

PLANNING COMMISSION

AGENDA

SEPTEMBER 8, 2016



Commission Members

Tim D'Alessandro
David Culbertson
Joe Foley
Bill Mansfield
David McFadden
Mark McKechnie
Patrick Miranda
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

September 8, 2016

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)

- 20.1 LDS-16-070** Final Order for King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. (Dennis Sullivan, Applicant; Scott Sinner Consulting, Inc., Agent)

30. Minutes

- 30.1** Consideration for approval of minutes from the August 25, 2016, 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 LDP-16-055** Consideration of a request to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district. (LBG Medford, LLC; Applicant; Neathamer Surveying, Inc., Agent). The applicant has requested a continuance until the Thursday, September 22, 2016, Planning Commission meeting.

New Business

- 50.2 ZC-16-077** Consideration of a request for change of zone from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres generally located at the east corner of the intersection of Garfield Street and Center Drive. (Cris A. Galpin, Applicant; Richard Stevens & Associates, Inc., Agent)
- 50.3 ZC-16-078** Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on approximately 0.51 acres located on the west side of Bullock Road, approximately 1,490 feet north of Crater Lake Highway. (Justin Elkins, Applicant; Grants Pass Water Lab, Agent)

50.4 **ZC-16-083** Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres located on the corner of South Front Street and East 13th Street. (Casey Gillum, Applicant; Daniel O'Connor, Agent)

60. Reports

60.1 Site Plan and Architectural Commission

60.2 Joint Transportation Subcommittee

60.3 Planning Department

70. Messages and Papers from the Chair

80. Remarks from the City Attorney

90. Propositions and Remarks from the Commission

100. Adjournment

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF TENTATIVE PLAT APPROVAL OF)
) ORDER
KING ARTHUR VILLAGE [LDS-16-070])

ORDER granting approval of a request for tentative plat approval for King Arthur Village described as follows:

This is a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.265 through 10.267; and
2. The Medford Planning Commission has duly held a public hearing on the request for tentative plat approval for King Arthur Village as described above, with the public hearing a matter of record of the Planning Commission on August 25, 2016.
3. At the public hearing on said tentative plat, evidence and recommendations were received and presented by the developer and Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded granted approval for King Arthur Village as described above and directed staff to prepare a final order with all conditions and findings set forth for the granting of the tentative plat approval.

THEREFORE LET IT BE HEREBY ORDERED that the tentative plat for King Arthur Village stands approved per the Planning Commission Report dated August 25, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Planning Commission in approving this request for tentative plat approval is hereafter supported by the findings referenced in the Planning Commission Report dated August 25, 2016.

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

Accepted and approved this 8th day of September, 2016.

CITY OF MEDFORD PLANNING COMMISSION

Planning Commission Chair

ATTEST:

Planning Department Representative



City of Medford

Planning Department

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PLANNING COMMISSION REPORT

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

PROJECT King Arthur Village
 Applicant: Dennis Sullivan; Agent: Scott Sinner Consulting, Inc.

FILE NO. LDS-16-070

DATE August 25, 2016

BACKGROUND

Proposal

Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single-Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts (372W36DD TL 1100, 1200, 1201, 200).

Subject Site Characteristics

Zoning: SFR-10 and SFR-6

GLUP: UR (Urban Residential)

Use: TL 1100: Single-family home and accessory structures
 TL 1200: Vacant
 TL 1201: Vacant
 TL 200: Vacant

Surrounding Site Characteristics

North Single-family residential housing

South Single-family residential housing

East Single-family residential housing

West Single-family residential housing

Related Projects

A-02-225 Annexation

ZC-06-15 Zone Change

ZC-15-85 Zone Change

Applicable Criteria

Medford Land Development Code (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.

ISSUES AND ANALYSIS

Background

The subject site is composed of four lots totaling 5.31 gross acres located within the SFR-10 zoning district, with the exception of lot 200, which is located within the SFR-6 zoning district. The subject site consists of vacant land, with the exception of lot 1100, which contains a single-family home which is planned to remain with the development.

The applicant is proposing to subdivide the property within three of the four tax lots, with tax lot 200, consisting of a 35 foot wide strip of land connecting the proposed subdivision to Garfield Street, being used solely as a stormwater detention and treatment facility to be constructed and dedicated to the City of Medford.

The applicant is requesting to develop the site as a 34 lot residential subdivision in two phases. Phase 1 will consist of lots 1-21, and Phase 2 will consist of lots 22-34. Consistent with MLDC Section 10.269 (2), the applicant is requesting the five year expiration for the phased development.

Though the submitted Tentative Plat identifies a Phase 1 and Phase 2, it is explained in the applicant's submitted Findings that the site may develop either phase or both at the same time. The applicant further explains that services will be extended within the phases as necessary; however, the stormwater detention facility identified on lot 200 will be constructed with the first phase of development.

The Tentative Plat includes several platted, yet completely unimproved rights-of-way, and is an infill development with the applicant proposing the development of three public streets within the existing platted rights-of-way, along with two proposed minimum access easements which will provide access to six lots not fronting a public street.

Proposed Streets

As identified on the submitted Tentative Plat Plan, the applicant is proposing the construction of three improved public streets as part of the development; Prospect Street, Penn Street, and Powhattan Avenue.

With the exception of the south section of Powhattan Street, the Tentative Plat shows the development of the proposed streets within the 40 foot wide rights-of-way of the original plat. All three streets will be constructed and improved to minor residential street standards in accordance with MLDC 10.430, with the exception of the section of Powhattan Avenue south of Penn Street, which will be improved to residential lane standards and is shown in the Tentative Plat to be stubbed at the easterly property line of lot 27.

Pursuant to MLDC Section 10.443, Powhattan Avenue south of Penn Street is proposed to be developed and improved as a half street.

The submitted plat shows the proposed Powhattan Avenue south of Penn Street with 27 feet of the 33 foot residential lane improved, consistent with the half street requirements. The remainder of the street will be improved by the adjacent property owners at the time they develop.

Southwest Medford Circulation Plan

The subject site is located within the adopted Southwest Medford Circulation Plan which identifies the functional classification and location of existing and planned streets and alleys within the southwest region of the City. The applicant's Findings explain that a modification to

the Southwest Circulation Plan is not requested, and that it can be found that the proposed street system will enhance circulation and connectivity, and extend urban facilities consistent with the Southwest Circulation Plan.

Minimum Access Easements

The submitted Tentative Plat includes two separate minimum access easements providing access to lots 14, 15, and 16 in the area identified as Phase 1, and lots 28, 29, and 30 in the area identified as Phase 2.

MLDC Section 10.450 reads as follows:

(1) Cul-de-sacs, minimum access easements and flag lots shall only be permitted when the approving authority finds that any of the following conditions exist:

(a) One or more of the following conditions prevent a street connection: excess slope (15%) or more, presence of a wetland or other body of water which cannot be bridged or crossed, existing development on adjacent property, presence of a freeway or railroad.

(b) It is not possible to create a street pattern which meets the design requirements for streets.

(c) An accessway is provided consistent with the standards for accessways in Section 10.464 through Section 10.466.

The applicant's Findings state the following:

The existing development and the historical platting of the original streets were created prior to the existing MLDC. The spacing between intersections and lot dimensional requirements result in the need to use the Minimum Access Easements for the subdivision.

Staff concurs with the applicant's conclusion that MLDC requirements for both intersection and dimensional standards preclude the developer's ability to subdivide the property without utilizing minimum access easements to provide access to interior lots, which is often the case for infill projects developing on older plats with grid patterns significantly larger than modern land division standards seeking to promote higher density; it is staff's view that the applicant's request to create two minimum access easements is consistent with MLDC 10.450 (b).

Public Improvements

Per the agency comments submitted to staff (Exhibits F-H), it can be found that there are adequate facilities to serve the proposed development.

Committee Comments

No comments were received from committees such as BPAC.

DECISION

At the meeting held on August 25, 2016, the Planning Commission voted to approve the request. A neighbor letter sent via email to staff from Geanie Schell, a neighbor located at 1817 Lillian St., was added to the record as Exhibit O.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit E) and recommends the Commission adopt the findings as submitted.

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare a Final Order for approval of LDS-16-70 per the Planning Commission Report dated August 25, 2016, including Exhibits A through O.

EXHIBITS

- A Conditions of Approval drafted August 18, 2016.
- B Tentative Subdivision Plat received June 29, 2016.
- C Conceptual Grading and Drainage Plan received June 29, 2016.
- D Conceptual Sewer and Water Plan received June 29, 2016.
- E Applicant's Narrative, Questionnaire, and Findings of Fact received June 29, 2016.
- F Public Works Staff Report received August 8, 2016.
- G Medford Water Commission Staff Memo received June 8, 2016.
- H Medford Fire Department Report received August 3, 2016
- I Engineering Department (Address Technician) Memo received August 3, 2016.
- J Rogue Valley Sewer Services Memo received July 22, 2016.
- K Jackson County Engineering (Roads) Memo received July 21, 2016.
- L Jackson County Assessor's Plat received June 29, 2016.
- M Adopted Southwest Medford Circulation Plan received June 29, 2016.
- N Medford Building Department Memo received August 3, 2016.
- O Neighbor letter from Geanie Schell received August 22, 2016.
Vicinity map

Patrick Miranda, Chair

PLANNING COMMISSION AGENDA:

AUGUST 25, 2016
SEPTEMBER 8, 2016

City of Medford
Planning Department

August 21, 2016

I am writing to express concerns with the proposed plans for the "King Arthur Village" development, file No: LDS-16-070. I am the owner and resident at the adjoining property located at 1817 Lillian Street. I wish to raise several concerns with details of this proposal.

- Low income housing brings low income issues including increased crime rate
- Significant increase in vehicular & foot traffic with only access to these 34 lots being via Lillian Street
- Park located in the center of Phase 1 appears to have minimal access. Secluded areas lead to a gathering point for drug seekers and other undesirable activities
- Fire and emergency vehicle / equipment access limited by narrow streets and again, only access points from Lillian Street
- Drainage – Currently water drainage flows from front to back on my property, sloping as it goes to the back (east end) of the property. Want to be assured this won't become an issue
- Currently there is a tree on the NW corner of my lot which butts up to the property line. It is not shown on the Tentative Subdivision Plat? What will happen to the tree?
- Where will the gas line be?
- Will there be a sidewalk on the north boundary of my property?
- How much street parking is planned?
- Much of the detail on the plat map is illegible. Therefore, concerned residents are unable to get a clear understanding of where utilities, streets and walkways will be placed.

As you consider these things, I'd ask that you'd please address each item as though it would directly affect you and your family. I look forward to your response.

Thank you,

Geanie Schell
1817 Lillian St
Medford, OR 97501
Ph: 541-821-2913

CITY OF MEDFORD
EXHIBIT # 0
File # LDS-16-070



Planning Commission

Minutes

From Public Hearing on **August 25, 2016**

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
Mark McKechnie
Jared Pulver

Staff Present

Jim Huber, Planning Director
Kelly Akin, Principal Planner
Eric Mitton, Senior Assistant City Attorney
Alex Georgevitch, City Engineer
Debbie Strigle, Recording Secretary
Dustin Severs, Planner II

Commissioners Absent

Tim D'Alessandro, Excused Absence

10. Roll Call

20. Consent Calendar/Written Communications.

20.1 ZC-16-066 Final Order of a request for change of zone on 0.42 acres from I-L (Light Industrial) to I-G (General Industrial) and change of zone on 0.42 acres from G-I to I-L within the Stewart Meadows Village Planned Unit Development (PUD). Applicant also request modifications to existing conditions of approval for the PUD development pertaining to traffic mitigation requirements. The Stewart Meadow Village PUD is 87.1 gross acres generally bounded by Stewart Avenue, Highway 99, Garfield Street and Myers Lane. (KOGAP Enterprises, Inc. Applicant; Maize & Associates, Inc., Agent)

20.2 LDS-16-016 Final Order of a proposed tentative plat for Larson Creek Professional Center, a, 4-lot commercial subdivision within a 1.74 acre parcel, generally located on the west side of Black Oak Drive and approximately 250 feet south of Barnett Road, within a C-C (Community Commercial) zoning district. (Capital Income Properties, LLC, Applicant; Herbert A. Farber, Agent)

Motion: Adopt the consent calendar as submitted.

Moved by: Vice Chair McFadden

Seconded by: Commissioner McKechnie

Voice Vote: Motion passed, 7-0.

30. Minutes

30.1. The minutes for August 11, 2016, were approved as submitted.

40. Oral and Written Requests and Communications. None.

Eric Mitton, Senior Assistant City Attorney, read the Quasi-Judicial Statement.

50. Public Hearings – Continuance Request

50.1 LDP-16-055 Consideration of a request to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district. (LBG Medford, LLC; Applicant; Neathamer Surveying, Inc., Agent). **Applicant requests a continuance to the September 8, 2016 Planning Commission meeting.**

Motion: The Planning Commission continued LDP-16-055, as per the applicant's request, to the September 8, 2016, Planning Commission meeting.

Moved by: Commissioner Mansfield

Seconded by: Commissioner Culbertson

Voice Vote: Motion passed, 7-0.

New Business

50.2 LDS-16-070 Consideration of King Arthur Village, a 34 lot residential subdivision on 5.31 gross acres located north of Diamond Street and east of Lillian Street, within the SFR-10 (Single Family Residential, ten dwelling units per gross acre) and the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning districts. (Dennis Sullivan, Applicant; Scott Sinner Consulting, Inc., Agent)

Chair Miranda inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner McKechnie disclosed the Scott Sinner is his neighbor but it would not affect his decision.

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

Dustin Severs, Planner II, read the land division criteria and gave a staff report.

Commissioner McKechnie asked if Powhattan Street extending from Garfield Street is already platted. Mr. Severs replied that it is. The only street that will be constructed that is not in an existing platted right-of-way is Powhattan Street south of Penn Street.

The public hearing was opened.

a. Scott Sinner, Scott Sinner Consulting, Inc., 4401 San Juan Drive, Medford, Oregon, 97504-9343. Mr. Sinner reported that he is the agent for the applicant Dennis Sullivan who is in the audience this evening. The applicant agrees with the staff report. Staff did a thorough job covering the approval criteria for the application. They agree with staff's recommendation for approval.

Commissioner McKechnie asked if Powhattan Street was going to be developed to Garfield Street? Mr. Sinner replied yes.

Commissioner McKechnie asked what is the size of the two existing lots on Phase 2 on the corner of Lillian and Penn? Mr. Sinner reported they are approximately 50 feet wide by 150 feet in length.

Commissioner McKechnie stated that he is concerned about the interior lots. It looks like there should be some way to get something other than a minimum access. Mr. Sinner stated that the applicant reviewed a lot of variations. They reviewed it as if they had vacated all the existing right-of-ways and started from scratch. There is a problem with the vacation process on this particular application. This was dedicated fee simple to the county for the existing 40 foot right-of-ways.

Commissioner McKechnie asked on Phase 1 is it feasible for the applicant to construct a street east to west from Powhattan to Lillian? Mr. Sinner reported no that it is primarily due to the drainage.

Commissioner Pulver stated that with regard to Exhibit O it mentions low income housing. Is this a designated low income housing project? Mr. Sinner stated no.

Commissioner Pulver stated that Exhibit O also mentions a park located in the center of Phase 1. Is there a plan for a park? Mr. Sinner replied no.

Commissioner McKechnie asked if the applicant had written agreements for the easements that take care of maintenance? Mr. Sinner reported that those are conditions of approval prior to final plat. The applicant will comply with all conditions.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare a Final Order for approval of LDS-16-070 per the staff report dated August 18, 2016, including Exhibits A through O.

Moved by: Commissioner Mansfield

Seconded by: Vice Chair McFadden

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

60. Reports

60.1 Site Plan and Architectural Commission.

Kelly Akin, Principal Planner, reported that the Site Plan and Architectural Commission met on Friday, August 19, 2016. They considered a continued item regarding plans for the construction of a 1,200 square foot mechanic shop, along with a 360 square foot office/bathroom accessory structure, on a 0.7 acre lot located at 1112 Bens Lane within the General Industrial zoning district. They approved the application.

60.2 Report of the Joint Transportation Subcommittee.

Commissioner Pulver reported that the Joint Transportation Subcommittee met yesterday, Wednesday, August 24, 2016. They continue their updating of the Transportation System Plan. They specifically reviewed the bike facility map. They also spent time discussing cross sections of various street levels. There was a memo sent to Public Works from consultants assessing intersections which also created a discussion. It was clear that transit and bike facilities are considered in changes and redesigns of intersections. They will not meet next month. The next step is a draft of the Transportation System Plan for review.

60.3 Planning Department

Kelly Akin, Principal Planner, reported that she sent out an email regarding a training opportunity. It is at SOU on Wednesday, September 14, 15 and 16, 2016. If a Commissioner is interested in attending, please contact Donna Holtz, Office Administrator.

The next Planning Commission study session is scheduled for Monday, September 12, 2016. Discussion will be on transitional housing.

There is business scheduled for the Planning Commission on Thursday, September 8, 2016 and Thursday, September 22, 2016.

On Thursday, August 18, 2016, the City Council approved the UGB amendment. The next step will be to submit it to the County for their processing. It will go through the County Planning Commission as well as the County Board of Commissioner's public hearings. The Transportation System Plan, Wetland Inventory and related text amendments are part of the UGB expansion work that staff is still working on. The City Council also heard an appeal of the Site Plan and Architectural Commission decision on a project at the north end of the City called JDT Trucking. The Site Plan and Architectural Commission approved the site plan application and denied the exception application. The issues were similar to the 2 White Oak partition. The City Council ended up overturning the Commission's decision and granted the exception.

Next week the City Council will approve the Final Order for the JDT Trucking exception.

Commissioner Pulver stated that he noticed an article in the newspaper today regarding signage. Is that a City Council issue? Ms. Akin reported that it will be coming as a text amendment. There is a provision in the Code that allows sandwich boards but they are

not permitted in the right-of-way which has been an issue downtown. There are other provisions in the Historic District for a different kind of a sign. It is wall mounted for merchants that do not have the distance between their buildings and the right-of-ways. It was requested of staff to review the text and come up with something different.

70. Messages and Papers from the Chair. None.

80. Remarks from the City Attorney. None.

90. Propositions and Remarks from the Commission.

90.1 Commissioner Pulver stated that this is not the first time the Commission has seen a subdivision that was not done as well as it could have been even though he voted affirmative. He would not like to live in one of the interior lots. He does not see it as a positive situation where one is fairly trapped. He encouraged staff to hold their ground when possible and try to avoid situations like that. He does not think those lots are desirable and in the best interest of potential citizens.

Commissioner Mansfield asked if that was the primary objections to the subdivision or were there other elements involved? Commissioner McKechnie stated that was his only objection. He does not object to the density. He agrees with Commissioner Pulver that they are less than desirable lots to live on. It looks like they are trying to maximize density without regard for the public health, welfare and safety of the residents of Medford and lead to potential issues later.

Commissioner Mansfield asked if Commissioner McKechnie's concern was fire safety or are there other considerations? Commissioner McKechnie reported that fire safety, livability, issues over who controls or takes care of the driveway and whether or not the people live up to their part of the agreement.

Vice Chair McFadden stated that minimum access streets are solving a problem. The width is approved by the Fire Department where it is not an issue for public safety. The Code has the length requirements. He thinks it would be good to spend more time reviewing these issues.

100. Adjournment

The meeting was adjourned at 6:15 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: September 8, 2016



City of Medford

Planning Department

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STAFF REPORT – CONTINUANCE REQUEST

for a Type-C quasi-judicial decision: Land Division - Partition

PROJECT Medford Center Partition
Applicant: LBG Medford, LLC; Agent: Neathamer Surveying, Inc.

FILE NO. LDP-16-055

TO Planning Commission *for September 8, 2016 hearing*

FROM Kelly Akin, Principal Planner

DATE September 1, 2016

BACKGROUND

Proposal

Proposed tentative plat to create two lots on a 19.83 acre parcel located northeast of the intersection of Biddle Road and East Jackson Street, within a C-R (Regional Commercial) zoning district.

Request

The applicant has requested that the item be continued to September 22, 2016. The Applicant is working on a property line adjustment in lieu of this partition application. Pending the outcome of the property line adjustment application, the subject application may be withdrawn.

EXHIBITS

- A Continuance request received August 30, 2016
Vicinity map

PLANNING COMMISSION AGENDA:

**AUGUST 25, 2016
SEPTEMBER 8, 2016**



NEATHAMER SURVEYING, INC.

