application includes a map (Exhibit C) which shows existing easements of record, irrigation canals, and structures.**

*5.13 Areas designated as unbuildable per the Urban Growth Boundary City Council Report dated August 18, 2016 (Map A-1), and the status of those areas, including agricultural buffers.*

**Discussion:** For this planning unit, the areas identified as unbuildable on Map A-1 of the August 18, 2016 Urban Growth boundary City Council Report are the areas required to be agricultural buffers, wetland areas, an existing canal and areas containing existing development. As discussed above under Section 5.3, most of the agricultural buffers on this planning unit are considered interim as they can be developed once additional portions of MD-5e are brought into the UGB. This being the case, although these buffers must be provided at the time of development, they are not considered open space or unbuildable. The agricultural buffer along the south property border will be placed on the adjacent property to the south (Tax Lot 400) consistent with MLDC Section 10.802(G)(1) and will therefore not cause any portion of this planning unit to be unbuildable. Likewise, as discussed under Section 5.3 above, there are several suspected wetlands located within this portion of planning unit MD- 5e. If any locally significant wetlands are found, they will be protected in place but other wetlands may be mitigated elsewhere to provide for the efficient urbanization of the site. Mitigation of wetlands associated with the development of these properties will be located on Tax Lot 400 to the south and therefore these wetland areas will not count as unbuildable or open space in this planning unit.

A portion of the MID Medford Canal is located within the planning unit. The Applicants have been coordinating with the Medford Irrigation District to relocate the canal into an underground pipe adjacent to and along the North Phoenix Road right-of-way on the west side of the planning unit. The underground pipe would then extend easterly to reconnect with the existing canal south of the planning unit. Once the canal is relocated, the area under and along the existing canal will no longer be undevelopable.

The portions of the property shown as unbuildable due to existing development were identified as such because whether they remain developed in their current state as they were in 2016, or if they are redeveloped, they are not anticipated to provide any additional development potential. These areas are still required to receive a GLUP map designation and the submitted Urbanization Plan includes all of the developed portions of the property within the GLUP categories assigned to the planning unit. The Urbanization Plan does not identify any areas as unbuildable aside from the approximately ½-acre existing pet cemetery designated as private open space. This portion of the property will remain perpetually as private open space.

As the property develops, the locations for additional unbuildable/open space areas will be identified. These will include open space/playground areas associated with multiple-family developments, wetlands that are protected in place, and storm water management areas. However, it is inappropriate to restrict areas on the Urbanization Plan to open space use or as unbuildable without knowing where exactly they will be located.

**FINDING:**

**The submitted Urbanization Plan shows the agricultural buffers and wetland areas that were shown as unbuildable on Map A-1 are not shown as unbuildable on the Urbanization Plan because some are interim in nature and some wetlands will be mitigated onto TL 400 to the south; therefore, making more of the subject planning unit developable and maximizing the efficiency of urbanizable land. The Urbanization Plan properly assigns GLUP map designations to areas shown as unbuildable due to the fact that they were developed.**

*5.14 Contour lines and topography.*

**FINDING:**

**The application includes a map (Exhibit D) which shows contour lines and topography.**

*5.15 In the interest of maintaining clarity and flexibility for both the City of Medford and for landowners, no urbanization plan may be submitted with or contain the following items, which are only appropriate at the time of development:*

*5.15.1 Deviations from Municipal Code provisions, including exceptions to Chapter 10. This prohibition does not function to limit specific neighborhood circulation plan requirements hereinabove.*

*5.15.2 Limitations on development due to facility capacity shortfalls.*

*5.15.3 Architectural details.*

*5.15.4 Specifics about building types and building placement.*

*5.15.5 Access and internal circulation on prospective lots or development sites.*

**Discussion:** The submitted Urbanization Plan and associated mapping does no □

include any of information listed as prohibited by this section.

**FINDING:**

**The City of Medford finds that the submitted Urbanization Plan does not include any deviations from Municipal Code Provisions; it does not include any limitations on development due to capacity shortfall; it does not include any architectural details; it does not include any specifics about building types and building placement; and it does not include any information regarding access or internal circulation on prospective lots or development sites.**

**CONCLUSION:**

**The City of Medford concludes that the submitted Urbanization Plan application includes all required application materials per MLDC Section 10.220(C). The Urbanization Plan demonstrates compliance with Section 5 of the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan by:**

**1) Demonstrating compliance with the GLUP map designations assigned to the property through the UGB expansion process; compliance with the RPS density requirements; compliance with the TSP higher-order street locations; compliance with neighborhood circulation plan requirements; compliance with open space requirements; compliance with requirements for mixed-use/pedestrian-oriented development; compliance with the UGMA; and compliance with special agreements for inclusion in the UGB.**

**2) The application materials demonstrate preliminary coordination with public utility providers and the Parks and Recreation Department; and the application includes information about the locations of riparian corridors, wetlands, historic structures and areas designated as unbuildable per Map A-1 of the August 18, 2016 City Council report.**

**3) The application includes maps showing GLUP map designation and property lines on adjacent planning units; existing easements of record, irrigation canals and structures; and contour lines and topography.**

**4) The Urbanization Plan does not include any of the project or design details prohibited by Section 5.15.**

## 6. GLUP AMENDMENTS

*6.1.1 Minor Spatial Adjustments: If GLUP map amendments are proposed within the planning unit but the total acreage for each GLUP Map designation is not significantly changed, the urbanization plan can be the basis for GLUP amendments without the need for complex land supply analysis.*

*6.1.2 Moderate Spatial Adjustments: If land supply GLUP map amendments are proposed that change the spatial arrangement of GLUP designations beyond the boundary of a particular planning unit but maintain the total acreage for each GLUP Map designation within the applicable MD area that is now inside the UGB, then the urbanization plan shall be accompanied by a mapping analysis that explains how the total land use allocations are maintained by GLUP. Spatial exchanges of land use designations such as this shall be coordinated with other planning units in the MD and an analysis urban land use value equity shall be provided.*

*6.1.3 Complex Spatial Adjustments: More complex GLUP Map amendments that have the potential to alter the land supplies in more fundamental ways will typically require extensive city-wide and/or regional plan land supply analyses. This analysis shall demonstrate that both the urban land needs described in the City's Housing Element and Economy Element will be served and that the resulting amendment will continue to comply with City of Medford Comprehensive Plan Chapter*

**Discussion:** As discussed in the findings for Section 5.1 above, the proposed Urbanization Plan includes only minor spatial adjustments. The amounts of each of the GLUP map categories shown on the proposed plan are very close to the amounts that were assigned to the planning unit through the UGB amendment process. The GLUP designations have been moved slightly, approximately 95-feet, to align with the new north-south public street on the subject tract separating the CM from the UH designations. This alignment was chosen to match the location of the existing Quarter Lane to the north, recently platted as a new public residential street.

### **FINDING:**

**The City of Medford finds that the proposed GLUP map amendment includes only minor spatial adjustments, this Urbanization Plan can be the basis of the GLUP amendments without the need for a complex land supply analysis per Section 6.1.1.**

### **CONCLUSION:**

**The submitted Urbanization Plan complies with the provisions of Section 6 of the Urbanization Planning Chapter in the Neighborhood**

**Element of the Comprehensive Plan which allows the Urbanization Plan to be the basis of the proposed GLUP map amendments, which are classified as minor spatial adjustments.**

**Regional Plan Element Section 4.1.8. Conceptual Land Use Plans**

*A proposal for a UGB Amendment into a designated UR shall include a Conceptual Land Use Plan prepared by the City in collaboration with the Rogue Valley Metropolitan Planning Organization, applicable irrigation districts, Jackson County, and other affected agencies for the area proposed to be added to the UGB as follows:*

- a. Target Residential Density. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.*
- b. Land Use Distribution. The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of an urban reserve, which applies to the following URs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD7mid, MD-7n, PH-2, TA-2, TA-4.*
- c. Transportation Infrastructure. The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.*
- d. Mixed Use/Pedestrian Friendly Areas. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.*

**Discussion:** This section of the Comprehensive Plan applies to the UGB amendment process. Prior to amendments to the UGB, the City of Medford is required to prepare conceptual land use plans for any/all urban reserve areas being considered for inclusion into the UGB. As the application form provided by the City for Urbanization Plan approval requires findings in compliance with this section of the Comprehensive Plan, these findings must relate to how the proposed Urbanization Plan, like the conceptual plan prepared by the City at the time of UGB expansion, meets the standards produced through the Regional Problem Solving (RPS) process. These standards have been discussed in detail in the required findings under Section 5 of the Urbanization Planning Chapter of the Neighborhood Element and will be summarized here to demonstrate compliance with Section 4.1.8 of the Regional Plan Element.

- a. *Target Residential Density. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the residential densities of Section 4.1.5 above will be met at full build-out of the area added through the UGB amendment.*

As discussed under Section 5.1 above, the minimum residential density prescribed for the residential portion of this planning unit is 15 DU/acre for the MFR-20 zoning district. Given the existing GLUP map designations for the properties are prescribed as UH only for residential purposes, it is demonstrated that all residential development shown on the proposed Urbanization Plan will exceed the minimum required density of 6.6 DU/gross acre without the need for additional zoning restrictions or the need to commit specific portions of the development to a specific density.

