

PLANNING COMMISSION AGENDA AUGUST 24, 2017



Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Patrick Miranda

Alex Poythress

Jared Pulver

Regular Planning Commission meetings

are held on the second and fourth

Thursdays of every month

Meetings begin at 5:30 PM

City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380



Planning Commission

Agenda

**Public Hearing
August 24, 2017**

5:30 PM

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

10. Roll Call

20. Consent Calendar/Written Communications (voice vote)

30. Minutes

30.1 Consideration for approval of minutes from the August 10, 2017, hearing.

40. Oral and Written Requests and Communications

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

50. Public Hearings

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

Continuance Request

- 50.1 **SV-17-069** Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1743 feet in length, within the Stewart Meadows Village Planned Unit Development. (KOGAP Enterprises, Applicant; Maize & Associates, Agent; Dustin Severs, Planner III). **The applicant has requested this item be continued to the September 14, 2017, Planning Commission meeting.**

Old Business

- 50.2 **SV-17-039** Consideration of a request to vacate a portion of Belknap Road, located south of the intersection of Garfield Street and Center Drive. (C.A. Galpin, Applicant/Agent; Sarah Sousa, Planner IV).
- 50.3 **LDS-17-050** Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL 1400). (Fjarli Merlin, Applicant; Richard Stevens & Associates, Inc., Agent; Dustin Severs, Planner III).

New Business

- 50.4 **ZC-17-075** Consideration of a zone change on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre).

(372W35AD1900) (Scott Becker, Applicant; Richard Stevens & Associates, Agent; Steffen Roennfeldt, Planner III)

- 50.5 **CUP-17-067** Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). (Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner II)

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Joint Transportation Subcommittee

60.3 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment



Planning Commission

Minutes

From Public Hearing on **August 10, 2017**

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

Commissioners Present

Patrick Miranda, Chair
David McFadden, Vice Chair
David Culbertson
Joe Foley
Bill Mansfield (arrived at 5:31 p.m.)
Alex Poythress
Jared Pulver

Staff Present

Kelly Akin, Assistant Planning Director
Kevin McConnell, Deputy City Attorney
Katie Zerkel, Senior Assistant City Attorney
Debbie Strigle, Recording Secretary

Commissioners Absent

Mark McKechnie, Excused Absence
E.J. McManus, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 ZC-17-017 / LDP-17-027 Final Orders of a request for a change of zone from MFR-20 (Multiple-Family, 20 dwelling units per gross acre) to MFR-30 (Multiple-Family, 30 dwelling units per gross acre) and a partition to create two lots on approximately 4.5 acres located at 2180 Poplar Drive (371W18C TL 1362); (Weatherly Inn Medford, LLC, Applicant; RJ Development, LLC., Agent; Dustin Servers, Planner III).

20.2 PUD-17-023 Final Order of a Preliminary PUD Plan for Coker Butte Business Park, a proposed development consisting of office and light industrial uses to be located on a 14.5-acre site composed of five contiguous lots bounded generally by Crater Lake Highway 62, Coker Butte Road, and Crater Lake Avenue, within the Light Industrial (I-L) zoning district. (371W05 1000, 1001, 1002, 1003, and 1100). (Coker Butte Properties, LLC and Table Rock Holdings LLC, Applicants; CSA Planning Ltd., Agent; Dustin Severs, Planner III).

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

Moved by: Vice Chair McFadden

Seconded by: Commissioner Foley

Voice Vote: Motion passed, 7-0.

30. Minutes

30.1. The minutes for July 27, 2017, were approved as submitted.

40. Oral and Written Requests and Communications. None.

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

50. Public Hearings – Continuance Requests

50.1 LDS-17-050 Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL 1400). (Fjarli Merlin, Applicant; Richard Stevens & Associates, Inc., Agent; Dustin Severs, Planner III). **The applicant has requested to continue this item to the August 24, 2017, Planning Commission meeting.**

Kelly Akin, Assistant Planning Director, reported that it was brought to staff's attention by the applicant that when this item was before the Planning Commission initially and after the public hearing, the Chair closed the public hearing. The motion was withdrawn to continue the item. Staff wants to make sure the public hearing is opened so the applicant can submit additional evidence. Staff requests that the Chair open the public hearing.

The Public Hearing was opened.

Motion: The Planning Commission continued LDS-17-050, per the applicant's request, to the Thursday, August 24, 2017, Planning Commission meeting.

Moved by: Vice Chair McFadden

Seconded by: Commissioner Poythress

Roll Call Vote: Motion passed, 7-0.

60. Reports

60.1 Site Plan and Architectural Commission.

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, August 4, 2017, but he was unable to attend.

Ms. Akin, reported that the Site Plan and Architectural Commission considered plans for the development of 134 multi-family dwelling units totaling 185,024 square feet on a 7.9 acre tract of land located within the Stewart Meadows Village Planned Unit Development bounded generally by Garfield Avenue and the realigned Myers Lane within the SFR-10 zoning district, together with consideration of a modification to a portion of the approved design guidelines for the Planned Unit Development. Ms. Akin presented renderings of multi-family residential units. The Commission continued the item to next Friday, August 18, 2017.

60.2 Report of the Joint Transportation Subcommittee.

Chair Miranda reported that the Joint Transportation Subcommittee has not met since the last meeting.

60.3 Planning Department

Kelly Akin, reported that the Planning Commission study session scheduled for Monday, August 14, 2017, has been cancelled. There is no business scheduled but there is business scheduled for Monday, August 28, 2017.

There is business scheduled for the Planning Commission on Thursday, August 24, 2017. Thursday, September 14, 2017, and Thursday, September 28, 2017.

Today, at the City Council meeting Matt Brinkley, Planning Director, attended a study session. They discussed the Transportation System Plan goals. He sent the objectives and action items with the City Council and requested comments back by the end of the month. Staff is hoping to schedule a joint study session with the City Council and Planning Commission mid-September. It may not end up as a joint session. Staff is intending to work on the capital project list at that study session.

The City Council asked for help from the Planning Commission on food trucks. In Chapter 6 hand carts are allowed in the public right-of-way. Staff would like to amend Chapter 6 to allow food trucks be parked in the public right-of-way during certain hours. Also, the City Council is asking for the Planning Commission's help on chickens. Currently, chickens with livestock is addressed in nuisance ordinance in the Municipal Code not in Chapter 10. It does not belong in Chapter 10 because it is not a land use function.

Next week the City Council will hear the Belknap street vacation. There has been a lot of discussion between the adjoining property owners. That will continue to another meeting. Hopefully, they will finalize the Foothills Road transportation facility plan. There was a lot of testimony at the Planning Commission meeting and similar at City Council. The City Council will finalize the request for staff to work on a Citizens Advisory Committee for the Transportation System Plan project.

Ms. Akin welcomed Katie Zerkel, Senior Assistant City Attorney. Kevin McConnell is leaving. Tonight is his last meeting with the Planning Commission. Mr. McConnell has been with the City just under ten years. He has been the liaison to the Planning Commission since 2014. He sat on the Site Plan and Architectural Commission before that. Ms. Akin will miss his guidance and wisdom but mostly the 85% rule and his sense of humor. Mr. McConnell is going to the private sector in Medford.

Commissioner Mansfield wished Mr. McConnell best wishes.

70. Messages and Papers from the Chair.

70.1 Chair Miranda thanked Mr. McConnell for his service, help and guidance on the Planning Commission as well as all the others.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission. None.

100. Adjournment

The meeting was adjourned at 5:44 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

Terri L. Rozzana
Recording Secretary

Patrick Miranda
Planning Commission Chair

Approved: August 24, 2017



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT – CONTINUANCE REQUEST

for a type- B decision: Street Vacation

PROJECT Myers Lane Street Vacation
Applicant: KOGAP Enterprises
Agent: Maize & Associates

FILE NO. SV-17-069

TO Planning Commission

for August 24, 2017 hearing

FROM Dustin Severs, Planner III

REVIEWER Kelly Akin, Assistant Planning Director

DATE August 17, 2017

BACKGROUND

Proposal

Consideration of a request for the vacation of an approximate 60-foot wide strip of public right-of-way, being a portion of Myers Lane, running north from Garfield Avenue approximately 1,743 feet in length, located within the Stewart Meadows Village Planned Unit Development.

Request

The applicant has requested that the item be continued to September 14, 2017, in order to allow the applicant sufficient time to prepare and submit additional materials into the application regarding the vacation of Public Utility Easements adjacent to the Myers Lane right-of-way.

EXHIBITS

- A Continuance request received August 16, 2017.
Vicinity Map

PLANNING COMMISSION AGENDA:

August 24, 2017

Dustin J. Severs

From: Jim Maize <jmaize3145@charter.net>
Sent: Wednesday, August 16, 2017 3:57 PM
To: Dustin J. Severs
Subject: Continuation of SV-17-069

Hello Dustin,

KOGAP Enterprises, Inc. respectfully requests that its application for the vacation of a portion of the Myers Lane right-of-way (file SV-17-069), be continued from the August 24, 2017, Planning Commission agenda to the Commission's following meeting on September 14, 2017. The reason for the request is to allow the applicant sufficient time to prepare and submit additional materials into the application regarding the vacation of Public Utility Easements adjacent to the Myers Lane right-of-way.

If there is any additional information that I can provide, please let me know and I will make sure that it is submitted.

Respectfully,

Jim Maize
agent for KOGAP Enterprises, Inc.

MAIZE & ASSOCIATES, INC.

(541) 776-4142
(541) 776-4143 Fax

PO Box 628
Medford, OR 97501

jmaize3145@charter.net

CITY OF MEDFORD
EXHIBIT # A
File # SV-17-069



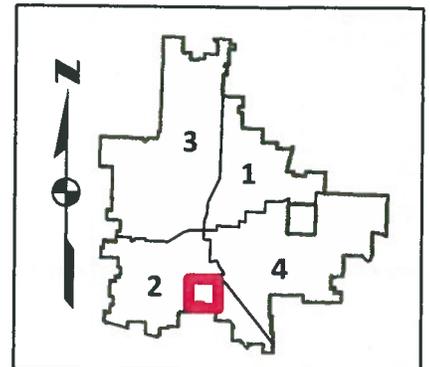
Project Name:
**Myers Lane
 Street Vacation**

Map/Taxlot:
371W31D



Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





REVISED STAFF REPORT

for a Class-B decision: Street Vacation

Project Belknap Street Vacation
 Applicant: Southside Center, LLC

File no. SV-17-039

To Planning Commission for August 24, 2017 hearing
 (continued from July 13, 2017 and July 27, 2017)

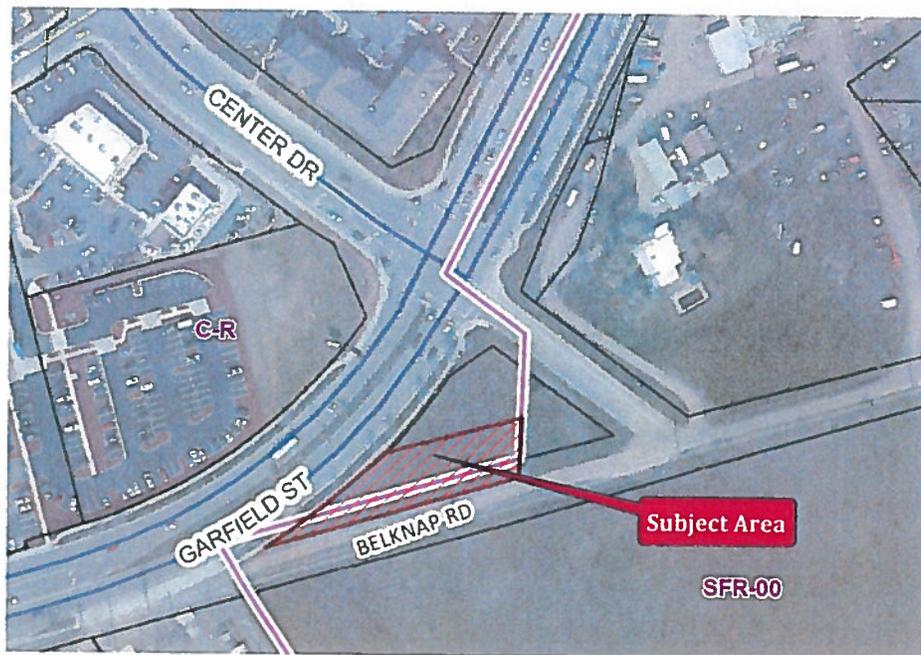
From Sarah Sousa, Planner IV

Date August 17, 2017

BACKGROUND

Proposal

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



History

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

Authority

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

ISSUES AND ANALYSIS

Background

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

Jurisdiction

The City Surveyor questioned the jurisdiction of this portion of Belknap Road during his review of the proposal since there is no record of a jurisdictional transfer from Jackson County to the City of Medford. However, local access roads do not generally go through the jurisdictional transfer process. It is the position of Jackson County Roads Department that per ORS 368.031, the County no longer has jurisdiction. Oregon Revised Statute 368.031 describes local access roads outside any city limits as under the jurisdiction of the governing county. The subject road is within a city limits, therefore, no longer under any county jurisdiction, according to the interpretation by Jackson County Roads. **Exhibit L**

Ownership

Another item of concern by the City Surveyor was that a portion of the road may be owned in fee by Jackson County. This was confirmed by the Property Manager at the Jackson County Clerk's Office. If there is a portion owned in fee by Jackson County, they may sell the subject portion of right-of-way after the vacation process is complete. Ultimately, the Jackson County Assessor's office will review the vacated portion of right-of-way and determine how the land will be distributed to abutting properties.

Planning Commission Hearing

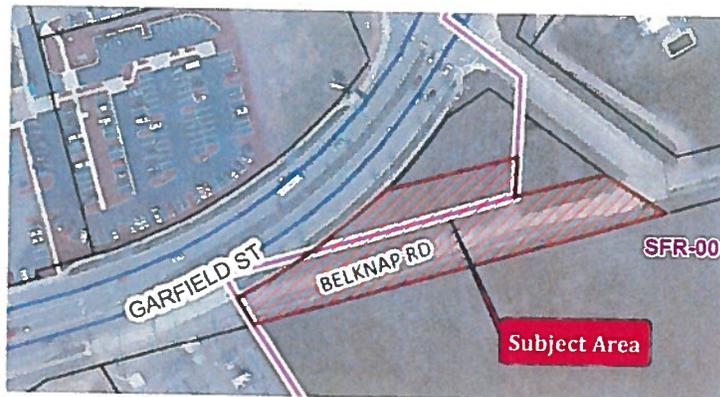
On the day of the first Planning Commission hearing on July 13, 2017, a letter of objection was submitted by the attorney of property owners adjacent to the proposed vacation. The letter explains the Kolln property (Tax Lot 200 of the Jackson County Assessor's map 371W32C) would be substantially damaged by the vacation of Belknap Road as it would reduce development opportunities. **Exhibit K**

The original staff report recommended approval of the street vacation. However, with the new objection, staff needed time to evaluate whether the proposal meets the approval criteria in regards to Criterion #2 and ORS 271.130. The Planning Commission granted a continuance in order to give time for this analysis.

Affected Area and Market Value (original proposal)

ORS 271.130 describes the process in which right-of-way can be vacated when initiated by a city. A city cannot vacate right-of-way if the property owners of the majority of the affected area object in writing. Planning staff created a map to show the affected area as described in ORS 271.080. Based upon the affected area, the Kolln's property encompasses approximately 42.7 percent, which is less than the majority. However, it should be noted that the Kolln's property does have the most frontage on the right-of-way to be vacated as the property abuts all 900 feet of Belknap Road. **Exhibit M**

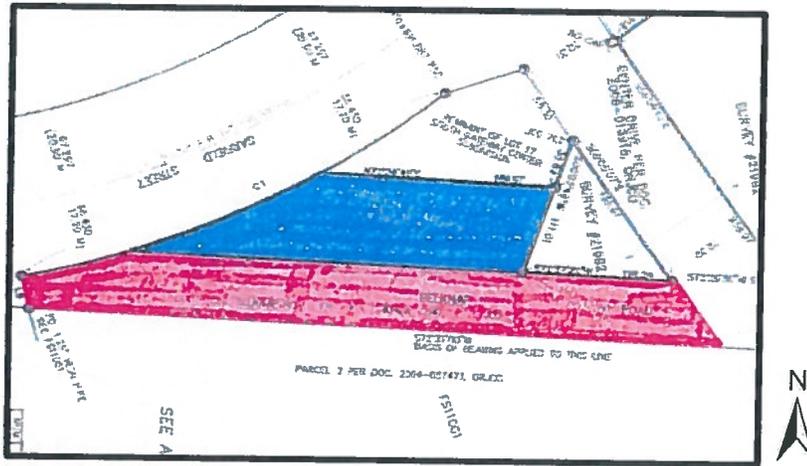
The letter of objection states the Kolln property will be substantially damaged by the proposed vacation and describes the value of the property loss. ORS 271.130 requires cities to pay for such damages if a street vacation substantially affects the market value of any affected property. Although it may be argued that the Kolln's property may actually benefit from the right-of-way vacation due to the possibility of gaining land and not having to pay to improve the road as part of any future development, the City does not want to pay for damages as part of vacating right-of-way. Therefore, it cannot be determined that Criterion #3 is met with the original proposal.



Original proposal

New Proposal

The applicant submitted a letter and new proposal as a result of the Kolln's objection. This proposal would still allow for a 50-foot wide portion of Belknap Road to remain along the Kolln's property and would request a vacation of the northernmost portion of right-of-way totaling approximately 0.38 acres. The exhibit map below shows the new proposed area to be vacated in blue. **Exhibit O**



The Kolln's attorney submitted a new letter on August 14, 2017 supporting the revised proposal and eliminating the prior objections and claims of damages. The findings below address the new proposal. **Exhibit P**

Agency Comments

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

Comments, including conditions of approval, were submitted by Medford Public Works Department and the Medford Water Commission. Both request utility easements over the existing right-of-way. As currently conditioned, utility easements would cover the entire vacated area. This means nothing could be built within the vacated area unless the applicant provides a document from each of the utilities stating the easement is not needed. **Exhibits D & F**

Committee Comments

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

FINDINGS AND CONCLUSIONS

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

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

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

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

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

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

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

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

Conclusion: This criterion is not applicable to the project.

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

Findings: Satisfied. The City Council initiated the vacation on June 1, 2017. Consents have been provided by two of the three adjoining property owners. The majority of the right-of-way adjoins the Kolln's property (Tax Lot 200 of Jackson County Assessor's Map 371W32C). With the revised proposal, the Kolln's attorney submitted a letter stating it is acceptable.

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

Conclusion: The only objection in writing has been replaced with a letter of acceptance by an abutting property owner's attorney. There have been no other objections submitted and a substantial effect in market value positively or negatively is not likely. The criterion is satisfied.

RECOMMENDED ACTION

Based on the findings and conclusions that all of the approval criteria are met or are not applicable, forward a favorable recommendation to the City Council for approval of the street vacation per the staff report dated August 17, 2017, including Exhibits A through P including the following conditions of approval:

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

EXHIBITS

- A Legal description of area proposed for vacation
- B Map showing area proposed for vacation
- C Applicant's Findings of Fact received March 22, 2017
- D Medford Public Works Department Staff Report received June 7, 2017
- E Medford Fire Department Report received June 7, 2017
- F Medford Water Commission Memo and Facility Map received June 7, 2017
- G City Surveyor comments received May 5, 2017
- H Jackson County Road Department Letter received May 10, 2017
- I Aerial Photo received March 22, 2017
- J Jackson County Assessor's Map received March 22, 2017
- K Letter of objection from Stuart Foster received July 13, 2017
- L Email from Mike Kuntz at Jackson County Roads received June 12, 2017
- M Affected Area Map (original proposal)
- N Affected Area Map (revised proposal)
- O Letter from C A Galpin received July 20, 2017
- P Letter of acceptance from Stuart Foster received August 14, 2017
Vicinity map

PLANNING COMMISSION AGENDA: AUGUST 24, 2017

Exhibit A

Legal Description


L.J. FRIAR & ASSOCIATES P.C.
 CONSULTING LAND SURVEYORS
 P.O. BOX 1947
 PHOENIX, OR 97535

TELEPHONE 541-772-2782
 FAX 541-772-8465
 JAMES E. HIBBS, PLS
 ljfriar@charter.net

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

Commencing at the Northeast corner of Donation Land Claim No. 46, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South 72°35'51" West (record South 72°34' West), 41.86 feet; thence South 50°57'13" West, 1358.02 feet (record South 51°16' West, 1360.2 feet) to the Southwest corner of Parcel 2 per Volume 365, Page 352, Jackson County Deed Records; thence along the West line thereof, North 15°26'46" West (record North 15°09' West), 541.83 feet to the Northeast corner of Belknap Road; thence along the Northerly line thereof, South 72°37'00" West, 310.08 feet; thence South 72°29'36" West, 92.53 feet to the Southwesterly line of Center Drive set forth in Document No. 2006-013916, Official Records of Jackson County, Oregon; thence continue along said Northerly line, South 72°37'22" West, 118.24 feet to the Southwest corner of Parcel 1 per Volume 365, Page 352, said Deed Records and the true point of beginning; thence South 72°37'22" West, 305.95 feet to the Southeasterly right of way line of Garfield Street as monumented and shown on Survey No. 21255 in the Office of the Jackson County Surveyor; thence along said right of way line along the arc of a 761.91 foot radius curve to the left having a central angle of 11°56'25", a distance of 158.76 feet (the long chord of which bears North 46°52'42" East, 158.47 feet) to the South line of Lot 17 of SOUTH GATEWAY CENTER SUBDIVISION, according to the official plat thereof, now of record, in Jackson County, Oregon; thence along the South line thereof, North 72°34'49" East, 184.97 feet to the Southeast corner of said Lot 17; thence along the East line of said SOUTH GATEWAY CENTER SUBDIVISION, South 06°07'49" West, 72.32 feet to the true to the true point of beginning. Containing 16470 square feet or 0.38 acres, more or less.

Basis of Bearings: Survey No. 21982.

See also Exhibit Map.

PORTION OF BELKNAP ROAD
 TO BE VACATED
 371W32B
 Galpin Gang, LLC
 15-217
 July 17, 2017

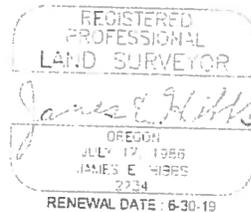


Exhibit C

Applicant's Findings of Fact

FINDINGS OF FACTS

RECEIVED
MAR 22 2017
PLANNING DEPT.

Criteria 1.

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

Applicants Response:

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

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

Criteria 2.

2. If initiated by petition under ORS 271.080 per ORS 271.120, the City Council must determine the following:

- a. For a plat vacation or part thereof: that two-thirds of the affected property owners consent in writing. Affected property owners are all owners of property embraced within the plat or part thereof.

For a street or alley vacation: that 100 percent of the abutting property owners and two-thirds of the affected property owners consent in writing. Affected property owners are owners of all land lying on either side of the street or alley proposed to be vacated and extending laterally to the next street that serves as a parallel street not to exceed 200 feet, and within 400 feet of the terminus of the part of the street or alley to be vacated.

- b. That the required notice has been given.

Applicants Response:

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

Criteria 3:

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

Applicants Response:

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

Exhibit D

Public Works Report



Continuous Improvement Customer Service

CITY OF MEDFORD

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

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

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

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

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

Prepared by: Doug Burroughs

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

Page 1

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION

200 S. IVY STREET
MEDFORD, OREGON 97501

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

Exhibit E

Fire Department Report



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire3ci.medford.or.us

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 06/07/2017

From: Fire Marshal Kleinberg

Report Prepared: 05/26/2017

File #: SV - 17 - 39

Site Name/Description:

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

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

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

Exhibit F

Medford Water Commission Memo & Facility Map



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: SV-17-039

PARCEL ID: 371W30AC TL 2500

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

DATE: June 7, 2017

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

CONDITIONS

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

COMMENTS

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

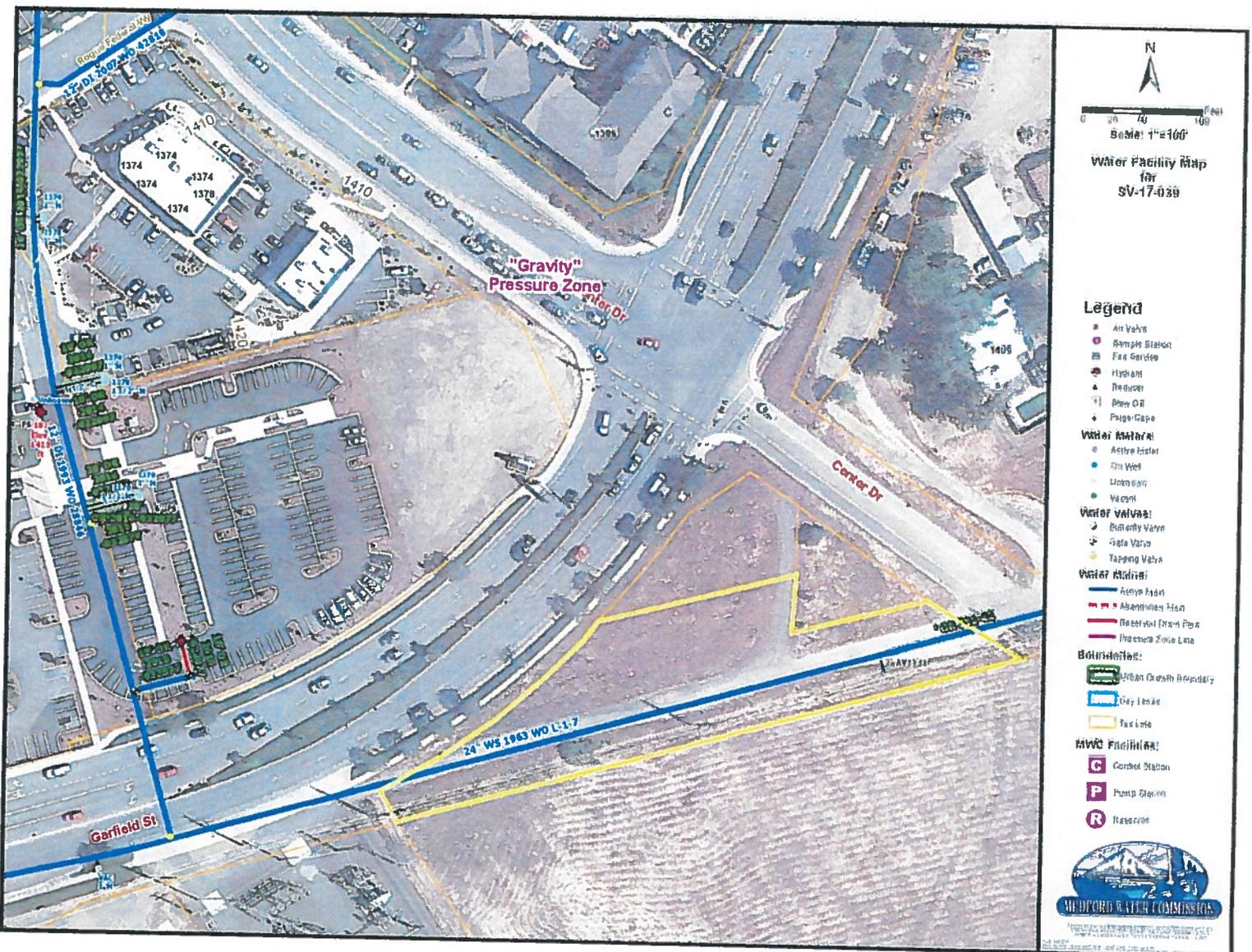


Exhibit G

City Surveyor Comments



CITY OF MEDFORD MEMORANDUM

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

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

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

Sarah, Please see redlines on attached DESC & EXH MAP. Please forward to applicant for revision.

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

cp
Attachments

THE LAST VACATION WITH THESE CIRCUMSTANCES I REMEMBER IS PUM STREET JOB 2009-35035/2010-2397 IN WHICH THE STREET WAS VACATED BY CITY & COUNTY.

THANKS, JOP
5/5/17

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

Exhibit H

Letter from Jackson County Roads



JACKSON COUNTY
Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6228
Fax: (541) 774-6255
Christke@jacksoncounty.org

www.jacksoncounty.org

May 9, 2017

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

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

Dear Sarah:

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

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

Sincerely,

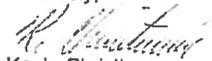

Kevin Christiansen
Construction Manager

Exhibit I

Aerial Photograph (submitted by applicant)

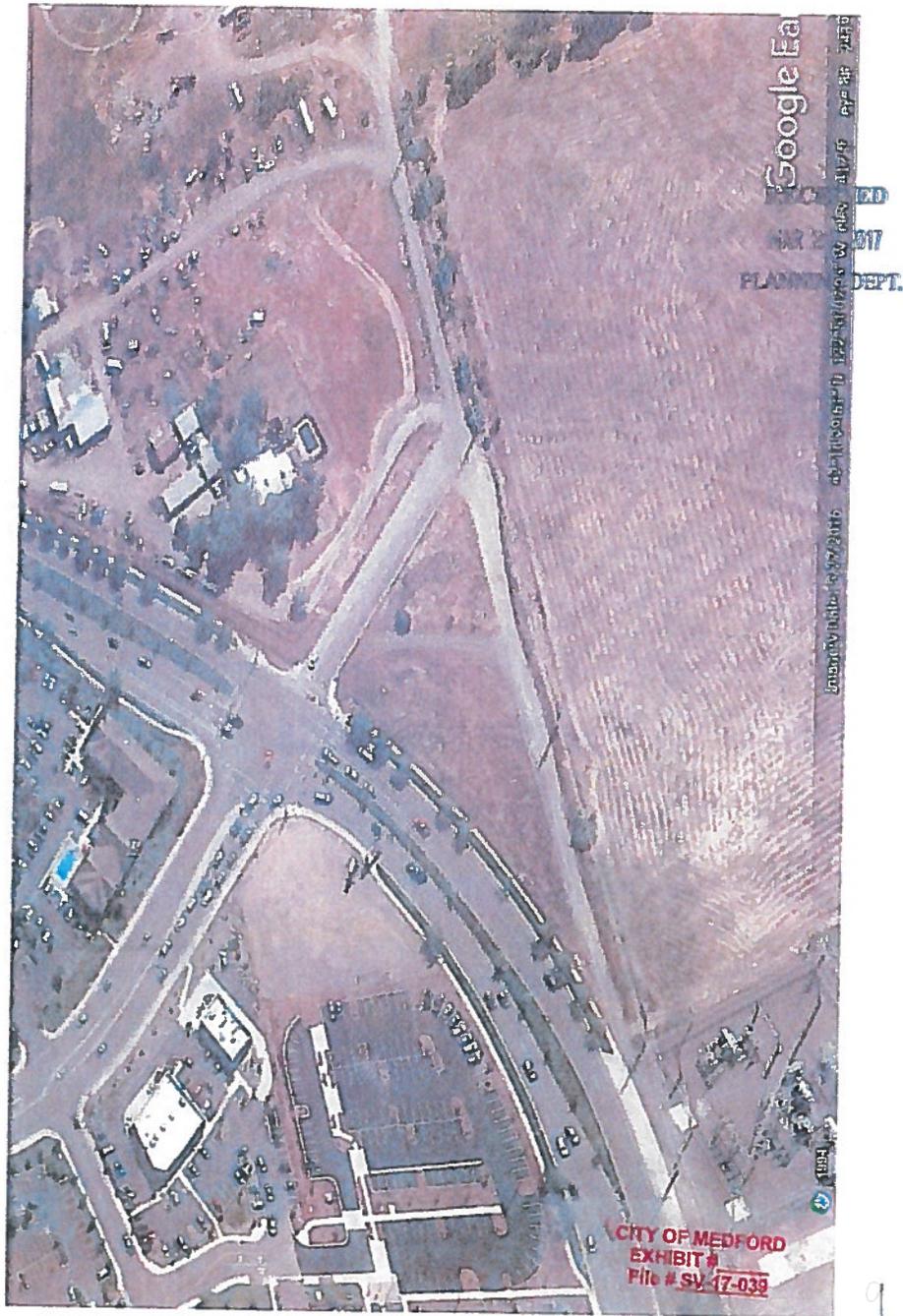
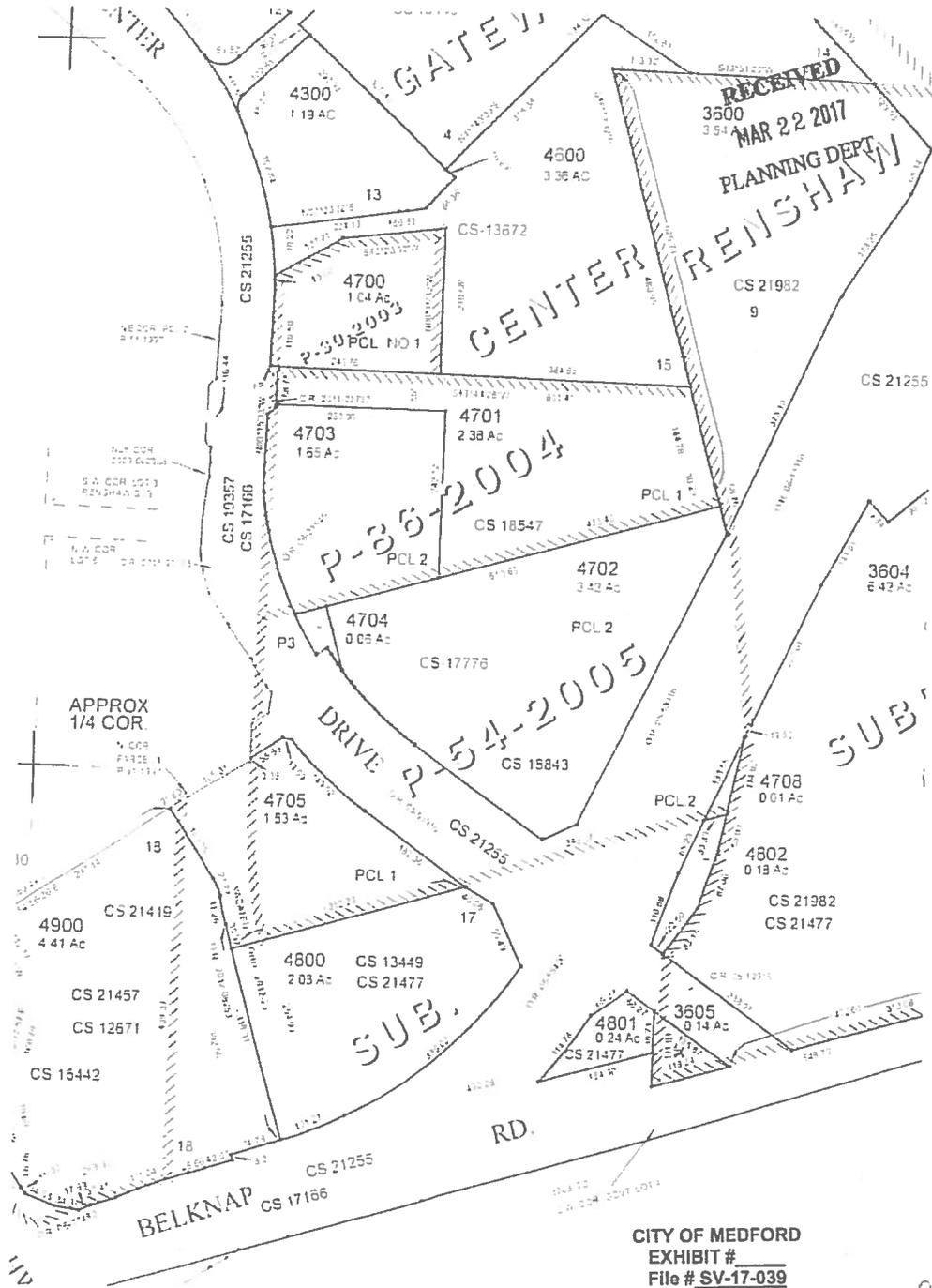


Exhibit J

Jackson County Assessor's Map (submitted by applicant)



CITY OF MEDFORD
EXHIBIT #
File # SV-17-039

Exhibit K

Letter of objection from Kolln's Attorney Stuart Foster

KAREN C. ALLAN
JASON M. ANDERSON
ERIC R. FOSTER
STUART E. FOSTER
TIMOTHY L. JACKLE
GERALD M. SHEAN III
PAUL F. McCLAY


FOSTER DENMAN LLP
ATTORNEYS AT LAW
3521 EAST BARNETT ROAD
P.O. BOX 1667
MEDFORD, OR 97501
TELEPHONE 541-770-5466 FAX 541-770-6502

LISA M. RAHM
TRUST AND PROBATE
ADMINISTRATOR
L. ESTELA RODRIGUEZ
STAFF ACCOUNTANT

July 13, 2017

RECEIVED

JUL 13 2017

PLANNING DEPT.

Hand Delivered

City of Medford Planning Commission
200 South Ivy Street
Lausmann Annex, Room 240
Medford, OR 97501

Re: Project: Belknap Road Vacation – File# SV-17-039

Dear Planning Commission Members:

This office represents Michael T. Kolln, trustee of the Michael T. Kolln Revocable Living Trust dated September 15, 2004 and Jennifer C. Kolln, trustee of the Jennifer C. Kolln Revocable Living Trust dated September 15, 2004 (collectively, the "Kollns"), the owners of the real property known as Tax Lot 200, Assessor's Map Number 371W32C, more particularly described in Exhibit "A" attached to and made a part of this letter (the "Kollns' Property").

The Kollns first became aware of the proposed vacation upon receiving notice of the vacation proceedings. Neither the City nor the Applicants contacted the Kollns prior to the initiation of the vacation process.

The Kollns hereby object to the vacation of Belknap Road. The Kollns' Property has a majority of the frontage on the portion of Belknap Road proposed to be vacated.

The Kolln Property will be substantially damaged by the vacation of Belknap Road. Belknap Road is adjacent to the entire northern boundary of the Kollns' Property. At a minimum, it is forty (40) feet in width and provides a public street to the Kollns' Property and contains public utilities within its right-of-way. The effect of losing a public street to a major portion of the northern boundary of the Kollns' Property will require them or future owners to provide for more roadway area within their property, thereby reducing the developable square feet by a minimum of 10,000 square feet, which currently has a value of \$16.00/sq. foot. In addition, the elimination of the public street access along the northern border of the Kollns' Property will reduce the development opportunities, thereby reducing the value of the Property. For example, the Applicants have not

City of Medford Planning Commission
July 13, 2017
Page 2

requested the vacation of Belknap Road east of Center Drive and their proposed development will utilize Belknap Road for access to their property.

We respectfully request that the Planning Commission recommend to the City Council that the Application for the Vacation of Belknap Road be denied.

Very truly yours,



Stuart E. Foster

SEF: cln

Cc: Clients

EXHIBIT "A"

Real property in the County of Jackson, State of Oregon, described as follows:

BEGINNING AT A POINT ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN VOLUME 76, PAGE 510, JACKSON COUNTY, OREGON, DEED RECORDS, SAID POINT BEING SOUTH 72°54' WEST, 1286.99 FEET (DEED RECORD = 1288.9 FEET) FROM THE NORTHEAST CORNER OF DONATION LAND CLAIM NO. 46, IN TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 15°06'37" EAST 501.54 FEET (DEED RECORDS = SOUTH 15°09' EAST, 502.0 FEET), TO THE NORTH LINE OF EL REY SUBDIVISION, A RECORDED PLAT OF JACKSON COUNTY, OREGON; THENCE SOUTH 51°16'32" WEST, ALONG SAID NORTH LINE, 690.87 FEET; THENCE NORTH 35°13'16" WEST, 795.94 FEET (DEED RECORD = NORTH 35°13'50" WEST, 796.27 FEET); THENCE NORTH 72°56'23" EAST, 907.22 FEET TO THE POINT OF BEGINNING.

SAVE AND EXCEPT THAT PART CONVEYED TO JACKSON COUNTY FOR PUBLIC ROAD DESCRIBED IN VOLUME 418, PAGE 434 AND IN VOLUME 549, PAGES 108 AND 109, JACKSON COUNTY, OREGON, DEED RECORDS.

NOTE: THIS LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

Exhibit L

Email from Mike Kuntz at Jackson County Roads

Subject: FW: Vacation of Belknap Road

From: Mike Kuntz [mailto:KuntzM@jacksoncounty.org]
Sent: Monday, June 12, 2017 11:56 AM
To: Alex T. Georgevitch; Jon M. Proud
Cc: 'crasamg@hotmail.com'; John Vial
Subject: Vacation of Belknap Road

Alex and Jon,

Sam Gressett visited me this morning to discuss the vacation of Belknap Road. Sam stated he was in the middle of the Medford vacation process and there was a question by Medford as to whether Medford has jurisdiction to perform the vacation.

Belknap Road was a County local access road prior to its annexation by Medford. It is the position of Jackson County that per ORS 368.031, Jackson County no longer has jurisdiction because the road is no longer outside a city. Thus, Jackson County believes Medford has jurisdiction to vacate Belknap Road.

If Medford disagrees with this position, then Jackson County would be willing to process the vacation as well to avoid hanging up the development. Per ORS 368.361, both city and county would have to independently process the vacation. The County approval of the vacation would likely state that County believes County approval is unnecessary but is granted in order to remove any ambiguity.

Let me know if Medford wishes any further involvement by County in this process.

Mike

Exhibit M

Affected Area Map Based on ORS 271.080 (original proposal)

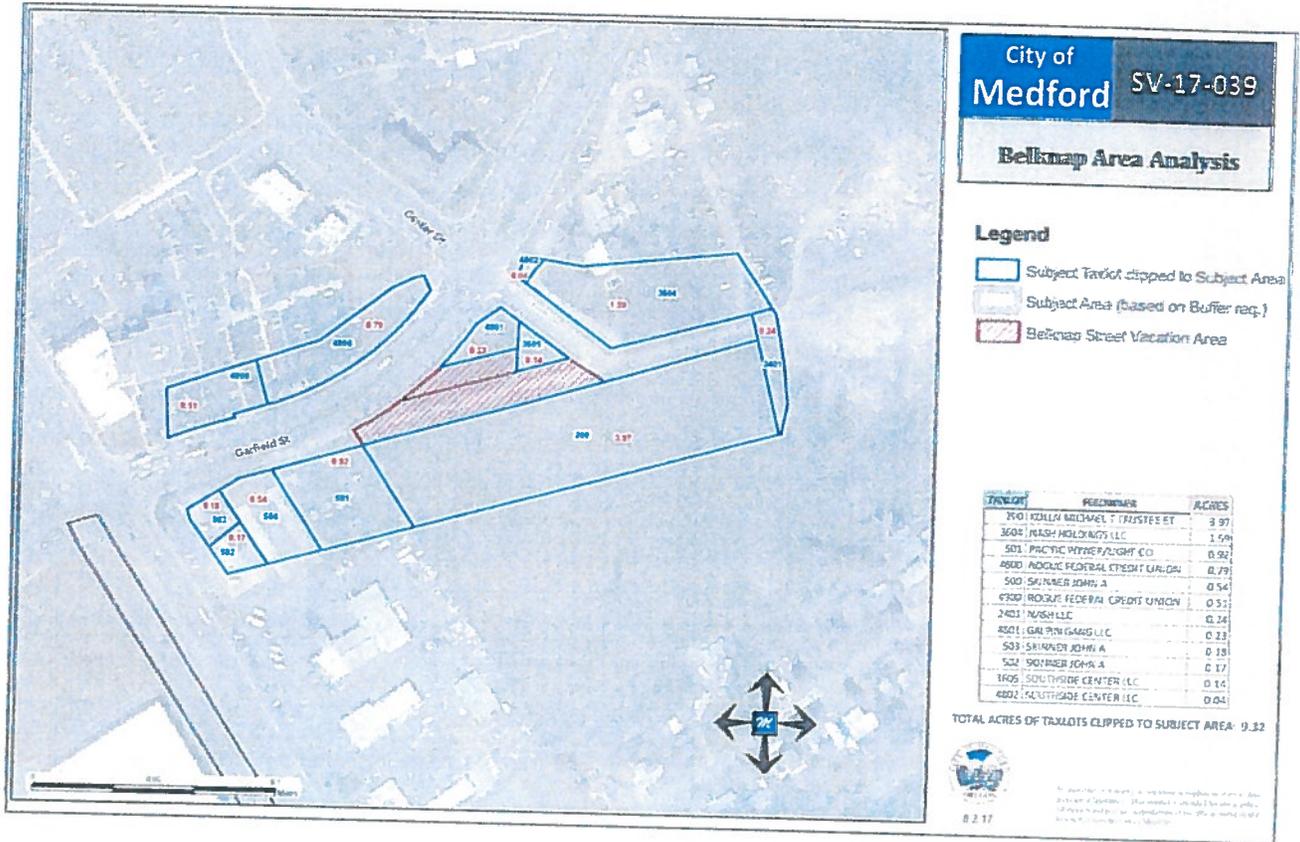


Exhibit N

Affected Area Map Based on ORS 271.080 (revised proposal)

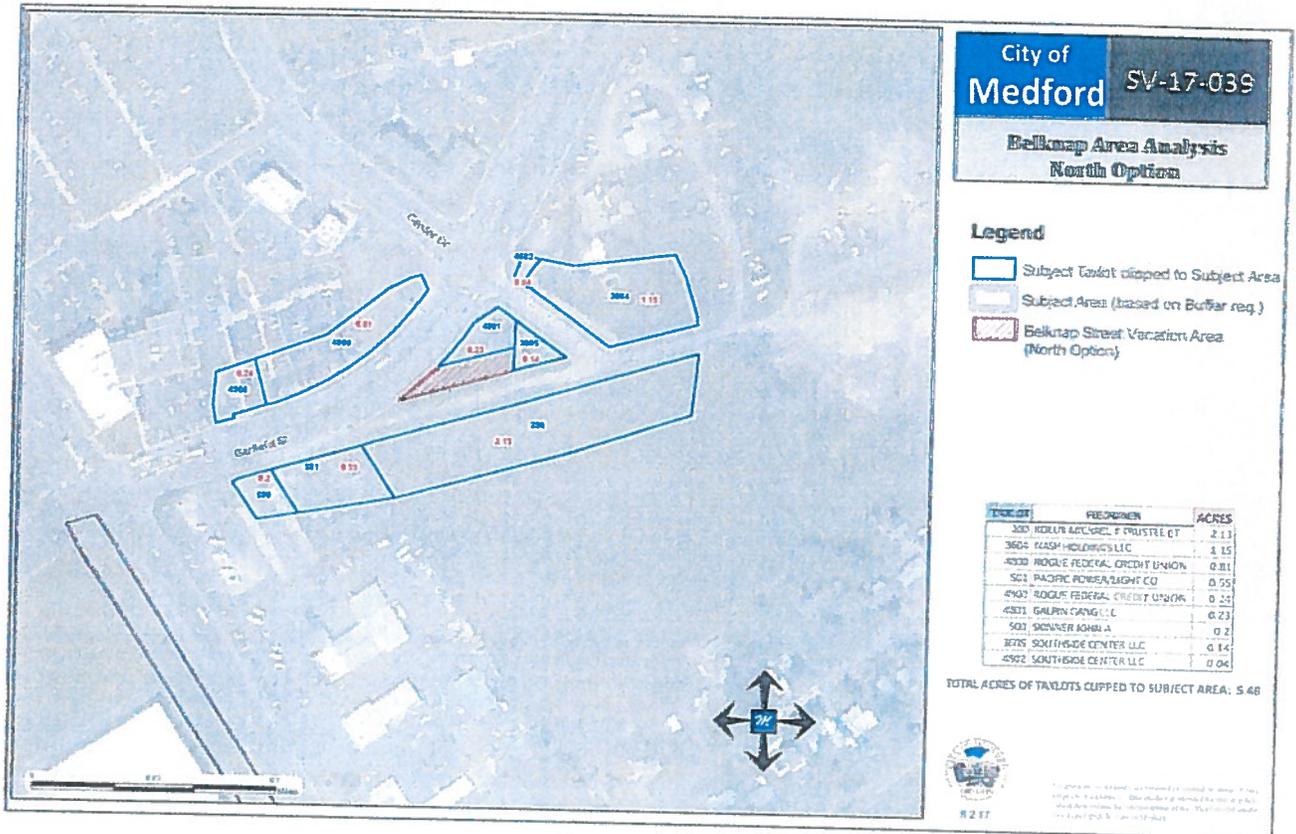


Exhibit O

Letter from C A Galpin with revised proposal

RECEIVED
JUL 20 2017
PLANNING DEPT.

South Center LLC
744 Cardley Ave, Ste 100
Medford OR 97504

Reference: Hearing Dated 7/13/2017, 5:30 p.m. Concerning the vacation of Belknap Road.

Dear Council Members and City Staff,

Thank you for the review of the requested vacation and the continuance for the requested additional information. We have also enclosed a response to the letter of opposition that we received at the hearing. Also included is an alternative solution to the matter if you so decide.

A. Ownership of Property Frontage.

In the testimony given at the hearing, it was stated that the opposing property owner (Kolln) controlled in excess of 50% of the lineal frontage of the area requested for vacation, therefore, an automatic denial of the vacation was appropriate. Please find enclosed (Exhibit A) a map provided by a licensed Oregon Surveyor showing that such claim is not correct. Kolln's frontage is 542.78 feet of the 1,205.40 feet of the lineal frontage. Therefore, the matter should continue.

B. Future Access

A statement was made that drawings of roads onto the neighboring parcel (Kolln) were presented to staff and was considered inappropriate. Please note, it is a requirement by the City of Medford when requesting a vacation that the applicant provide to staff, proof that connectivity to all inboard properties can be provided and in a manner that is equal to or superior to the existing right-of-way's. These Exhibits are conceptual only and can be altered by a property owner and City Staff. No road design on the Kolln property was intended, other than to display to staff that there is the ability to provide connectivity. There is, however, certain roads that cannot be altered, such as the intersection of Garfield and Center Drive. This intersection is an ODOT controlled facility including the existing extension of Center Drive that was designed to provide access for the area.

When Center Drive intersects with the existing remnant of right-of-way requested to be vacated, it creates an intersecting curve of approx. 135 degrees. If not redesigned, this would require a driver to look back over their shoulder in order to see oncoming traffic traveling down a major collector. Such an intersection is not considered safe. This is precisely why South Center did not use any portion of the existing right-of-way that would interfere with the construction of a safe intersection.

South Center and the other adjoining property owners do not want to interfere with the Kolln property if they have the desire to use the existing right-of-way as part of their access plan. This plan will need to deal with the existing easements in the old right-of-way including overhead transmission lines, City of Medford main water transmission line, (all which must remain) and the noted difficult intersection. Therefore, we would like to propose an alternate solution which would leave the existing road portion of the right-of-way in place. Included in Exhibit A, there is an area shown in blue that would not be needed for a future roadway. The area for a future roadway is shown in pink. We would request that if the vacation is not the whole then we request the vacation of the area (in blue). The Kolln property does not have any frontage on the remnant piece (in blue). It would involve only the adjoining property owners which support this alternate solution. This remnant piece (in blue) combined with the adjoining properties would allow for the development of this area. A large portion of this area would be for landscaping along Garfield to the existing Center Drive intersection, and then, as part of the South Center project onto the ramps of Interstate 5. This frontage is also the South entrance to our city from Interstate 5. A landscaped entrance would be much more appealing than the weed patch that currently exists. This alternative solution would satisfy all parties while leaving existing right-of-way (in pink) in place for whatever vision the Kolln property may have concerning the use of the old right-of-way.

Thank you for your consideration,

Respectfully yours,



C.A. Galpin

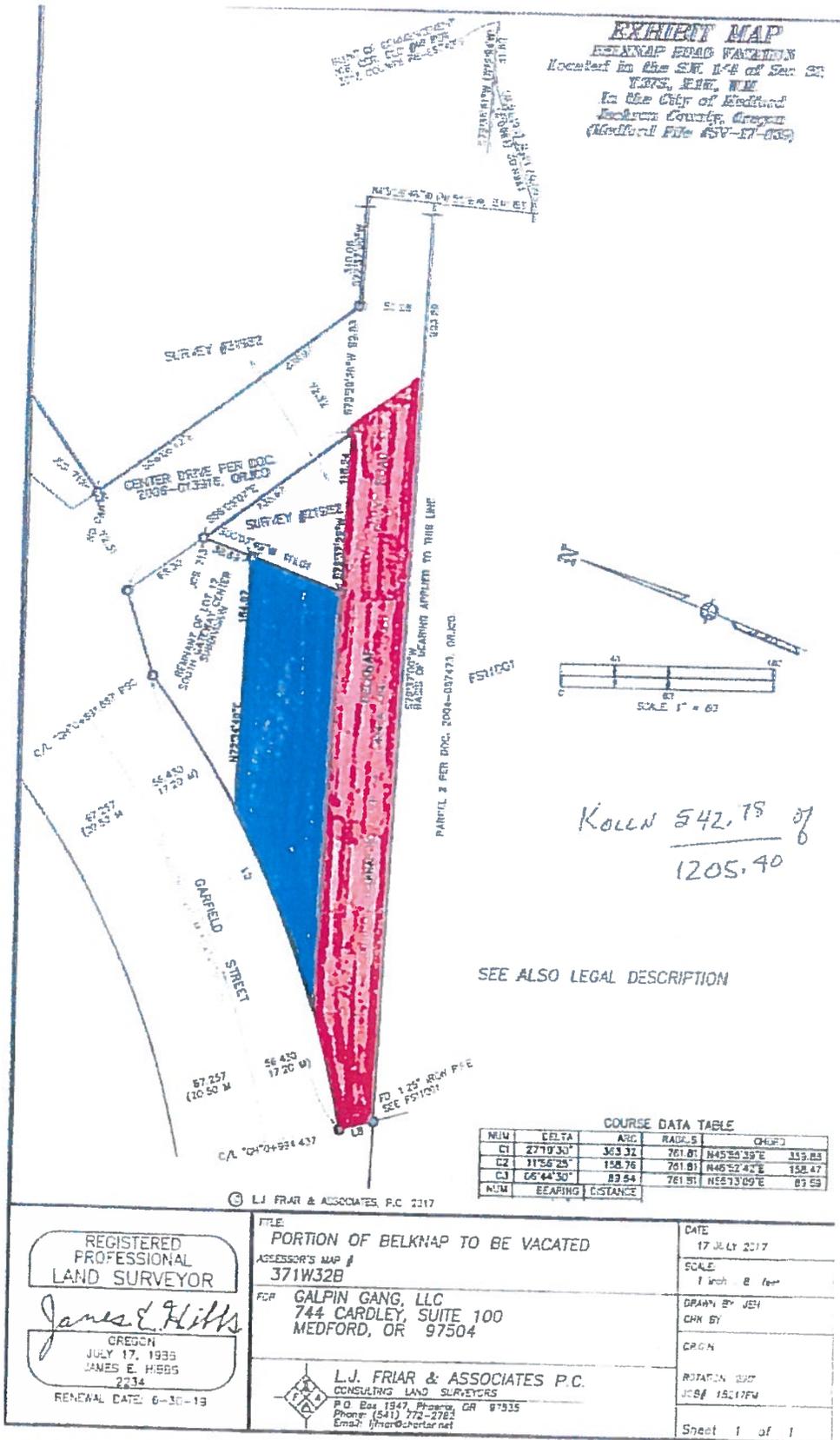


Exhibit P

Letter of acceptance from the Kolln's Attorney Stuart Foster

KAREN C. ALLAN
JASON M. ANDERSON
ERIC R. FOSTER
STUARTE FOSTER
TIMOTHY L. JACKLE
GERALD M. SHEAN III

PAUL F. MC CLAY


FOSTER DENMAN LLP
ATTORNEYS AT LAW

3521 EAST BARNETT ROAD
P.O. BOX 1667
MEDFORD, OR 97501
TELEPHONE 541-770-5466 FAX 541-770-6502

LISA M. RAHM
TRUST AND PROBATE
ADMINISTRATOR

L. ESTELA RODRIGUEZ
STAFF ACCOUNTANT

August 14, 2017

RECEIVED

AUG 14 2017

PLANNING DEPT.

Via Email

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

Sarah.sousa@cityofmedford.org

Re: Concerning the Vacation of Belknap Road

Dear Sarah:

This letter confirms our conversation of August 14, 2017, which I advised you that my clients, Michael and Jennifer Kolln, are in receipt of a letter from C.A. Galpin to the City of Medford in which he proposes that the vacation of Belknap Road be limited to the portion shown in blue on the enclosed exhibit map. The portion shown in red on the exhibit map would not be vacated.

Mr. Galpin's alternate proposal of only vacating the portion identified in blue on the exhibit map is acceptable to my clients.