August 30, 2016

Sent Via Email Only: desmond.mcgeogh@cityofmedford.org

Mr. Desmond McGeogh, Planner III
City of Medford Planning Department
Lausmann Annex, 200 South Ivy Street
Medford, Oregon 97501

Re: Continuance Request
Tentative Partition Plat
City of Medford File Number LDP-16-055

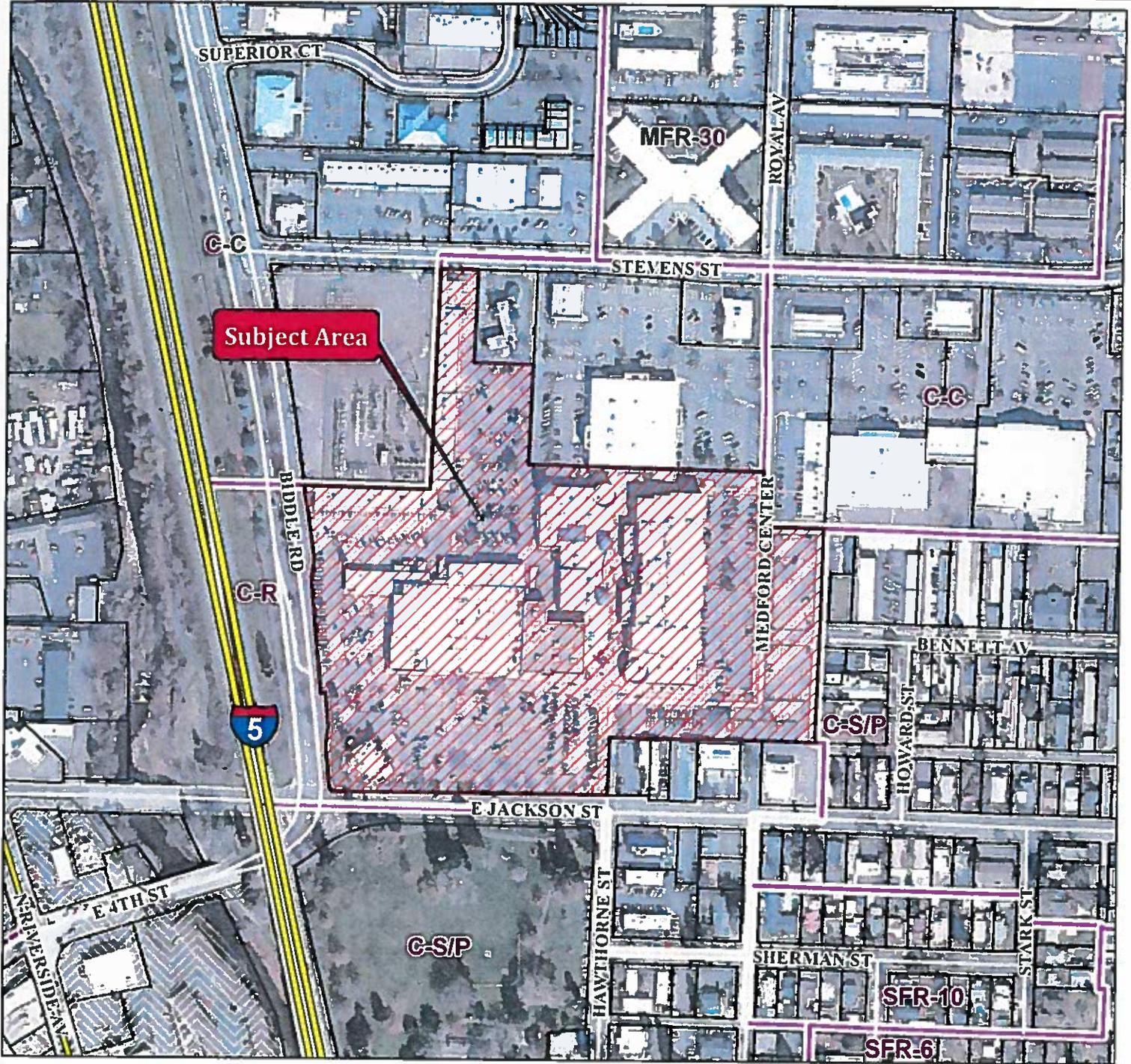
Dear Desmond:

On behalf of our clients, LBG Medford, LLC, owner and applicant, and as agent for the referenced project, this office respectfully requests a continuance to the September 22, 2016 City of Medford Planning Commission meeting.

This office would like to coordinate with you and your staff to ensure that the necessary steps are taken. If you have any questions or comments, or if additional information is necessary, please feel free to contact this office.

Sincerely,
NEATHAMER SURVEYING, INC.

By: *Robert V. Neathamer, PLS*
Robert V. Neathamer, President



Project Name:

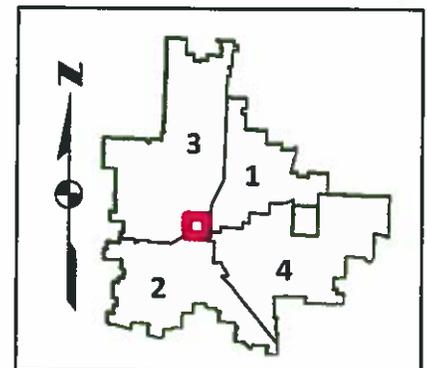
Medford Center Partition

Map/Taxlot:

371W19CD TL 1200

Legend

-  Tax Lots selection
-  Medford Zoning
-  Tax Lots
-  Streets



04/25/2016



Planning Department

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STAFF REPORT

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

Project Galpin Zone Change
 Applicants, Cirs A. Galpin; Richard Stevens and Associates, Inc., Agent

File no. ZC-16-077

To Planning Commission *for September 8, 2016, hearing*

From Desmond McGeough, Planner III *DM*

Reviewer John Adam, AICP, Principal Planner

Date September 1, 2016

BACKGROUND

Proposal

Consideration of a request for change of zone from SFR-00 (Single Family Residential – one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres generally located at the east corner of the intersection of Garfield Street and Center Drive.

Subject Site Characteristics

Zoning	SFR-00	Single Family Residential, one dwelling unit per existing lot
GLUP	CM	Commercial
Use		Single Family Residence, Vacant

Surrounding Site Characteristics

North	SFR-00, CR	Hotels, Single family residence
South	SFR-00	Vacant
East	SFR-00	Vacant, Bear Creek
West	SFR-00, CR	Vacant

Related Projects

A-04-184 Annexation & Zone Change to SFR-00 (Ord. 2006-163)
 PLA-16-010 Galpin Gang LLC Property Line Adjustment

Applicable Criteria

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

Medford Land Development Code §10.227, Zone Change Criteria

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

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

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

- (iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

- (e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:
 - (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows only one (1) zone;
 - (ii) At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

- (iii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one(1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or
 - (iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one (1) of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation

- Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
- (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:
- (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

The subject parcel was annexed by Ordinance 2006-163, adopted by the City Council on August 3, 2006. The SFR-00 zoning designation was applied to the property at that time. According to Jackson County Assessor's records, the site is developed with one single-family residence with a duplex unit.

Criteria Compliance

GLUP/TSP Consistency

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

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. The TSP Functional Classification Plan identifies Garfield Road as a Major Arterial higher-order street. Other transportation facilities, such as freight, bicycle or pedestrian, are identified for this section of Garfield Road and were completed with the ODOT south interchange project.

Locational Criteria

The subject zone change proposal requires assessment of the locational criterion for C-R zoning district. The overall area of the proposed C-R zoning district meets location criteria by having the following characteristics; it is more than three acres in size, it fronts upon an arterial street, it is located in centralized site, and it does not otherwise constitute a neighborhood shopping center.

Section 10.227 (1)(C)(iii) of the MLDC notes that the C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to Section 10.227(1)(e). The abutting properties to the south and east are zoned SFR-00, which is a holding zone of a property upon annexation.

The Applicant's Findings of Fact and Conclusions of Law (Exhibit B) recognize that the abutting SFR-00 property designation is CM (Commercial) and UH (Urban High Density Residential). The findings further note when considering the currently abutting C-R land and future commercial zoned land to the south and east, it can be calculated that the more than 50% of the property's boundaries abut land that are consistent with the provisions of Subsection 10.227 (1)(e)(ii) of the MLDC.

It is correct that 50% of the subject property's boundaries will abut zones that are expressly allowed under the criteria in Section 10.227 (1)(C) upon the rezoning of the

abutting SFR-00 property. Nevertheless, the locational criteria do not suggest that a future rezoning of property, subject to the GLUP designation, may be utilized in determining locational suitability of a current application.

However, staff finds that the zone change application still meets the locational standards provided in subsection 10.227(1)(e)(iii). Staff finds 50% of the subject property's boundaries abut properties that contain one or more existing uses which are permitted in the zone sought by the applicant. For purposes of determining suitability of the C-R zone, staff notes that the subject property has approximately 596 feet of boundary that abuts SFR-00 property, but is separated by a right-of-way greater than 60 feet. Subsection 10.227(1)(e)(iv) provides the following:

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

- (iv) *Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least sixty (60) feet in width.*

Therefore, the abutting "unsuitable zone" boundary that is separated by right-of way greater than 60 feet should be excluded from the total boundary in calculating the suitability of the proposed zone under the provisions of Subsection 10.227(1)(e)(iii). The net boundary of the subject property, upon removing the 596 linear feet of boundary that abuts the SFR-00 zone district but separated by right-of-way, is 2245.33 linear feet.

The total linear footage of the subject property that is contiguous to the CR zone district is 1161.9 linear feet. Therefore, 51.7 % of the proposed zone change boundary is contiguous to the existing CR zone district. The locational criteria provisions of Subsection 10.227(1)(e)(iii) are currently met, even without consideration of future rezoning of abutting SFR-00 property. Boundary dimensions and calculations demonstrating compliance with Subsection 10.227(1)(e)(iii) have been attached as Exhibit "N". The Commission may find that all locational criteria of the C-R zone district are met by this application.

Facility Adequacy

MLDC 10.227(2) requires demonstration that Category A facilities (storm drainage, sanitary sewer, water and streets) must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction. The agency comments included in Exhibits "I" through "M" demonstrate that the

Category A facilities are either adequate or can be made adequate to serve the site under the C-R zoning designation, subject to conditions of approval.

Storm Drainage Facilities

The subject property may discharge to Bear Creek with construction of new storm drainage facilities and by obtaining any applicable easements to allow the crossing of adjacent tax lots. It is also possible that this site could connect to an existing storm drainage system along Garfield Street that is under ODOT jurisdiction. The applicant would need to contact ODOT to determine feasibility of connecting to the existing facility. A condition of approval has been included requiring the applicant to comply with Public Works Staff Report dated August 16, 2016. (Exhibit I)

Sanitary Sewer

The subject site lies within the Rogue Valley Sewer Services (RVSS) area. The memorandum from RVSS (Exhibit K) indicates there is a 21-inch-diameter sewer main in Garfield Street and along the Interstate 5 frontage. There is adequate capacity in the RVSS system to adequately serve the proposed change of zone.

Water

The memorandum from the Medford Water Commission (Exhibit J) acknowledges there is adequate capacity in the MWC system to serve the proposed change of zone.

Streets

The Public Works Staff Report notes that the potential full change of zone cannot be supported by the transportation system without mitigation to City facilities. Therefore the Public Works Department is conditioning the zone change to the requirement for a trip cap, stipulating the development not to exceed a total of 367 P.M. peak hour trips. Engineering further recommends that a trip accounting for each phase of the development be provided to the Public Works Department to ensure the stipulated trip cap is not exceeded. A condition of approval has been included requiring the applicant to comply with Public Works Staff Report dated August 16, 2016 (Exhibit I).

Based on the traffic study prepared by the applicant, the Oregon Department of Transportation (ODOT) is conditioning the zone change application to the mitigation improvement of ODOT facilities as provided below. A conditional of approval (Exhibit A) has been included requiring the applicant comply with all conditions of approval encompassed in the ODOT correspondence dated August 29, 2016 (Exhibit M).

- Restriping modifications on the I-5 southbound off ramp to allow one lane to feed to the dual left-turn lanes and one to feed the right-turn lane (within 6 months of building occupancy).
- Extending the southbound left turn pocket on Garfield Street at Center Drive to support the left-turn queue (by day of opening).
- Restriping the southbound movement on Garfield Street at OR 99 to include dual left turn lanes and two through lanes with a shared right-turn movement. One of the two inbound lanes to the intersection will feed the dual left turns and one the two through lanes (within 6 months of building occupancy).
- Removing the concrete center median on Center Drive (west approach) and adding a second exclusive left-turn lane (by day of opening). Additional improvements at this intersection include adding detection to the east approach of Center Drive to utilize the existing center turn lane and modifying signal phasing to remove split phasing for Center Drive east and west approaches (by day of opening).

Committee Comments

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

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

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

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-16-077 per the staff report dated September 1, 2016, including Exhibits A through N.

EXHIBITS

- A Conditions of Approval
- B Applicant's Findings of Fact received June 21, 2016.
- C General Land Use Plan Map excerpt received June 21, 2016.
- D Zoning Map excerpt.
- E Jackson County assessor Map, identifying subject site received June 21, 2016.
- F Transportation Impact Analysis (Executive summary), received June 21, 2016.
- G S.O. Transpiration Engineering, LLC written response to first review comments by the City of Medford, dated August 7, 2016.
- H S.O. Transpiration Engineering, LLC written response to first review comments by the ODOT Region 3, dated August 7, 2016.
- I Public Works Staff Report dated August 16, 2016.
- J Medford Water Commission Staff Memo dated August 3, 2016.
- K Rogue Valley Sewer Services letter dated July 25, 2016.
- L Medford Fire Department Land Development Report prepared July 25, 2016.
- M Oregon Department of Transportation Correspondence, dated August 29, 2016.
- N Boundary calculation for determining compliance with CR Locational Criteria.
Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 8, 2016

EXHIBIT A

Galpin Zone Change
ZC-16-077
Conditions of Approval
September 1, 2016

CODE CONDITIONS

1. Comply with the Public Works Department Staff Report dated, August 16, 2016 (Exhibit I).
2. Comply with the Oregon Department of Transportation correspondence dated, August 29, 2016 (Exhibit M).

CITY OF MEDFORD
EXHIBIT # A
File # AC-16-076

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

RECEIVED
JUN 21 2016

PLANNING DEPT.

IN THE MATTER OF AN APPLICATION FOR)
A CHANGE IN ZONING DESIGNATION FOR)
6.56 ACRES OF LAND, LOCATED EAST OF)
CENTER DRIVE AND SOUTH OF GARFIELD)
AVENUE; NASH HOLDINGS, LLC AND CRIS)
GALPIN, APPLICANTS; RICHARD STEVENS)
& ASSOCIATES, INC. AGENTS)

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

PROPERTY OWNER: Daniel A. Nash
Nash Holdings, LLC
PO Box 597
Medford, OR 97501

APPLICANT: Cris A. Galpin
744 Cardley Ave. #100
Medford, OR 97504

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

PURPOSE OF APPLICATION:

The applicant is requesting a change of zoning designation from City of Medford Single Family Residential (SFR-00) to Regional Commercial (C-R) consistent with the Medford Comprehensive Plan designation for the site, which is Commercial. The properties are described as T.37S-R.1W-SEC.32B, Tax Lots 3604, and 3605, and are considered as one parcel for development and review purposes. The subject property consists of approximately 6.56 acres, after the reconfiguration with the approved Property Line Adjustments, which is located within the Medford City Limits.

II. APPLICABLE CRITERIA:

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

- 1. A vicinity map drawn at a scale of 1"= 1,000' 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 C-R, with the information presented in support of the application, is consistent with the standards for submission as required above. Also provided are 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, with the applicable findings consistent with the requirements of Section 10.227, MLDC.

"B"
2 of 10

**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 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 Land Development Code and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element" ."

Consideration of the above criteria shall be based upon the eventual development potential for the area, and the specific zoning district being considered.

CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN:

The Medford TSP has been adopted by the City of Medford and was acknowledged by the State in 2003. The TSP identifies existing and potential future street improvements to preserve the integrity of the local street system. The proposed uses of the property will generate additional vehicle trips. The proposed change of zoning from Medford SFR-00 to Medford C-R, using the worst case scenario, will potentially generate greater Average Daily Trips (ADT) on the local street system. *(SFR-00 generates approximately 9.58 per dwelling unit and the C-R generates approximately 1,500 ADT's per acre.)* The properties are at the southeast intersection of Garfield Avenue and Center Drive, with both streets identified as arterial streets for the City of Medford.

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3 OF 10

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

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. Pedestrian and bicycle access will be made available via the sidewalks and bicycle lanes in the immediate vicinity. These improvements are already existing along portions of Center Drive and Garfield Avenue. The site is accessible by motor vehicle from Center Drive. The proposed development plan for the site will conform with all access management and location requirements for the City of Medford, Jackson County and ODOT to insure adequate and effective Access Management. The applicant submits that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

The potential uses on this property are proposed to be retail stores and drive-thru restaurants. Therefore, with the proposed zoning and uses and potential traffic generation along with the established traffic counts in the vicinity, the current capacity of the roadways and intersection within City of Medford's jurisdiction, will not be significantly compromised by the change of zoning. However, a second analysis was performed for the intersections within ODOT's jurisdiction, which identified the intersection of Center Drive and Garfield Road as exceeding ODOT's mobility standards by the year 2017. Ms. Parducci provides several mitigation measures for this intersection that will provide sufficient and safe movements. The applicant is in agreement to provide these identified improvements prior to occupancy of any new structures constructed on the subject site. This is confirmed with the Traffic Impact Analysis (TIA), prepared by Ms. Kim Parducci, Southern Oregon Transportation Engineering, LLC, attached with this application.

With the existing and pipeline traffic counts of this immediate area, provided by the City of Medford, the TIA has determined that with the mitigation measures provided, adequate capacity and mobility standards are available to serve the subject site with the proposed zoning and uses. This capacity of the existing road system will not be adversely affected by this application, due to the fact that sufficient capacity exists to operate acceptably consistent with ODOT's and the City of Medford performance standards for the anticipated cumulative traffic generation in the area.

This can be found to be consistent with the existing and planned traffic facilities for the City of Medford, TSP.

FINDING:

The City of Medford finds that this change of zoning application from the SFR-00 zoning district to C-R, as demonstrated and recommended by the TIA submitted by Ms. Kim Parducci, with Southern Oregon

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4 of 10

Transportation Engineering, LLC, is consistent with ODOT's mobility standards, the Medford TSP, and is in compliance with Section 10.227(1) MLDC. With the proposed mitigation measures completed, there are no significant adverse impacts contemplated on Highway 99, the Interstate-5 Interchanges, or the local street system.

CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:

A review of the General Land Use Plan Map of the City of Medford indicates that this area of the City is planned for commercial zoning (CM). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the CM designation are: Neighborhood Commercial (C-N), Community Commercial (C-C), Regional Commercial (C-R) and Heavy Commercial (C-H). This is consistent with the provisions of Sections 10.325-10.337 of the MLDC.

The proposed zoning district for the subject property is Regional Commercial (C-R). This zoning district is consistent with the Commercial designation as identified on the GLUP map.

FINDING:

The subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and is found to be committed to Urban use by specifically being delineated on the General Land Use Plan Map as Commercial. The C-R zoning requested is found to be consistent with the General Land Use Plan Map.

CONSISTENCY WITH THE LOCATIONAL STANDARDS:

Subsection 10.227(1)(c) MLDC is applicable to this application for the locational standards requesting C-R zoning.

(c)(iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

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Discussion:

The subject property has frontage on both Center Drive and Garfield Street that are identified as arterial streets on the Medford Street Classification map. Interstate - 5 is adjacent to the eastern boundary of the subject properties.

The abutting properties to the north and west are zoned C-R with the abutting lands to the east and south zoned SFR-00 as a holding zone for future changes of zoning. The abutting lands to the east are planned to be commercial based on the Medford GLUP map. The abutting lands to the south are planned to be both commercial and multiple family, based on the Medford GLUP map. The UH lands will one day be zoned residential (MFR-20 or MFR-30); therefore, with the potential abutting MFR zoning, Subsection 10.227(1)(e) is also applicable for review.

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

(e)(ii) *"At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above."*

Discussion:

The subject property's configuration is described as irregular that abuts Garfield Street and bisected by Center Drive. In addition, the entire northern and western boundaries are abutting the Regional Commercial (C-R) zoned lands. The abutting properties to the south and east are zoned SFR-00, a holding zone with the City of Medford. These lands are designated on the Medford GLUP map as CM and portion (approximately 110 feet) designated as UH within the City of Medford. It is anticipated that the CM lands will apply for either the Heavy Commercial or the Regional Commercial zoning districts in the future, consistent with GLUP map designation.

When considering the abutting C-R zoned lands and future commercial zoned land to the south and east it can be calculated that the majority of the subject property's boundaries, greater than 50%, abut lands that are consistent with the provisions of Subsection 10.227(1)(e)(ii), MLDC.

The proposed C-R designation is consistent with the locational standards of Subsection 10.227(1)(c), due to the site abutting arterial streets and that at least 50% of the site abuts a zone that meets the standards for (e)(ii) for the abutting residential zoned properties.

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6 of 10

FINDING:

The City of Medford finds that the subject site requesting the Regional Commercial (C-R) zoning district consists of 6.56 acres and meets the locational standards within Subsection 10.227(1)(c)(iv). This application is in compliance with Section 10.227(1) MLDC.

COMPLIANCE WITH URBAN SERVICES AND FACILITIES:

The next criterion, Section 10.227(2), for a zone change is:

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

(2)(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."

Sanitary Sewer:

Sanitary Sewer service is provided by Rogue Valley Sewer Service (RVSS). There is a 15-inch line adjacent to the subject site along the eastern boundary with a 21-inch main line east of the project area. The Sanitary Sewer collection system is adequate to accommodate the proposed change of zoning with the proposed land uses. Sewer service can be extended to the development area/ structures by the owner/developer consistent with existing regulations. The sewer system is available in condition, capacity and location for any future commercial development.

Sewage treatment is provided by the City of Medford Regional Waste Water Treatment Plant. The plant presently serves approximately 150,000 persons. The treatment capacity of the plant is approximately 20 Million Gallons per Day. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

Any future development of the property requires a system development charge which is dedicated to the expansion of the regional plant. This assures that the future sewage treatment of the plant remains available.

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Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 24-inch main line along the southern boundary of the subject property. Extension and development of the water system within the property, for future development, is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon any future development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a potential capacity to serve approximately 185,000 people. The present sources and distribution system have a capacity of 71 million gallons per day (Medford Water Commission, 2008). 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.

Storm Drainage:

Currently, the vicinity that has been developed to urban standards have improved urban storm drain facilities. The property is adjacent to Bear Creek with an existing storm drain system along Garfield Street that was developed with the new interchange near the northwest corner of the site. Sufficient capacity of the storm water drainage system exists to serve the subject property.

The subject site lies within the Bear Creek South Drainage Basin. Bear Creek is part of the storm sewer system and provides storm drainage for the area. Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time the development is proposed.

(2)(b) "Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity;

The subject site fronts along the south side of Garfield Street, designated as an arterial street, and bisected by Center Drive also designated as an arterial street. Vehicular access to serve the property currently exists from Center Drive, south of Garfield Street.

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The existing zoning on the property is SFR-00 and the proposed zoning with the City is C-R. These zoning districts differ with potential uses that will have an increase in vehicle trips generated. However, the applicant is desiring to stipulate to a trip generation cap for the site.

The applicant retained Ms. Kim Parducci with Southern Oregon Transportation Engineers, LLC to conduct a TIA for the subject property, to demonstrate that the local street system is adequate to support this change in zoning designation with mitigation measure to meet ODOT's mobility standards. The TIA concluded that:

1. *"The signalized intersection of Barnett Road and Highland Drive operates acceptably under existing year 2015, design year 2017, and future year 2023 no-build and build conditions during the p.m. peak hour."*

2. *"Mitigation is proposed at the signalized intersection of Center Drive & Garfield Street by design year 2017 no-build conditions to meet ODOT mobility performance standards. Proposed mitigation includes:*

a) Removing the concrete center median on Center Drive (west approach) to add a second exclusive left turn lane.

b) Adding detection to the east approach of Center Drive to utilize the existing center turn lane.

c) Modifying signal phasing to remove split phasing for Center Drive east and west approaches."

Improved urban public streets currently serve the subject property and the surrounding area. Based on the TIA submitted with this application, it is demonstrated that with these mitigation measures provided, the public streets have sufficient capacity and meet the year 2030 performance standards to adequately serve the subject property and the proposed change of zoning.

