

# PLANNING COMMISSION AGENDA DECEMBER 12, 2019



**MEDFORD**  
OREGON

## Commission Members

David Culbertson

Joe Foley

Bill Mansfield

David McFadden

Mark McKechnie

E. J. McManus

Jared Pulver

Jeff Thomas

Regular Planning Commission  
meetings are held on the second and  
fourth Thursdays of every month

Meetings begin at 5:30 PM

## City of Medford

City Council Chambers

411 W. Eighth Street, Third Floor

Medford, OR 97501

541-774-2380



December 12, 2019

5:30 P.M.

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

**REVISED**

**10. Roll Call**

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

**20.1 PUD-19-002** Final Order of a request for a revision to ‘the Village’ area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to **110**, a mixed-use structure, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential – 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt.

**20.2 ZC-19-017** Final Order of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400); Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

**30. Approval or Correction of the Minutes from November 14, 2019 hearing**

**40. Oral Requests and Communications from the Audience**

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

**50. Public Hearings**

COMMENTS ARE LIMITED TO A TOTAL OF 10 MINUTES FOR APPLICANTS AND/OR THEIR REPRESENTATIVES. YOU MAY REQUEST A 5-MINUTE REBUTTAL TIME. ALL OTHERS WILL BE LIMITED TO 3 MINUTES PER INDIVIDUAL OR 5 MINUTES IF REPRESENTING A GROUP OR ORGANIZATION. **PLEASE SIGN IN.**

**Continuance Request**

**50.1 LDS-19-076** Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 buildings on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000); Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt. **The applicant requests this item be continued to the January 9, 2020 Planning Commission meeting.**

**New Business**

**50.2 ZC-19-019** Consideration of a request for a change of zone of a single 0.96-acre parcel located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L (Light Industrial) (372W12A TL 800). Applicant, Alvarez Real Estate LLC; Agent, CSA Planning; Planner, Dustin Severs.

**50.3 ZC-19-018 / GLUP-19-005** The proposal includes a General Land Use Plan (GLUP) Map Amendment and Major Zone Change to convert 11 existing park properties to the Parks and Schools (PS) designation and the Parks (P-1) zone. Applicant, City of Medford; Planner, Sarah Sousa.

**50.4 CP-19-004** A legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan. Applicant, City of Medford; Planner, Carla Paladino.

**60. Reports**

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

**70. Messages and Papers from the Chair**

**80. City Attorney Remarks**

**90. Propositions and Remarks from the Commission**

**100. Adjournment**

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

IN THE MATTER OF PLANNING COMMISSION FILE PUD-19-002 )  
APPLICATION FOR REVISIONS TO STONEGATE ESTATES PLANNED UNIT ) **ORDER**  
DEVELOPMENT SUBMITTED BY KOBLE CREATIVE ARCHITECTURE )

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

A revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to **110**, a mixed-use structure, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential - 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district.

WHEREAS:

1. The Planning Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.198(A), Revision of a Preliminary or Final Planned Unit Development Plan; and
2. The Medford Planning Commission has duly held a public hearing on the request for a revision to the approved Preliminary PUD Plan as described above, with the public hearing a matter of record of the Planning Commission on November 14, 2019; and
3. At the public hearing evidence and recommendations were received and presented by the applicant's representative and Planning Department staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Medford Planning Commission, upon a motion duly seconded, granted a revision to the approved Preliminary PUD Plan, as described above and directed staff to prepare a final order with all conditions and findings set forth for granting the revision.

THEREFORE LET IT BE HEREBY ORDERED that the approval for a revision to the approved Preliminary PUD Plan, as described above stands approved, per the Planning Commission Report dated November 14, 2019.

Accepted and approved this 12th day of December, 2019.

CITY OF MEDFORD PLANNING COMMISSION

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

ATTEST:

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



## COMMISSION REPORT

for a Type-III quasi-judicial decision: **Planned Unit Development Revision**

**Project** Cedar Links Apartments  
Applicant & Agent: Koble Creative Architecture

**Date** December 5, 2019

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### BACKGROUND

#### Proposal

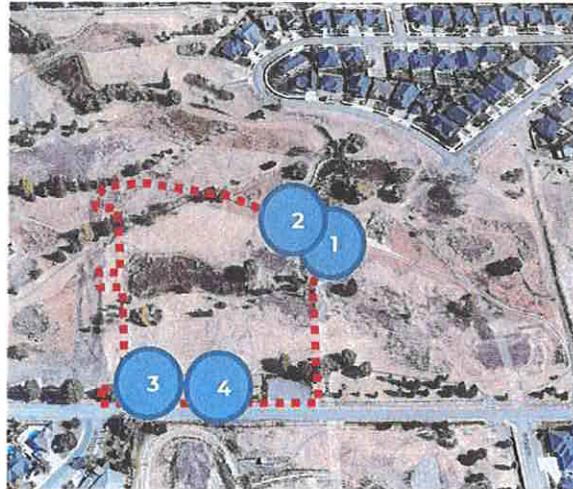
Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to **110**, a mixed-use structure, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential - 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district.

Note: This description is different from the description that was part of earlier notices. The original description was partially incorrect. This is the correct description.

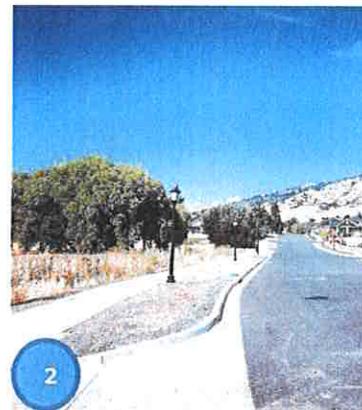
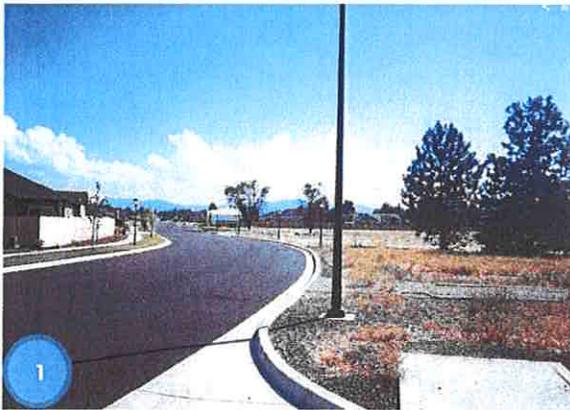
#### Vicinity Map



### Aerial View



### Site Visit



### Subject Site Characteristics

GLUP	UR	Urban Residential
Zoning	SFR-4	Single Family Residential – 2.5 to 4 dwelling units per gross acre
Overlays	PD	Planned Unit Development
	A-C	Airport Area of Concern
Use	Vacant	

### Surrounding Site Characteristics

<i>North</i>	Zone:	SFR-4
	Use:	Vacant
<i>South</i>	Zone:	SFR-4
	Use:	Single Family Residential
<i>East</i>	Zone:	SFR-4
	Use:	Single Family Residential
<i>West</i>	Zone:	SFR-4
	Use:	Vacant

### Related Projects

PUD-05-035	Cedar Landing PUD
LDS-05-036	Cascade Terrace Subdivision
LDS-05-037	Sky Lakes Subdivision
PUD-05-035	Termination of 5.47 acre portion of PUD for park property in 2011
LDS-13-121	Sky Lakes Village Subdivision Phases 7A & 7B
PUD-13-119	PUD Revision
E-14-059	Exception to required right-of-way dedication
PUD-14-136	PUD Revision
LDS-14-137	Sky Lakes Village Phase 1 Tentative Plat
LDS-14-138	The Village at Cedar Landing Phase 1 Tentative Plat
PUD-15-043	South portion of Cedar Landing PUD Revision for reconfiguration area into the High Cedars subarea, phases 1 through 5 and modifying land use.
LDS-15-044	Tentative plat for High Cedars Subdivision Phases 1 through 5 (176 lots).
PUD-16-024	PUD Revision
LDS-16-025	Revision to Cascade Terrace at Cedar Landing Subdivision Phase 1 through 5

LDS-16-026 Replat of Sky Lakes Village Subdivision– Phase 7A  
LDS-16-027 Tentative Plat for Sky Lake Village at Cedar Landing, Phase 1 through 4, The Village at Cedar Landing and the Cottages at Cedar Landing.