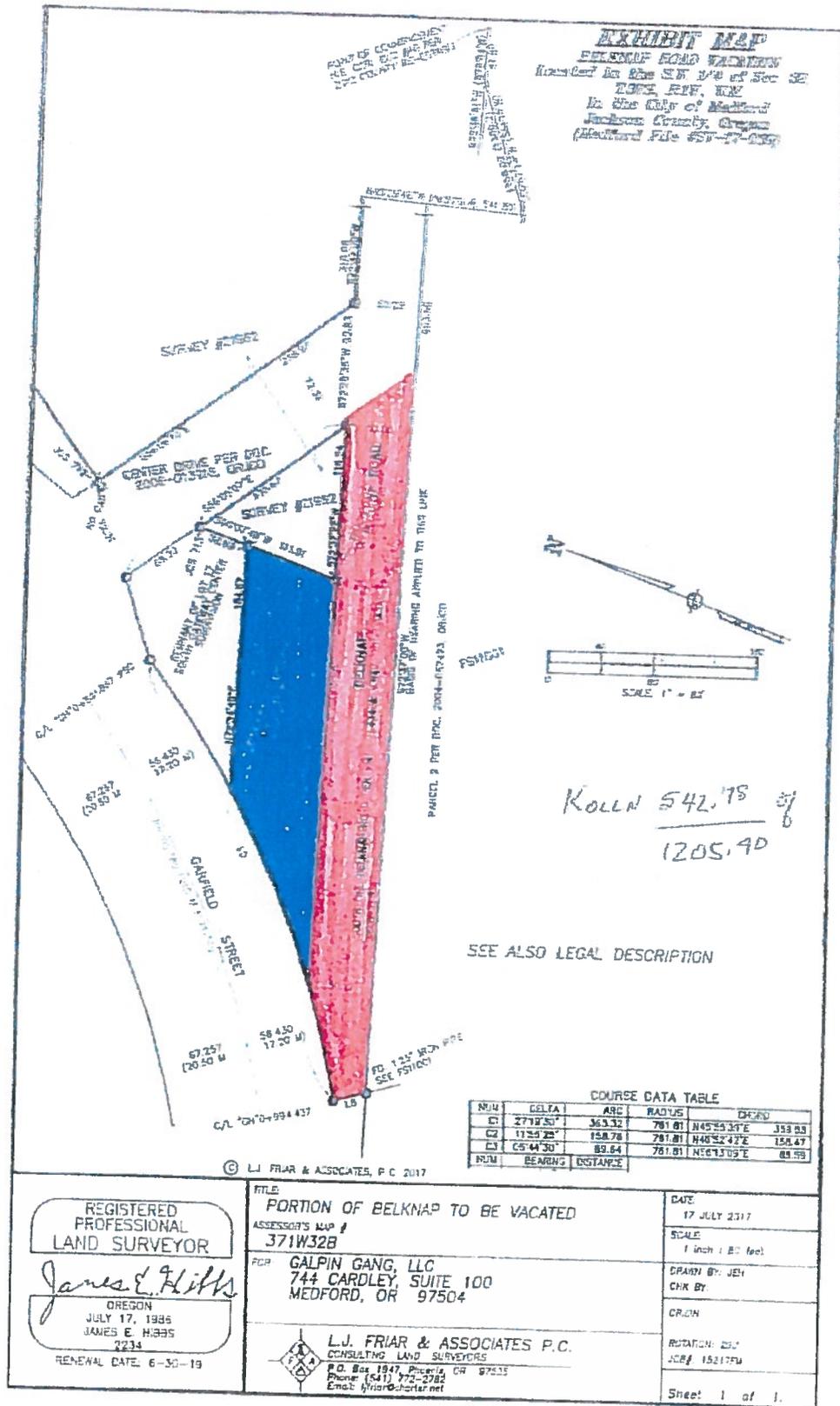
Very truly yours,



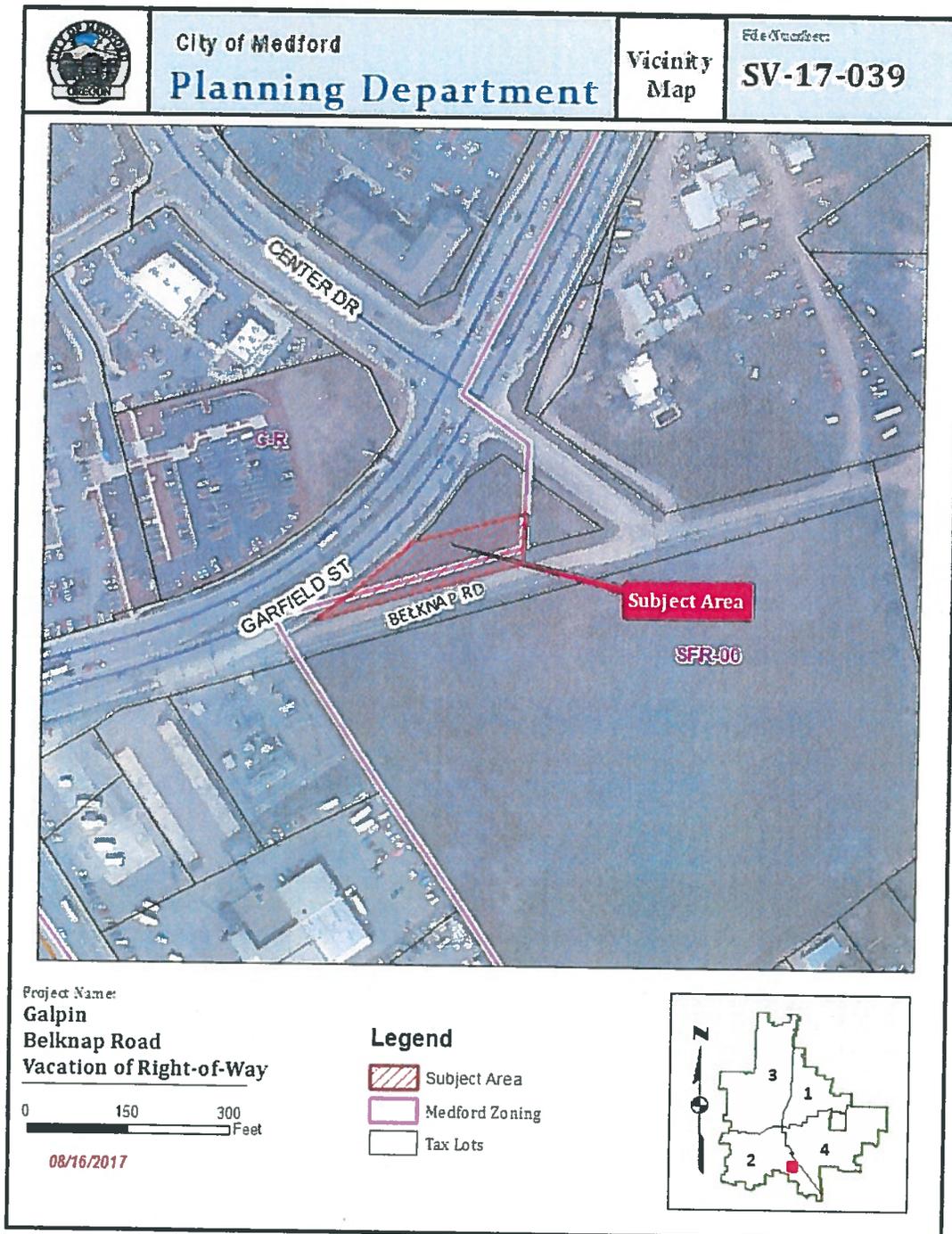
Stuart E. Foster

SEF: cln
Enclosure

Cc: Clients



Vicinity Map





City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT - REVISED

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

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

FILE NO. LDS-17-050

TO Planning Commission *for August 24, 2017 hearing*

FROM Dustin Severs, Planner III

REVIEWER Kelly Akin, Assistant Planning Director *KA*

DATE August 17, 2017

BACKGROUND

Commission Update

Following the presentation of the staff report at the public hearing held on July 13, 2017, the Commission expressed concern with the applicant’s proposed tentative plat and its compliance with the criteria for a pad lot development as established per the Code, with numerous Commissioners stating their intent to vote against the standing motion to approve the request. The Commission’s apprehension in supporting the request, as expressed at the hearing, was their view that the proposed layout of the tentative plat was less characteristic of pad lot development, and more characteristic of a conventional subdivision – nullifying the purpose and intent of a pad lot development. In response, the applicant requested a continuance in order to be provided additional time to address some of the concerns expressed by the Commission, and the continuance request was granted by the Commission. As part of this report, the applicant has submitted a revised tentative plat (Exhibit R) showing a subdivision more characteristic of a pad lot development in which the applicant feels adequately addresses the concerns expressed by the Commission during the first public hearing.

Proposal

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

Subject Site Characteristics

Zoning: I-G
GLUP: HI (Heavy Industrial)

Overlays: I-00 (Limited Industrial) & AC (Airport Area of Concern)
Use: Industrial Park

Surrounding Site Characteristics

North Zone: Jackson County – GI (General Industrial)
Use(s): Boise Cascade Wood Products

South Zone: SFR-6 (Single-Family Residential, 6 dwelling units per gross acre)
Use(s): Industrial Warehouse Buildings

East Zone: Jackson County – LI (light Industrial)
Use(s): Consolidated Graphics, Suburban Propane.

West Zone: Jackson County – Exclusive Farm Use (EFU)
Use(s): Agricultural uses and warehouse building

Related Projects

A-07-147 Annexation

LDS-11-045/E-11-126 Industrial Subdivision with Exception request for reduced right-of-way length and width. Request Denied.

A-13-041 De-annexation. Request denied.

Applicable Criteria

MLDC 10.270: Land Division Criteria

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

- (1) Is consistent with the Comprehensive Plan, any other applicable specific plans thereto, including Neighborhood Circulation Plans, and all applicable design standards set forth in Article IV and V;*
- (2) Will not prevent development of the remainder of the property under the same ownership, if any, or of adjoining land or of access thereto, in accordance with this chapter;*
- (3) Bears a name that has been approved by the approving authority and does not use a word which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the City of Medford; except for the words "town", "city", "place", "court", "addition", or similar words; unless the land platted is contiguous to and platted by the same applicant that platted the land division bearing that name; or*

unless the applicant files and records the consent of the party who platted the land division bearing that name and the block numbers continue those of the plat of the same name last filed;

- (4) If it includes the creation of streets or alleys, that such streets or alleys are laid out to be consistent with existing and planned streets and alleys and with the plats of land divisions already approved for adjoining property unless the approving authority determines it is in the public interest to modify the street pattern;*
- (5) If it has streets or alleys that are proposed to be held for private use, that they are distinguished from the public streets or alleys on the tentative plat, and reservations or restrictions relating to the private streets or alleys are set forth;*
- (6) Will not cause an unmitigated land use conflict between the land division and adjoining agricultural lands within the EFU (Exclusive Farm Use) zoning district.*

Applicable Code Sections

10.703 Pad Lot Development

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

B. Development Standards.

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

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

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

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

(a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of

buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.

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

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

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

ISSUES AND ANALYSIS

Project Summary

Site Description

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

Background

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

On April 4, 2011, the applicant submitted an application for a Land Division (LDS-11-045). The proposal was to create nine lots, one for each of the existing nine buildings. An Exception application requesting relief from various dimensional requirements for public streets was filed concurrently with the land division request for the privately-owned streets, as the 1,350-foot long dead-end street (Ehrman Way) and the 630-foot long cul-de-sac (Ehrman Circle) exceeded the 450-foot maximum lengths allowed per MLDC 10.439 and 10.450, respectively (E-11-126). Concurring with the recommendations of Public Works and the Planning Staff, the Planning Commission denied the application, with the Commission determining that the proposal did not meet the requirements for dead-end streets per MLDC 10.439, cul-de-sacs per MLDC 10.450, and street widths per MLDC 10.430(B). The applicant would go on to request that the public hearing be continued a total of 11 times, but the Planning Commission ultimately adopted the Final Orders denying the Land Division and Exception applications on February 23, 2012 - an appeal of the decision was not filed. In response to the denial of the land division request, the applicant submitted a request to de-annex from the City in 2013 - this request was likewise denied by the City (A-13-041).

Current Proposal

The applicant is now once again requesting to divide the property, this time opting to divide the property as a pad lot development pursuant to MLDC 10.703. As with PUD's, pad lot developments may be approved without dedicating the roadways as public streets and being constructed to City standards - effectively bypassing the issue in which prevented the approval of the property from being divided through the conventional land division process in 2011-12. The nine-lot pad lot development is proposed to create a shared common area which includes the access, both Ehrman Way and Ehrman Circle (Common Area A); utilities; common landscaping of the property; and common areas between the individual buildings showing cross access easements (Common Area B & C). The applicant's submitted findings (Exhibit H) state that there are no plans at this time to change the existing use of the property or to modify any of the existing development, and the approval for the creation of a pad lot would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

While the original tentative plat (Exhibit B) submitted by the applicant was virtually identical to the subdivision plat that was denied by the City in 2011, the revised tentative plat (Exhibit R) shows an altered layout, with the individual lots shown as "islands" within the larger common area of the development, characteristic of a pad lot development.

Pad Lot Development Criteria – Analysis

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

The submitted tentative pad lot does not show the proposed lot lines located along a common wall, nor within four feet of an exterior building wall; however, the Code does provide the

Planning Commission the authority to allow a greater distance for *special purposes*. It is the burden of the applicant to effectively demonstrate such *special purposes* in their submitted findings. Accordingly, the applicant's findings assert that the need for the lots to extend beyond four feet of the exterior walls is created by the existing use of the property and orientation of existing development, specifically, the existing loading docks associated with the individual buildings extend well beyond four feet from the exterior building walls, which prevent lot lines from being located within four feet from the exterior building walls. It is staff's view that the applicant's intention to locate the loading dock, along with necessary space to allow sufficient maneuverability for trucks, beyond the four foot minimum as required by the Code, is a reasonable request. Furthermore, as such a site configuration cannot be created as a pad lot development without the granting of relief due to the fact that this is an existing development, provides a sufficient rationale to constitute a *special purpose*- justifying the approval of relief.

Staff was unsupportive of the original tentative plat (Exhibit B) submitted by the applicant, as MLDC 10.703(A), cited above, states that the purpose of a pad lot is not to provide relief from the strict standards elsewhere established in the Code. The submitting of a plat virtually identical to the plat that was previously denied in the applicant's earlier attempt to divide the property pursuant to the conventional land division process in 2011 seemed to be at odds with the stated purpose of a pad lot development - an apparent attempt to circumvent the standards of the Code. However, it is staff's view that the revised tentative plat (Exhibit R) is much more akin to the purpose of a pad lot development, and therefore, the granting of relief from strict adherence to criterion 1 can be made in keeping with the spirit of a pad lot development. Ultimately, the revised site plan serves as an effective balance between the goal of the Commission: seeking a plat layout in keeping with the purpose of a pad lot development consistent with the Code; and the goal of the applicant: seeking to prepare the site for the individual sale of the existing buildings along with the associated parking, maneuvering and loading areas contained within the same lot without having to separate them – a potential detriment to the marketing of the individual buildings for sale.

This criterion can be met provided that the Commission – citing a *special purpose* - allows the applicant relief from the requirement that all lot lines located within the common area be located within four feet of the exterior walls of the existing buildings within the site.

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

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

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

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

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

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

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

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

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

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

Agricultural Impact Assessment

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

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

(1) Agricultural Classification (Intensive or Passive). For the purposes of this Section, agricultural land is hereby classified as either intensive or passive. Intensive agriculture is defined as farming which is under intensive day-to-day management, and includes fruit orchards and the intensive raising and harvesting of crops or, notwithstanding its current use, has soils of which a majority are class I through IV as determined by the NRCS, has irrigation water available and is outside of the Urban Growth Boundary. Passive agriculture is defined as farming that is not under intensive day-to-day management, and includes land used as pasture for the raising of livestock. The

approving authority shall determine whether adjacent agricultural uses are intensive or passive based upon the specific circumstances of each case and the nature of agriculture which exists on the adjacent land zoned EFU or EA at the time the urban development application is filed and accepted by the City.

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

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

In the AIA, the applicant stipulates to the Code requirements of agricultural mitigation for properties abutting EFU land classified as intensive agriculture consistent with MLDC 10801(D)(1), including the construction of a 6 foot chain link fence along the 775 feet of the common lot line, and the recording of a Deed Declaration for the lots abutting the EFU land. However, the AIA concludes that, “since the agricultural uses are not occurring within 200 feet of the industrial development, the landscaping requirements by Section 10.801(D) is not necessary, and requiring trees to be planted along the boundary between these two existing developments would create new conflicts rather than mitigate existing conflicts”. The AIA further finds that, “The existing storage yard and storage building provide more than 260-feet of separation between the urban industrial use and the crop production. In addition, the existing storage building provides a barrier between the two uses, reducing visibility, and lessening potential impacts from noise and dust. These existing conditions exceed the buffering standards required by Section 10.801(D).”

Staff concurs with the applicant’s AIA findings that given the existing crop production is located over 260 feet from the subject site, coupled with the fact that the existing storage yard and storage building already serve as an effective buffer, that the requirements for landscaping per

MLDC 10.801(D) is not necessary. Therefore, It is staff's view that the granting of relief from complying with the Code requirement for the planting of a landscape buffer in order to minimize or mitigate the adverse potential impacts associated with the proximity of the subject industrial uses and the abutting agricultural uses, can be granted in keeping with the intent and purpose of MLDC 10.801. Ultimately, the approval of this application will only allow the existing buildings to be individually owned; the act of dividing the land does not generate additional impacts on the agricultural lands.

Facility Adequacy

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

Committee Comments

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

FINDINGS AND CONCLUSIONS

Land Division Criteria

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

Pad lot Development Criteria

Staff finds the applicant's revised tentative plat (Exhibit R) can meet the criteria established for a pad lot development with the Commission's concurrence with staff's findings that special purposes exist on the site, warranting the granting of relief from complying with the strict standards identified in criterion #1. Staff recommends that the Commission adopt staff's Findings of Fact pertaining to the Pad lot Development criteria found in in staff's analysis above.

RECOMMENDED ACTION

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

EXHIBITS

- A Conditions of Approval - Revised, dated August 17, 2017.
- B Tentative Plat – Original, received April 13, 2017.
- C Storm Detention Plans (8) (County approved from 2003), received April 13, 2017.
- D Approved Property Line Adjustment from 2003, received April 13, 2017.
- E Approved Site Plan from 2003, received April 13, 2017.
- F Assessors Map, received April 13, 2017.
- G Aerial Map, received April 13, 2017.
- H Applicant’s Findings of Fact and Conclusions of Law - Original, received April 13, 2017.
- I Subdivision and Condominium Plat Name Approval Request Form (2) (Jackson County) dated March 1, 2017.
- J Public Works Staff Report dated May 24, 2017.
- K Medford Water Commission memo and map, dated May 24, 2017.
- L Medford Fire Department Report, dated May 24, 2017.
- M Oregon Department of Aviation email, received May 18, 2017.
- N Jackson County Roads email, received May 15, 2017.
- O Rogue Valley Sewer Services (RVSS) email, received May 17, 2017.
- P Agricultural Impact Assessment, received April 13, 2017.
- Q Applicant’s PowerPoint presentation from the July 13, 2017 public hearing.
- R Tentative Plat – Revised (2), received August 16, 2017.
Vicinity map

PLANNING COMMISSION AGENDA:

JULY 13, 2017
JULY 27, 2017
AUGUST 10, 2017
AUGUST 24, 2017

EXHIBIT A

Jam Industrial Park – Pad Lot Development

LDS-17-050

Conditions of Approval

August 17, 2017

CODE REQUIRED CONDITIONS

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

1. Comply with all conditions stipulated by Medford Public Works Department (Exhibit J)
2. Comply with all conditions stipulated by the Medford Water Commission (Exhibit K).
3. Comply with all requirements of the Medford Fire Department (Exhibit L).
4. Submit to the City documentation of the development's Covenants, Conditions, and Restrictions (CC&Rs) recorded in the official records of Jackson County per the requirements found in MLDC 10.703(B)(4).

JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:
The Merlin and JoAnn Fjarli Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:
Kaiser Surveying
19754 Highway 62
Eagle Point, OR. 97524

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
Bary D. Kaiser
CREATED
JULY 18, 2003
BARY D. KAISER
No. 82923
EXP. 6-30-17

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

RECEIVED
APR 13 2017
PLANNING DEPT.
SCALE: 1" = 100'

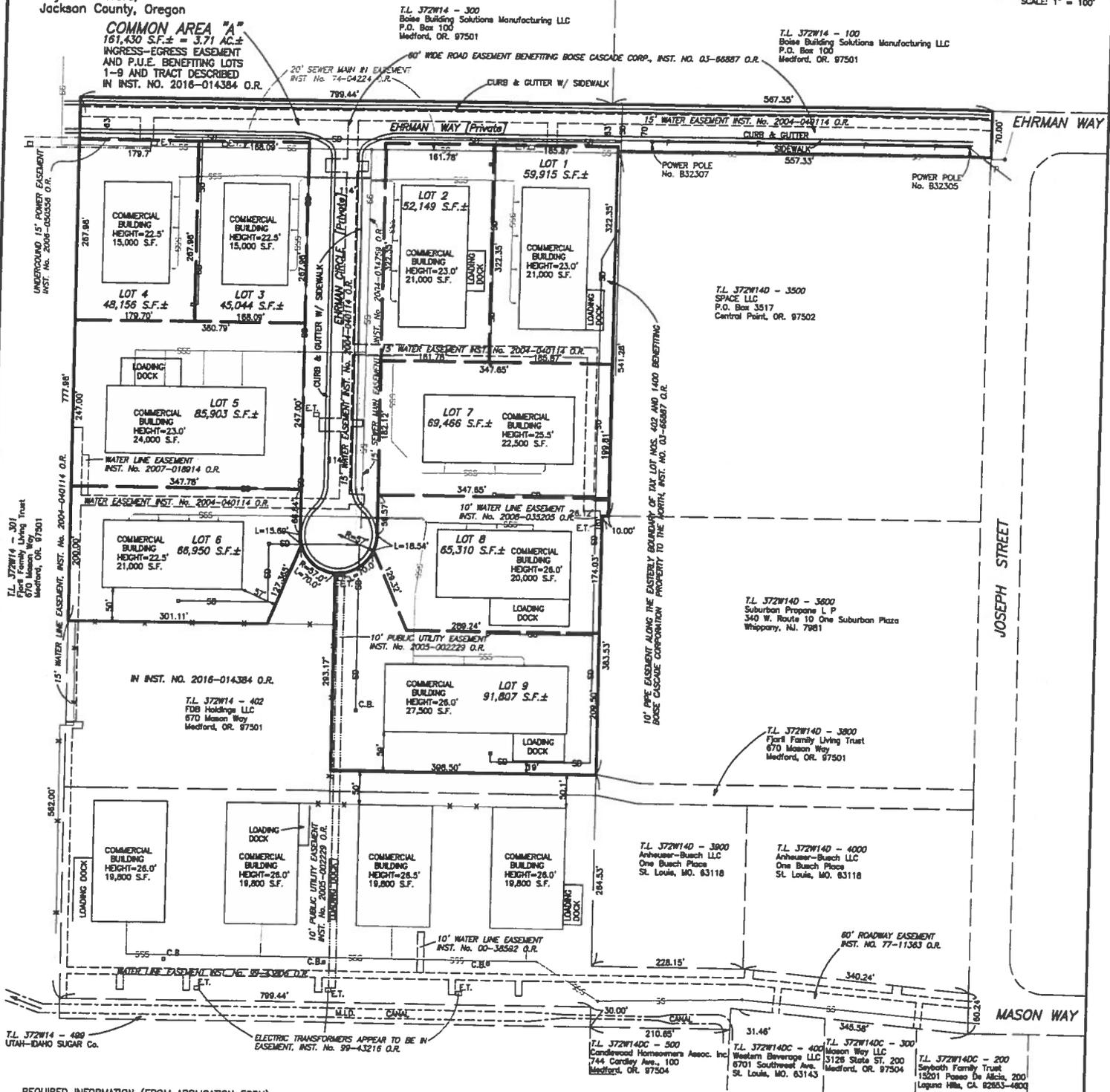
LOCATION: Tax Lot No. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE: December 6, 2016

COMMON AREA "A"
161,430 S.F. ± = 3.71 AC. ±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014384 O.R.

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

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



REQUIRED INFORMATION (FROM APPLICATION FORM)

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

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

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

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

- Power line easements recorded in Vol. 226, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.
- Documents recorded in Inst. Nos. 76-22653 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.
- Gas line easements recorded in Inst. Nos. 73-17369 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southerly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23685 O.R. appears to a blanket easement for maintenance of natural gas facilities.
- Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easement. Exact

T.L. 372W14 - 489
UTAH-IDAHO SUGAR Co.

T.L. 372W14 - 300
Fjarli Family Living Trust
670 Mason Way
Medford, OR. 97501

T.L. 372W14 - 300
Suburban Propane L P
340 W. Route 10 One Suburban Plaza
Whippany, NJ. 7981

T.L. 372W14 - 3800
Fjarli Family Living Trust
670 Mason Way
Medford, OR. 97501

T.L. 372W14 - 3000
Anheuser-Busch LLC
One Busch Place
St. Louis, MO. 63118

T.L. 372W14 - 4000
Anheuser-Busch LLC
One Busch Place
St. Louis, MO. 63118

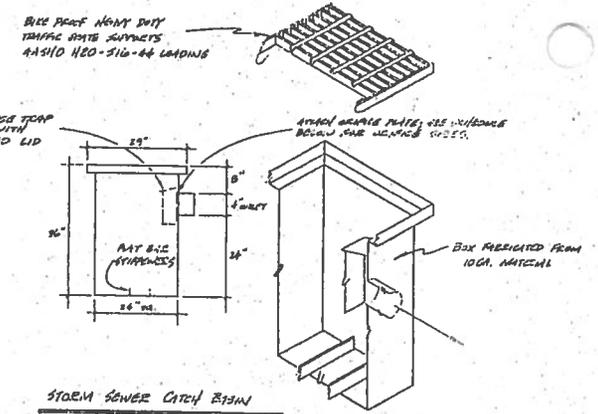
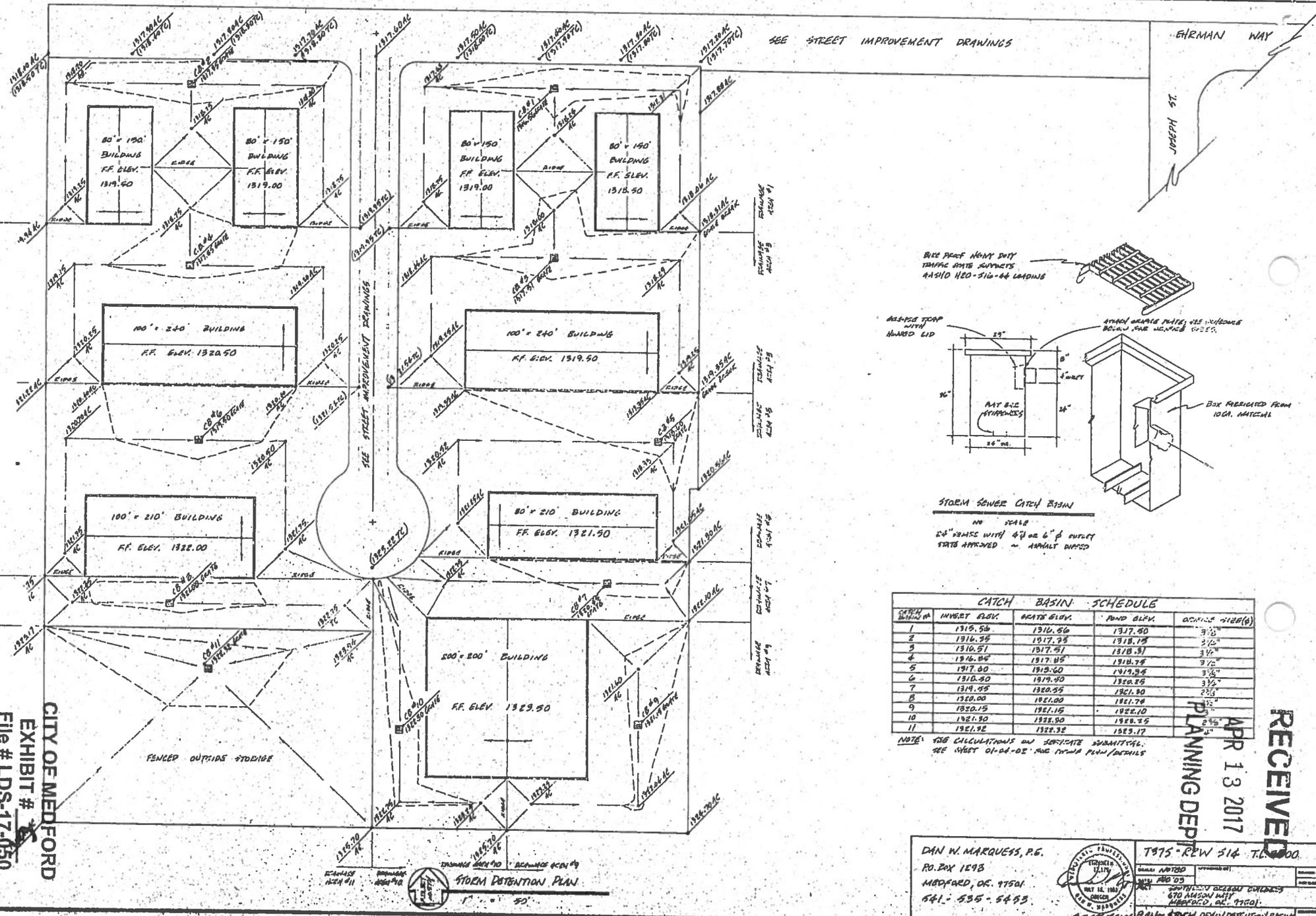
T.L. 372W14 - 500
Condensed Homeowners Assoc. Inc.
744 Carday Ave. - 100
Medford, OR. 97504

T.L. 372W14 - 400
Western Beverage LLC
8701 Southwest Ave.
St. Louis, MO. 63143

T.L. 372W14 - 300
Mason Way LLC
5128 State St. 200
Medford, OR. 97504

T.L. 372W14 - 200
Sayboth Family Trust
13201 Paseo De Alicia, 200
Logans Hills, CA. 92653-4000

CITY OF MEDFORD
EXHIBIT # B
FILE # LDS-17-050



CATCH BASIN SCHEDULE

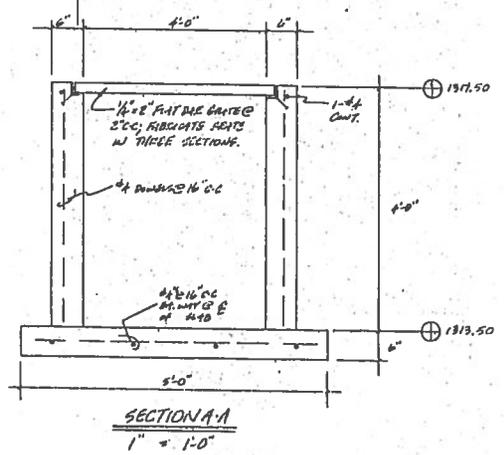
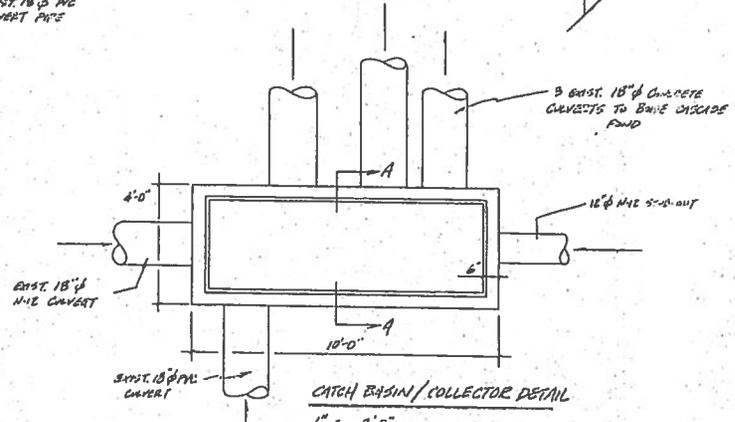
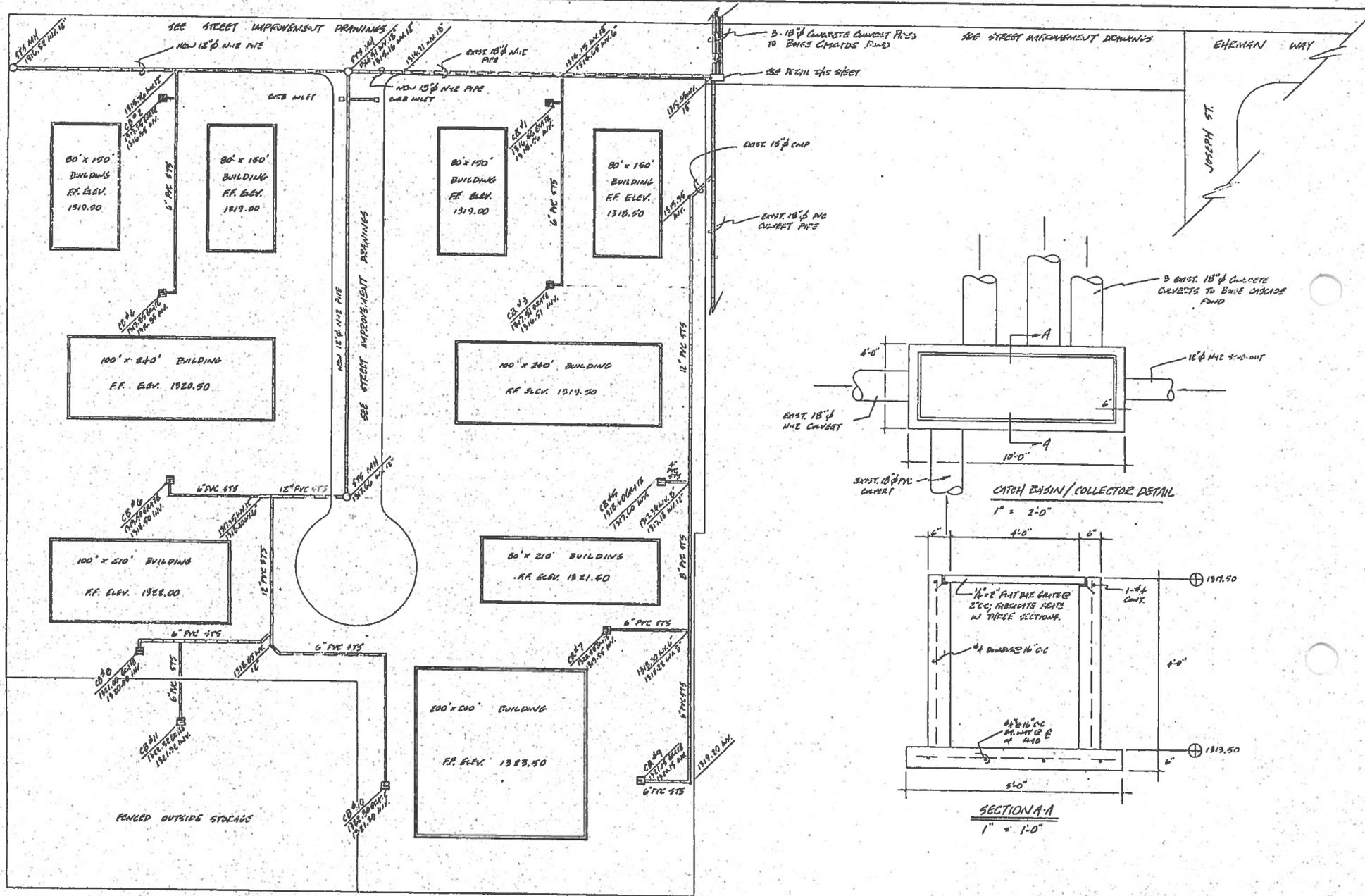
CATCH BASIN #	INVERT ELEV.	GRATE ELEV.	POND ELEV.	ORIG. SIZE (ft)
1	1316.50	1316.50	1317.50	3'0"
2	1316.55	1317.55	1318.75	3'0"
3	1316.57	1317.57	1318.57	3'0"
4	1316.64	1317.64	1318.75	3'0"
5	1317.00	1318.00	1319.50	3'0"
6	1318.00	1319.00	1320.50	3'0"
7	1319.55	1320.55	1321.50	3'0"
8	1320.00	1321.00	1321.75	3'0"
9	1320.15	1321.15	1322.10	3'0"
10	1321.30	1322.30	1323.25	2'0"
11	1321.32	1322.32	1323.17	2'0"

NOTE: THE CALCULATIONS ON SEPARATE SUBMITTAL. SEE SHEET 01-01-02 FOR FLOW PATH/DETAILS.

RECEIVED
APR 13 2017
PLANNING DEPT.

DAN W. MARQUESS, P.E.
P.O. BOX 1293
MEDFORD, OR. 97501
541-535-5453

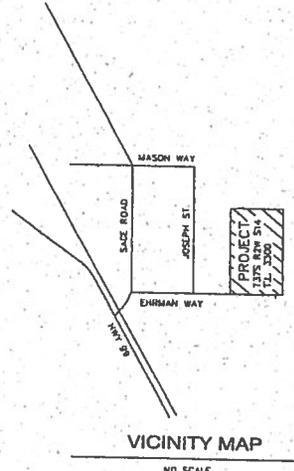
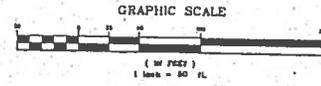
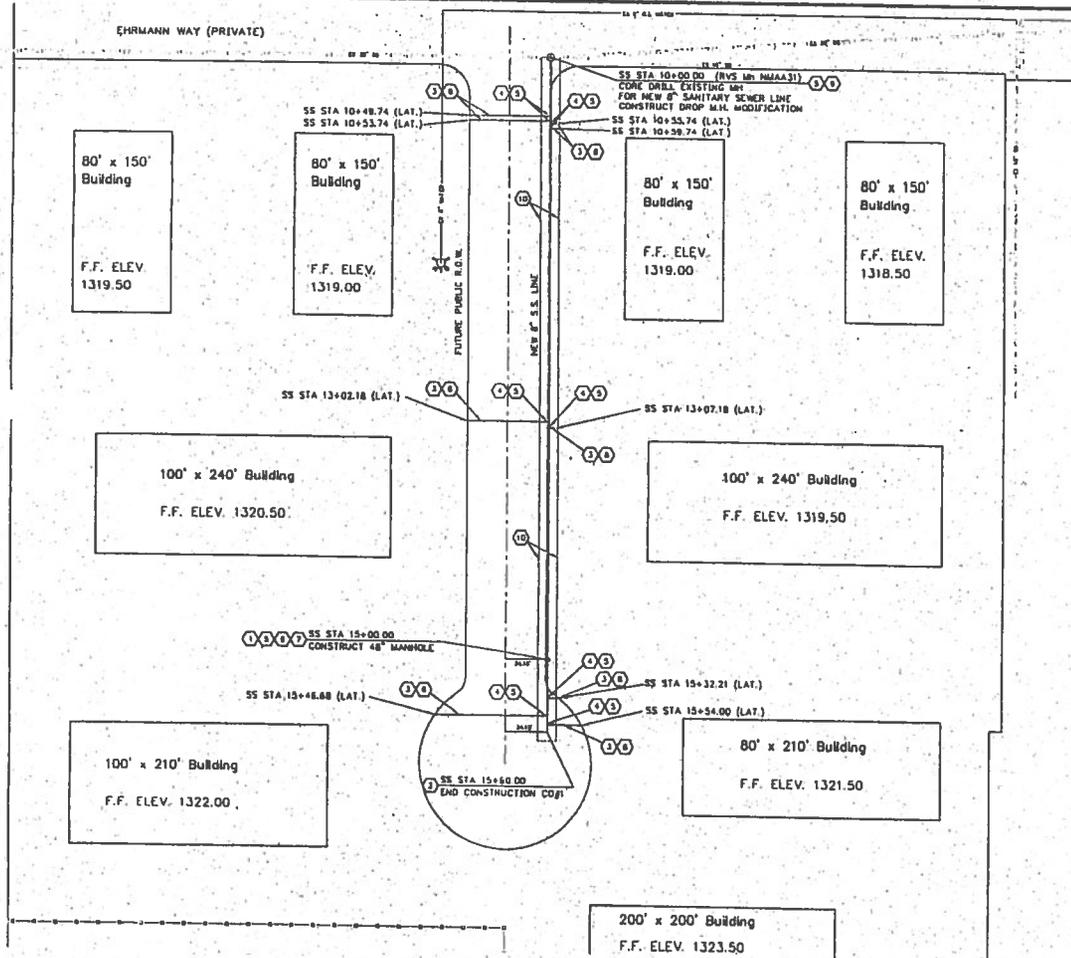
7975-RW 314 T.L. 000
DATE: APR 20 2017
DRAWN: JLD
CHECKED: JLD
SCALE: AS SHOWN
SOUTH COAST DESIGN BUILDERS
670 MASSON WAY
MEDFORD, OR. 97501
PLAN - STORM WATER RETENTION BASIN



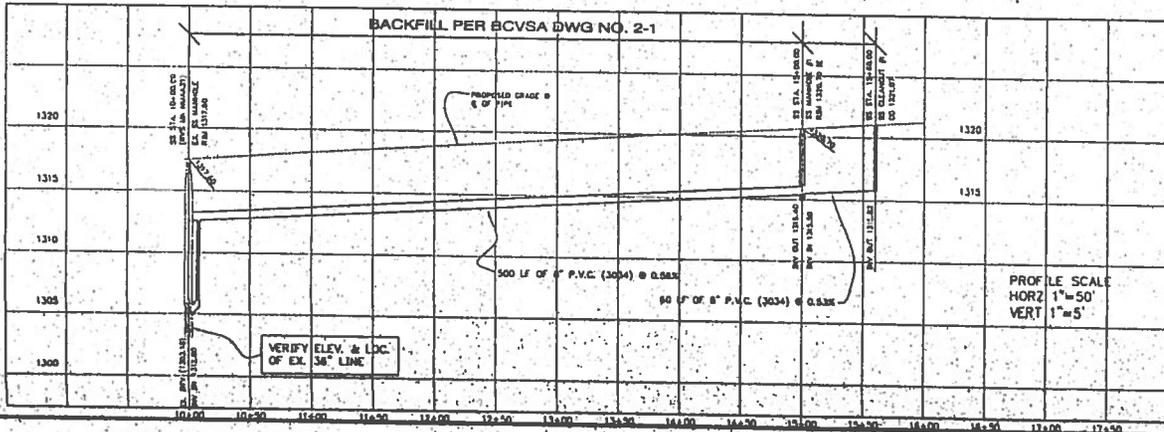
DAN W. MARQUESS, P.E.
 PO Box 1298
 MEDFORD, OR 97501
 541-635-5453

REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 12178
 EXPIRES 12/31/2004
 STATE OF OREGON
 DAN W. MARQUESS

T575 REN 514 TL 3300
 SHEET 12B.101
 DATE: 12/15/01
 PROJECT: COMMERCIAL GARAGE REPAIRS
 670 HANSON WAY
 MEDFORD, OR 97501
 SYSTEM TO USE PIPING PLAN/DETAILS 01-



- CONSTRUCTION NOTES**
- 1) INSTALL 48" MANHOLE PER BCVSA STD. DWG NO. 6-1
 - 2) CONSTRUCT CLEANOUT PER BCVSA STD. DWG NO. 6-4
 - 3) CONSTRUCT TRENCH BACKFILL PER BCVSA STD. DWG NO. 2-1
 - 4) CONSTRUCT SERVICE CONNECTION PER BCVSA STD. DWG NO. 3-1
 - 5) CONSTRUCT MANUFACTURED WYE'S & TEE'S AS NEEDED FOR A SEALED SYSTEM
 - 6) CONSTRUCT MANHOLE ADJUSTMENT PER BCVSA STD. DWG NO. 6-2
 - 7) CONSTRUCT MANHOLE COVER PER BCVSA STD. DWG NO. 6-3
 - 8) CONSTRUCT 8" SANITARY SEWER LATERALS (3034)
 - 9) CONTRACTOR TO CORE DRILL EXISTING SANITARY SEWER MANHOLE. CONTRACTOR TO REMOVE INTERFERING PORTION MANHOLE, MODIFY EXISTING MANHOLE TO A DROP MANHOLE, AND PROVIDE FOR A WATER TIGHT SEAL. SEE BCVSA STD. DWG. NO. 6-10
 - 10) 15' BCVSA EASEMENT (7.5' EACH SIDE)



MATERIAL LIST:

STD. MANHOLE	1
STD. CLEANOUT (8")	1
8" P.V.C. 3034 PIPE	560 LF.
6" P.V.C. 3034 PIPE	340 LF.
8"x8"x8" WYE	9

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

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

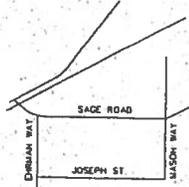
**SANITARY SEWER PLAN
& PROFILE SHEET FOR
SOUTHERN OREGON BUILDERS**
JACKSON COUNTY
T37S R2W S14 T.L. 3300

SHEET: 03-08-01

DESIGN: 7/03 BY: D.W.M.
DRAWN: 7/03 BY: W.A.T.
FILED: 7/03 BY: J.M.C.
DRAWING FILE: LABOURING



GRAPHIC SCALE

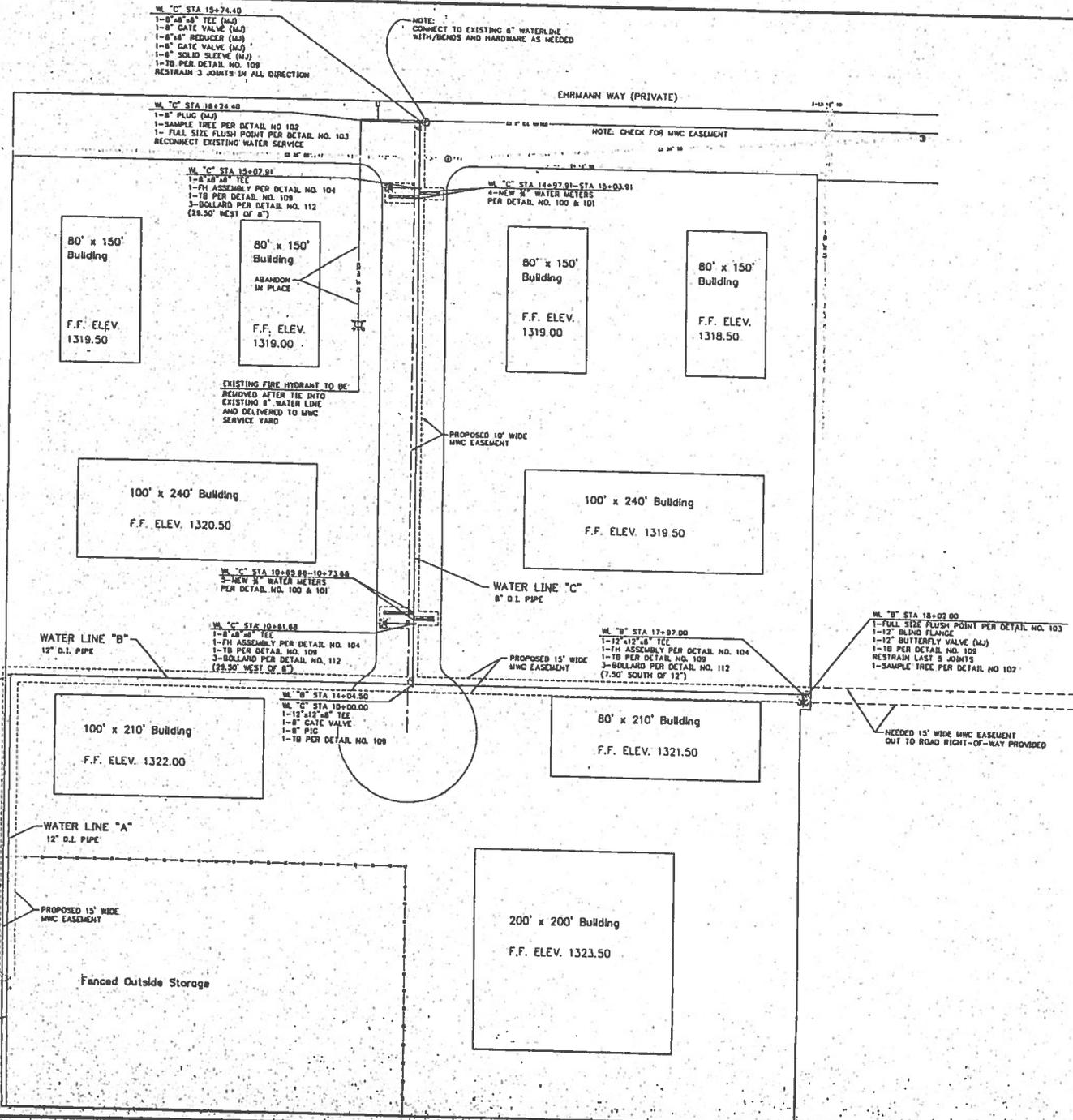


PROJECT
137S R2W S14
T.L. 3300

VICINITY MAP

NO SCALE

Page 57

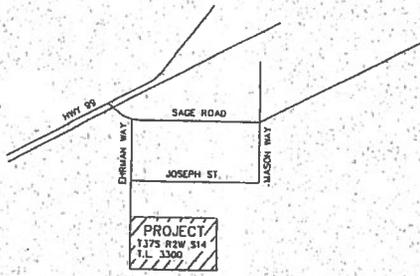
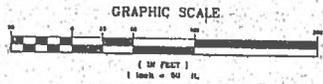


Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501
(541) 535-5453

WATER LINE PLAN
SHEET FOR
SOUTHERN OREGON BUILDER
137S R2W S14 T.L. 3300
JACKSON COUNTY



SHEET: 03-09-01
DESIGN: JZS BY: D.W.M.
DRAWN: JZS BY: M.A.T.
CHECKED: JZS BY: D.W.M.
FILE NO.: DAN-E-011
DRAWING FILE: E-011.DWG
DATE: APR 12 2004



VICINITY MAP
NO SCALE

Page 58

WL "C" STA 15+74.40
1-8" x 8" TEE (MJ)
1-8" GATE VALVE (MJ)
1-8" x 4" REDUCER (MJ)
1-8" GATE VALVE (MJ)
1-8" SOLID SLEEVE (MJ)
1-TB PER DETAIL NO. 109
RESTRAIN 3 JOINTS IN ALL DIRECTION

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

WL "C" STA 16+24.40
1-8" PLUG (MJ)
1-SAMPLE TREE PER DETAIL NO. 102
1-FULL SIZE FLUSH POINT PER DETAIL NO. 103
RECONNECT EXISTING WATER SERVICE

EHRMANN WAY (PRIVATE)
NOTE: CHECK FOR MWC EASEMENT

WL "C" STA 15+02.91
1-8" x 8" TEE
1-FH ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(29.50' WEST OF 8")

WL "C" STA 14+92.91 - STA 15+03.91
4-NEW 3" WATER METERS
PER DETAIL NO. 100 & 101

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

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

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

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

EXISTING FIRE HYDRANT TO BE
REMOVED AFTER TIE INTO
EXISTING 8" WATER LINE
AND DELIVERED TO MWC
SERVICE YARD

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

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

WL "C" STA 10+83.88-10+23.88
3-NEW 3" WATER METERS
PER DETAIL NO. 100 & 101

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

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

WL "C" STA 10+81.88
1-8" x 8" TEE
1-FH ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(29.50' WEST OF 8")

WL "B" STA 17+97.00
1-12" x 12" x 6" TEE
1-FH ASSEMBLY PER DETAIL NO. 104
1-TB PER DETAIL NO. 109
3-BOLLARD PER DETAIL NO. 112
(7.50' SOUTH OF 12")

WL "B" STA 18+02.00
1-FULL SIZE FLUSH POINT PER DETAIL NO. 103
1-12" BLIND FLANGE
1-12" BUTTERFLY VALVE (MJ)
1-TB PER DETAIL NO. 109
RESTRAIN LAST 3 JOINTS
1-SAMPLE TREE PER DETAIL NO. 102

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

WL "A" STA 13+03.90
WL "B" STA 10+00.00
1-12" 90° BEND
1-TB PER DETAIL NO. 109

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

WL "B" STA 14+04.50
WL "C" STA 10+00.00
1-12" x 12" x 6" TEE
1-8" GATE VALVE
1-8" PLUG
1-TB PER DETAIL NO. 109

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

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

PROPOSED 15' WIDE
MWC EASEMENT

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

EXISTING 12" D.I. WATER LINE

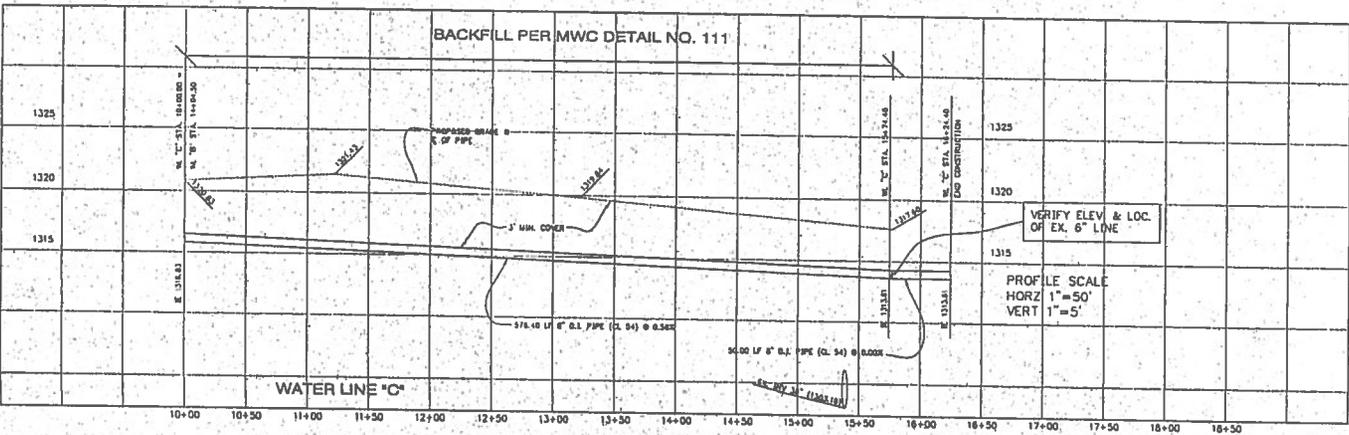
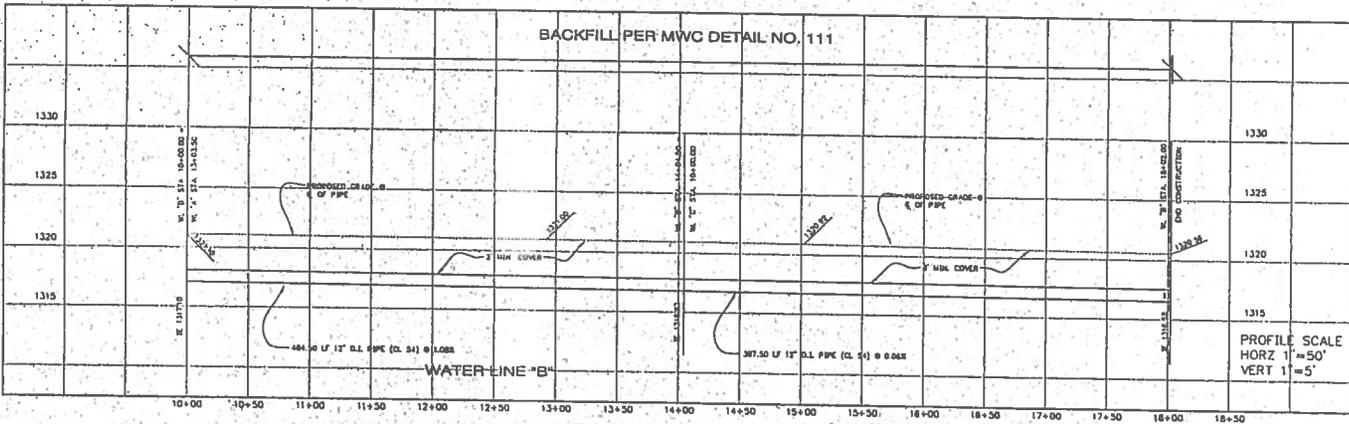
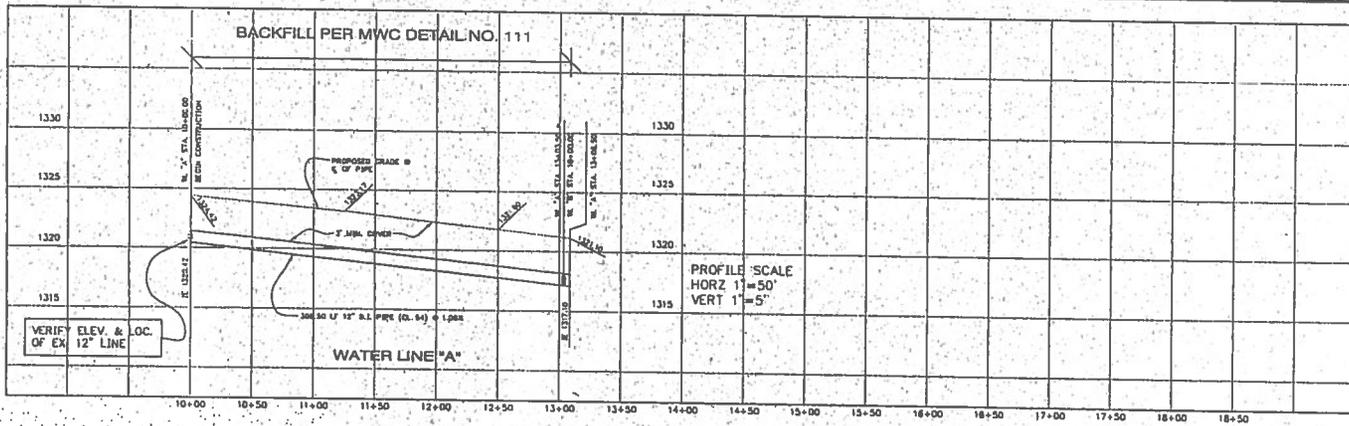
Fenced Outside Storage

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

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

WATER LINE PLAN
 SHEET FOR

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

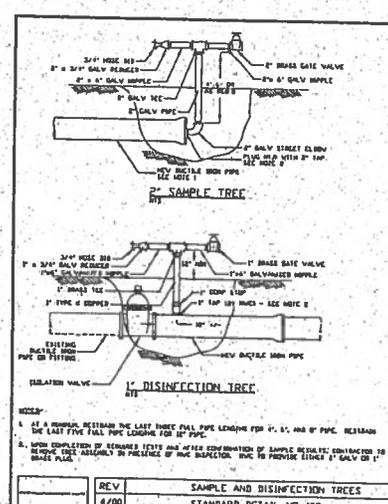
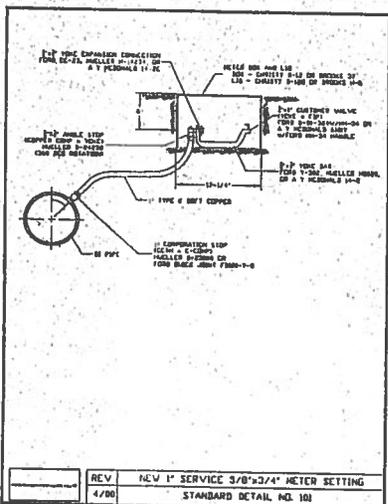
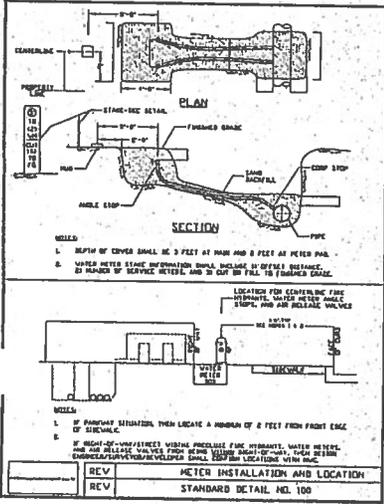


Dan W. Marquess P.E.
P.O. Box 1298

WATER LINE PROFILE
SHEET FOR

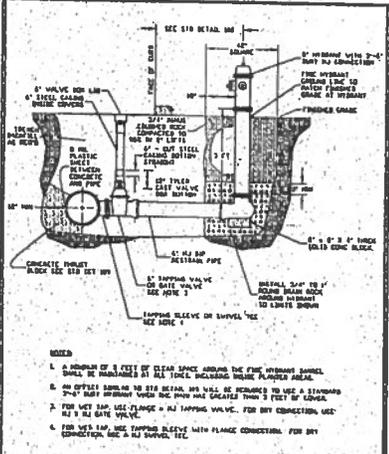
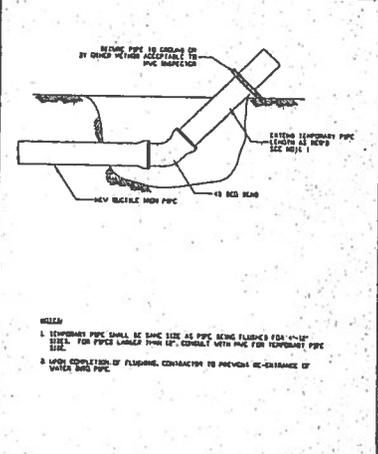


SHEET: 03-09-02
DESIGN: 7/03 BY: D.W.M.
DRAWN: 7/03 BY: W.A.T.