FINDING:

Based upon the information contained herein, the City of Medford finds that there are adequate Category "A" public facilities to supply potable water to the property, as water distribution system improvements have already been in place in the vicinity. Sanitary sewer service is available to the site and capacity at the Regional Treatment Plant is adequate to accommodate the area.

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With the proposed mitigation measures completed there is sufficient capacity on the existing local street system and meets the mobility standards for the street intersections to accommodate the future uses in compliance with C-R zoning designation and consistent with the Medford TSP. The storm drainage facilities will be designed in compliance with the Master Storm Drain Plan.

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 zone change, in compliance with Section 10.227 MLDC.

A review of the application, these Findings of Fact, the supporting documentation and the Traffic Impact Analysis demonstrates that this application complies with the applicable standards of the Medford Land Development Code. This application is consistent with Medford GLUP map and is consistent with the Medford Transportation System Plan.

With this information provided, the applicants respectfully request that the City of Medford designate the subject property, (37-1W-32B, Tax Lots 3604 & 3605), as Regional Commercial (C-R) on the Official Zoning Map for the City of Medford, Oregon.

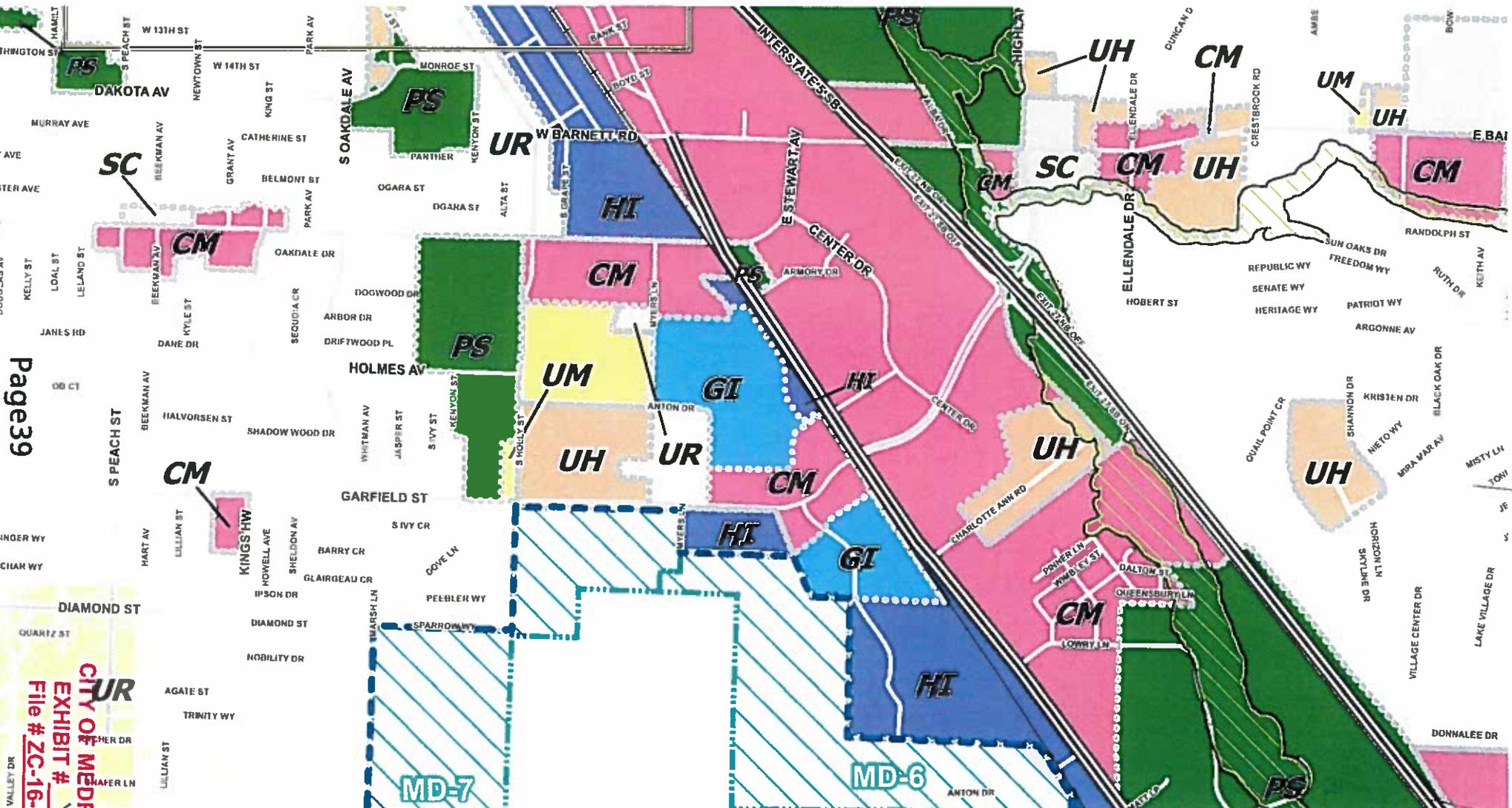
Respectfully Submitted,



RICHARD STEVENS & ASSOCIATES, INC.

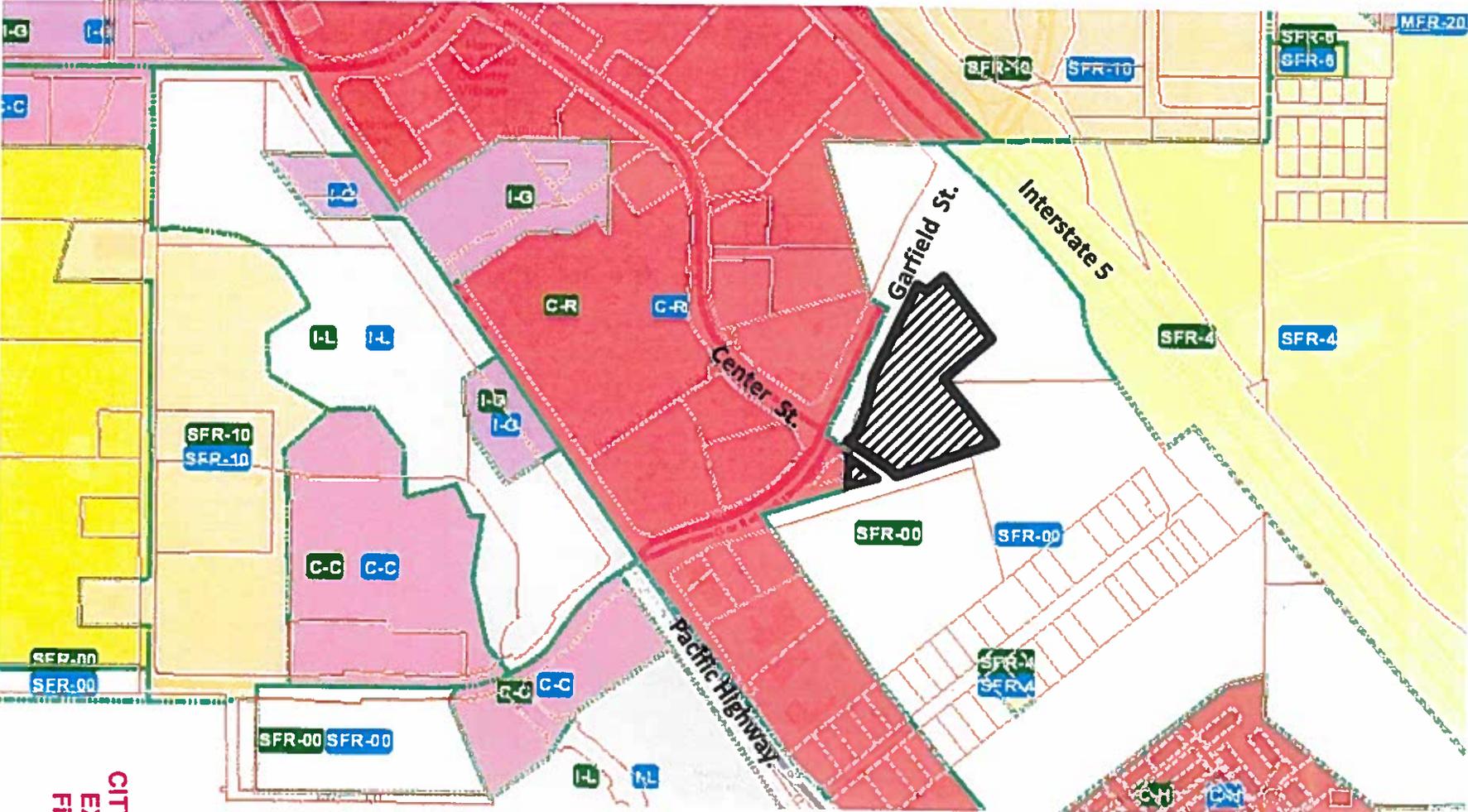
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File # ZC-16-077
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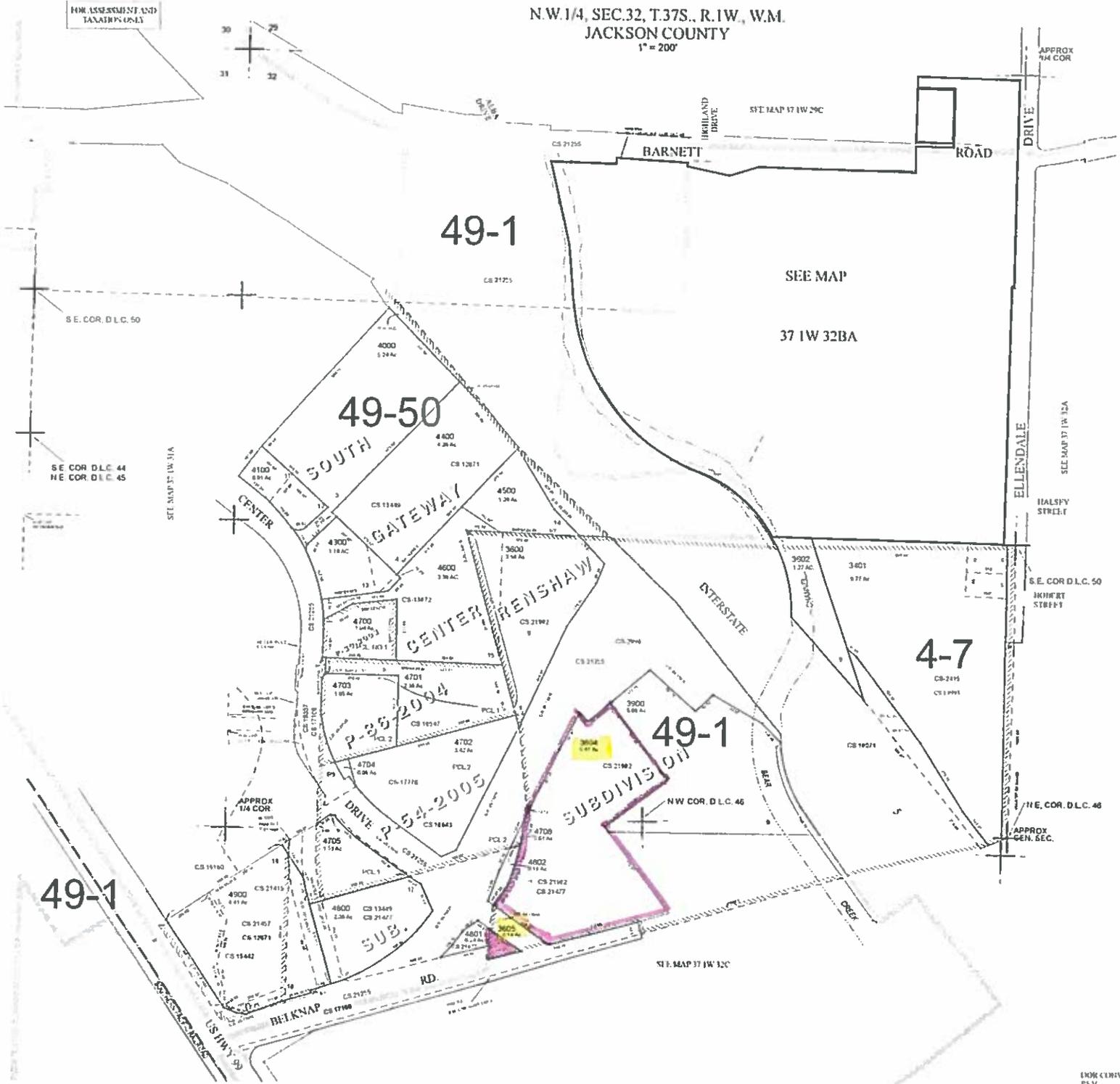
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JUN 21 2016
PLANNING DEPT.

Zone Map with site indicated – Tax Lot 3604, 3605



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

37 1W 32B
MEDFORD



CANCELLED TAX LOT NUMBERS
2903
3400
3502
3603
3605
3900
4200
4200 ADDED TO 4100
4706 ADDED TO 171W 31A-100
4907 ADDED TO 171W 31A-100

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37 1W 32B
MEDFORD
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ENR CONVERSION SYSTEM: 21, 1999
REV. 01, 2016

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PLANNING DEPT.

South Side Center SFR-00 to C-R Zone Change

City of Medford
(Planning Copy)

Traffic Impact Analysis

Prepared for the City of Medford

June 20, 2016

Prepared By:



TRANSPORTATION
ENGINEERING, LLC

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

CITY OF MEDFORD
EXHIBIT # "F"
File # ZC-16-077

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South Side Center SFR-00 to C-R Zone Change

Traffic Impact Analysis

Prepared for the City of Medford

June 20, 2016

Prepared By:

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC



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2016

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I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from Single Family Residential (SFR-00) to Regional Commercial (C-R) in Medford, Oregon. The development is located on the northeast corner of Center Drive and Garfield Street (South Medford Interchange) on 6.56 acres at Township 37S Range 1W Section 32B, tax lots 3604 and 3605 (adjusted).

Access to the site is provided from Center Drive through the west leg of the signalized intersection of Center Drive and Garfield Street. Under C-R zoning the site has the potential to generate up to 9,840 average daily trips (ADT) using the City of Medford's 1500 ADT per acre estimation. Nine hundred eighty four of the trips are estimated to occur during the p.m. peak hour. The distribution of 984 p.m. peak hour trips to the transportation system substantially impacts the signalized intersection of Center and Garfield Street, Highland Drive and Barnett Road, OR 99 and Garfield Street, and the single point urban interchange; requiring mitigation. Based on this, the traffic analysis for the zone change application is evaluating a reduced number of trips based upon a site plan that maximizes development building footprints. This resulted in approximately 24,713 square feet (SF) of building coverage that generates an estimated 367 trips during the p.m. peak hour. Six intersections are reached with 25 or more p.m. peak hour trips. These include:

1. Center Drive and Garfield Street
2. Single Point Urban Interchange (SPUI)
3. Barnett Road and Highland Drive
4. Garfield Street and OR 99
5. OR 99 and Lowry Lane
6. OR 99 and South Stage Road

Of these six intersections, the intersection of Highland Drive and Barnett Road is the only one under City of Medford jurisdiction. The remaining five signalized intersections are under ODOT jurisdiction. Separate analyses were prepared for each agency.

For the City analysis, the signalized intersections of Barnett Road / Highland Drive and Center Drive / Garfield Street were evaluated under existing year 2015, design year 2017, and future year 2023 no-build and build conditions to determine what impacts the proposed zone change will have on the transportation system.

Conclusions

The findings of the traffic impact analysis conclude that the proposed zone change from SFR-00 to C-R on 6.56 acres at Township 37S Range 1W Section 32B, tax lots 3604 and 3605 (adjusted) in Medford, Oregon can be accommodated on the existing transportation system with proposed improvements without creating adverse impacts. Intersection operations and safety were evaluated to address development impacts to the surrounding area. Results of the analysis show the following:

1. The signalized intersection of Barnett Road and Highland Drive operates acceptably under existing year 2015, design year 2017, and future year 2023 no-build and build conditions during the p.m. peak hour.
2. Mitigation is proposed at the signalized intersection of Center Drive and Garfield Street by the design year 2017 to meet ODOT mobility performance standards. Proposed mitigation includes:

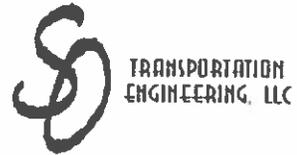
- a. Removing the concrete center median on Center Drive (west approach) to add a second exclusive left turn lane; and
- b. Adding detection to the east approach of Center Drive to utilize the existing center turn lane; and
- c. Modifying signal phasing to remove split phasing for Center Drive east and west approaches.

With these improvements, the intersection is shown to operate within performance standards (v/c 0.95 or better) through future year build conditions.

3. 95th percentile queue lengths are shown under existing conditions to exceed available link distances for numerous movements during the p.m. peak hour and block downstream intersections by design year 2017 no-build conditions. This is shown to improve with implementation of proposed mitigations at the intersection of Center Drive & Garfield Street.

The proposed zone change is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. The change in zoning is also found to be consistent with the Oregon Transportation Planning Rule (TPR) in Oregon Administrative Rules (OAR) Chapter 660. Streets that serve the subject property will accommodate projected p.m. peak hour traffic volumes within acceptable performance standards with identified improvements.

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Memorandum

To: Peter Mackprang, Medford Associate Traffic Engineer
 CC: Karl MacNair, Medford Transportation Manager
 Date: 08/07/2016
 Subject: South Side Center Zone Change Addendum Traffic Analysis

Southern Oregon Transportation Engineering, LLC received comments July 6th from the City of Medford in response to the South Side Center Zone Change Traffic Analysis and prepared an addendum with revisions and clarifications.

City Comment 1: This analysis only covers 6.56 acres. Tax lot 5=3604 alone is 15.9 acres. Provide a map showing the precise limits of the zone change.

SOTE Response: There was a property line adjustment on the property in late spring, and tax lot 3604 and 3606 were revised to include 6.56 acres. The plat is attached.

City Comment 2: Page 21: Trip Generation – The analysis was completed as if a trip cap was being stipulated, but the study does not appear to actually stipulate a trip cap. Either the study needs to be redone to include analysis for the potential trip generation or a stipulation trip cap needs to be stated in the conclusions as it is a form of mitigation. If a trip cap is stipulated, trip accountings will be required to be submitted with each site plan application that show that the total trips generated by the site do not exceed the trip cap.

SOTE Response: Yes, the applicant proposes to stipulate to 367 p.m. peak hour trips. This should have been included in the original conclusions.

City Comment 3: Page 21: Trip Generation – Check the trip generation for 934; fast food with drive thru: 6ksf x 32.65 = 196 PM peak hour trips. This will cascade through other calculations.

SOTE Response: Buildings C and D of the site plan were reduced to 5,400 SF total for both buildings, but the size was not corrected in Table 10. The trips generated and evaluated in the analysis are correct. See below.

Revised Table 10 – Development Trip Generations

Land Use	Unit	Size	Daily Rate	Daily Trips	PM Rate	PM Peak Hour		
						Total	In	Out
826–Specialty Retail	1000 SF	7.70	44.32	341	5.19	40	18	22
912–Drive-In Bank	1000 SF	2.50	148.15	370	24.3	61	30	31
932–Sit-Down Restaurant	1000 SF	9.113	127.15	1,159	9.85	90	54	36
934–Fast-Food with Drive	1000 SF	5.40	496.12	2,977	32.65	176	92	84
Gross Trips				4,847		367	194	173
Internal Trips					8%	(30)	(15)	(15)
Pass-By						(74)	(40)	(34)
Primary Trips						262	139	124

City Comment 4: Appendix SYNCHRO inputs all scenarios: Barnett west bound left lane utilization factor is shown as 1.00 which means that traffic is evenly distributed between the two lanes. As discussed on page 27, this is not the case. Given the observed problems at the intersection, the actual lane utilization factor should be calculated and used in the model.

SOTE Response: The lane utilization factor was only set to 1.0 in an attempt to get five clean simulations to average and report without incurring fatal flaws, because this can be difficult when there's a lot of congestion, but after preparing

the original analysis we were reminded by TPAU that changing this factor has no effect in the actual simulation. We changed it back to the Synchro default value in all of our revised simulations and re-reported queue lengths but the outcome is the same. The westbound queue length continues in simulations to spill back past Ellendale Drive during the p.m. peak hour under existing year 2015 conditions, and this occurs in every analysis scenario as well. Revised Tables 4, 9, and 12 were provided for ODOT to address their comments and are attached for the City as well.

City Comment 5: Appendix SYNCHRO inputs all scenarios: % heavy trucks vary from 0% to 2%. Either they should all be 2% or justification should be presented for how they were determined.

SOTE Response: Heavy truck percentages were calculated from ODOT 16 hour counts and used in the analysis. The full counts should have been included in the original appendix, but are now attached for reference.

City Comment 6: Appendix: Provide count data for Barnett & Highland and Center & Garfield. The counts provided for Center & Garfield do not meet the two hour minimum requirement per the scoping letter.

SOTE Response: Traffic counts for Highland & Barnett, the SPUI, Garfield & Center, and Garfield & OR 99 were all gathered in May of 2015 by ODOT and were 16 hour counts. The full counts should have been included in the original appendix, but are now attached for reference. We asked the City for permission to use a common peak hour of 4:45-5:45 p.m. before we began the analysis, and this is the peak hour that was used for each of the four intersections.

City Comment 7: Appendix: Future Year 2023 no-build;

- 90 Highland Drive & Barnett Road EBR traffic volume shows as 275, should be 280.

SOTE Response: This has been revised. An updated synchro output sheet is attached.

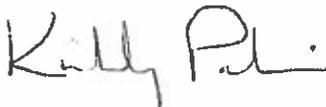
City Comment 8: Appendix: Future Year 2023 build;

- 90 Highland Drive & Barnett Road EBR traffic volume shows as 278, should be 283; and WBL traffic volume shows as 905, should be 900.
- 115 Garfield Street & Center Drive SBL traffic volume shows as 102, should be 67.

SOTE Response: The intersection of Barnett & Highland has been revised and an updated synchro output sheet attached. The southbound left turn movement at Center Drive & Garfield Street actually is 102 vph, but this was incorrectly coded in Figure 12 so Figure 12 has been revised and attached. The northbound right turn movement is 67 vph.

We hope this addresses City comments. Please feel free to contact me with any further questions or concerns.