### Applicable Criteria

#### Medford Land Development Code §10.198 Revision or Termination of a PUD

- (A) Revision of a Preliminary or Final PUD Plan  
The expansion or modification of a PUD approved under earlier PUD ordinances of the City of the revision of a Preliminary or Final PUD Plan shall follow the same procedures required for initial approval of a Preliminary PUD Plan in this Section, provided:
- (1) Applicant for Revision; Filing Materials; Procedures  
An application to revise an approved PUD Plan shall be on forms supplied by the Planning Department. The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD. For changes deemed by the Planning Director to be minor but not de minimis, the Planning Director shall exercise appropriate discretion under Section 10.190(C)(1) to limit or waive the submittal of filing materials deemed to be excessive, repetitive or unnecessary based upon the scope and nature of the proposed PUD revisions. PUD revisions shall follow the same procedures used for initial approval of a Preliminary PUD Plan.
  - (2) Consolidated Procedure.  
At the discretion of the Planning Director, revisions to an approved PUD Plan may be consolidated into a single procedure, the effect of which will be the approval of both a Preliminary PUD Plan and Final PUD Plan by the Planning Commission.
  - (3) Burden of Proof; Criteria for Revisions  
The burden of proof and supporting findings of fact and conclusions of law for the criteria in Sections 10.190(D) or 10.196(D), as applicable, shall be strictly limited to the specific nature and magnitude of the proposed revision. However, it is further provided that the design and development aspects of the whole PUD may be relied upon in reaching findings of fact and conclusions of law for the criterion at Section 10.190(D)(5). It is further provided that before the Planning

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

(4) De Minimis Revisions

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

(B) Termination of a PUD.

A PUD may be terminated by action of the Planning Commission subject to the following procedures:

- (1) If issuance of building permits for vertical construction has not occurred or if no lots or units therein have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the land covered by the approved PUD and which also constitutes more than 50% of the total assessed value of land and improvements of the PUD. Upon receipt of a valid petition, the Planning Commission shall consider the matter in an open meeting and shall declare the PUD terminated. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same. When the Final Order is signed the PUD shall be terminated and previous PUD Plan approvals shall be considered void and of no further effect. Termination of a PUD shall not affect other land use actions taken by the City which concern the PUD property.
- (2) If issuance of building permits for vertical construction has occurred or if lots or units within the PUD have been sold, the PUD may be terminated as provided in this Subsection. Termination proceedings

may be initiated by filing with the City a written petition signed by the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD which also constitutes more than 50% of the total assessed value of vacant land within the PUD. If there is an association of owners established within the boundaries of the whole PUD, the owner(s) petitioning for termination of the PUD shall also supply the City with the correct mailing address of the association which shall be notified along with others entitled to notice under this Subsection. Upon receipt of the petition, the Planning Commission shall provide notification of the proposed PUD termination and conduct a public hearing on the matter. The Notice and public hearing shall be subject to Type III procedures. The Planning Commission shall declare the PUD terminated if it concludes that the termination will not produce greater than minimal harm to the public health, safety or general welfare. The Planning Commission's termination of a PUD shall be evidenced by a Final Order declaring the same and after approvals shall be considered void and of no further effect. Termination of PUD shall not affect other land use actions taken by the City which concern the PUD property.

#### **Medford Land Development Code §10.190 Planned Unit Development – Application and Approval Provisions**

- (D) Approval Criteria for Preliminary PUD Plan  
The Planning Commission shall approve a Preliminary PUD if it concludes that compliance exists with each of the following criteria:
- (1) The proposed PUD:
    - (a) preserves an important natural feature of the land; or
    - (b) includes a mixture of residential and commercial land uses; or
    - (c) includes a mixture of housing types in residential areas; or
    - (d) includes open space, common areas, or other elements intended for common use or ownership; or
    - (e) is otherwise required by the Medford Land Development Code.
  - (2) The proposed PUD complies with the applicable requirements of this Code, or
    - (a) the narrative describes the proposed modified standards of the Code and how they are related specifically to the implementation of the rationale for the PUD as described in the application, and
    - (b) the proposed modifications enhance the development as a whole resulting in a more creative and desirable project, and

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

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

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

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

### **Corporate Names**

Joe M Westerman is the Registered Agent and Member for Cedar Links Apartment LLC according to the Oregon Secretary of State Business Registry.

WSCJ Business Services, Inc. is the Registered Agent for Koble Creative, Architecture LLC according to the Oregon Secretary of State Business Registry. Terry Amundson is listed as Member and Melissa Meiners is listed as Manager.

William H Caffee is the Registered Agent and President for WSC Business Services, Inc. according to the Oregon Secretary of State Business Registry. Jon R Summers is listed as the Secretary.