WATER GENERAL NOTES

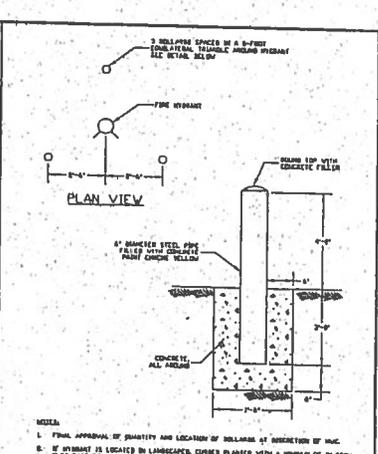
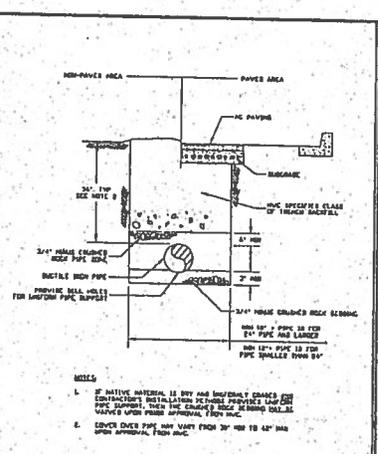
1. ALL WATER WORKS SHALL BE DONE IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE MEDFORD WATER COMMISSION STANDARD SPECIFICATIONS.
2. SERVICE CONNECTIONS ARE TO BE INSTALLED FOR EACH PARCEL PER MEDFORD WATER COMMISSION STANDARDS (STANDARD DETAIL, NOS. 100 AND 101).
3. THE MEDFORD WATER COMMISSION REQUIRES "POLY PIPES" TO BE USED ON ALL NEWLY LAID WATER LINES.
4. COVER OVER EXISTING MAINS SHALL NOT BE CHANGED WITHOUT WRITTEN AUTHORIZATION OF THE COMMISSION.
5. NEW MAINS ARE TO BE PRESSURE TESTED, DISINFECTED AND PROVEN TO BE BACTERIOLOGICALLY SAFE PRIOR TO PLACING NEW MAINS IN SERVICE BY THE MEDFORD WATER COMMISSION.
6. INITIAL BACKFILL TO TOP OF WATER MAINS AND FIRE HYDRANT RUNS SHALL BE COMPACTED IN ACCORDANCE WITH MEDFORD WATER COMMISSION STANDARD SPECIFICATIONS FOR TRENCH EXCAVATION AND BACKFILL, OR BACKFILL MATERIAL AND COMPACTION SHALL MEET THE REQUIREMENTS OF THE CONTROLLING AGENCY.
7. WATER MAINS AND FIRE HYDRANTS ARE TO BE INSTALLED WITH REFERENCE TO ALIGNMENT AND GRADE STATUS AND ONLY UPON NOTIFICATION OF THE MEDFORD WATER COMMISSION INSPECTOR.
8. WATER MAINS ARE TO BE INSTALLED AFTER SANITARY SEWERS AND STORM DRAIN LINES.
9. FIRE HYDRANT RUNS ARE TO BE INSTALLED BEFORE CURBS AND CUTTERS. IN THE EVENT A WATER MAIN IS INSTALLED LARGER THAN EIGHT (8) INCHES, OR IF THE MAIN HAS MORE THAN THREE (3) FEET OF COVER, THE CONTRACTOR SHALL BE REQUIRED TO INSTALL AN OFFSET HYDRANT.
10. STUB SERVICE RUNS SHALL BE INSTALLED PRIOR TO CURB AND CUTTER CONSTRUCTION.
11. APPROVED PLANS AND SPECIFICATIONS SHALL BE AVAILABLE AT SITE OF CONSTRUCTION AT ALL TIMES DURING CONSTRUCTION OF WATER FACILITIES.
12. THE MINIMUM HORIZONTAL SPACING BETWEEN WATER MAINS AND STORM SEWERS, GAS LINES, AND OTHER UNDERGROUND UTILITIES, EXCEPTING SANITARY SEWERS, SHALL BE THREE (3) FEET HORIZONTALLY, TRENCH WALL TO TRENCH WALL. THE MINIMUM VERTICAL SPACING, AS NOTED ABOVE, SHALL BE SIX (6) INCHES VERTICALLY OUTSIDE OF WATER MAIN TO OUTSIDE OF UTILITY. IN SOME CASES, DEPENDING ON SIZE AND TYPE OF FACILITY, CONCRETE BRIDGING PIERS OR SUPPORTS WILL BE REQUIRED TO SPAN THE WATER FACILITY.
13. THE CONTRACTOR WHO WILL BE INSTALLING THE WATER FACILITIES SHALL BE APPROVED BY THE MEDFORD WATER COMMISSION. WORK PERFORMED BY OTHER THAN APPROVED CONTRACTORS WILL NOT BE ACCEPTED.
14. CONTRACTOR SHALL ADJUST ALL AIR VALVE CANS AND UTILITY BOXES TO GRADE. THE LOCATION AND ELEVATION OF ALL EXISTING UTILITIES SHOWN ARE FROM RECORD ONLY. THE CONTRACTOR SHALL VERIFY ALL UTILITIES IN POTENTIAL CONFLICT AREAS PRIOR TO CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY IF ANY CONFLICTS OCCUR.
15. THE CONTRACTOR MUST ARRANGE A PRECONSTRUCTION MEETING AT LEAST 48 HOURS PRIOR TO THE START OF CONSTRUCTION BETWEEN HIMSELF, THE ENGINEER, AND THE MEDFORD WATER COMMISSION.
16. WATER FACILITIES SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE PLANS AND SPECIFICATIONS.
17. MEDFORD WATER COMMISSION INSPECTOR TO CHECK COMPLIANCE WITH THE PLANS AND SPECIFICATIONS.
18. THE COMMISSION SHALL BE NOTIFIED AT LEAST 48 HOURS IN ADVANCE OF CONSTRUCTION STEPS.
19. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE FOR INSPECTIONS PRIOR TO BACKFILLING OPERATIONS.
20. WORK ACTIVITIES ON WATER PROJECTS SHALL BE CONFINED TO NORMAL WORKING HOURS (8:00 A.M. TO 5:00 P.M. - SUNDAY THROUGH FRIDAY).
21. UPON COMPLETION OF THE PROJECT, THE CONTRACTOR WILL NOTIFY THE MEDFORD WATER COMMISSION 48 HOURS IN ADVANCE OF A DESIRED FINAL INSPECTION.
22. NO OTHER UTILITY APPURTENANCE WITHIN 3' FEET OF WATER FACILITY APPURTENANCES.
23. SANITARY SEWER MAINS TO HAVE 8" TRENCH WALL TO TRENCH WALL (10' ϕ TO ϕ), 8" OUTSIDE TO OUTSIDE MINIMUM (0.1 S.S. WHEN LESS THAN 18").



THURST BLOCK SIZING TABLE

PIPE SIZE (INCHES)	MINIMUM TRENCH AREA	MINIMUM TRENCH DEPTH	MINIMUM TRENCH WIDTH	MINIMUM TRENCH LENGTH
4	2700	5.0	14.00	17.00
6	4080	4.0	24.00	4.00
8	6000	3.0	48.00	16.00
10	8400	2.0	120.00	16.00

NOTES:
 1. THE BEARING AREA SHOWN IN THE TABLE ARE MINIMUM VALUES.
 2. ALL THURST BLOCKS BEARING SHALL BE PROPERLY UNDERLAIN WITH SAND OR GRANULAR FILL.
 3. THE THURST BLOCKS BEARING SHALL BE A MINIMUM OF 12" TO THE PIPE, UNLESS OTHERWISE SPECIFIED.
 4. ON 12" OR DEEPER OF BEARING SHALL BE UNDERLAIN WITH SAND OR GRANULAR FILL UNLESS OTHERWISE SPECIFIED.
 5. CONCRETE ALL BELTS ARE EXPOSED AND NOT COVERED WITH CONCRETE.



REV 4/00 FULL SIZE FLUSH POINT STANDARD DETAIL NO. 103

REV 4/00 HYDRANT INSTALLATION FOR 14" MAIN AND SMALLER STANDARD DETAIL NO. 104

REV 4/00 THURST BLOCK STANDARD DETAIL NO. 109

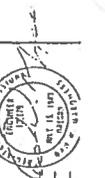
REV 4/00 TYPICAL TRENCH DETAIL STANDARD DETAIL NO. 111

REV 4/00 HYDRANT BOLLARD DETAIL STANDARD DETAIL NO. 112

COMMERCIAL SITE PLAN FOR SOUTHERN OREGON BUILDERS

Dan W. Marquess P.E.
P.O. Box 1298
Medford, Oregon 97501
(541) 526-6153

SITE PLAN FOR SOUTHERN OREGON BUILDERS

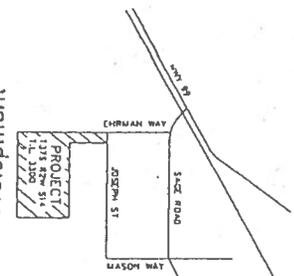


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SEP 17 2003
JACKSON COUNTY PLANNING

COPY

T37S R2W S14 D
T.L. 3300



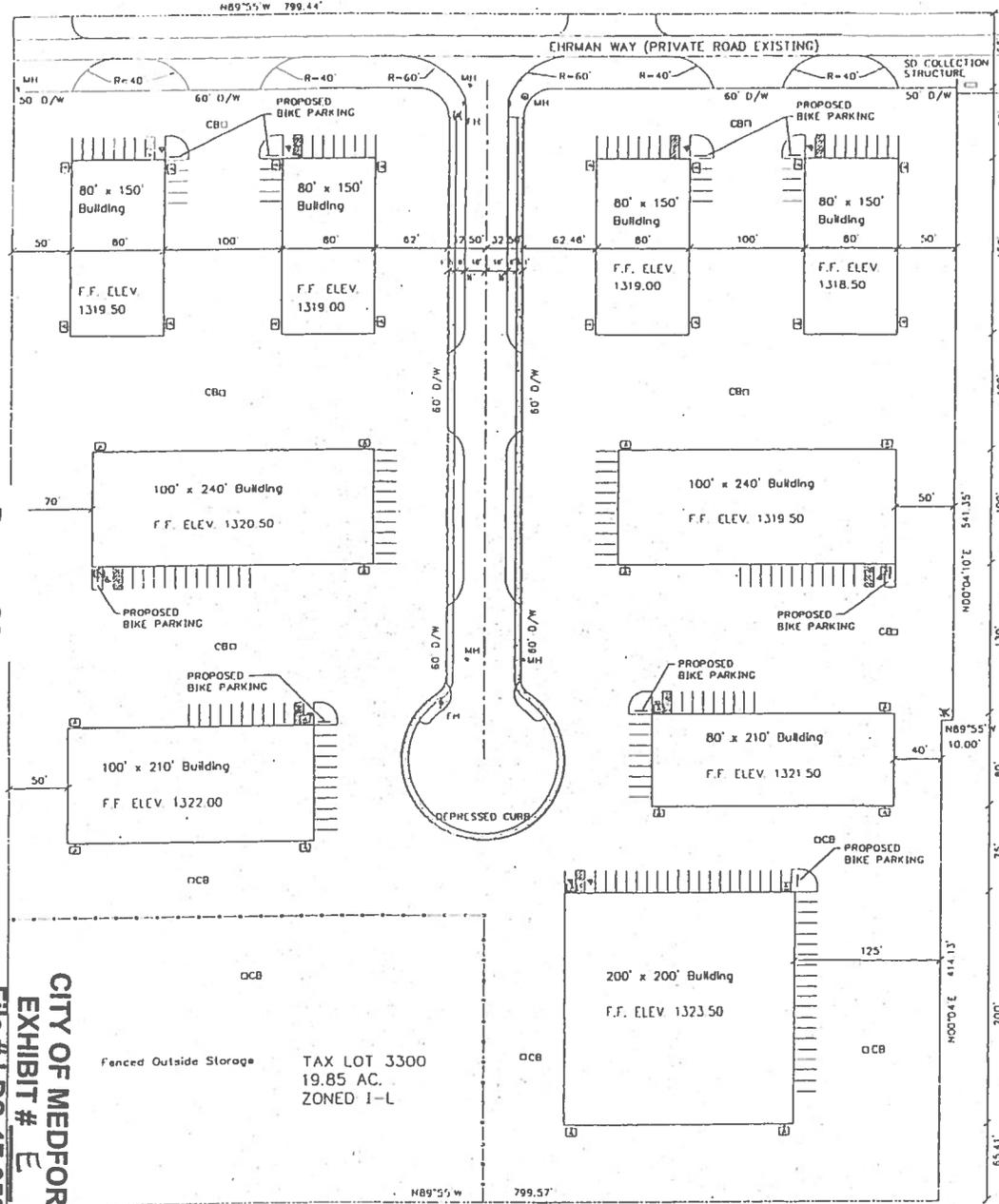
VICINITY MAP
NO SCALE

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

LEGEND: LIGHTING
□ TYPE 'A' LITHONJA LIGHTING
□ 10' SQUARE CUTOFF LIGHTING,
CONTOUR SERIES

NOTE:
TRASH BINS WILL BE INSIDE OR SCREENED
FROM PUBLIC VIEW

Conditionally Approved (✓)
Approved ()
Denied ()
By: T. L. B. Date 12-5-03
Jackson County Planning & Development



2012 Aerial

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Subject Property

0 200 400 feet
1 inch = 400 feet

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APR 13 2017

PLANNING DEPT



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



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



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APR 13 2017

PLANNING DEPT.

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

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

**FINDINGS OF FACT
AND
CONCLUSIONS OF LAW**

I. RECITALS PERTAINING TO THE PROPERTY:

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

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

INTRODUCTION:

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

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

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

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

II. APPLICABLE CRITERIA:

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

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

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

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

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

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

COMPLIANCE WITH SECTION 10.270 LAND DIVISION

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

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

Discussion:

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

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

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

CONCLUSION:

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

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

FINDING:

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

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

Discussion:

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

CONCLUSION:

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

FINDING:

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

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

Discussion:

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

CONCLUSION:

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

FINDING:

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

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

Discussion:

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

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

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

CONCLUSION:

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

FINDING:

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

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

Discussion:

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

CONCLUSION:

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

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

FINDING:

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

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

Discussion:

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

CONCLUSION:

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

FINDING:

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

COMPLIANCE WITH SECTION 10.703 PAD LOT DEVELOPMENT

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

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

Discussion:

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

CONCLUSION:

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

FINDING:

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

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

Section 10.703 B. (2) *The Parent parcel shall meet the site development standards established in Section 10.721.*

Discussion:

The property is zoned General Industrial (I-G). Per Section 10.721 the property must meet the following Site Development Standards:

Development Standards	I-G
Minimum and Maximum Area for Zoning District (Acres)	None
Minimum Lot Area (Square Feet)	10,000
Maximum Coverage Factor (See 10.706)	90%
Minimum Lot Width	70 feet
Minimum Lot Depth	100 feet
Minimum Lot Frontage	70 feet
Minimum Front & Street Side Yard Building Setback	10 feet Except 20 feet for vehicular entrances to garages and carports
Minimum Side and Rear Yard Building Setback	None Except ½ foot for each foot in building height over 20 feet

The Parent Parcel has the following site characteristics (see Existing Site Plan in Exhibit A):

Minimum and Maximum Area for Zoning District (Acres)	17.13
Minimum Lot Area (Square Feet)	746,127
Maximum Coverage Factor (See 10.706)	25% (187,000 sq ft building area)
Minimum Lot Width	70 feet at end of flag pole
Minimum Lot Depth	805 feet in center
Minimum Lot Frontage	70 feet on Joseph Street
Minimum Front & Street Side Yard Building Setback	40 feet
Minimum Side and Rear Yard Building Setback	50 feet

CONCLUSION:

The City of Medford concludes that the Parent property meets or exceeds all required Development Standards of Section 10.721 for the G-I zoning district.

FINDING:

The City of Medford finds that the Parent Parcel meets or exceeds all Development Standards of Section 10.721 for the G-I zoning district, therefore the proposed Pad Lot Development meets the criterion in Section 10.703 B. (2).

Section 10.703 B. (3) All pad lot developments shall obtain Site Plan and Architectural Review approval prior to the tentative application being accepted for review by the planning Commission.

Discussion:

This requirement is intended to verify that development occurring in pad lot developments will both fit on the proposed pad lots and meet Development Code requirements for development (parking, landscaping, etc.). In this case, there are nine existing industrial buildings on the site that range in size from 15,000 to 27,500 square feet. The structures were all reviewed and approved through the County's site review process (File 439-SIT2003-00018 SPR). Since there is no new development proposed at this time, there is no need for a Site Plan and Architectural Review.

CONCLUSION:

The City of Medford concludes that the application does not include plans for additional development on the subject property. All existing development was reviewed and approved through Jackson County and found to be consistent with the County's standards for site development at that time. Additional development, should it be proposed in the future, must meet applicable City of Medford Standards.

FINDING:

The City of Medford finds that the property contains existing development that was approved by Jackson County prior to the property being annexed. The application does not include any plans for additional development. Site Plan and Architectural Review is not required for pre-existing development. Section 10.703 B. (3) does not apply.

Section 10.703 B. (4) *A pad lot development shall be identified as such on both the tentative and final plats, and on the site plan submitted for the project. At the time of recording of the final plat, Covenants, Conditions, and Restrictions (CC&Rs) shall be approved by the City and Recorded. The recorded CC&Rs shall provide:*

- (a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.*
- (b) An association for the purpose of governing the operations of the common interests.*
- (c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
- (d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

Discussion:

The tentative plat submitted with this application clearly identifies that JAM Industrial Park is a pad lot development. The final plat, when it is prepared, will also identify JAM Industrial Park as a pad lot development.

Covenants, Conditions, and Restrictions (CC&Rs) will be provided prior to the recording of the final plat. The CC&Rs will provide:

- (a) That the owners are jointly and severally responsible for the continued maintenance and repair of the common elements of the development, such as common portions of buildings, parking areas, access, landscaping, etc., and share equitable in the cost of such upkeep.*
- (b) An association for the purpose of governing the operations of the common interests.*
- (c) Maintenance access easements on individual lots where necessary for the purpose of property maintenance and repair.*
- (d) The specific rights of, or limitations on, individual lot owners to modify any portion of a building or lot, including the provision that no common elements be modified without the consent of the association.*

JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:
The Merlin and JoAnn Fjarli Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:
Kaiser Surveying
19754 Highway 62
Eagle Point, OR. 97524

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
Barry D. Kaiser
OREGON
JULY 15, 2003
BARRY D. KAISER
No. 1222
EXP. 6-30-17

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

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SCALE: 1" = 100'

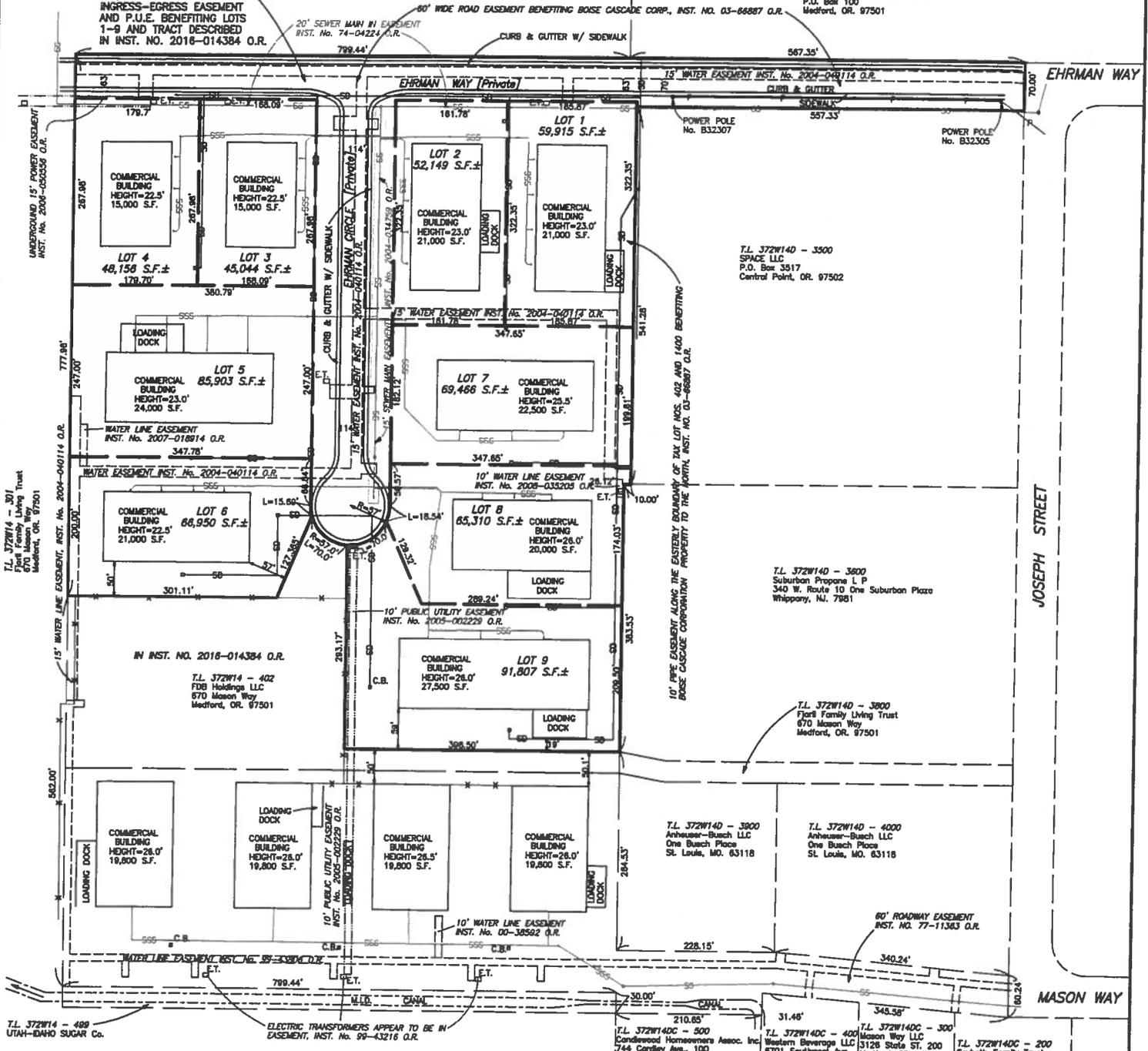
LOCATION: Tax-Map No. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE: December 6, 2016

COMMON AREA "A"
161,430 S.F.± = 3.71 AC.±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014384 O.R.

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

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



REQUIRED INFORMATION (FROM APPLICATION FORM)

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

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

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

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

1. Power line easements recorded in Vol. 226, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.

2. Documents recorded in Inst. Nos. 76-22653 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements is not determined.

3. Gas line easements recorded in Inst. Nos. 73-17389 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southerly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23665 O.R. appears to be a blanket easement for maintenance of natural gas facilities.

4. Document recorded in Inst. No. 70-01838 O.R. is an Old irrigation easement. Exact location is shown hereon.

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

CONCLUSION:

The tentative plat does, and the final plat will, identify this development (JAM Industrial Park) as a pad lot development. CC&Rs, providing the four elements required by this criterion, will be provided to the City and recorded prior to final plat approval.

FINDING:

The City of Medford finds that the tentative plat identifies JAM Industrial Park as a pad lot development. The City of Medford also finds that as conditions of approval, the final plat shall also identify JAM Industrial Park as a pad lot development and that CC&Rs, providing the four elements required by this criterion, will be provided to the City and recorded prior to recording of the final plat.

IV. SUMMARY AND CONCLUSIONS:

The City of Medford concludes that this application for JAM Industrial Park Pad Lot Development has addressed the applicable criteria for a Land Division as outlined in Section 10.270 MLDC and the applicable criteria for a Pad Lot Development as outlined in Section 10.703 MLDC. The City of Medford can also conclude that this application is in compliance with the Medford Land Development Code and the Medford Comprehensive Plan.

The applicant respectfully requests approval of this application for a Pad Lot Development for JAM Industrial Park.

Respectfully Submitted:



RICHARD STEVENS & ASSOCIATES, INC.

APR 13 2017



Subdivision and Condominium Plat Name Approval Request Form

Surveyor's Office
10 S. Oakdale Ave., #318
Medford, OR 97501
surveyor@jacksoncounty.org

PLANNING DEPT.

This form must be submitted to the Jackson County Surveyor for subdivision and condominium plat name approval. This document may be submitted by email in PDF file format. Before the plat name is approved a \$100 processing fee must be paid.

PROPOSED NAME:

ALTERNATE NAME:

JAM Industrial Park

Applicant/ Organization Name:

Map and Tax Lot Number:

Richard Stevens & Associates

372W14 TL 1400

Address:

P.O. Box 4368, Medford OR 97501

Phone Number:

Location in City/County:

541 773 2646

In City of Medford

Signature of Applicant:

[Handwritten Signature]

3/1/2017

Date

Property Owner's Name and Address:

Surveyor/Engineer Name/Address:

The Merlin and JoAnn Fjarli Foundation

Kaiser Surveying

670 Mason Way

19754 Highway 62

Medford, OR 97501

Eagle Point, OR 97524

This Plat name will be reserved for a period of two years after which it will automatically expire. This form is a result of Oregon Revised Statutes Chapters 100.105 (5) & (6) and 92.090 (1) which states: ORS 92.090 Approval of subdivision plat names: requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party filed and record the consent of the party that platted the contiguous subdivision bearing that name. ORS 100.105 Contents of declaration; property name; variable property description. (5) The name of the property shall include the word "condominium" or condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.

Plat Name Approved: as requested

Date Fee Paid: 2/21/17

[Handwritten Signature]
Jackson County Surveyor

3/3/17
Date

Invoice Number # 7436 *

* Original request denied, see attached.



Subdivision and Condominium Plat Name Approval Request Form

Surveyor's Office
10 S. Oakdale Ave., #318
Medford, OR 97501
surveyor@jacksoncounty.org

This form must be submitted to the Jackson County Surveyor for subdivision and condominium plat name approval. This document may be submitted by email in PDF file format. Before the plat name is approved a \$100 processing fee must be paid.

PROPOSED NAME:

ALTERNATE NAME:

Ehrman Way Industrial Park

Ehrman Way Industrial Subdivision

Applicant/ Organization Name:

Map and Tax Lot Number:

Richard Stevens & Associates

372W14 TL 1400

Address:

P.O. Box 4368, Medford OR 97501

Phone Number:

541 773 2646

Location in City/County:

In City of Medford

Signature of Applicant:

2/21/17
Date

Property Owner's Name and Address:

Surveyor/Engineer Name/Address:

The Merlin and JoAnn Fjarli Foundation

Kaiser Surveying

670 Mason Way

19754 Highway 62

Medford, OR 97501

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This Plat name will be reserved for a period of two years after which it will automatically expire. This form is a result of Oregon Revised Statutes Chapters 100.105 (5) & (6) and 92.090 (1) which states: ORS 92.090 Approval of subdivision plat names: requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party filed and record the consent of the party that platted the contiguous subdivision bearing that name. ORS 100.105 Contents of declaration; property name; variable property description. (5) The name of the property shall include the word "condominium" or condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.

Plat Name Approved:

Denied 2/23/17

Date Fee Paid:

2/21/17

Invoice Number

7436

Jackson County Surveyor

Date



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 5/24/2017
File Number: LDS-17-050

**PUBLIC WORKS DEPARTMENT STAFF REPORT
JAM Industrial Park
Pad Lot Development**

- Project:** Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot.
- Location:** Located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400).
- Applicant:** Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.

A. STREETS

1. Dedications

Ehrman Way and Ehrman Circle are both private streets along this frontage. **No additional right-of-way is required.**

2. Public Improvements

a. Public Streets

Ehrman Way and Ehrman Circle – All street section improvements have been completed to Jackson County standards per Public Improvement Plans P1785D. That said, both streets along this frontage are privately maintained and **no additional improvements are required.**

b. Street Lights and Signing

No additional street lights are required as streets fronting this development are private.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage to Ehrman Way or Ehrman Circle as they are privately maintained.

d. Access to Public Street System

Driveway access to the proposed development site shall comply with MLDC 10.550.

Access to the Site shall be restricted to the currently existing access points as identified on the tentative plat. No additional direct access shall be approved.

e. Easements

Easements shall be shown on the final plat for all sanitary sewer and stormdrain mains or laterals, which cross lots, including any common area, other than those being served by said lateral.

B. SANITARY SEWERS

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Developer shall contact RVSS for conditions of connection to the sanitary sewer collection system.

C. STORM DRAINAGE

1. Hydrology

With future development, the Design Engineer shall provide an investigative report of the off-site drainage on the subdivision perimeter, a distance not less than 100 feet in all directions. All off-site drainage affecting the subdivision shall be addressed on the subdivision drainage plan. A hydrology map depicting the amount of area the subdivision will be draining shall be submitted with hydrology and hydraulic calculations. The opening of each curb inlet shall be sized in accordance with ODOT design standards. These calculations and maps shall be submitted with the public improvement plans for approval by the Engineering Division. Please include engineering for the infiltration trenches.

2. Stormwater Detention and Water Quality Treatment

Future development shall provide stormwater detention in accordance with MLDC, Section 10.486, and water quality treatment in accordance with the Rogue Valley Stormwater Quality Manual per MLDC, Section 10.481.

Upon completion of the project, the developer's design engineer shall provide written certification to the Engineering Division that construction of the water quality and detention facilities were constructed per plan. This letter shall be received by the City of Medford Public Works Engineering Department prior to acceptance of the subdivision.

3. Grading

Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement.

4. Mains and Laterals

The Developer shall show all existing and proposed Storm Drain mains, channels, culverts, outfalls and easements on the Conceptual Grading and Drainage Plan and the final Construction Plans.

In the event the lot drainage should drain to the back of the lot, the developer shall be responsible for constructing a private drain line, including a tee at the low point of each lot to provide a storm drain connection. All roof drains and foundation drains shall be connected directly to a storm drain system.

A storm drain lateral shall be constructed to each tax lot prior to approval of the Final Plat. Easements shall be shown on the Final Plat for storm drain laterals crossing lots other than the one being served by the lateral.

All public storm drain mains shall be located in paved public streets or within easements. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the Final Plat and the public improvement plans.

D. SURVEY MONUMENTATION

All survey monumentation shall be in place, field-checked, and approved by the City Surveyor prior to the final "walk-through" inspection of the public improvements by City staff.

E. GENERAL CONDITIONS

1. Permits

Concrete or block walls built within a PUE, or within sanitary sewer or storm drain easements require review and approval from the Engineering Division of Public Works. Walls shall require a separate permit from the Building Department and may also require certification by a professional engineer.

2. System Development Charges (SDC)

This development is subject to sewer treatment and street SDCs. These SDC fees shall be paid at the time individual building permits are taken out.

This development is also subject to storm drain system development charges. The storm drain system development charge shall be collected at the time of future building permits.

3. Construction and Inspection

Contractors proposing to do work on public streets, sewers, or storm drains shall 'prequalify' with the Engineering Division prior to starting work. Contractors shall work off a set of public improvement drawings, that have been approved by the City of Medford Engineering Division. Any work within the County right-of-way shall require a separately issued permit from the

County.

For City of Medford facilities, the Public Works Maintenance Division requires that public sanitary sewer and storm drain mains be inspected by video camera prior to acceptance of these systems by the City.

Where applicable, the developer shall bear all expenses resulting from the adjustment of manholes to finish grades as a result of changes in the finish street grade.

Prepared by: Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

JAM Industrial Park
Pad Lot Development
LDS-17-050

A. Streets

1. Street Dedications to the Public:

- Ehrman Way & Ehrman Circle – No additional right-of-way required.

2. Improvements:

a. Public Streets

- Ehrman Way & Ehrman Circle – No additional improvements are required.

b. Lighting and Signing

- No additional street lights are required.

c. Other

- There is no pavement moratorium currently in effect on Ehrman Way & Ehrman Circle.

B. Sanitary Sewer

- The site is situated within the RVSS area.

C. Storm Drainage

- Provide an investigative drainage report, with future development.
- Provide water quality and detention facilities, with future development
- Provide Stormdrain and other utility easements.
- Provide a comprehensive grading plan, with future development.

D. Survey Monumentation

- Provide all survey monumentation.

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: LDS-17-050

PARCEL ID: 372W14 TL 1400

PROJECT: Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400); Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.

DATE: May 24, 2017

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

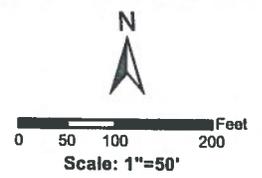
CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be served by existing water meters.
3. "Private" water service line easements are required over existing water service lines that cross one parcel to serve another. These "private" easements are required to be in place to provide access for potential repairs to the water service line from each water meter to the plumbing entry point of each building. These "private" easements shall be recorded at the County.

COMMENTS

1. MWC-metered water service does exist to each of these properties. There is also a dedicated landscape irrigation water meter located on west side of Ehrman Circle near existing fire hydrant near Ehrman Way
2. Access to MWC water lines is available. The water line in Ehrman Way east of Ehrman Circle is 6-inch cast iron and 8-inch ductile iron west of Ehrman Circle. The water line in Ehrman Circle is comprised of both 8-inch and 12-inch ductile iron pipe. There is a 12-inch water line which extends across these parcels both east and west of Ehrman Circle.
3. The static water pressure in this area is approximately 78 psi. PRV's are not required.

CITY OF MEDFORD
EXHIBIT # K
File # LDS-17-050
Page 1 of 1



**Water Facility Map
for
LDS-17-050**

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:**
 - Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
 - Butterfly Valve
 - Gate Valve
 - Tapping Valve
- Water Mains:**
 - Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
 - Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
 - Control Station
 - Pump Station
 - Reservoir



This map is based on a digital orthophoto supplied by Medford Water Commission. It is a compilation of various digital files. Medford Water Commission is not responsible for the accuracy, completeness, or precision of the data. There are no warranties, expressed or implied.

Date: 6/22/2017
 Path: G:\GIS\Projects\MWC Map - LDS-17-050 - 1.ctb\1.mxd



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Dustin Severs

LD Meeting Date: 05/24/2017

From: Greg Kleinberg

Report Prepared: 05/19/2017

Applicant: Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens &

File #: LDS - 17 - 50

Site Name/Description:

Consideration of a request for tentative plat approval for Jam Industrial Park, a proposed 9-lot Industrial Pad Lot Development on a 17.13 acre lot located at 301 Ehrman Way, in the General Industrial (I-G) zoning district (372W14 TL1400); Fjarli Merlin & Joann Foundation, Inc., Applicant. Richard Stevens & Associates, Inc., Agent. Dustin Severs, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

The building on Lot #9 is out of compliance with the below listed fire code requirement, therefore one additional fire hydrant will be required to be located on the south side of the Ehrman Circle cul-de-sac.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

Additional hydrants may be required to comply with the requirement of proximity to fire department connections (for fire sprinkler and standpipe systems, the fire department connection shall be located at an approved location away from the building and within 75' of a fire hydrant. The fire department connection shall be located on the same side as the fire department access route.).

(Ref: OFC 507.5.1)

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

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

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

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

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

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

Dustin J. Severs

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Thursday, May 18, 2017 1:53 PM
To: Dustin J. Severs
Subject: LDS-17-050 - ODA Comments

Dustin:

Thank you for allowing ODA to comment on the proposed 9-lot development located at 301 Ehrman Way. After further review ODA finds that this subdivision will not cause a hazard to air navigation since the site is already developed and has existing structures. Therefore, no FAA Forms 7460-1 will be required.

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

Jeff

Jeff Caines, AICP

Oregon Department of Aviation

Aviation Planner / SCIP Coordinator

3040 25th St. SE | Salem, OR 97302

Office: 503.378.2529

Cell / Text: 503.507.6965

Email: Jeff.Caines@aviation.state.or.us

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.



JACKSON COUNTY

Roads

Roads
Engineering

Kevin Christiansen
Construction Manager

206 Antelope Road
White City, OR 97533
Phone (541) 774-6255
Fax (541) 774-6295
christike@jacksoncounty.org

www.jacksoncounty.org

May 15, 2017

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

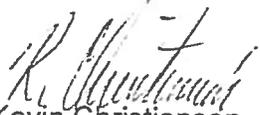
RE: Consideration for a tentative plat approval for JAM Industrial Park off Ehrman Way – a privately maintained road.
Planning File: LDS-17-050

Dear Dustin:

Thank you for the opportunity to comment on the consideration of a request for a tentative plat approval for JAM Industrial Park. A proposed 9-lot industrial pad Lot Development on 17.13 acre lot located at 301 Ehrman Way in the general Industrial (I-G) zoning district (37-2W-14 TL 1400). Jackson County Roads has no comments.

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

Sincerely,


Kevin Christiansen
Construction Manager



ROGUE VALLEY SEWER SERVICES

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

May 17, 2017

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

Re: JAM Industrial Park, LDS-17-050 (Map 372W14C, Tax Lot 1400)

ATTN: Dustin,

Currently each existing commercial building is connected via 4" sewer service to the 8" sewer main on Ehrman Circle. Sanitary sewer is not required for this development.

Feel free to call if you have any questions regarding this project.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, PE
District Engineer

RECEIVED
APR 13 2017
PLANNING DEPT.

JAM INDUSTRIAL PARK

AGRICULTURAL IMPACT ASSESSMENT

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

I. INTRODUCTION

Richard Stevens & Associates was retained by the owners/applicants of JAM Industrial Park (Fjarli Merlin and Joann Foundation, Inc.) to prepare this Agricultural Impact Assessment (AIA). This AIA has been prepared in accordance with Section 10.801 of the City of Medford Land Development Code (MLDC). This ordinance specifies the information to be submitted to the Planning Department prior to development of urban lands that abuts Exclusive Farm Use (EFU) zoned lands. The Medford Comprehensive Plan, Urbanization Element; Policies 11 & 12 also aid in the development of property that abuts EFU zoned lands.

This report addresses the potential impacts of a proposed pad-lot subdivision with abutting EFU zoned lands towards the west, owned by Fjarli Properties LLC.

II. PROJECT DESCRIPTION

JAM Industrial Park is located on property described as Township 37S, Range 2W, Section 14, Tax Lot 1400, Jackson County, Oregon; west of Sage Road and south of Erhman Way, in Medford (See Appendix A).

The subject site is located inside the Medford City Limits and is currently zoned I-G/I-00 (General Industrial / Limited Industrial Overlay) (See Appendix B). There are nine existing industrial buildings on the site, totaling 187,000 square feet, and ranging in size from 15,000 to 27,500 square feet. The structures on the property were approved and constructed through Jackson County permitting process (File 439-SIT2003-00018 SPR).

The proposed subdivision will create a nine-lot Pad Lot Development with each of the pad lots containing one of the nine existing industrial building (See Appendix C). There are no plans at this time to change the existing use of the property or to modify any of the existing development. The proposed pad-lot subdivision would allow only for the individual sale of the existing industrial structures along with associated parking, maneuvering, and loading areas.

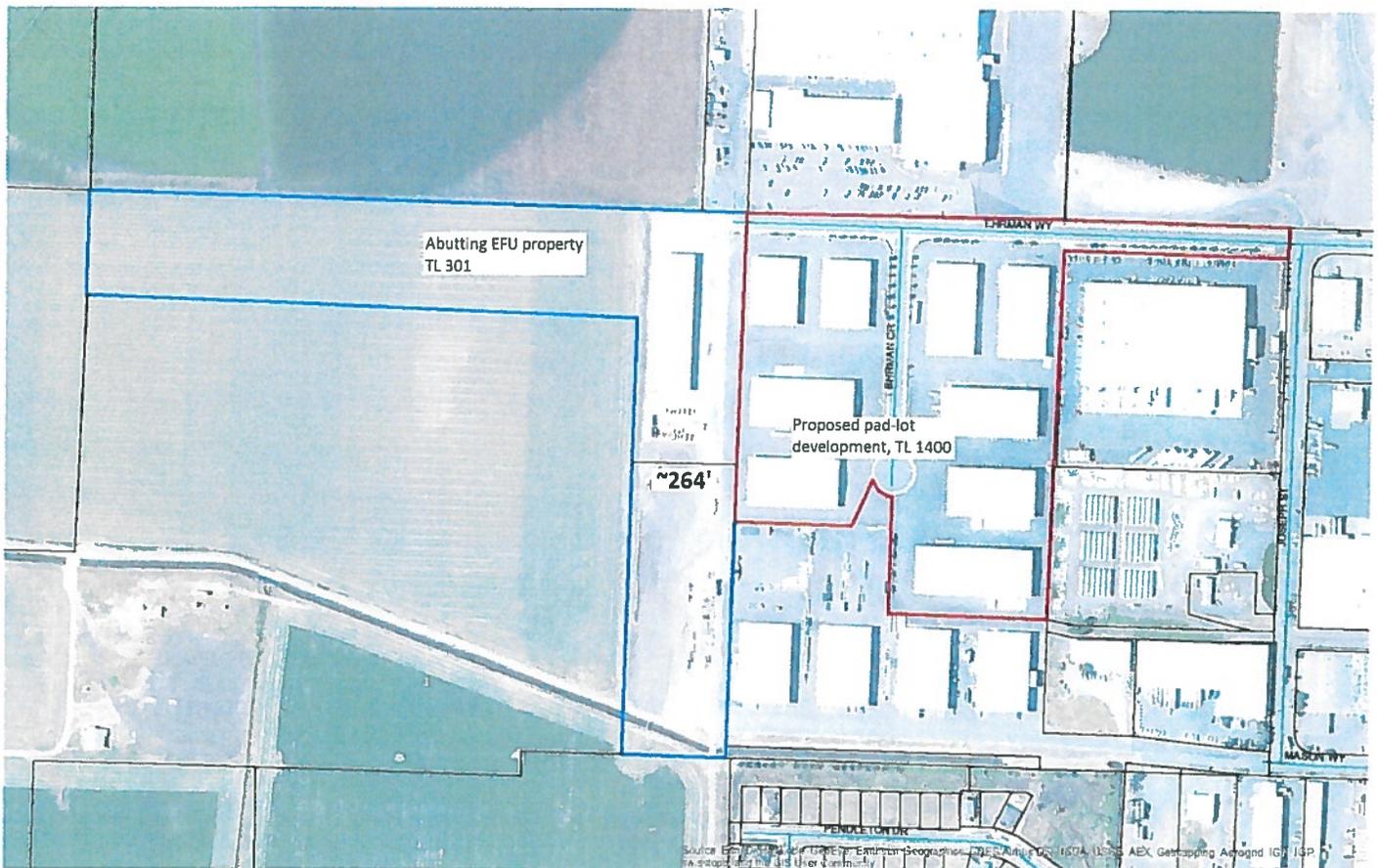
The abutting EFU lands, as prescribed in Section 10.801(B), MLDC, consists of a common lot line with property identified as T.37S-R.2W-Section 14, Tax Lot 301, in the ownership of Fjarli Properties LLC.

III. DEVELOPMENT/ABUTTING AGRICULTURE

The Fjarli Properties LLC property is zoned EFU, based on the Jackson County Official Zoning Map. Natural Resource Conservation Service (NRCS) soils data for Tax Lot 301

indicates the soils on this site are Gregory silty clay loam (76A), with an irrigated Class of II and a non-irrigated Class of IV, and Medford silty clay loam (127A), with an irrigated Class of I and a non-irrigated Class of IV (See Appendix D).

The abutting EFU property, Tax Lot 301, is 16.29 acres in size. The property is “L” shaped with one portion of the “L” running north-south along the common property line with the proposed pad-lot development and the other portion of the “L” running east-west away from the northern portion of the proposed pad-lot development (see map below). As shown on the aerial photo in Appendix B and photographs in Appendix F, the portion of Tax Lot 301 which abuts the proposed pad-lot development is developed with a large, approximately 340-foot by 80-foot storage building. This portion of Tax Lot 301 is approximately 264 feet wide, is used for farm equipment storage and repair, and the entire east boundary of the property is fenced with a 6-foot high, sight-obscuring, chain-link fence with slats. There is no agricultural activity present along the common boundary and the nearest crop production activity is more than 260 feet west of the boundary.



Primary crops grown on the property include organic butternut squash and pumpkins. Frost protection is not required for these crops. Hopkins Canal provides irrigation for this area, which is currently applied by wheel lines. The topography of the site and surrounding area is shown in Appendix D. The general surface gradient decreases from the south to the north. The surface water also drains towards the north over the agricultural property toward an existing irrigation ditch. Tractors with various implements are used during planting and harvesting operations.

A summary of precipitation, wind speed and wind direction is located in Appendix E. This information was collected at the Medford/Jackson County Airport. In general, hot, dry summers are followed by cooler fall and wet winter months. Weather data indicates winds in the area are predominately north to northwest.

Yearly average precipitation is just under 20 inches per year at the Medford Airport. The majority of the precipitation falls in the winter months. At the airport, the prevailing wind direction is from the northwest from March through September, changing to the south and north from October through February. The average yearly wind speed is 4.8 miles per hour, with higher winds reported in the summer months.

V. ADVERSE IMPACTS

The list of adverse impacts when urban developments abut EFU lands are generally Noise, Odors, Dust, Drift, Trespass and Vandalism, with Irrigation and Storm Water Runoff.

Noise- This inclusion of the noise impact is to make aware of the present source of noise. The most common noise source with the strongest potential for intensity is the tractors with various implements that are used during planting and harvesting operations.

Dust- The use of irrigation water during the growing season helps to reduce the presence of dust during most of the driest parts of the year. However, planting and harvesting processes do produce dust that can drift with the presence of wind.

Odor- It is inevitable that slight odors from fertilizer or spraying may occur, mostly in the spring and summertime. The transport mechanism most likely involved is the occasional breeze.

Trespass and Vandalism- Common knowledge points to two main adverse impacts from developments to abutting agricultural operations; the first is people trespassing onto agricultural property. Most of such trespassing is accomplished for the purpose of removing crops. The second and more severe incident is the removal of mechanical parts from vehicles and equipment.

Pesticides- Complaints about spray drift from pesticide applications is a potential adverse impact. The farm operations occurring on Tax Lot 301 are certified organic, which prohibits the use of chemical pesticides.

VI. MITIGATION MEASURES

The proposed development is abutting Fjarli Properties LLC. property that is zoned EFU, which contains predominately Gregory and Medford silty clay loam soils that are irrigated with Rogue River Valley Irrigation District water. Thus, the soil classification with the irrigation rights determines that the soils are Class I and Class II agricultural soils according to the Natural Resource Conservation Service (NRCS). Therefore, the standards and general criteria in Section 10.801(D)(2), MLDC "Intensive Agriculture" apply.

The Medford Code, Section 10.801(D)(2) requires the developer to address how the proposed development mitigates potential adverse impacts between agricultural uses and urban uses.

Trespass/Vandalism- The potential for trespassing will be mitigated by the use of a 6-foot high chain link fence with 2 strands of barbed wire, between the storage yard associated with the EFU property and the existing industrial buildings. This has been the existing condition since the development of this property more than a decade ago and there have not been any issues with trespass or vandalism.

Noise, Odors and Drift- The potential impact for agricultural noise, odors, and drift have been, and will continue to be, mitigated by the use of the spatial separation from the existing industrial development and the agricultural practices occurring more than 260 feet away. The existing storage building also acts as a physical barrier between the two uses for approximately 340 feet.

Irrigation and Storm Water Runoff- The existing industrial development has an on-site system to deal with storm water surface runoff as detailed in the grading and utility plans for the Southern Oregon Builders (SOB) industrial subdivision by Dan Marquess, PE (see Appendix C).

There is an existing berm that separates the agricultural storage building and yard from the areas planted with crops. This berm keeps irrigation water contained on the portion of the property used for crop production. Agricultural irrigation runoff flows generally northerly with the natural slope of the land into a ditch that runs along the northern boundary of the property (see Appendix F).

Right to Farm- The agricultural land adjacent to the proposed subdivision, has established a "Right to Farm" as provided by Oregon Law, ORS 30.930 to 30.947, and

there exist certain limitations on lawsuits against or relating to the farm or the farming practices and the impacts to adjoining property. The "Right to Farm" provisions of state law protect the adjacent agricultural operation and allow farming to continue within acceptable farming practices.

Mitigation Summary- Although the Fjarli Properties LLC. property abuts the proposed development, there is no crop production occurring within 200 feet of the property boundary. The existing storage yard and storage building provide more than 260-feet of separation between the urban industrial use and the crop production. In addition, the existing storage building provides a barrier between the two uses, reducing visibility, and lessening potential impacts from noise and dust. These existing conditions exceed the buffering standards required by Section 10.801D.(2)(a) and (b). Since the agricultural uses are not occurring within 200 feet of the industrial development, the landscaping required by Section 10.801D.(2)(b) is not necessary, and requiring trees to be planted along the boundary between these two existing developments would create new conflicts rather than mitigate existing conflicts. The following measures can also be used to further mitigate potential impacts between the two uses:

Proposed Mitigation:

- 1) A six foot chain link fence along the west property line of the subject parcel for a distance of approximately 775 feet.
- 2) Deed declarations for Lots 3, 4, 5, & 6 will be recorded requiring the owner and all successors in interest to recognize and accept common, customary, and accepted farming practices. The deed declarations shall be approved by the City of Medford and recorded in the official records of Jackson County, and copies mailed to the owners of Lots 3, 4, 5, and 6.

VII. SUMMARY AND CONCLUSIONS

In accordance with the Medford Land Development Code, this AIA was prepared to address the potential impacts of the JAM Industrial Park pad-lot subdivision on agricultural lands zoned EFU. Currently, Fjarli Properties LLC. is in ownership of the abutting EFU zoned lands to the west, which is developed in large part for equipment storage and maintenance but does include some agricultural production (organic pumpkins and butternut squash).

It is believed that the examination of impacts from the proposed JAM Industrial Park pad-lot development contained herein has adequately considered potential impacts and demonstrates the effective application of buffering and physical separation to mitigate those potential impacts in accordance with the requirements of Medford Land Development Code, Section 10.801. The existing conditions, together with the mitigation measures outlined above, are adequate to protect the adjacent EFU land from adverse impacts resulting from the proposed subdivision.

Respectfully Submitted,

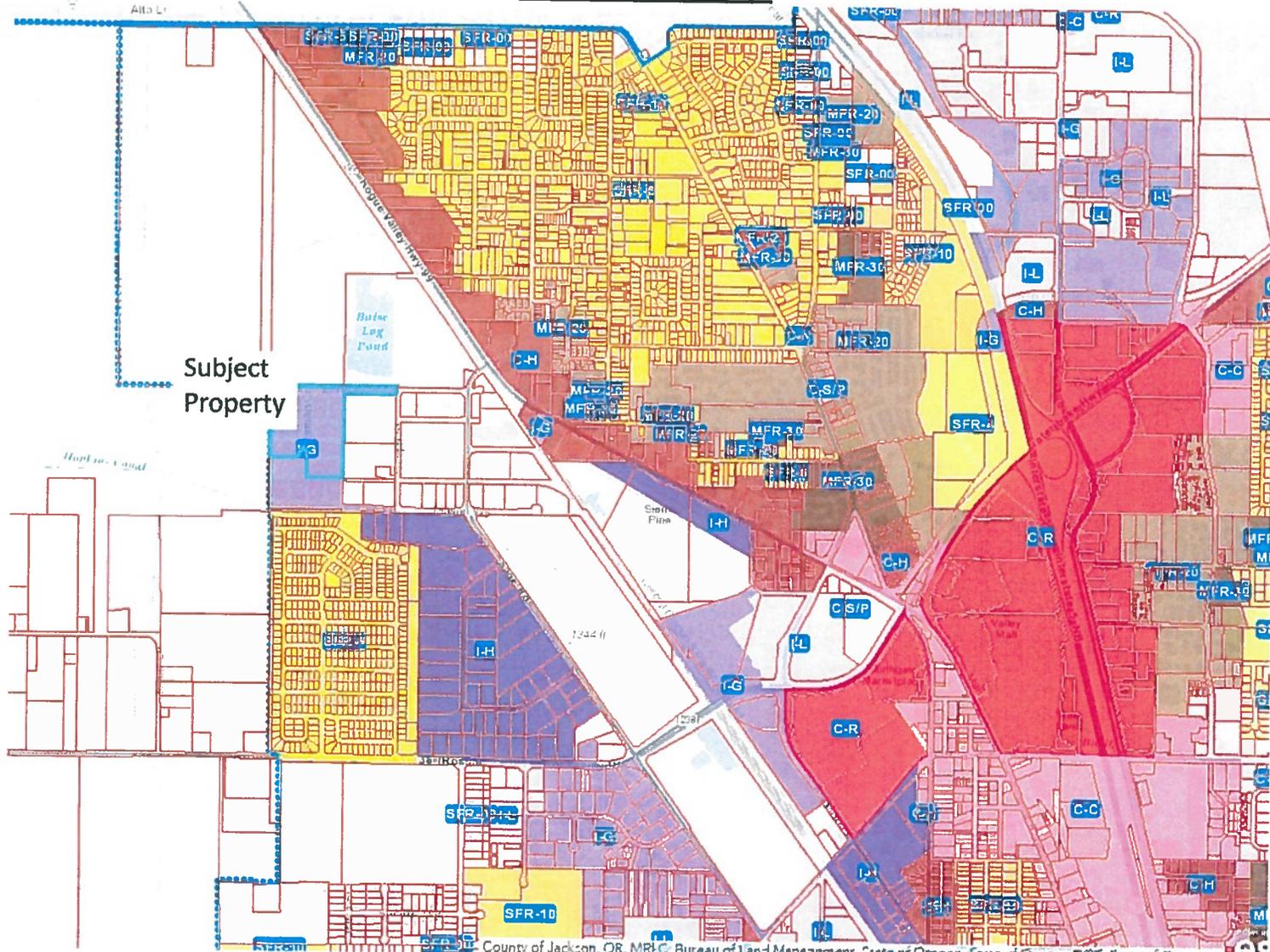
A handwritten signature in black ink, appearing to read "Joe", with a long, sweeping horizontal line extending to the right.

RICHARD STEVENS & ASSOCIATES, INC.