Southern Oregon Transportation Engineering, LLC

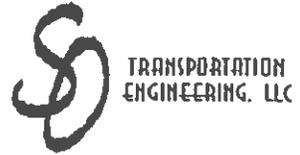


Kimberly Parducci, PE PTOE
Firm Principal

Attachments: ODOT 16-hour counts, Revised Synchro Output,
Revised Figure 12, Revised Queuing Tables,
Property Line Adjustment, Agency Comments



"G"
2 of 2



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Memorandum

To: Don Morehouse, ODOT Region 3 Development Review Planner
 CC: Michael Wang, ODOT Development Review Traffic Engineer
 Date: 08/07/2016
 Subject: South Side Center Zone Change Addendum Traffic Analysis

Southern Oregon Transportation Engineering, LLC received comments July 6th from ODOT in response to the South Side Center Zone Change Traffic Analysis and prepared an addendum with revisions and clarifications.

ODOT Comment Page 7 Paragraph 3: "This results in approximately 24,713 square feet of building coverage that generates an estimated 367 trips during the p.m. peak hour..." How can we restrict the subject site to 24,713 square feet of building with 367 PM peak hour trips? Are you proposing a trip cap as a condition for the zone change?

SOTE Response: Yes, the applicant proposes to stipulate to 367 p.m. peak hour trips.

ODOT Comment Page 19-20 Crash History: ODOT 90th percentile rate is 0.860 in Table 5 for all intersections. Where did you find the 90th percentile rate is 0.860?

SOTE Response: The ODOT 90th percentile crash rate for an urban 4-legged signalized intersection is provided in Exhibit 4-1 in the Analysis Procedures Manual. See below.

Exhibit 4-1 Intersection Crash Rates per MEV by Land Type and Traffic Control

	Rural				Urban			
	3SG	3ST	4SG	4ST	3SG	3ST	4SG	4ST
No. of Intersections	7	115	20	60	55	77	106	60
Mean Crash Rate	0.226	0.196	0.324	0.434	0.275	0.131	0.477	0.198
Median Crash Rate	0.163	0.092	0.320	0.267	0.252	0.105	0.420	0.145
Standard Deviation	0.185	0.314	0.223	0.534	0.155	0.121	0.273	0.176
Coefficient of Variation	0.819	1.602	0.688	1.230	0.564	0.924	0.572	0.889
90 th Percentile Rate	0.464	0.475	0.579	1.080	0.509	0.293	0.860	0.408

ODOT Comment Page 31 Paragraph 1: "Results of the queuing analysis show turn lanes continue to be exceeded at four of..." From Table 12, there are five intersections with 95th percentile queues exceeding the storage length. Please revise this sentence.

SOTE Response: The statement is correct. The four intersections include Garfield/OR 99, Center Drive/Garfield, the SPUI, and Barnett Road/Highland.

ODOT Comment Page 21 Paragraph 4: Why is the proposed mitigation presented to the 2017 no-build condition rather than the 2017 build condition?

SOTE Response: The intersection of Center Drive and Garfield Street exceeds its mobility standard under design year 2017 no-build conditions as a result of background traffic included on the southeast leg of the intersection. Mitigation was shown under the no-build condition so that proposed development impacts in the build condition would have something to compare to. It is anticipated that mitigation would occur with development or under build conditions.

ODOT Comment Synchro Files: Please address the following comments from TPAU:

- There appears to be a phasing conflict at the Center & Garfield intersection in setting up some custom phasing for the SBR lane which needs to be addressed. There are some minimum split errors in there as well, but a lot

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of times the current timing doesn't always cover pedestrian crossing time completely, so this may be one of those situations.

- The simulation vehicles paths don't appear to be correct when going from a single turn lane to a multiple lane approach as vehicles are assigned to both inside and outside lanes instead of the inside for left turns and outside for right turns. If a majority of vehicles go into both lanes under observed field conditions, then this is ok, otherwise it needs to be corrected.
- I noticed some weird "hunting" behavior with right turning vehicles as they approach the SPUI on Garfield from either direction in multiple scenarios. They literally bounce back and forth between the middle and rightmost through lane then suddenly pop over to the right lane at the stop bar eastbound. Westbound, the vehicles tend to get stuck, so right turning vehicles can end up in multiple through lanes. In both directions, only a few vehicles actually properly go in the right turn lane. I suspect that something is off with the positioning distances or how the SPUI is set up. This will need to be corrected as it appears to create queuing issues that may or may not exist.
- Are the odd cycle lengths correct? Not much progression could occur with 140-145-120 cycles on adjacent intersections for existing or future conditions.
- What was done to calibrate the simulation to existing conditions? Synchro 7 and latest version requires some sort of calibration in order for the simulation to work correctly. For example: floating car-based travel time calibration on Garfield.

Please address the following comments from District 8 traffic:

- A quick check of the peak hour factors revealed a discrepancy at the Barnett and Highland/Garfield intersection. The peak hour factor (PHF) was set to a 1.0 for this intersection. I checked with the City of Medford and I found out that they require a 1.0 PHF for their intersections. This causes a problem for us as the 1.0 PHF disperses the normal queuing that we see during the AM and PM peak periods. What I suggest is that we have the consultant change the PHF to the actual value for the State analysis to more accurately represent the queuing issues.
- Garfield @ Barnett Intersection
 - a. PHF issue as listed above
 - b. The lane utilization factor for the westbound left should not be set to 1.00 if anything it should be reduced further as the north most left lane is more heavily used during the PM Peak.
- SPUI Intersection
 - a. It is set up as multiple intersections. It should be remodeled as a single intersection
 - b. Lane utilization factors should not be adjusted unless there is an appropriate reason.
 - c. Separate nodes shouldn't be used to add turn lanes as that will underestimate the queuing.
 - d. Why are the mandatory distance and positioning distance adjusted?
- AM and PM Queuing Problems at the SPUI
 - a. During the AM peak the right turn lane at Garfield and Barnett queues all the way back to the SPUI. The spill back from this queue causes the queues on the ramps to reach near the gore area daily. The sim traffic outputs do not show this queue therefore there is a flaw in the AM model which is greatly underestimating the queuing issues.
 - b. During the PM Peak the SB Off ramp right turn queues back to near the gore area daily. The sim traffic outputs fail to accurately show this queuing so there must be a flaw in the PM model as well.
 - c. These two queuing problems are a major concern for ODOT and several proposals for state mitigations have been discussed. Currently there is no funding for our proposals. A zone change this close to the SPUI will negatively affect the queuing on the off ramps and needs to be addressed in this traffic impact analysis.

SOTE Response to TPAU comments: The concern regarding the phasing conflict at the Center & Garfield intersection is one we also questioned, but this is how the intersection operates in the field. The southbound right turn movement runs as an overlap with the northbound left and other movements and is required to pull into the nearest lane to avoid any conflict.

The synchro minimum split error occurs because some of the pedestrian crossings aren't covered in the actual signal timing plans. Actual signal timing plans were used to set up the synchro models rather than using ODOT default values in an effort to be more accurate because we knew that queuing would be critical.

We went back through each synchro model and adjusted any vehicle paths that weren't modeled to turn into the nearest lane but most were already coded this way so we're not sure if this will change much in the revised simulation. The hunting behavior was noticed by us as well at the SPUI and it is our opinion that this was happening because of the extra nodes in such close proximity to each other, which wasn't allowing the minimum space for proper positioning to occur. It

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does not appear to be happening in the revised models without the extra nodes. Getting rid of the extra nodes also makes it much easier to see what the queue lengths are.

The odd cycle lengths resulted from optimization utilizing most of the max green time allotted in the signal timing plans. We tried to reduce the green times proportionally to get back to a 120 second cycle length but this increased queue lengths so we left the longer cycle lengths.

For calibration we adjusted positioning distances in the model and watched queuing in both the a.m. and p.m. peak hours on several weekdays, but we were not in the field when the actual count was taken by ODOT in 2015 so we aren't able to verify what traffic looked like on that particular day. We watched traffic in the late spring which was close to the same time of year and then we compared our existing year simulations to what we observed. Since receiving this comment we've also driven the corridor on several occasions the last three weeks of July and the first week of August. What we've discovered, however, is traffic fluctuates significantly during different times of the year at the interchange. We mentioned in our original traffic analysis that we've observed queue lengths on the off ramps under existing conditions that almost reach I-5, but this was not the case when we went back out to film the interchange in July and August. During these months, traffic is much lighter with no significant queuing occurring on the off-ramps. To capture footage of peak queuing or gather accurate travel times under peak conditions we would likely have to wait until the fall when school is back in session.

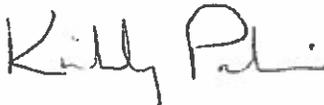
SOTE Response to District 8 traffic: In response to using a 1.0 PHF at the Barnett/Highland/Garfield intersection, we changed this to the actual PHF and re-ran simulations. We also changed the lane utilization factor back to the default value. At the SPUI, we revised the synchro models and deleted excess nodes to create smoother simulations. The mandatory distances and positioning distances, however, were kept the same. The APM recommends changing these if vehicles in simulations are having difficulty completing lane changes ahead of intersections or off-ramps, which was the case for us when we ran our simulations. It recommends the analyst experiment with these values, either longer or shorter until the traffic is flowing consistent with observed conditions, which is what we were working toward.

In response to our simulations not showing accurate queue lengths because they didn't report off-ramp queues spilling back to I-5 under existing conditions, this is not as easily determined as stated. We've observed the queuing at the interchange on many occasions during the a.m. and p.m. peak hours, and they differ substantially depending on the time of year. We've seen off-ramp queue lengths almost reach I-5 during both peak hours in late spring and then in July and August at the exact same time of day have no queue at all to report. It's difficult to know exactly what the queues looked like on May 27th in 2015 when ODOT counted the interchange because we weren't present to watch them but we watched them in late spring of 2016, which was the closest we could get to the same time of year. Our existing conditions simulations showed queue lengths on Garfield at Barnett Road reaching the I-5 NB off ramp during the a.m. peak hour and the SB queue at Center Drive blocking the I-5 SB ramp in the p.m. peak hour. The revised simulations make it easier to see this with the extra nodes gone and the queue lengths appear to be somewhat longer with some of the other revisions as well, but it is our opinion that our existing conditions models accurately reflect field conditions that we've observed.

We re-ran both of our existing a.m. and p.m. peak hour simulations as well as mitigated scenarios to show any changes as a result of the requested revisions. We also extended the southbound left turn pocket on Garfield Street at Center Drive. In watching simulations, it looks like the left turn pocket is not exceeded but rather is blocked by the southbound through traffic but extending it will help to alleviate this.

We hope this addresses ODOT concerns. Please feel free to contact me with any further questions or concerns.

Southern Oregon Transportation Engineering, LLC



Kimberly Parducci, PE PTOE
Firm Principal

Attachments: SimTraffic Output, Revised Queuing Tables
Agency Comments, Synchro Models



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Revised Table 4 – Year 2015 No-Build 95th Percentile Queue Lengths

Intersection / Movement	Available Link Distance (Ft)	95 th Percentile Queue Lengths		Exceeded or Blocked Roadway
		A.M.	P.M.	
Barnett / Highland				
Northbound Right	600', 1300'	1650'	375'	Turn Storage, I-5 NB Off-ramp
Northbound Left	450'	175'	675'	Turn Storage
Southbound Through	900'	325'	>900'	Greenwood Street
Westbound Left	350'	300'	450'	Turn Storage
Westbound Through	1225'	175'	>1225'	Ellendale Drive
SPUI I-5 NB off ramp				
Westbound Right	275', 1650'	975'	225'	Turn Storage
Westbound Left	300', 1650'	225'	275'	Turn Storage
SPUI I-5 SB off ramp				
Eastbound Right	400', 2025'	175'	>2025'	Turn Storage
Eastbound Left	550', 2025'	450'	1750'	Turn Storage
Garfield / OR 99				
Southbound Left	250'	125'	200'	None
Westbound Left	300'	200'	475'	Turn Storage
Garfield / Center				
Eastbound Left	450'	150'	575'	Rogue Federal Way
Southbound Right	200'	100'	425'	Turn Storage
Southbound Through	1200'	225'	>1200'	I-5 SB off ramp

Note: Exceeded performance standards are shown in bold, italic

Revised Table 9 – Design Year 2017 No-Build 95th Percentile Queue Lengths, Mitigated²

Intersection / Movement	Available Link Distance (Ft)	95 th Percentile Queue Lengths		Exceeded or Blocked Roadway
		A.M.	P.M.	
Barnett / Highland				
Northbound Right	600', 1300'	>1300'	350'	Turn Storage, I-5 NB off ramp
Northbound Left	450'	150'	650'	Turn Storage
Southbound Through	900'	350'	850'	None
Westbound Left	350'	300'	450'	Turn Storage
Westbound Through	1225'	150'	>1225'	Ellendale Drive
SPUI I-5 NB off ramp				
Westbound Right	275', 1650'	900'	225'	Turn Storage
Westbound Left	300', 1650'	200'	250'	None
SPUI I-5 SB off ramp				
Eastbound Right	400', 2025'	350'	1150'	Turn Storage
Eastbound Left	550', 2025'	700'	500'	Turn Storage
Garfield / OR 99				
Southbound Left	250'	125'	175'	None
Westbound Left	300'	200'	475'	Turn Storage
Garfield / Center				
Eastbound Left	450'	125'	350'	None
Southbound Right	200'	125'	350'	Turn Storage
Southbound Through	1225'	200'	600'	None

Notes:

1) Exceeded performance standards are shown in bold, italic

2) Includes eastbound dual left and through-right, westbound left and through/right, phasing change with leading left turns, and extended southbound left turn pocket.

"H"
405

Revised Table 12 -- Design Year 2017 Build 95th Percentile Queue Lengths, Mitigated²

Intersection / Movement	Available Link Distance (Ft)	95 th Percentile Queue Lengths		Exceeded or Blocked Roadway
		A.M.	P.M.	
Barnett / Highland				
Northbound Right	600', 1300'	>1300'	350'	Turn Storage, I-5 NB off ramp
Northbound Left	450'	150'	650'	Turn Storage
Southbound Through	900'	350'	850'	None
Westbound Left	350'	300'	450'	Turn Storage
Westbound Through	1225'	225'	>1225'	Ellendale Drive
SPUI I-5 NB off ramp				
Westbound Right	275', 1650'	900'	200'	Turn Storage
Westbound Left	300', 1650'	200'	300'	None
SPUI I-5 SB off ramp				
Eastbound Right	400', 2025'	200'	1500'	Turn Storage
Eastbound Left	550', 2025'	575'	525'	Turn Storage
Garfield / OR 99				
Southbound Left	250'	125'	225'	None
Westbound Left	300'	225'	475'	Turn Storage
Northbound Right	350'	175'	325'	None
Garfield / Center				
Eastbound Left	450'	150'	500'	Turn Storage
Southbound Right	200'	125'	400'	Turn Storage
Southbound Through	1225'	225'	650'	None
Southbound Left	250'	75'	250'	None
Northbound Left	250'	125'	250'	None

Note:

1) Exceeded performance standards are shown in bold, italic

2) Includes eastbound dual left and through-right, westbound left and through/right, phasing change with leading left turns, and extended southbound left turn pocket.

"H"
5 of 5



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 8/16/2016
File Number: ZC-16-077
(Reference: PA-16-013)

PUBLIC WORKS DEPARTMENT STAFF REPORT
Zone Change – Garfield Street at Center Drive
(Proposed Location of Cracker Barrel Old Country Store)

Project: Consideration of a request for change of zone from SFR-00 (Single Family Residential - one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres.

Location: Generally located at the east corner of the intersection of Garfield Street and Center Drive.

Applicant: Cris Galpin, Applicant (Richard Stevens & Associates, Inc., Agent).
Desmond McGeough, Planner.

Applicability:

A Pre-Application (Pre-App) report was completed for the potential development of a Cracker Barrel Old Country Store (CBOCS West, Inc.) by the City of Medford in March of 2016. The Pre-App process was the first step the applicant took to address all Public Works and City of Medford department comments and/or concerns in order to determine the viability of the proposed development. This request for a Zone Change was one of the action items from the Pre-App process necessary in order to continue moving forward with the proposal.

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.

CITY OF MEDFORD
EXHIBIT # "I"
File # ZC-16-077

1 of 2

II. Storm Drainage Facilities

This site lies within the Bear Creek South Drainage Basin. The property may discharge to Bear Creek with the construction of new storm drainage facilities and by obtaining any applicable easements to cross adjacent tax lot(s). There is also an existing storm drainage system along Garfield Street which is under the jurisdiction of the Oregon Department of Transportation (ODOT). If the applicant wishes to connect to these facilities, they shall contact ODOT to determine feasibility and if any applicable permits or easements are required.

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

The Public Works Department received a Traffic Impact Report from Southern Oregon Transportation Engineering LLC, dated June 20, 2016, titled "South Side Center SFR-00 to C-R Zone Change" for parcel 371W32B3604 and 3605 consisting of 6.57 acres. Public Works submitted comments and an addendum was received August 8th, 2016. The trip generation for the full potential zone change could not be supported by the transportation system without mitigation so a trip cap has been stipulated to 367 P.M. peak hour trips.

With the stipulated trip cap there is no significant impact to the transportation system since no higher order intersections are impacted by more than 25 P.M. peak hour trips.

Traffic Engineering recommends that the development be conditioned to provide a trip accounting for each phase of development to verify that the trip cap has not been exceeded. An additional traffic impact analysis will be required to remove the trip cap from the property.

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

Prepared by: Doug Burroughs

Revised by: Jodi K Cope

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.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-16-077

PARCEL ID: 371W32B TL 3604 & 3605

PROJECT: Consideration of a request for change of zone from SFR-00 (Single Family Residential - one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres generally located at the east corner of the intersection of Garfield Street and Center Drive; Cris Galpin, Applicant (Richard Stevens & Associates, Inc., Agent). Desmond McGeough, Planner.

DATE: August 3, 2016

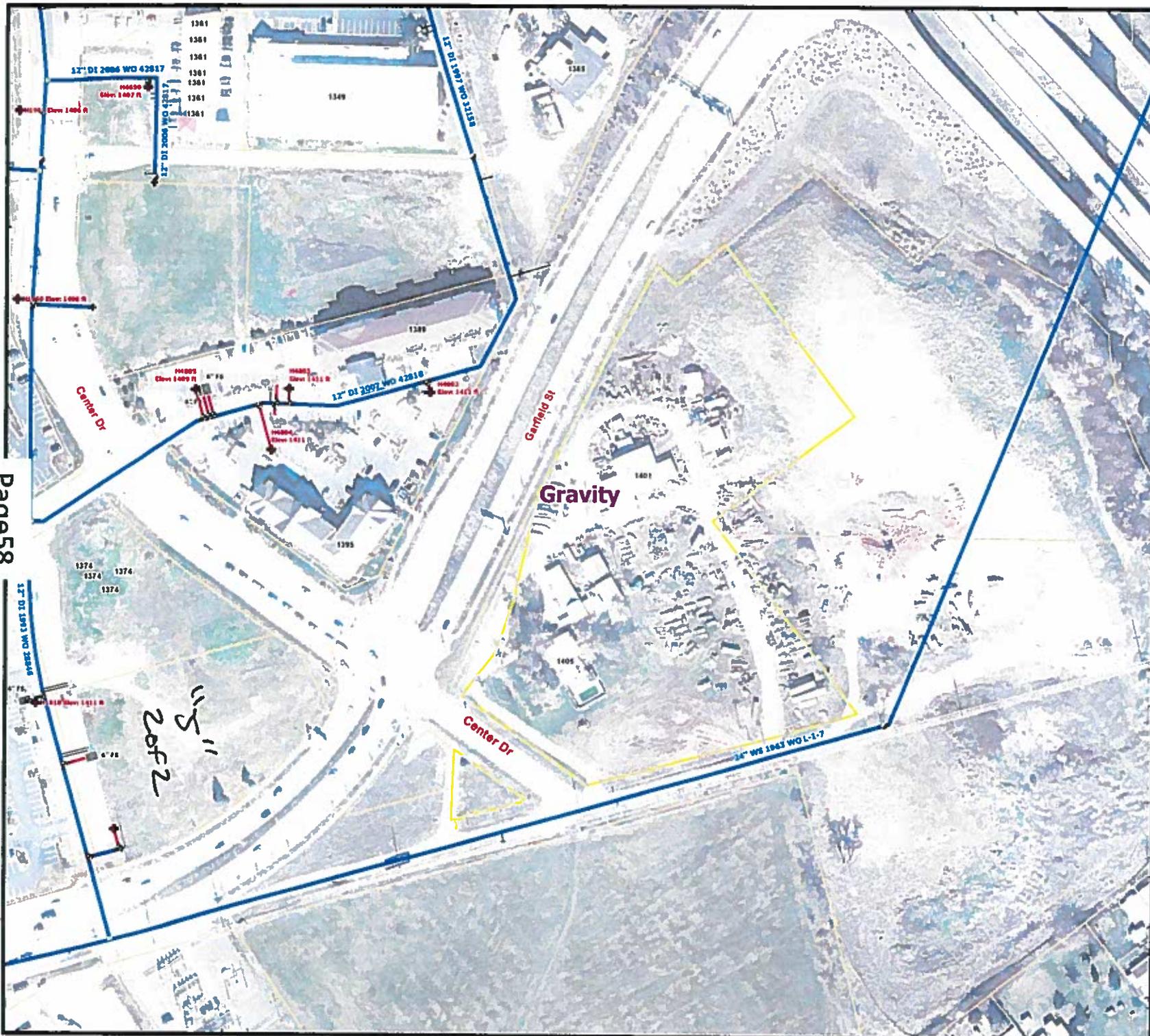
I have reviewed the above plan authorization application as requested. Conditions for approval and comments are as follows:

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 be required.
5. On-site water facility construction will be required, and reviewed at time of future land development review.
6. MWC-metered water service does not exist to this property.
7. Access to MWC water lines for connection is available. There is an existing 24-inch water transmission main located south of these tax lots.

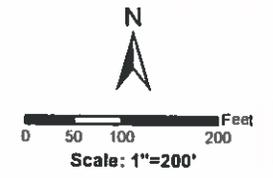
CITY OF MEDFORD
EXHIBIT # 5
File # ZC-16-077

1 of 2



Page 58

US 11
20F2



Water Facility Map for ZC-16-077

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 plan prepared and filed by Medford Water Commission. It is not intended to be used for any purpose other than that for which it was prepared. It is not to be used for any purpose other than that for which it was prepared. It is not to be used for any purpose other than that for which it was prepared.



ROGUE VALLEY SEWER SERVICES

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

July 25, 2016

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

Re: ZC-16-077, Galpin Zone Change (371W32B – 3604 & 3605)

ATTN: Desmond,

There is a 21 inch diameter sewer main in Garfield Street and along the Interstate 5 frontage. There is adequate capacity to serve the proposed density.