### **ISSUES AND ANALYSIS**

#### **Background**

In 1986, the City granted the original conditional use permit (CUP-86-04) to allow the development and operation of the then 9-hole Cedar Links Golf Club, to expand southward across Cedar Links Drive. On April 27, 2006, the Planning Commission approved Cedar Land Planned Unit Development (PUD-05-035), a master plan for the redevelopment of the 122.12-acre site to provide a mixture of residential uses, commercial development and a preservation of existing open space. The overall project was organized into four sub areas with multiple phases that are described as follows:

1. High Cedars (43 ± acres) consists of five phases including single-family lots, 55 and older, pad lots and common area/open space.
2. The Village at Cedar Landing (21 ± acres) is made up of five phases of single-family lots, condominiums, retirement facilities and common area/open space.
3. Cascade Terrace (15 ± acres) is comprised of two phases of small single-family lots targeted for detached dwellings and residents aged 55 or older.
4. Sky Lakes Village (42 ± acres) consists of single-family residential lots and common area/open space.

A 5.47-acre portion of the project terminated from the PUD and sold to the City for use as a public park in 2005 which is currently under construction.

In 2013, a revision to the PUD was approved which included modifications for naming, numbering, and design. An important item discussed in the Public Works Staff Report at that time was the realignment of Cedar Links Drive at Foothill Roads. A traffic signal and the realigned intersection were completed in 2016.

In January 2015, an Exception was approved for the reduction of required right-of-way dedication for Cedar Links Drive. The Planning Commission approved modification to the street design as part of the original approval in order to preserve existing Cedar trees on the north side of Cedar Links Drive. An Exception was necessary in order to reduce the amount of right-of-way dedication.

In April 2015, the Planning Commission approved a revision to the PUD regarding changes to the north side of Cedar Links Drive and tentative plats for Sky Lakes Phase 1 and The Village Phase 1.

In May of 2015, the applicant received approval to revise the portion of the PUD south of Cedar Links Drive (PUD-15-043). Specifically, major revision to the plan consisted of reconfiguring the entire area into 5 phases, changing all commercial, multi-family, and condominium uses to single-family detached residential, and more. Concurrently with the PUD amendment, the applicant received approval of a 176-lot tentative plat (LDS-168-044) extending over the entire project area south of Cedar Links Drive.

In 2016, the Planning Commission approved several revisions to the PUD along with three corresponding land division applications consisting of 'Revision to Cascade Terrace phase 1 through 5', 'Replat of Sky Lakes Village - Phase 7A', and 'Tentative Plat for Sky Lake Village at Cedar Landing, Phase 1 through 4, The Village Cedar Landing and the Cottage at Cedar Landing.'

The 2016 PUD revision (PUD-16-024) included several revisions that are pertinent to this current application:

1. To allow for the reconfiguration of the Multi-Family, Commercial, Congregate Care and Open Space land uses to a mixture of Single Family, Multi-Family, Commercial and Open Space.
2. To serve a portion of the property with a private street.
3. To allow for an increased maximum building height for multi-family structures within 'The Village' sub-area to provide more architecturally appealing rooflines on three story units.
4. To defer the decision to allow for a minimum of 1.4 parking spaces for multi-family units rather than 1.5 to the Site Plan and Architectural Review Commission.
5. To allow for flexibility between multi-family unit counts and commercial square footages in a manner commensurate with the total parking provided on site.

6. To allow for an option of mixed residential and commercial within the commercial buildings subject to final design review.

Additionally, in response to conversations between the applicant and neighbors, a design narrative from Kistler + Small + White Architects, updated July 6, 2016, was added into the record as the design concept to be followed for the multi-family component.

***Procedure to apply for Revision to Planned Unit Development***

Prior to the applicant submitting this PUD Revision application, staff had an extensive conversation with the applicant about the interpretation of the application criterion included in MLDC 10.198(A). The applicant's interpretation of this section is that only signatures from owners of vacant lands are required. Staff urged the applicant to include findings regarding their interpretation of this section into their findings (Exhibit E). After the initial public hearing on this application, the matter was raised by several parties and a clarification is requested from the Planning Commission

Section 10.198(A) includes criteria pertaining to the revision to a Preliminary PUD Plan. Under subsection (1) it is stated that *'the application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD.'*

The above quoted section was interpreted by City staff to mean that a 'double-majority' number of signatures is required in order to initiate a PUD revision application. This means that signatures are required from at least 50% of the land owners of vacant land (measured in acres) within the PUD and signatures are also required of citizens that own more than 50% of land and improvements within the PUD that equals more than 50% of the total assessed value (in dollars) of the vacant (in acres) portion of the PUD.