- b. *Land Use Distribution. The Conceptual Land Use Plan shall indicate how the proposal is consistent with the general distribution of land uses in the Regional Plan, especially where a specific set of land uses were part of the rationale for designating land which was determined by the Resource Lands Review Committee to be commercial agricultural land as part of an urban reserve, which applies to the following URs: CP-1B, CP-1C, CP-4D, CP-6A, CP-2B, MD-4, MD-6, MD7mid, MD-7n, PH-2, TA-2, TA-4.*

This standard is meant to be addressed on an MD-wide basis and was properly addressed at the time of UGB expansion. That being the case, by demonstrating the submitted Urbanization Plan is consistent with the conceptual plan produced by the City as it relates to the allocation of employment, residential and open space lands, this plan can be found to be in compliance with the land distribution requirements of this section. As discussed within Section 5.1 above, the existing GLUP map shows the property being designated CM along North Phoenix Road and designated UH on the eastern portions of the subject properties. The split between the two land use types is shown near the common property line between tax lots 5002 and 5001. The proposed Urbanization Plan also shows the property being divided between the CM and UH land use categories near this common property line, however, the dividing line on the proposed Urbanization Plan is occurring along the centerline of a new north/south street, aligned with the planned intersection with Quarter Lane, and paralleling North Phoenix Road.

This new street has been located and designed to align with Quarter Lane at its intersection with Coal Mine Road on the north side of the planning area. The new street traverses the subject site and connects to a planned new street which will run along the south boundary of the subject properties. As Quarter Lane had not been shown on a tentative plat, dedicated, or built at the time the City developed the land use designations for this planning unit, the location of Quarter Lane and the alignment of a street through this planning area were not considered in determining a precise location for the split between commercial and residential designations. The proposed

Urbanization Plan balances the need for proper street alignments with the planned land use designations without significantly altering the ratio between CM and UH land use designations.

The Urbanization Plan, along with the discussions provided under Section 5.3 above, demonstrate that the required 19% open space can be provided for, future adjustments may also occur.

The submitted Urbanization Plan is consistent with the general distribution of land uses shown on the conceptual plan produced by the City for this portion of MD-5.

*c. Transportation Infrastructure. The Conceptual Land Use Plan shall include the transportation infrastructure required in Section 4.1.7 above.*

Section 4.1.7 requires conceptual plans to identify a general network of regionally significant arterial streets, transit corridors, bike and pedestrian paths, and associated projects to provide mobility throughout the region. This standard was meant to be addressed on both an MD-wide and a City-wide basis prior to expanding the UGB. This work was used to create the “Street Functional Classification Plan” (Map A-2 of the UGBA City Council Report dated August 18, 2016) which was used to inform applicable portions of the TSP and the Leisure Services Plan. The discussion and findings provided under Section 5.2 above regarding to location of higher-order streets and off-road multi-use paths demonstrate that there are no significant transportation corridors identified or located within this planning unit.

*d. Mixed Use/Pedestrian Friendly Areas. The Conceptual Land Use Plan shall provide sufficient information to demonstrate how the commitments of Section 4.1.6 above will be met at full build-out of the area added through the UGB amendment.*

Both the conceptual plan and the submitted Urbanization Plan are required to demonstrate that mixed-use/pedestrian-friendly development will be provided for. As both of these plans are high-level plans, showing only land-use designations and major transportation corridors, neither can demonstrate the totality of planned mixed-use/pedestrian-friendly development. In order to demonstrate compliance with this criterion, the conceptual plan, and now this Urbanization Plan, have demonstrated that the pattern of land use designations along with the planned transportation corridors will help to provide for a mix of uses and provide for pedestrian friendly development both with the mix of uses and with the availability of pedestrian infrastructure, pedestrian connectivity, and provisions for the development of transit routes into the planning unit. Compliance with this section is discussed in more detail in the discussion and findings provided within Section 5.4 above.

**FINDING:**

The City of Medford finds that previous findings in compliance with Regional Plan Element Section 4.1.8 were made at the time of UGB expansion. Findings in compliance with Section 4.1.8 at this time are used to demonstrate that the submitted Urbanization Plan matches the conceptual plan regarding required minimum residential density, percentages of major land use types (employment, residential and open space), major transportation corridors, and mixed-use/pedestrian-oriented development. The discussion provided above along with the more detailed discussion and findings made under Section 5 of the Urbanization Planning Chapter of the Neighborhood Element above, demonstrate that the submitted Urbanization Plan meets the standards required for conceptual plans per Regional Plan Element Section 4.1.8.

**CONCLUSION:**

The City of Medford concludes that the submitted Urbanization Plan addresses the required minimum residential density, percentages of major land use types (employment, residential and open space), major transportation corridors, and mixed-use/pedestrian-oriented development as required by Regional Plan Element Section 4.1.8.

#### **IV. SUMMARY:**

In order to approve an application for an Urbanization Plan, the City of Medford must find that the application meets the applicable criteria for plan contents and GLUP map amendments found in Sections 5 & 6 of the Urbanization Planning Chapter in the Neighborhood Element of the Comprehensive Plan. The application form provided by the City of Medford for Urbanization Plan approval also requires findings in compliance with Regional Plan Element Section 4.1.8 of the Comprehensive Plan. A review of the application materials, including the above Findings of Fact and all maps and exhibits, demonstrate that the submitted Urbanization Plan for MD-5e is in compliance with these applicable sections of the Comprehensive Plan.

With this in mind, the Applicants respectfully request that the City of Medford approve the requested Comprehensive Plan amendment and adopt the submitted Urbanization Plan for planning unit MD-5e into the Neighborhood Element of the Comprehensive Plan.

Respectfully Submitted,

Richard Stevens & Associates, Inc.

**PLANNING UNIT DESCRIPTION**

Existing General Land Use Plan (GLUP) Designations	# of Acres/GLUP	Open Space % & Acreage Requirement for MD-5e & MD-5f	Open Space % & Acreage Provided for MD-5e & MD-5f	Acreage Totals	% of Total GLUP Provided	Target Residential Density Units/Acre	Provided Residential Density Units/Acre	Anticipated Zoning Designations
Urban High Density Residential	36.5			28.01	38%	6.6 DU/acre x 28.01 acres = 185 DU	15 DU/acre x 28.01 acres = 420 DU	MFR-20
Commercial	39.1			32.32	43%	N/A	N/A	C-H
		19% or 93.44 acres	27% or 134.17 acres	14.17	19%			
<b>TOTALS</b>	74.6			74.5	100%	185 DU	420 DU	

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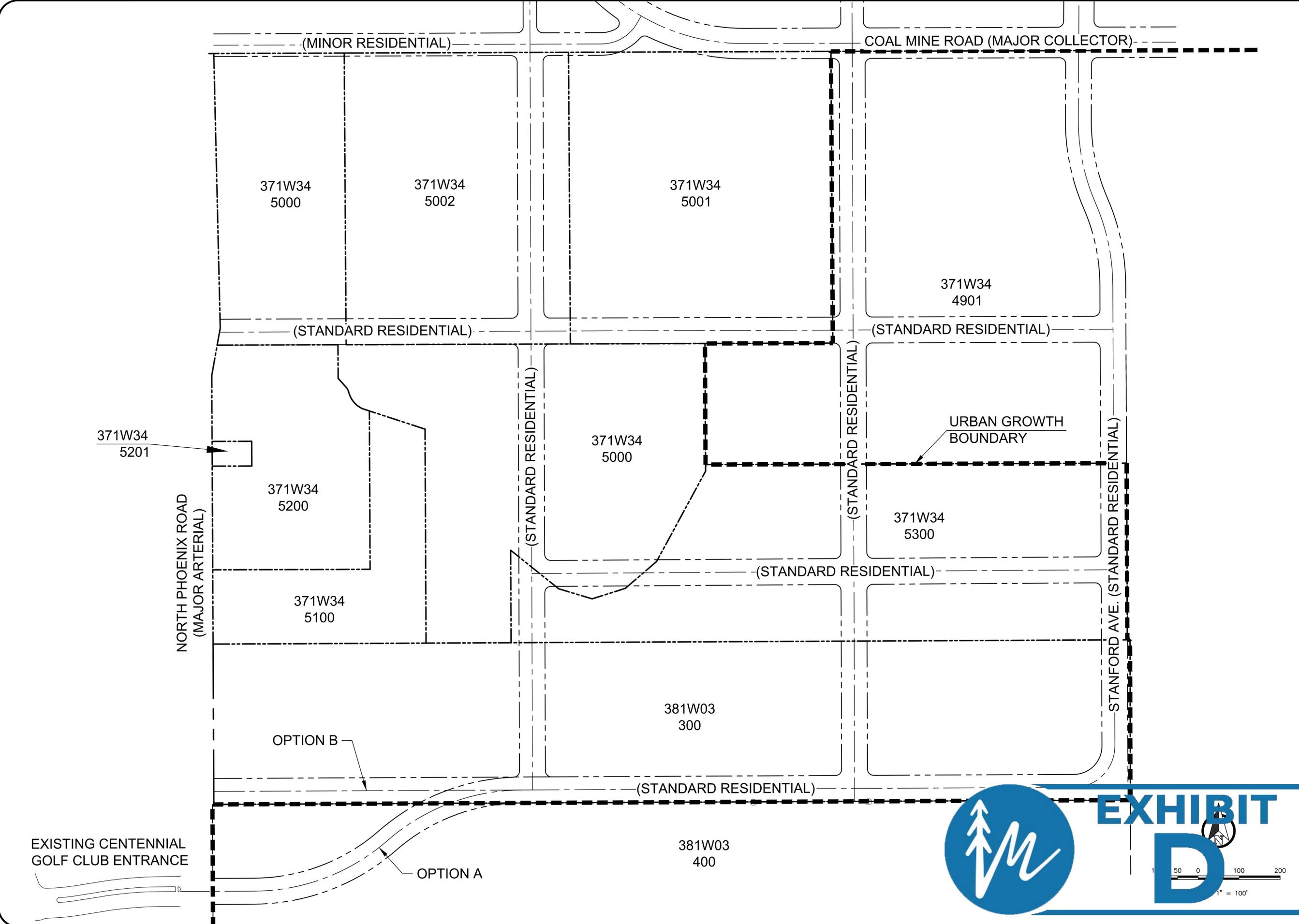
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 NORTH PHOENIX ROAD AND COAL MINE ROAD  
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**EXHIBIT E**  
**LOCAL CIRCULATION PLAN**