Future development must be reviewed for compliance with RVSS standards. If a service tap to the existing main is proposed RVSS will issue permits upon payment of related development fees.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer

CITY OF MEDFORD
EXHIBIT #
File # ZC-16-077
10/1

K:\DATA\AGENCIES\MEDFORD\PLANNG\ZONE CHANGE\2016\ZC-16-077_GALPIN.DOC



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: Desmond McGeough

LD Meeting Date: 08/03/2016

From: Fire Marshal Kleinberg

Report Prepared: 07/25/2016

File #: ZC - 16 - 77

Site Name/Description:

Consideration of a request for change of zone from SFR-00 (Single Family Residential - one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres generally located at the east corner of the intersection of Garfield Street and Center Drive; Cris Galpin, Applicant (Richard Stevens & Associates, Inc., Agent). Desmond McGeough, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Approved as Submitted

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.

CITY OF MEDFORD
EXHIBIT # "L"
File # ZC-16-077

1 of 1



Oregon

Kate Brown, Governor

Oregon Department of Transportation
Region 3, District 8
100 Antelope Road
White City, OR 97503
(541) 774-6316
FAX (541) 774-6397

August 29, 2016

DESMOND MCGEOUGH, PLANNER
CITY OF MEDFORD PLANNING DEPARTMENT
200 S. IVY, ROOM 240
MEDFORD, OR 97501

Re: South Side Center Zone Change (ZC-16-077)

Thank you for the opportunity to review the request for a change of zone from SFR-00 (Single Family Residential - one dwelling unit per existing lot) to C-R (Regional Commercial) on 6.56 acres generally located at the east corner of the intersection of Garfield Street and Center Drive. 37S-1W-32B, TLs 3604 and 3605.

- ODOT is requiring the applicant to construct the following mitigation measures per ODOT standards:
 1. Restriping modifications on the I-5 southbound off ramp to allow one lane to feed to the dual left turn lanes and one to feed the right turn lane (within 6 months of building occupancy).
 2. Extending the southbound left turn pocket on Garfield Street at Center Drive to support the left turn queue (by day of opening).
 3. Restriping the southbound movement on Garfield Street at OR 99 to include dual left turn lanes and two through lanes with a shared right turn movement. One of the two inbound lanes to the intersection will feed the dual left turns and one the two through lanes (within 6 months of building occupancy).
 4. Removing the concrete center median on Center Drive (west approach) and adding a second exclusive left turn lane (by day of opening). Additional improvements at this intersection include adding detection to the east approach of Center Drive to utilize the existing center turn lane and modifying signal phasing to remove split phasing for Center Drive east and west approaches (by day of opening).
- Please recommend the applicant contact Permit Specialist, Cathy Harshman at 541-774-6259 to apply for a valid ODOT Road Approach Permit.
- Please recommend the applicant contact Permit Specialist, Roger Allemand at 541-774-6360 to obtain any miscellaneous permits that may be needed for construction within the ODOT right of way.
- An ODOT Drainage Permit is required for connection to State Highway drainage facilities. The applicant must provide ODOT District 8 staff with a preliminary drainage plan showing impacts to the highway right-of-way. A drainage study prepared by an Oregon Registered Professional Engineer is required.

You may contact me at 541-957-3688 if you have any further questions or require additional information.

Thank you,

John McDonald

Senior Transportation Planner, Development Review

Cc: Ron Hughes, Michael Wang, Cathy Harshman, Jeremiah Griffin, Dan Dorrell, Roger Allemand

CITY OF MEDFORD
EXHIBIT # MM
File # ZC-16-077

10/1

Total Boundary Tax Lot 3604 3605	Abutting SFR-00 & Separated by ROW 60 <	Net Boundary (Total Boundary - boundary separated from "unsuitable zone" by ROW 60' <)	Contiguous to CR Zone District	% Net Boundary Contiguous to CR Zone 1161.9/2245.33 = 51.7%
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135.67	310.08		
38.69	98.02	2842.27	135.67
72.32	39.84	-596.94	38.69
118.24	149		72.32
238.97			118.24
83.15	596.94	2245.33	238.97
87.06			83.15
55.03			87.06
114.92			55.03
227.04			114.92
141.81			217.85
39.84			
98.02			1161.9
332.26			
266.89			
372.47			
109.81			
310.08			
2842.27			

CITY OF MEDFORD
EXHIBIT # 2
File # ZC-16-077

1 of 1



Project Name:

Cris Galpin

Map/Taxlot:

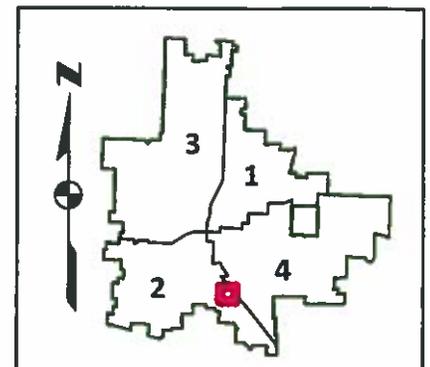
371W32B TL 3604 & 3605

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets



06/24/2016





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 Grants Pass Water Lab Zone Change
 Applicant: Grants Pass Water Lab; Agent: Justin Elkins

File no. ZC-16-078

To Planning Commission *for September 8, 2016 hearing*

From Kelly Akin, Principal Planner *ka*

Date September 1, 2016

BACKGROUND

Proposal

Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on approximately 0.51 acres located on the west side of Bullock Road, approximately 1,490 feet north of Crater Lake Highway (2933 Bullock Road).

Subject Site Characteristics

Zoning	I-G	General Industrial
GLUP	GI	General Industrial
Use	Travel Agency	

Surrounding Site Characteristics

North	I-G	Vacant
South	I-G	Leak detection service
East	I-L	Light Industrial Rogue Valley International Medford Airport
West	I-L	Engineering office

Related Projects

None.

Applicable Criteria

Medford Municipal Code §10.227 Zone Change Criteria.

Portions of the approval criteria are not applicable to this application. Those sections are omitted from the following citation and identified 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.

- (d) For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:
 - (i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant can show it would be suitable pursuant to (1)(e) 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 Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one (1) of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

- (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
- (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

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

Corporate Names

A search of the Secretary of State website found no listing for Grants Pass Water Lab.

ISSUES AND ANALYSIS

Background

The subject site is developed with a multi-tenant building partially occupied by a travel agency. The applicant is seeking a zone change because they intend to move to the site but the laboratory use is not permitted in the I-G zone. The proposed use is permitted in the I-L zone under the Standard Industrial Classification (SIC) Code 8734. Travel agencies are also permitted in the proposed I-L zone (SIC 4724).

Transportation System Plan

The Transportation System Plan (TSP) serves as a blueprint to guide transportation decisions as development occurs in the City. It identifies both existing and future needs, and includes improvements to meet those needs. The TSP Functional Classification Plan identifies Bullock Road as a Major Collector street. At this time, no additional right-of-way dedication or improvements are required. No other facilities, such as air or freight are identified for this location.

General Land Use Plan Designation

The General Land Use Plan designation for the subject property is General Industrial. The Comprehensive Plan specifies that the proposed Light Industrial zone is an appropriate zone under that designation.

Locational Requirements

The approval criterion in 10.227(1)(d)(i) allows the I-L zone to abut commercial and residential zones, as well as the I-G zone district. As noted above, the subject site abuts the I-G (General Industrial) zone district on the north and south, which is permissible under this criterion. The I-L zone exists to the east and west of the subject site.

Agency Comments

There are adequate public facilities available to serve the site as noted in Exhibits D through H. No conditions of approval are recommended by any responding agency.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and adopt the Final Order for approval of ZC-16-078 per the staff report dated September 1, 2016, including Exhibits A through I.

EXHIBITS

- A Applicant's Findings of Fact received July 25, 2016
- B General Land Use Plan Map
- C Zoning Map
- D Public Works Department Staff Report dated August 17, 2016
- E Medford Water Commission Staff Memo dated August 17, 2016
- F Rogue Valley Sewer Services letter dated August 19, 2016
- G Medford Fire Department Land Development Report dated August 17, 2016
- H Oregon Department of Aviation e-mail received August 19, 2016
- I Jackson County Assessor's Map received June 22, 2016
Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 8, 2016

Findings of Facts
Grants Pass Water Lab
ZC-16-078

RECEIVED
JUL 25 2016
KA
PLANNING DEPT.

Grants Pass Water Lab (Applicant), seeks to obtain Light Industrial (I-L) zoning in a manner consistent with the Medford Planning Commission. The property is located at 2933 Bullock Road, Medford, Oregon, tax lot number 2900. The amendment will change the zoning of the subject property from General Industrial (I-G) to Light Industrial (I-L) which is in accordance with the existing comprehensive plan map designation for the subject properties. The GLUP (General Land Use Plan) Designation is for General Industrial.

The subject property is shown on Assessor's Map 371W18BBB. The property is approximately 0.51 acres and is owned by David E. Rasmussen.

The existing property is currently used by Jackson Travel Agency, Inc. and is divided by a breezeway sharing adjoining walls. The Medford Comprehensive Plan Map (371W18BBB2900) makes clear that both its I-G and I-L zones are consistent with the General Industrial Map designation. The applicant seeks to change the zoning from I-G to I-L for light industrial purposes.

All utilities (Water, Electric, and Sanitary Sewer) currently exist with no additional impact from the zoning change.

Applicant: Grants Pass Water Lab (The Water Lab)
Agent: Grants Pass Water Lab (The Water Lab)
Owner: David Rasmussen

Summary

The subject property is within the city I-G zoning district as shown on the City's zoning map # 37W18BBB. This application is submitted to comply with the zone change criteria described within the City of Medford Land Development Code (MLDC) section 10.227

The subject property has a net acreage of 0.51. The parcel abuts General and Light Industrial Zoning districts.

Approval Criteria:

Zone Change Criteria contained with the City of Medford Land Development Code (MLDC) as related to the zone change request for the I-L zoning district contained in section 10.277 subsections (1) and (2) are as follows:

10.227 Zone Change Criteria Section (1)(d)

CITY OF MEDFORD
EXHIBIT # A
File # ZC-16-078

For zone changes to any industrial zoning district, the following criteria shall be met for the applicable zoning sought:

(i) The I-L zone may abut residential and commercial zones, and the General Industrial (I-G) zone. The I-L zone is ordinarily considered to be unsuitable when abutting the Heavy Industrial (I-H) zone, unless the applicant show it would be suitable pursuant to (1)(e) below.

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

(i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map Designation that allows only one (1) zone;

(ii) At least fifty percent (50%) of the subject property's boundaries abut the zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;

(iii) At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of

whether the abutting properties are actually zoned for such existing uses; or

(iv) Notwithstanding the definition of "abutting" in section 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the 'unsuitable' zone by a public right-of-way of at least sixty (60) feet in width.

10.227 Zone Change Criteria Section (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 Land Development Code and Goal 3, Policy 1of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets which serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued

or;

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street

to be adequate when the improvements needed to make the street adequate are fully funded. A street project is determined to be fully funded when one of the following occurs:

(a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other

public agencies adopted capital improvement plan budget or:

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the

applicant, or the estimated cost. The "estimated costs" shall be 125% of a professional engineers 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.

(v) 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 this

zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include

but are not limited to the following:

(i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development t, 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.

Finding of Facts

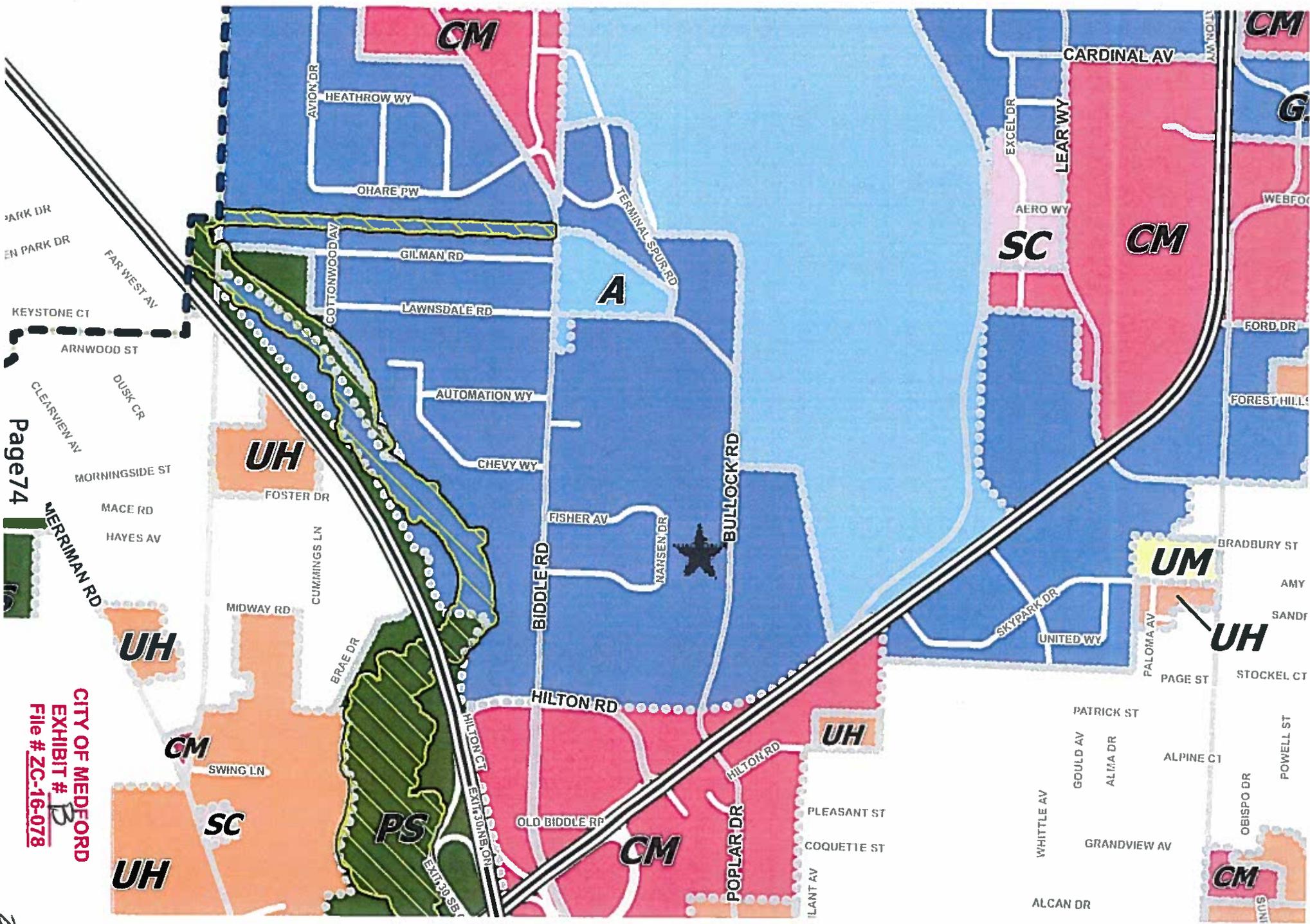
(1) The proposed zone is consistent with the with the locational requirements of section (1)(d) by abutting General Industry (I-G) and Light Industrial (I-L) zones.

(2) The property already has existing storm drainage, sanitary sewer, and water facilities that are adequate and have been serviced by the city for greater than 25 years. The Medford Water Commission provides municipal water to this location and there is adequate capacity for the purposed zone. The property is serviced by the Rogue Valley Sewer Service (RVS). The

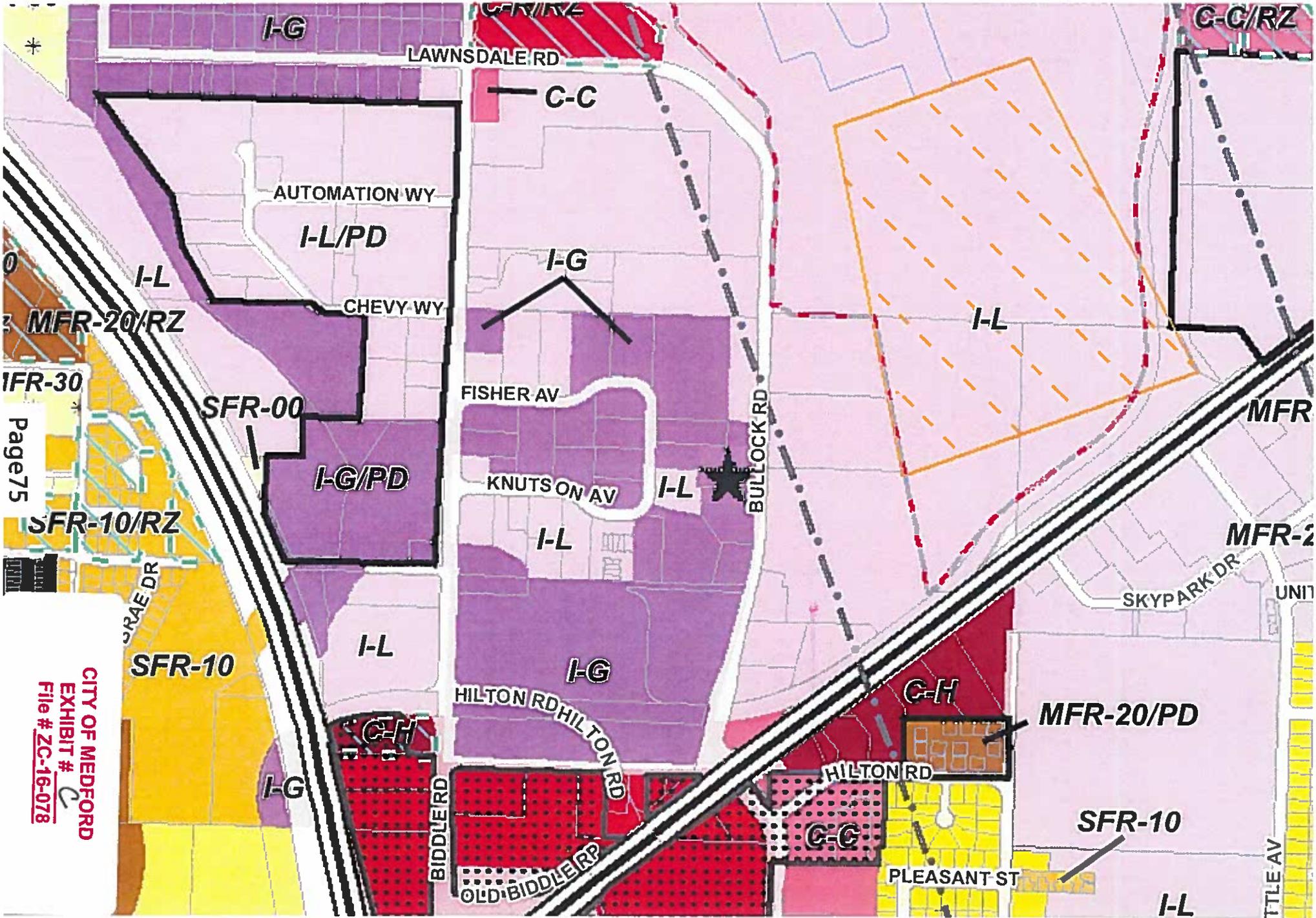
proposed zone change requires no additional services or demand to the existing facility in these regards.

(3)No construction will be necessary to the existing property as it is adequate for the proposed zoning change as is.

(4)Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity for the proposed zone change. No additional parking or easement is necessary or sought by the applicant. The property is accessed off of Bullock Road, approximately 1 mile from its intersection with Crater Lake HWY 62. Traffic Impact Analysis was deemed unnecessary and documentation included with the application.



CITY OF MEDFORD
EXHIBIT # B
File # ZC-16-078



Page 75

CITY OF MEDFORD
 EXHIBIT # C
 File # ZC-16-078

24



Continuous Improvement Customer Service

CITY OF MEDFORD

RECEIVED

AUG 17 2016

PLANNING DEPT.

LD Date: 8/17/2016
File Number: ZC-16-078

**PUBLIC WORKS DEPARTMENT STAFF REPORT
Grants Pass Water Lab – 2933 Bullock Road**

Project: Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on approximately 0.51 acres.

Location: Located on the west side of Bullock Road, approximately 1,490 feet north of Crater Lake Highway (2933 Bullock Road; Maplot 371W18BB 2900).

Applicant: Grants Pass Water Lab, Applicant/Agent.

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 Lone Pine Creek Drainage Basin. The subject property currently drains to the west, however the City of Medford also has existing storm drain facilities to the east of the property. 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.

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 MMC 10.461 (3).

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

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

Prepared by: Doug Burroughs

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



Staff Memo

RECEIVED

AUG 17 2016

PLANNING DEPT

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer

SUBJECT: ZC-16-078

PARCEL ID: 371W18BB TL 2900

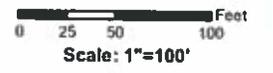
PROJECT: Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on approximately 0.51 acres located on the west side of Bullock Road, approximately 1,490 feet north of Crater Lake Highway (2933 Bullock Road); Grants Pass Water Lab, Applicant/Agent. Kristina Heredia, Planner.

DATE: August 17, 2016

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does not exist to this property. Applicant can request and pay for metered water service at Medford Water Commissions' front counter.
7. Static water pressure is approximately 70 psi at this site location.
8. Access to MWC water lines for connection is available. There is an existing 10-inch water line in Bullock Road.



**Water Facility Map
for
City of Medford
Planning Application
ZC-16-078**

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 Drant Pipe
- Pressure Zone Line

Boundaries:

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

MWC Facilities:

- C** Control Station
- P** Pump Station
- R** Reservoir



This map is based on a digital orthophoto, which may not show the most current information. It is not a substitute for a field visit. The City of Medford Water Commission is not responsible for any errors or omissions. © 2016 Medford Water Commission. All rights reserved.



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

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AUG 19 2016

PLANNING DEPT.

August 19, 2016

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

Re: ZC-16-078, Grants Pass (371W18BB – 2900)

ATTN: Kristina,

There is an 8" inch sewer main in Bullock Road and a 4" lateral stubbed to the property. Currently there is adequate capacity to serve the proposed density. Future development must be reviewed for compliance with RVSS standards.

Sincerely,

Nicholas R. Bakke

Nicholas R. Bakke, P.E.
District Engineer



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

RECEIVED

AUG 17 2016

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Kristina Heredia

LD Meeting Date: 08/17/2016

From: Fire Marshal Kleinberg

Report Prepared: 08/15/2016

File #: ZC - 16 - 78

Site Name/Description:

Consideration of a request for a change of zone from I-G (General Industrial) to I-L (Light Industrial) on approximately 0.51 acres located on the west side of Bullock Road, approximately 1,490 feet north of Crater Lake Highway (2933 Bullock Road); Grants Pass Water Lab, Applicant/Agent. Kristina Heredia, Planner.