Prior to the submittal of this PUD revision, staff provided the applicant with information on how Section 10.198(A) is interpreted by City staff. Staff also provided the applicant with a spreadsheet showing the then current assessed real market values of all vacant and improved properties within the PUD.

The applicant provided findings for how their interpretation of Section 10.198(A) would satisfy this requirement. The applicant's interpretation, as submitted in Exhibit E, includes findings stating that this criterion is met as the required signatures of land owners that are both majority vacant land area and majority land value owners of the vacant portion of the PUD have been submitted.

Upon further review of previous PUD revision application by staff, it was found that several applications were processed in a way that is identical to the applicant's interpretation of this code section. Signature were only required from land owners of vacant land. PUD Revision PUD-17-082 – Mountain Top Village, was one of the examples found by staff where the applicant only provided signature from property owners of vacant land.

As Section 10.198(A) is a submittal requirement, and based on the differing interpretations of this section of the code, it is staff's recommendation to the Commission to make a decision of whether the submitted signatures satisfy this requirement or not prior to any other decisions being made on this application. Should the Commission accept the applicant's findings regarding this code section, then the Commission may continue their deliberation on this project and decide whether to approve, approve with conditions or deny this project based on the evidence in the record. Should the Commission decide to interpret MLDC 10.198(A) in a way that signature are required from both vacant land owners and owners of improvements, then the Commission can find that the application criteria for PUD Revisions have not been fulfilled and the Commission should therefore deny the application. This decision should be made prior to any other discussion regarding the proposed PUD revisions.

**Decision: The motion to deny this PUD revision application based on the lack of 'neighborhood signatures' failed and, as such, the Commission verified that MLDC 10.198(A)(1) has been fulfilled.**

#### **What changed between August and now??**

Current drawings were received on November 6, 2019 and show some significant changes to what was submitted prior to the Planning Commission meeting on August 22, 2019.

The proposed plans now show a total of 110 residential units (down from 120), a reduction in building height for the mixed-use building (from 3- to 2-stories), a reduction in building height for the apartment buildings (35-feet), an overall reduction in building footprints and an increase in setbacks to adjacent properties along Cedar Links Drive and Farmington Ave.

Dwelling units (two) were added to the second-story of the amenities building which will now be made available to residents within the PUD. A public plaza with a water feature was added to the north of the mixed-use building. Slight architectural changes were included in the updated proposal, as well. Exhibit Z lists all proposed revisions in detail.

**Proposed PUD Modification Requests to PUD-16-024**

*1. Proposed reconfiguration of the mixture of Single Family, Multi-Family Commercial and Open Space (See #2 of PUD-16-024 Cedar Landing PUD Revision).*

Land Use/Housing Type	Currently Approved PUD	Proposed Revision (PUD-19-002)
Commercial Square Footage	8-000 to 21-000	8,000 to 21,000
Single Family Dwellings	23	23
Condominium Units (Over Commercial)	0	0
Cottage Units	22*	22*
Apartment Units	75-100	<b>110</b>
Congregate Care Units	64 (24,000 sq. ft.)*	64 (24,000 sq. ft.)*
*either/or		

With the 2016 PUD Revision, the developer was given two development options for the part of the PUD that is situated north of Cedar Links Drive. Option 1 included Commercial space between 8,000 and 21,000 square feet, 23 Single Family Dwellings, 22 Cottage Units, and 75 to 100 Apartment Units. Option 2, included 64 Cottage Care Units and did not permit for 'regular' Cottage Units. All other development options stayed the same. The table below above combined the currently approved uses in one table.

The only proposed change to what is currently approved within the area north of Cedar Links Drive is specific to 'the Village' area and is highlighted in bold above: An increase in apartment units from a maximum of 100 to 110 units.

The apartment units will be located in the second and third floor of Building A (17 dwelling units) which is the new mixed-use component of the project. Buildings C, D1 and D2, which are all proposed to be three-story multi-family structures, will house 91 units which are comprised of one and two-bedroom apartment homes. An additional 2 units will be on the second floor of the 'Amenities Building' located at the northeasterly corner of the subject site.