Appendix "A"

Vicinity Map

Vicinity Map



Appendix “B”

Aerial Photo & Zoning Map

2012 Aerial

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Subject Property

0 200 400 Feet

1 inch = 400 feet

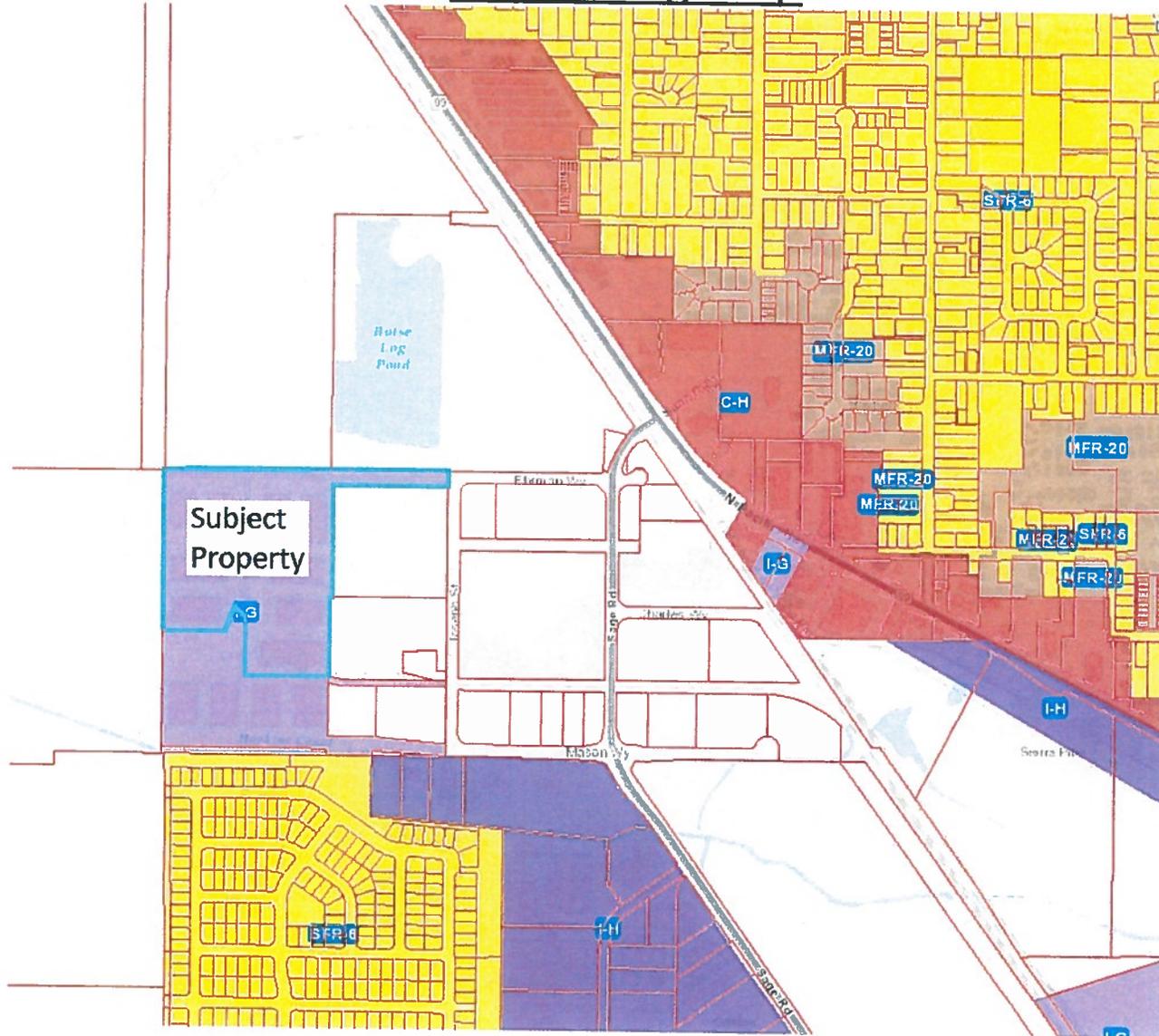


This map is based on a digital database compiled by Jackson County GIS from a variety of sources and may include RSA field data received by a Trimble GPS. We cannot accept responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied.
3-31-17



Source: ESA, Digital Globe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

City Zoning Map



County Zoning

37-2W-14 TL 1400



Legend

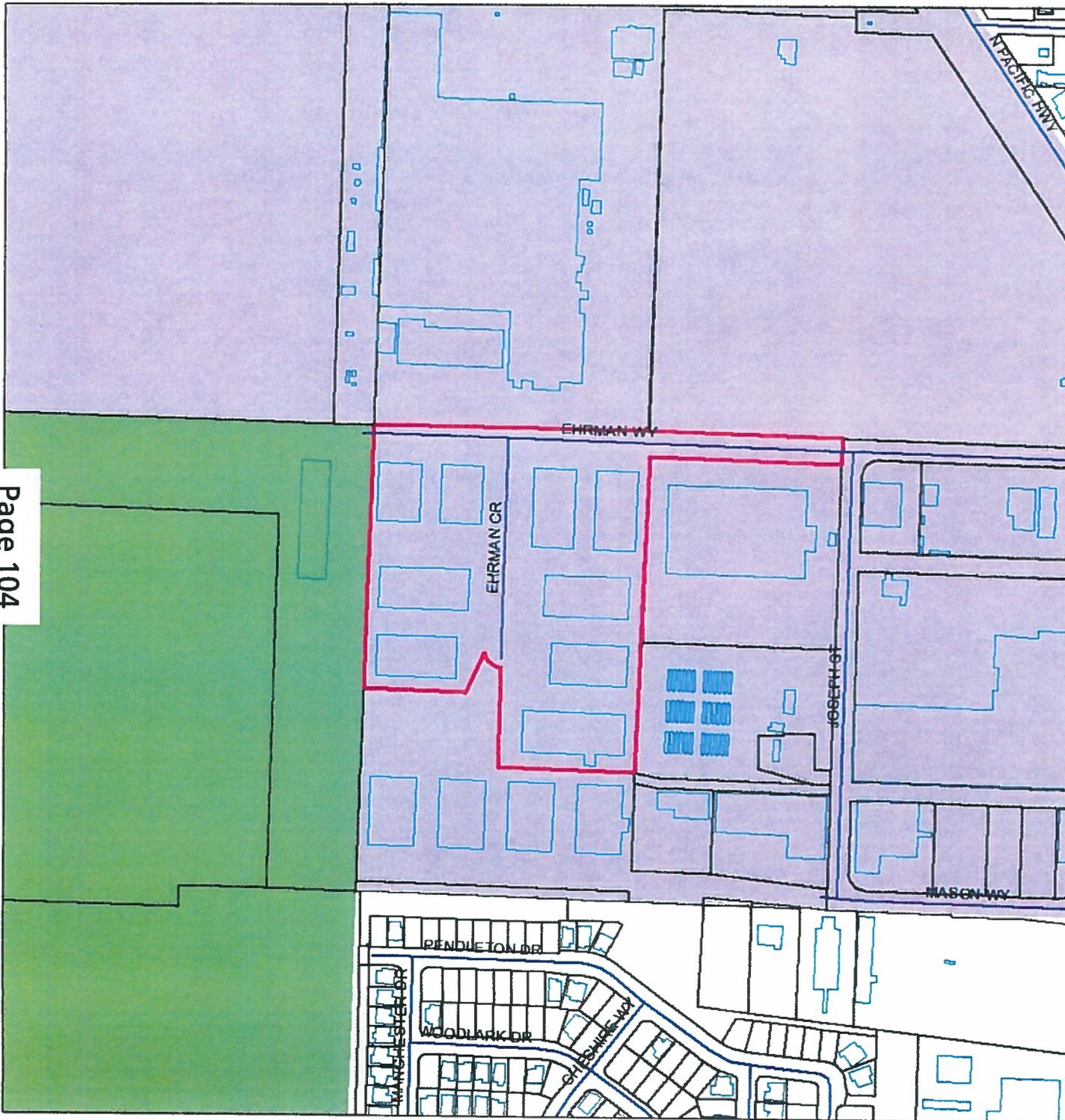
-  Building Footprints
-  Subject Property
-  Agricultural Land (EFU)
-  Limited Use Land
-  Urban Residential Land
-  Industrial Land
-  Commercial Land
-  Forest/WR/OSR
-  Rural Residential Land
-  Aggregate Removal Land

0 200 400 Feet

1 inch = 400 feet



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3-31-17



Appendix “C”

Tentative Pad-Lot Subdivision Plan

&

Approved Grading and Storm Water Plans for Existing Development

JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:

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

PREPARED BY:

Kaiser Surveying
18754 Highway 62
Eagle Point, OR. 97524

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
Bary D. Kaiser
OREGON
JULY 15, 2003
BARY D. KAISER
No. 1872
Exp. 6-30-17

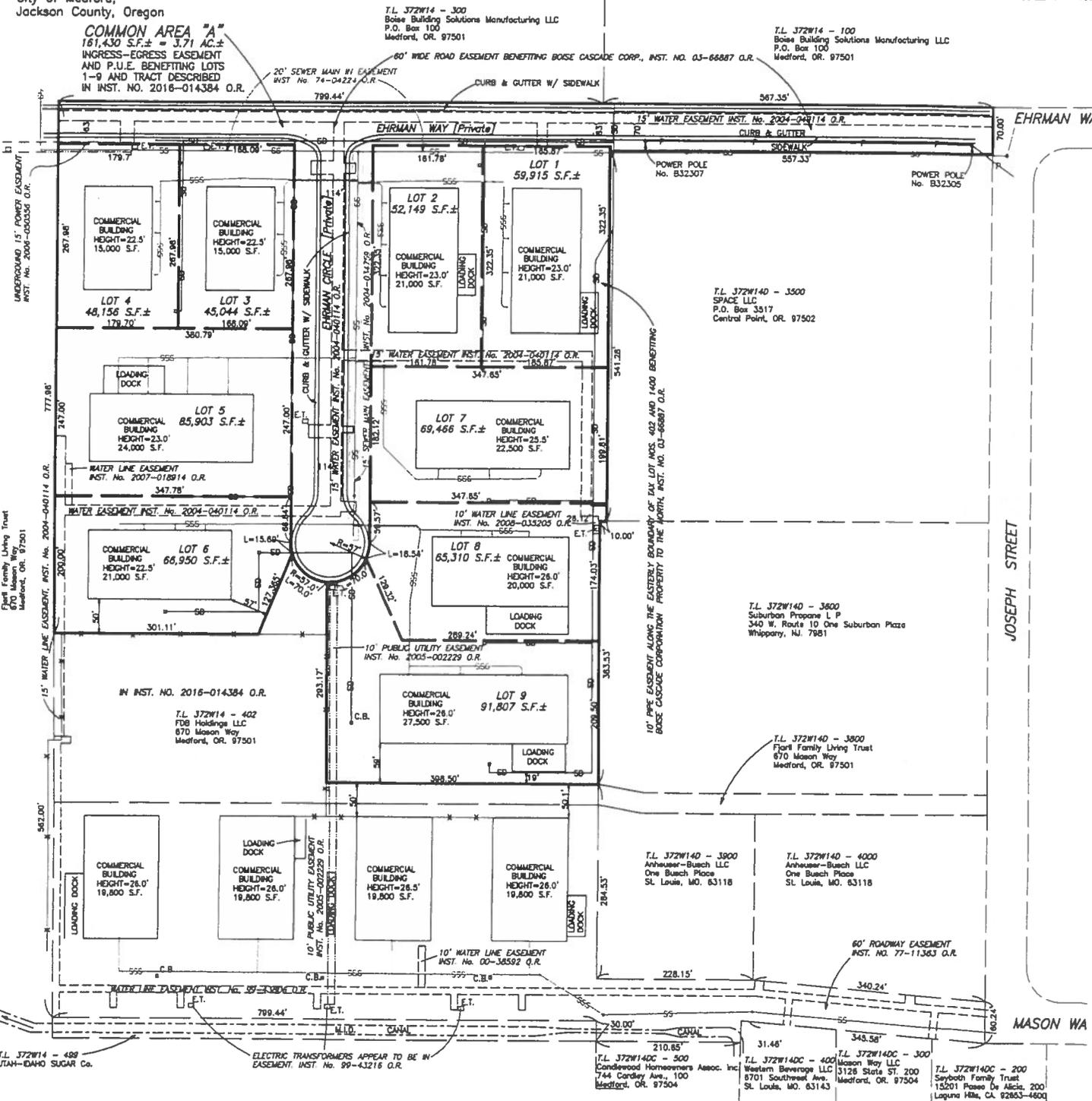
LEGEND

- X—X— = Fence
- P— = Overhead Power Lines
- 66— = Sewer Main
- 555— = Sewer Service
- 56— = Stormdrain
- E.T. = Electric Transformer
- C.B. = Catch Basin (stormdrain)



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

DATE: December 6, 2016



REQUIRED INFORMATION (FROM APPLICATION FORM)

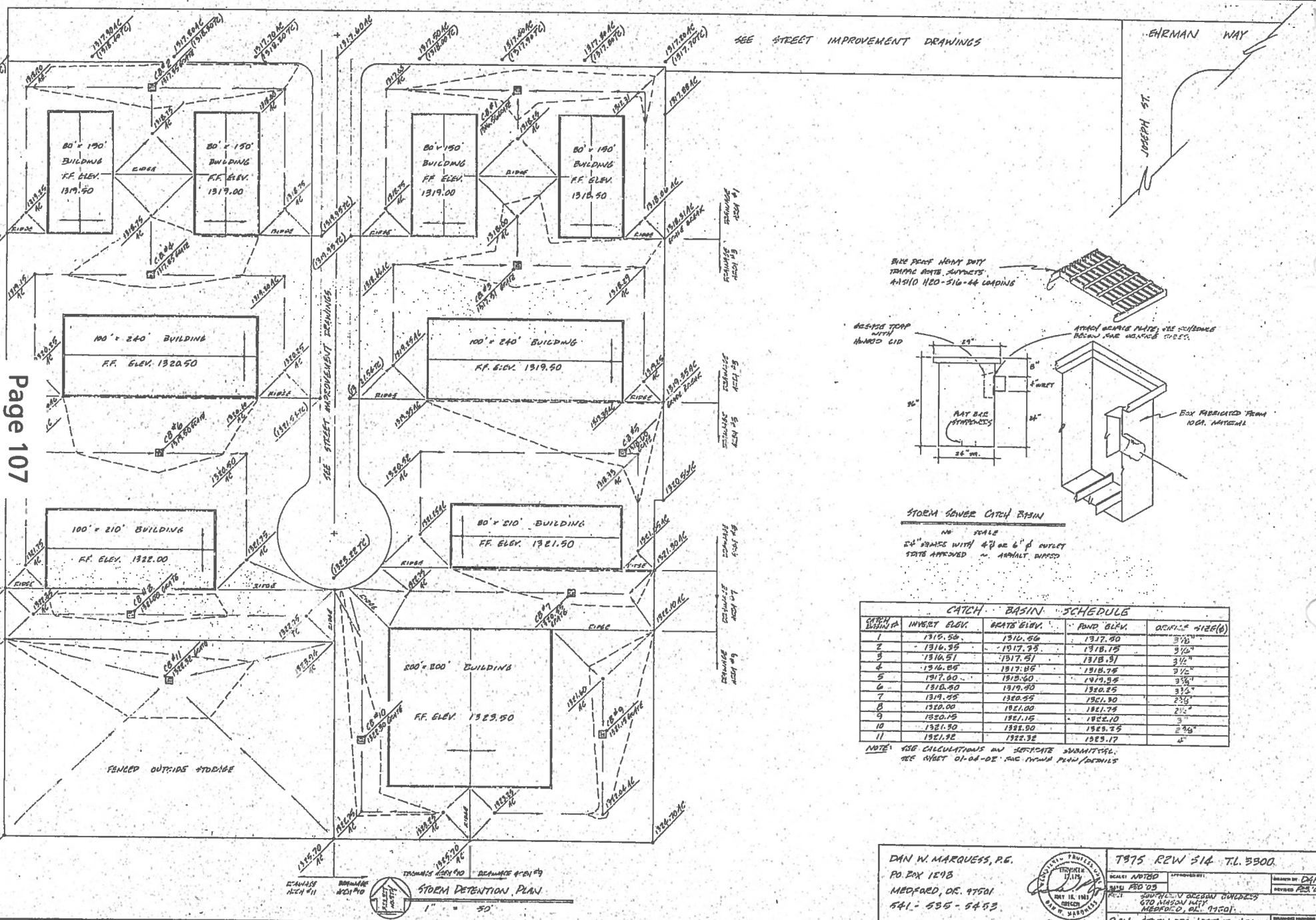
1. There are no wells or septic systems on site. All tax lots receive water and sewer service from mains located in easements and/or mains as shown. The location of stormdrain lines and catch basins were located from survey ties and Engineers drawings. Stormdrain facilities located on tax lot 1400 drain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

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

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

EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP:

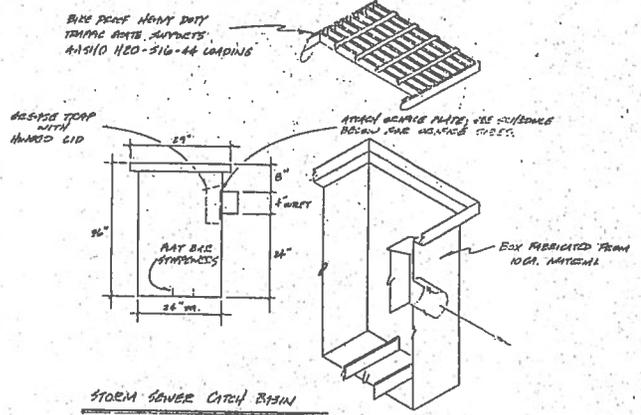
1. Power line easements recorded in Vol. 226, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R., exact location was not determined but may pertain to power lines and transformers shown above on map.
2. Documents recorded in Inst. Nos. 76-22653 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.
3. Gas line easements recorded in inst. Nos. 73-17369 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029595 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southerly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23665 O.R. appears to a blanket easement for maintenance of natural gas facilities.
4. Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easen



SEE STREET IMPROVEMENT DRAWINGS

SHERMAN WAY

JOSEPH ST



STORM SEWER CATCH BASIN

NO SCALE
 24" GRATE WITH 4" OR 6" Ø OUTLET
 SETS APPROVED BY APPLICANT OFFICE

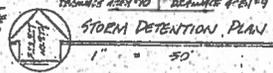
CATCH BASIN SCHEDULE				
CATCH BASIN #	INVERT ELEV.	GRATE ELEV.	POND BLV.	OUTLET SIZE (Ø)
1	1319.50	1319.56	1317.50	3 1/2"
2	1318.35	1317.35	1316.15	3 1/2"
3	1316.51	1317.51	1316.31	3 1/2"
4	1316.85	1317.85	1316.75	3 1/2"
5	1317.80	1318.50	1317.55	3 1/2"
6	1318.40	1319.50	1320.25	3 1/2"
7	1319.25	1320.25	1321.50	3 1/2"
8	1320.00	1321.00	1321.75	2 1/2"
9	1320.75	1321.75	1322.10	2 1/2"
10	1321.50	1322.50	1322.25	2 1/2"
11	1321.92	1322.32	1323.17	2"

NOTE: SEE CALCULATIONS ON SEPARATE SUBMITTAL.
 SEE SHEET 01-04-02 FOR FLOW PLAN/DETAILS

DAN W. MARQUESS, P.E.
 P.O. BOX 1218
 MEDFORD, OR. 97501
 541-535-5453



7875 R2W 314 TL 5300
 SCALE: NOTED
 DATE: FEB 03
 DRAWN BY: DAN MARQUESS
 CHECKED BY: DAN MARQUESS
 PROJECT: STORM DETENTION BASINS
 SHEET: 01-04-01



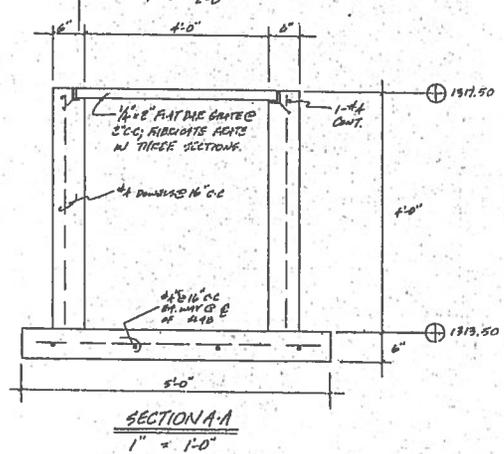
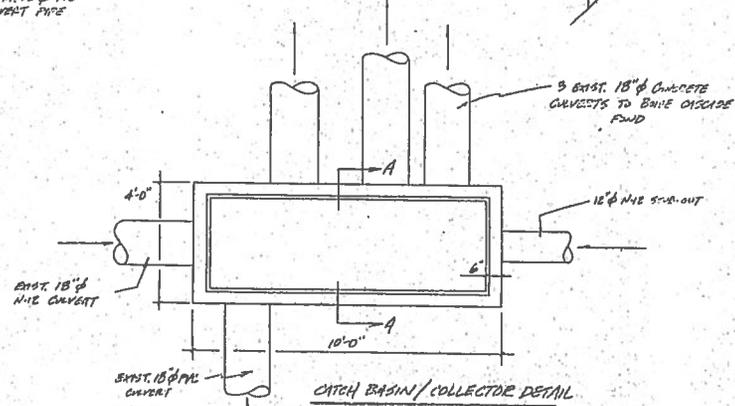
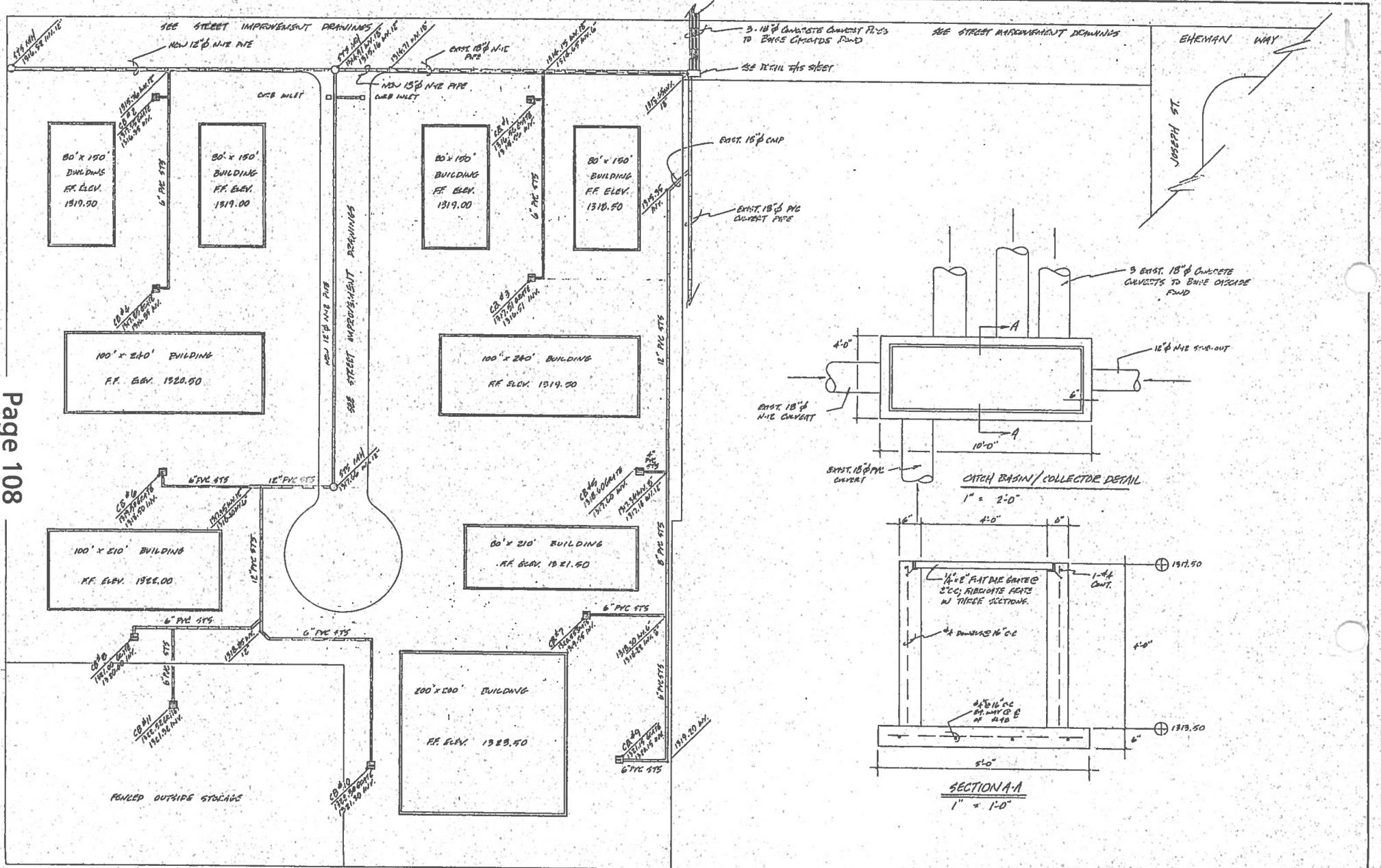
2" MANHOLE WITH 4" Ø

3" MANHOLE WITH 6" Ø

TRANSVERSE SECTION

STORM DETENTION PLAN

1" = 50'



DAN W. MARQUESS, PE
 PO Box 1298
 MEDFORD, OR 97501
 541-535-5453

7575 REN 314 TL 3300

SCALE: NOTED
 DATE: FEB 02
 PROJECT: SHIPLEY GREEN WAREHOUSE
 630 SHIPLEY GREEN
 MEDFORD, OR 97501

DESIGNED BY: DAN W. MARQUESS
 CHECKED BY: [Signature]
 DATE: 12-31-01
 CITY: MEDFORD, OR

STORM SEWER PIPING PLAN / DETAILS 01-04-02

Appendix “D”

Agricultural Land Information

Soils

37-2W-14 TL 301



Legend

-  Subject Property
-  Soils

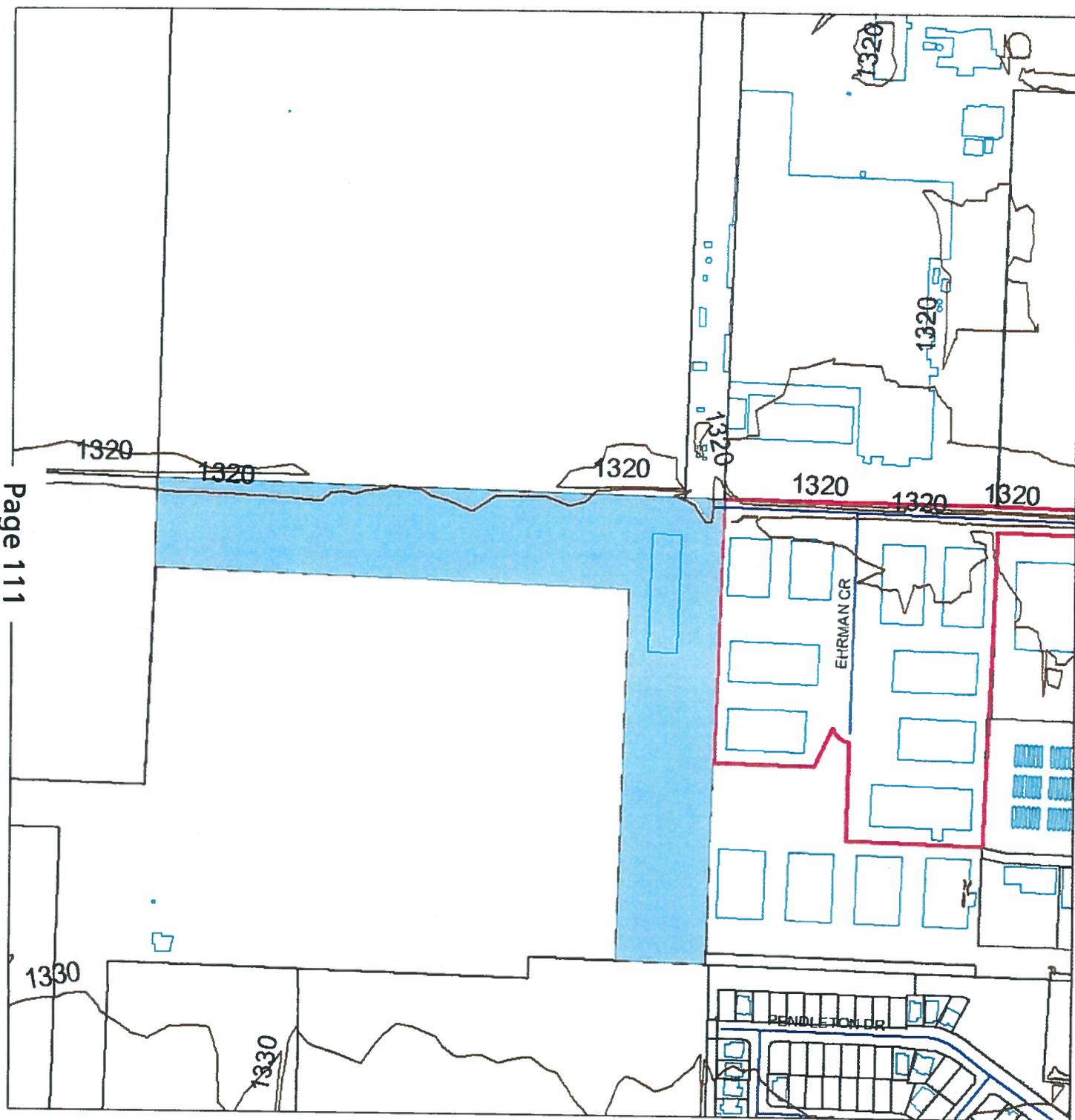
0 150 300 Feet

1 inch = 300 feet

Soils					
Symbol	Name	Slope	NonIrr	Irr	Cubic Ft
127A	Medford silty clay loam	0-3%	IV (4)	I (1)	0
76	Gregory silty clay loam	0-3%	IV (4)	II (2)	0



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3/31/2017



Contours

37-2W-14 TL 1400



Legend

-  Building Footprints
-  Industrial Property TL 1400
-  10-Foot Contour
-  EFU Property TL 301



1 inch = 400 feet



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

3-31-17

Account Sequence		Map TL Sequence		Assessment Year 2016	Print Window		Close Window		
Assessment Info for Account 1-046271-8 Map 372W14 Taxlot 301 Report For Assessment Purposes Only Created March 31, 2017									
Account Info				Tax Year 2016 Info			Land Info		
Account	1-046271-8			Pay Taxes Online			Tax Code	49-15	
Map	372W14 301			Tax Report			Accegrage	16.29	
Taxlot	372W14 301			Tax Statement			Zoning	EFU	
Owner	FJARLI PROPERTIES LLC			Tax History			Land Class		
Situs Address	NORTH PACIFIC HWY MEDFORD/COUNTY			Tax Code 49-15			Property Class	551	
Mailing Address	FJARLI PROPERTIES LLC JO ANN FJARLI MEMBER 1570 ROSS LN MEDFORD OR, 97501			Tax Type	Due Date	Amount	Stat Class	300	
- Associated Taxlots	1 Acct			Advalorem	11/15/16	\$5,154.51	Unit ID	170233-2	
49-15 R	1-046275-9 372W15 1601 ACTIVE			Tax Rate	13.3756		Maintenance Area	5	
Appraiser	95			District Rates			Neighborhood	000	
				District Amounts			Study Area	21	
				Tax Rate Sheet			Account Status	ACTIVE	
							Tax Status	Assessable	
							Sub Type	NORMAL	
Sales Data (AS 400)									
Last Sale				Sale Date		Instrument Number	Sales History		
\$475,000.00				8/1/1997		1997-28879	Details		
+ Value Summary Detail (For Assessment Year 2016)									
- Market Value Summary (For Assessment Year 2016)									
Code Area	Type	Accegrage	RMV	M5	MAV	AV			
49-15	LAND	4.50	\$ 50,560	\$ 50,560	\$ 36,430	\$ 36,430			
49-15	LAND	11.79	\$ 132,460	\$ 0	\$ 0	\$ 0			
49-15	IMPR	0.00	\$ 470,290	\$ 470,290	\$ 338,880	\$ 338,880			
Value History			Total:	\$ 653,310	\$ 520,850	\$ 375,310	Details		
- Specially Assessed Value Summary (For Assessment Year 2016)									
Code Area	Type	Accegrage	SAV	MSAV	AV				
49-15	LAND	11.79	\$ 13,150	\$ 10,057	\$ 10,057				
Total:			\$ 13,150	\$ 10,057	\$ 10,057				
- Total (Market + Specially Assessed) Value Summary (For Assessment Year 2016)									
Code Area	RMV	M5	MAV	AV					
49-15	\$ 653,310	\$ 534,000	\$ 385,367	\$ 385,367					
Improvements									
Site	Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete
	1	49-15	2006	2006	300	Residential Other Improvements	Residence	0	100 %
Images / Plans									
Image type						Item Number	Image Files		
RESIDENTIAL						1	2	PDF	
ACCOUNT PHOTOS						2	6	PDF	
All in One Report									PDF
+ Improvement Comments									
- Appraisal Maintenance									
2004 - R. T. (X-% COMP/INOR CHGS/LNDSCP)									
2004 - R. T. (R-FIELD REV/CODE INSP/USE CHNG)									
- Account Comments									
VALUED W/TL 500, 372W15-1601 #25>>> 12/18/00 CURRENTLY BEING FARMED #96>>> 01/28/03 NO CHANGE--CONT RT 2004>>> 06/10/04 NO CHANGE TO ACCT FOR 2004 #95>>> 01/15/08 NO LAND CHANGES #96 >>>08/12/09 DISQUALIFIED 4.50 ACRES OF LAND DUE TO THE FARMLAND CURRENTLY LYING IDLE OR NO LONGER IN A QUALIFYING FARM USE. #74									
- Exemptions / Special Assessments / Notations / Potential Liability									
Notations	Description	Tax Amount	Year Added	Value Amount					
	FARM LAND-POTENTIAL LIABILITY								
	2009-10 TRC 500/600 PCL NOT CPR'D		2009						
	POT'L ADD'L TAX LIABILITY ORS 308A.083	2128.88	2009						
	CARTOGRAPHIC ACTIVITY		2007						
- Location Map									
Close Window				Print Window					

Appendix “E”

Weather Data

Average Weather for Medford, Oregon, USA Provided by weatherspark.com

Location

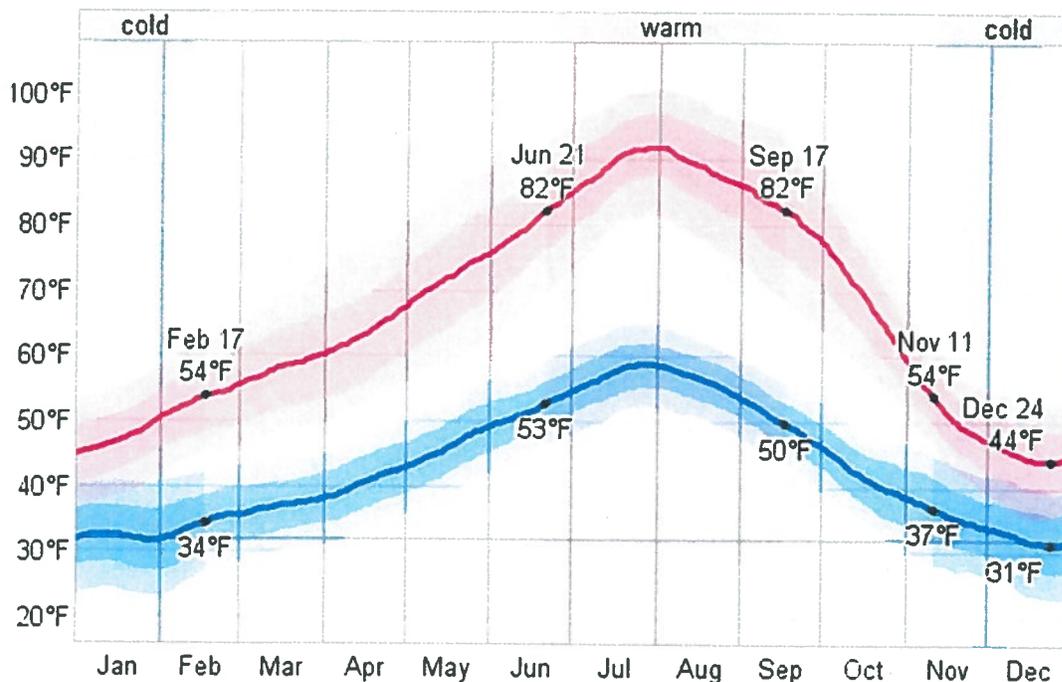
This report describes the typical weather at the Rogue Valley International-Medford Airport (Medford, Oregon, United States) weather station over the course of an average year. It is based on the historical records from 1974 to 2012. Earlier records are either unavailable or unreliable.

Medford, Oregon has a mediterranean climate with dry hot summers and mild winters. The area within 25 miles of this station is covered by *forests* (86%) and *croplands* (13%).

Temperature

Over the course of a year, the temperature typically varies from 31°F to 92°F and is rarely below 23°F or above 101°F.

Daily High and Low Temperature

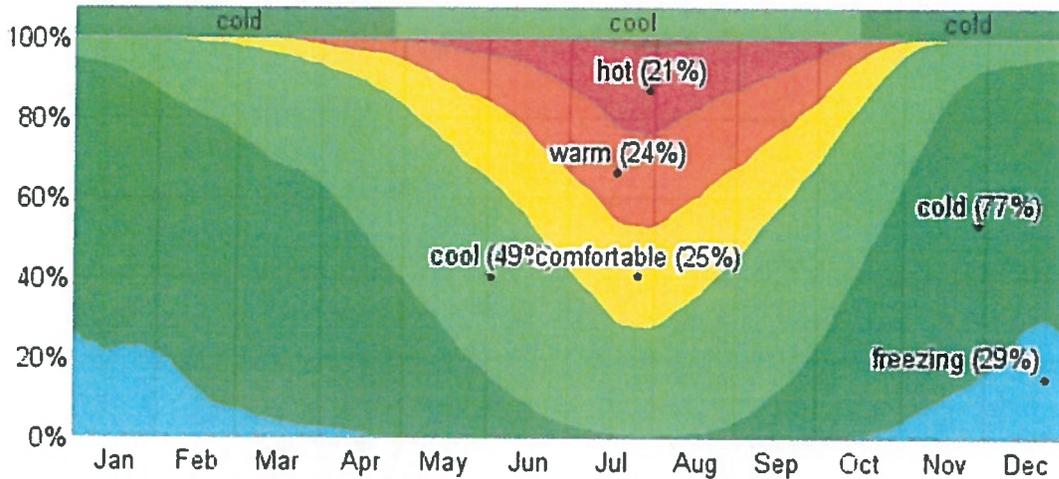


The daily average low (blue) and high (red) temperature with percentile bands (inner band from 25th to 75th percentile, outer band from 10th to 90th percentile).

The *warm season* lasts from June 21 to September 17 with an average daily high temperature above 83°F. The hottest day of the year is July 30, with an average high of 92°F and low of 59°F.

The *cold season* lasts from November 11 to February 17 with an average daily high temperature below 54°F. The coldest day of the year is December 25, with an average low of 31°F and high of 44°F.

Fraction of Time Spent in Various Temperature Bands



The average fraction of time spent in various temperature bands: frigid (below 15°F), freezing (15°F to 32°F), cold (32°F to 50°F), cool (50°F to 65°F), comfortable (65°F to 75°F), warm (75°F to 85°F), hot (85°F to 100°F) and sweltering (above 100°F).

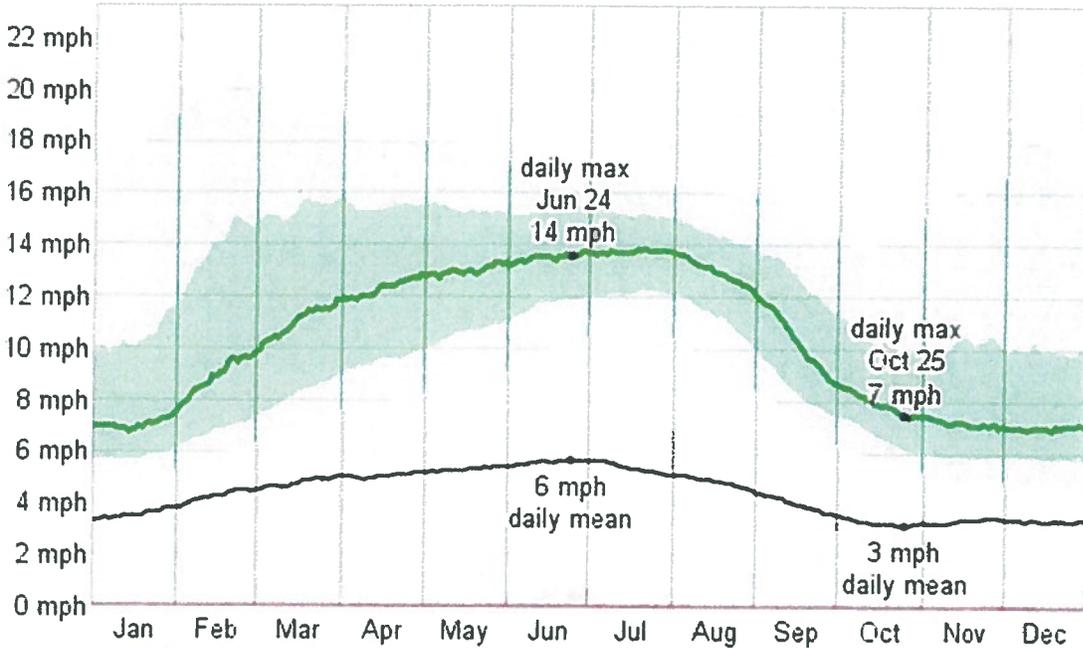
Wind

Over the course of the year typical wind speeds vary from 0 mph to 14 mph (calm to moderate breeze), rarely exceeding 21 mph (fresh breeze).

The *highest* average wind speed of 6 mph (light breeze) occurs around June 24, at which time the average daily maximum wind speed is 14 mph (moderate breeze).

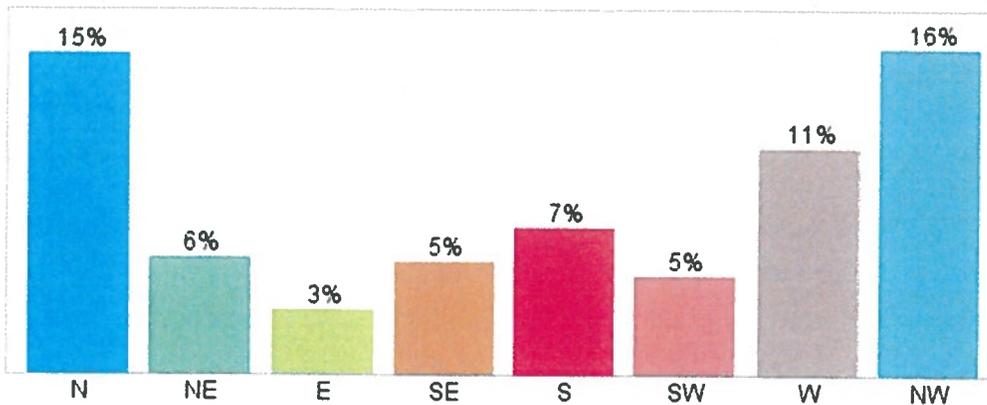
The *lowest* average wind speed of 3 mph (light air) occurs around October 25, at which time the average daily maximum wind speed is 7 mph (light breeze).

Wind Speed



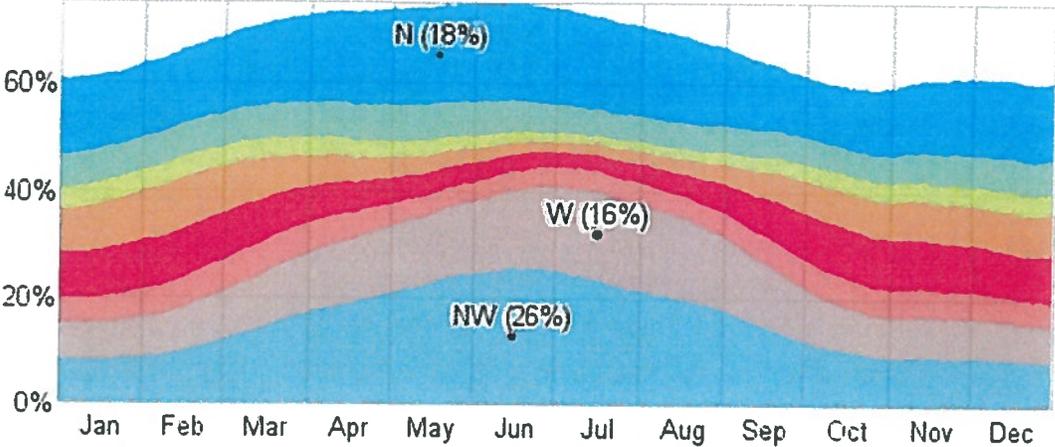
The average daily minimum (red), maximum (green), and average (black) wind speed with percentile bands (inner band from 25th to 75th percentile, outer band from 10th to 90th percentile). The wind is most often out of the *north west* (16% of the time), *north* (15% of the time), and *west* (11% of the time). The wind is least often out of the *east* (3% of the time) and *south west* (5% of the time).

Wind Directions Over the Entire Year



The fraction of time spent with the wind blowing from the various directions over the entire year. Values do not sum to 100% because the wind direction is undefined when the wind speed is zero.

Fraction of Time Spent with Various Wind Directions



The fraction of time spent with the wind blowing from the various directions on a daily basis. Stacked values do not always sum to 100% because the wind direction is undefined when the wind speed is zero.

Appendix "F"

Photographs



Looking north from approximately 150' west of the northeast corner of TL 301. Notice: 1) The existing ditch along the north property boundary, and 2) the baricade at the end of Ehrman Way to block entrance to the agricultural land.



Looking southeast from approximately 100' west of the the northeast corner of TL 301. Notice: 1) The existing curb and stormwater inlets along the private portion or Ehrman Way.



Looking south from near the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings on the left and the existing agricultural storage and maintenance building on the right.



Looking south from a point approximately 170 feet west and 50 feet south of the northeast corner of TL 301. Notice: 1) The grade difference between the existing storage and maintenance building/yard and the portion of the property used for crop production.



Looking south from a point approximately 150 feet south of the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings and the property boundary.



Looking west from a point approximately 350 feet south of the northeast corner of TL 301. Notice: 1) The existing fence along the common property boundary and 2) the distance between the existing industrial buildings and the property boundary.

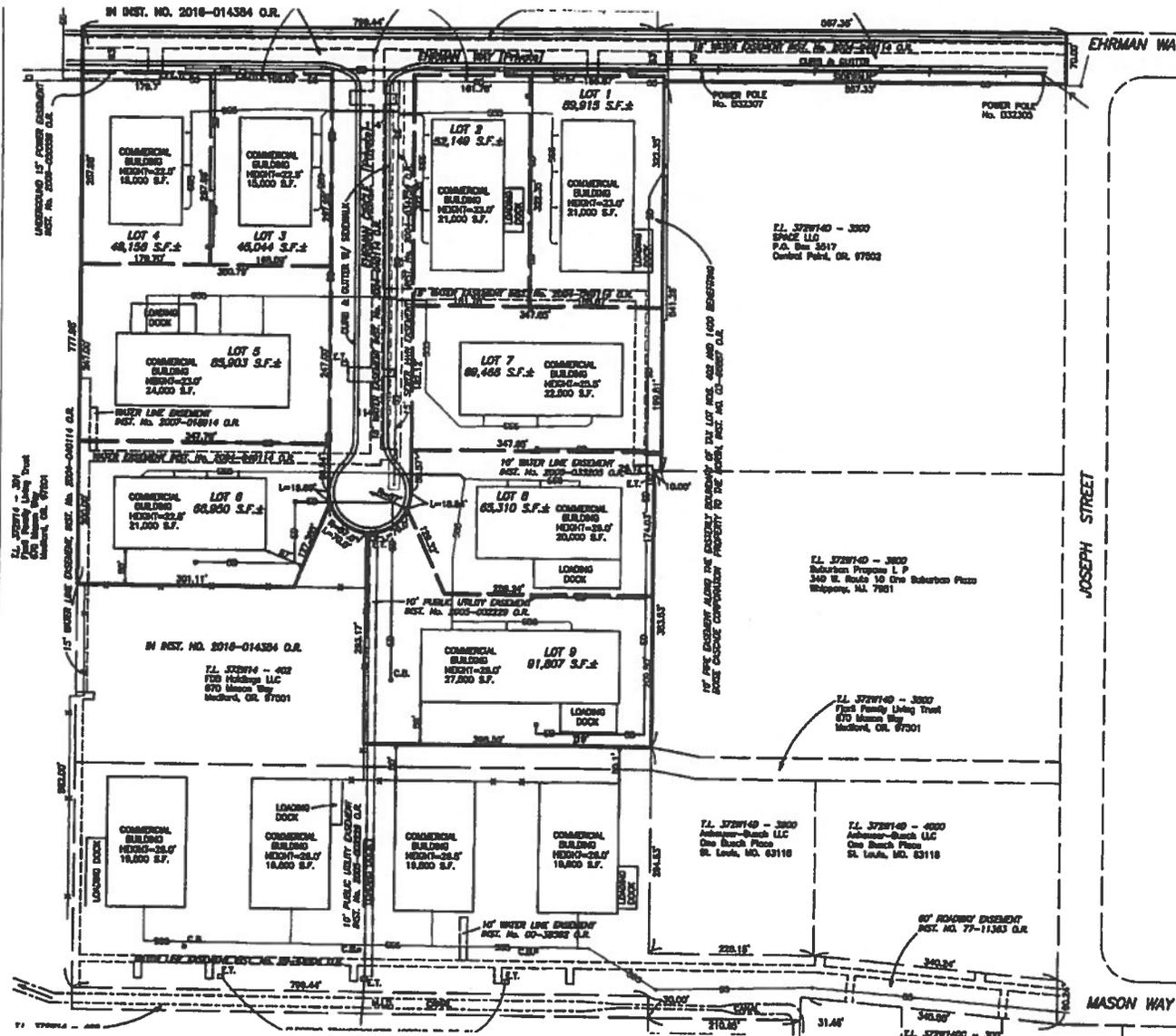
JAM Industrial Park

LDS-17-050



JAM Industrial Park

- Pad Lot subdivision
- The property is fully developed
- No changes to the property proposed
- This application will allow for the individual sale of buildings
- Proposed layout to keep existing operations without disruption



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

South side of Building #9 looking east



Between
Building #8 and
Building #9
looking east

Page 131



Between
Building #7 and
Building #8
looking east



North side of
Building #7
looking east



Between
Building #1 and
Building #2
looking north

Page 134



East side of
Building #7
looking south





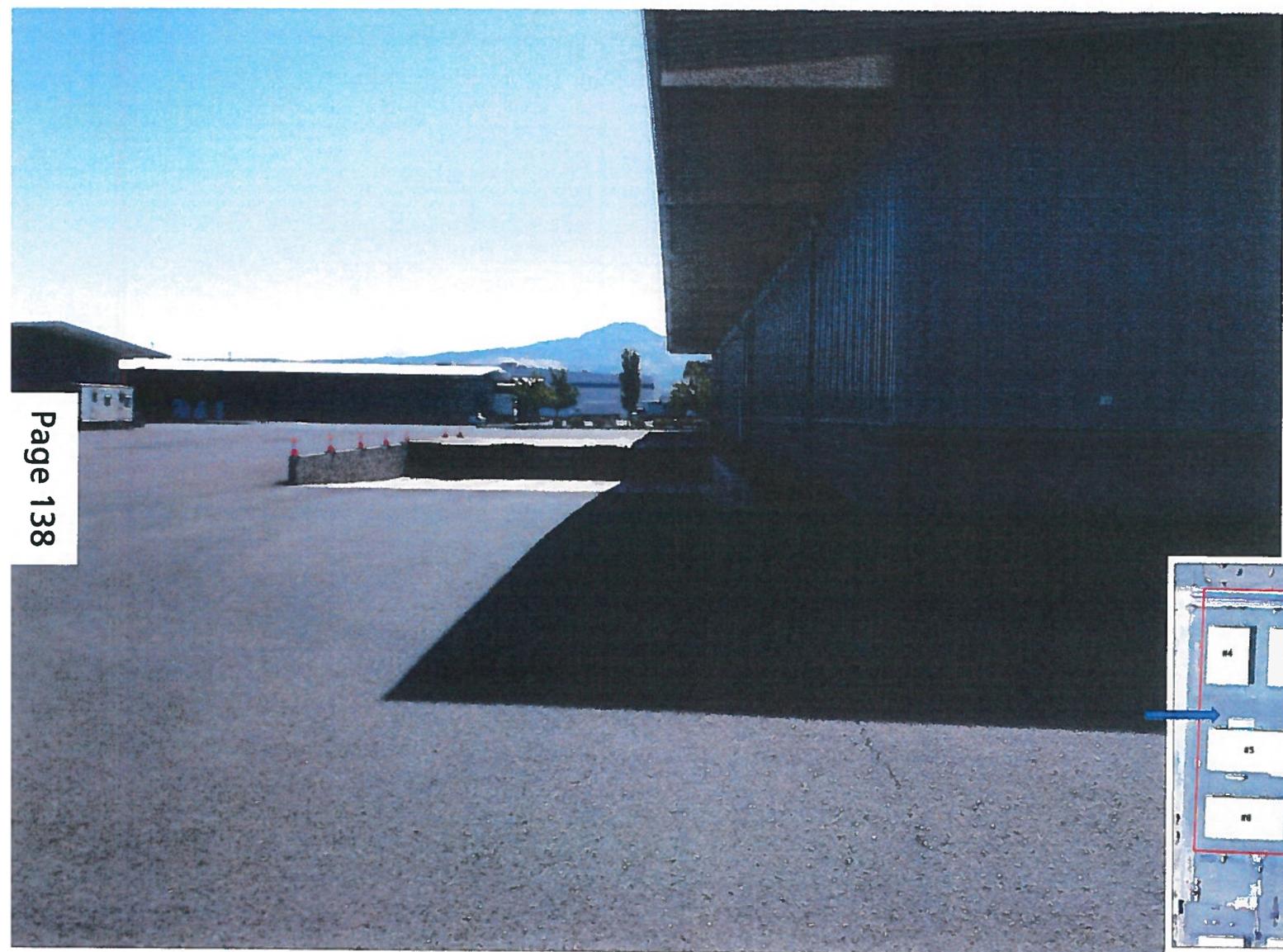
East side of Building #1 looking north



South side of Building #4 looking north



West side of
Building #5
looking east



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

Special Purposes for Allowing Larger Lot Size

- Loading docks (both existing and future)
- Secure, fenced areas (both existing and future)
- Access to roll-up door
- Developed to be compatible with large trucks (maneuvering and access)
- Building eaves extend 10 feet from all building walls
- Maintain existing operations without disruption

Request

- Approve the pad lot subdivision as proposed
- Remove discretionary condition 1. and allow pad lots that are in excess of 4' from the external walls for the special purposes listed:
 - Loading docks (both existing and future)
 - Secure, fenced areas (both existing and future)
 - Access to roll-up door
 - Developed to be compatible with large trucks (maneuvering and access)
 - Building eaves extend 10 feet from all building walls
 - Maintain existing operations without disruption

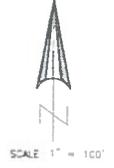
JAM INDUSTRIAL PARK
(A PAD LOT SUBDIVISION) - TENTATIVE

OWNER AND APPLICANT:
The Merlin and JoAnn Fjari Foundation
670 Mason Way
Medford, OR. 97501

PREPARED BY:
Koiser Surveying
19754 Highway 62
Eagle Point, OR. 97524

REGISTERED
**PROFESSIONAL
LAND SURVEYOR**
ELECTRONIC COPY
OREGON
JULY 15, 2003
BARY D. KAISER
No. 52923
EXP. 6-30-19

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



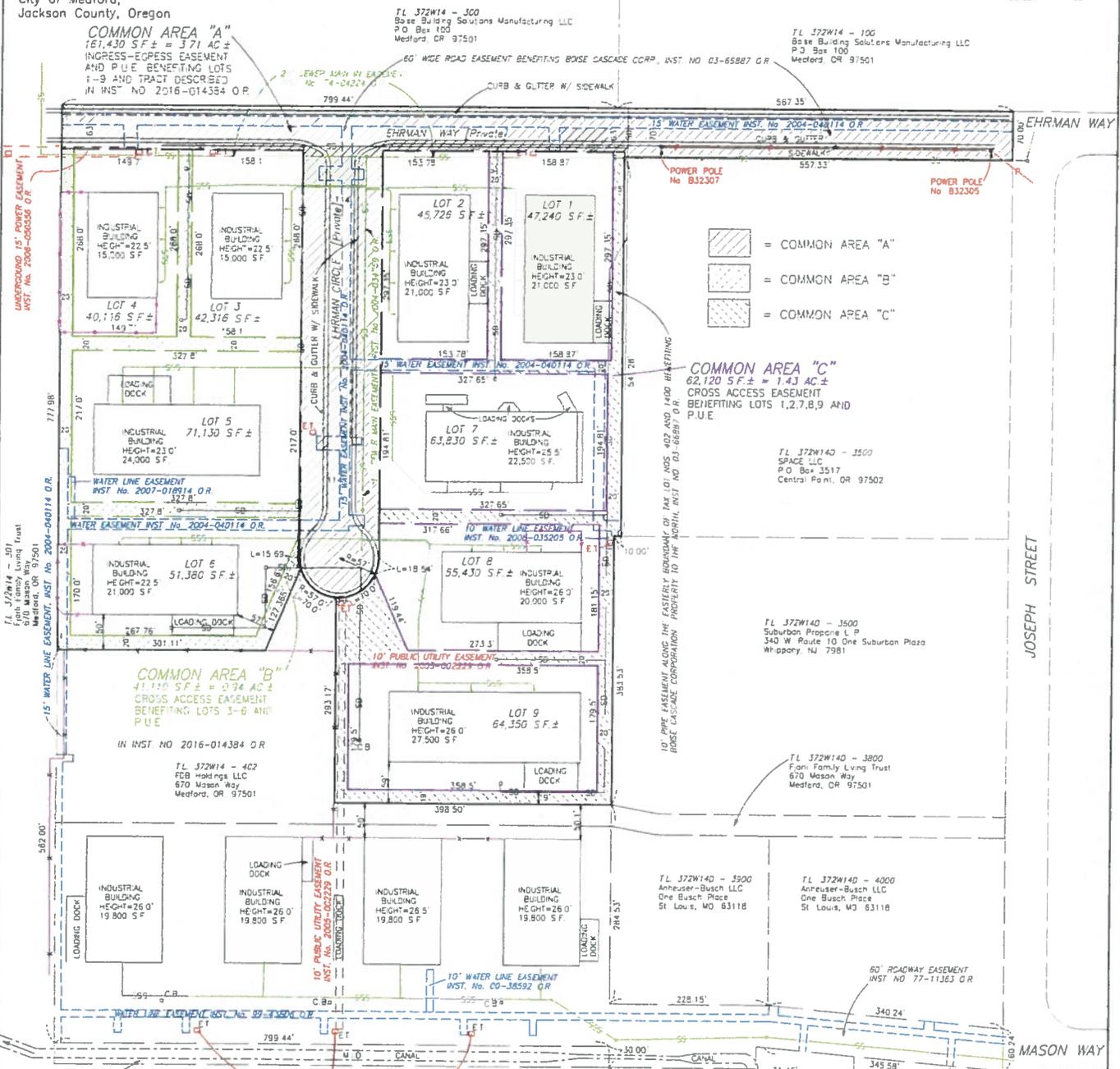
LOCATION:
Tax Lot No. 372W14 - 1400
City of Medford,
Jackson County, Oregon

DATE:
July 25, 2017

COMMON AREA "A"
161,430 SF ± = 3.71 AC ±
INGRESS-EGRESS EASEMENT
AND P.U.E. BENEFITING LOTS
1-9 AND TRACT DESCRIBED
IN INST. NO. 2016-014354 O.R.