DESCRIPTION OF CORRECTIONS

REFERENCE

Approved as Submitted

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.

Kelly A. Akin

From: CAINES Jeff <Jeff.CAINES@aviation.state.or.us>
Sent: Friday, August 19, 2016 9:04 AM
To: Kelly A. Akin
Subject: RE: Medford Zone Change Application ZC-16-078

RECEIVED
AUG 17 2016
PLANNING DEPT.

Kelly:

Thank you for allowing ODA to comment on the proposed zone change located at 2933 Bullock Road (ZC-16-078).

After further review ODA has the following comments:

Since this is an existing use and the only thing that is changing is the zoning from one industrial use to another, ODA finds that this will not cause a hazard to air navigation.

If you or the applicant has any questions please feel free to contact me.

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

From: Kelly A. Akin [<mailto:Kelly.Akin@cityofmedford.org>]
Sent: Wednesday, August 17, 2016 8:56 AM
To: CAINES Jeff
Subject: Medford Zone Change Application ZC-16-078

Good morning, Jeff –

We sent the attached referral your way for the referenced zone change application, which is located on the west side of Bullock Road and north of Hwy. 62 in Medford. The planner that was assigned, Kristina Heredia, is no longer with the city. I'm confident that you responded, but I am unable to retrieve her e-mails. Would you please send the response to me? I want to make sure your comments are part of the record.

I've attached the hearing notice FYI.

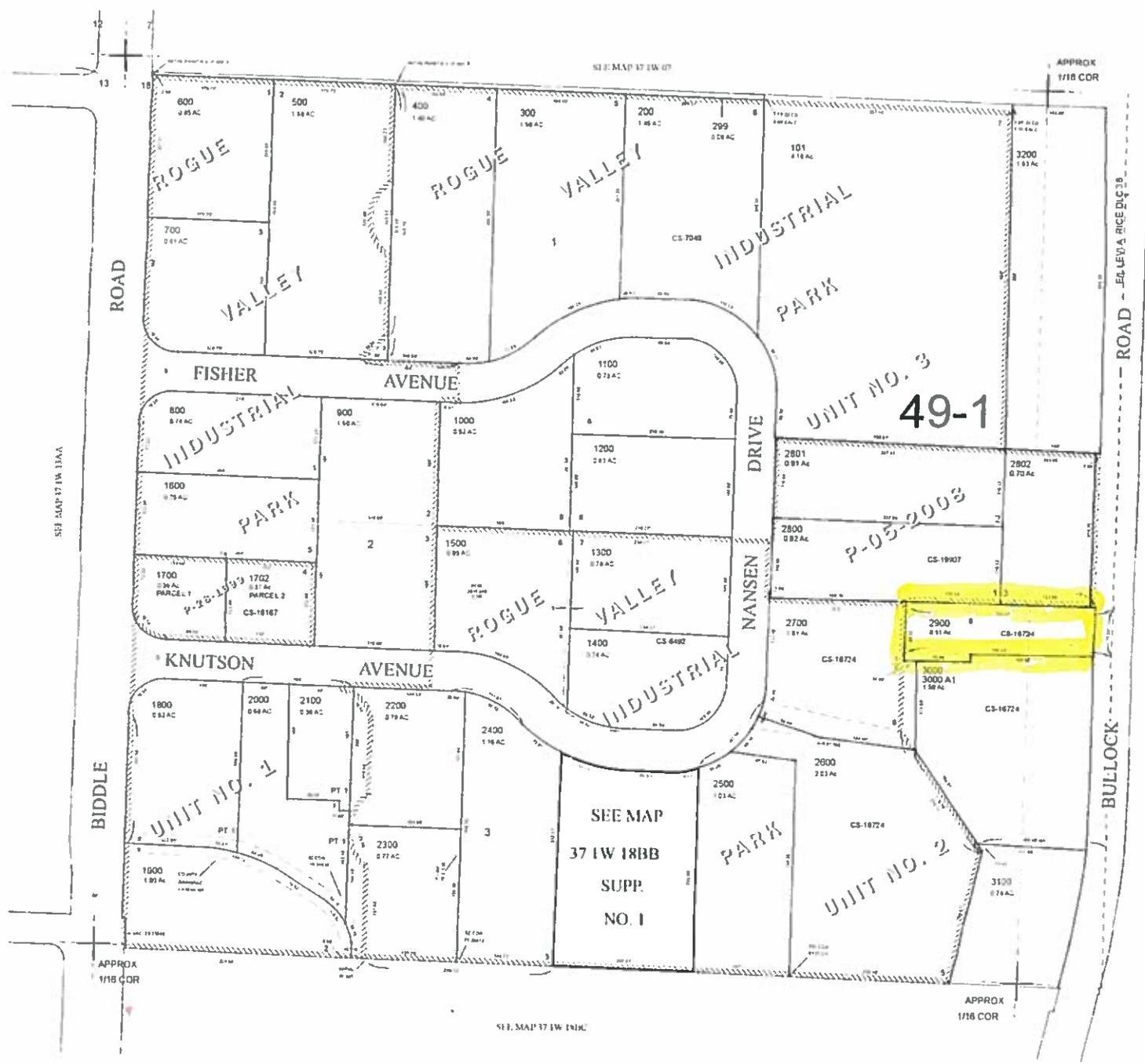
Thanks!

Kelly Akin

FOR ASSUMED AND
TAXATION ONLY

N.W.1/4, N.W.1/4, SEC.18, T.37S., R.1W., W.M.
JACKSON COUNTY
1" = 100'

37 1W 18BB
MEDFORD



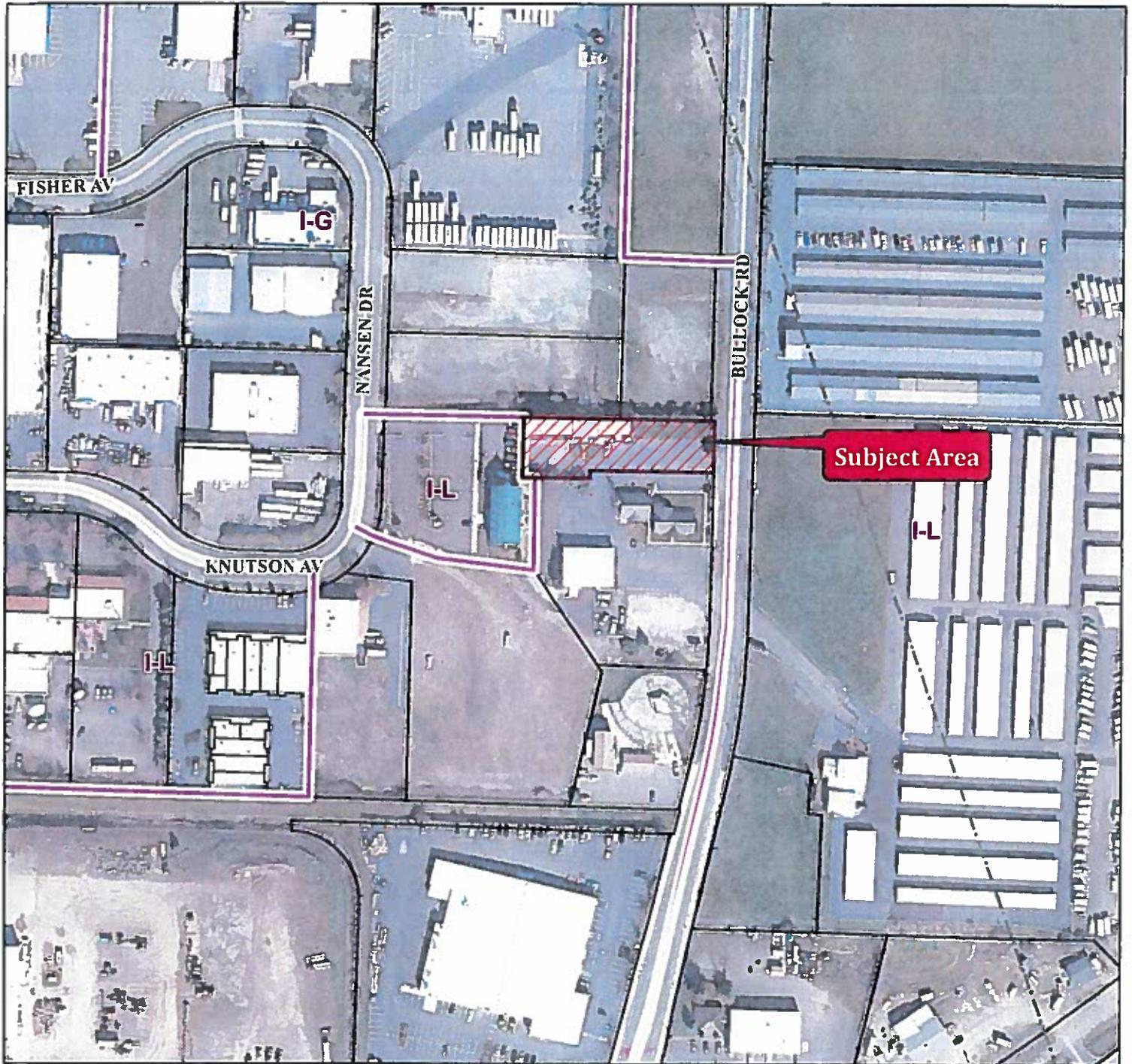
CANCELLED TAX
LOT NUMBERS
100 ADDED TO 101
15001 ADDED TO 1500
1701 ADDED TO 1700

Page 83

CITY OF MEDFORD
EXHIBIT # I
File # ZC-16-078

RECEIVED
JUN 22 2016
PLANNING DEPT.

37 1W 18BB
MEDFORD
OR CONVERSION OCTOBER, 1999
RI V MARCH 15, 2012



Project Name:

Grants Pass Water Lab

Map/Taxlot:

371W18BB TL 2900



Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets

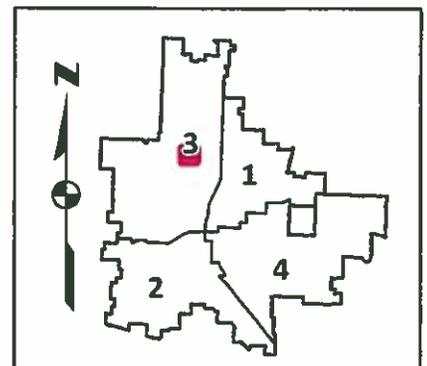


Exhibit "B"

MOUNTAIN TITLE COMPANY INC.

87-25200

WARRANTY DEED

Recorded at the office of Mountain Title Company

1000

KNOW ALL MEN BY THESE PRESENTS, That John Wayne Construction, Inc.

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by David E. Rasmussen and Glenna L. Rasmussen dba Jackson Travel hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Jackson and State of Oregon, described as follows, to-wit:

SEE ATTACHED EXHIBIT A

MOUNTAIN TITLE COMPANY INC.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except easements, covenant conditions, restrictions & encumbrances of record or apparent on the ground

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 100,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which):

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 2nd day of December, 1987; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

BY:

John Wayne Construction, Inc.

T.W. Christian - Pres.

STATE OF OREGON, County of Jackson, 1987

STATE OF OREGON, County of Jackson, Dec. 2, 1987

Personally appeared T.W. Christian and

Personally appeared the above named

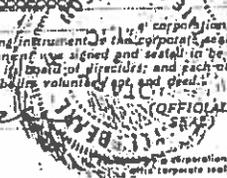
each for himself and not one for the other, did say that the former is the president of the corporation

and acknowledged the foregoing instrument to be voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be true, voluntary act and deed.

Before me: Notary Public for Oregon My commission expires:

Before me: Notary Public for Oregon My commission expires: 8-26-89



John Wayne Construction, 2821 Bullock Road, Medford, Ore.

David & Glenna Rasmussen dba Jackson Travel, 760 California St., Jacksonville, Ore.

Mountain Title Company, 820 Crater Lake Ave., Medford, Ore.

Grantor

37 1W 18B adjusted TL 333

STATE OF OREGON, County of Jackson

I certify that the within instrument was received for record on the day of 1987, at o'clock P.M., and recorded in book/reel/volume No. on page or as file/instrument/microfilm/reception No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

By Deputy

MOUNTAIN TITLE COMPANY INC.

RECEIVED JUN 22 2016 PLANNING DEPT.

MOUNTAIN TITLE COMPANY INC.

MOUNTAIN TITLE COMPANY INC.

87-25200

HTC #17166-CB

"EXHIBIT A"
REVISED DESCRIPTION

Beginning at a 5/8" iron pin, monumenting the Northeast corner of Lot 6, Block 3, ROGUE VALLEY INDUSTRIAL PARK - UNIT NO. 2, in the City of Medford, Jackson County, Oregon; thence North 88° 36' 10" East, 310.04 feet, to the East line of Donation Land Claim No. 38, Township 37 South, Range 1 West, Willametta Meridian, Jackson County, Oregon; thence South 0° 00' 30" West, along said East line, 75.02 feet; thence South 88° 36' 10" West, 308.48 feet, to the East line of said Lot 6; thence along said East line, North 01° 11' 10" West (plat record North 01° 10' 00" West), 75.00 feet, to the point of beginning.

EXCEPTING THEREFROM that portion lying within the County Road (Bullock Road).
(1-59755-1; 37-1W-18B, TL 333)

Along with an easement for ingress and egress and public utilities over and across the North 50 feet of Lot 6, Block 3 of ROGUE VALLEY INDUSTRIAL PARK UNIT NO. 3, in the City of Medford, Jackson County, Oregon.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

10:14 DEC 3 1987 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

By *Wanda P. ...* Deputy



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 Gillum Zone Change
 Applicant: Casey Gillum
 Agent: Daniel O'Connor, Huycke O'Connor Jarvis, LLP

File no. ZC-16-083

To Planning Commission *for September 8, 2016 hearing*

From Kelly Akin, Principal Planner *KA*

Date September 1, 2016

BACKGROUND

Proposal

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres located on the northeasterly corner of South Front Street and East 13th Street (371W30CA67400).

Subject Site Characteristics

Zoning	I-G	General Industrial
GLUP	CM	Commercial
Use	Developed with an industrial building	

Surrounding Site Characteristics

North	I-G	Industrial building
South	I-G	Industrial building
East	C-H	Electrical contractor
West	I-G	Industrial building

Related Projects

PA-16-061

Applicable Criteria

Medford Municipal Code §10.227, Zone Change Criteria

Portions of the approval criteria are not applicable to this application. Those sections are omitted from the following citation and identified 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.

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

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

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one (1) of the following ways:

- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with

proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:

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

ISSUES AND ANALYSIS

Background

The subject site is fully developed with an old cannery building owned by Naumes, Inc. The applicant, Casey Gillum, is in the process of purchasing the subject site and the property adjacent to the east. The applicant's findings note the applicant intends to reuse the structure as a multi-purpose building for various commercial activities. The applicant is seeking the zone change to accommodate the proposed uses.

Transportation System Plan

As part of the approval, a demonstration must be made that the zone change is consistent with the Transportation System Plan (TSP). The applicant submitted a Traffic Impact Analysis (TIA) for staff review. (The Executive Summary is included as Exhibit H. Because of the bulk of the study, the entire document is incorporated by reference and is on file in the Planning Department.) The TIA findings conclude that the proposed zone change can be approved without causing any adverse impacts to the transportation system. The Public Works Department recommends no conditions of approval related to traffic (Exhibit N).

General Land Use Plan Designation

The General Land Use Plan designation for the subject property is Commercial. The Comprehensive Plan identifies the C-H zone as appropriate under that designation.

Locational Requirements

The approval criteria in 10.227(1)(c)(iv) requires a two-pronged location analysis for the proposed C-H zone. First, abutting zoning must be considered. As noted above, the subject site abuts the I-G (General Industrial) zone district, which is permissible under this criterion. The second requirement is that the zone abuts an arterial street or state highway. In this case, the parcel itself does not front on an arterial street but the zone district as a whole does (Exhibit D). Central Avenue is classified as an arterial street.

Agency Comments

There are adequate public facilities available to serve the site as noted in Exhibits N through P. No conditions of approval are recommended by any responding agency.

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's findings and conclusions (Exhibit A) and recommends the Commission adopt the findings as presented.

RECOMMENDED ACTION

Adopt the findings as recommended by staff and adopt the Final Order for approval of ZC-16-083 per the staff report dated September 1, 2016, including Exhibits A through P.

EXHIBITS

- A Applicant's Findings
- B Legal Description
- C Jackson County Assessor's Map
- D Zoning Map
- E GLUP Map
- F Aerial Photo
- G Site Photo
- H Traffic Impact Analysis Executive Summary
- I Public Works Department Staff Report for PA-16-041
- J Medford Fire Department Land Development Report for PA-16-041
- K Medford Water Commission Water Facility Map for PA-16-041
- L Public Hearing Sign Affirmation
- M Written Consent of Owner
- N Public Works Department Staff Report received August 10, 2016
- O Medford Water Commission Staff Memo received August 10, 2016
- P Medford Fire Department Land Development Report received August 10, 2016
Vicinity map

Vicinity map

PLANNING COMMISSION AGENDA:

SEPTEMBER 8, 2016

RECEIVED
JUL 08 2016
PLANNING DEPT.

**EXHIBIT "A"
APPLICATION FINDINGS
ZONE CHANGE APPLICATION
37-1W-30CA TAX LOT 6703**

A. Proposal.

Naumes Inc., an Oregon corporation, is the owner of certain real property located in the City of Medford commonly known as Township 37 South, Range 1 West, Section 30CA, Tax Lot 6703 ("the subject property"). Casey Gillum ("Applicant") is proposing to change the zoning of the subject property from General Industrial (I-G) to Commercial Heavy (C-H). The Applicant proposes to redevelop an old cannery building into a multi-purpose use building including: (a) coffee shop; (b) individual segregated work areas for artists; (c) open work areas for use by students and members of the public for art projects; (d) retail showroom and sales area; (e) offices; (f) storage areas for supplies; and (g) an on-site caretaker apartment.

B. Schedule of Exhibits.

The following Exhibits have been submitted in support of this Application and by this reference are incorporated herein:

- EXHIBIT "A": Application Findings**
- EXHIBIT "B": Legal Description**
- EXHIBIT "C": Assessors Map**
- EXHIBIT "D": Zoning Map**
- EXHIBIT "E": Comprehensive Plan**
- EXHIBIT "F": Aerial Map**
- EXHIBIT "G": Photographs**
- EXHIBIT "H": Traffic Impact Analysis**
- EXHIBIT "I": Public Works Staff Report**
- EXHIBIT "J": Fire District Report**
- EXHIBIT "K": Water Facilities Map**
- EXHIBIT "L": Public Hearing Signs**
- EXHIBIT "M": Agent Authorization Form**

C. Background.

The subject property is approximately 0.37 acres in size, is zoned General Industrial (I-G) and is developed with an old cannery building. The subject property fronts on 13th Street and Front Street. The subject property has a General Land Use Plan Map designation of Commercial. The subject property is bordered on the east by properties zoned Commercial Heavy (C-H). The subject property is served by municipal sewer and water. No portion of the subject property is located within a designated Special Flood Hazard Area (SFHA) overlay. There are no mapped streams, wetlands or vernal pools located on the subject property.

Applicant is also acquiring certain adjoining property commonly known as Township 37 South, Range 1 West, Section 30CA, Tax Lot 6400 ("Tax Lot 6400"). Tax Lot 6400 is developed with a small commercial building with the remainder of the parcel consisting of a developed parking area. Applicant intends to utilize the aforementioned parking area on Tax Lot 6400 to provide parking for the subject property.

D. Applicable Criteria.

The standards and criteria applicable to this Application are set forth in Medford Land Development Code (MLDC) Section 10.227 (Zone Change Criteria). Findings addressing the applicable standards and criteria of MLDC 10.277 are set forth as follows:

1. MLDC 10.227(1). TSP and General Land Use Plan Map Compliance.

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. [MLDC 10.277(1)]

Applicant's Findings: A key requirement in the Transportation Planning Rule (TPR) is that local governments evaluate proposed zone changes to determine if they are consistent with adopted transportation plans. In short, the City must determine whether existing transportation facilities in conjunction with planned improvements, if any, will provide adequate capacity to support the new development allowed by the proposed zone change. The City adopted its Transportation System Plan (TSP) in accordance with the TPR. Consequently, Applicant obtained the services of Kimberly Parducci, an Oregon registered professional engineer with Southern Oregon Transportation Engineering, LLC, to conduct a Traffic Impact Analysis (TIA) for the proposed zone change (*See Exhibit "H" attached hereto*). The TIA states, in part, as follows:

The findings of the traffic impact analysis conclude that the proposed zone change from I-G to C-H can be approved without causing any adverse impacts to the transportation system. Intersection operations and safety was evaluated to address development impacts to the surrounding area. Results of the analysis show the following:

1. All surrounding intersections operate acceptably under existing year 2016, design year 2018, and future year 2023 no-build and build conditions during the p.m. peak hour.

2. There were no safety concerns as a result of 95th percentile queue lengths or crash histories.

This analysis was undertaken to address issues of compliance with the City of Medford Comprehensive Plan, Land Development Code, and Oregon Transportation Planning Rule (TPR) in Oregon Administrative Rules (OAR) Chapter 660, Division 012. Based upon our analysis of streets and intersection capacities, it is concluded under TPR that the proposed zoning amendment will not significantly affect any existing or planned transportation facility nor would it result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the TSP or comprehensive plan which, for the City of Medford, is a level of service "D". Street capacity (for streets that service the property) is available to adequately serve the property with the various permitted uses that are allowed under the proposed C-H zoning based upon the City's level of service "D" standard. Therefore, the application for zoning amendment is found to be in compliance with the Medford Comprehensive Plan pursuant to the Medford Land Development Code, and is consistent with the TPR. TIA, Pg. 5.

The subject property has a General Land Use Plan Map (GLUP) designation of Commercial. Therefore, the proposed Commercial Heavy (C-H) zoning designation is appropriate pursuant to the GLUP designation. The subject property is not located within a special plan area.

2. MLDC 10.227(1)(c). Changes to Commercial Zoning District.

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

(i) The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one (1) boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.