Construction of the apartment units will not affect any of the other permitted building types/uses within the northern part of the PUD. The configuration of future

development may still include either the construction of 22 units of small lot single family “cottage” units or a scaled down 24,000 square foot congregate care facility, as well as 23 single family dwellings and 8,000 to 21,000 square feet of commercial square footage.

Based on the findings for File No. PUD-16-024 the maximum allowed density (including the 20% PUD Density Bonus) is 528 dwelling units. Approval of this revision would increase the previously approved number of dwelling units from 462-487 (consisting of 387 single family units and 75 to 100 multi-family units) to 497 dwelling units (387 single-family units and 110 multi-family units). 497 units is equal to approximately 94% of the maximum density of 528 dwelling units.

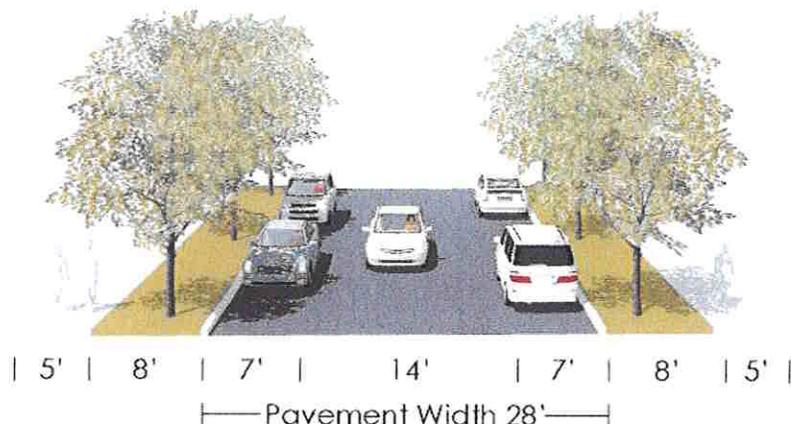
A revised set of plans that were submitted to staff on November 6, 2019 showed a reduction of proposed dwelling units from 120 to 110. Units were eliminated with the reduction of the mixed-use building from three to two stories and units were relocated to the proposed three apartment buildings and the ‘Amenities Building.’

**Decision: The Commission approved the request to increase the amount of dwelling units to 110.**

*2. Serve a portion of the property with a private street*

With the 2016 PUD revision, the Planning Commission approved plans that contained a private street, having a paved section of 24 feet in width that would separate the apartment complex site from the cottage unit/congregate care site. Parking was not permitted on the street.

With this application, the applicant is now requesting to install a 28-foot wide public street with a 20-foot, 2-way drive-aisle and 17 parallel parking stalls on one side. No dwelling unit will take direct access from the private street.



The 28-foot curb-to-curb width is equal to the pavement width of the above shown cross-section of a Minor Residential Street, which does allow for parallel parking on both sides of the street.

In a letter submitted by Richard Conklin on September 3, 2019 (Exhibit II), the issue on who is going to patrol and maintain the private street was raised.

Private streets are permitted in PUDs and may vary from limitations, restrictions and design standards of public streets. MLDC Section 10.192(B)(6)(c) states that *'private streets shall be posted as such and that they shall connect to the public street system, which is the case here. Also, the applicant shall convey to the City and all appropriate utility companies a perpetual easement over the private street for use by emergency vehicles and City and utility company employees in the maintenance of public facilities and utilities.'*

Additionally, MLDC 10.192 Subsection (C) states that *'where a PUD has open spaces, private streets, parking or other elements to be owned or maintained in common by the owners or future owners of land or improvements within the PUD, the Final PUD Plan shall not be approved and no unit shall be sold or conveyed until the PUD has been found to comply with the following requirements, (...) (3), if the PUD contains elements intended for common ownership but ORS 94 and 100 do not apply, there shall be appropriate legal documents which assure that the common elements will be improved and perpetually maintained for their intended purposes. The legal documents in such instance shall be submitted to the Planning Director for approval as part of the Final PUD Plan before recording in the official records of Jackson County.'*

Typically, the requirements per MLDC 10.192(C)(3) and (5)(b), which requires common elements to be improved and maintained and also the creation of an 'association of owners', are satisfied by the creation and recordation of 'Covenants, Conditions & Restrictions' (CC&Rs) for the subject area. Such CC&Rs do already exist for several phases of the Cedar Landing PUD as well as a document covering the entire PUD titled 'Declaration of Covenants, Conditions and Restrictions for Cedar Landing Residential, a Planned Community' established in November of 2007 (Exhibit V). However, Article 1, Subsection 1.5(3) of the 'Master CC&Rs' states that only the pedestrian and bicycle pathways within the 'The Village at Cedar Landing' (which is the subject area) shall be governed by the Master Declaration. All other development within the subject area shall be governed by one or more separate sets of covenants, conditions and restrictions.