REV	DATE	DESCRIPTION

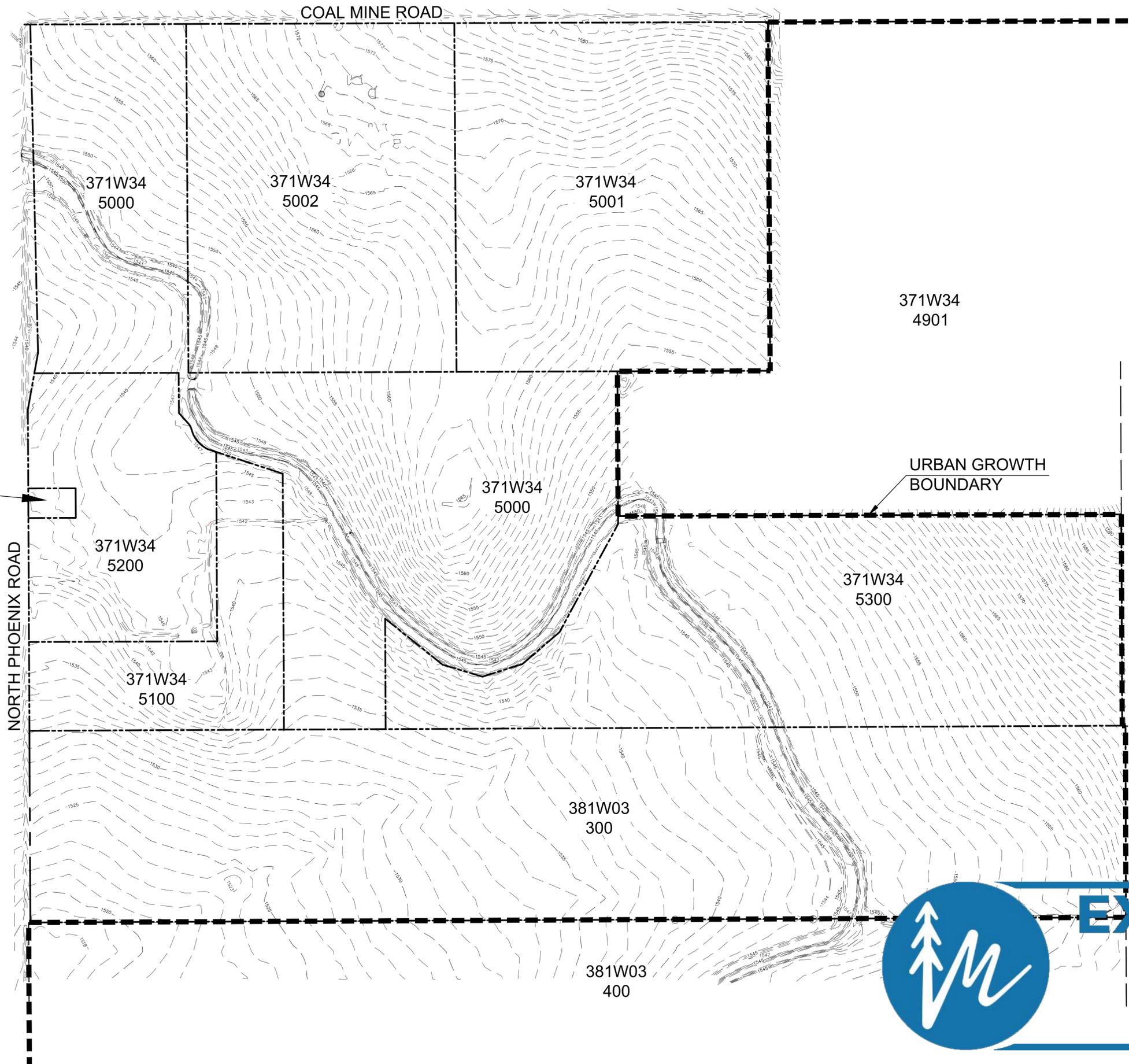
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 OF 1 SHEETS



**EXHIBIT D**

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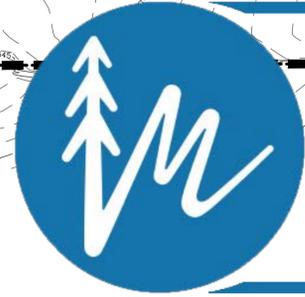
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 Web: www.marquess.com

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**EXHIBIT D  
 CONTOUR MAP**

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 OF 1 SHEETS



**EXHIBIT E**

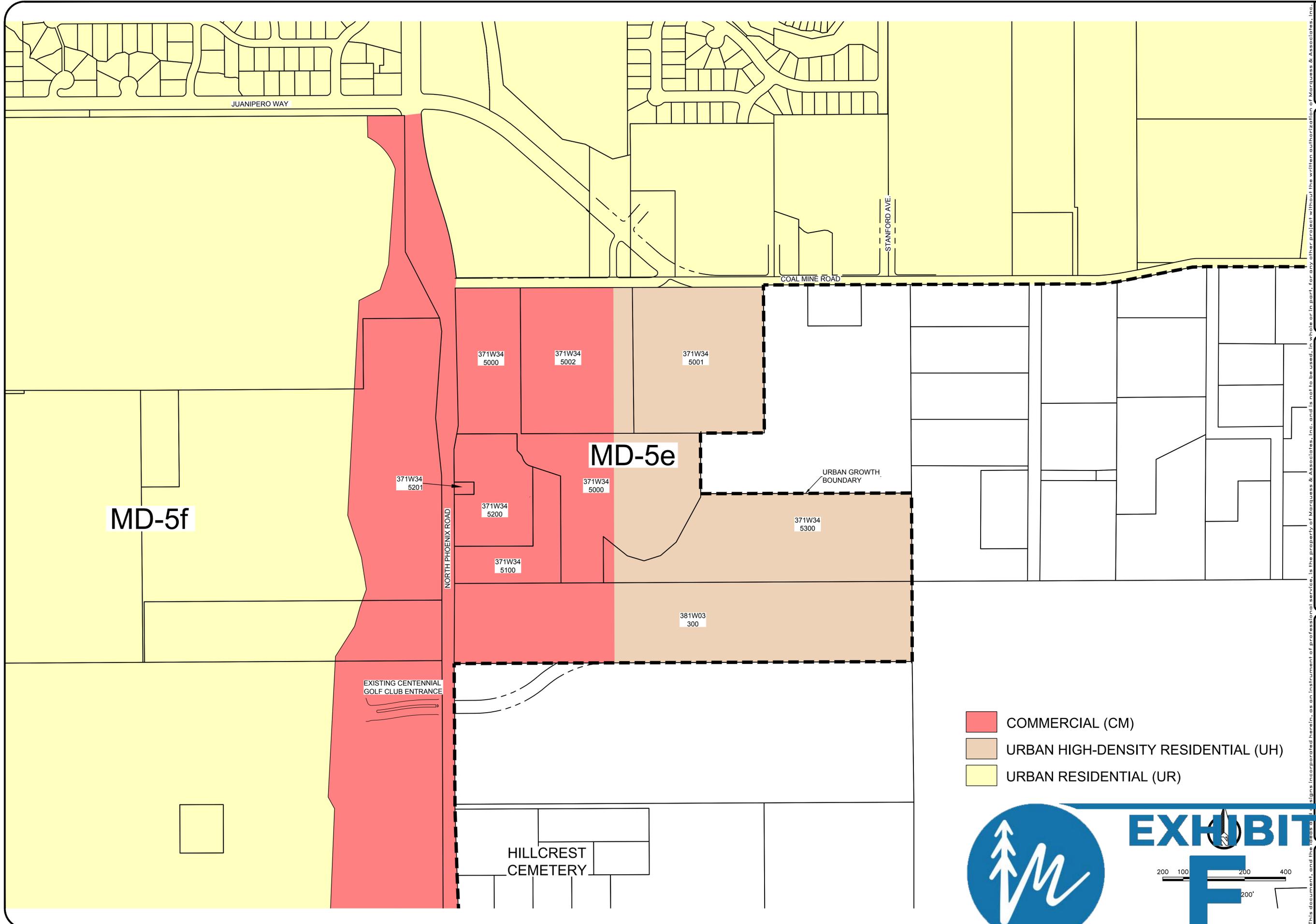
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- COMMERCIAL (CM)
- URBAN HIGH-DENSITY RESIDENTIAL (UH)
- URBAN RESIDENTIAL (UR)