COMMON AREA "B"
41,130 SF ± = 0.94 AC ±
CROSS ACCESS EASEMENT
BENEFITING LOTS 3-6 AND
P.U.E.
IN INST. NO. 2016-014384 O.R.

COMMON AREA "C"
62,120 SF ± = 1.43 AC ±
CROSS ACCESS EASEMENT
BENEFITING LOTS 1,2,7,8,9 AND
P.U.E.



REQUIRED INFORMATION (FROM APPLICATION FORM)

- There are no wells or septic systems on site. All tax lots receive water and sewer service from mains located in easements and/or mains as shown. The location of stormdrain lines and catch basins were located from survey ties and Engineers drawings. Stormdrain facilities located on tax lot 1400 drain Northerly to Boise Cascade log pond and stormdrain lines located on tax lot 402 drain Southerly to M.D. canal.
 - All structures are commercial buildings. The buildings are concrete block and metal constructed and are single story with building heights as shown.
- ZONING INFORMATION:**
Properties are located in I-G zone.
- EASEMENTS FROM CURRENT TITLE REPORT NOT SHOWN ON MAP**
- Power line easements recorded in Vol. 226, Page 575 D.R., Vol. 241, Page 304 D.R., Vol. 283, Page 144, Inst. No. 95-24752 O.R. and 98-57953 O.R. exact location was not determined but may pertain to power lines and transformers shown above on map.
 - Documents recorded in Inst. Nos. 76-22653 O.R., 76-21909 O.R., 77-14249 O.R., 77-18503 O.R., 77-14250 O.R. and 77-04752 O.R. are for a water pipeline and access along and near the Hopkins canal benefiting The United States of America. The exact location of said easements was not determined.
 - Gas line easements recorded in Inst. Nos. 73-17369 O.R., 95-37541 O.R., 90-28486 O.R. and 2005-029535 O.R. appear to be natural gas easements along and near the Hopkins canal and across the Southerly portion of tax lot 402. The canal is shown hereon. Document recorded in Inst. No. 91-23665 O.R. appears to be a blanket easement for maintenance of natural gas facilities.
 - Document recorded in Inst. No. 70-01838 O.R. is an Old Irrigation easement. Exact location not determined.

CITY OF MEDFORD
EXHIBIT # R (1 of 2)
File # LDS-17-050



City of Medford Planning Department

Vicinity
Map

File Number:
LDS-17-050



Project Name:

JAM Industrial Park

Map/Taxlot:

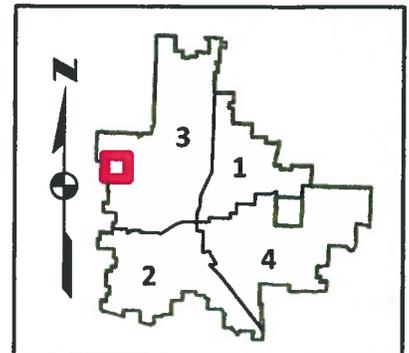
372W17 TL 1400



05/01/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

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

PROJECT Scott Becker Zone Change
Applicant: Scott Becker

FILE NO. ZC-17-075

TO Planning Commission *for August 24, 2017 hearing*

FROM Steffen Roennfeldt, Planner III

REVIEWER Kelly Akin, Assistant Planning Director *h.*

DATE August 17, 2017

BACKGROUND

Proposal

Consideration of a request for a zone change from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to MFR-20 (Multi Family Residential, 20 dwelling units per gross acre) of 1.33 acres located immediately southwest of the intersection of Stewart Avenue and Lozier Lane and north of Shamila Court.

Subject Site Characteristics

Zoning SFR-00
 GLUP UH (Urban High Density Residential)
 Use Existing single family home with outbuilding

Surrounding Site Characteristics & Zoning

North	SFR-00	Vacant
South	SFR-10	Duplexes
East	SFR-00 & SFR-6	Single family homes & vacant land
West	SFR-10	Vacant

Related Projects

CP-13-032 UGBA Phase 1: Internal GLUP Amendment

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation and noted by ***.

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

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

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one 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 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 of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject property was annexed into the City in 1997 as part of approximately 63.97 acres of property located on the south side of Stewart Avenue, on the west side of Orchard Home Drive, plus Stewart Avenue right-of-way. At the time of annexation the property was given a holding zone of SFR-00.

On December 4, 2014, the City Council adopted an ordinance changing the General Land Use Plan (GLUP) designation of several lots within the Urban Growth Boundary in order to increase development capacity. At that time the GLUP designation for the subject property was changed from Urban Residential (UR) to Urban High Density Residential (UH).

Agency Comments

Public Works Department

The Public Works Staff Report (Exhibit C) states that 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 Land Development Code (MLDC), Section 10.461(3). Also, no conditions pertaining to streets, street capacity, or access are requested by Public Works at this time.

Medford Water Commission

Among other things, Medford Water Commission (MWC) comments (Exhibit E) on this application state that water facilities have adequate capacity to serve the subject property and that access to MWC water lines for connection is available.

Rogue Valley Sewer Services

No comments received at the date this staff report was written.

Storm Drainage Facilities

The Public Works Staff Report (Exhibit C) also addresses storm drainage facilities and states that the City of Medford has existing storm drain facilities in the area and that the site would be able to connect to these facilities. Stormwater quality and detention measures will be required at time of development.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A).

The criteria for zone change approval are: the proposed zone is consistent with the Oregon Transportation Rule (OAR 660), the General Land Use Plan (GLUP) Map designation and that it shall be demonstrated that Category "A" urban services and facilities are or can and will be provided to adequately serve the subject property.

Finding – Oregon Transportation Planning Rule

OAR 660 is designed to assure local agencies comply with State goals and regulations regarding transportation issues and provides an explanation to local agencies to demonstrate compliance with a Transportation System Plan (TSP). The City of Medford has an approved TSP consistent with the requirements of the State. The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs. The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian.

A review of the subject property determines that of existing transportation facilities that would provide service, ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this proposal. The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The parcel has frontage on Stewart Avenue, which is designated as a Major Arterial on the TSP's Street Functional Classification Map (Figure 1-2), Lozier Lane (Major Collector), and Shamilia Court (Local).

The current driveway and access to the property is from Stewart Avenue. In addition, the subject property is located within the Southwest Medford Circulation Plan. This circulation plan was prepared by the City to address the unique issues, concerns and visions at a greater level of detail than is possible in a citywide TSP.

Rogue Valley Transportation District does not provide transportation direct access to the subject site. There is currently service on Orchard Home Drive (Lines 2, 10, 25 & 60), approximately 1,350 feet to the east.

Interstate 5 is approximately 2.9 miles to the east of the subject property by car. Rogue Valley International Medford Airport is approximately 12 minutes or 5 miles to the northeast by car.

Conclusion – Oregon Transportation Planning Rule

The Planning Commission can find the property is currently served with adequate transportation facilities as required by Oregon Transportation Rule (OAR 660 Division 12).

Finding – General Land Use Plan Map Designation

The General Land Use Plan (GLUP) Map designation for the subject property is Urban High Density Residential (UH). The General Land Use Plan in the Comprehensive Plan indicates that the requested MFR-20 zoning is an appropriate zone under the UH designation. There are no locational standards for MFR-20.

Conclusion – General Land Use Plan Map Designation

The Planning Commission can find that the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and the requested zone change to MFR-20 is consistent with the Comprehensive Plan General Land Use Plan Map designation.

Finding – Availability of Category A Urban Services and Facilities

The site lies within the Little Elk Creek Drainage Basin. The subject properties currently drain to the northeast. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development in accordance with MLDC Section 10.729 and/or 10.486.

This site lies within the Rogue Valley Sewer Service (RVSS) area. Future development of the subject parcel will require connection to RVSS facilities.

The subject property can be served by the Medford Water Commission via an existing 30-inch water line in Stewart Avenue and also in Lozier Lane south of Stewart Avenue. There is also an existing 8-inch water line located in Shamila Court. There is adequate capacity to serve this property.

The property currently takes access from Stewart Avenue which is designated as a Major Arterial. According to the Engineering Division, the MFR-20 zone generates 6.65 average daily trips (ADT). The net increase will be approximately 250 ADT. A Traffic Impact Analysis (TIA) is not required as the net increase will be exactly 250 ADT. Per MLDC Section 10.461(3), a TIA is only required for proposed applications that have the potential of generating more than 250 net ADT.

Conclusion – Availability of Category A Urban Services and Facilities

The Planning Commission can find that Category A urban services and facilities are currently available or can and will be available at the time of development to adequately serve the subject property with the permitted uses under the proposed MFR-20 zoning designation.

The conclusion can be made that all of the zone change criteria have been met.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-17-075 per the staff report dated August 17, 2017, including Exhibits A through H.

EXHIBITS

- A Applicant's Findings of Fact received June 27, 2017
- B General Land Use Plan Map and Zoning Map with subject site highlighted
- C Public Works Department Staff Report received August 2, 2017
- D Medford Fire Department Land Development Report received August 2, 2017
- E Medford Water Commission Staff Memo received August 2, 2017
- F Jackson County Roads comments received July 26
- G E-Mail from Building Department received August 1, 2017
- H Memo from Engineering received July 24, 2017
Vicinity map

PLANNING COMMISSION AGENDA:

AUGUST 24, 2017

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

IN THE MATTER OF AN APPLICATION FOR)
 A CHANGE IN ZONING DESIGNATION FOR)
 1.33 ACRES OF LAND, LOCATED AT 2325)
 W. STEWART AVENUE; DISCRIBED AS) FINDINGS OF FACT
 T.37S-R.2W-SEC.35AD, TAX LOT 1900;)
 SCOTT BECKER, APPLICANT; RICHARD)
 STEVENS & ASSOCIATES, INC., AGENTS)

I. RECITALS PERTAINING TO THE PROPERTY:

OWNER: Scott Becker
2325 W. Stewart Ave
Medford, OR 97501

AGENT: Richard Stevens & Associates, Inc.
PO Box 4368
Medford, OR 97501
(541) 773-2646

PURPOSE: The purpose of the application is to change the Zoning Designation on the property from City of Medford Single Family Residential-00 (SFR-00) to City of Medford Multiple Family Residential zoning 20 dwelling units per acre (MFR-20) on a parcel described as T.37S-R.2W-35AD, TL 1900, totaling 1.33 net acres. The Comprehensive Plan designation for the site is UH, Urban High Density Residential, which allows for the MFR-20 zoning designation.

UR
EX

Ownership of the property is by Scott Becker, also the applicant. A copy of the legal description (Deed) for this property, an assessor's map with the site indicated, survey maps showing the actual property dimensions (differs from assessor's map), and a current zoning map for the vicinity are attached as exhibits to these findings.

II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Zoning Map, the applicant must submit findings addressing Sections 10.225 through 10.227 of the Land Development Code. A review of Section 10.226 indicates that an application for a Zone Change must contain the following:

- 1. A vicinity map drawn to scale of 1"=1000' identifying the proposed area of change.*
- 2. An Assessor's map with the proposed zone change area identified.*
- 3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.*
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.*
- 5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.*

FINDING:

The Planning Commission finds that this application for a change in zoning designation from SFR-00 to MFR-20, with the information presented in support of the application, is consistent with the criteria for submission as required above, accompanied with the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.

**FINDINGS IN COMPLIANCE WITH SECTION 10.227 OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below section (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.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

1. CONSISTENCY WITH OAR 660, DIVISION 12: TRANSPORTATION

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

The TSP identifies both existing and future needs, and includes improvements to meet those needs. In order to achieve those needs, the TSP has established the City's goals, policies, and implementation measures in order for the City to develop and maintain its transportation system for both the short and long-term needs.

More specifically, there are provisions within Chapter 660 that apply to the Comprehensive Plan and land use regulation amendments.

These provisions are contained in OAR 660-012-0060, which states:

1) If an amendment to a functional plan, an acknowledged comprehensive plan or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures

as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan).
- b) Change standards implementing a functional classification system, or
- c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of the evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

2) If a local government determines that there would be a significant affect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendments meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to the congestion. A plan or land use regulation amendment significantly affects a transportation facility if it:

- a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
- b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.
- c) Amending the TSP to modify the planned junction, capacity or performance standards of the transportation facility.
- d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to,

transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a propose amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsection (a) through (c) of the section.

(4) Determinations under sections (1)-(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an

existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below:

(b) Outside of interstate interchange areas, the following are considered planned facilities improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or service that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected, a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government or transportation service provider responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)-(C) are considered planned facilities, improvements and services, except

where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 105, 205 and 405;

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)-(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

Discussion:

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated residential, collector and arterial streets is the sole transportation facility that is affected by this amendment.

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. The site is accessible by motor vehicle from Stewart Avenue, Lozier Lane, and Shamila Court.

An evaluation of the subject property and the orientation, location and size of the existing structural development, as well as the existing and historic uses of the properties, indicates that there are basically two transportation issues that should be addressed:

Access Management:

The subject property is located along Stewart Avenue (designated as a major arterial street), Lozier Lane (designated as a major collector street), and Shamila Court (designated as a residential street). The current driveway and access to the property is from Stewart Avenue. The future development of this property will primarily take access from Shamila Court. The future development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective Access Management.

The applicants submit that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

Trip Generation Potential:

The existing use on the subject property, a single-family home, is estimated to produce 10 average daily trips (ADT) and will be removed when the property is redeveloped in the future. The property has a gross area of approximately 1.91 acres. The maximum permitted density in the requested MFR-20 zoning designation is 20 dwelling units per acre. The 1.91-acre site could develop with as many as 38 dwelling units. Per the ITE, Trip Generation, 9th Edition, Apartments (Use 220) are expected to generate 6.65 ADT and 0.62 P.M. peak hour trips per unit. The future worst-case scenario, with 38 dwelling units, would produce approximately 253 ADT and 24 P.M. peak hour trips. With the reduction of the 10 ADT from the existing residence, the net change in ADT is 243. The future development of the site with multiple-family dwellings will not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS).

The applicants submit that this requested zone change will have a negligible effect on the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of attached multiple-family dwellings will produce traffic that is below the thresholds, for both ADT and peak hour trips, to require a TIS.

CONCLUSION:

The City of Medford concludes that based on the information contained herein this application is consistent with the intent of the Statewide Transportation Planning Rule and the adopted Medford TSP:

1. The site is within an incorporated city with an adopted and

acknowledged Comprehensive Plan.

2. The property totals 1.91 gross acres which could be developed with as many as 38 dwelling units under the requested MFR-20 zoning designation. The number of average daily trips and P.M. peak hour trips that could be generated through the future development of the property fall below the thresholds to require a TIS, demonstrating that this application will have a negligible effect on the capacity of the local street system. Uses proposed are consistent with the Comprehensive Plan and the requested zoning designation as MFR-20.
3. The zone change does not significantly affect the overall transportation capacity, including the I-5 Interchanges or performance standards of the existing transportation facility, as defined in OAR 660-012-0060 since the proposed use will be consistent with the maximum uses established for the site with the MFR-20 zoning.

CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:

A review of the General Land Use Plan Map for the City of Medford indicates that this area of the City is designated on the General Land Use Plan Map as "Urban, High Density Residential" (UH). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the "Urban High Density Residential" Designation are: MFR-20 and MFR-30, consistent with the provisions of Section 10.306 of the Medford Land Development Code.

The proposed zoning district for the subject property is MFR-20. There are no locational standards for the Multiple Family Residential zoning districts. This district is consistent with the UH designation as identified on the GLUP map.

CONCLUSION:

As the subject property lies within the Urban Growth Boundary and City Limits for the City of Medford, and delineated on the General Land Use Plan Map as Urban High Density Residential, the MFR-20 zoning requested is found to be consistent with the General Land Use Plan Map.

FINDING:

The City of Medford finds that this application for a change of zoning to MFR-20 is consistent with the City of Medford TSP and OAR 660-012-0060, Transportation Planning Rule, which are in compliance with Section 10.227(1) MLDC. Based on the fact that both the number of average daily trips and the P.M. peak hour trips, that could be generated through the future development of the

property, fall below the thresholds to require a TIS, the application will have no adverse impacts on the I-5 Interchanges, State highways, or the local street system. The City of Medford also finds that the subject property is shown on the General Land Use Plan Map as Urban High Density Residential and the MFR-20 zoning requested is found to be consistent with the General Land Use Plan Map. This application is in compliance with Section 10.227(1) MLDC.

2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The second criteria for a zone change is:

"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."

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

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

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject properties and the urban uses in the vicinity. There are existing 30" water mains in both Stewart Avenue and Lozier Lane adjacent to the site. There is also an 8" line in Shamila Court. Extension and development of a looped water system within the property is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon further urban development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a design capacity of the water treatment plant to serve approximately 185,000 persons. Adequate water capacity exists to serve the subject site.

Water service for fire protection will be a requirement of the design considerations. The placement of fire hydrants and other fire safety features will be accomplished during the development review process.

Sanitary Sewer:

Sanitary Sewer service is provided by Rogue Valley Sewer Service and there are no known capacity issues in the area. There is an 18" sewer line in Stewart Avenue adjacent to the property, a 10" line in Lozier Lane, and an 8" line in Shamila Court. These collection lines are available to be extended to serve the future development of the site. The Sanitary Sewer collection system is adequate to accommodate the proposed change in density. Additional sewer service connection will be extended to the proposed project by the owner/developer consistent with existing regulations.

Sewage treatment is provided by the Regional Water Reclamation Facility (RWRF). The plant presently treats approximately 16.7 mgd. The treatment capacity of the plant is approximately 20 mgd with a peak wet weather flow of 60 mgd. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

The development of the property requires system development charges which are dedicated to the maintenance of main lines along with the expansion of the regional plant. This assures that the future sewage transmission lines and treatment at the plant remains available.

Storm Drainage:

At the time of development storm sewer will be collected in an underground collection system and will be designed in accordance with the City of Medford Master Storm Sewer Program.

Storm Sewer service is provided by the City of Medford. There is a partial 27" storm line in Stewart Avenue adjacent to the property, a 27" line in Lozier Lane, and an 18" line in Shamila Court. With water detention requirements, capacity of storm sewer is not an issue. The development of the site will require an integrated storm sewer system, with a maximum of 0.25 CFS discharge. The construction drawings prepared for the development of this property will provide the engineering to provide the storm sewer system in accordance with the City of Medford.

Streets:

The existing use on the subject property, a single-family home, is estimated to produce 10 average daily trips (ADT) and will be removed when the property is redeveloped in the future. The property has a gross area of approximately 1.91 acres. The maximum permitted density in the requested MFR-20 zoning designation is 20 dwelling units per acre. The 1.91-acre site could develop with as many as 38 dwelling units. Per the ITE, Trip Generation, 9th Edition, Apartments (Use 220) are expected to generate 6.65 ADT and 0.62 P.M. peak hour trips per unit. The future worst-case scenario, with 38 dwelling units, would produce approximately 253 ADT and 24 P.M. peak hour trips. With the reduction of the 10 ADT from the existing residence, the net change in ADT is 243. The future development of the site with multiple-family dwellings will not exceed the 250 ADT threshold or the 25 peak hour trips threshold to warrant a Traffic Impact Study (TIS).

The applicants submit that this requested zone change will have a negligible effect on

the capacity of the existing local street system as demonstrated by the fact that the proposed change of zoning and future development of attached multiple-family dwellings will produce traffic that is below the thresholds, for both ADT and peak hour trips, to require a TIS.

The subject property is located along Stewart Avenue (designated as a major arterial street), Lozier Lane (designated as a major collector street), and Shamila Court (designated as a residential street). The current driveway and access to the property is from Stewart Avenue. The future development of this property will primarily take access from Shamila Court. The future development plan for the site will conform with all access management and location requirements of the City of Medford to insure adequate and effective Access Management.

These streets have ample capacity in their present form to accommodate the projected vehicle trips from the development of the site. Construction of arterial and collector streets are the responsibility of the City of Medford. The future construction of dwelling units will be charged a system development fee for the improvements of arterial and collector streets.

CONCLUSION:

Based upon the information contained herein, the City of Medford concludes that there are adequate public facilities to supply potable water to the property, as water is already available to the property; sanitary sewer service is available to the site and capacity at the Regional Reclamation Facility is adequate to accommodate the area; that based on the expected trip generation there is sufficient capacity on the existing local street system to accommodate the proposed use; and that the storm drainage facilities are adequate and will be in compliance with the Medford Master Storm Drain Plan.

FINDING:

The City of Medford finds that there are adequate Category "A" public facilities available and sufficient capacity exists to extend these facilities to serve the proposed zoning and use of the site as MFR-20.

SUMMARY AND CONCLUSIONS:

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

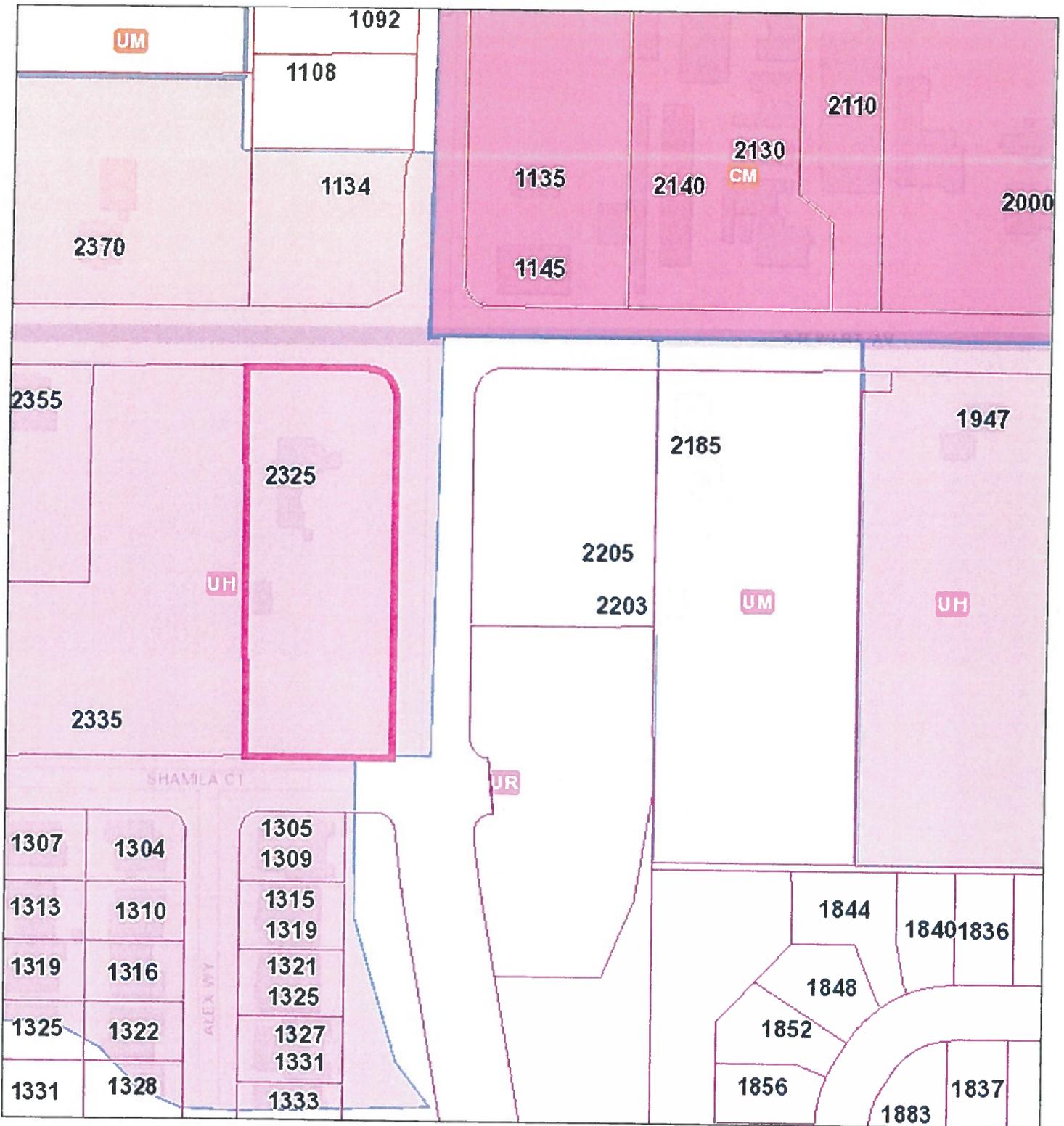
With this in mind, the applicant respectfully requests that the City of Medford designate the subject property, T.37S-R.2W-SEC.35AD, Tax Lot 1900 as MFR-20 on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Richard Stevens", is written over a horizontal line.

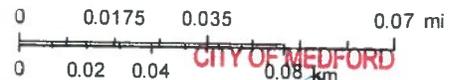
Richard Stevens & Associates, Inc.

MEDFORD GLUP MAP



July 7, 2017

1:2,257



CITY OF MEDFORD
 EXHIBIT # 5
 File # 20-17-075 1092

Site Addresses

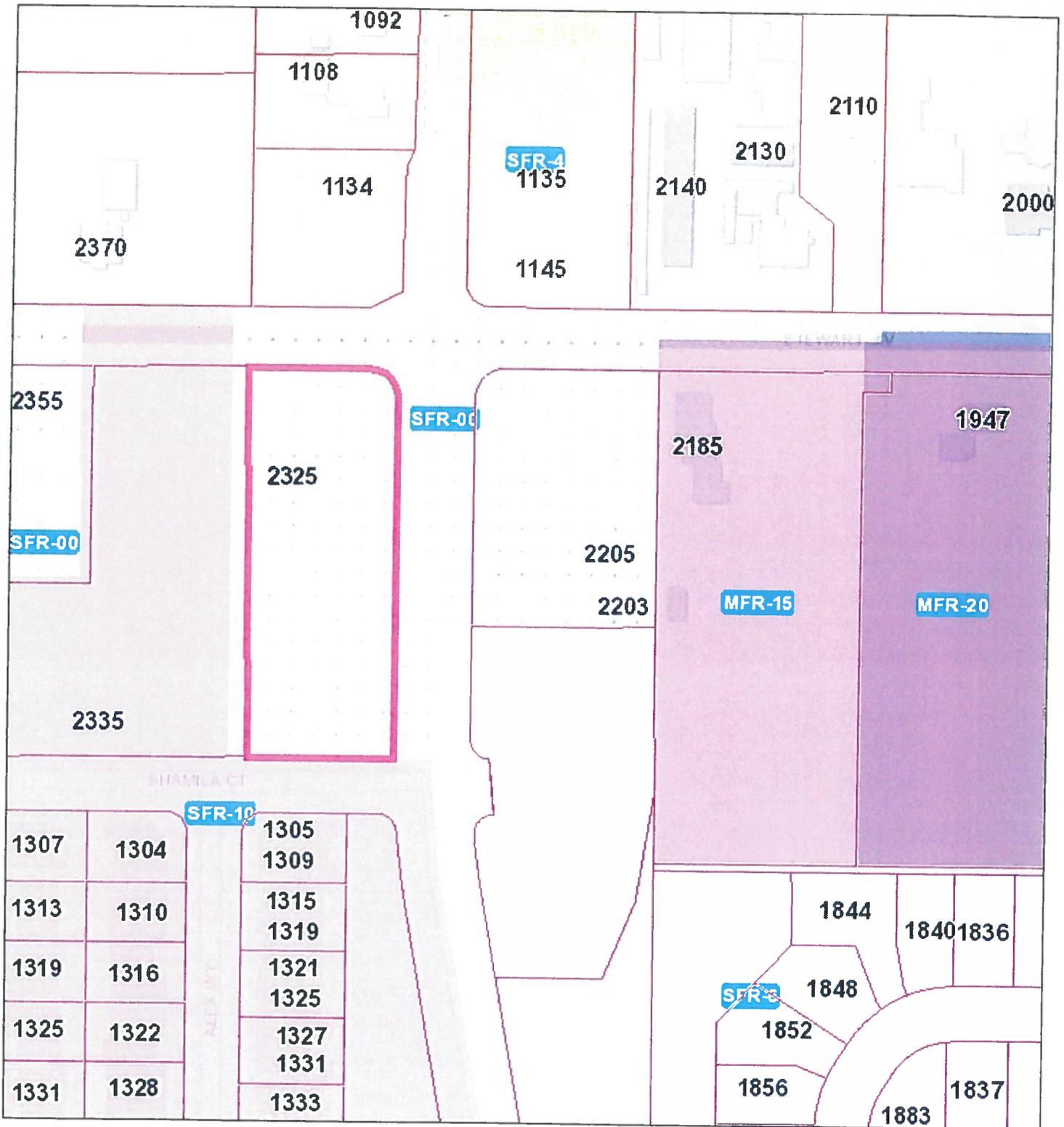
Taxlots

General Land Use - Shaded

- A- AIRPORT
- CC-CITY CENTER
- CM-COMMERCIAL
- SC-SERVICE COMMERCIAL

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
 City of Medford

MEDFORD ZONING MAP



July 7, 2017

Site Addresses

Taxlots

Zoning Districts - Shaded

- Multiple-Family Residential - 30 Units
- Multiple-Family Residential - 20 Units
- Multiple-Family Residential - 15 Units
- Single-Family Residential - 10 Units



0 0.02 0.04 0.06 0.08 km

EXHIBIT # _____
File # 20-17-075 2022

Sources - Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community
 City of Medford



Continuous Improvement Customer Service

CITY OF MEDFORD

LD Date: 8/2/2017
File Number: ZC-17-075

PUBLIC WORKS DEPARTMENT STAFF REPORT
2325 Stewart Avenue
(372W35AD1900)

Project: Consideration of a zone change on 1.30 acre parcel.

Location: Located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre) (372W35AD1900).

Applicant: Applicant: Scott Becker , Agent: Richard Stevens & Associates, Planner: Steffen Roennfeldt.

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

I. Sanitary Sewer Facilities

This site lies within the Rogue Valley Sewer Service (RVSS) area. The Applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

II. Storm Drainage Facilities

This site lies within the Little Elk Creek Drainage Basin. The subject properties currently drain to the northeast. The City of Medford has existing storm drain facilities in the area. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

III. Transportation System

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: Doug Burroughs

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



Medford Fire Department

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

LAND DEVELOPMENT REPORT - PLANNING

To: Steffen Roennfeldt

LD Meeting Date: 08/02/2017

From: Fire Marshal Kleinberg

Report Prepared: 08/01/2017

File #: ZC - 17 - 75

Site Name/Description:

Consideration of a zone change on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential - 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential - 20 dwelling units per acre). (372W35AD1900). Applicant: Scott Becker, Agent: Richard Stevens & Associates, Planner: Steffen Roennfeldt.

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

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

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

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

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

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



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-17-075

PARCEL ID: 371W35AD TL 1900

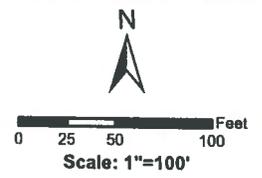
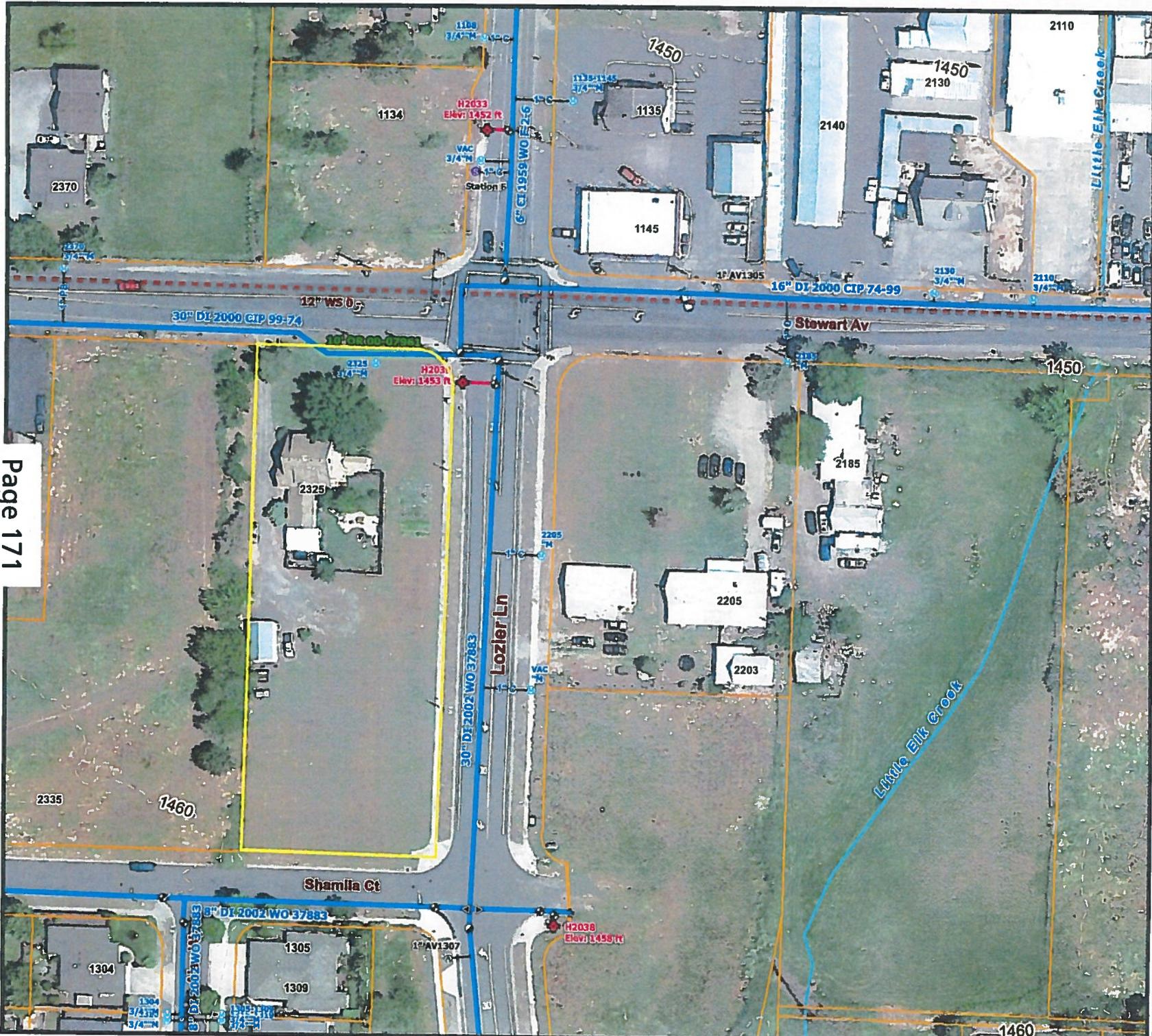
PROJECT: Consideration of a zone change on 1.30 acre parcel located immediately southwest of the intersection of Stewart Avenue and Lozier Lane in Southwest Medford from SFR-00 (Single Family Residential – 1 dwelling unit per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per acre). (372W35AD1900). Applicant: Scott Becker, Agent: Richard Stevens & Associates, Planner: Steffen Roennfeldt.

DATE: August 2, 2017

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction will not be required.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is a ¾" water meter located approximately mid-lot along Stewart Avenue.
7. Access to MWC water lines for connection is available. There is an existing 30-inch water line in Stewart Avenue and also in Lozier Lane south of Stewart Avenue. There is also an existing 8-inch water line located in Shamila Ct.



**Water Facility Map
for
ZC-17-075**

Legend

- Air Valve
 - Sample Station
 - Fire Service
 - Hydrant
 - Reducer
 - Blow Off
 - Plugs-Caps
- Water Meters:**
- Active Meter
 - On Well
 - Unknown
 - Vacant
- Water Valves:**
- Butterfly Valve
 - Gate Valve
 - Tapping Valve
- Water Mains:**
- Active Main
 - Abandoned Main
 - Reservoir Drain Pipe
 - Pressure Zone Line
- Boundaries:**
- Urban Growth Boundary
 - City Limits
 - Tax Lots
- MWC Facilities:**
- C** Control Station
 - P** Pump Station
 - R** Reservoir



This map is based on a digital elevation model by Midford Water Commission from a variety of sources. Neither Midford Water Commission nor its employees, for water, utility or, or personal liability. There are no warranties, expressed or implied.

Date: 2/24/2017
Print: 10:40:00 AM MWC Map - MWC BOP - 1 of 10 L & J



JACKSON COUNTY

Roads

Roads
Engineering

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone (541) 774-6255
Fax (541) 774-6295
christke@jacksoncounty.org

www.jacksoncounty.org

April 12, 2017

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

RE: Zone change off Stewart Avenue and Lozier Lane - city maintained roads.
Planning File: ZC-17-075.

Dear Steffen:

Thank you for the opportunity to comment on the request rezone the 1.3 acre parcel located immediately southwest of intersection of Stewart Avenue and Lozier Lane in Southwest Medford, from SRF-00 (Single Family Residential-1 dwelling units per lot) to MFR-20 (Multi-Family Residential – 20 dwelling units per gross acre) (37-2W-35AD TL 1900). Jackson County Roads has the following comments:

1. We would like to be notified of future development proposals, as county permits may be required.
2. Please note that there are drainage problems in this area and the City of Medford maintains the storm water system.
3. Storm water should meet City of Medford requirements that also include water quality.
4. 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.
5. Jackson County Roads has requested a TIS that looks at nearby intersections. If mitigations are recommended they shall be required

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

Sincerely,


Kevin Christiansen
Construction Manager

Steffen K. Roennfeldt

From: Mary E. Montague
Sent: Tuesday, August 1, 2017 3:43 PM
To: Steffen K. Roennfeldt
Subject: ZC-17-075

Hi Steffen,

The Building department has no comments at this time for a zone change and will not be attending the meeting.

Thank You!

Mary Montague
Plans Examiner II
City of Medford
Building Department
(541) 774-2371
Fax:(541) 618-1707



City of Medford

Planning Department

Working with the community to shape a vibrant and exceptional city

MEMORANDUM

Subject Legal Description
File no. ZC-17-075
To Jon Proud, Engineering
From Steffen Roennfeldt, Planning Department
Date July 19, 2017

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

1. ZC-17-075 (Scott Becker, Applicant).

Steffen,

Yes the attached description describes the "subject area" as depicted on the attached vicinity map.

THANKS, Jon

cp

Attachments: Legal description



City of Medford Planning Department

Vicinity
Map

File Number:
ZC-17-075



Project Name:

**Scott Becker
Zone Change**

Map/Taxlot:

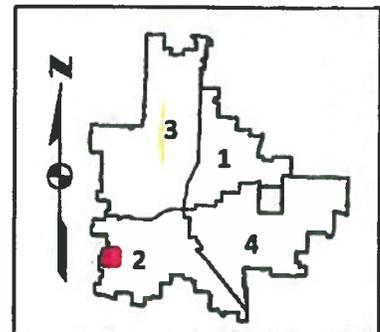
372W35AD TL 1900



06/29/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots



RECEIVED
JUN 27 2011

PLANNING DEPT

APN 1-043878-3

Statutory Warranty Deed
continued

File No : 7161-2698439 (PS)

Exhibit "A"

Real property in the County of Jackson, State of Oregon, described as follows:

Commencing at the Northeast corner of Donation Land Claim No. 79, Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon; thence South 89° 53' 20" West along the North boundary of said Claim, 450.78 feet; thence South 30.0 feet to a 5/8 Inch iron pin located on the South boundary of Stewart Avenue; thence South 89° 53' 20" West along the said South boundary of Stewart Avenue, 243.83 feet to the true point of beginning, said point being the Northwest corner of an easement 60.0 feet in width, as said easement is described in that certain Contract described in Volume 74, Page 387, Miscellaneous Records, Jackson County, Oregon; thence South 0° 00' 40" East, along the West line of said easement, 389.95 feet, more or less to the North line of premises described in said Contract; thence West along the North line thereof, 171.31 feet to the East line of premises described in Volume 428, Page 169, Deed Records, Jackson County, Oregon; thence North along said East line, 389.95 feet to the South line of Stewart Avenue; thence North 89° 53' 20" East, along said South line, 171.31 feet to the true point of beginning. EXCEPTING THEREFROM that portion conveyed to the City of Medford by deed recorded as Document No. 01-32867, Official Records, Jackson County, Oregon.

NOTE: This legal description was created prior to January 1, 2008.

Tax Parcel Number: 1-043878-3 and 1-043878-3

3

01 32867

Commencing at the Northeast corner of Donation Land Claim No. 79, Township 37 South, Range 2 West, of the Willamette Meridian, Jackson County, Oregon; thence South 89°53'20" West along the Northerly boundary of said claim, a distance of 674.73 feet; thence leaving said boundary South 00°00'35" West 30.00 feet to a point on the Southerly right-of-way line of Stewart Avenue; thence South 89°53'20" West feet along said right-of-way line, 19.87 feet to the Northeast corner of tract described in Instrument No. 72-02008 of the Deed Records, of said Jackson County, for the POINT OF BEGINNING; thence leaving said right-of-way line, South 00°00'40" East along the Easterly boundary of said tract, 389.48 feet to the Southeast corner thereof; thence WEST along the Southerly boundary of said tract, 19.97 feet; thence leaving said boundary along the arc of a 1040.00 foot radius curve to the right (the long chord to which bears North 00°40'41" West 24.97 feet) an arc distance of 24.97 feet; thence North 00°00'35" East 334.41 feet; thence along the arc of a 30.00 foot radius curve to the left (the long chord to which bears North 45°03'02" West 42.47 feet) an arc distance of 47.19 feet to a point on the aforementioned Southerly right-of-way line of Stewart Avenue; thence North 89°53'20" East along said right-of-way line 50.19 feet to the POINT OF BEGINNING. Containing 8,059 square feet, more or less.



Douglas C. McMahan
L.S. 1913 - Oregon
Expires 12/31/02
Hoffbuhr & Associates, Inc.

ELK CREEK - Right-of-way needed for Lozier Lane (Tax Lot 1900 - Lee)
July 10, 2001
(98-163)
(elkcrk1900.dcm)
DCM:am

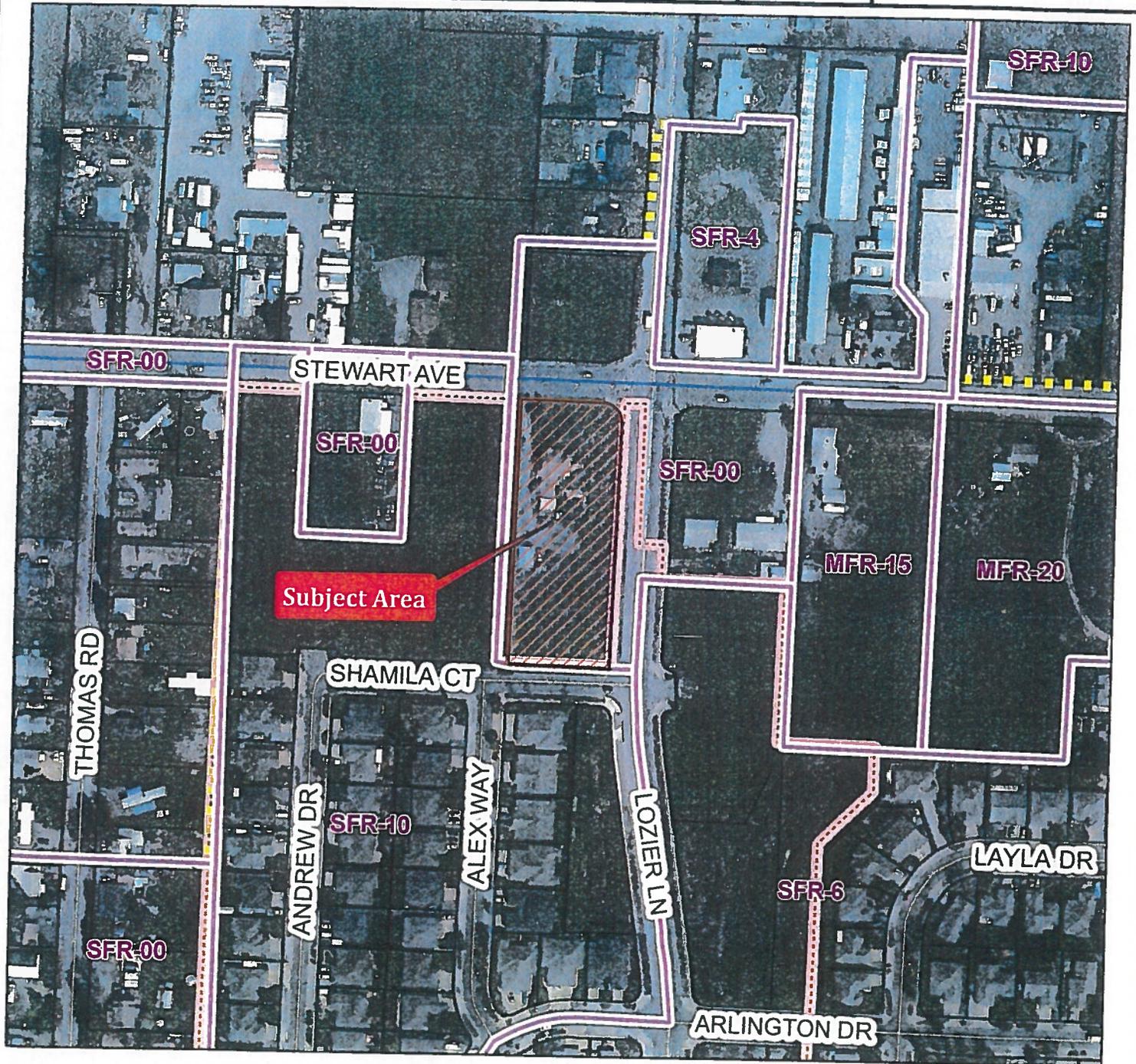
3



City of Medford Planning Department

Vicinity
Map

File Number:
ZC-17-075



Project Name:

**Scott Becker
Zone Change**

Map/Taxlot:

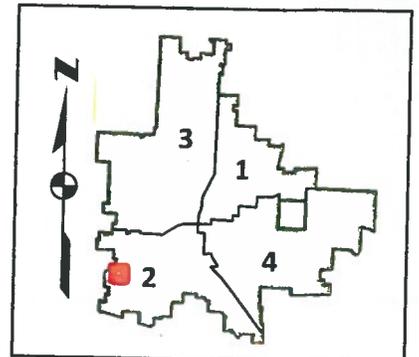
372W35AD TL 1900



06/29/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots





Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a Type-C quasi-judicial decision: Conditional Use Permit Revision

PROJECT Rogue Valley Youth for Christ
 Applicant: Rogue Valley Youth for Christ

FILE NO. CUP-17-067

TO Planning Commission *for 08/24/2017 hearing*

FROM Praline McCormack, Planner II

REVIEWER Kelly Akin, Assistant Planning Director *ka*

DATE August 17, 2017

BACKGROUND

Proposal

Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (2257 Roberts Road, 371W17CA Tax Lot 2200).

Subject Site Characteristics

Zoning	SFR-4	Single-family residential – 4 dwelling units per gross acre
GLUP	UR	Urban Residential
Use	Youth for Christ facility	

Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4
	Use:	Single family residences
<i>South</i>	Zone:	SFR-4
	Use:	Single family residences, North Medford High School
<i>East</i>	Zone:	SFR-4
	Use:	Single family residences
<i>West</i>	Zone:	SFR-4
	Use:	Single family residences

Related Projects

CUP-08-033 Conditional Use Permit for Rogue Valley Youth for Christ

Applicable Criteria

CONDITIONAL USE PERMIT APPROVAL CRITERIA

Section 10.248 of the Medford Land Development Code

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

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

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

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) Establish a special yard or other open space or lot area or dimension requirement.*
- (3) Limit the height, size, or location of a building or other structure.*
- (4) Designate the size, number, location, or nature of vehicle access points.*
- (5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) Designate the size, height, location, or materials for a fence.*
- (11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

10.249 Conditional Use Permits, Mitigation of Impacts.

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

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

Project History

In 2008, the Planning Commission approved a Conditional Use Permit for Rogue Valley Youth for Christ, a youth center operating out of a single family dwelling with a circular driveway (Exhibit L). Medford Land Development Code (MLDC) Section 10.012 defines this use as a community service facility, and MLDC 10.314 permits such facilities in residential zones subject to the approval of a Conditional Use Permit and the special use standards of MLDC 10.817. In 2008, the Commission found that the proposal was in the public interest, and the limitations below were imposed in order to produce a balance between conflicting interests.

Approved Hours of Operation and Student/Faculty Ratio

Day	Hours	# Students	# Faculty
Monday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Tuesday	11:30am – 5:00pm	25-40	1-2
Wednesday	11:30am – 5:00pm	25-40	1-2
Thursday	11:30am – 5:00pm	25-40	1-2
Friday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Saturday	Every couple of months, activities will be held Saturdays		
<i>All activities will cease by 9pm on all days.</i>			

ISSUES AND ANALYSIS

Scope

The applicant is now proposing to extend the hours and days of operation. As there is no proposed change to the number of students or faculty and the applicant does not expect there to be any increase in the use of the facility parking. No new construction, exterior lighting, landscaping, fencing or recreational facilities are proposed with this application. According to the applicant’s Request for Change (Exhibit B):

“The change is requested to allow more flexibility in scheduling the use of the facility. The scheduling can then change to fit the particular group of students as that may vary from year to year... The change will also allow meetings to end after 5:00 which is a busy period for traffic flow on Roberts Road. Avoiding the busier traffic periods will be beneficial to all parties... This change will also will also allow for staff to be at the facility during hours when events are not otherwise scheduled. Our staff can then monitor if any youth are attempting to use the facility as a hang out which could be disturbing to the neighbors.”

The applicant’s Request for Change and Findings of Fact (Exhibits B and C) provide further background information on the request.

The applicant is requesting the following change to the days and hours of operation:

Day	Hours	# Students	# Faculty
Monday	7:00am - 10:00pm	25-40	2-4
Tuesday	7:00am – 10:00pm	25-40	1-2
Wednesday	7:00am – 10:00pm	25-40	1-2
Thursday	7:00am – 10:00pm	25-40	1-2
Friday	7:00am – 10:00pm	25-40	2-4
Saturday	7:00am – 10:00pm	25-40	2-4
<i>Outdoor activities limited to 8:00am – 9:00pm</i>			
<i>Indoor activities limited to 7:00am – 10:00pm</i>			

The applicant states that outdoor activities include volleyball, basketball, simple lawn games, barbecues, and gardening. Indoor activities include Bible study/discussion and club meetings (Exhibit C).

Conditional Use

MLDC 10.248 contains the approval criteria for a Conditional Use Permit (CUP). The applicant provides findings (Exhibit C) identifying compliance with criterion 2, that this proposal is in the public interest, may cause some adverse impacts, and conditions may be imposed to produce a balance between the conflicting interests.

The public benefits of the youth center include:

- Provides a safe meeting place for middle and high school-aged students
- Located in close proximity to North Medford High School and Hedrick Middle School
- Facility fronts upon a major collector street.

If approved, the extended hours and days of operation may cause some adverse impacts on neighboring residences. These impacts include noise, lighting/glare, traffic, access and parking.

The applicant's Findings include discussion about how the site and operation of the youth center have been designed to mitigate the adverse effects of the facility on the adjacent residential properties (Exhibit C). These mitigation measures are also discussed below. The Planning Commission may impose additional conditions per MLDC 10.248 to produce a balance between the conflicting interests.

MLDC Section 10.249 Mitigation of Impacts

The first adverse impact is the noise generated by the outdoor activities at the youth center. The applicant stipulates to ceasing all outdoor activities by 9:00 p.m. Currently the outdoor activities only occur until 9:00 p.m. on Mondays and Fridays. If this revision is approved, outdoor activities could occur from 8:00 a.m. to 9:00 p.m. Monday through Saturday.

In their Findings, the applicant describes how the outdoor areas have been located so as to provide the greatest amount of separation between the youth center and the abutting residences (Exhibit C). The basketball court on the east side of the property is fully fenced in order to restrict access to it when the center is not open. The basketball court is approximately 40 feet from the residence to the east, 120 feet from the residence to the northeast, and 120 feet from the residence to the north. The outdoor deck and patio in the rear of the property where barbecues are held is approximately 65 feet from the residence to the north, 100 feet from the northwestern residence and 75 feet from the residence on the west side. Lawn activities occur in the area north of the back deck and patio and the area is approximately 35 feet from the residence to the north. There is an eight-foot solid wood fence and dense evergreen Photinia hedges along the side and rear property lines to provide a noise buffer. None of the outdoor activities include any sound amplification. Staff notes that the original approval required a rubber surface for the basketball court and recommends that the Planning Commission consider limiting the days/hours of the outdoor activities that generate the most noise, for example basketball.

The second adverse impact is the lighting and glare onto neighboring properties. All light fixtures at the youth center are full cut-off fixtures that meet City standards. The applicant stipulates that all outdoor lighting will be turned off by 9:00 p.m. If the Commission considers limiting the days/hours of certain outdoor activities, lighting for those certain activities should be limited in the same manner. Automobile headlights are another source of lighting to cause an adverse impact. The applicant states that they have considered using a row of Photinia shrubs and wood fencing between the

parking areas and neighboring residences. Staff recommends that the Planning Commission impose this as a condition.

Traffic, access and parking are related issues that could have adverse impacts on the neighborhood. The applicant indicates that the majority of vehicle trips occur in the evenings after the evening commute and that most of the students are dropped off and picked up. The site has a circular driveway which per the applicant provides, "an efficient and consistent flow of traffic in and out of the site." Pedestrian access is provided via a paved walkway from the sidewalk on Roberts Road to the site. With a maximum of 40 students, 10 parking spaces are required and provided. Roberts Road does not allow on-street parking.

Per MLDC 10.249, a development requiring mitigation of impacts under MLDC 10.248, must serve one of three purposes. The youth center meets two of these purposes. It provides a public nonprofit service to the immediate area and community. Due to its proximity to a middle school and a high school the youth center provides a use that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

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

Public Comments

Along with their application, the applicant submitted five letters in support of Rogue Valley Youth for Christ (Exhibit I). Staff notes that the letters are dated 2015 and early 2016.

One letter of opposition has been received to date and is included as Exhibit J. The neighboring property owner describes noise problems associated with the youth playing basketball and indicates that when they have called the Youth Center regarding the noise nothing was done about it.

Committee Comments

No comments were received.

CONCLUSION

The Planning Commission must make the determination about whether the applicant has implemented adequate measures to mitigate the adverse impacts the youth center

may have on neighboring residences. The Planning Commission can find that the proposal meets the approval criteria in MLDC 10.248 and 10.249.

RECOMMENDED ACTION

Adopt the Findings as recommended by staff and direct staff to prepare the Final Order for approval of CUP-17-067, per the Staff Report dated August 17, 2017, including Exhibits A through O.

EXHIBITS

- A Conditions of Approval dated August 15, 2017
- B Applicant's Request for Change received June 1, 2017
- C Applicant's Findings of Fact received July 19, 2017
- D Site Plan received July 19, 2017
- E Staff Memo from the Medford Water Commission received August 9, 2017
- F Land Development Report from Medford Fire Department received August 4, 2017
- G Public Works Department Staff Report received August 9, 2017
- H Jackson County Roads letter received August 7, 2017
- I Letters of support from abutting property owners received June 1, 2017
 - a. Jackie Blackwell
 - b. Amber Wilson
 - c. Ryan Rhoden
 - d. Kim Howitt Ross
 - e. Linda White, Principal of McLoughlin Middle School
- J Letter of opposition from Dan & Kristine Merrill received August 9, 2017
- K Excerpts of Minutes from the Planning Commission Meeting on May 22, 2008, regarding CUP-08-033
- L Final Order for CUP-08-033
- M Jackson County Assessor's Map
- N Google Earth photo generated by staff August 17, 2017
- O Medford Land Information 2016 aerial photo generated by staff August 17, 2017
Vicinity map

PLANNING COMMISSION AGENDA:

AUGUST 24, 2017

EXHIBIT A
Conditions of Approval

CUP-17-067
Rogue Valley Youth for Christ
August 17, 2017

DISCRETIONARY CONDITIONS

1. The hours of operation and number of occupants shall be restricted as per the Table on page 4 of the Staff Report.
2. The applicant shall install a fence and a row of Photinia hedges between the parking areas and neighboring residences. Both shall be installed consistent with Sections 10.732 – 10.735.

CODE REQUIREMENTS

3. The applicant shall comply with the Staff Memo from the Medford Water Commission received August 9, 2017 (Exhibit D).
4. The applicant shall comply with the Land Development Report from the Medford Fire Department received August 4, 2017 (Exhibit E).

Rogue Valley Youth for Christ

Conditional Use Permit (CUP) – Request for change.