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

(iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any

residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below. [MLDC 10.277(1)(c)]

Applicant's Findings: The subject property does not front upon an arterial street or state highway. However, as set forth above, Tax Lot 6400 is being acquired in conjunction with the subject property and will provide both access and parking for the subject property through a recorded covenant. Tax Lot 6400 is zoned Commercial Heavy (C-H) and fronts on Central Avenue, an arterial street. Consequently, the subject property and Tax Lot 6400 should be viewed together to demonstrate compliance with the requirement that the Commercial Heavy (C-H) zoning designation front on an arterial street.

3. MLDC 10.227(2). Category "A" Urban Services and Facilities (Water, Sewer & Storm).

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 and Goal 2 of the Comprehensive Plan "Public Facilities Element" and Transportation System Plan.

(a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

Applicant's Findings: The Applicant participated in a pre-application conference with City staff prior to the submittal of this Application. The Public Works Department prepared a staff report dated June 1, 2016, addressing storm drainage, transportation and sewage ("the PW Report"). A copy of the PW Report is attached hereto as **Exhibit "I"**. The PW Report concluded that the subject property "is fully developed and is allowed to drain into any existing facilities and/or public right-of-way as it currently utilizes." The PW Report further concluded that subject property was anticipated to generate 555 ADT under the Commercial Heavy (C-H) zoning designation, a net increase of 481 ADT. The TIA is based on the 555 ADT set forth in the PW Report. The PW Report sets forth concerns about sanitary sewer constraints, however, it was later determined that a mistake was made and that no such sewer constraints exist. The Medford Fire Department concluded that no additional requirements would be imposed as a result of the proposed zone change (*See Exhibit "J"* attached hereto). The subject property is currently served

by a 6" water line with a 4" meter (*See Exhibit "K"* attached hereto).

4. MLDC 10.227(2). Category "A" Urban Services and Facilities (Streets).

(b) Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or

(ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

(iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one (1) proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one (1) of the following occurs:

(a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two (2) years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or

(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

(iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity. [MLDC 10.277(2)]

Applicant's Findings: Pursuant to the TIA, no street improvements are warranted.

5. MLDC 10.227(2)(c). Special Development Conditions.

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

(i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

(ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,

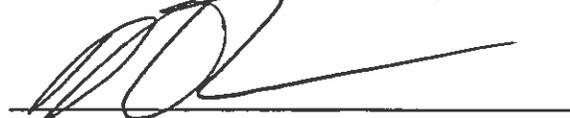
(iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools. [MLDC 10.277(2)(c)]

Applicant's Findings: As set forth above, the subject property has no parking or direct access onto Central Avenue. Applicant is purchasing the subject property simultaneously with the purchase of Tax Lot 6400. Tax Lot 6400 is developed with a small commercial building and a large improved parking area (See Exhibit "F" attached hereto). Applicant intends to utilize Tax Lot 6400 for parking for the subject property. Applicant is willing to execute and record a covenant consistent with the foregoing.

F. Conclusion.

For the reasons set forth above, Applicant respectfully requests that the proposed zone change application set forth herein be approved.

HUYCKE O'CONNOR JARVIS, LLP:



Daniel B. O'Connor, OSB No. 950444
Attorney for Applicant

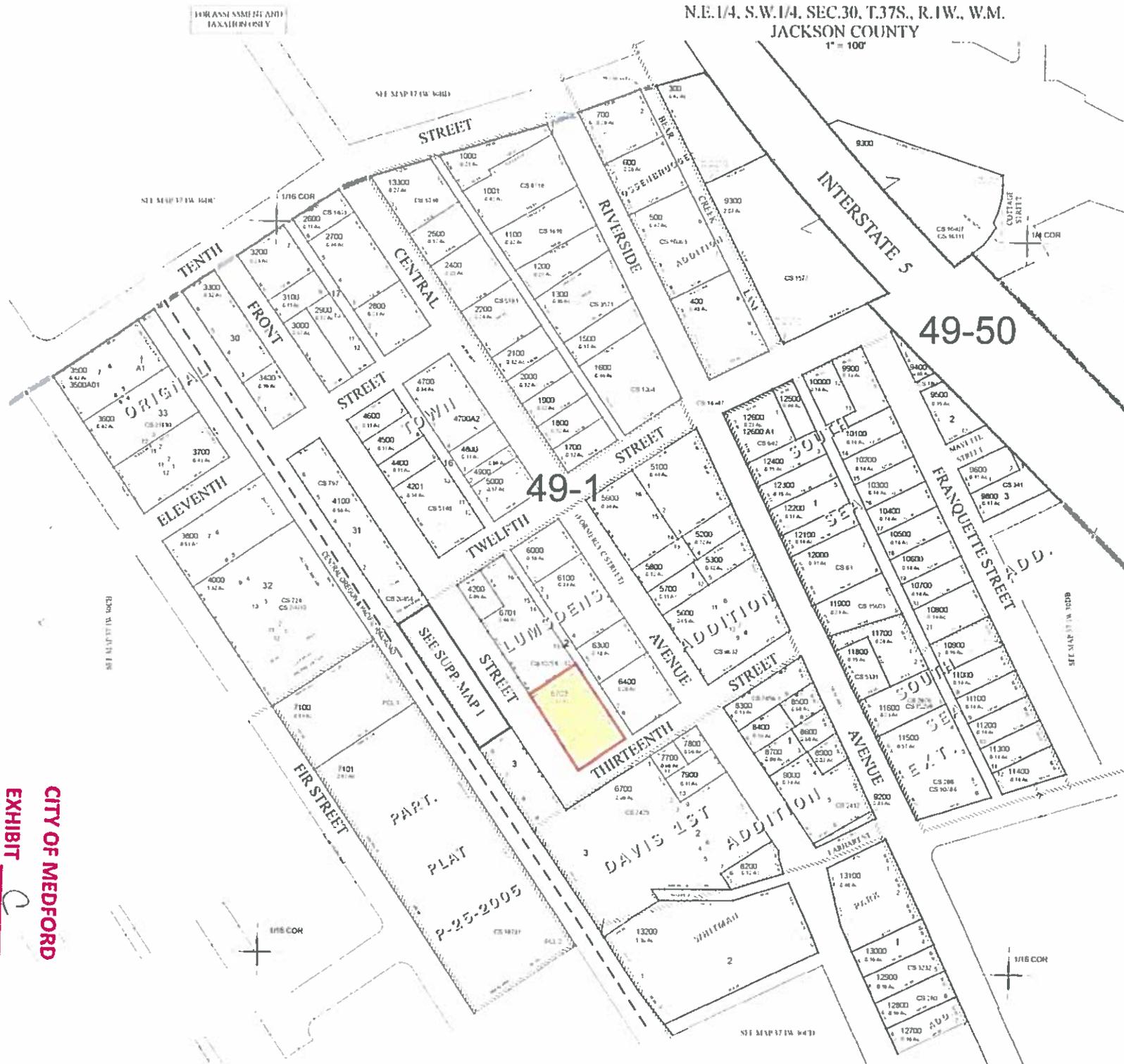
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Commencing at the most Westerly corner of Lot 16, Block 2 of LUMSDEN'S ADDITION to the City of Medford, Jackson County, Oregon, according to the Official Plat thereof, now of record, thence along the Northeasterly right-of-way line of South Front Street, South 35° 07' 40" East, 239.59 feet to the true point of beginning, from which a lead plug with tack set in concrete bears South 35° 07' 40" East, 0.22 feet and South 54° 52' 30" West, 0.34 feet; thence North 54° 52' 30" East, 100.14 feet to a point on the Southwesterly boundary of an alley from which a 5/8" rebar with plastic cap set bears South 35° 07' 40" East, 0.22 feet and North 54° 52' 30" East, 0.46 feet; thence along said alley boundary, South 35° 07' 40" East, 160.70 feet to the most Easterly corner of Lot 9, said Block 2 of LUMSDEN'S ADDITION; thence along the Northwesterly right-of-way line of Thirteenth Street, South 54° 55' 30" West, 100.14 feet to the most Southerly corner of said Lot 9; thence along the Northeasterly right-of-way line of said South Front Street, North 35° 07' 40" West, 160.61 feet to the true point of beginning.

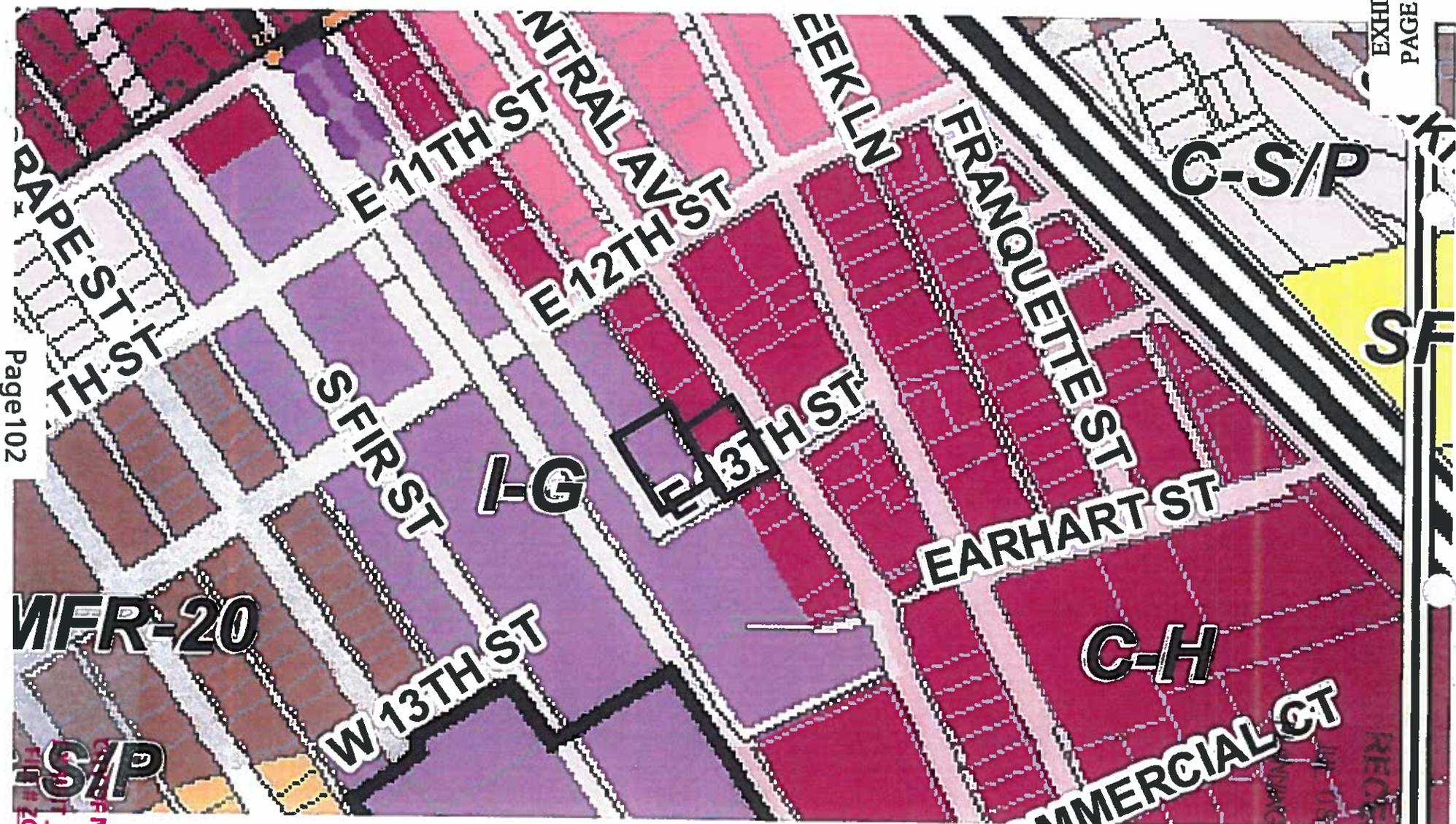
CANCELLED TAX
LOT NUMBERS

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EXHIBIT C
FILE # ZC-16-083
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FILE # ZC-16-083
MEDFORD

EXHIBIT D
PAGE 1 OF 1

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S/P

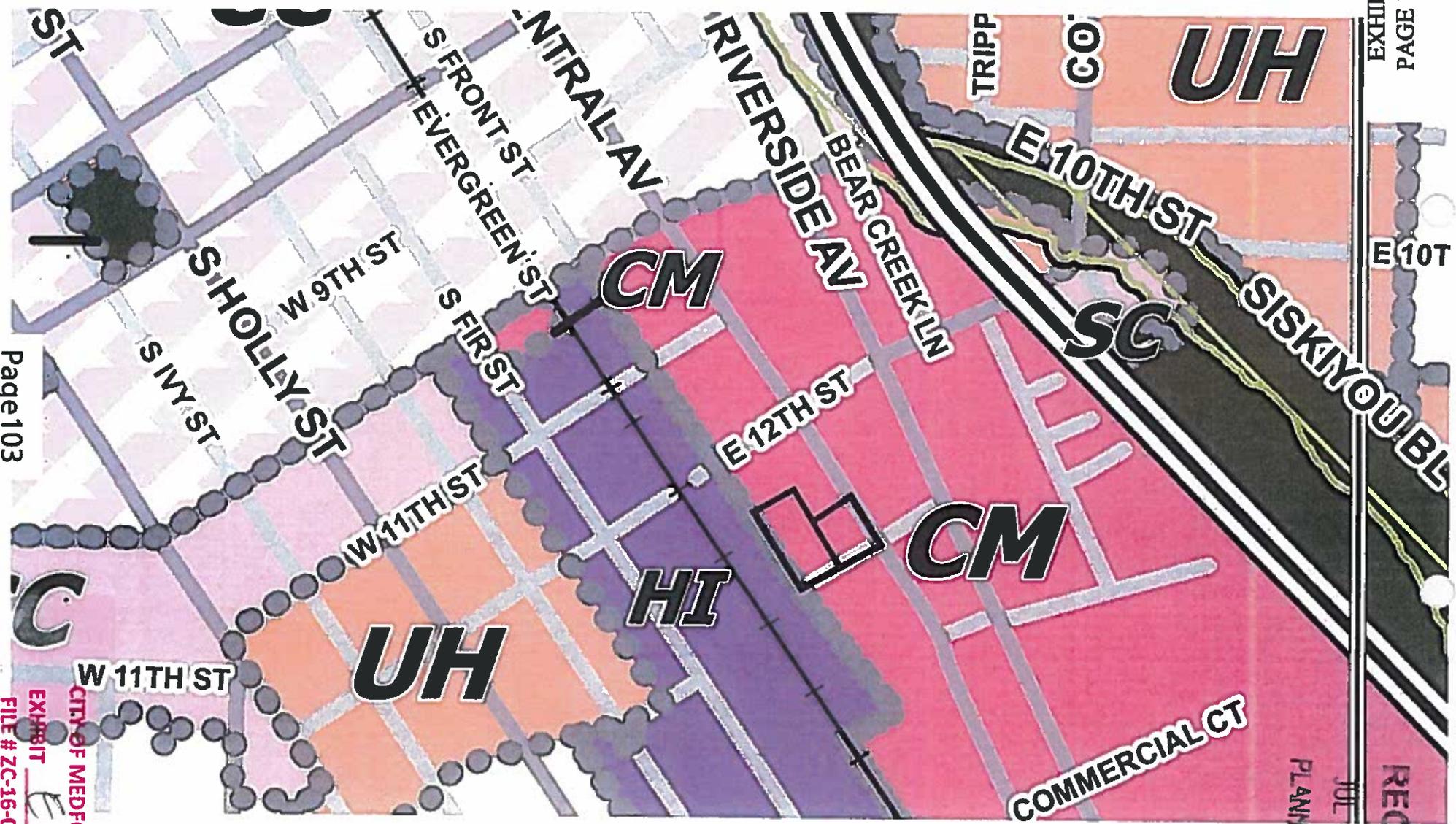
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EXHIBIT E
 PAGE 1 OF 1

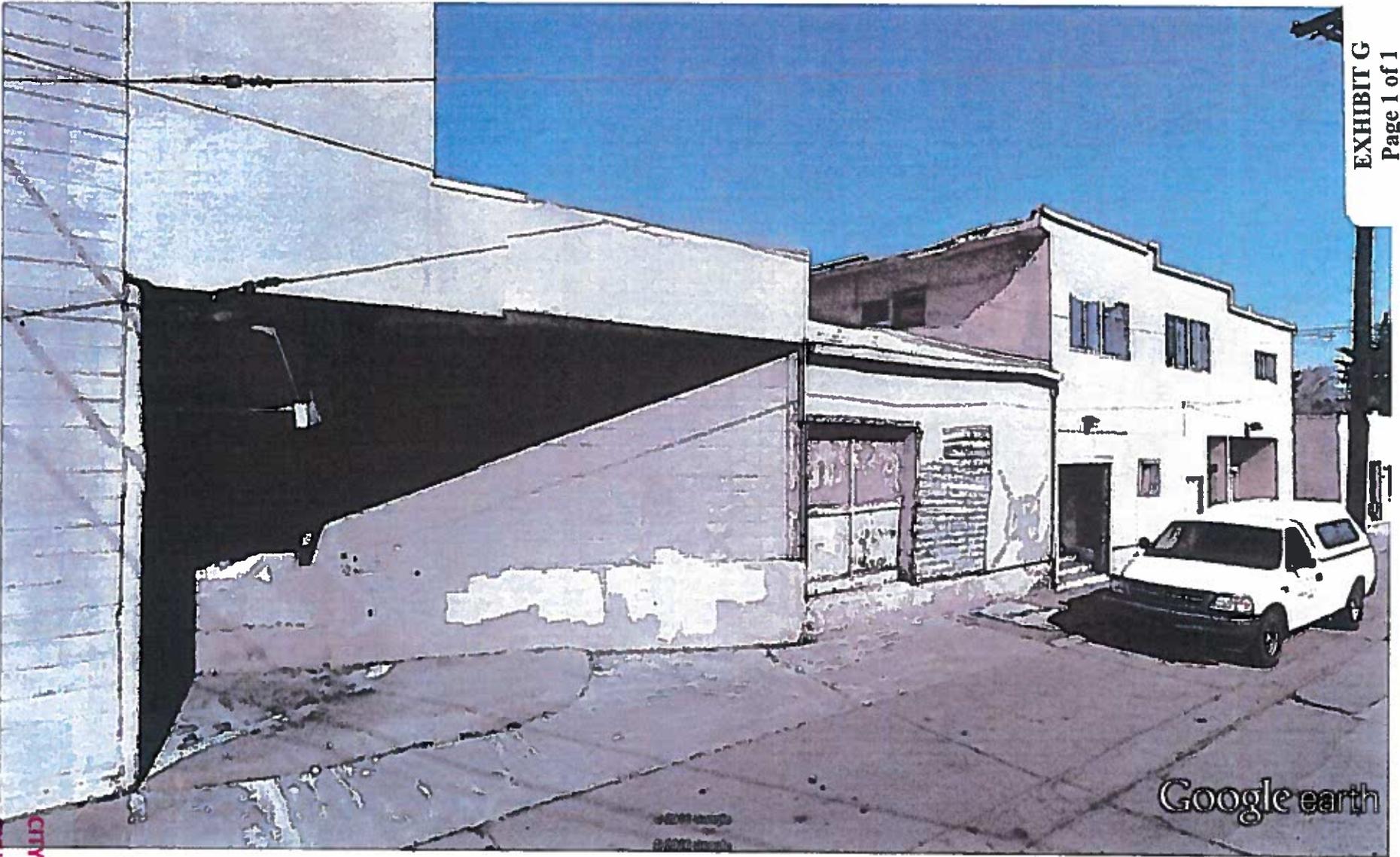
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Google earth

CITY OF MEDFORD

EXHIBIT F
FILE # ZC-16-083



Google earth



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Google earth

I-G to C-H Zone Change

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Traffic Impact Analysis

July 7, 2016

Prepared By:

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC



I. EXECUTIVE SUMMARY

Summary

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from General Industrial (I-G) to Heavy Commercial (C-H) on Township 37S Range 1W Section 30CA, tax lot 6703 in Medford, Oregon. The subject property is a 0.37 acre parcel located on the northeast corner of 13th Street and Front Street.

Access to the site is provided from an alley that runs north-south and intersects at 12th Street and 13th Street. An additional access is also provided from Central Avenue through an adjoining property to the east (371W30CA, tax lot 6400). Under C-H zoning the site is estimated (using the City's 1,500 average daily trip per acre generation) to generate 555 average daily trips (ADT) with 56 trips occurring during the p.m. peak hour. The distribution of 56 p.m. peak hour trips to the transportation system is not shown to reach any intersections involving collectors and/or arterials with 25 or more peak hour trips, but two intersections along Central Avenue near the site are reached with 25 or more peak hour trips so these were included in the analysis.

Surrounding intersections were evaluated under existing year 2016, design year 2018, and future year 2023 no build and build conditions to determine what impacts the proposed zone change will have on the transportation system.

Conclusions

The findings of the traffic impact analysis conclude that the proposed zone change from I-G to C-H can be approved without causing any adverse impacts to the transportation system. Intersection operations and safety was evaluated to address development impacts to the surrounding area. Results of the analysis show the following:

1. All surrounding intersections operate acceptably under existing year 2016, design year 2018, and future year 2023 no-build and build conditions during the p.m. peak hour.
2. There were no safety concerns as a result of 95th percentile queue lengths or crash histories.

This analysis was undertaken to address issues of compliance with the City of Medford Comprehensive Plan, Land Development Code, and Oregon Transportation Planning Rule (TPR) in Oregon Administrative Rules (OAR) Chapter 660, Division 012. Based upon our analysis of streets and intersection capacities, it is concluded under TPR that the proposed zoning amendment will not significantly affect any existing or planned transportation facility nor would it result in types or levels of travel or access that are inconsistent with the functional classification of any existing or planned transportation facility such that it would not meet the performance standard identified in the TSP or comprehensive plan which, for the City of Medford, is a level of service "D". Street capacity (for streets that service the property) is available to adequately serve the property with the various permitted uses that are allowed under the proposed C-H zoning based upon the City's level of service "D" standard. Therefore, the application for zoning amendment is found to be in compliance with the Medford Comprehensive Plan pursuant to the Medford Land Development Code, and is consistent with the TPR.

II. INTRODUCTION

Background

Southern Oregon Transportation Engineering, LLC prepared a traffic impact analysis for a proposed zone change from General Industrial (I-G) to Heavy Commercial (C-H) on Township 37S Range 1W Section 30CA, tax lot 6703 in Medford, Oregon. The subject property is a 0.37 acre parcel located on the northeast corner of 13th Street and Front Street.