EXHIBIT

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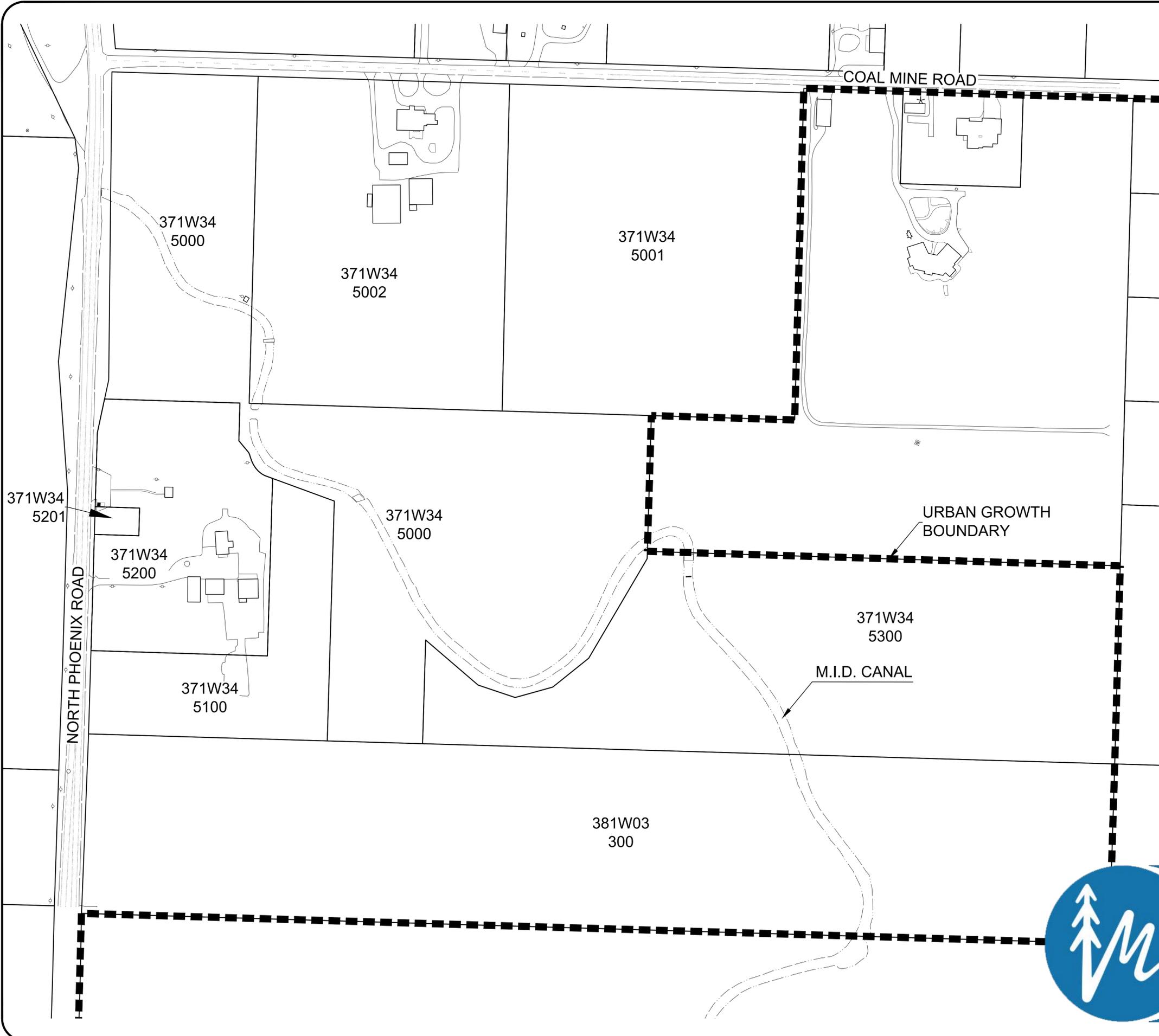
EXHIBIT B  
VICINITY MAP

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TITLE REPORT INFORMATION  
 PUBLIC RECORD REPORT FOR NEW SUBDIVISION OR LAND PARTITION  
 PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER  
 NUMBER 7169-3338836, EFFECTIVE DATE: OCTOBER 14, 2019 AT 8:00 AM

- ENCUMBRANCES (NUMBERED PER TITLE REPORT NOTED ABOVE)**
- 15 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: VOLUME 130, PAGE 20  
 IN FAVOR OF: MEDFORD IRRIGATION DISTRICT FOR: CANAL  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 16 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: VOLUME 130, PAGE 30  
 IN FAVOR OF: MEDFORD IRRIGATION DISTRICT FOR: IRRIGATION CANAL  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 17 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: VOLUME 180, PAGE 393  
 IN FAVOR OF: NONE SHOWN  
 FOR: A ROAD  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 18 WAIVER FOREVER OF ANY AND ALL CLAIM ARISING FROM LEAKAGE FROM MEDFORD IRRIGATION DISTRICT CANAL, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SET FORTH IN VOLUME 180, PAGE 393, JACKSON COUNTY, OREGON, DEED RECORDS.  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 19 RIGHT OF WAY, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: GRANTED TO: MEDFORD IRRIGATION DISTRICT  
 FOR: IRRIGATION CANAL, AND RIGHTS IN CONNECTION THEREWITH RECORDING INFORMATION: VOLUME 130, PAGE 118  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 20 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: VOLUME 332, PAGE 315  
 IN FAVOR OF: CALIFORNIA OREGON POWER COMPANY  
 FOR: TRANSMISSION AND DISTRIBUTION OF ELECTRICITY  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 21 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: VOLUME 526, PAGE 236  
 IN FAVOR OF: PACIFIC POWER & LIGHT COMPANY  
 FOR: TRANSMISSION AND DISTRIBUTION OF ELECTRICITY  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 22 RESTRICTIVE COVENANT, INCLUDING TERMS AND PROVISIONS THEREOF.  
 RECORDED: NOVEMBER 05, 1980 AS DOCUMENT NO. 80-22679  
 AFFECTS NEIGHBORING PROPERTY, NOT PLOTTABLE.
  - 23 EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN: RECORDING INFORMATION: DOCUMENT NO. 66-09448  
 IN FAVOR OF: PACIFIC POWER & LIGHT COMPANY  
 FOR: TRANSMISSION AND DISTRIBUTION OF ELECTRICITY  
 AFFECTS SUBJECT PROPERTY, GENERAL IN NATURE, NOT PLOTTED.
  - 27 AGRICULTURAL BUFFER EASEMENT & RESTRICTIVE COVENANT AND TERMINATION OF 2012 GRANT OF EASEMENT, INCLUDING TERMS AND PROVISIONS THEREOF.  
 RECORDED: MARCH 01, 2018 AS DOCUMENT NO. 2018-006701.  
 NOT PLOTTED.
  - 29 RESTRICTIVE COVENANTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS IMPOSED BY JACKSON COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT THROUGH THE JACKSON COUNTY LAND DEVELOPMENT ORDINANCE, AND RECORDED JUNE 27, 2019 AS DOCUMENT NO. 2019-018309, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON. AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE.
  - 30 RESTRICTIVE COVENANTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS IMPOSED BY JACKSON COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT THROUGH THE JACKSON COUNTY LAND DEVELOPMENT ORDINANCE, AND RECORDED JUNE 27, 2019 AS DOCUMENT NO. 2019-018310, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON. AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE.
  - 31 RESTRICTIVE COVENANTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS IMPOSED BY JACKSON COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT THROUGH THE JACKSON COUNTY LAND DEVELOPMENT ORDINANCE, AND RECORDED JUNE 27, 2019 AS DOCUMENT NO. 2019-018311, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON. AFFECTS SUBJECT PROPERTY, NOT PLOTTABLE.

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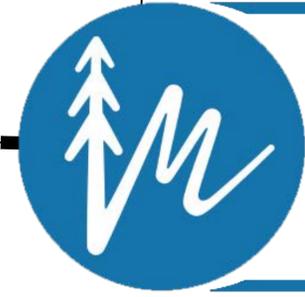
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**EXHIBIT C - EXISTING EASEMENTS, IRRIG. CANALS, AND STRUCTURES**

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LD DATE: 7/22/2020

Revised Date: 8/3/2020

File Number: UP-20-078

## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **Urbanization Plan for MD-5e**

### **North Phoenix Road/Coal Mine Road (Multiple Tax Lots)**

**Project:** A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 74.6 acres of property located east of North Phoenix Road and South of Cole Mine Road, a portion of Planning Unit MD-5e (371W34 TL 5000, 5001, 5002, 5100, 5200, 5201, & 5300 and 381W03 TL 300).

**Applicant:** Applicant: Rania Sawabini and Bottala Enterprises; Agent: Clark Stevens

**Planner:** Sarah Sousa, Planner IV

An Urbanization Plan is approved by the City Council and is adopted as part of the Neighborhood Element of the Comprehensive Plan. It is a high level master plan that ensures compliance with the Regional Plan and meets the applicable standards in the Comprehensive Plan.

---

### **A. STREETS**

**North Phoenix Road** is classified as a Regional Arterial street and is maintained by Jackson County. North Phoenix Road is paved without curb and gutter, street lights or sidewalk. In accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance jurisdiction of North Phoenix Road at the time of annexation and will request that a jurisdictional transfer be completed.

**Coal Mine Road** (from Juanipero Way heading east to the edge of this proposed development) is classified as a Major Collector street and is currently maintained by Jackson County. Coal Mine Road is paved without curb and gutter, street lights or sidewalk at this time. Improvements (with the exception of curb and gutter, planter strip and sidewalk on the south side) are set to be completed along this proposed developments frontage with Horse Arena Phase 2 (P1897D). In accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance jurisdiction of Coal Mine Road at the time of annexation and will request that a jurisdictional transfer be completed.

**Coal Mine Road** (from North Phoenix Road to intersection with the future alignment of Juanipero Way) is classified as a Minor Residential street and is currently maintained by Jackson County. In accordance with the City's Urban Reserve Management Agreement, the City will assume maintenance jurisdiction of Coal Mine Road at the time of annexation and will request that a jurisdictional transfer be completed.

**Future Street – Southerly Boundary** (from North Phoenix Road east to intersection with future extension of Stanford Avenue) shall be classified as a Standard Residential street and will be maintained by the City of Medford.

**Future Packhorse Street** (from Coal Mine Road heading south to future intersection with the future southerly boundary street) shall be classified as Minor or Standard Residential Street and will be maintained by the City of Medford.