We request a change to Condition 1 of the current CUP. That condition limits the days and times any activity may take place at the property. As part of the approved CUP the current allowed hours of operation are shown in the following Table –

Day	Hours	# Students	# Faculty
Monday	11:30am – 5:00pm 7:00pm – 9:00pm	25-40	2-4
Tuesday	11:30am – 5:00pm	25-40	1-2
Wednesday	11:30am – 5:00pm	25-40	1-2
Thursday	11:30am – 5:00pm	25-40	1-2
Friday	11:30am – 5:00pm 7:00pm – 9:00pm	25-40	2-4
Saturday	Every couple of months, activities will be held on Saturdays		
All activities will cease by 9pm on all days			

We request that the allowed hours of operation be changed to –

Outdoor Activities – Monday through Saturday 8:00am to 9:00pm

Indoor Activities – Monday through Saturday 7:00am to 10:00pm

There is no requested change to the # of Students or # of Faculty during hours of operation.

This change is requested to allow more flexibility in scheduling the use of the facility. The scheduling can then change to fit the particular group of students as that may vary from year to year. It is not anticipated that the change will result in any greater use of the facility parking. The change will also allow meetings to end after 5:00 which is a busy period for traffic flow on Roberts Road. Avoiding the busier traffic periods will be beneficial to all parties.

We recognize that neighbors may have a concern of increased noise disturbance. It is always the intent of RYVFC to be a good neighbor. The Bible contains many references to “Love your neighbor as yourself”. Therefore we must be a witness to the students and our neighbors. We will be respectful of any concern that may be raised by neighbors and teach the students to also be respectful. The noise and traffic should be no greater than a typical residence. This change will also allow for staff to be at the facility during hours when events are not otherwise scheduled. Our staff can then monitor if any youth are attempting to use the facility as a hang out which could be disturbing to the neighbors.

RECEIVED

JUL 19 2017

PLANNING DEPT

FINDINGS OF FACT AND CONCLUSIONS OF LAW
BEFORE THE MEDFORD PLANNING COMMISSION

IN THE MATTER OF AN APPLICATION FOR A REVISION
TO THE CONDITIONAL USE PERMIT FOR A YOUTH
CENTER ORIGINALLY APPROVED JUNE 12, 2008.

APPLICANT'S
EXHIBIT 1

APPLICATION: Request for a revision of the Conditional Use Permit to allow for the operation of a youth center located at 2257 Roberts Road, on the north side of Roberts Road, approximately 450 feet west of Temple Drive, within a SFR-4 (Single-Family Residential - 4 units per acre) zoning district.

APPLICANT: Rogue Valley Youth for Christ
529 Edwards St.
Medford, OR 97501

A. BACKGROUND INFORMATION

Rogue Valley Youth for Christ is part of an international organization that has been serving teenagers since 1944, and is a chartered affiliate of Youth for Christ USA, one of more than 200 chapters in the United States. Rogue Valley Youth for Christ was organized in 1961 under the guidance of local people concerned about the welfare of the young people in our community.

To accomplish that purpose, the applicant has multiple youth resource centers throughout Jackson County. These include centers at 529 Edwards St., Eagle Point (1994) and Gold Hill (2003).

The subject property, is identified as Tax Lot 2200 on Jackson County Tax Assessor's Map 37-1 W-17CA.

CITY OF MEDFORD
EXHIBIT # C
File # CUP-17-067

B. PROPOSAL AND SCOPE OF APPLICATION

The applicant proposes to use the facility in the same manner as was originally approved on June 12, 2008 except the hours of operation will be revised.

1. Proposed Use

The primary purpose of the youth facility is to provide a meeting place for middle and high school-aged students. Approximately 25 - 40 students will occupy the facility, both indoors and outdoors. The hours of operation will be Monday through Saturday with Outdoor Activities from 8:00am to 9:00pm and Indoor Activities from 7:00am to 10:00pm.

All activities will continue to be supervised by adult staff at all times. The center will be locked at all times when the facility is not in use.

Indoor Activities include
Bible study/discussion
Club meetings

Outdoor Activities include
Volleyball
Basketball
Simple Lawn games
Barbecues
Gardening

The applicant continues to stipulate to cease all outdoor activities by 9:00pm.

It is important to remember that RVYFC is governed by a Board of Directors that will listen to any neighborhood concerns or complaints and respond accordingly.

2. Site Elements

The subject parcel is an extremely large parcel of approximately 0.62 acres or 27,000 square feet and is approximately twice as large as the parcels to the north and east. It exceeds the current maximum lot size of 18,750 square feet permitted in the SFR-4 zoning district. The structure is 1744 square feet. All landscaping noted in the original approval has been completed. Also the paved circular driveway has 10 vehicle parking spaces, including one ADA disabled space and adjacent aisle. There is a small paved ball court to the east side of the structure that is screened by fencing and hedges. The lawn area to the rear of the facility is used for outdoor games and a garden.

Traffic - Most students utilizing the center are "dropped off" and "picked up" by private vehicles utilizing the circular driveway accessing Roberts Road. Students that use the center before, during or after school hours are able to walk from school utilizing the public sidewalks along North Keeneway Drive and Roberts Road.

3. Adjacent Uses

North - Single-family residences in an SFR-4 zoning district.

East - Single-family residences in an SFR-4 zoning district.

West - Single-family residences in an SFR-4 zoning district. Further away, on the west side of North Keeneway Drive, are MFR-20 and Community Commercial zoning districts.

South - Directly to the south are single-family residences in an SFR-4 zoning district. Further to the west is the Foursquare Gospel Church on the southeast corner of North Keeneway Drive and Roberts Road. Further to the east, adjacent to the Temple Road intersection, is the Gospel Tabernacle church. Further to the south of these properties, is the North Medford High School campus. A driveway accessing the school intersects Roberts Road opposite the southwest corner of the subject property.

C. APPLICANT'S SUBMITTALS

Exhibit 1 Findings of Fact and Conclusions of Law

Exhibit 2 Assessor's Map showing Subject Site

D. RELEVANT APPROVAL CRITERIA

Section 10.246 of the Land Development Code states that a development that is classified as a conditional use shall be reviewed by the Conditional Use Permit process in order to assure its appropriateness for the site and allow for adjustments to be made to assure compatibility with adjacent land uses.

CONDITIONAL USE PERMIT CRITERIA - SECTION 10.248

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

(1) The development proposal will cause no significant adverse impact on livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

(2) The development proposal is in the public interest and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

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

(1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(2) Establish special yard or other open space or lot area or dimension requirement.

(3) Limit the height, size, or location of a building or other structure.

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

MITIGATION OF IMPACTS - SECTION 10.249

A development requiring the mitigation of impacts under Section 10.248, Conditional Use Permit Criteria, must do one of the following:

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

E. FINDINGS OF FACT AND CONCLUSIONS OF LAW

MEDFORD LAND DEVELOPMENT CODE

I. APPLICATION FORM, CONDITIONAL USE PERMIT - SECTION 10.247

An application for a conditional use permit shall contain the following:

- (1) vicinity map drawn at a scale of 1"=1,000' identifying the location.*
- (2) Assessors map with subject site identified.*
- (3) Site plan drawn to scale on an eighteen inch by twenty-four inch (18"x24") sheet Site plan shall identify all existing and proposed buildings, parking, drives, vegetation or landscaping, adjacent development.*
- (4) Property owner's (and agent's) names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.*

(5) Findings prepared by the applicant or his/her representative addressing the criteria set forth in Section 10.248, Conditional Use Permit Criteria.

Findings of Fact

The Planning Commission has considered the following facts that are pertinent to the application form requirements. The submitted application consists of the following:

1. Vicinity maps showing the location of the site of the youth center.
2. A Jackson County Assessor's map identifying the youth center.
3. Mailing labels consisting of the property owner's names, addresses, and map and tax lot numbers, for all parcels within 200 feet of the site.
4. Findings of Fact and Conclusions of Law prepared by the applicant which address the Conditional Use Permit criteria found in Section 10.248.

Conclusion of Law

The Planning Commission concludes that all of the submittal requirements of Section 10.247 have been met.

2. CONDITIONAL USE PERMIT CRITERIA - SECTION 10.248

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

(1) The development proposal will cause no significant adverse impact on livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

(2) The development proposal is in the public interest and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

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

(1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.

(2) Establish special yard or other open space or lot area or dimension requirement.

(3) Limit the height, size, or location of a building or other structure.

(4) Designate the size, number, location, or nature of vehicle access points.

(5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.

(6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.

(7) Limit or otherwise designate the number, size, location, height, or lighting of signs.

(8) Limit the location and intensity of outdoor lighting, or require its shielding.

(9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation of maintenance thereof.

(10) Designate the size, height, location, or materials for a fence.

(11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

Findings of Fact

As stated in the originally approved Conditional Use Permit, the purpose of the youth center is to provide for a safe environment for young people to meet. The location of the center was chosen because of its position with the north Medford area where it provides a facility for students of North Medford High School and Hedrick Middle School. The site is situated on a Major Collector Street adjacent to the North Medford High School.

Conclusion of Law

The Planning Commission concludes that the youth center does provide a public facility service to the immediate area and the entire community.

The Planning Commission also concludes that the youth center provides a development that is consistent with the overall needs of the community in a location that is reasonably suitable for the purpose.

With the conclusion that Sections 10.249(1) and (2) have been met, the Planning Commission has established that the youth center is in the public interest, and the following Conditional Use Permit Criterion #2 Section 10.248 is applicable and can, therefore, be addressed with the application.

(2) The development proposal is in the public interest and although the development proposal may cause some adverse impacts, conditions have been imposed the approving authority (Planning Commission) to produce a balance between the conflicting interests.

Findings of Fact

The Medford Planning Commission has considered the following facts that are pertinent to the application requesting approval of a revision to a Conditional Use Permit. The following section discusses individual elements of the youth center and operation that have the potential to cause impacts that could be considered to be adverse. A discussion of each of these elements has been included to show how the applicant has considered each of those potential factors together with the mitigation measures that have been included so that there is a balance between the public interest of the youth center and the interests of the adjacent properties. As a note, in the past 5 years there have been no complaints from any neighbors.

Roberts Road is a Major Collector Street. The majority of the vehicular trips to and from the site will take place in the evenings, after the pm peak hour period of trip generation. Roberts Road is improved with two travel lanes, a center turn lane, bicycle lanes, and sidewalks on both sides of the street consistent with the standards for a Major Collector Street.

Access

Vehicular access is from Roberts Road from a circular driveway, with separate designated "in" and "out" driveway aprons. As the majority of the students will be dropped off and picked up use of the circular driveway provides an efficient and consistent flow of traffic in and out of the site. It should be noted that most of the adjacent residences on Roberts Road, have circular driveways with dual aprons. The ingress apron has been located to provide the greatest degree of separation with the North Medford High School access driveway to avoid left-turning conflicts.

Pedestrian access is provided by a paved walkway from the Roberts Road sidewalk to the interior of the parcel adjacent to the center.

Parking

With a maximum of 40 students, a total of 10 parking spaces was required. Therefore 10 parking spaces are provided, including one disabled person space and the accompanying ADA access aisle. On-street parking is not allowed on Roberts Road, since it is a higher order (Major Collector) street.

Aesthetics

The youth center has followed the landscape plan to include trees, shrubs, and fencing, resulting in an attractive asset to the neighborhood.

Conclusion of Law

The Findings of Fact identify and discuss the various elements of the youth center operational hours that have the potential to produce adverse impacts. The Findings then discuss the mitigation measures that have been included for each of those elements, and how those mitigations will produce a balance between the public interest of the youth center to the community and the surrounding area, and the interests of the adjacent neighbors. The mitigations that have been included and to which the applicant has stipulated include:

1. A site plan that was designed to provide the greatest amount of separation from adjacent existing residences as possible.
2. A limitation on the length of outdoor use to 9:00 pm.
3. A limitation on the length of outdoor lighting to 9:00 pm.
4. All outdoor lighting not only meets City standards for glare, but also is designed to not shine any light directly on neighboring properties.

Noise

As stated earlier the applicant stipulates that all outdoor activities will cease by 9:00pm.

The identifiable noise sources that may possibly be generated from the youth center are principally associated with outdoor activities such as volleyball, basketball, simple lawn games, and barbecues. The location of these proposed outdoor facilities was designed to provide the greatest amount of separation from the existing residences as possible.

The ball court adjacent to the east side of the center, is located approximately 40 feet from the residence to the east, approximately 120 feet from the residence to the northeast, and approximately 120 feet from the residence to the north.

The outdoor deck and patio where barbecues are held, are separated by approximately 65 feet to the northern residence, 100 feet to the northwestern residence, and 75 feet to the western residence.

The area that is to be primarily utilized for lawn activities is directly north of the deck and patio, and at its closest point, is separated by approximately 35 feet from the residence to the north.

There is a solid wood fence along the entire side and rear of the property lines, which provides a noise reducing buffer.

There is no outdoor sound amplification associated with any of the activities at the youth center.

Lighting/Glare

The applicant stipulates that all outdoor lighting is turned off by 9:00 pm.

Section 10.764 of the Land Development Code contains the lighting standards for the City, including the requirement that illumination will not exceed 0.5 foot candles on any adjacent property. All lighting installed in conjunction with the youth center development meets these standards. In addition, all outdoor lighting is designed to shine away from the adjacent residences, or is shielded with full cutoff fixtures so not to shine light directly on the neighboring properties.

Consideration has been given to auto headlights in the parking areas with the use of a screen consisting of evergreen Photinia shrubs and wood fencing situated between the parking areas and adjoining properties.

Neighbor visibility

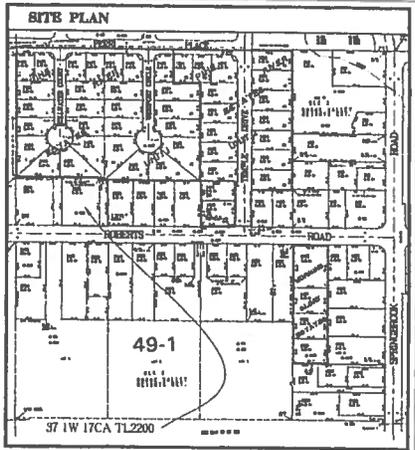
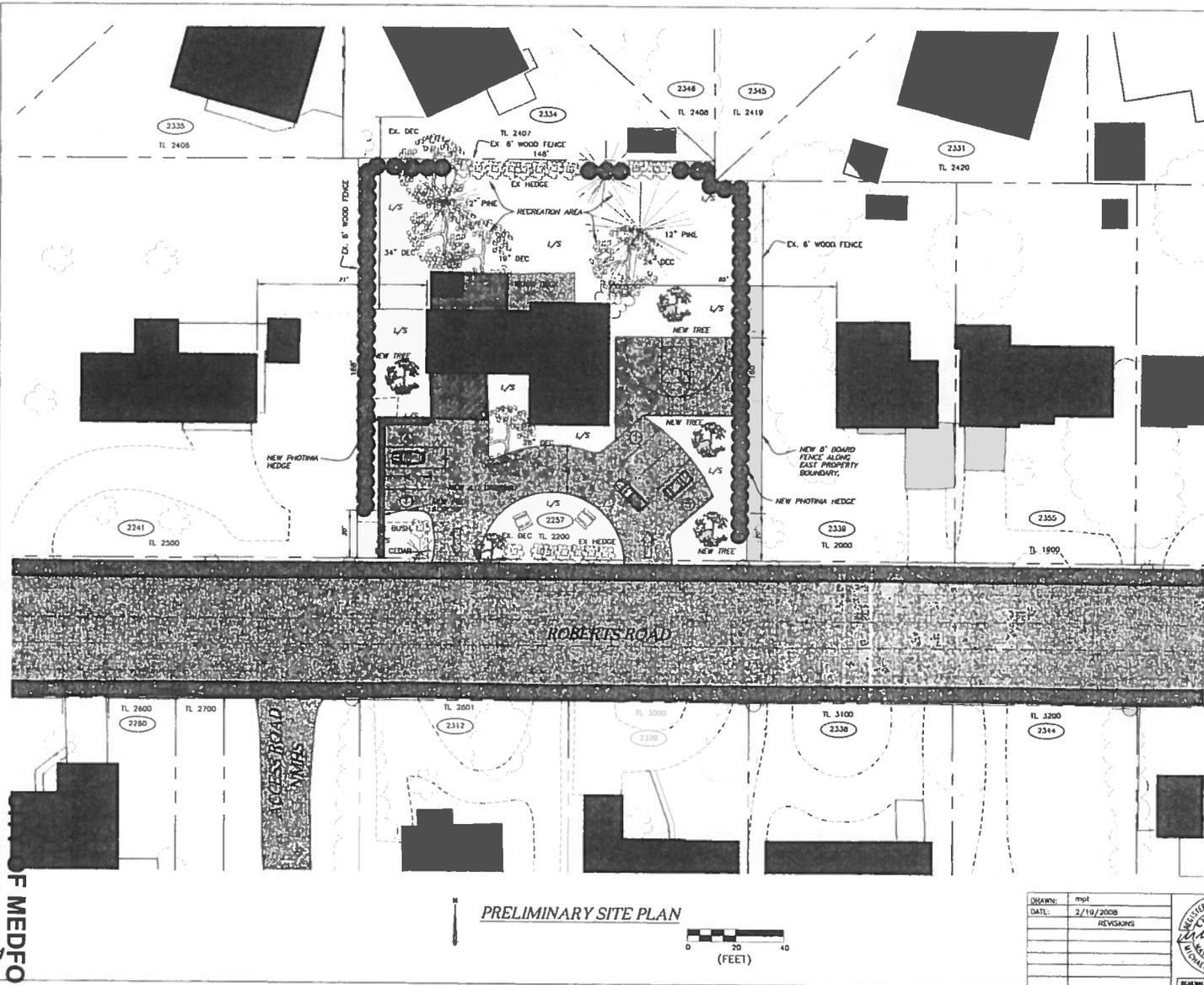
The youth center building is centrally located on the subject parcel, with ample separation between neighboring residences, as discussed above. The side and rear sides of the parcel is screened from the adjacent properties by a Photinia shrub hedge and wood fence along the perimeter.

Traffic

5. Side and rear yards include a screen of trees, shrubs, and solid wooden fencing, to provide a light-obscuring and noise-reducing buffer. Automobile headlights are screened by a hedge/fence screen.

F. ULTIMATE CONCLUSION

The Planning Commission concludes that based upon the above Findings of Fact and Conclusions of Law in Section E above, that the application for a revision to the Conditional Use Permit for the hours of operation of the youth center is consistent with the relevant decisional criteria found in Section 10.248(2) of Medford's Land Development Code, in that the youth center is in the public interest and is consistent with the overall needs of the community and the immediate area in a location that is reasonably suitable. The Planning Commission also concludes that although the revision proposal may cause some impacts, conditions have been imposed by the Planning Commission to produce a balance between the interests of the abutting properties and the public interest of the youth center to the community and surrounding area.

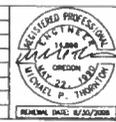


LEGEND

- (2257) STREET ADDRESS
 - TL 2200 ASSESSOR'S TAX LOT NUMBER
 - L/S AREA OF NEW LANDSCAPING, INCLUDING GRASS, SHRUBS AND CYPRUS/CEDAR
 - 24" DEC EXISTING 24" DIAMETER DECIDUOUS TREE
- NOTE: SIGNAGE WILL CONFORM TO THE STANDARDS OF THE CITY OF MEDFORD LAND DEVELOPMENT CODE.

DATE	CLIENT	PLAN SET DESCRIPTION
11/21/2007		PRELIM PLANS - THORNTON ENG & CLIENT REVIEW
11/21/07		PRELIM PLANS - THORNTON ENG & CLIENT REVIEW
1/16/2008		PRELIM PLANS FOR LAND USE APPLICATION
1/16/2008	X	PRELIM PLANS FOR LAND USE APPLICATION

DRAWN: mpt
DATE: 2/19/2008
REVISIONS:



THORNTON ENGINEERING INC.
p.o. box 476 • 260 north 3rd street
jacksonville, oregon 97530
(541) 899-1489 (541) 899-3419 fax

NORTH MEDFORD YOUTH HOUSE
ROGUE VALLEY WASH FOR TRUST
101 ROBERTS ROAD
MEDFORD, OREGON



PRELIMINARY SITE PLAN

RECEIVED
 PLANNING DEPT.
 19 2017



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: CUP-17-067

PARCEL ID: 371W17CA TL 2200

PROJECT: Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner.

DATE: August 9, 2017

RECEIVED

AUG 09 2017

PLANNING DEPT

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter located in the westerly driveway along Roberts Road is required to be abandoned and a new water meter installed outside of driveway. New water meter is required to be installed outside of driveway. Applicant or their civil engineer shall coordinate proposed water meter location with MWC engineering staff.
4. Static water pressure is expected to be 86 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
5. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link
<http://www.medfordwater.org/Page.asp?NavID=35> .

COMMENTS

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

Continued to next page

CITY OF MEDFORD
EXHIBIT # E
File # CUP-17-067

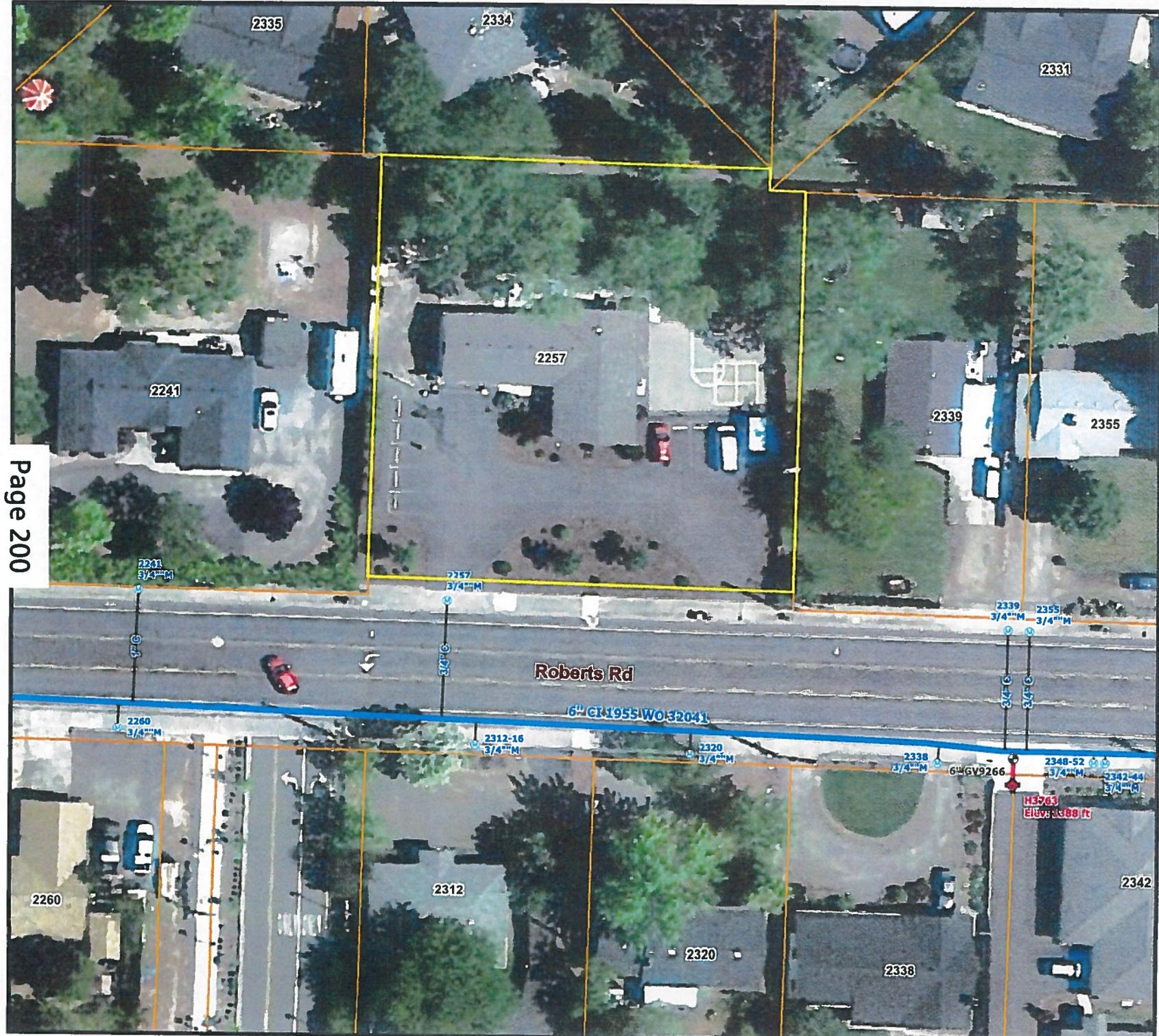
Page 1 of 2



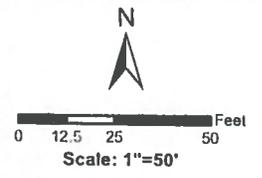
Staff Memo

Continued from previous page

2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter located in the west driveway/sidewalk. (See Condition 3 above)
4. Access to MWC water lines is available. There is an existing 6-inch water line located on the south side of Roberts Road.



Page 200



**Water Facility Map
for
CUP-17-067**

Legend

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plugs-Caps
- Water Meters:**
- Active Meter
- On Well
- Unknown
- Vacant
- Water Valves:**
- Butterfly Valve
- Gate Valve
- Tapping Valve
- Water Mains:**
- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

- Boundaries:**
- Urban Growth Boundary
- City Limits
- Tax Lots

- MWC Facilities:**
- Control Station
- Pump Station
- Reservoir



This map is based on a copy of the records provided by the Medford Water Commission from a variety of sources. Medford Water Commission does not warrant, represent, or assume any liability for errors or omissions. There are no warranties or representations made by the City of Medford.



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

RECEIVED

AUG 04 2017

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Praline McCormack

LD Meeting Date: 08/09/2017

From: Greg Kleinberg

Report Prepared: 08/03/2017

Applicant: Rogue Valley Youth for Christ, Applicant

File #: CUP - 17 - 67

Site Name/Description:

Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential - 4 units per gross acre) zoning district (371W17CA Tax Lot 2200). Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Requirement ADDITIONAL REQUIREMENTS/COMMENTS

MEDFORD

OTHER

Sleeping is not permitted here without the required fire protection features in place.

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

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

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

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

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

CITY OF MEDFORD

EXHIBIT # F

File # CUP-17-067



Continuous Improvement Customer Service

CITY OF MEDFORD

RECEIVED
AUG 09 2017
PLANNING DEPT.

LD Date: 8/9/2017
File Number: CUP-17-067

PUBLIC WORKS DEPARTMENT STAFF REPORT
Rogue Valley Youth for Christ

Project: Consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel.

Location: Located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (371W17CA Tax Lot 2200).

Applicant: Rogue Valley Youth for Christ, Applicant; Praline McCormack, Planner.

Public Works has no comments on the proposed Conditional Use Permit application.

Prepared by: Doug Burroughs



JACKSON COUNTY

Roads

**Roads
Engineering**

Kevin Christiansen
Construction Manager

200 Antelope Road
White City, OR 97503
Phone: (541) 774-6255
Fax: (541) 774-6295
chriske@jacksoncounty.org
www.jacksoncounty.org

July 28, 2017

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

RECEIVED

AUG 07 2017

PLANNING DEPT.

RE: Consideration of a request to revise days and hours of a youth center's hours at 2257 Roberts Road— a city maintained road.
Planning File: CUP-17-067

Dear Praline:

Thank you for the opportunity to comment on the consideration of a request to revise a previously approved Conditional Use Permit to extend the days and hours of operation of a youth center on a 0.62 acre parcel located on the north side of Roberts Road within a SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district (37-1W-17CA TL 2200). Jackson County Roads has no comments.

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

Sincerely,

Kevin Christiansen
Construction Manager

September 21, 2015

RECEIVED
JUN 01 2017
PLANNING DEPT

City of Medford

Re: Campus Life Youth Center

To Whom it may concern:

We own the property located at 2312 Roberts Rd. Medford, OR 97504.

Our front door is directly across the street from the Campus Life Youth Center.

We have never had any issues with this facility being located in our neighborhood. In fact we feel this is an ideal location for this facility, given that it is so close to the High School.

We are in support of allowing Campus Life to extend the hours they are open to the students.

Regards,

Jackie Blackwell

RECEIVED
JUN 01 2017
PLANNING DEPT

To Whom it May Concern,

North Medford Campus Life has been a major part of my life for more than 5 years. I first discovered the youth center when a friend invited me in the summer of 2010 when I was going into my 6th grade year. It immediately became one of my favorite places to be, filled with kind people, fun activities, and a safe, loving environment. Campus Life is the kind of place every middle-schooler needs. But it didn't stop there- even as I moved into high school, the youth center remained a safe place for me. Somewhere I could escape the hustle and bustle of classes and homework and family and work. A place for friends, for fun, and for God. I'm currently participating in my 2nd year of Student Leadership, after a full year of Student Leader Training. This program allows high school students to give back to the youth center in a number of ways, and learn about the message of service that is so important in the God's word. Campus Life has changed my life and I have seen firsthand the amazing things it can do for the kids at middle school club and my high school peers. The youth center is an important part of our community and holds a place in so many student's hearts.

Sincerely

Amber Wilson

(16 Years Old, North Medford High School Student, Live 4 blocks from the Youth Center)



We love being neighbors with Campus Life. They are wonderful, and have never once been a bother to us. It's great having a facility and organization near our house that is investing in the youth of our city. We support them continuing to grow and expand however they need.

Ryan Rhoden



2334 Stillwater Ct.
Medford, Or. 97504

RECEIVED
JUN 01 2017
PLANNING DEPT

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JUN 01 2017

PLANNING DEPT

Growing up in Medford and a teenager in the 80's. . Campus Life came across my path.

Back then we were blessed to get our direction from Don and Donna remember gathering for club nights, running out for scavenger hunts. . a bus trip up to a Duck football game. . but 30 some years later, I still laugh over the blast we had playing flag football on a Saturday morning, in the Campus Life Mud Bowl! Fire trucks, firemen and hoses to make more mud than you can imagine. I was so muddy, my parents hardly recognized me and I had to ride in the back of the truck home.

Why start this with that memory? To emphasize that Campus Life makes memories worth keeping for a lifetime.

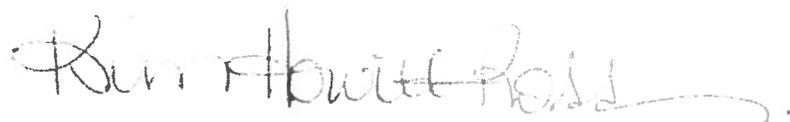
When my own two boys got to North Medford High School .I started talking about them getting into Campus Life. The club was, at that time, on Crater Lake Ave. Then YFC acquired the house on Roberts Road and remodeled it to become the new home of the " North Medford Campus Life" With room for everyone and and then some :)

Space for Garden Club to plant, a huge back lawn with big shade trees and a great basketball court. Club nights were always looked forward to and the lunch days as well. The fellowship of the Youth Center is such a needed part in this community. Kids can go there and feel loved, supported and laugh. It's nothing but positive.

The Youth Center staff and volunteers are committed to helping the kids that come there grow into thriving individuals in our community After being there are as students, my boys became leaders One of my sons has even returned for the last 3 years as a summer camp counselor!

Growing up has always had it's hurdles and challenges . . that will never change. Knowing that you have a place to go (even just for a few hours) can make a huge difference in some kid's lives. My heart is happy too, knowing that it has a Christ following foundation. Youth for Christ isn't just a name. . . it is who they are.

Thank you for being there!
Kim Howitt Ross



REC 7 2015

6

McLoughlin Middle School

Linda White, Principal

Rick Parsagian, Assistant Principal

RECEIVED
JUN 01 2017
PLANNING DEPT

May 1, 2016

It is, indeed, my pleasure to write a letter in support of the North Medford YFC Youth Center. The Center is located on Roberts Road, near North Medford High School, where I was employed prior to working here at McLoughlin.

While I was an administrator at North Medford High, we had a collaborative working relationship with the youth center staff, as many of our students enjoyed the benefits of a healthy and safe place to hang out. There were also many positive social connections that were formed based on the lunch groups and other groups offered at the center.

As an educator for over 32 years, I have seen the strength in a community where schools, community agencies, and faith based groups form partnerships toward prioritizing the youth in our midst. Our children and teens in Medford need healthy and safe places to connect and thrive.

It is for these reasons that I support the efforts of the North Medford YFC Campus Life Youth Center. Please feel free to contact me if you have any questions.

Very Sincerely,



Linda White
Principal
(541) 842-1639

7

RECEIVED

AUG 09 2017

PLANNING DEPT.

City of Medford Planning Dept.
Lausmann Annex
200 South Ivy Street
Medford, OR 97501

RE: CUP-17-067

To Whom it May Concern:

We recently received a letter stating that the Youth for Christ Center on Roberts Road is applying to increase their days of operation and their hours.

We are writing to **strongly protest** this increase. This Center was placed in a residential area, and should be in a commercial area where it is not bothering people who want to live in peace and quiet in their own homes!

When they were granted the first permit they **promised** that they would be good neighbors. "Just let us know if the noise is bothering you and we'll quiet down" they said. **That was just a lie.** I have called many times to ask them to stop having the whole group of kids screaming as loudly as they possibly can non-stop for hours, and they did not care!

Apparently they cannot play basketball without all of them screaming non-stop as loudly as they possibly can all night long. It is the basketball playing that is the problem. They could have indoor activities 24/7 and it would not bother anyone. They could go play basketball over at the school. It is far enough away from homes not to bother people.

"It will only be for a few days per week and limited hours" they said. **That was also just a lie!** Now that they have their foot in the door, they now want 6 days a week until 9:00 every night! So if this is granted, we can have no life at all!!

We have spent tens of thousands of dollars to turn our back yard into a beautiful oasis where we can relax and entertain friends and family. As it is, we have to plan everything we do around their hours as the noise is deafening! Now they want us to have only one day a week that we can have some peace and quiet in our own homes! That is outrageous!!!

Please, please, please do not grant them any more days and hours of outside activity. Please have some compassion on the people that have to live next to them! They have plenty of days and hours as it is. All we are asking for is no increase! Is it fair that they get to have 6 days a week and people who live here get one? No, that is not fair at all!

It would also greatly decrease our property values, as no one in their right minds would want to live next to all that noise non-stop 6 days and nights every week!!!!

CITY OF MEDFORD
EXHIBIT # J
File # CUP-17-067

Thank you for your consideration.

Sincerely,

Dan & Kristine Merrill

Dan & Kristine Merrill
2335 Stillwater Court
Medford, OR 97504
541-601-9718 541-621-6994



MINUTES
Planning Commission Meeting
May 22, 2008

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

<u>Commissioners</u>		<u>Staff</u>
David McFadden, Chair	Jared Hokanson	Kelly Akin, Senior Planner
Brita Entenmann	Jerry Shean	Lori Cooper, Sr. Assistant City Attorney
Tony Cabler	Robert Tull	Dan Patterson, Fire Marshal
Tim Jackle	Allen Potter	Greg Kleinberg, Fire Inspector
Norm Nelson, Excused Absence		Steve Wadleigh, Engineering Division
		Kristy Grieve, Recording Secretary

10. **Roll Call**

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

- 20.1 LDP-07-149/ ZC-07-150 Final Order for denial of tentative plat approval of a 3-lot partition with reserve acreage and an associated zone change from County RR-5 to City SFR-2 (Single Family Residential - 2 units per acre) on a 3.03 acre parcel located on the south side of Aerial Heights Dr. and 300 feet north of Cherry Lane, within the Southeast Plan Overlay. Robert George, Applicant (Steve Sherbourne, Agent)
- 20.2 LDS-08-021 Final Order for tentative plat approval of Sunset View Estates Subdivision, a 6-lot development on a 2.93 acre parcel located on the north side of Piedmont Terrace, on the west side of Mary Bee Lane within a SFR-2 (Single Family Residential – 2 units per acre) zoning district. Delrosso Land Development, LLC, Applicant (Hoffbuhr and Associates, Inc., Agent)
- 20.3 LDP-08-023/ E-08-024 Final Order for tentative plat approval for a two lot partition with exception request to allow a lot width of 20.5 feet for Lot 2, on a 0.62-acre parcel located on Shafer Lane approximately 360-feet east of Happy Valley Drive, within a SFR-4 (Single Family Residential – 4 units per acre) zoning district. Zenon & Maria Milrad (Hoffbuhr & Associates, Inc., Agent)
- 20.4 CUP-07-214 Final Order for a Conditional Use Permit for the construction and operation of a high school on approximately 42 acres; bounded by Columbus Avenue, Cunningham Avenue, Diamond Street, and Warren Way, within an SFR-6 (Single-Family Residential – 6 units per acre) zoning district. Medford School District 549C, Applicant (Maize & Associates, Inc., Agent)
- 20.5 CP-97-035 Consideration of minor revision to a general plan amendment (CP-97-035) by removal of an existing condition related to vehicle trip generation, imposed as per Ordinance No. 2001-55, on a 3.87 acre site within a C-S/P (Commercial, Service & Professional Office) zoning district, located on the north side of Barnett Road, approximately 160 feet east of Highland Drive. Medical Eye Center, Applicant (CSA Planning, Ltd)
- 20.6 LDP-06-044 Consideration of a request for a second extension of time of tentative plat approval for a 2-lot partition of a 0.75 gross acre parcel extending between Sunset Drive and Willow Brook Drive, approximately 800 feet west of Orchard Home Drive within an SFR-4 (Single-Family Residential – 4 units per acre) zoning district. Clarence and Sharon Brown, Applicants

Motion: Approve Consent Calendar Items 20.1 through 20.6

Moved by: Commissioner Potter Seconded by: Commissioner Tull

Voice Vote: Motion passed, 7 – 0 – 1, Commissioner Cabler abstained.

Commissioner Jackle asked that the record show that he abstained from item 20.5

CITY OF MEDFORD
EXHIBIT # K
File # CUP-17-067

MINUTES - Planning Commission Meeting

May 22, 2008

Motion: Direct staff to prepare a Final Order for approval of LDP-08-043 per the Staff Report dated May 9, 2008, including Exhibits "A" through "L".

Moved by: Commissioner Tull Seconded by: Commissioner Jackle

Roll Call Vote: Motion passed 8 – 0

50.3

CUP-08-033 Consideration of a request for a Conditional Use Permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district. Rogue Valley Youth for Christ, Applicant (Jim Maize, Agent)

Carly Meske, Planner II, read the criteria and gave the Staff Report. Ms. Meske noted there was a proposed change in hours of operation that the agent would speak to. Staff recommends approval of this project.

Commissioner Tull asked for Ms. Meske to state the conditions that are applicable to the approval. Ms. Meske outlined conditions one, four, eight, nine, and ten.

The public hearing was opened and the following testimony was given:

- a) Jim Maize, Maize and Associates, PO Box 628, Medford, OR 97504, agent for the applicant. Mr. Maize commended Ms. Meske and staff on the Staff Report. He requested additional time for testifying for other members of the presentation team. Commissioner McFadden agreed to the time extension.

Mr. Maize gave a brief overview of the purpose of the CUP. He noted changes to the table on page 2 of the Staff Report: an increase in the hours of operations. Mr. Maize indicated that all activities will be supervised by adult staff at all times. The applicant has addressed the second option of the CUP criteria. It is the intent of the applicant to be an asset to the community. Mr. Maize noted that property values were not part of criteria 2, and no evidence was submitted to show an increase or decrease in property values as a result of the proposed use.

Mr. Maize spoke about the permitted uses allowed in single-family zones by the Land Development Code.

Mr. Maize indicated that the lot was chosen for its large size, and large size of the adjoining lots. Regarding the noise, it is subject to the noise and nuisance standards of the Land Development Code. The applicant has stipulated hours of operation, and to build a solid wood fence for sound and visual attenuation. They will also plant a hedge to provide a dense buffer. Mr. Maize also stated that the applicant will abide by all lighting and glare standards, and stipulates they will turn off all outdoor lighting by 9 pm.

Mr. Maize reported that the center would be a minor impact to traffic on Roberts Road, and it would mostly occur after the peak hours, later in the evening.

Mr. Maize noted that the Applicant proposes a circular driveway. They feel it provides an efficient flow of travel. He indicated that Public Works is following their policy by recommending only one access point. Mr. Maize feels in this situation, due to drop off and pick up traffic, in and out is preferable.

Mr. Maize spoke about the seven foot right-of-way dedication, and indicated that the applicant is agreeable with the condition. He noted that it does affect parking, and they are revising their site plan. Mr. Maize requests that the Planning Commission allow staff to approve the revised site plan.

Mr. Maize spoke about the concerns raised about the increase in students to the center, and indicated that once the Planning Commission approves the application, any significant modification will need to be revisited by CUP process. Mr. Maize noted that limited signs are allowed in an SFR-4 zone and the applicant will abide by the sign standards.

Mr. Maize spoke about the concerns raised about students at the facility during off hours when no staff is present. He explained that the Applicant would like to place a fence to divide off the basketball courts to secure the area.

Mr. Maize requested approval of the project and offered to answer any questions. He asked to reserve time for rebuttal.

Discussion:

Commissioner Shean asked about the restroom facilities. Mr. Maize reported two bathrooms will be ADA approved.

Commissioner Jackle asked about the neighborhood and any restrictions on the group operating out of North Medford High School. Mr. Maize was not aware of any. Mr. Maize agreed that it was presumable other events are occurring in the neighborhood, similar to what was being proposed.

Commissioner Potter asked Mr. Maize to restate the hours of operation. Mr. Maize indicated the hours of 7 to 9 pm Monday & Friday evenings; Monday through Friday, 11:30 am to 1 pm; with 1 pm to 5 pm open for students to drop in. Mr. Maize indicated that during the time when school is out, the facility will be open, but there will be less use and less structure.

Commissioner McFadden asked if the applicant was still asking for 40 student occupancy. Mr. Maize explained that while planning staff raised the option of reduction to get the necessary parking spaces, the applicant is more inclined to adjust parking and keep the 40 person occupancy. Commissioner McFadden asked about rotating the basketball court so the hoop is against the building. Mr. Maize indicated he would defer to Mr. Bills on that question. Commissioner McFadden asked about security after 9 pm. Mr. Maize indicated that it was not going to be used as a residence and therefore, no security after 9 pm.

Commissioner Tull asked who the facility is open to and for what purposes. Mr. Maize replied bible studies, discussions, club meetings, barbeques, and basketball. Commissioner Tull asked if people are coming for specific activities, or is it an open place for teenagers to gather. Mr. Maize feels it would be for a specific purpose but would defer to Mr. Bills to answer.

Commissioner Shean asked if they are stipulating to an 8-foot fence all around. Mr. Maize anticipates placing an 8-foot fence around the basketball court, and would agree to an 8-foot fence where a 6-foot fence exists.

Commissioner Potter asked if this was a new facility or if they were moving from another location. Mr. Maize reported that while they did have youth centers in Eagle Point and Gold Hill, it is a new venture for Medford. Commissioner Tull asked if the centers were in residential neighborhoods Mr. Maize deferred the question to Mr. Bills.

- b) Brad Bills, 400 Crater Lake Avenue, Medford, OR 97504, Executive Director of Rogue Valley Youth for Christ. Mr. Bills gave an overview of the organization and the two youth centers currently open. He believes that the Youth Center will offer a great opportunity for kids and adults to interact in healthy and positive ways. He offered to take questions.

Commissioner Tull asked that when facility is open, to whom is it open. Mr. Bills responded that it is open to high school and middle school students, both structured and non-structured times. Commissioner Tull asked if it was based on membership. Mr. Bills replied no, that it is open to any young person. Commissioner Tull asked how do they propose to control the number of participants at any given time. Mr. Bills responded that by being a Christian-based organization, a lot of kids aren't going to come. Twenty five to forty students is what they currently have attending the Campus Life meetings. Mr. Bills explained that they would have to shut the door if they exceeded capacity. He explained that their mission is to focus on kids not involved in churches, tell them about God and get

MINUTES - Planning Commission Meeting

May 22, 2008

them involved in local churches and youth groups.

Commissioner Tull asked in light of their evangelical mission, and in the context of the CUP, how do they state their public interest. Mr. Bills explained that they provide hope and purpose for kids struggling with life, who in turn will thrive. Mr. Bills confirmed that the center will be a place where kids can do homework and provide a safe place after school.

Commissioner Potter asked about outreach to the neighborhood, and any community meetings held or fliers distributed. Mr. Bills indicated that he and Mr. Biegler went door-to-door, to approximately 20 adjacent neighbors and showed them plans. Commissioner Potter asked what sort of comments they received from the neighbors. Mr. Bills indicated that there was concern; as letters state in the packet, but they plan to be a good neighbor and an asset to the community.

Commissioner Cabler asked about the ratio of 4 adults for 40 kids. Mr. Bills explained that for Campus Life meetings 1 adult to 10 students is a good ratio.

Commissioner Hokanson asked given that North Medford has larger population base than Eagle Point, what can the applicant do to resolve neighbors' concerns that there won't be more than 40 students allowed at one time. Mr. Bills replied that they will just have to adhere to the number of 40.

When asked whether the other two youth centers were located in comparable neighborhoods, Mr. Bills explained that they are in commercial zones.

Commissioner Tull asked about weekend activities. Mr. Bills explained that they would meet only on occasional weekends, maybe to meet for a camping trip, but nothing on a structured basis, at any of the youth centers.

- c) Stuart Biegler, 400 Crater Lake Ave, Medford, OR 97504, North Area Campus Life Director, and Hedrick Football and Wrestling Coach. Mr. Biegler indicated that many teens lack guidance and hope, and many go home to an empty household. He feels the Youth Center provides a place for kids to meet with adults to receive guidance, and being across from school gives them the opportunity. Mr. Biegler indicated that while many people think that it is just for at-risk kids, they have actually had valedictorians, honor roll students, and kids involved in sports, music, band, and drama. Mr. Biegler indicated the reason kids come to Campus Life is because of the relationships. He noted that while there was a day when they passed out fliers to encourage participation, it is now based on relationships. The kids don't come for the activities; they come because they know an adult or another kid there. Mr. Biegler knows many youth pastors and many of the kids filter into nearby churches. Mr. Biegler believes the center would be a valuable asset to the community. Their goal is to be a good neighbor. He will put together a team to take care of the facility. He offered to answer any questions.

Commissioner Tull asked about providing food service. Mr. Biegler indicated that they may bring in food, but there would not be much preparation done. He confirmed that there is a residential kitchen.

- d) David Todd, 2555 Hawaiian Ave, Medford OR 97504, volunteer for Campus Life, North Medford Football, and Wrestling. His family is actively involved in youth from Eagle Point to Talent. Mr. Todd testified in favor of the Youth Center. He believes kids need a place to feel accepted and wanted. He desires to make Medford a community that kids can feel connected to. He thanked the Commissioners for their time.
- e) Bryan Milani, 2241 Roberts Rd, Medford OR 97504, nearby resident. Mr. Milani spoke in opposition of the CUP. He felt that his family and neighbors would be adversely impacted. The noise and lights generated by the Youth Center would exceed that of a single family. He questioned the 40 patron allowance. Mr. Milani noted that he had spoke to real estate professionals and they indicated that it would have an adverse impact on property values. He expressed concern about trespassing and measures to prevent it. He expressed concern about the safety of kids crossing the street.

Mr. Milani indicated that members from Rogue Valley Youth for Christ talked to neighbors only after purchasing the property; it was done after the purchase.

Mr. Milani showed photos of the applicant's Crater Lake property at 300 Crater Lake Avenue, and indicated that there were commercial properties abutting on most sides. He feels the Crater Lake Avenue property had no immediate impact to residential homes. Mr. Milani showed photos of the Eagle Point and Gold Hill facilities, noting their locations in commercial areas with no immediate impact to residents. Mr. Milani noted that the subject property is bordered on all sides with residential homes, and is inconsistent in regards to location with current youth centers. Mr. Milani pointed out that testimonies and Staff Report in favor of the project come from people not impacted by this decision.

Commissioner Tull asked about the property not being well maintained for some time, and if the proposal would bring a significant improvement. Mr. Milani noted it had been a foreclosed property, but feels that a single family would have more interest.

Commissioner Jackle asked if there was trouble with trespassers during the off hours. Mr. Milani indicated the existing churches have events going all the time, so it would be hard to determine if there were trespassers. He feels that he already has to live with that, and they asking more of the neighbors with the proposed youth center.

Commissioner Potter asked if there was anything the applicant could do to make this proposal more compatible with the neighborhood. Mr. Milani replied that there is not and he does not feel it is the right place for it.

- f) Kelly Churchill, 2260 Roberts Road, Medford, OR 97504, nearby resident. Mr. Churchill indicated that there are trespassers on the church property; not just only kids. Mr. Churchill indicated that it was an extremely hazardous street, and expressed concern about the multiple driveways and safety. He felt that it is a major impact to traffic, especially nights of school functions. He asked what would happen when kids were turned away; he does not wish his property to become a target. He mentioned the possibility of increased trash, and vandalism when the facility is closed.

Mr. Churchill expressed concern about the wording and the hours of operation. He also expressed concern about the applicant keeping to the occupancy limits proposed, noise from the basket ball court, and people trespassing after hours. Mr. Churchill noted that the church next door holds meetings, but they have worked together to minimize noise. He feels that it is a good idea for a youth center, but not at this location and zoning. Mr. Churchill offered to answer any questions.

Commissioner Potter asked if there was anything this applicant could do to make this more compatible with the neighborhood. He indicated he did not see a way.

Commissioner Cabler asked about traffic on the access road. Mr. Churchill indicated it was a heavily traveled road, paved with a speed bump.

Commissioner Jackle asked about the impact from the present church next door. Mr. Churchill explained that while there are noise impacts, he did move in to the neighborhood with the understanding that the church was there. He feels he has made one concession and should not have to make another.

- g) Dan Merrill, 2335 Stillwater Court, Medford, OR 97504, nearby resident. Mr. Merrill's property is adjacent to the back of the proposed property. He said that he appreciated the public hearing process. Mr. Merrill has worked with youth, and feels there is a need, but that it does not belong at this location.

Mr. Merrill expressed concern about livability and value. He expressed concern about the word "occasionally" in reference to the weekend activities. Mr. Merrill holds bible studies at his home. He expressed concerned about noise, vandalism, and garbage. He would like to see the youth center happen, but not at this location. He feels the zoning is in place to protect livability and value.

Commissioner Potter asked if he had any suggestions for the applicant, to make the center more compatible with the neighborhood. Mr. Merrill suggested the group propose a program with the church across the street.

- h) TJ Todd, 2555 Hawaiian Avenue, Medford, OR 97504, student at North Medford High School. Mr. Todd is involved with Campus Life and member of Living Waters Church. He believes the center would be a benefit to the community, and provide a safe place for the high school kids to go at lunch. Mr. Todd spoke about crossing Roberts Road, at a gated driveway to the high school that is used by students to walk to school. He suggested that the City provide a cross walk there. He did not think there would be an increase in traffic, because most kids are already using it. Mr. Todd agreed that churches have similar events, but a church puts off a religious atmosphere and a lot of kids believe they are not welcome at church. Campus Life is where kids with different beliefs can come together. Mr. Todd feels that trash will not become a problem because kids will take pride in the neighborhood.

Commissioner Potter asked how many kids he anticipated attending. Mr. Todd indicated that meetings he has attended have not exceeded 50 kids. He does not see it being a problem in the future.

Commissioner Tull asked about the comments made about crossing at Roberts Road. He expressed concern that it will draw students across a busy street. He asked if they are already doing so with out risk. Mr. Todd responded that it was not without risk, but it will continue because it is the quickest way across the street. The other option is to cross along Keene Way and up Roberts Road, or trespassing through neighbor's property. Traffic is increased because of school, but not increasing amount of students.

- i) Donna Moore, 2331 Westport Circle, Medford, OR 97504, nearby resident. Ms. Moore spoke in opposition of the Youth Center. She noted that there were already five churches within walking distance of the proposed facility, within one block of the high school. She viewed her house as an investment. She feels that the property has not been kept up, and she does not care to have them as a neighbor.
- j) Kristine Merrill, 2335 Stillwater Court, Medford OR 97504, nearby resident. Ms. Merrill expressed concerns about livability and values. She agrees that it is a great organization, but feels the location is wrong. She expressed concern about the noise. Ms. Merrill showed photos of her backyard and the landscaping. She spoke about the effort they have put in to make it a sanctuary. She expressed concern that the hours of operation will change from what is stated, once they receive the CUP.

Commissioner Potter asked if she had any suggestions for the applicant, to make the center more compatible with the neighborhood. She suggested they not hold functions on weekends, and restrict the hours to two nights a week.

- k) Kim Todd, a mother of 3 boys, and a volunteer at Youth for Christ. Mrs. Todd testified in support of the Youth Center. She indicated they plan to be a good neighbor and will be supervising the kids. Their plan is to embrace, direct, love and nurture the kids. Mrs. Todd indicated that she has traveled with these kids, and they are good, respectful kids. She feels the center would be a great asset to the neighborhood.

Recess from 7:30 pm till 7:45 pm

Discussion:

Ms. Meske pointed out two items for discussion: access on to Roberts Road and off-street parking.

Mr. Wadleigh commented that the project should be approved with the condition for just one access point due to Roberts Road being a major collector street.

Commissioner McFadden asked if one was to develop the property further, how many houses would be allowed. Ms. Akin indicated it would allow close to 3 homes.

MINUTES - Planning Commission Meeting

May 22, 2008

Commissioner Cabler asked staff if anyone has revocation authority should this be approved. Ms. Akin indicated it would be a code enforcement department process. Ms. Cooper indicated that it is a complaint-driven process, and they can possibly be cited into Municipal Court. Commissioner Cabler asked about the number of citations before the CUP is revoked. Ms. Cooper is not aware of a revocation process, perhaps a cease and desist order.

Commissioner Shean asked Fire Marshal Patterson if it was considered a commercial building for fire purposes. Fire Marshal Patterson indicated it was considered an educational building, but if the applicant held all-night functions, the Fire Department would have to revisit it. When asked about maximum occupancy, Fire Marshal Patterson indicated it would have to be figured out by square footage and exiting.

Commissioner Hokanson asked about the neighbors' concern about crossing the street. Mr. Wadleigh indicated that Public Works had not looked at it, but they do not have crosswalks in the middle of a block.

Rebuttal:

Mr. Maize reiterated that two access points function better than one with drop-off traffic and asked the Planning Commission to rescind the Public Works recommendation. He is requesting that criteria 2 be used for the approval. Using criteria 2, this proposal is in the public interest. While there may be some adverse impacts, the Planning Commission has been able to condition the scope of this project: hours of operation, landscaping, and screening. Mr. Maize feels the applicant has offered up mitigations thru site design, fences, and landscaping. While they don't anticipate any vandalism, they will hire a private security force if needed. The applicants will be responsible neighbors and will be very careful to monitor the conditions of approval. Mr. Maize pointed out that property values are not part of the criteria, but adverse impacts are, and if the Planning Commission feels property values are part of adverse impacts, there was no evidence presented that it would decrease property values.

Mike Thornton, Thornton Engineering, PO Box 476, Jacksonville, OR 97530, consultant to the applicant. Mr. Thornton and his family are involved with Campus Life. Mr. Thornton met with Alex Georgevitch from Public Works and asked about the mid-block crossing. He noted that the Public Works Report was silent on this topic. Mr. Thornton's understanding of the conversation, is that Mr. Georgevitch deems mid block crossing as putting in a median, as something less desirable than the risk; the slight increase was not significant enough to condition a mid-block crossing.

Mr. Thornton expressed concern about people using only one access point slowing down traffic. He pointed out that there are not any more access points allowed than if the lot was split.

Mr. Thornton shared a story about being a Campus Life volunteer and being shown a file of hundreds of letters from adults that were previous campus life attendees, saying how it benefited their life.

Mr. Thornton spoke about TOD and minimizing traffic. He explained that a commercial location would be cost prohibitive in Medford. They want a facility that people can walk to, which is safer for all.

Mr. Thornton asked that if the Commission still had questions, to consider a continuance to allow an opportunity to provide more information. He feels that this property, with the proposed conditions, will be the most regulated property in the area. He offered to answer any questions.

Discussion:

There was continued discussion on the number of students allowed and fencing the back yard. Mr. Maize indicated the applicant is willing to build a fence, eight foot in height, if the Commission requests.

Commissioner McFadden asked how committed the applicant is to having a basketball court. Mr. Maize indicated that he would need to consult with his client, but reminded the Commissioners that there will be no outdoor activities allowed after 9 pm. Commissioner Jackle asked if basketball courts were prohibited in this zone. Mr. Maize indicated that even a single family could install one.

MINUTES - Planning Commission Meeting

May 22, 2008

Mr. Maize consulted with his client. He told the Commission that regarding orientation of the lot, the applicant would be willing to make revisions to satisfy the Planning Commission. They feel the basket ball court is important for their design.

The public hearing was closed.

Motion: Direct staff to prepare a Final Order for approval of CUP-08-033 per the Staff Report dated May 12, 2008, and including Exhibits "A" through "W", and the conditions on Exhibit "A", discretionary requirements 1 and 2 and code requirement 3, as written; with modification to code requirement 4 to read: Prior to issuance of the first building permit for tenant improvements or site improvements, the applicant shall install all fencing as proposed on Exhibit B to a height of eight feet at both the side and rear yards; and modification to condition 5 to add at the end of the sentence: "...and relocating ten parking spaces out of the front yard setback, and delegating the review and approval of the site plan to staff"; rewording condition 6 to read: "The hours of operation and maximum number of occupants shall be restricted as per Table 1 on page 2 of the Staff Report which shall be revised by staff as noted in their presentation"; and modification to condition 7: "All exterior lighting shall be consistent with Section 10.764, and shall be turned off by 9:00 PM, except for a standard porch light on the front of the building"; Adding condition 8: "Accept the applicant's site and landscape plan as revised by condition 5 above and require perpetual maintenance and coverage consistent with Section 10.764"; and adding condition 9: "Chain link or wooden fence on both sides of the building to restrict access to the ball court and back yard during hours that the facility is not in operation"; and to accept the applicant's proposal for two access points onto Roberts Road and not requiring one access point only.