The streets which serve the subject property were determined by City of Medford methodology, pursuant to MLDC 10.461(2). The scoping letter (provided in Appendix I) established the requirements for our analysis, which included using the City's traffic generation rate of 1,500 average daily trips per acre for C-H zoning and determining a study area based upon intersections involving collector and arterial streets impacted by 25 or more peak hour trips. Applying this methodology, the site was estimated to generate 555 average daily trips (ADT) with 56 trips occurring during the p.m. peak hour. The distribution of 56 p.m. peak hour trips to the transportation system was not shown to reach any intersections involving collectors and/or arterials with 25 or more peak hour trips, but two intersections along Central Avenue near the site were reached with 25 or more peak hour trips so these were included in the analysis. They included:

1. Central Avenue & 12th Street
2. Central Avenue & 13th Street

Surrounding intersections were evaluated under existing year 2016, design year 2018, and future year 2023 no build and build conditions during the p.m. peak hour to determine what impacts the proposed zone change will have on the transportation system.

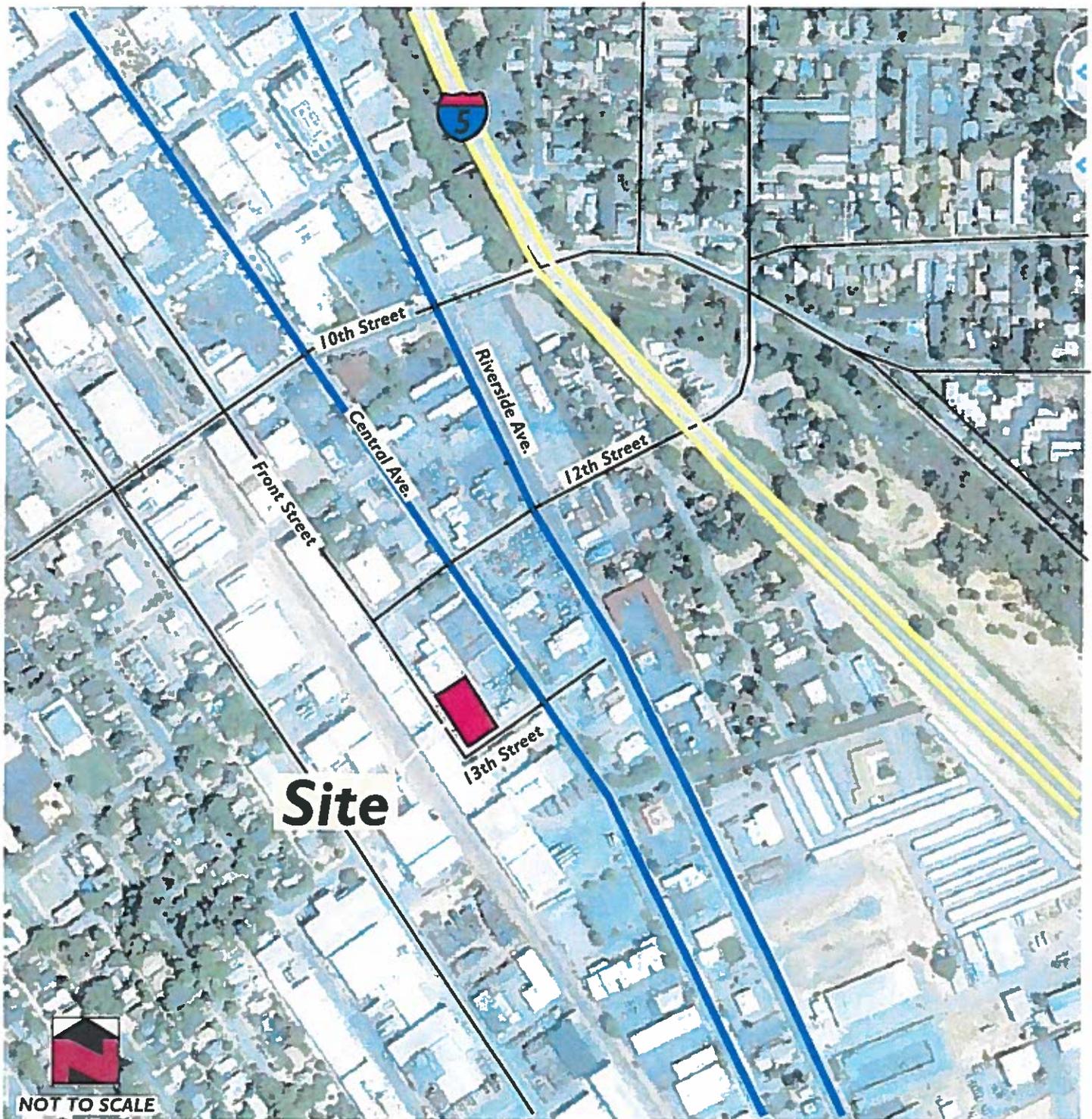
Project Location

The subject property is located along the northeast corner of 13th Street and Front Street. It includes a 0.37 acre parcel on Township 37S Range 1W Section 30CA, tax lot 6703. Refer to Figure 1 for a site vicinity map.

Project Description

The subject property is currently zoned General Industrial (I-G). A zone change is proposed to C-H (Heavy Commercial), which is estimated to generate up to 555 ADT using the City's C-H trip generation of 1,500 ADT/acre. Access to the site is provided from an alley that runs north-south and intersects at 12th Street and 13th Street. An additional access will also be provided from Central Avenue through an adjoining property to the east (371W30CA, tax lot 6400).

Figure 1 : Vicinity Map



**SOUTHERN OREGON
TRANSPORTATION ENGINEERING, LLC**

Medford, Oregon 97504
ph 541.608.9923 fax 541.535.6873
email: kwkp1@q.com

***I-G to C-H Zone Change
Traffic Impact Analysis
Medford, Oregon***



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PLANNING DEPT.

CITY OF MEDFORD

LD Date: 6/1/2016
File Number: PA-16-041

PUBLIC WORKS DEPARTMENT STAFF REPORT
Pre-Application: Zone Change – 107 E 13th Street (C. Gillum)

Project: Pre-application review of a proposal to change the zoning from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres.

Location: Located on the northeasterly corner of S. Front Street and E. 13th Street (107 E 13th Street, Tax Lot 371W30CA6703).

Applicant: Casey Gillum, Applicant (Dan O’Conner, Agent). Kelly Akin, Planner.

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

I. Sanitary Sewer Facilities

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

II. Storm Drainage Facilities

This site lies within the Bear Creek West Drainage Basin. The site is fully developed and is allowed to drain into any existing facilities and/or public right-of-way as it currently utilizes. Further development or re-development of the subject area will require storm drainage detention

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and water quality improvement in accordance with Section 10.486 and 10.729 of the Municipal Code.

III. Transportation System

Public Works has reviewed the proposed zone change from I-G (general industrial) to C-H (heavy commercial) located at 107 E 13th Street on approximately 0.37 acres. Under the current I-G zoning, the property is expected to generate 74 average daily trips (ADT). The property would be expected to generate 555 ADT under C-H zoning. The net increase is 481 ADT, which exceeds 250 ADT, the code standard beyond which a Traffic Impact Analysis (TIA) is required. The analysis must be prepared by a licensed engineer in the State of Oregon and follow our current TIA methodology which can be found in the MLDC, Section 10.461.

Prepared by: Doug Burroughs

The above report is based on the information provided with the Pre-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 as applicable.



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

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LAND DEVELOPMENT REPORT - PLANNING

To: Kelly Akin

LD Meeting Date: 06/01/2016

From: Fire Marshal Kleinberg

Report Prepared: 05/25/2016

File #: PA - 16 - 61

Site Name/Description:

Pre-application review of a proposal to change the zoning from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres located on the northeasterly corner of S. Front Street and E. 13th Street (107 E 13th Street, Tax Lot 371W30CA6703); Casey Gillum, Applicant (Dan O'Conner, Agent). Kelly Akin, Planner.

DESCRIPTION OF CORRECTIONS	REFERENCE
----------------------------	-----------

Approved as Submitted

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, IFB, IMC and NFPA standards.

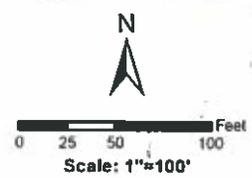
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EXHIBIT J

FILE # ZC-16-083

EXHIBIT J

Page 1 of 1



**Water Facility Map
for
PA-16-061**

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:**
- G Control Station
- P Pump Station
- R Reservoir

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EXHIBIT K
Page 1 of 1

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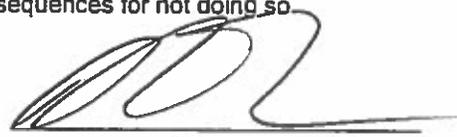
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ZONE CHANGE APPLICATION

PUBLIC HEARING SIGNS

I, Daniel O'Connor, the property owner (or authorized agent) of Tax Lot 6703 on Jackson County Assessor Map 37-1W-30CA, have read Medford *Land Development Code* Section 10.157 which specifies the posting requirements for the tax lot(s) noted above, agree to post the property according to those requirements, and understand the consequences for not doing so.

Signed:



Dated:

July 6, 2016

	PUBLIC NOTICE OF PROPOSED LAND USE ACTION
Proposed Land Use Action:	
Public Hearing Date: File No.:	
	For more information Contact the City of Medford Planning Department at 774-2380

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ZONE CHANGE APPLICATION

WRITTEN CONSENT OF OWNER

I, Michael D. Naumes, President of Naumes, Inc., the property owner of Tax Lot 6703 on Jackson County Assessor Map 37-1W-30CA, hereby consent to the filing of an application for Casey Gillum on said property, and will allow Daniel O'Connor of Huycke O'Connor Jarvis, LLP to represent me before the City of Medford Approving Authority. I also give permission to City of Medford staff to post a public notice of this proposed land use action on the tax lot noted above.

Signed: Michael D. Naumes, Pres.
Dated: 4/27/16



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CITY OF MEDFORD

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LD Date: 8/10/2016
File Number: ZC-16-083
(Reference: PA-16-061)

**PUBLIC WORKS DEPARTMENT STAFF REPORT
Zone Change – 107 E 13th Street (C. Gillum/Naumes Inc.)**

Project: Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres.

Location: Located on the northeasterly corner of S. Front Street and E. 13th Street (107 E 13th Street, Tax Lot 371W30CA6703).

Applicant: Casey Gillum, Applicant (Daniel O'Connor, Agent). Kristina Heredia, Planner.

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 City of Medford Sewer Service area. There is an existing 12-inch sanitary sewer main in Front Street and an existing 8-inch sanitary sewer main in the alley between Front Street and Central Avenue. There is capacity in the existing sanitary sewer system to allow this Zone Change.

II. Storm Drainage Facilities

This site lies within the Bear Creek West Drainage Basin. The site is fully developed and is allowed to drain into any existing facilities and/or public right-of-way as it currently utilizes. Further development or re-development of the subject area will require storm drainage detention and water quality improvement in accordance with Section 10.486 and 10.729 of the Municipal Code.

III. Transportation System

Public Works received a Traffic Impact Report from Southern Oregon Transportation Engineering LLC, dated July 7, 2016, titled "I-G to C-H Zone Change" for parcel 371W30CA6703 consisting of 0.37 acres. The zone change will result in an increase in potential trip generation from 74 average daily trips (ADT) to 555 ADT.

There is no significant impact to the transportation system since no higher order intersections are impacted by more than 25 P.M. peak hour trips.

There are therefore no conditions of approval recommended by Traffic Engineering.

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.



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: ZC-16-083

PARCEL ID: 372W23DB TL 7600

PROJECT: Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres of located on the corner of South Front Street and East 13th Street (371W30CA67400); Casey Gillum, Applicant (Daniel O'Connor, Agent). Kristina Heredia, Planner.

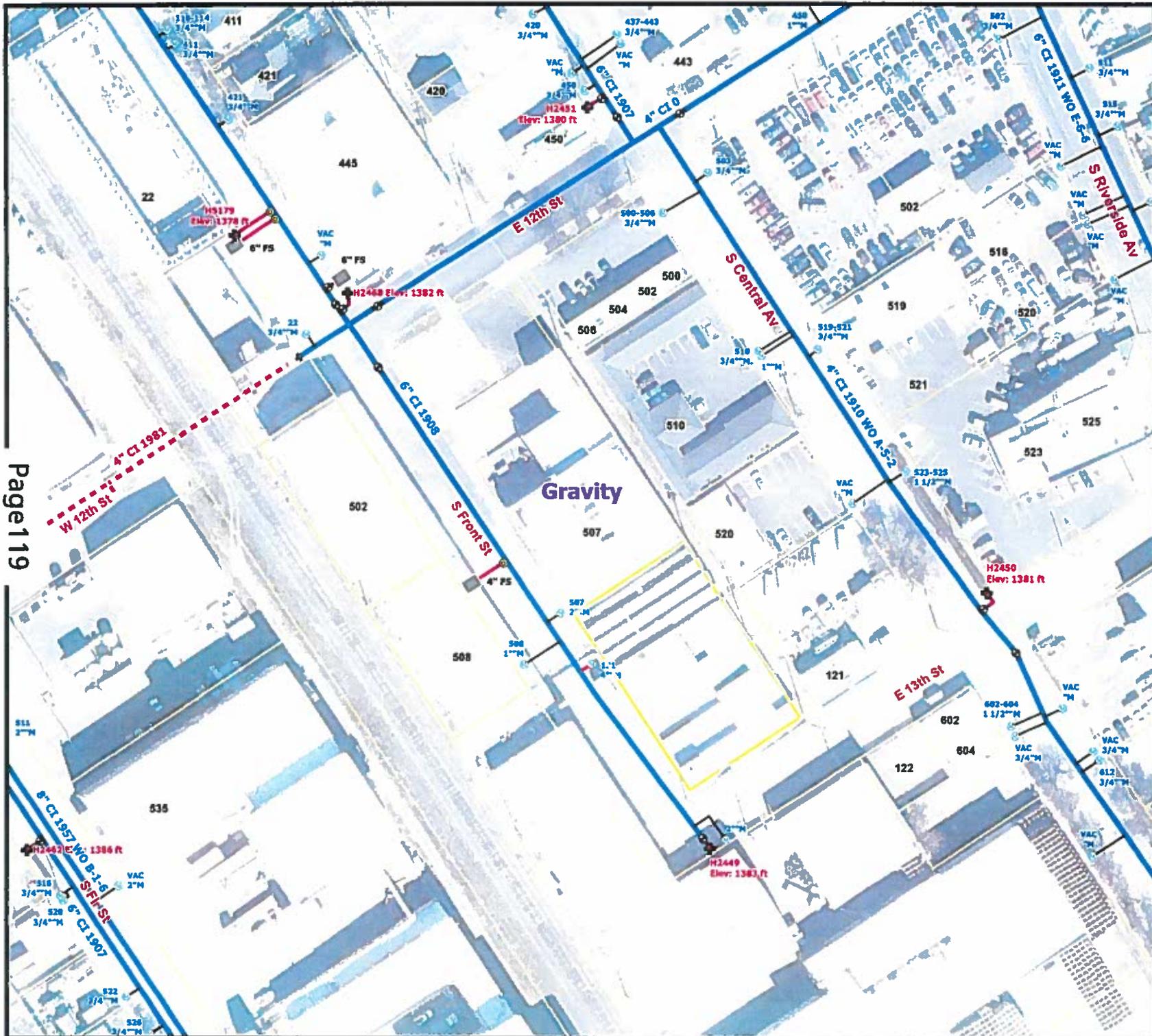
DATE: August 10, 2016

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10
AUG 11 2016
KA
PLANNING DEPT.

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is a 4-inch water meter located along S Front Street in front of the building located at intersection of S Grape Street and E 13th Street. This water meter appears to serve two (2) tax lots: 371W30CA6703 & 371W30CA6400, applicant shall coordinate with MWC engineering staff for metering these two lots.
7. Access to MWC water lines for connection is available. There is a 6-inch water line in S Front Street.



0 25 50 100 Feet
Scale: 1"=100'

Water Facility Map for ZC-16-083

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 compiled for Medford Water Commission from a 2010 aerial photograph. Medford Water Commission does not warrant the accuracy, reliability, or completeness of the information contained on this map. Medford Water Commission is not responsible for any errors or omissions, or for any consequences arising from the use of the information on this map.



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

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AUG 10 2016

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Kristina Heredia

LD Meeting Date: 08/10/2016

From: Fire Marshal Kleinberg

Report Prepared: 07/28/2016

File #: ZC - 16 - 83

Site Name/Description:

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 0.37 acres of located on the corner of South Front Street and East 13th Street (371W30CA67400); Casey Gillum, Applicant (Daniel O'Connor, Agent). Kristina Heredia, Planner.

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.

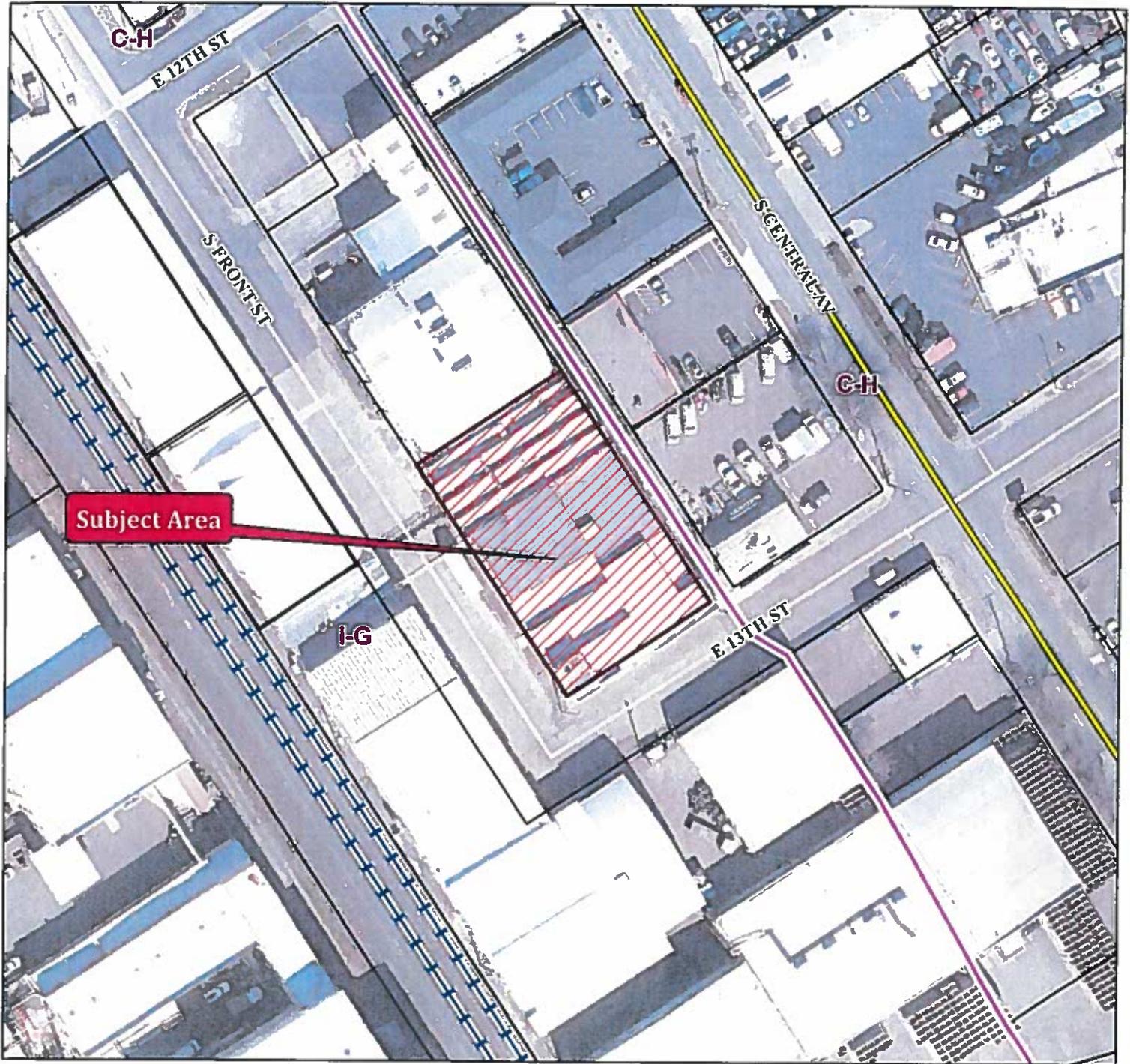
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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.

CITY OF MEDFORD
EXHIBIT P
FILE # ZC-16-083



Project Name:

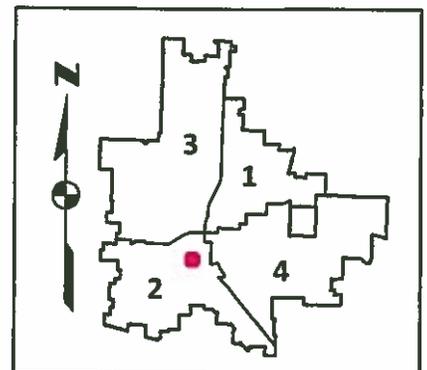
**Casey Gillum
Naumes, Inc**

Map/Taxlot:

371W30CA TL 6703

Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets



07/12/2016

JUL 08 2016

PLANNING DEPT.

Exhibit 'B'

Commencing at the most Westerly corner of Lot 16, Block 2 of LUMSDEN'S ADDITION to the City of Medford, Jackson County, Oregon, according to the Official Plat thereof, now of record; thence along the Northeasterly right-of-way line of South Front Street, South 35° 07' 40" East, 239.59 feet to the true point of beginning, from which a lead plug with tack set in concrete bears South 35° 07' 40" East, 0.22 feet and South 54° 52' 30" West, 0.34 feet; thence North 54° 52' 30" East, 100.14 feet to a point on the Southwesterly boundary of an alley from which a 5/8" rebar with plastic cap set bears South 35° 07' 40" East, 0.22 feet and North 54° 52' 30" East, 0.46 feet; thence along said alley boundary, South 35° 07' 40" East, 160.70 feet to the most Easterly corner of Lot 9, said Block 2 of LUMSDEN'S ADDITION; thence along the Northwesterly right-of-way line of Thirteenth Street, South 54° 55' 30" West, 100.14 feet to the most Southerly corner of said Lot 9; thence along the Northeasterly right-of-way line of said South Front Street, North 35° 07' 40" West, 160.61 feet to the true point of beginning.

CITY OF MEDFORD

EXHIBIT B

FILE # ZC-16-083

EXHIBIT B

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