**Future Quarter Lane** (from Coal Mine Road heading south to future intersection with the future southerly boundary street) shall be classified as a Commercial street and will be maintained by the City of Medford.

**Future Stanford Avenue** (from Coal Mine Road south to intersection with future southerly boundary street) shall be classified as a Standard Residential street and will be maintained by the City of Medford.

Future Commercial and/or Minor/Standard Residential east-west connection streets shall be public and will be maintained by the City of Medford.

## **B. SANITARY SEWERS**

The area of this proposed development lies within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer accessibility and capacity adequacy.

## **C. STORM DRAINAGE**

Future development on this parcel will require stormwater detention and stormwater quality facilities, which shall comply with Medford Land Development Code (MLDC) Sections 10.486 and 10.729 and the Rogue Valley Stormwater Quality Design Manual.

## **D. TRANSPORTATION SYSTEM**

The block length of Quarter Lane between the southern property boundary and the next standard residential street to the north appears to exceed the maximum block length for commercial areas. If this area is zoned Regional Commercial it may meet the code, but if it is zoned any other type of commercial an additional east-west street will be required. The applicant has not requested a local street arrangement with less connectivity than is

otherwise allowed by code. Future development plans will need to comply with MLDC 10.426.

Intersection treatments for the local streets at North Phoenix Road shall be studied at the time of zone change.

In accordance with MLDC Section 10.442, the alignment of Stanford Avenue and the Standard Residential Street along the south portion of TL5001 shall be compliant with code standards for street construction along the boundary of a development. In addition, the intersection of Stanford Avenue and the southernmost Standard Residential Street shall intersect with a 100-foot centerline radius (MLDC 10.448) or a knuckle, as these streets will not feasibly be able to extend beyond the Urban Growth Boundary (UGB) into areas currently not part the Urban Reserve.

Public Works does not believe "Option A" shown on the local circulation plan map is feasible, as it would require an exception from state planning goals. The street shown as "Option B" will need to meet minimum intersection spacing requirements of MLDC 10.426 and may have access restrictions such as a right-in / right-out only. Access restrictions shall be studied at the time of a zone change.

The minor residential section of Coal Mine Road is planned to be realigned so that there will no longer be an intersection with North Phoenix Road in accordance with the Southeast Medford Circulation Plan. This will need to happen when the property north of Coal Mine Road (map lot 37 1W 34 2087) is developed.

#### **E. SYSTEM DEVELOPMENT CHARGES**

**Future development/buildings within this parcel will be subject to System Development Charges (SDC).** These SDC fees shall be assessed at the time individual building permits are reviewed.

**This development is also subject to Storm Drain System Development Charges.** A portion of the storm drain system development charge shall be collected at the time of the approval of a final plat, as applicable.

#### **F. UTILITY FEES**

Upon annexation, this parcel will be subject to City of Medford monthly utility fees as applicable.

Prepared by: Jodi K Cope  
Reviewed by: Doug Burroughs



# JACKSON COUNTY

## Roads

### Roads Engineering

**Chuck DeJanvier**  
*Construction Engineer*

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White City, OR 97503  
Phone: (541) 774-6255  
Fax: (541) 774-6295  
[DeJanvCA@jacksoncounty.org](mailto:DeJanvCA@jacksoncounty.org)  
[www.jacksoncounty.org](http://www.jacksoncounty.org)

July 10, 2020

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

RE: Comprehensive Plan Amendment to adopt an Urbanization Plan for the portions of the planning unit MD-5e located within the Urban Growth Boundary (UGB) of the City of Medford off Coal Mine Road and North Phoenix Road – both County maintained roads  
Planning File: UP-20-078 & ANNEX-20-079

Dear Sarah:

Thank you for the opportunity to comment on the request for Comprehensive Plan Amendment to adopt an Urbanization Plan for the portions of the planning unit MD-5e located within the Urban Growth Boundary (UGB) of the City of Medford. The MD-5e planning unit is located east of North Phoenix Road and south of Coal Mine Road. The proposed Urbanization Plan includes multiple tax lots totaling 74.6 acres. The properties are described as: 37-1W-34 Tax Lots 5000, 5001, 5002, 5200, 5201 & 5300 and 38-1W-03 TL 300. Jackson County Roads have the following comments:

1. As provided in the Urban Reserve Management Agreement (URMA) between City and County, please expand the annexation to include Coal Mine Road and North Phoenix Road right-of-way. Then, following annexation, City is required to request jurisdiction of this portion of Coal Mine Road and North Phoenix Road. As provided in the URMA, the request for jurisdiction shall conform to ORS 373.270, except that conditions and compensation allowed by ORS 373.270(6) are not allowed.
2. As requested in Comment #1, without a jurisdictional transfer of Coal Mine Road and North Phoenix Road to the City of Medford, Jackson County will require the following:
  - a. Upon development, all existing road approaches from the property to North Phoenix Road will be closed. New approaches to North Phoenix Road will not be permitted.

- b. Prepare a traffic impact study to be reviewed and approved by the County. This study shall address the safety impacts at the intersection of Coal Mine Road and North Phoenix Road and impacts to North Phoenix Road including stopping sight distance, traffic queuing, storage lengths, need for dedicated turn lanes or a median turn lane, and impacts to the North Phoenix Road and Coal Mine Road intersection. The study shall also address impacts to Juanipero Way and Campbell Road or other lesser order public roads if access is provided to these facilities. Mitigation measures for each identified issue should be provided and will be reviewed and approved by Jackson County.
    - c. As provided in the URMA, storm drain management within the annexed areas (including road right-of-way) become the responsibility of the City upon annexation.
  3. Any new or improved roads inside the Urban Growth Boundary or expanded Urban Growth Boundary shall be permitted, inspected and become the sole jurisdiction of the City of Medford.
  4. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
  5. Jackson County Roads would like to review and comment on the hydraulic report including the calculations and drainage plan. Capacity improvements or on site detention, if necessary, shall be installed at the expense of the applicant. Upon completion of the project, the developer's engineer shall certify that construction of the drainage system was constructed per plan and a copy of the certification shall be sent to Jackson County Roads.
  6. North Phoenix Road is a County Minor Arterial road and is maintained by the County. The Average Daily Traffic count was 10,529 on September 5, 2018, 225' south of Coal Mine Road.
  7. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.
  8. The applicant shall submit construction plans to Jackson County Roads, so we may determine if county permits will be required.

July 10, 2020

Page 3 of 3

9. We would like to be notified of future development proposals, as county permits may be required.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck DeJanvier', written in a cursive style.

Chuck DeJanvier  
Construction Engineer



# ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 97502-0005  
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

July 23, 2020

City of Medford Planning Department  
200 S. Ivy Street  
Medford, Oregon 97501

**Re: ANNX-20-079 & UP-20-078, Coal Mine Road Urbanization Plan, 371W34 TLs 5000, 5001, 5002, 5201, & 5300; 381W03 TL 300**  
**Ref: PA-19-076 & PA-19-070**

ATTN: Carla,

The identified properties are within the RVSS sewer service boundary. However, RVSS sewer facilities are not located near the subject property. There are two obvious connection options, each comes with various obstacles. One option is to connect directly to the RVSS Upper Bear Creek Interceptor located west of Interstate 5 and Bear Creek. The other option is to extend sewer north from the existing 18 inch main which crosses Interstate 5 just north of Home Depot. GIS maps are available on our website for reference. The City of Medford sewer system is located north and west of the area along Juanipero Way and La Loma Drive respectively. However, the City of Medford system is largely unsuitable for standard gravity sewer service to the area. The portion of the area along Coal Mine Road that is acceptable for standard gravity sewer may connect to the City of Medford system via a service boundary revision. The conditions of the Medford system connection will be determined by RVSS and the City of Medford.

The Centennial Golf Course properties to the west have also expressed interest in developing and extending sewer across Interstate 5 to serve the area. It's suggested that the interested property owners coordinate in this endeavor.

Rogue Valley Sewer Services requests that the urbanization plan be subject to the following conditions:

1. The developer must include a conceptual plan of the proposed sewer connection and extension to the property.

Rogue Valley Sewer Services requests that the future development be subject to the following conditions:

2. All sewer facilities must be sized for a full 'build-out' condition accounting for contributing up stream sewer shed areas. Sewer system sizing must be performed per RVSS standards.
3. Master plan conceptual drawings of the proposed sewer system for the area will be submitted to RVSS upon request.
4. All sewer design and construction must be performed per RVSS standards.

K:\DATA\AGENCIES\MEDFORD\PLANNING\ANNEXATION\2020\ANNX-20-079 & UP-20-078 COAL MINE ROAD URBANIZATION PLAN.DOC

5. Sewer construction drawings must be submitted to RVSS for review and approval.

Please feel free contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick Bakke", with a horizontal line extending to the right.

Nicholas R. Bakke, P.E.  
District Engineer

# MEDFORD PARKS & RECREATION FACILITIES MANAGEMENT

HEALTHY LIVES | HAPPY PEOPLE | STRONG COMMUNITY

TO: Carla Paladino - Planning Department Haley  
FROM: Cox – Parks Planner  
SUBJECT: MD-5e Urbanization Plan  
DATE: December 4, 2019

---

The Parks Department has reviewed the application for urbanization of the MD-5e parcels and has the following comments:

1. According to the Regional Plan Element and as noted in the application, this urbanization area is required to allocate 19% of the total area to Open Space uses. The applicant has shown  $\frac{1}{2}$  acre of open space allocated to an existing pet cemetery, which would remain privately owned and maintained. There is also a 4-acre parcel proposed for a public park at the south end of the urbanization area. The Parks Department does not have specific plans to acquire and develop parkland here, however, this area is within a park watershed gap, and as such the Department remains open to identifying strategic opportunities.