Moved by: Commissioner Shean Seconded by: Commissioner Jackle

Discussion: Commissioner Shean agrees with the applicant, that two access points is safer.

Friendly Amendment: Commissioner McFadden moved that the basket ball court be deleted from the site plan.

Seconded by: Commissioner Tull

Discussion: Commissioner Jackle disagreed with the Friendly Amendment.

Roll Call Vote: Motion passed, 5 - 3, with Commissioners Jackle, Entenmann, and Shean voting "no".

Commissioner McFadden clarified that the occupancy limit was to read 40 students plus 4 staff members.

Friendly Amendment: Commissioner Cabler moved that a gate be put across the driveway to deter trespassers.

The amendment died due to no second.

Discussion: Commissioner Tull indicated that he would support the main motion but has concerns about the location being so close to a primary school access point. He appreciates the testimony of the neighbors. Commissioner Tull applauds the program and believes the applicant has established public interest which satisfies the criteria, but questioned the issue of safety and Roberts Road.

Friendly Amendment: Commissioner Jackle moved to amend the main motion to allow the applicant to include the basket ball court with an outdoor rubber surface to attenuate the sound impacts, or to leave it out of the site plan.

Seconded by: Commissioner Shean

Roll Call Vote: Motion passed, 8 - 0

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE CUP-08-033)
APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED) ORDER
BY ROGUE VALLEY YOUTH FOR CHRIST)

ORDER granting approval of an application for a conditional use permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district, as provided for in the City of Medford's Land Development Code.

WHEREAS:

- 1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.246 Application Conditional Use Permit, and
2. The Medford Planning Commission has duly held a public hearing on the matter of an application for a conditional use permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district., with a public hearing a matter of record of the Planning Commission on May 22, 2008.
3. At the public hearing on said application, evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said public hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a conditional use permit to allow for the operation of a youth center within an existing single family residence, and directed staff to prepare a final order with all conditions and findings set forth for the granting of a conditional use permit.

THEREFORE LET IT BE HEREBY ORDERED that the application of Rogue Valley Youth for Christ stands approved in accordance per the Planning Commission Report dated May 22, 2008, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for a conditional use permit is hereafter supported by the findings referenced in the Planning Commission Report dated May 22, 2008.

The Planning Commission finds, therefore, that the development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed to produce a balance between the conflicting interests.

Accepted and approved this 12th day of June, 2008.

CITY OF MEDFORD PLANNING COMMISSION
[Signature]
Planning Commission Chair

ATTEST:
[Signature]
Planning Department Representative

CITY OF MEDFORD
EXHIBIT # L
File # CUP-17-067



CITY OF MEDFORD

PLANNING DEPARTMENT

PLANNING COMMISSION REPORT

Date: June 9, 2008

Subject: Rogue Valley Youth for Christ Conditional Use Permit (CUP-08-033)
Rogue Valley Youth for Christ (Jim Maize, Agent)

BACKGROUND

Proposal

Consideration of a request for a Conditional Use Permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district.

Subject Site Zoning, GLUP Designation and Existing Uses

Zoning District: SFR-4 (Single Family Residential – 4 units per gross acre)
GLUP Map Designation: UR (Urban Residential)
Current Use: Oversized lot with an existing single family residence

Surrounding Property Zoning and Uses

All properties surrounding the subject site contain detached single family residences within an SFR-4 zoning district. North Medford Senior High School is south of the subject site, across Roberts Road.

Applicable Criteria, Exhibit B

§10.248 *Conditional Use Permit*
§10.249 *Mitigation of Impacts*
§10.817 *Community Buildings, Social Halls, Lodges, Fraternal Organizations, and Clubs in an "R" District*

Corporate Names

According to the State of Oregon Business Registry, *Rogue Valley Youth for Christ* is a religious nonprofit comprised of Mike Messenger, President, and Brad Bills, registered agent.

ISSUES/ANALYSIS

Scope

The applicant proposes to use an existing single family dwelling unit as a youth center. The *Medford Land Development Code (MLDC)*, §10.012 defines the proposed use as a *Community services facility*. Section 10.314 permits community service facilities subject to the approval of a Conditional Use Permit (CUP) and the special use standards of §10.817. The existing dwelling unit on site is 1,596 square feet. The site contains existing mature, overgrown landscaping and an unpaved driveway. No new construction is proposed to the exterior of the existing structure. Exterior lighting, landscaping, fencing, and recreational facilities are proposed.

Conditional Use

Section 10.248 contains the approval criteria for a Conditional Use Permit (CUP) (Exhibit C). The applicant provides findings (Exhibit D) identifying compliance with criterion 2 of §10.248 in that this proposal is in the public interest. Section 10.248(2) states that the Commission may impose conditions to produce a balance between conflicting interests, and includes a list of 11 conditions that the Commission may apply. The applicant proposes stipulations on page 18 of Exhibit D to produce a balance between conflicting interests.

Staff recommends the Commission impose the following conditions as per §10.248:

Condition 1:

Limit the manner in which the use is conducted by restricting the time an activity may take place. The applicant stipulates to hours of operation with the corresponding number of students and faculty present on site. Staff provides the following table summarizing the applicant's stipulation to hours of operation and student/faculty ratio.

Table I:

Day	Hours	# Students	# Faculty
Monday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Tuesday	11:30am – 5:00pm	25-40	1-2
Wednesday	11:30am – 5:00pm	25-40	1-2
Thursday	11:30am – 5:00pm	25-40	1-2
Friday	11:30am – 5:00pm, 7:00pm – 9:00pm	25-40	2-4
Saturday	Every couple of months, activities will be held Saturdays		
<i>All activities will cease by 9pm on all days.</i>			

Staff recommends the Commission accept the applicant's stipulation to hours of operation. Such a condition is included. No overnight activities are proposed with

this application. The Medford Fire/Rescue Memorandum (Exhibit G) contains a condition requiring the applicant receive Fire Marshal approval prior to any full time occupancy (overnight) events. Such a condition is included. As per §10.248 condition 1, the Commission may restrict overnight activities.

Decision: During the public hearing, the applicant requested a change to the proposed hours of operation: 11:30am – 5:00pm, Monday through Friday, plus 7:00pm – 9:00pm Monday and Friday, with the occasional Saturday. It was the decision of the Planning Commission to accept the applicant's request for hours of operation and maximum number of students and faculty (as identified in Table I). A condition is included requiring the hours of operation and number of occupants to be consistent with Table I, above.

Condition 4:

Limit the number of vehicle access points by either accepting the applicant's proposal for two access points to Roberts Road, or by imposing the Public Works Department's recommendation for one access point.

The subject site currently contains two points of ingress/egress. The applicant proposes to maintain said points of access, and create a circular driveway, with vehicles entering Roberts Road in a forward manner (Exhibit B). The applicant provides findings on page 14 of Exhibit D regarding Access.

The Public Works Department has reviewed the applicant's request and recommends one point of access (Exhibit G). With one point of access, an onsite turnaround is required so that vehicles can enter Roberts Road in a forward manner consistent with §10.746(12). As an alternative to this recommendation, Public Works also supports a joint access easement with an adjoining property. Staff does not support this alternative. A discretionary condition is included requiring the applicant comply with the Public Works recommendation for one driveway with onsite turnaround.

Decision: It was the decision of the Planning Commission to accept the applicant's proposal for a circular driveway with two points of access from the site to Roberts Road.

Note: The Public Works Department provided a revised Report to reflect the Commission's decision regarding access. This revised Report is herein included as Exhibit E-2.

Condition 8:

Restrict outdoor lighting by requiring: (a) all exterior lighting to be down directed and shielded; therefore complying with the glare standards of §10.764; and (b) by accepting the applicant's stipulation to turn off all exterior lighting by 9:00 pm.

The applicant stipulates to using the facility until 9:00 pm only two nights per week (Monday and Friday).

Decision: It was the decision of the Planning Commission to accept the applicant's stipulation to turn off all exterior lighting (except a standard porch light) by 9:00pm on all days. The Commission also chose to require all exterior lighting to be down directed and shielded. Such conditions are included.

Condition 9:

Impose condition 9 by accepting the applicant's site and landscape plan (Exhibit B) and requiring perpetual maintenance and coverage consistent with §10.764. Such a condition is included.

Decision: It was the decision of the Planning Commission to accept the applicant's site and landscape plan with the following revisions: (1) move all required parking out of the front yard setback; (2) remove the basketball court, or identify it as having a rubber surface; (3) install an 8-foot solid fence around all side and rear property lines; and (4) install a fence between the house and the east and west property lines to restrict access to the rear yard and basketball court after designated hours of operation. The fence may be chain link or solid wood. Such conditions are included.

The Commission discussed the noise generated by a basketball court, and in order to produce a balance between conflicting interests, a condition is included requiring the basketball court be removed OR a rubber surface basketball court be installed.

Condition 10:

Accept the applicant's proposal for an 8-foot fence along the side and rear property lines. All fencing shall be consistent with §10.731-735. A condition is included requiring the installation of 8-foot tall fencing along all side and rear property lines.

Decision: It was the decision of the Planning Commission to require the installation of an 8-foot fence along all side and rear property lines consistent with §10.731-735. The Commission also required the installation of a fence restricting access to the rear property line after designated hours of operation.

Mitigation of Impacts

As per §10.249, a CUP requiring mitigation of impacts must be consistent with one of the three criteria of §10.249 (Exhibit C). The applicant provides findings on page 12 of Exhibit G identifying compliance with criteria 2 and 3 of §10.249. Staff finds that the

subject site's proximity to North Medford High School provides a public facility service to this particular sector of the community.

Special Use Standards

As a *community building*, the proposal shall comply with the special use standards of §10.817. The applicant provides findings on pages 17-18 of Exhibit D addressing the three criteria contained in §10.817. A condition is included requiring the applicant comply with §10.817(1) and (2). Through approval of this CUP, compliance with §10.817(3) is demonstrated.

Note: A condition is added specifying the requirements of §10.817: all buildings shall be set back a minimum of 30-feet from side and rear property lines with all setbacks landscaped; and there shall be no external signage, advertising, or other evidence of any incidental commercial activity.

Pedestrian Walkways

Staff recommends the applicant provide an accessible connection from the ADA designated parking space to the front door of the structure. Such a condition is included. All upgrades to the structure are required by the Uniform Building Code and will be done prior to issuance of a certificate of occupancy.

Testimony

The Planning Department (at time of publishing this report) received nine letters of written testimony, which are contained herein as Exhibits O-W. Some letters identify noise, lighting, and traffic as items of concern. The applicant provides findings identifying these potential adverse impacts and stipulations to mitigation measures to produce a balance between conflicting interests. Other letters identify support of the proposed use. As stated above, staff recommends the Commission impose conditions, as per §10.248, to produce a balance between conflicting interests.

Notes: Verbal testimony was received from nine (9) individuals. Photographs of neighbor's property was taken into the record. Four individuals spoke in favor of the proposal; five spoke in opposition.

Conclusion

Based on the above analysis, staff finds the proposal complies with all applicable approval criteria as contained in Exhibit C in that the proposal: (a) is in the public interest (b) provides a public facility or public nonprofit service to the immediate area or community; and (c) otherwise provides for a development that is consistent with the overall needs of the community in a location that is reasonably suitable for the purpose.

ACTION TAKEN

Direct staff to prepare a Final Order for approval of CUP-08-033 per the Commission Report dated June 9, 2008, including Exhibits A through W.

EXHIBITS

- A-2 Conditions of Approval June 9, 2008;
- B Preliminary Site Plan received March 5, 2008;
- C Approval Criteria;
- D Applicant's Findings of Fact and Conclusions of Law received March 5, 2008;
- E-2 Report from the Public Works Department, received June 9, 2008;
- F Board of Water Commissioners Staff Memo, received April 7, 2008;
- G Medford Fire/Rescue Land Development Report, received April 9, 2008;
- H Oregon Department of Transportation Notice Acknowledgement, received April 4, 2008;
- I Building Department Comments, received April 9, 2008;
- J Jackson County Assessor's Map with site indicated;
- K City of Medford Zoning and GLUP Maps with site indicated, received March 5, 2008;
- L Street Functional Classification Plan with site indicated, received March 5, 2008;
- M Aerial Photograph with site indicated, received March 5, 2008;
- N Site Photographs;
- O Written Testimony from L. Phillip & Twila Parkes, received May 6, 2008;
- P Written Testimony from F.W. & Myra Milani, received May 8, 2008;
- Q Written Testimony from Donna & Harlan Moore, received May 8, 2008;
- R Written Testimony from Lithia Chairman & CEO, Sid DeBoer, received May 12, 2008;
- S Written Testimony from North Medford High School Assistant Principal, Linda Bradshaw, received May 12, 2008;
- T Written Testimony from Jackson County School District 9, School Board members, received May 12, 2008;
- U Written Testimony from Bryan Milani, received May 12, 2008;
- V Written Testimony from David & Leslie Stuart, received May 12, 2008;
- W Written Testimony from Hanby Middle School Principal, Dennis Allen, received May 13, 2008;
Vicinity Map

MEDFORD PLANNING COMMISSION



David McFadden, Chair



CITY OF MEDFORD

PLANNING DEPARTMENT

EXHIBIT A-2

CUP-08-033
Conditions of Approval
June 9, 2008

DISCRETIONARY REQUIREMENTS

1. Prior to issuance of the first building permit, the applicant shall comply with:
 - a. The *Recommendations/Comments* 3 of the Public Works Department Memorandum (Exhibit E-2) received June 9, 2008;
 - b. All stipulations listed on page 18 of Exhibit D (***modifying Stipulation #1 to include those changes as required by the Planning Commission including: a fence prohibiting access to the rear yard and basketball court; and moving all required parking out of the front yard setback***);
2. Prior to issuance of the first building permit for tenant improvements or site improvements, the property owner shall sign and record with the Jackson County Clerk's office a Building Site Improvement Agreement, with the original returned to the Planning Department, specifying that the following items will be completed within twelve (12) months of the date of the agreement:
 - a. Install landscaping and irrigation per the approved site/landscape plan (Exhibit B);

CODE REQUIREMENTS

3. Prior to issuance of the first building permit, the applicant shall comply with the:
 - a. *City Code Requirements* 1-2 of the Public Works Department Staff Report received April 9, 2008 (Exhibit E-2);
 - b. Medford Water Commission Staff Memo received April 7, 2008 (Exhibit F);
 - c. Medford Fire/Rescue Land Development Report received April 9, 2008 (Exhibit G);
4. Prior to issuance of the first building permit for tenant improvements or site improvements, the applicant shall install an 8-foot solid fence along all side and rear property lines and a fence prohibiting access to the rear yard and basketball court. All fences shall be installed consistent with §10.732-735.

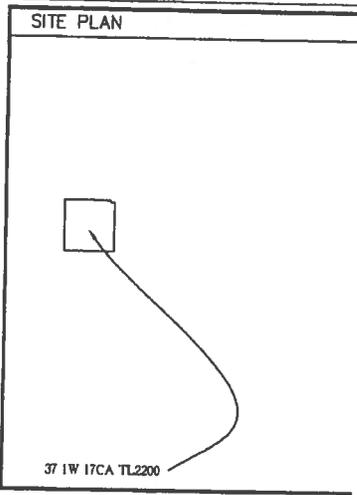
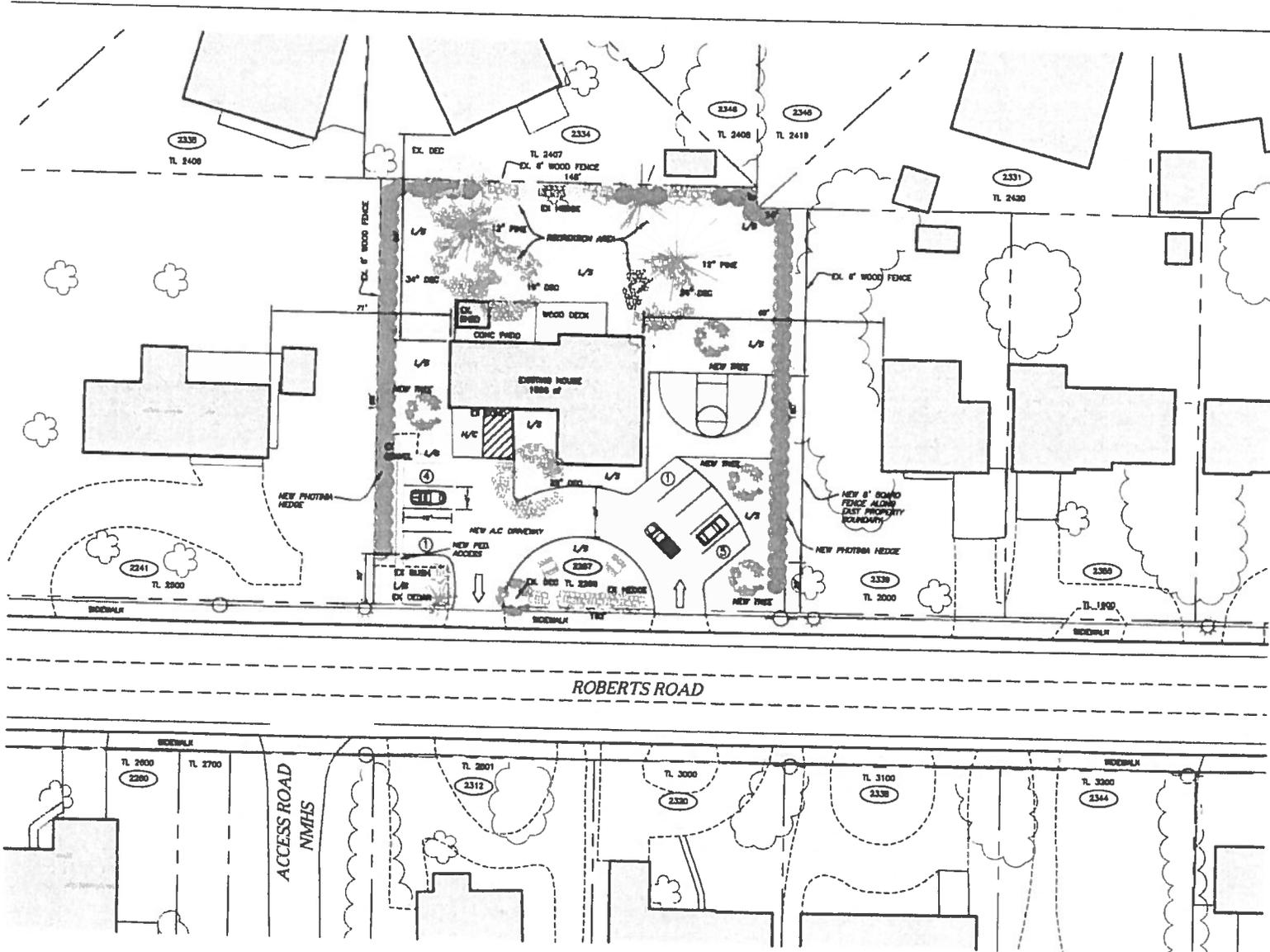


CITY OF MEDFORD
PLANNING DEPARTMENT

EXHIBIT A-2

CUP-08-033
Conditions of Approval
June 9, 2008

5. At time of submittal of the first building permit, the applicant shall submit a revised Site Plan, to the Planning Department:
 - a. Indicating a pedestrian walkway from the parking area to the front door of the structure, consistent with the design standards of Section 10.775; and
 - b. Moving all 10 required parking spaces out of the front yard setback;
 - c. Delete the basketball court from the plan **OR** indicate on the plan a rubber surface basketball court;
 - d. Indicating an 8-foot solid fence along all side and rear property lines consistent with §10.732-735; and
 - e. Indicating a fence prohibiting access to the rear yard and basketball court after designated hours of operation;
6. The hours of operation and number of occupants shall be restricted as per Table I on page 2 of the Commission Report;
7. All exterior lighting (except a standard porch light) shall be turned off by 9:00 PM. All exterior lighting shall be consistent with §10.764;
8. As per §10.817,
 - a. All buildings shall be set back a minimum of thirty (30) feet from the side and rear property lines. All setbacks shall be landscaped as required to buffer adjacent properties.
 - b. There shall be no external signage, advertising or other evidence of any incidental commercial activities taking place within the building.



- LEGEND**
- (2387) STREET ADDRESS
 - TL 2200 ASSESSOR'S TAX LOT NUMBER
 - L/S AREA OF NEW LANDSCAPING INCLUDING SPACES, SHRUBS, GROUNDCOVER.
 - 24" DEC EXISTING 24" DIAMETER DEC
- NOTE: SIGNAGE WILL CONFORM TO THE STANDARDS OF THE CITY OF MEDFORD LAND DEVELOPMENT CODE.

APPLICANT'S EXHIBIT
" 2 "

DATE:	CLIENT:	PLAN SET DESCRIPTION:
11/21/2007		PRELIM PLANS - THORNTON END A
11/21/07		PRELIM PLANS - THORNTON END B
1/14/2008		PRELIM PLANS - FOR LAND USE A
1/14/2008	X	PRELIM PLANS - FOR LAND USE A

PRELIMINARY SITE PLAN



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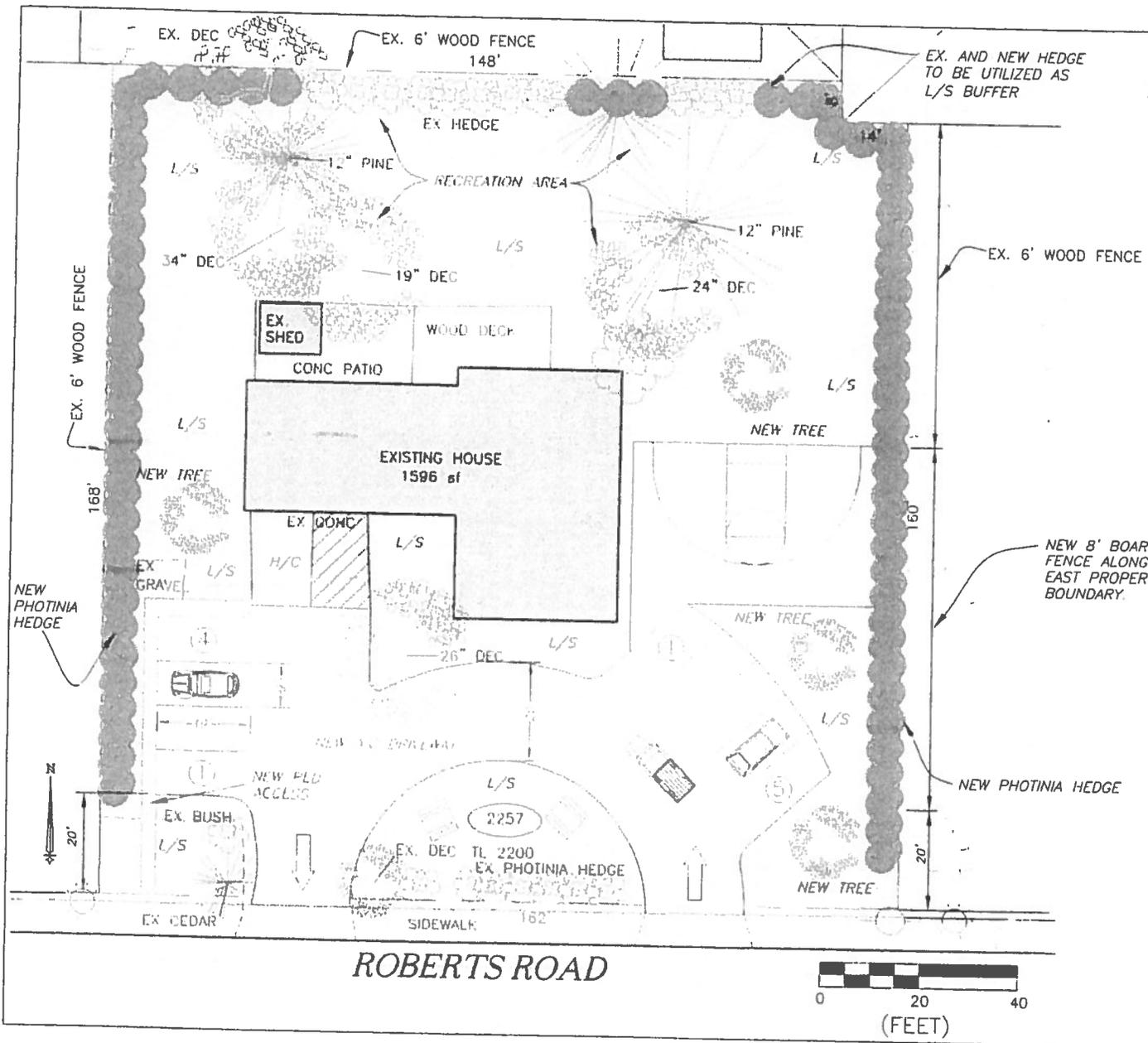
DESIGN:	mp
DATE:	2/19/2008
REVISIONS:	



THORNTON ENGINEERING p.o. box 476 • 260
jacksonville, o
(541) 899-1489
NORTH MEDFORD YOUTH HC
ROGUE VALLEY YOUTH FOR CHRIST
2257 ROBERTS ROAD
MEDFORD, OREGON

EXHIBIT B/2
file # CUP-08-053

10



LEGEND

- (2257) STREET ADDRESS
- TL 2200 ASSESSOR'S TAX LOT NUMBER
- L/S AREA OF NEW LANDSCAPING, INCLUDING GRASS, SHRUBS AND GROUNDCOVER.
- 24" DEC EXISTING 24" DIAMETER DECIDUOUS TREE

NOTE: SIGNAGE WILL CONFORM TO THE STANDARDS OF THE CITY OF MEDFORD LAND DEVELOPMENT CODE.

APPLICANT'S EXHIBIT "3"



RENEWAL DATE: 6/30/2008

PRELIMINARY SITE PLAN

DATE:	2/19/2008	<p>THORNTON ENGINEERING INC. p.o. box 476 - 260 north 3rd st jacksonville, oregon 97530 (541) 899-1489 (541) 899-3419 f</p>	<p>NORTH MEDFORD YOUTH HOUSE SHEET 1</p>
REVISIONS:			
		<p>ROGUE VALLEY YOUTH FOR CHRIST 2257 ROBERTS ROAD MEDFORD OREGON</p>	1

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CITY OF MEDFORD
PROJECT # B 212
CUP-08-033



CITY OF MEDFORD

PLANNING DEPARTMENT

EXHIBIT C APPROVAL CRITERIA

**CUP-08-033
Rogue Valley Youth for Christ
May 9, 2008**

10.248 Conditional Use Permit Criteria

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

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

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

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.
- (2) Establish a special yard or other open space or lot area or dimension requirement.
- (3) Limit the height, size, or location of a building or other structure.
- (4) Designate the size, number, location, or nature of vehicle access points.
- (5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.
- (6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.
- (7) Limit or otherwise designate the number, size, location, height, or lighting of signs.
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.
- (10) Designate the size, height, location, or materials for a fence.
- (11) Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.

**EXHIBIT C
APPROVAL CRITERIA
CUP-08-033
May 9, 2008**

10.249 Mitigation of Impacts

A development requiring the mitigation of impacts under Section 10.248, Conditional Use Permit Criteria, must do one of the following:

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

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations, and Clubs in an "R" District

- (1) All buildings shall be set back a minimum of thirty (30) feet from the side and rear property lines. All setbacks shall be landscaped as required to buffer adjacent properties.
- (2) There shall be no external signage, advertising or other evidence of any incidental commercial activities taking place within the building.
- (3) All such uses shall be located on an arterial or collector street and be able to provide access without causing traffic congestion on local residential streets, and any such use shall prove that there will be no harm to adjacent existing or potential residential development due to excessive traffic generation, noise, or other circumstances.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

BEFORE THE MEDFORD PLANNING COMMISSION

**IN THE MATTER OF AN APPLICATION FOR A
CONDITIONAL USE PERMIT FOR A YOUTH
CENTER**

**APPLICANT'S
EXHIBIT 1**

APPLICATION: Request for a Conditional Use Permit to allow for the operation of a youth center located at 2257 Roberts Road, on the north side of Roberts Road, approximately 450 feet west of Temple Drive, within a SFR-4 (Single-Family Residential – 4 units per acre) zoning district.

APPLICANT: Rogue Valley Youth for Christ
400 Crater Lake Avenue
Medford, OR 97504

AGENT: Maize & Associates, Inc.
P.O. Box 628
Medford, OR 97501
(541) 776-4142

A. BACKGROUND INFORMATION

Rogue Valley Youth for Christ is part of an international organization that has been serving teenagers since 1944, and is a chartered affiliate of Youth for Christ/USA, one of more than 200 chapters in the United States. Rogue Valley Youth for Christ was organized in 1961 under the guidance of local people concerned about the welfare of the young people in our community.

To accomplish that purpose, in 1993 the applicant established a centrally located youth resource center. This facility, located on Crater Lake Avenue, provides office and workspace and a youth meeting room. This location serves as the hub for the organization's programs throughout Jackson County. Subsequently, youth centers have been established in Eagle Point (1994) and Gold Hill (2003), which serve young people living in those areas.

The subject property, as shown on Exhibits "4, 5, and 6", is identified as Tax Lot 2200 on Jackson County Tax Assessor's Map 37-1W-17CA.

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MAR 05 2008

Planning Dept.

CITY OF MEDFORD
EXHIBIT # D
FILE # CUP-08-033

B. PROPOSAL AND SCOPE OF THE APPLICATION

The applicant proposes to convert an existing single-family residence situated on a large, 0.62-acre lot, with the purpose and intent of operating it as a youth center that will provide a facility for the youth of the community to meet.

As discussed in a following section of the applicant's findings, the proposed use requires a Conditional Use Permit in the underlying SFR-4 zoning district,

1. Proposed Use

The primary purpose of the youth facility will be to provide a meeting place for middle and high school-aged students.

Approximately 25 – 40 students will occupy the facility, both indoors and outdoors, primarily at two times during evenings of the week.

On Monday and Friday evenings, from 7:00 pm to 9:00 pm, there will be from 25 to 40 students involved in the activities listed below. North Medford High School students will utilize the facility on Monday evenings, with Friday evenings reserved for Hedrick Middle School students.

The facility will also be utilized during lunchtime from approximately 11:30 am to 1:00 pm. Uses during the lunchtime will consist primarily of lunch and prayer meetings. Because of its proximity to North Medford High School, the majority of the young people will be students from North Medford High School.

All activities will be supervised by adult staff at all times. The facility will be staffed during regular working hours, typically with 2 - 4 persons in the evening, and 1 -2 people during lunchtime. The center will be locked at all times when the facility is not in use.

Indoor Activities

- Bible study/discussion
- Club meetings

Outdoor Activities

- Volleyball
- Basketball
- Simple lawn games
- Barbecues

The applicant stipulates to cease all outdoor activities by 9:00 pm.

Every couple of months, activities will be held on Saturdays, consisting of both indoor and outdoor activities listed above.

It is important to remember that Youth for Christ is governed by a Board of Directors that will listen to any neighborhood concerns and complaints and respond accordingly.

2. Site Elements

Subject Parcel and Existing Structure

The subject parcel is an extremely large parcel of approximately 0.62 acres or 27,000 square feet, and is approximately twice as large as the parcels to the north and east. It exceeds the current maximum lot size of 18,750 square feet permitted in the SFR-4 zoning district.

The existing 1596 square-foot residence is located generally in the center of the subject parcel, with setbacks to property lines of approximately 56 feet to the Roberts Road frontage, 55 feet to the east, 30 feet to the west and 60 feet to the north.

The parcel is already heavily landscaped with shrubs and trees. Existing landscaping and fencing, together with proposed new landscaping and fencing as shown on the site plan, will screen all outdoor areas from the neighbor's sight.

Proposed Development

The applicant proposes to provide outside facilities for recreation and parking, as shown on the site plan. A paved circular driveway with 10 vehicle parking spaces, including one ADA disabled space and adjacent aisle, will be provided between the youth facility structure and Roberts Road.

A small paved ball court will be constructed adjacent to the east side of the structure, screened by wood fencing and additional Photinia hedge landscaping.

The lawn area to the rear of the facility will be used for outdoor games such as volleyball.

Traffic

Most students utilizing the center will be "dropped off" and "picked up" by private vehicles utilizing the circular driveway accessing Roberts Road. Students that use the center during the school lunch time will be able to walk

from school utilizing the public sidewalks along North Keeneway Drive and Roberts Road and the intersection of those two streets to the west, and the proposed pedestrian walkway.

3. Adjacent Uses

North – Single-family residences in an SFR-4 zoning district.

East – Single-family residences in an SFR-4 zoning district.

West – Single-family residences in an SFR-4 zoning district. Further away, on the west side of North Keeneway Drive, are MFR-20 and Community Commercial zoning districts.

South – Directly to the south are single-family residences in an SFR-4 zoning district. Further to the west is the Foursquare Gospel Church on the southeast corner of North Keeneway Drive and Roberts Road. Further to the east, adjacent to the Temple Road intersection, is the Gospel Tabernacle church. Further to the south of these properties, is the North Medford High School campus. A driveway accessing the school intersects Roberts Road opposite the southwest corner of the subject property.

The applicant has met with all abutting neighbors to explain the proposal and solicit comments.

C. APPLICANT'S SUBMITTALS

Exhibit 1	Findings of Fact and Conclusions of Law
Exhibit 2	Site Plan
Exhibit 3	Landscape Plan
Exhibit 4	Aerial Vicinity Map showing Subject Site
Exhibit 5	City of Medford Zoning Map showing Subject Site
Exhibit 6	Assessor's Map showing Subject Site
Exhibit 7	Medford Street Functional Classification Plan showing Subject Site

D. RELEVANT APPROVAL CRITERIA

Section 10.246 of the Land Development Code states that a development that is classified as a conditional use shall be reviewed by the Conditional Use Permit process in order to assure its appropriateness for the site and allow for adjustments to be made to assure compatibility with adjacent land uses.

CONDITIONAL USE PERMIT CRITERIA – SECTION 10.248

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

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

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

- (1) *Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) *Establish a special yard or other open space or lot area or dimension requirement.*
- (3) *Limit the height, size, or location of a building or other structure.*
- (4) *Designate the size, number, location, or nature of vehicle access points.*
- (5) *Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) *Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) *Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) *Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) *Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) *Designate the size, height, location, or materials for a fence.*
- (11) *Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

MITIGATION OF IMPACTS – SECTION 10.249

A development requiring the mitigation of impacts under Section 10.248, Conditional Use Permit Criteria, must do one of the following:

- (1) *Preserve unique assets of interest to the community.*

- (2) *Provide a public facility or public nonprofit service to the immediate area or community.*
- (3) *Otherwise provide for a development that is consistent with the overall needs of the community in a location that is reasonably suitable for the purpose.*

CUPs EXEMPT FROM SITE AND ARCHITECTURAL COMMISSION REVIEW – SECTION 10.247(a)

CUPs approved under this Section shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Commission review or to demonstrate compliance with the criteria in Section 10.290. However, the Planning Director in his/her discretion may forward a CUP proposal or proposed revisions thereto to the Site Plan and Architectural Commission for review. When forwarded by the Planning Director, the Site Plan and Architectural Commission shall have authority to review the CUP plans and make recommendations to the Planning Commission.

- (1) *Delegation of Authority: The Planning Commission may delegate authority to the Site Plan and Architectural Commission or to the Planning Director to approve in its name the plans for buildings or any other element of a CUP or revisions thereto after the Planning Commission has approved the CUP. The authority delegated by the Planning Commission under this Subsection shall be delimited in conditions attached to the approval. Notwithstanding any other provision of this Code, the approval of delegated matters shall be subject to a Class "C" Procedure as set forth in Article II.*

E. SITE DESIGN STANDARDS

SPECIAL USE STANDARDS – SECTION 10.817

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations, and Clubs in an "R" District

- (1) *All buildings shall be set back a minimum of thirty (30) feet from the side and rear property lines. All setbacks shall be landscaped as required to buffer adjacent properties.*
- (2) *There shall be no external signage, advertising or other evidence of any incidental commercial activities taking place within the building.*
- (3) *All such uses shall be located on an arterial or collector street and be able to provide access without causing traffic congestion on local residential streets, and any such use shall prove that there will be no harm to adjacent existing or potential residential development due to excessive traffic generation, noise, or other circumstances.*

F. FINDINGS OF FACT AND CONCLUSIONS OF LAW

MEDFORD LAND DEVELOPMENT CODE

1. APPLICATION FORM, CONDITIONAL USE PERMIT - SECTION 10.247

An application for a conditional use permit shall contain the following:

- (1) Vicinity map drawn at a scale of 1" = 1,000' identifying the location of the proposed site.*
- (2) Assessor's map with subject site identified.*
- (3) Site plan drawn to scale on an eighteen inch by twenty-four inch (18" x 24") sheet. Site plan shall identify all existing and proposed buildings, parking, drives, vegetation or landscaping, adjacent development.*
- (4) Property owner's (and agent's) names, addresses, and map and tax lot numbers within 200 feet of the subject site, typed on mailing labels.*
- (5) Findings prepared by the applicant or his/her representative addressing the criteria set forth in Section 10.248, Conditional Use Permit Criteria.*

Findings of Fact

The Planning Commission has considered the following facts that are pertinent to the application form requirements. The submitted application consists of the following:

1. Vicinity maps showing the location of the site of the proposed youth center.
2. A Jackson County Assessor's map identifying the proposed youth center site.
3. Site and landscape plans drawn to scale identifying the existing building, parking areas, driveways, existing and proposed landscaping. Exhibit "2" shows the adjacent residential development, and a discussion of that development has been included in the Findings of Fact and Conclusions of Law.
4. Mailing labels consisting of the property owners' names, addresses, and map and tax lot numbers, for all parcels within 200 feet of the subject site.
5. Findings of Fact and Conclusions of Law prepared by the applicant's agent, which address the Condition Use Permit criteria found in Section 10.248.

Conclusion of Law

The Planning Commission concludes that all of the submittal requirements of Section 10.247 have been met.

2. CONDITIONAL USE PERMIT CRITERIA – SECTION 10.248

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

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

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

- (1) Limit the manner in which the use is conducted, including restricting the time an activity may take place, and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*
- (2) Establish a special yard or other open space or lot area or dimension requirement.*
- (3) Limit the height, size, or location of a building or other structure.*
- (4) Designate the size, number, location, or nature of vehicle access points.*
- (5) Increase the amount of street dedication, roadway width, or improvements within the street right-of-way.*
- (6) Designate the size, location, screening, drainage, surfacing, or other improvement of parking or truck loading area.*
- (7) Limit or otherwise designate the number, size, location, height, or lighting of signs.*
- (8) Limit the location and intensity of outdoor lighting, or require its shielding.*
- (9) Require screening, landscaping, or other facilities to protect adjacent or nearby property, and designate standards for installation or maintenance thereof.*
- (10) Designate the size, height, location, or materials for a fence.*

- (11) *Protect existing trees, vegetation, water resources, wildlife habitat, or other significant natural resources.*

Findings of Fact

The Medford Planning Commission has considered the following facts that are pertinent to the application requesting approval of a Conditional Use Permit.

Section 10.012 *Definitions, Specific* of the Land Development Code, includes the definitions for two uses: Community Services, and Institutional Uses, as shown below. Both uses are Conditional Uses in the SFR-4 zoning district, underlying the subject parcel.

***Community services facilities.** Facilities providing public or private community services, such as meeting halls, telecommuting centers, playgrounds, golf courses, indoor recycling collection facilities, tennis or swimming clubs, adult day care, private or public recreational facilities, or similar uses.*

***Institutional uses.** Public and quasi-public uses such as government offices, fire stations, convention or community centers, auditoriums, post offices, public and private schools and colleges (not including business or commercial schools), libraries, museums, utilities, park-n-ride lots, churches, religious or charitable institutions, facilities for organizations and clubs, and cemeteries, mausoleums, columbariums, and crematories.*

The proposed use of the subject site as a facility where students of can gather on a regular basis for meetings would qualify it as a community service facility. Examples given in the definition such as meeting halls, playgrounds, private recreational facilities are similar and consistent with the uses that are proposed with this application.

The proposed use also meets the definition of an institutional use, as it is a facility for a specific organization and club.

The Planning Department staff has met with the applicant's agent regarding the proposed use, and staff has determined that it would require a Conditional Use Permit to be approved as shown in items "6c" and "6d" of the Nonresidential Special Uses Section of the table below from Section 10.314 of the Land Development Code.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS – SECTION 10.314

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS	SFR 00	SFR 2	SFR 4	SFR 6	SFR 10	MFR 15	MFR 20	MFR 30	Special Use or Other Code Section
1. SINGLE-FAMILY RESIDENTIAL									
(a) Single-Family Detached Dwelling	P	P	P	P	P	Ps	Ps	Ps	10.710 & 10.826
(b) Zero Lot-Line Detached Dwelling	P	P	P	P	P	X	X	X	10.707
(c) Manufactured Home on Individual Lot	PS	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.710, 10.826 & 10.900
(d) Temporary Shelter	Ps	Ps	Ps	Ps	Ps	Ps	Ps	Ps	10.851
6. NONRESIDENTIAL SPECIAL USES									
(a) Bed and Breakfast Inn	X	X	Cs	Cs	Cs	Ps	Ps	Ps	10.828
(b) Child Day Care Center	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.811
(c) Institutional Uses (Schools, Churches, Government Facilities - Excluding Storage or Repair Yards or Warehouses, Cemeteries, etc.)	Cs	Cs	Cs	Cs	Cs	Cs	Cs	Cs	10.815-817
(d) Community Services Facilities (Parks, Recreation, etc.)	C	C	C	C	C	C	C	C	10.817

Conclusion of Law

The Planning Commission concludes that the proposed use of a youth center, as outlined in the applicant’s Findings of Fact, is a use that is allowed, subject to the Planning Commission’s approval as a Conditional Use in the SFR-4 zoning district.

CUP CRITERIA

Section 10.248 of the Land Development Code requires that the Planning Commission find that the development and operation of the youth center as an institutional and community service facility use, meets the criteria of Section 10.248. That criteria includes two independent standards, one of which must be met for the Conditional Use Permit to be approved. Criterion # 1, (Section 10.248[1]), requires for the Planning Commission to find that the proposed youth center use will cause no significant adverse impact on the surrounding area when compared to the impacts of

permitted development, not classified as conditional. A list showing some of the permitted uses in the SFR-4 zone is included below:

Some Permitted Uses in the SFR-4 Zoning District

Use
Single-Family Detached Dwelling
Temporary Shelter
Child (Family) Day Care Home (up to 12 individuals)
Residential Care, Training, or Treatment Home (5 or fewer residents)
Home Occupation (Business)

The applicant has chosen to not address Criterion #1, although an argument could be made that the impacts of the proposed youth center may be similar to those of a Day Care Home or a Residential Care, Training, or Treatment Home.

The applicant's findings below address Criterion #2 (Section 10.248[2]) that states that *"The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests."*

Not all conditional uses are necessarily "in the public interest" and in order to determine whether or not a proposed conditional use is in the public interest and may, therefore, create some adverse impacts, with the Planning Commission approving a plan and conditions that create a balance between the public interest and the adverse impacts, the Planning Commission has consistently interpreted this provision to require that such a proposal meet one of the three types of development of Section 10.249 listed below.

MITIGATION OF IMPACTS – SECTION 10.249

A development requiring the mitigation of impacts under Section 10.248, Conditional Use Permit Criteria, must do one of the following:

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

In accordance with Section 10.249 above, if the proposed development can be found to be in the public interest and certain impacts of the proposed development are going to be mitigated through conditions imposed by the Planning Commission, which is the case with this application, then at least one of the provisions of that code section,

needs to be met. The applicant addresses (2) and (3), and the Planning Commission can find that the proposed development meets both of those standards.

(2) Provide a public facility or public nonprofit service to the immediate area or community.

Findings of Fact

As stated earlier in this document, the purpose of the proposed youth center will provide for a safe environment for young people to meet. The location of the center was chosen because of its position within the north Medford area where it will provide a facility for students of North Medford High School and Hedrick Middle School.

(3) Otherwise provide for a development that is consistent with the overall needs of the community in a location that is reasonably suitable for the purpose.

As Medford continues to grow, the community's need for a facility that can provide a safe environment for young people to meet and learn is becoming more and more important. The proposed youth facility will satisfy the needs of the community by providing a location where young people can meet, learn, and interact in a safe and supervised environment. The site is situated on a Major Collector Street adjacent to the North Medford High School.

Conclusion of Law

The Planning Commission concludes that the proposed youth center will provide a public facility service to the immediate area and the entire community.

The Planning Commission also concludes that the proposed youth center provides a development that is consistent with the overall needs of the community in a location that is reasonably suitable for the purpose.

With the conclusion that Sections 10.249(1) and (2) have been met, the Planning Commission has established that the proposed youth center development is in the public interest, and the following Conditional Use Permit Criterion #2 Section 10.248 are applicable and can, therefore, be addressed with this application.

(2) The development proposal is in the public interest, and although the development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

Findings of Fact

The Medford Planning Commission has considered the following facts that are pertinent to the application requesting approval of a Conditional Use Permit.

The following section discusses individual elements of the youth center development and operation that have the potential to cause impacts that could be considered to be adverse. A discussion of each of these elements has been included to show how the applicant has considered each of those potential factors together with the mitigation measures that have been included so that there is a balance between the public interest of the youth center facilities, and the interests of the adjacent properties.

Noise

As stated earlier, the students will utilize the center, primarily in the evenings, and the applicant stipulates that all outdoor activities will cease by 9:00 pm.

The identifiable noise sources that may possibly be generated from the youth center are principally associated with outdoor activities such as volleyball, basketball, simple lawn games, and barbecues. The location of these proposed outdoor facilities was designed to provide the greatest amount of separation from the existing residences as possible.

The ball court adjacent to the east side of the center, is located approximately 40 feet from the residence to the east, approximately 120 feet from the residence to the northeast, and approximately 120 feet from the residence to the north.

The outdoor deck and patio where barbecues will be held, are separated by approximately 65 feet to the northern residence, 100 feet to the northwestern residence, and 75 feet to the western residence.

The area that will be primarily utilized for lawn activities is directly north of the deck and patio, and at its closest point, is separated by approximately 35 feet from the residence to the north.

There will be a solid wood fence along the entire side and rear property lines, which will provide a noise-reducing buffer.

There will be no outdoor sound amplification associated with any of the activities at the youth center.

Lighting/Glare

The applicant stipulates that all outdoor lighting will be turned off by 9:00 pm.

Section 10.764 of the Land Development Code contains the lighting standards for the City, including the requirement that illumination will not exceed 0.5 footcandles on any adjacent property. All lighting installed in conjunction with the youth center development will meet these standards. In addition, all outdoor lighting will be

designed to shine away from the adjacent residences, or will be shielded with full cut-off fixtures so not to shine light directly on the neighboring properties.

Consideration has been given to auto headlights in the parking areas with the use of a screen consisting of evergreen Photinia shrubs and wood fencing situated between the parking areas and adjoining properties.

Neighbor visibility

The site and landscape plans show that there the youth center building is centrally located on the subject parcel, with ample separation between neighboring residences, as discussed above. The side and rear sides of the subject parcel will be screened from the adjacent properties by a Photina shrub hedge and wood fence along the perimeter. There are also, as shown on the Landscape Plan, several existing trees and shrubs, particularly along the rear property line, that will contribute to a solid screen from the adjacent residences.

Traffic

The Medford 2006 Traffic Volume counts show that Roberts Road, a Major Collector Street, has 6500 Average Daily Trips between North Keeneway Drive and Springbrook Road. Under a maximum vehicular trip situation, the proposed use would increase the trip generation by about 1 percent. The majority of the vehicular trips to and from the site will take place in the evenings, after the pm peak hour period of trip generation. Roberts Road is improved with two travel lanes, a center turn lane, bicycle lanes, and sidewalks on both sides of the street, consistent with the standards for a Major Collector Street.

Access

Vehicular access is proposed to be taken from Roberts Road from a circular driveway, with separate designated "in" and "out" driveway aprons. As the majority of the students will be dropped off and picked up by their parents, the use of the circular driveway provides an efficient and consistent flow of traffic in and out of the site. It should be noted that most of the adjacent residences on Roberts Road, have circular driveways with dual aprons. The ingress apron has been located to provide the greatest degree of separation with the North Medford access driveway to avoid left-turning conflicts.

Pedestrian access will be provided by a paved walkway from the Roberts Road sidewalk to the interior of the parcel adjacent to the center.

Parking

According to Planning Department staff, the number of parking spaces required for the youth center comes from a Community and Recreation Center standard of the Land Development Code, which requires 1 space per 250 square feet of gross floor area, or 1 space per 4 patrons to the maximum capacity. The existing 1596-square foot residence would require a total of 6 parking spaces. With a maximum of 40 students, a total of 10 parking spaces would be required. The site plan shows that 10 parking spaces have been provided, including one disabled person space and the accompanying ADA access aisle.

On-street parking will not be allowed on Roberts Road, since it is a higher order (Major Collector) street.

Aesthetics

Currently the yard areas of the subject site are suffering from a period of deferred maintenance. The applicant is in the process of removing a large quantity of plant material and will be improving the grounds of the parcel in accordance with the proposed landscape plan, to include trees, shrubs, and fencing, resulting in an attractive asset to the neighborhood.

Conclusion of Law

The Findings of Fact identify and discuss the various elements of the proposed development that have the potential to produce adverse impacts. The Findings then discuss the mitigation measures that have been included for each of those elements, and how those mitigations will produce a balance between the public interest of the youth center to the community and the surrounding area, and the interests of the adjacent neighbors. The mitigations that have been included and to which the applicant has stipulated include:

1. A site plan that is designed to provide the greatest amount of separation from adjacent existing residences as possible.
2. A limitation on the length of facility use to 9:00 pm, two evenings per week.
3. A limitation on the length of outdoor lighting to 9:00 pm, two evenings per week.
4. All outdoor lighting will not only meet City standards for glare, but will also be designed to not shine any light directly on neighboring properties.
5. Side and rear yards will be include a screen of trees, shrubs, and solid wooden fencing, to provide a sight-obscuring and noise-reducing buffer. Automobile headlights screened by a hedge/fence screen.

The access design also accommodates an efficient flow of pick-up and drop-off traffic through the site. The submitted plans show that all relevant site design standards have been met.

CUPs EXEMPT FROM SITE AND ARCHITECTURAL COMMISSION REVIEW – SECTION 10.247(a)

CUPs approved under this Section shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Commission review or to demonstrate compliance with the criteria in Section 10.290. However, the Planning Director in his/her discretion may forward a CUP proposal or proposed revisions thereto to the Site Plan and Architectural Commission for review. When forwarded by the Planning Director, the Site Plan and Architectural Commission shall have authority to review the CUP plans and make recommendations to the Planning Commission.

(1) Delegation of Authority: The Planning Commission may delegate authority to the Site Plan and Architectural Commission or to the Planning Director to approve in its name the plans for buildings or any other element of a CUP or revisions thereto after the Planning Commission has approved the CUP. The authority delegated by the Planning Commission under this Subsection shall be delimited in conditions attached to the approval. Notwithstanding any other provision of this Code, the approval of delegated matters shall be subject to a Class "C" Procedure as set forth in Article II.

Finding of Fact

As the application does not propose any building construction, in accordance with Section 10.031(2) of the Code, does not require Site Plan and Architectural Commission review. The applicant requests that the plans be reviewed by City staff, including the Medford Parks and Recreation Department and recommendations be considered by the Planning Commission in their review, without discretionary delegation to the Site Plan and Architectural Commission.

Conclusion of Law

The Planning Commission concludes that City staff can provide a complete professional review of the submitted plans, providing recommendations to the Planning Commission, without submittal to the Site Plan and Architectural Commission.

SPECIAL USE STANDARDS – SECTION 10.817

10.817 Community Buildings, Social Halls, Lodges, Fraternal Organizations, and Clubs in an "R" District

- (1) All buildings shall be set back a minimum of thirty (30) feet from the side and rear property lines. All setbacks shall be landscaped as required to buffer adjacent properties.*

Findings of Fact

The existing building is located 30 feet from the west side property line, 55 feet from the east side property line, and 60 feet from the northern rear property line.

The proposed plans show that a landscape and fence screen will be installed along the side and rear yards to provide an adequate buffer from the neighboring properties. It should be noted that the 30-foot wide yard standard is a significant standard that is imposed on the proposed development, compared with the basic 4-foot setback in the SFR-4 zone. As long as the proposed use remains on the site, no buildings will be able to be built within that 30-foot setback.

Conclusion of Law

The Planning Commission concludes that all buildings are set back a minimum of thirty (30) feet from the side and rear property lines. In accordance with the Landscape Plan (Exhibit "2"), all setbacks will be landscaped to buffer the adjacent properties.

- (2) *There shall be no external signage, advertising or other evidence of any incidental commercial activities taking place within the building.*

Findings of Fact

There will be no incidental commercial activities taking place with the buildings and there will, therefore, be no external advertising of such. The applicant does intend to install signage consistent with the standards of the sign ordinance of the Land Development Code.

Conclusion of Law

The Planning Commission concludes that there will be no external signage, advertising or other evidence of any incidental commercial activities taking place within the building.

- (3) *All such uses shall be located on an arterial or collector street and be able to provide access without causing traffic congestion on local residential streets, and any such use shall prove that there will be no harm to adjacent existing or potential residential development due to excessive traffic generation, noise, or other circumstances.*

Findings of Fact

The subject parcel is located on Roberts Road between North Keeneway Drive and Springbrook Road. As shown on Medford's Street Functional Classification Plan, this section of Roberts Road is designated as a Major Collector Street. The nearest residential streets are Temple Drive, approximately 450 feet to the east, and North

Keeneway Drive approximately 600 feet to the west. On-street parking is not allowed along Roberts Road, and the circular driveway will provide an efficient method for the “drop off” and “pick up” of the students. It is anticipated that the majority of the vehicular trips generated because of the proposed use, will occur at times other than peak traffic hours in the morning and afternoon. The applicant’s findings in Section F, discuss the potential impacts of the use, and how the applicant proposes to mitigate each of those potential impacts.

Conclusions of Law

The Planning Commission concludes that the proposed use is located on a collector street and is able to provide access without causing traffic congestion on any of the local residential streets. The Planning Commission also concludes that there will be no harm to adjacent existing or potential residential development due to excessive traffic generation, noise, or other circumstances.

G. ULTIMATE CONCLUSION

The Planning Commission concludes that based upon the above Findings of Fact and Conclusions of Law in Section F above, that the application for a Conditional Use Permit for a youth center is consistent with the relevant decisional criteria found in Section 10.248(2) of Medford’s Land Development Code, in that the youth center is in the public interest and is consistent with the overall needs of the community and the immediate area in a location that is reasonably suitable. The Planning Commission also concludes that although the development proposal may cause some impacts, conditions have been imposed by the Planning Commission to produce a balance between the interests of the abutting properties and the public interest of the youth center to the community and surrounding area.

H. STIPULATIONS

1. A site plan that is designed to provide the greatest amount of separation from adjacent existing residences as possible.
2. A limitation on the length of facility use and outdoor lighting to 9:00 pm, two evening per week.
3. All outdoor lighting will not only meet City standards for glare, but will also be designed to not shine any light directly on neighboring properties.
4. Side and rear yards will be include a screen of trees, shrubs, and solid wooden fencing, to provide a sight-obscuring and noise-reducing buffer; and automobile headlights screened by a hedge/fence screen.
6. All proposed fencing and hedge screening material will be installed prior to use.

Respectively Submitted,

Maize & Associates, Inc.



Jim Maize
Agent for Applicant,
Rogue Valley Youth for Christ

RECEIVED

JUN 09 2008

PLANNING DEPT.

Date: May 22, 2008

REPORT from the PUBLIC WORKS DEPARTMENT

Project No.: CUP-08-033 (N. side of Roberts Road)

Revised Report

CITY CODE REQUIREMENTS

1. Roberts Road is classified as a Major Collector Street with a required right-of-way width of 74-feet. Therefore, the developer shall dedicate to the public a 7-foot wide strip of right-of-way along the Roberts Road frontage of this proposed development. This section of Roberts Road will then be in conformance with the 37-foot half-width right-of-way for Major Collector Streets. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the new right-of-way line.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way of additional Arterial & Collector Street capacity required as a result of new development. SDC calculations are based on representative trip generation rates for developments of a particular type. SDC's assess costs to a new development based on the representative proportionate impact (i.e. new trips generated).

The developer shall receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedication for Roberts Road, per the methodology established by the Medford Municipal Code, Section 3.815.

Should the developer elect to have the value of the S.S.D.C. credits determined by an appraisal, a letter to that effect must be submitted to the City Engineer within 60 calendar days of the date of the Final Order by the Planning Commission. The City will then select an appraiser and a deposit will be required as stated in Section 3.815.

The benefits of the rights-of-way dedication for the development of this site include: providing access and transportation connections at urban level of service standards, decreased emergency response times, benefits from using right-of-way to provide utility services, the additional traffic that is being generated by this proposed subdivision and the necessity to provide connections for all modes of trips generated.

2. The right-of-way dedication will be monumented, and a map of survey approved by the City Engineer and filed with the County surveyor, prior to any building permits for vertical construction being issued. (ORS 368.106)

Instruction for Submitting Dedication and Public Utility Easement: Submit the right-of-way documentation and the prepared Public Utility Easement (PUE directly to the Engineering Division of the Public Works Department. If accomplished by

CITY OF MEDFORD
 EXHIBIT # E-2
 File # CUP-08-022

instrument, the submittal shall include: the easement; 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.