The Parks Department prefers to acquire park parcels greater than 3 acres, as there are limited recreational opportunities and relatively high levels of maintenance needed to keep smaller open spaces safe and clean. Neighborhood parks that serve residents within  $\frac{1}{2}$  mile are ideally 3-15 acres, and community parks serving residents within a 2 mile radius are ideally greater than 15 acres.

2. The Leisure Services Plan does indicate a shared-use pathway along North Phoenix Road, and the applicant has indicated this on their plan. The City standard for shared-use pathways is 10' wide asphalt in a dedicated greenway corridor, or within the street ROW. Since this is a higher-order street, the applicant is encouraged to consider implementing a ROW cross section that includes separated, off-street bike and pedestrian facilities, which would satisfy the shared-use pathway requirement.
3. The Parks Department can advise the applicant on irrigation design and tree species selection for higher-order residential ROW planter strips that will be maintained by the City. More information can be found on the City's website: Information for Architects, Approved Street Tree List, and City Tree Planting Detail.



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE

701 N. COLUMBUS AVE. | MEDFORD, OR 97501 | 541.774.2400  
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.ORG





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BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford

**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
Brian Runyen, P.E.(TX), Water Commission Staff Engineer

**SUBJECT:** UP-20-078

**PARCEL ID:** 371W34 TL 5000, 5001, 5002, 5100, 5200, 5201, & 5300 and 381W03 TL 300

**PROJECT:** Coal Mine Road at N. Phoenix Road Annexation  
A legislative amendment to adopt an Urbanization Plan into the Neighborhood Element of the Comprehensive Plan for approximately 74.6 acres of property located east of North Phoenix Road and South of Cole Mine Road, a portion of Planning Unit MD-5e (371W34 TL 5000, 5001, 5002, 5100, 5200, 5201, & 5300 and 381W03 TL 300). Applicant: Rania Sawabini and Bottala Enterprises; Agent: Clark Stevens; Planner: Sara Sousa.

**DATE:** July 22, 2020

I have reviewed the above plan authorization application as requested. Comments are as follows:

**COMMENTS**

1. This proposed development is located in Medford Water Commissions "Zone 1A" Pressure Zone.
2. Access to MWC water lines is available – 16" stub in N Phoenix Rd south of Juanipero Wy, and 12" stub in Coal Mine Rd at Stanford Ave.
3. On-site water facility construction will be "Conditioned" at time of "future" site development review. Expect additional comments and conditions once plans are available for review.
4. Future installation of a 12" water line will be required in Coal Mine Rd from N Phoenix Rd to approximately 535' east of the eastern property boundary.
5. Future installation of a 16" water line will be required in N Phoenix Rd in the south bound travel lane from Juanipero Way to the southern property boundary. Coordinate with developer of proposed project (reference UP-19-004) on the west side of N Phoenix Rd as this same requirement exists for that project.
6. 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."

*Continued to Next Page*



*Continued from Previous Page*

7. The applicant's Civil Engineer shall coordinate with MWC engineering Staff for approved Water Facility Master Plan.
8. 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.
9. "Dead-End" waterlines are not allowed to maintain water quality. All proposed water lines are required to be looped. If a water line cannot be looped, then the installation of a "Fire Hydrant" or "Auto Flusher" will be required on "dead end" water lines
10. The applicants Civil Engineer shall coordinate with Medford Fire Department for "approved" fire hydrant locations.
11. Applicant's Civil Engineer shall coordinate with Medford Water Commission, along with our Hydraulic Modeling Consultant (Jacobs Engineering Group) to have this proposed development "Modeled" within our existing hydraulic model, This modeling effort will confirm adequate pressure, water quality, and that adequate looping of water lines is also provided.



MEMORANDUM

**To:** Sarah Sousa, Planning Department  
**From:** Chad Wiltrout, Building Department (541) 774-2363  
**CC:** Applicants: Rania Sawabini, Bottala Enterprises LLC; Agent: Clark Stevens  
**Date:** July 22, 2020  
**Subject:** UP-20-078\_Coal Mine Road at North Phoenix Road Annexation and Urbanization Plan\_3690 Coal Mine Rd

---

***Please Note:***

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

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

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

**General Comments:**

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.





3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

**Comments:**

5. Building has no comments at this time on the urbanization or annexation.



## Medford Fire-Rescue Land Development Report

### Review/Project Information

**Reviewed By:** Kleinberg, Greg

**Review Date:** 7/9/2020  
**Meeting Date:** 7/22/2020

**LD File #:** ANNX20079 **Associated File #1:** UP20078

**Planner:** Clark Stevens

**Applicant:** Rania Sawabini and Bottala Enterprises

**Site Name:** Coal Mine Road at N. Phoenix Road Urbanization Plan

**Project Location:** South of Cole Mine Road and east of North Phoenix Road and including the half-width of approximately 1500 feet of the abutting Coal Mine Road right-of-way

**Project Description:** Consideration of a request for annexation to the City of Medford of approximately 66.75 acres located south of Cole Mine Road and east of North Phoenix Road and including the half-width of approximately 1500 feet of the abutting Coal Mine Road right-of-way. The proposed annexation would change the Jackson County zoning designation of Exclusive Farm Use (EFU) to City holding zone designation of Single Family Residential -1 Unit/Acre (SFR-00) with the Exclusive Agriculture (E-A) Overlay and would remove the property from Medford Rural Fire Protection District #2.

### Specific Development Requirements for Access & Water Supply

#### Conditions

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

### Construction General Information/Requirements

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

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

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

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

[www.medfordfirerescue.org](http://www.medfordfirerescue.org)



**TALENT IRRIGATION DISTRICT  
LAND USE AGENCY RESPONSE FORM**

104 W. Valley View Rd.  
P.O. Box 467  
Talent, OR 97540

Phone: 541-535-1529  
Fax: 541-535-4108  
Email: tid@talentid.org

**NAME OF ENTITY REQUESTING RESPONSE:** City of Medford

**ENTITY REFERENCE NUMBER:** UP-20-078 & ANNX-20-079

**MEETING REVIEW DATE:** July 22, 2020

**MAP DESCRIPTION:** 37-1W-34-5300, 38-1W-03-300

**PROPERTY ADDRESS:** N. Phoenix Rd, Coal Mine Rd.

**NO COMMENT ON LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)**

**NO COMMENT**            **IF CHECKED**  
**COMMENT**                **COMMENTS**  
                                 **ARE APPLICABLE**

**A. WATER RIGHT ISSUES**

1. Water rights need to be sold to someone or transferred back to Talent Irrigation District from any newly created impervious surfaces within water right locations. Number of irrigated acres: TL 5300 – 9.1, TL 300 – 5.3  
Comments: TID water rights are for irrigation purposes only. No other uses are allowed including use for a processing facility.

**OR/AND**

2. Must have District approval for water rights to remain in place on subject property. Number of irrigated acres: TL 5300 – 9.1, TL 300 – 5.3  
Comments: If the existing water rights are to be sold or relocated to another area, the applicant must go through the transfer process with the District, Bureau of Reclamation and Water Resources Department. Water rights must be removed from any impervious surfaces.

**B. EASEMENTS**

**DISTRICT EASEMENTS**

1. Easement needs to remain clear. No permanent structures or deep rooted plants will be allowed within the easement limits.  
Comments:
2. If facility is to be relocated or modified, specifications must meet the District's standards and be agreeable to the District. A new written and recorded easement must be conveyed to the District.  
Comments:
3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District.  
Comments: \_\_\_\_\_



**PRIVATE EASEMENTS**

- 1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for downstream water users.  
Comments:

**PRIVATE EASEMENT PROVISIONS FOR MINOR PARTITIONS AND/OR LOT LINE ADJUSTMENTS**

- 1. If the property currently has water rights and it is being partitioned or a lot line adjustment is being made, easements must be written and recorded which allow access for all of the pieces of property with water rights to continue to have access to the water.  
Comments: \_\_\_\_\_

**WATER METER REQUIREMENT ON TRANSFERRED WATER RIGHTS**

- 1. If the water right on this property is a transferred water right that currently has a water meter requirement, then each of the properties split off of the original parcel all need to have water meters installed prior to the use of irrigation water on the newly formed parcels.  
Comments: \_\_\_\_\_

**C. FACILITIES** (including but not limited to pipelines, ditches, canals, control checks or boxes)

- 1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.  
Comments:

**D. DRAINAGE / STORM WATER**

- The District relies on the Bureau of Reclamation’s Storm Water Policy. No urban storm water or point source flows will be allowed into the District’s facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run-off water and take appropriate action to protect the development from upslope water.)  
Comments:

**GENERAL COMMENTS:**

1. No interruptions to irrigation water deliveries will be allowed.
2. T.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of the original function of the District's facilities.