PUBLIC WORKS DEPARTMENT RECOMMENDATIONS/COMMENTS:

1. ~~Roberts Road is designated as a Major Collector Street. Therefore, only one driveway access to this site will be allowed. The driveway shall have an onsite turnaround area so that all vehicles may enter Roberts Road in a forward manner. A plan of the onsite turnaround areas shall be submitted to the Engineering Division, and approved prior to paving. As an alternative, if a joint access were provided with one of the adjoining properties, then the circular driveway concept could be allowed.~~
2. ~~The developer shall remove one of the existing driveway approaches on Roberts Road, and replace it with curb, gutter and a 5-foot sidewalk adjacent to the curb, to match the existing sidewalk width and location. The curb, gutter and sidewalk construction shall be inspected and approved by the City of Medford Public Works Department.~~

The Planning Commission deleted the Public Works recommendation that this site have only one driveway access and allowed a circular driveway to serve this site.

3. All parking and vehicular maneuvering areas related to this development shall be paved to City of Medford standards.



BOARD OF WATER COMMISSIONERS
Staff Memo

RECEIVED

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: CUP-08-033

APR 07 2008

PLANNING DEPT.

PROJECT: Consideration of a request for a Conditional Use Permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road, within an SFR-4 (Single-Family Residential – 4 units per gross acre) zoning district; Rogue Valley Youth for Christ, Applicant (Maize & Associates, Agent). Carly Meske, Planner

PARCEL ID: 371W17CA TL 2200

DATE: April 2, 2008

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The existing water meter can remain to serve the existing home as long as the current water meter location does not conflict with any proposed driveway improvements or street widening improvements. If conflict exists then the meter in conflict is required to be abandoned and a new water meter installed outside of proposed improvements.
4. Coordinate with MWC for additional metered water service if needed.

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. One 3/4" water meter and a 3/4" copper service line serves the existing building at 2257 Roberts Road.
4. Access to MWC water lines is available. A 6" water line is located on the south side of Robperts Road.

CITY OF MEDFORD
EXHIBIT **F**
FILE # **AC-08-033**



City of Medford

200 S. Ivy Street, Room #257
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

RECEIVED

APR 09 2008

PLANNING DEPT.

LAND DEVELOPMENT REPORT - APPLICANT

To: Rogue Valley Youth for Christ, Applicant (Maize & Associates,

LD Meeting Date: 04/09/2008

From: Patterson, John

Report Prepared: 04/03/2008

Planner: Carly Meske

File #: CUP - 08 - 33

Site Name/Description: youth center

Consideration of a request for a Conditional Use Permit to allow for the operation of a youth center within an existing single family residence on a 0.62 acre parcel located on the north side of Roberts Road, within an SFR-4 (Single-Family Residential - 4 units per gross acre) zoning district; Rogue Valley Youth for Christ, Applicant (Maize & Associates, Agent). Carly Meske, Planner

DESCRIPTION OF CORRECTIONS

REFERENCE

Required

ADDITIONAL REQUIREMENTS/COMMENTS

MEDFORD

OTHER

In accordance with 2004 Oregon Fire Code sec. 102.8 no full time resident occupancy of students will be allowed without approval of the Fire Marshal.

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

Fire apparatus access roads are required to be installed and made servicable prior to the time of construction. Water supply for fire protection is required to be installed and made serviceable prior to the time of vertical combustibile construction.

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

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

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

CITY OF MEDFORD

EXHIBIT 6

FILE # AC-08-033

Carly A. Meske

From: PYLES David [David.PYLES@odot.state.or.us]
Sent: Friday, April 04, 2008 11:34 AM
To: Carly A. Meske
Subject: ODOT notice acknowledgement: CUP-08-033 (RV Youth for Christ Conditional Use Permit)

Carly:

ODOT Development Review received notice of the above requested Conditional Use Permit to allow operation of a youth center. The subject property is described as Map 37-1W-17CA, Tax Lot 2200.

We have no comment. Thank you for coordinating this project with ODOT. We look forward to working with the city of Medford on future projects.

Sincerely,

David J. Pyles | Development Review Planner III
The ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503
☎: (541) 774.6399 | 📠: (541) 774.6349 | ✉: David.Pyles@odot.state.or.us

RECEIVED
APR 04 2008
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # H
File # AC-08-033

Paula K. Hoffmann

From: Carly A. Meske
Sent: Tuesday, April 08, 2008 3:11 PM
To: Paula K. Hoffmann; Don K. Taylor
Subject: CUP-08-033

RECEIVED
APR 09 2008
PLANNING DEPT.

Paula and Don:

Regarding CUP-08-033 on tomorrow's LD agenda.

The applicant stipulates to the following: *all proposed fencing and hedge screening material will be installed prior to use*

My questions to you are these:

- (1) Will a new certificate of occupancy be required for this site due to its change from a single family home to a youth center? — **YES**
- (2) Will the Building Department hold a CofO until the applicant complies with the above stipulation?

Thanks,

YES
Don K. Taylor 4.9.2008

Carly Meske
Land Use Planner
City of Medford, Planning Department
200 S. Ivy Street
Lausmann Annex, Room 240
Medford, OR 97501
541-774-2380
carly.meske@cityofmedford.org

Medford
I
File # **CUP-08-033**

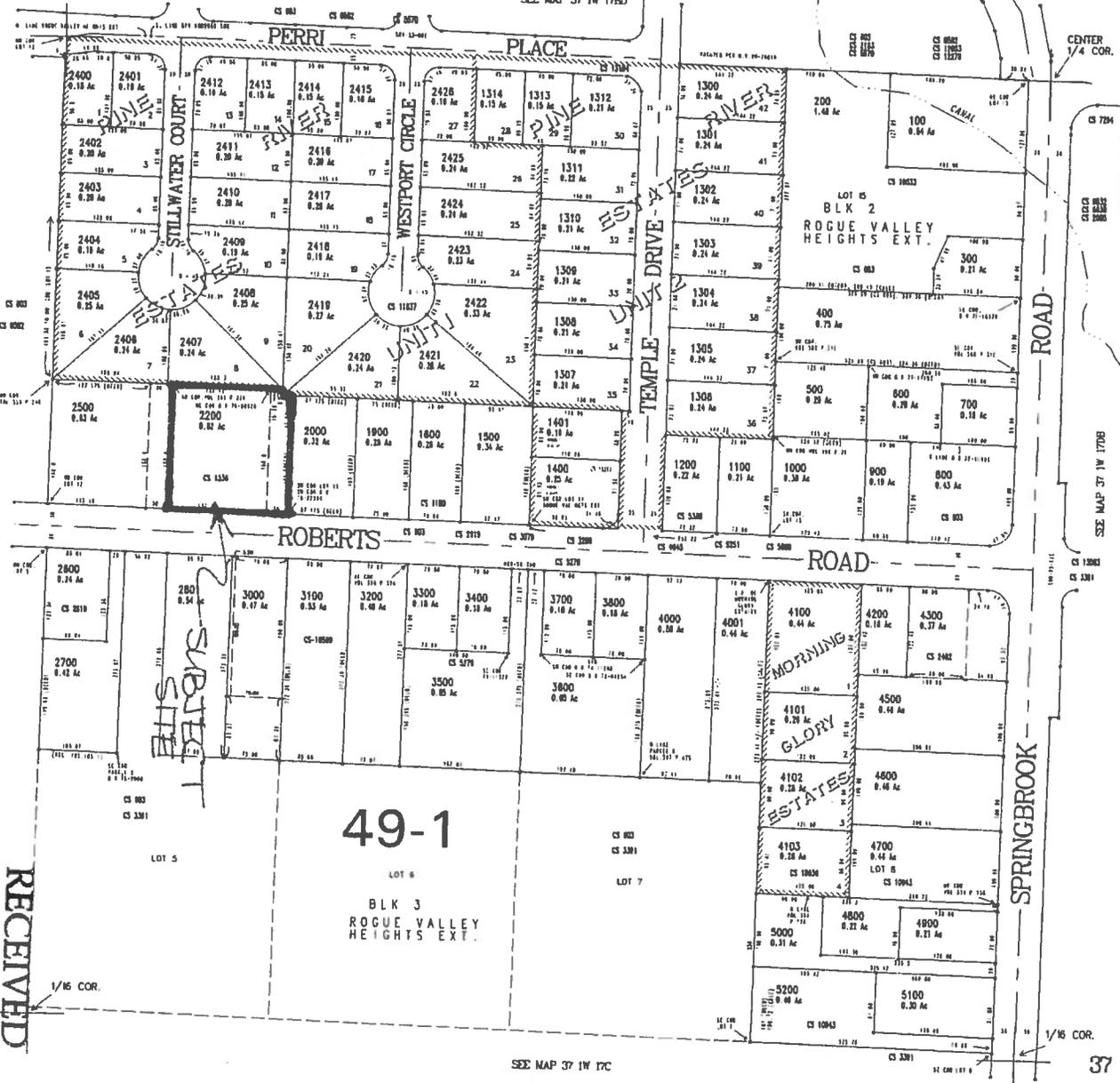
NE 1/4 SW 1/4 SEC17 T37S R1W. W.M.
JACKSON COUNTY

37 1W 17CA
MEDFORD

IMPORTANT
THIS MAP FOR ASSESSMENT
AND TAXATION PURPOSES
ONLY

SCALE 1 INCH = 100 FEET
SEE MAP 37 1W 17B

JACKSON COUNTY
ASSESSOR'S MAP



CANCELLED TAX
LOT NUMBERS
NOT ASSIGNED TO THIS
MAP. ONLY THE LOTS
SHOWN HEREIN ARE
THE LOTS ASSIGNED TO THIS
MAP. ALL OTHERS
ARE CANCELLED.

Page 258

METAFILE C:\WORKSPACE\371W17CA PLATGRA
CREATED THURSDAY-FEBRUARY 24 2008 10:00 AM BY GISRSNIO

37 1W 17CA
1/2
CUP 08033

APPLICANT'S
EXHIBIT
6

Planning Dept.

MAR 05 2008

RECEIVED

1/16 COR.

SEE MAP 37 1W 17C

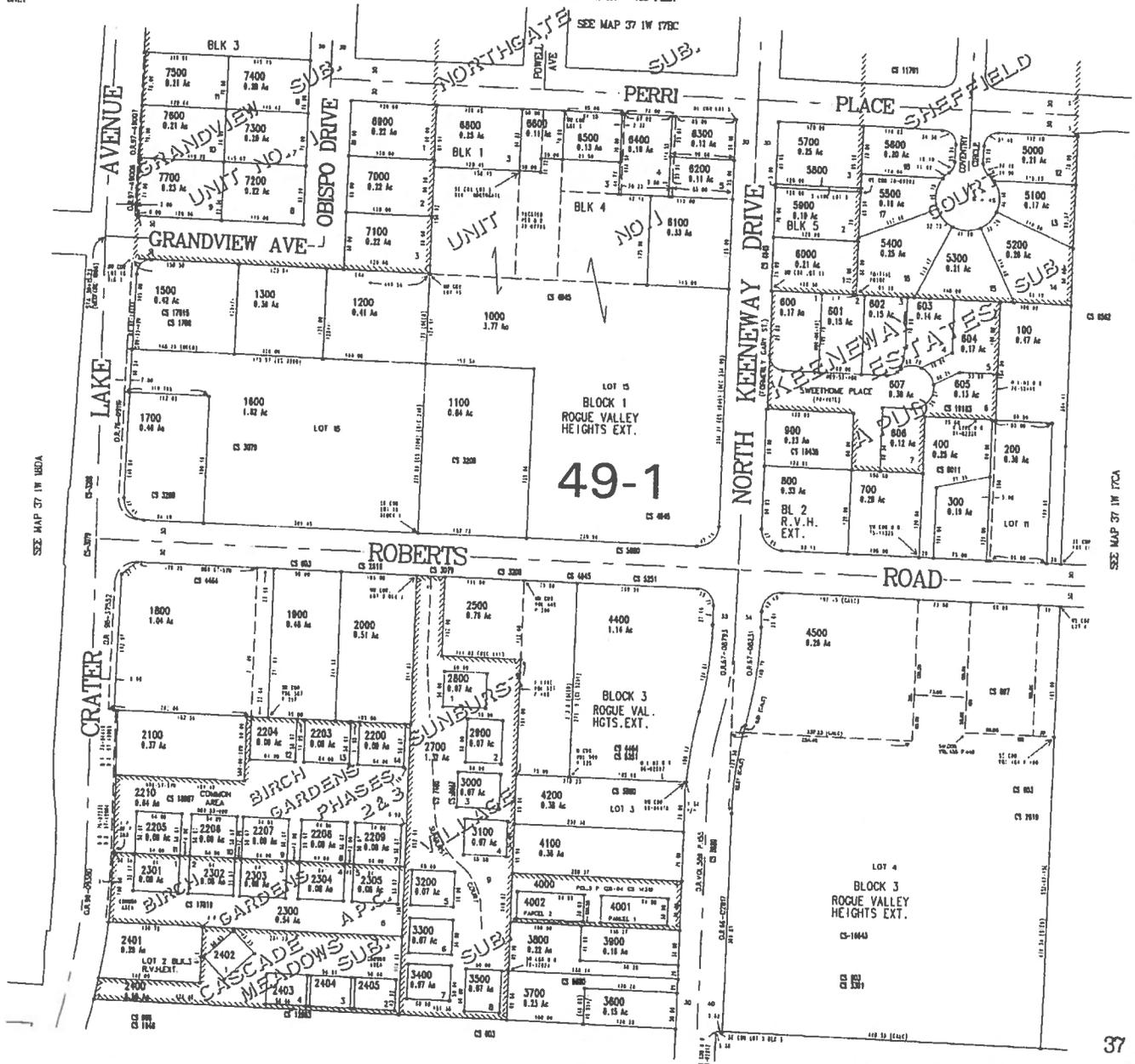
37 1W 17CA
MEDFORD
REV OCTOBER 2003
REV FEBRUARY 04 2005

IMPORTANT
THIS MAP FOR ASSIGNMENT
AND TAXATION PURPOSES
ONLY

NW 1/4 SW 1/4 SEC17 T37S R1W. WM
JACKSON COUNTY

37 1W 17CB
MEDFORD

SCALE 1 INCH = 100 FEET



CANCELLED TAX
LOT NUMBERS:
1450 ADDED TO 520
1450 ADDED TO 520
1450 ADDED TO 520
1450 ADDED TO 520
1450 ADDED TO 520

SUBJECT
SITE

Page 259

METAFLE C/WORKSPACE/STINTITCH PLAT/CRA
CREATED MONDAY MAY 01, 2006 2:08 PM By KIRKPAL

CURP-08033
12/2

RECEIVED
MAR 05 2008
Planning Dept.

2

SUZANNA

WELL ST

ENE WAY DR

BEL ABBE

FONTAINE

SAMOAN I

SFR-4

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OBISPO DR

SPRINGBROOK

PERRI PL

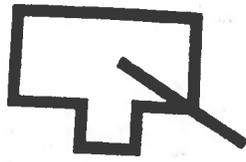
CEDAR LINK R

STILLWATER

WESTPORT

TEMPLE DR

RCAD



SFR-4/PD



SFR-6/
PD

ROBERTS RD

NORTH MEDFORD
HIGH SCHOOL

RECEIVED

MAR 05 2008

Planning Dept.

SP

WATERSET

CITY OF MEDFORD

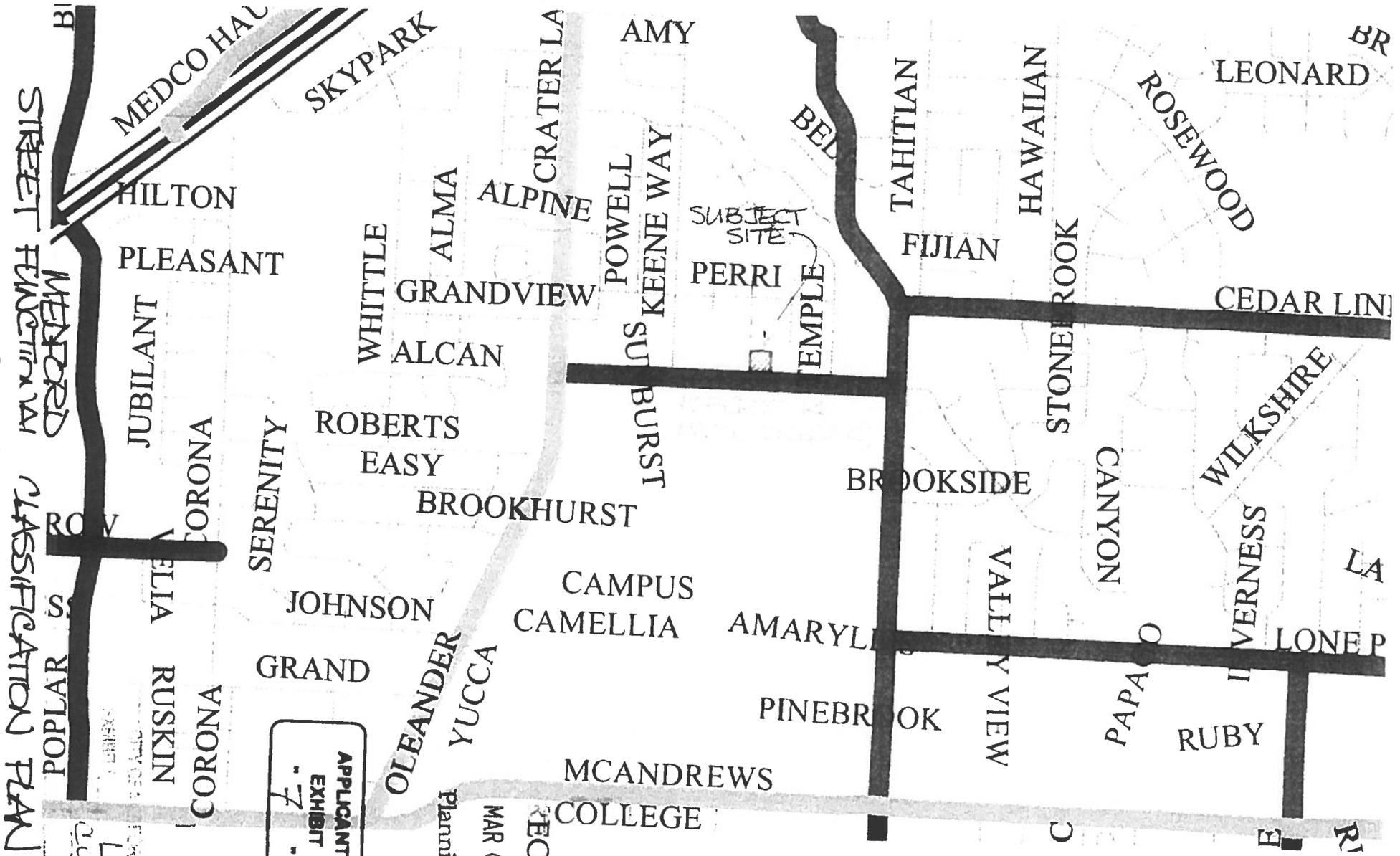
EXHIBIT # K

FILE # CLP-08033

C-C

CITY OF MEDFORD
ZONING Page 260
CRATER LAKE AV

APPLICANTS
EXHIBIT
5



BI
 STREET FUNCTIONAL CLASSIFICATION PLAN
 WENGERD
 ROY
 POPLAR
 L
 2/18/03

APPLICANTS
 EXHIBIT
 7

RECEIVED
 MAR 05 2008
 Planning Dept.

7



JACKSON COUNTY

INFORMATION TECHNOLOGY

Map Maker Application

Front Counter Legend
Highlighted Feature

Tax Lot Outlines

Tax Lot Outlines
(orange color for Aerial)

Countywide Color
Aerial Photos 2005

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MAR 05 2008

Planning Dept

APPLICANT'S
EXHIBIT
" 4 "



JACKSON COUNTY
Oregon

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

Created with MapMaker

368ft

Map 01/08 on 2/24/2008 12:38:58 PM using web.jacksoncounty.org

Please recycle with colored office grade paper

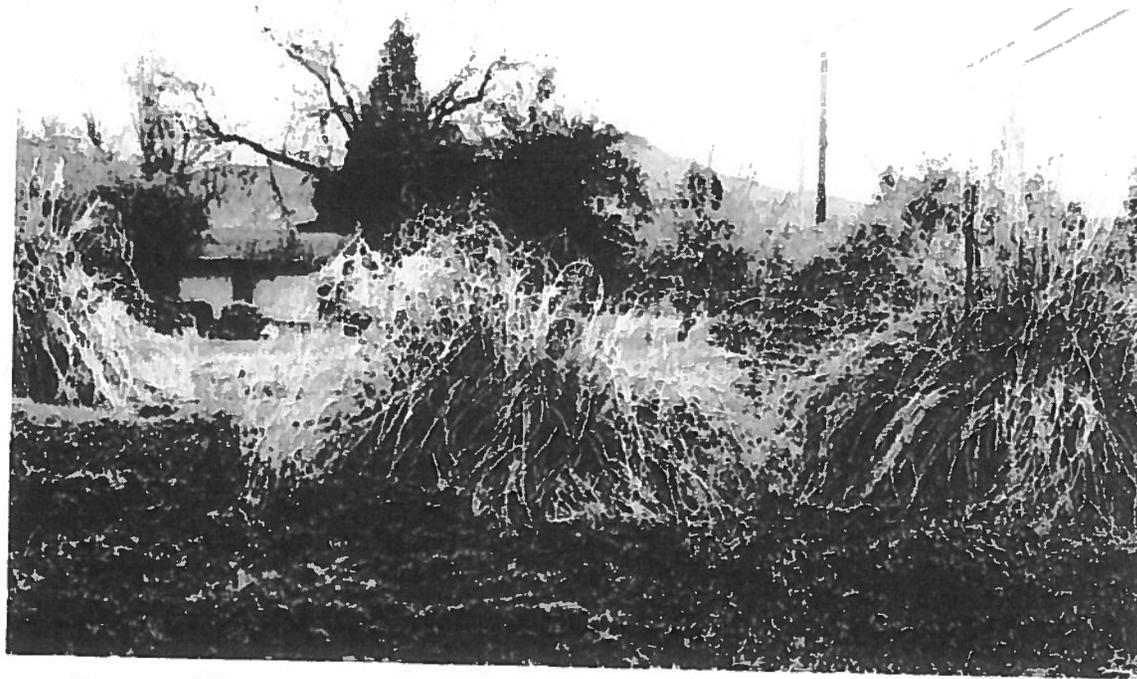
VICINITY MAP

EXHIBIT M
CLP-08-033



CUP-08-033
View of front façade, looking north

DATE: N'13
CUP-08-033



CUP-08-033
Existing site landscaping

NO. OF RECORDS
PAGE N 3/3
CUP-08-033



CUP-08-033
Site frontage on Roberts Road, looking east

N 2/3
CUP-08.033

RECEIVED

MAY 06 2008

Planning Dept.

May 5, 2008

Carly Meske
City of Medford
Lausmann Annex
200 South Ivy St.
Medford, OR 97501

Re: File #: CUP-08-033
Youth for Christ / Campus Life
Conditional Use Permit
2257 Roberts Road, Medford, Oregon 97504

To whom it may concern,

My husband and I own and reside at 2338 Roberts Road Medford, across the street from the home which is the proposed Youth for Christ / Campus Life. We are strongly opposed to a conditional use permit for Youth for Christ/Campus Life within an existing residential neighborhood. I met with Brad Bills and his associate to express our concerns. The conversation did little to ease our concerns, but in fact added to them.

We would like to address how this facility will impact our daily lives, in response to the conditional use permit code.

1) Our home's value: If Youth for Christ goes in across the street I firmly believe that it will be a detriment to the value of our home and property. As you are aware, property taxes took a big jump this year in response to upgrading our schools. It is unfair for us as long standing residents to see a decline in the value of our homes, yet costing more to live here. With signage, parking lot exterior lighting and noise it will not be an activities center that will blend into the neighborhood.

2) Livability: This will increase traffic on a very busy road. The property layout that I was given by Brad Bills, shows a circle driveway with major potential for accidents in regards to the left hand turn lane into school access street. And with them offering lunch time availability to students, it will be a matter of when, not if a pedestrian gets hurt crossing the street. I also believe they have underestimated the number of cars going in and out of that property, so believe parking and drop off areas are not adequate.

3) Noise Level: Living next to the school we know kids are noisy. They crank up the music, they squeal the tires, they scream and yell, they slam the car doors. Youth for Christ may end their meeting by 10:00 pm but kids also loiter.

CITY OF MEDFORD
EXHIBIT # 0
File # CUP-08-033

4) 2257 Roberts Road address is zoned SFR4 so there is potential for further development on that site which would increase the number of kids in the program, so we are concerned about what this may lead to.

I was told there would be approximately 20 – 30 kids there on a regular basis and approximately 40 for special events and they will be recruiting more, and having occasional sleep overs. I have been inside that home and question the sustainability of having that many kids in the house and providing adequate space and bathroom facilities, which last time I was there was not ADA approved home.

In conclusion; we, along with our neighbors are working families trying to maintain our quiet lives on an already busy street. Instead of looking at this as just a good place for kids to hang out. I urge you to put yourself in our shoes, realize the amount of noise, traffic and disruption we live with on a daily basis and understand that this facility is something that will compound the issues we already have. This property would be better served as a single family dwelling.

Cordially,

L. Phillip and Twila Parkes
2338 Roberts Rd.
Medford, Oregon

F. W. & Myra Milani
2235 Roberts Rd.
Medford, OR 97504

RECEIVED
MAY 08 2008
PLANNING DEPT.

May 7, 2008

City Of Medford Planning Dept.
Lausmann Annex
200 South Ivy St.
Medford, OR 97501

Planning Commission,
Re:Rogue Valley Youth for Christ-request for Conditional use permit @ 2257 Roberts

Several months ago we were informed that the Rogue Valley Youth for Christ had purchased the residence at 2257 Roberts Rd. Mr. Brad Bills, director of Rogue Valley Youth for Christ spoke with a few neighbors indicating their intentions were to use this residence for a youth center or develop the property for investment purposes. We immediately E-mailed him along with several other individuals who live in the close proximity of this residence. We informed him that we did not want a youth center as a neighbor and it was not a suitable location.

We live within 250 ft of this property and have lived here for 36 years. This type of an organization & Business does not belong in our residential neighborhood. The presence of this youth center will decrease all of our property values. The amount of activities that will take place at this center will be a real disturbance and detriment to this neighborhood. A letter was sent to all neighbors by Rogue Valley Youth for Christ listing some of their planned activities, a copy will be included with this letter. You will be able to see there are activities planned at all times of the day and night and on almost every day of the week. A place for "youth to just hang out" as stated in their letter. We really do not want troubled or at risk youth with no place to go just hanging out as our neighbors. We have grandchildren who live next door to this proposed center. We have considerable concerns that their safety and ability to play privately in their own backyard will be compromised. Their right to a quiet and uninterrupted bedtime will be jeopardized. Activities will be going on next door well past this hour of the evening.

The property size and location does not have adequate space for parking or maneuvering vehicles on and off the street. The "planned activities" for this center are numerous and the property is not suitable for all the traffic whether it be vehicles or youth walking to this location.

CITY OF MEDFORD
EXHIBIT # P
File # CVP-08-033

The noise, extra lighting, their signs, extra traffic and general commotion day and night on most days of the week, & just general disturbances are all very concerning to all of us. This center belongs in more of a commercial area. This type of center will have a very adverse impact on our neighborhood and we do not want it developed.

Thank you for your time. We would like to be informed of all planned action on this project. We will be attending the public hearing on May 22, 2008 to voice our many concerns.

Sincerely,


F.W. "Butch" & Myra Milani
enclosure



Dear Neighbor of 2257 Roberts Rd.,

Rogue Valley Youth for Christ/Campus Life has purchased the above referenced property with the intent to use it as a youth center. We will be submitting a conditional use permit application to the City of Medford very soon.

Our organization has been serving young people in the Rogue Valley for over 40 years. Through Campus Life Clubs, mentoring programs, and youth centers, we strive to positively impact young people from a Christian perspective. Youth centers we operate in Eagle Point and Gold Hill have proven to be very effective in serving young people in those areas and we hope to offer similar programs and activities here.

We envision the following activities to take place at this location:

- Campus Life Club meetings
- Bible studies/discussions
- Simple lawn games
- Basketball
- BBQ's
- Tutoring
- Computer availability
- Video games
- Lunch time hang out

Regular meeting times would be Monday and Friday evenings from 7:00 pm to 9:00 pm. There would be occasional meetings/gatherings on other weeknights and Saturdays. We would cease all outdoor activities by 10:00 pm.

We understand completely how important it is to be a good neighbor! Our intent is to provide fun, safe and valuable activities while respecting the rights and wishes of the neighborhood.

Please call me if you have any further questions about our organization and our plans for this property.

Sincerely,



Brad Bills
Executive Director
779-3275

RECEIVED

MAY 08 2008

Planning Dept.

City of Medford
Planning Department
411 W. 8th Street
Medford Oregon 97501-3188

May 7, 2008

Re: CUP-08-033

We, as residents and owners of property adjoining the proposed youth center at 2257 Roberts Road, wish to voice our objections based on the reading of the application at the Planning Department office.

1. While the Department study indicates increased traffic would be one percent or less, it is by one percent at a time repeated many times is how we got to the amount of traffic we now have on Roberts Road.
2. Additional lighting for outdoor activities will be a very real distraction for residents of adjoining properties.
3. No mention is made in the application regarding adequate bathroom facilities for the number of people to be served.
4. There is no evidence of any method of securing the outdoor facilities during periods when there is no staff on site. This will prove to be an attraction to many that may or may not be members of the organization.
5. We are concerned about the effect the youth center with 25 to 40 teenagers "hanging out" will have on property values in the area.
6. As with any group of teenagers noise and trash can be a real problem if they are not properly chaperoned. We wonder if the number of supervisory people is adequate for the situation.

Donna B. Moore *Harlan K Moore*
Donna & Harlan Moore
2331 Westport Circle
Medford OR 97504

CITY OF MEDFORD
EXHIBIT # Q
File # CUP-08-033

 **LITHIA**
AMERICA'S CAR & TRUCK STORE
Since 1946

RECEIVED
MAY 12 2008
PLANNING DEPT.

March 31, 2008

City of Medford
Planning Commission

City of Medford:

Subject: Rogue Valley Youth for Christ/Campus Life Permit Application

I have known Brad Bills for over 20 years and have seen the amazing job that both he and the Rogue Valley Youth for Christ have done for the young people in our communities.

I understand that the Rogue Valley Youth for Christ have purchased a residence and will be organizing a new Youth Center near North Medford High School. I feel that this will be a wonderful opportunity for the teens in the area to have a safe and structured location to meet their friends and make new ones.

I would urge you to approve this permit for the Youth Center.

Sincerely,



Sid DeBoer
Chairman & CEO

cls

CITY OF MEDFORD
EXHIBIT # R
FILE # CUP-08-033

LITHIA MOTORS, INC.



360 East Jackson St. • Medford, Oregon 97504

6-6481 • Fax (541) 776-6477 • sid@lithia.com

CUP-08-033

North Medford High School



Patrick Royal, Principal

Ron Beick, Assistant Principal • Linda Bradshaw, Assistant Principal • Louis Dix, Assistant Principal

April 1, 2008

RECEIVED

MAY 12 2008

City of Medford Planning Commission:

PLANNING DEPT.

It is my pleasure to write this letter in support of the efforts of Rogue Valley Youth for Christ/Campus Life, and in particular, the property on Roberts Rd. As school officials dedicated to the young people in our community and our neighborhood, we are excited about the possibility of a Youth Center near our school. We are always encouraged with the teamwork of various organizations in our community who work cooperatively with us to provide positive support for teens.

The property on Roberts Rd. is located so close to our campus, that we believe it will be a popular place for students to "hang out" and a place where positive and healthy activities will be taking place with adult support and supervision. Teens always need a place to be and place where caring adults are present! The vision of the Campus Life staff to provide games, tutoring, computer use, etc. really provides a win-win situation for us, as more and more students need a place to access these activities. I believe it will be an extremely positive addition to this neighborhood!

We are passionate about making a difference in the lives of young people in our community, and organizations such as Campus Life share that same passion and commitment. The Youth Center concept has been successfully implemented in other communities and we are excited to see it happen near North Medford High.

Very sincerely,

A handwritten signature in cursive script that reads "Linda Bradshaw". The signature is written in black ink and is positioned above the printed name.

Linda Bradshaw
Assistant Principal

CITY OF MEDFORD
DEPARTMENT S
FILE # CUP-08-033



Jackson County School District 9

P.O. Box 548
Eagle Point, OR 97524

April 30, 2008

RECEIVED

MAY 12 2008

Dear Interested Parties,

PLANNING DEPT.

This letter is to recommend your support of the proposed Rogue Valley/Campus Life Youth Center near North Medford High School. The Eagle Point youth center has been a community partner with the District Nine Schools for several years. We do not have contact with the youth center on a regular basis, however we are aware of many of the activities that occur on a weekly basis. The center is well attended by students seeking help with homework or just a quiet place to study. Refreshments are available and games such as volleyball, basketball and lawn games are frequently in evidence. Computers are also used by the students. The adult leaders offer encouragement along with games such as foos ball and bumper pool, and Bible Study groups which the students may attend. The center has activities for all school age children and provides a safe environment for youth. The center is well supervised and the leaders are conscientious about being good neighbors. We are happy to lend our support for the Campus Life Youth Center.

Sincerely,

Jonathan Bilden - D9 Board Chair

Spencer Davenport - D9 School Board

Theresa Erickson - D9 School Board

Scott Grissom - D9 School Board

Mary Ann Olsen - D9 School Board

CITY OF MEDFORD
EXHIBIT # T
File # CUP-08-033

Bryan Milani
2241 Roberts Rd.
Medford, OR. 97504

RECEIVED

MAY 12 2008

Medford Planning Department
Lausmann Annex
200 South Ivy St.
Medford, OR. 97501

PLANNING DEPT.

To the planning commission board,

I live at 2241 Roberts Rd., and have occupied this residence for over twelve years. I would like to address you in regards to CUP-08-033 proposal for a youth center at 2257 Roberts Rd. I have very serious concerns regarding this usage of residential property. Referring to section 10.248 of the Medford Land Development Code there shall be no significant adverse impact on the livability and value of abutting property. It is hard to believe how my family and surrounding families would not be adversely impacted by this commercial type operation moving in to our neighborhood. The noise generated by thirty to forty kids playing outdoor activities will far exceed that of a single family dwelling this property is zoned for. The outdoor lighting required for this type of activity as well as car head lights will far exceed that of a residential home. The property owners have planned a hedge to combat this problem but mature landscape suitable for a barrier will take a minimum of five years to grow, what are we to do in the meantime. I can only imagine what my young children may see here across the fence from a group of rowdy teens engaged in outdoor activity. This establishment will become an eyesore for adjacent property owners and residence of Roberts Rd. a constant reminder of a neighbor not welcome in our neighborhood.

We have to consider the safety of kids trying to gain access to the property while crossing at the intersection of the North Medford high access road and Roberts Rd. This can be a dangerous place with anxious teen drivers that all too often are not paying attention or wanting to showoff there newly learned skills. I have witnessed several close calls with kids and cars and this situation will only be elevated with increased foot traffic. The traffic on Roberts Rd. can be very heavy at times and extremely congested with school traffic, adding pedestrians at this location is a guaranteed accident waiting to happen. The safest way to access this property would be a crosswalk at the intersection of North Keeneway Dr. and Roberts Rd. but this is far too out of the way for an anxious youth with minimal time on lunch break. This is a very difficult property to access when kids are coming and going to school as with all the different activities the school attracts after hours, this was a constant aggravation with the previous owners. I urge you to please consider the safety of the kids.

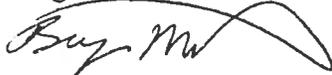
As one of the adjacent property owners I have a real concern for what this will do for the value of my home. I have spoke with several Real Estate professionals in the industry

CITY OF MEDFORD
EXHIBIT # 11
File # CUP-08-033

such as Real Estate Brokers and Appraisers all of which agree to say this will have an adverse impact on my property value. Although this is a hard thing to prove, you have to find comparable properties that have been subjected to the same circumstances with sale and resale transactions, then adjust these transactions for market conditions. One thing is for sure ask an ordinary individual if living next to a youth center might detour them from purchasing a home, I'm sure you will find the answer to be yes. We as residence of Roberts Rd. value our neighborhood and do not welcome more commercial type activities that will further diminish our home values.

From what I understand this property will have multiple outdoor attractions for the kids, one of that being a basketball court. It looks to me like this location may become a hang out at all times of the week, day or night. What will be in place to keep the kids from trespassing on the property when the center is not staffed? I have brought up this concern with the property owners and their reply was the kids would not be allowed on the premises after hours. But how do they intend on keeping this from happening, a locked gate to the basketball court and as well to the back of the yard where other activities are planned. How about the big asphalt parking lot that looks so inviting to skateboarders or someone who thinks this would be a great place to park their car and hangout. Do the property owners plan on installing a gate across the driveway for these probable scenarios? Will the policing of this property fall upon the neighborhood, surely someone will have to pickup on these duties when the facility is not staffed. What about the liability of kids' safety when hurt after hours while trespassing on this property, I am afraid this will be viewed as a public park to some. As a long time residence of Roberts Rd. this is the last thing we need in our neighborhood, please consider the impact of a youth center at this location. Thank you for your time.

Regards,

A handwritten signature in black ink, appearing to read 'Bryan Milani', with a large, sweeping flourish extending to the right.

Bryan Milani

May 6, 2008

City of Medford Planning Dept
Attn: Carly Meske
Lausmann Annex
200 S. Ivy St., Suite 240
Medford, OR 97501

RECEIVED

MAY 12 2008

PLANNING DEPT.

RE: File #CUP-08-033

Ms. Carly Meske;

We were just told by phone from a neighbor that there is a Public Hearing planned for May 22nd for the use of the property on Roberts Road. We will not be able to attend this hearing as we are currently in Cottonwood, Arizona. However, we do have strong feelings about the use of this property that lies right behind our home on 2334 Stillwater Ct., Medford, OR 97504.

We are the current owners of this home and are currently in the process of trying to sell our home in Medford because we have moved to Cottonwood, Arizona for a job my husband has taken with Arizona Public Service (APS) in the Forestry Division.

Our understanding is that the Rogue Valley Youth for Christ church has purchased the home on Roberts Road with the intent to make it a Youth Center. We, to date, have not yet received the Public Hearing notice, but we've been told that the Church Groups intent for the Youth Center is to be able to have regular meetings from 7pm to 9pm on Mondays and Fridays, as well as occasionally weeknights and Saturdays. We've been told that they plan to have a basketball court, and other outdoor activities available to the youth. Our understanding is that the outdoor activities will cease by 10 pm in the evenings on any of the days they choose to use the facility. Which means there will be flood lights, noise, and traffic essentially in our back yard (which is the side the bedrooms are on) till 10:30 or 11pm on any given night of the week. This will not be a fantastic selling point for families, especially considering that these may be troubled teens.

While we feel that the intent to have a Youth Center is commendable, we do not feel that a residential neighborhood is the place for this type of organizational facility. We feel a commercial area would be more suited.

We feel strongly that this will affect the value of our property. We are currently trying to sell our home and are about to put it back on the market. Having this type of organization with meetings, traffic, and youth activities outside will have a negative impact on our ability to sell our home.

It is going to be noisy. Our back yard will no longer be the peaceful environment that we have enjoyed for the past 15 years and had intended to indicate as a selling point of the property. The fact that they can continue outdoor activities until 10 pm in the evening is a definite distraction for a family that would want to have their children's bed time at an earlier hour, and a definite issue for an early rising worker. What if the family just wants to enjoy the peacefulness of their own back yard? Since our home on Stillwater Court is on a cul-de-sac, this is a draw for a family with young children. They will not want the trade off of our cul-de-sac for a biweekly, possibly every night meeting agenda that goes till 9 pm at night with outside activities that could go until 10 pm.

We definitely feel this affects the livability of our home on our property. If we had still been living in Oregon in our home on 2334 Stillwater Court, we would be most distraught at the thought of a commercial type facility being run right over the back of our fence.

CITY OF MEDFORD
EXHIBIT # V
File # CUP-08-033

As a residential community we try and live peaceably with our neighbors not doing things that would cause distractions and noise into the evening. While they say they intend to have regular meetings on Monday's and Friday's from 7 pm to 9 pm, they have still left it open that basically they could be open to the youth 6 days a week, Monday through Saturday, should they choose to and would not have to cease outdoor activities until 10 pm. This is much too late for a residential neighborhood. This would, in fact, be very disturbing to our quiet neighborhood.

I have a teenage son myself, and a daughter that is 12. I know how noisy they can be when they get together in a group, even with other Christian youth. This is natural for them and to be expected and encouraged as they enjoy one another's company. However, I would not want that to be a bi weekly or daily occurrence at my home or my neighbor's home. Essentially, we feel this is what this Youth Center would present in our neighborhood, and more specifically, directly behind our home. I also wonder why my home business had a vehicle limit of 6 or 10 per day, and yet this organization that is against our property, has no apparent restrictions.

Again, we commend the Rogue Valley Youth for Christ's intentions for their youth. It's a great idea, but not in a residential setting. This type of an organization should take place in a commercial setting not in a residential neighborhood where people invest hundreds of thousands of dollars in a home where they expect a family friendly environment. I personally would not purchase a home beside the YMCA, where youth gather and I expect that if this goes through we will have great difficulty in selling our own home and will most likely lose much of the equity that we have built up over the years with this type of facility behind us coupled with the current home market conditions. When we purchased our home, it was considered not only our home, but an investment as well. We enjoyed having our children in this home growing up in this neighborhood for the past 15 years and certainly had hoped to have another family experience the same joy in our home upon purchasing it. We are already experiencing great difficulty in trying to sell our home in this current market with the economy and mortgage environment. Please do not approve this facility and add to the loss in value for all the homes which are adjacent to this property. This can only have a further negative impact for us and others and it is very distressing.

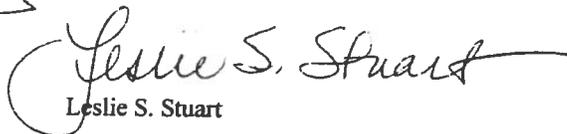
We ask that you please consider our views when you review all the neighboring properties owners' opinions in making your decision on whether you grant this organization the approval to use this property in this fashion. I personally know some of the neighbors that share property lines with this home on Roberts Road, and they do not want this facility to open up either. I know some of these neighbors will be appearing in person. We would be there ourselves if it was logistically possible, but being in Arizona we are not able to make the trip at this time and on such short notice.

The bottom line is we strongly feel that this facility will affect the livability and value of our home. This residential neighborhood has been around quite a while, and we do not feel that Rogue Valley Youth for Christ has the right to change the environment surrounding our homes. If this exception is made, what will be next? Will you please let us know the outcome of the decision in this conditional use permit request for this facility? We would greatly appreciate it.

Sincerely,



David B. Stuart



Leslie S. Stuart

Owners of:
2334 Stillwater Ct.
Medford, OR 97504

Residing at:
1622 S. Sky View Circle
Cottonwood, AZ 86326

Phone: 928-639-1716

David's Cell 928-274-3570

Leslie's Cell 928-274-3574



Hanby Middle School

806 Sixth Avenue Gold Hill, Oregon 97525

Phone: 541-494-6800 Fax: 541-855-1120
Website: <http://hanby.district6.org>

Dennis Allen
Principal

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MAY 13 2008

PLANNING DEPT.

May 13, 2008

To Whom It May Concern:

As principal of Hanby Middle School in Gold Hill I can whole-heartedly support the work of the Rogue Valley Youth for Christ. The Campus Life center here in Gold Hill is a safe and supportive environment for the youth of our school. The small, rural and isolated community here offers limited opportunities for the youth in their free time. The Campus Life center offers activities that are fun, positive and desirable for all the youth of Gold Hill. I have personally witnessed the positive and life changing impact that the ministry has had on students.

I find the leadership of Campus Life to be personable and genuine. Robert Milton has given of his time to come to our school and visit with students during our lunch hours. It is noticeable that his presence has a positive influence on the behavior of the students. It is during his visits that he makes students aware of the activities being offered and follows up with students in support of them.

I can, without reservation, support Rogue Valley Youth for Christ and their positive and much needed support of our local youth.

If I can provide any additional information, please feel free to contact me at 494-6800.

Sincerely,

Dennis Allen
Principal

Character Matters

W
CUP-08-33

Hanby Middle School



HUSKIES

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MAY 13 2008
PLANNING DEPT

Hanby Middle School
806 6th Ave
Gold Hill, OR 97525
Telephone: (541) 494-6800

To Carly Meske From: Dennis Allen

Fax: 774-2564 Pages: 2

Phone: _____ Date: _____

Re: _____ Fax # 541-855-1120

Urgent For Review Please Comment Please Reply Please Recycle

Comments: _____

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Vicinity Map



UGB



City Limits

OVERLAY



Airport Approach



Airport Radar



Central Business



Exclusive Agricultural



Freeway



Historic Outline



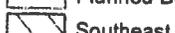
Limited Industrial



Limited Service



Planned Development

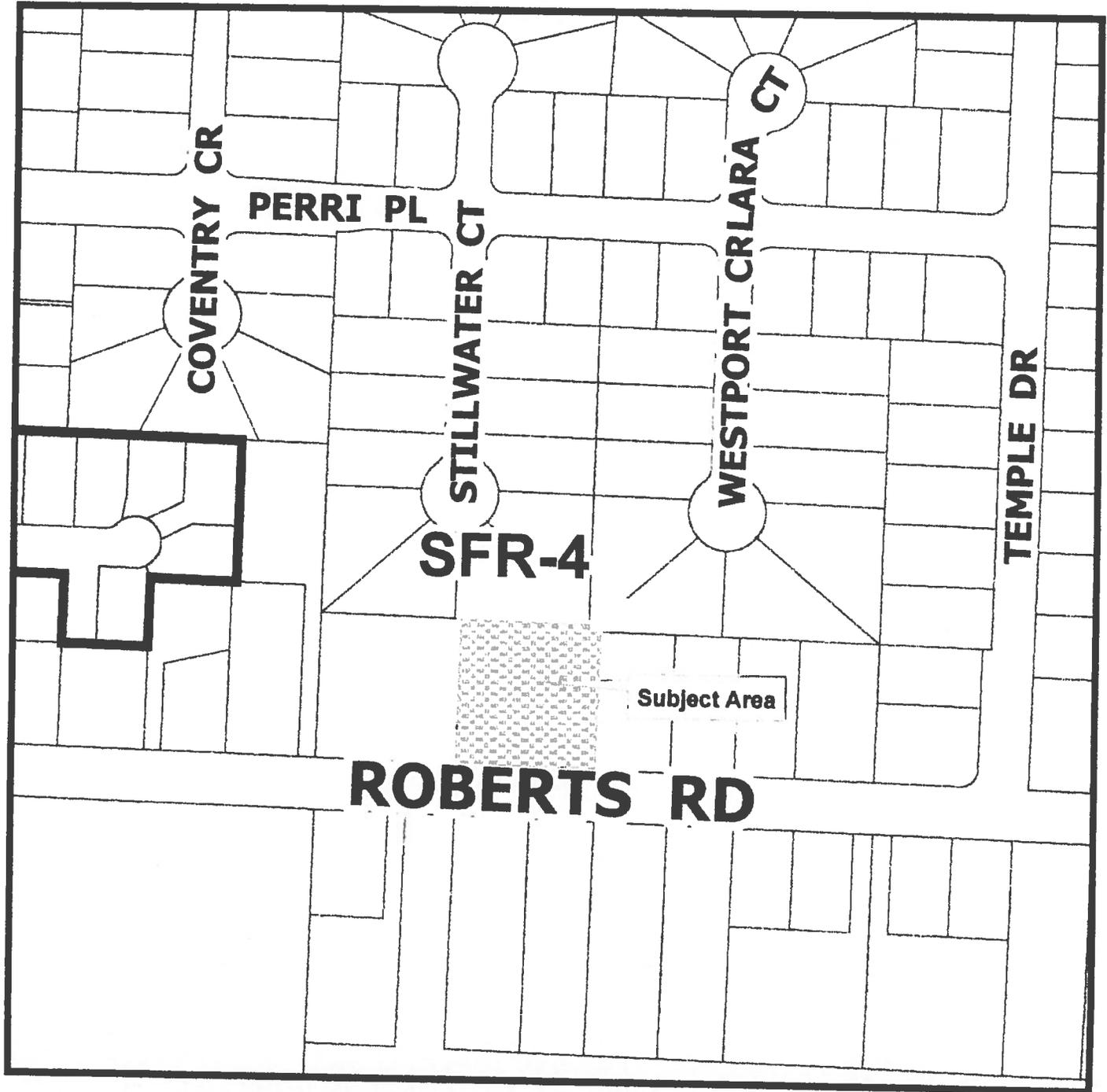
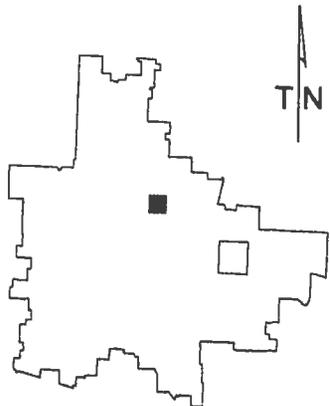


Southeast

**FILE NUMBER:
CUP-08-33**

**APPLICANT:
Rogue Valley
Youth For Christ**

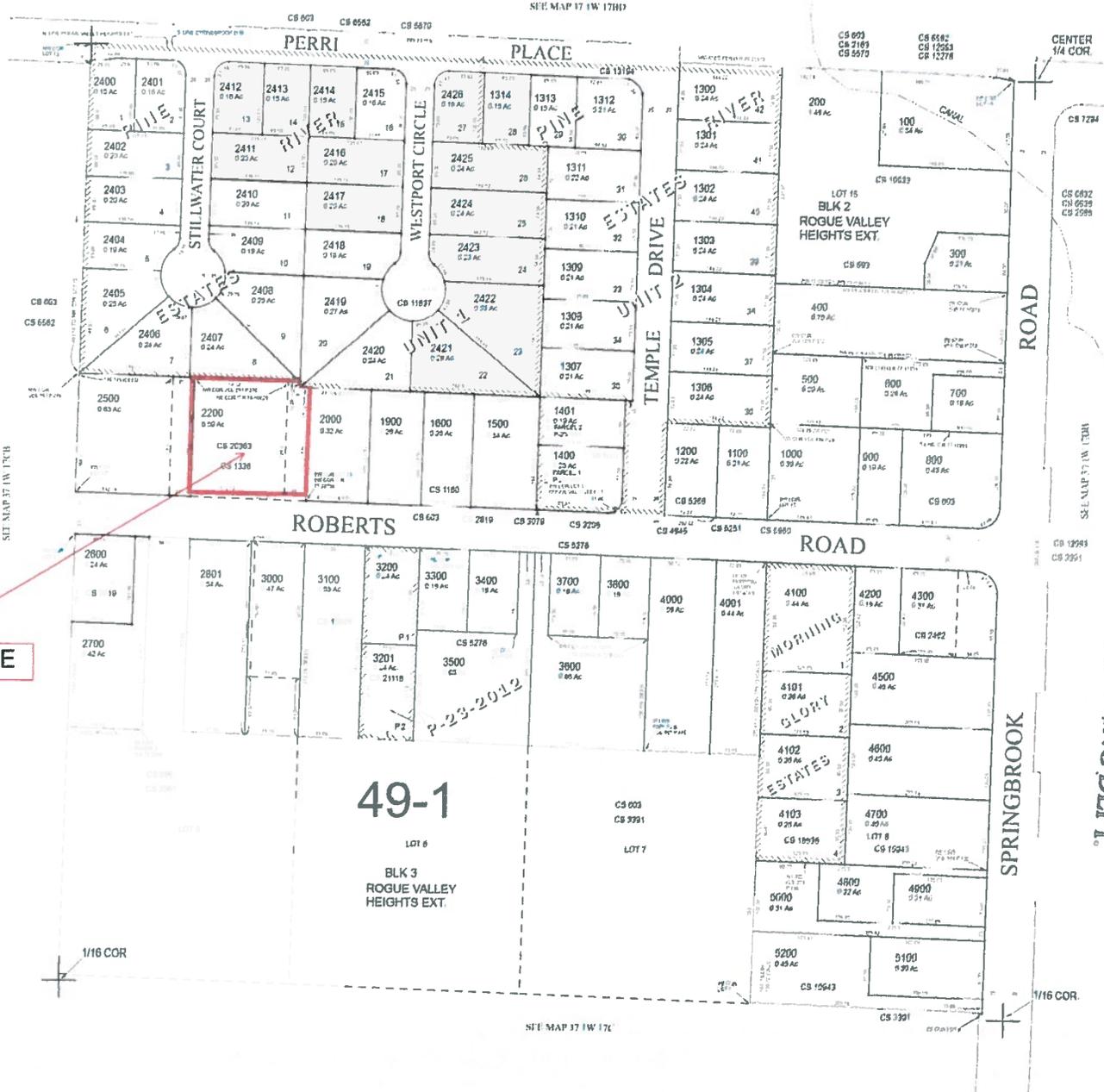
Map: 371W17CA
TL: 2200



FOR ASSESSMENT AND TAXATION ONLY

N.E.1/4, S.W.1/4, SEC.17, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 17CA
MEDFORD



CAM FIELD TAX
LOT NUMBERS

- 1700 ABRN 07 TO 2400
- 1800 ABRN 07 TO 2400
- 2100 ABRN 07 TO 2400
- 2300 ABRN 07 TO 2400
- 2500 ABRN 07 TO 2400
- 2600 ABRN 07 TO 2400
- 2700 ABRN 07 TO 2400
- 2800 ABRN 07 TO 2400
- 2900 ABRN 07 TO 2400
- 3000 ABRN 07 TO 2400

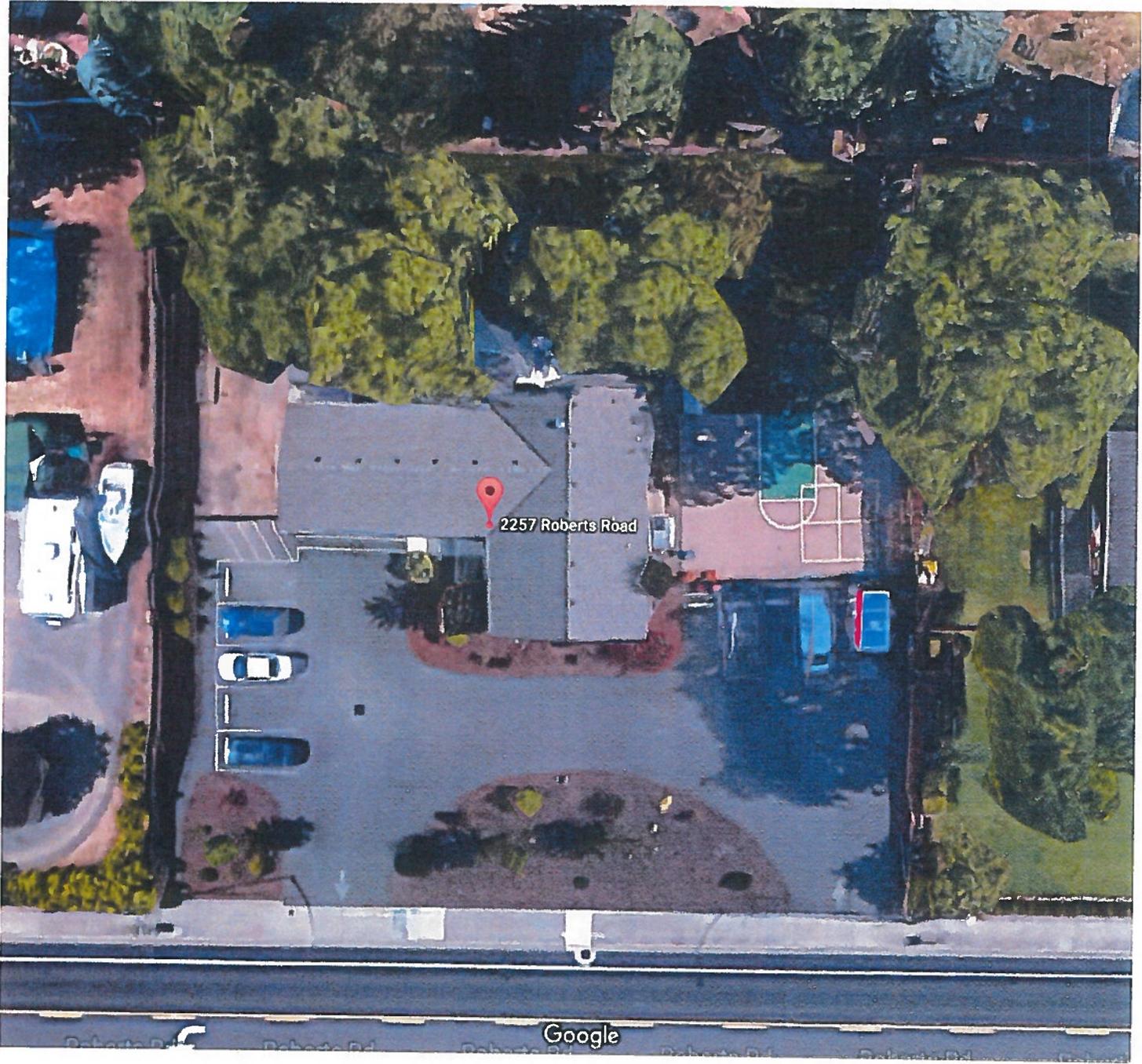
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JUL 19 2017
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37 1W 17CA
MEDFORD
NEW MAP OF JOURNAL NO. 1993
REV APRIL 15, 2009

SUBJECT SITE

49-1
LOT 6
BLK 3
ROGUE VALLEY
HEIGHTS EXT.

CITY OF MEDFORD
EXHIBIT # M
File # CUP-17-067





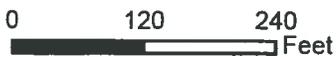


Project Name:

Rogue Valley Youth for Christ

Map/Taxlot:

371W17CA TL 2200



06/06/2017

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots