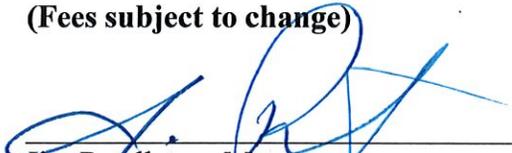
**As required by 2017 ORS 92.090(6) which states as follows: "Subject to any standards and procedures adopted pursuant to ORS 92.044 (Adoption of standards and procedures governing approval of plats and plans), no plat of a subdivision or partition located within the boundaries of an irrigation district, drainage district, water control district, water improvement district or district improvement company shall be approved by a city or county unless the city or county has received and accepted a certification from the district or company that the subdivision or partition is either entirely excluded from the district or company or is included within the district or company for purposes of receiving services and subjecting the subdivision or partition to the fees and other charges of the district or company."**

**Talent Irrigation District's fee associated with this planning action is checked below.**

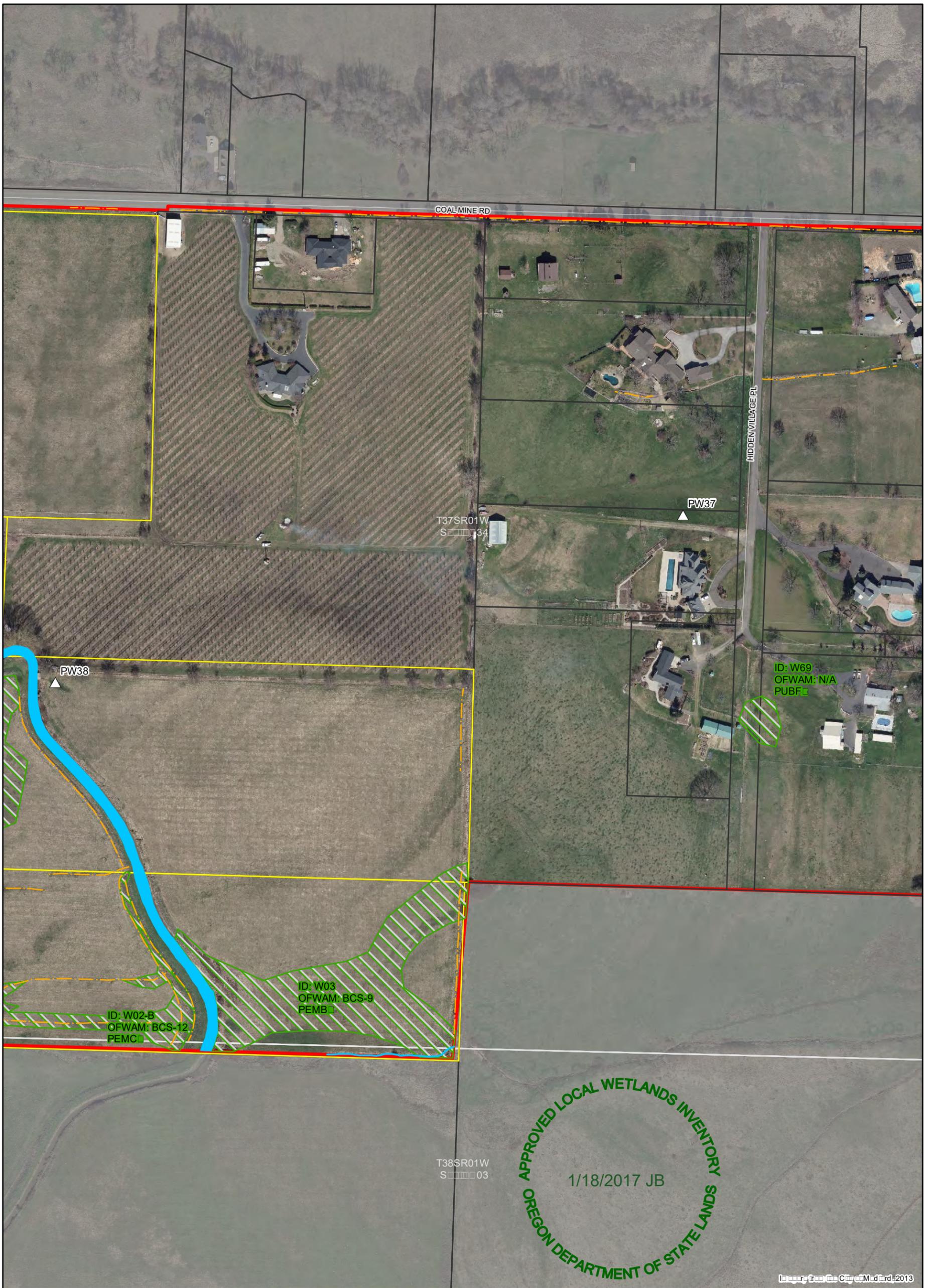
Letter of No Concern: \$25.00

Letter With Concern: \$110.00

**(Fees subject to change)**

  
\_\_\_\_\_  
Jim Pendleton, Manager  
Talent Irrigation District

Date Signed: July 13, 2020

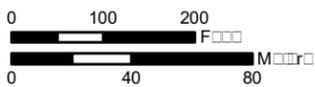


**Figure F-68 – LWI Map**

**SWCA LWI Data**

- SWCA Station Point
- △ Proposed Wetland ("PW" 0.5 ft)
- ▨ Wetland ("W")
- ▨ Wetland ("WA")
- ▨ Stream
- Ditch
- ▨ Pond/Water ("AW")

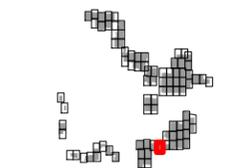
- ▭ Solid Area
- ▭ Topographic
- ▭ Topographic
- ▭ Stream
- ▭ Station



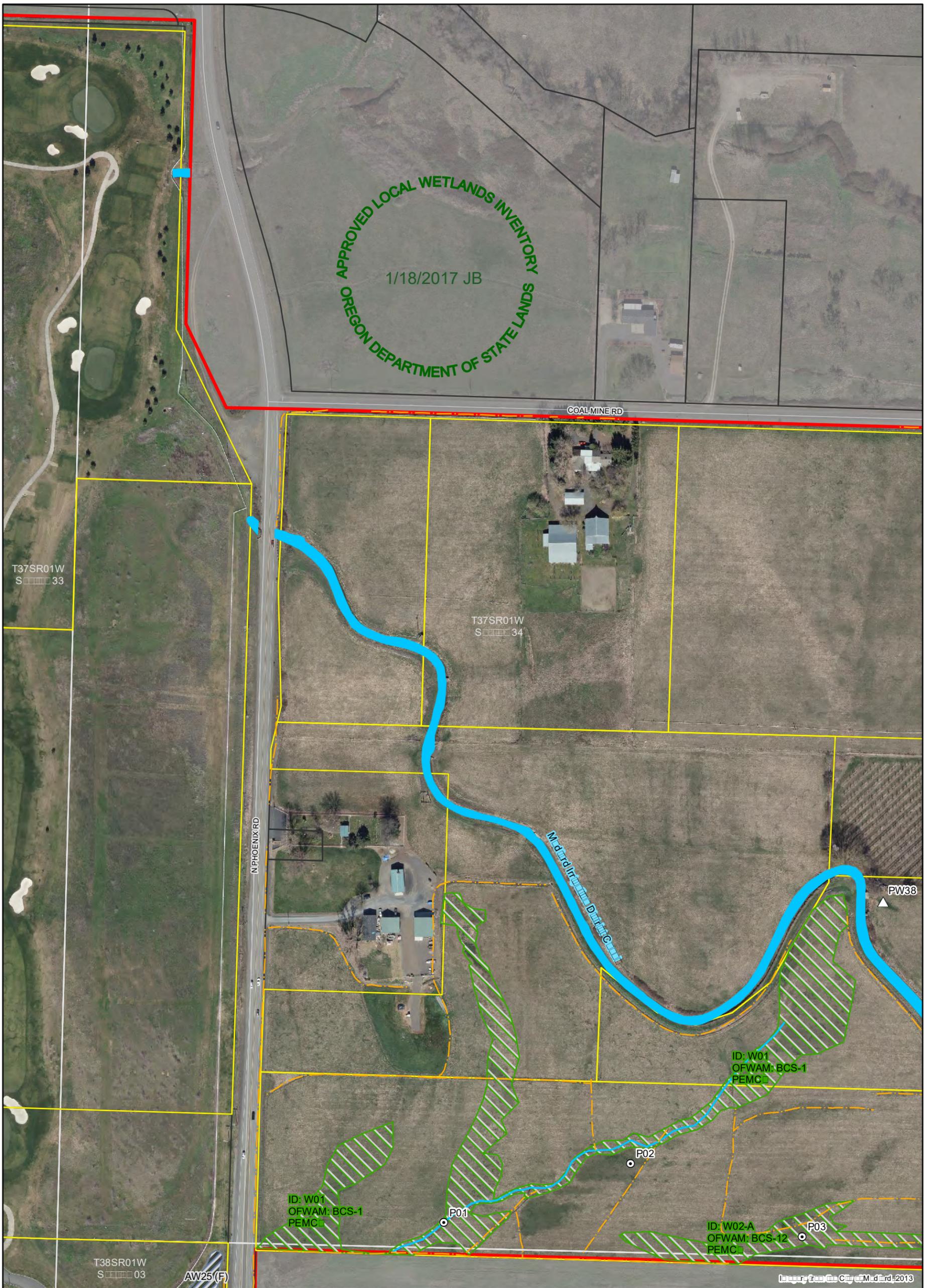
**EXHIBIT P**

City of Medford Urban Reserve  
 Local Wetland Inventory  
 Jointly Conducted  
 June 2016

SWCA Environmental Consultants  
 1220 SW Morrison Street, Suite 700  
 Portland, OR 97205-2235  
 503.224.0333  
 Project 31802



**SWCA**  
 ENVIRONMENTAL CONSULTANTS  
 1220 SW Morrison Street, Suite 700  
 Portland, OR 97205-2235  
 503.224.0333  
 Project 31802



**Figure F-69 – LWI Map**

**SWCA LWI Data**

- SWCA Station Point
- △ Proposed Wetland ("PW" 0.5 m)
- ▨ Wetland ("W")
- ▨ Wetland ("WA")
- ▨ Stream
- Ditch
- ▨ Pond/Water ("AW")

- ▭ Study Area
- ▭ Topographic Boundary
- ▭ Topographic Boundary
- ▭ Stream
- ▭ Section



City of Medford Urban Reserve  
 Local Wetland Inventory  
 Joint City of Medford  
 June 2016

This map was prepared by SWCA Environmental Consultants, Inc. for the City of Medford. The map shows the results of a field-based wetland inventory conducted in 2015. The map is intended for informational purposes only and does not constitute a warranty or representation of any kind. SWCA Environmental Consultants, Inc. is a registered professional engineering firm in the State of Oregon. The map was prepared in accordance with the standards of the Oregon Board of Professional Engineers. The map is subject to change without notice. SWCA Environmental Consultants, Inc. is located at 1220 SW Morrison Street, Suite 700, Portland, OR 97205-2235. Phone: 503.224.0333. Project: 31802.

**SWCA**  
 ENVIRONMENTAL CONSULTANTS  
 1220 SW Morrison Street, Suite 700  
 Portland, OR 97205-2235  
 503.224.0333  
 Project: 31802

Medford Comprehensive Plan  
Chapter 10

# Neighborhood Element

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## Introduction

The divisions of this chapter are special area plans that have been adopted by the Council. Two plans are incorporated by reference; three others are incorporated into this document.

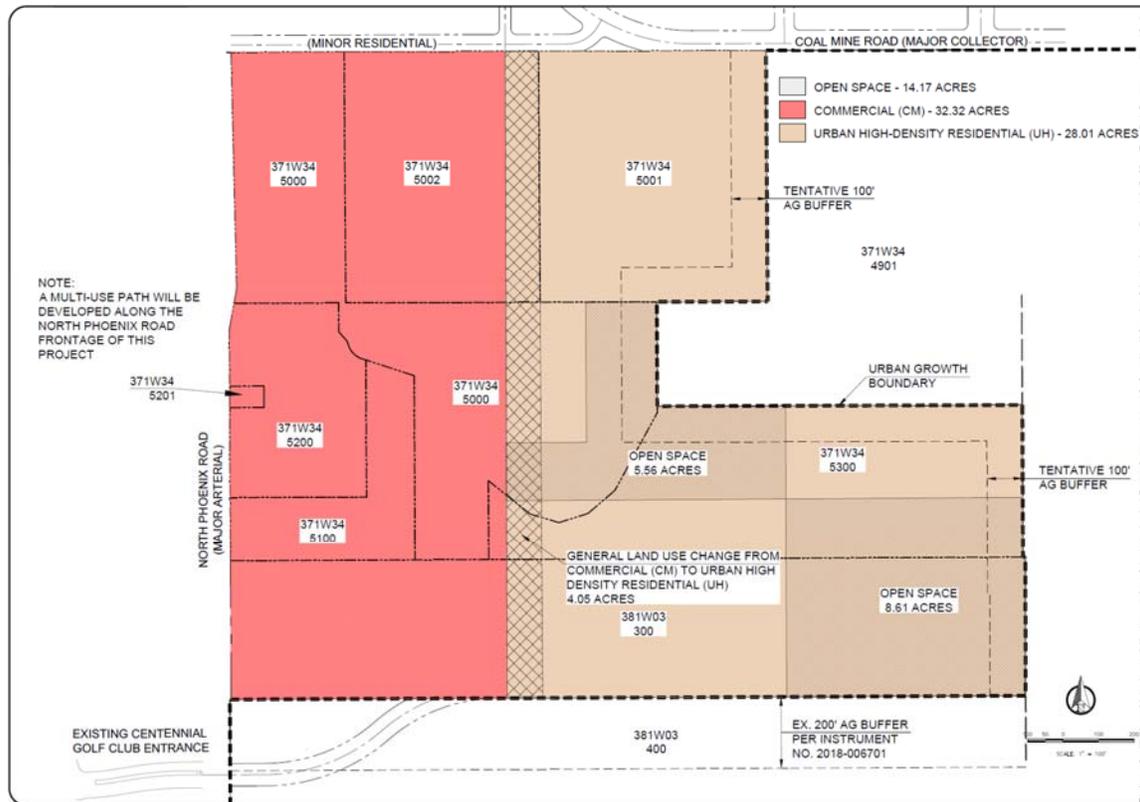
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10.3 Bear Creek Master Plan .....	41
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10.6 Adopted Urbanization Plans	
1. Planning Unit MD-7c (NW corner of South Stage Road and Kings Highway)	
2. Planning Unit MD-5f (South of Juanipero Way and West of North Phoenix Road)	
3. Planning Unit MD-3a (South of Coker Butte Road, North of Owen Drive, and East of Springbrook Road) UNDER REVIEW	
4. Planning Unit MD-5e (South of Coal Mine Road, East of North Phoenix Road) UNDER REVIEW	



## URBANIZATION PLAN FOR MD-5e

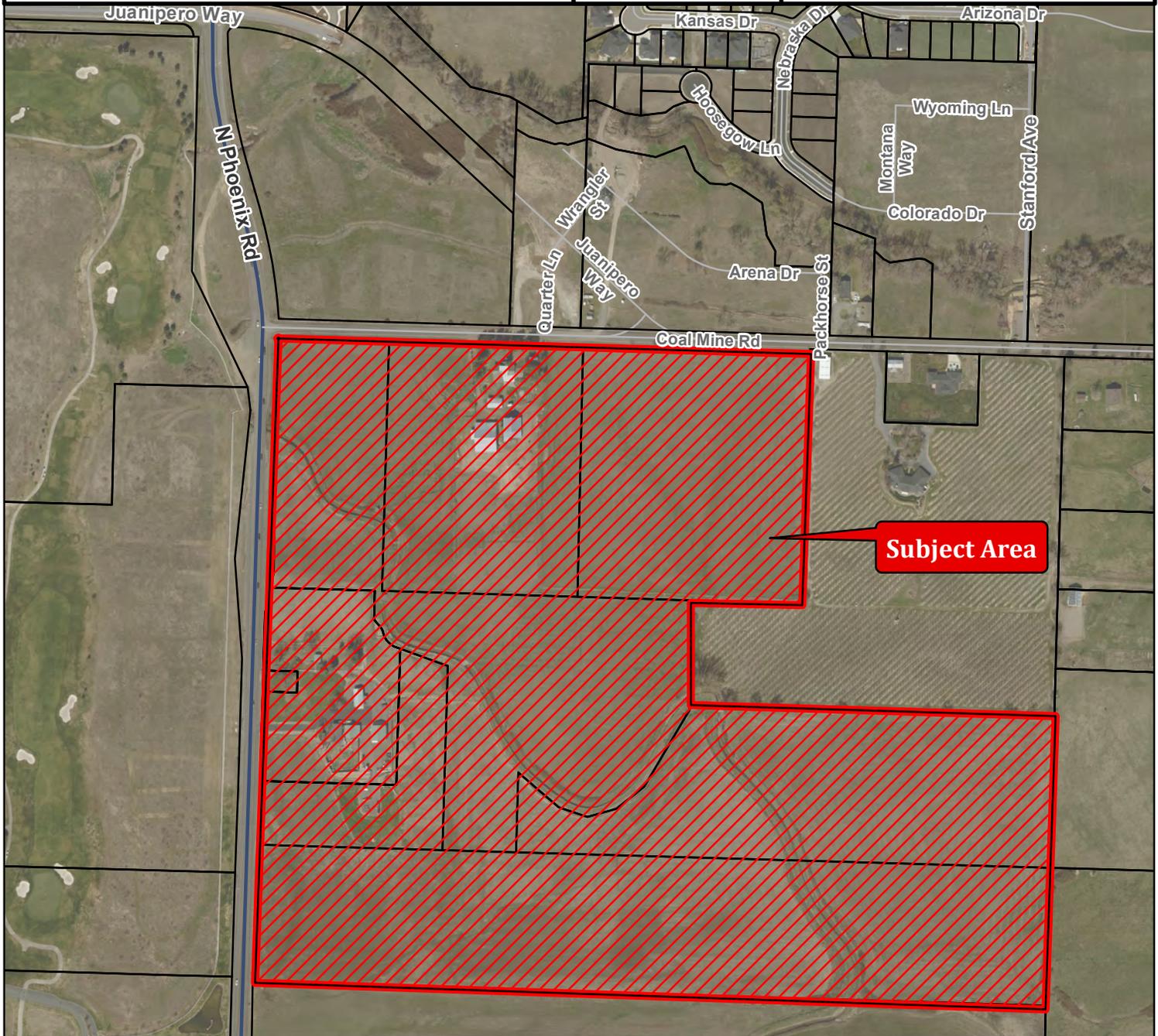
Adopted by Medford City Council on September 17, 2020; Ordinance no. 2020-XX



### Project Details – MD-5e

The planning unit is approximately 74.6 acres in size and is located south of Coal Mine Road and east of North Phoenix Road. The property has the following General Land Use Plan designations: Urban High Density Residential and Commercial. The applicant proposes 14.1 acres of open space, which meets the minimum amount of open space required for the planning unit.

The applicant proposes a minimum of 420 dwelling units to be constructed within the residential General Land Use Plan designation in the planning unit. Street extensions include Quarter Lane, Packhorse Street, and Stanford Avenue.



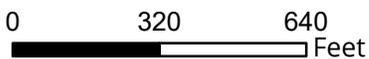
**Subject Area**

Project Name:

**Coal Mine Road at  
N Phoenix Road  
Urbanization Plan**

Map/Taxlot:

**371W34 TL 5000, 5001, 5002, 5100,  
5200, 5201, 5300 & 381W03 TL 300**



**Legend**

 S □ □ □ □ Ar □ □

 T □ □ L □ □

6/18/2020