Staff added a condition of approval to guarantee fulfillment of the above discussed code sections as well as to clarify that only the owners of land and improvements which are directly benefiting from the private street shall be responsible for the improvements and maintenance of said private street.

**Decision:** The Commission denied the request to increase the width of the private street to 28 feet but decided that the proposed private street be dedicated to Minor Residential Street standards with a reduced right-of-way width and, therefore, become a public road, 28 feet wide from curb-to-curb with curb-tight sidewalks 7 feet in width on both sides. Both adjacent property owners will have to dedicate the required amount of land necessary to achieve the proposed street design.

While changing the private street to a public street, the Commission failed to eliminate condition of approval 10(a). The condition will remain part of Exhibit A-2 but is no longer required.

***3. Increased maximum building height for multi-family structures within "the Village" sub-area to provide more architecturally appealing rooflines on three story units.***

With the 2016 PUD Revision, the Planning Commission approved the applicant's requested modification to allow for a 40-foot height limit (instead of 35 feet) for the three apartment buildings. The changes were subject to compliance with the multi-family development standards provided in the Kistler, Small and White design narrative, dated July 6, 2016 (Exhibit S). The original renderings were added to the record as Exhibit U.



*Figure 1 - Apartment Building Elevation (Revised)*

The three proposed apartment buildings as shown on the revised elevations (Exhibit B-2) are shown to be 35 feet tall to the mid-point of the roof and, therefore, are within the permitted height for buildings in this zoning district. No building height modification to the PUD is required for the apartment buildings (Buildings C & D as shown on the revised Site Plan).

However, the applicant did not address the design standards that were discussed in the KSW letter. The applicant did however address all applicable standards of the Multiple-Family Residential Design Standards in MLDC 10.716 through 10.719 as addressed in Exhibit E. Staff did review the proposed structure against the standards listed in the KSW letter and found that many of the features, such as the layout of the

open space, do not apply to the current proposal. The required architectural features do appear to be present in the proposal. However, it is up to the applicant to provide adequate findings that explain how the content of the KSW letter does, or does not, apply to the proposed amendments. At the time this staff report was written, no such findings were received.

In addition to the mixed-use building, the applicant also proposes to add another building at the southwest corner of Farmington Avenue and the private street as well as several amenities: Building B is a 'common building' or 'amenities building'

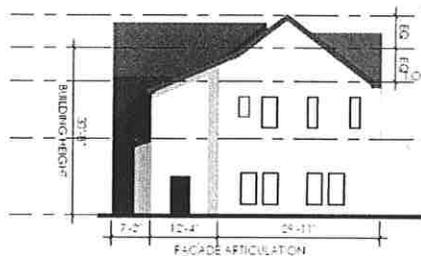


Figure 2 - Building B (Revised)

containing a leasing office for apartment rentals, a fitness room, as well as 2 residential units on the second floor. Building B is proposed to be 2-stories in height, with a proposed building height of 30'-7 1/2\".

As a new addition to "the Village" subsection, the application is proposing a two-story ~~three-story~~ mixed-use building with a footprint of approximately 15,000 square feet located

northwest of the Cedar Links Drive and Farmington Avenue intersection. The building is proposed to house approximately 13,000 square feet of commercial square footage on the ground floor with one ~~two~~ residential-use story above. The building is planned to be 29.25 feet ~~40 feet~~ in height. A modification to the PUD is necessary as the 2016 PUD revision did only include height exceptions to residential structures and did not include exceptions for commercial or mixed-use structures. A modification to the PUD is not required any more for the proposed height of the mixed-use building, however, the addition of the building itself is still required to be included in the modification request. The applicant did provide staff with renderings showing how the proposed structure would fit into the existing neighborhood (Exhibits B-2).

The KSW letter does only apply to the proposed residential structures and not this mixed-use building. Similarly, the standards in MLDC 10.716 to 10.719 do also apply to residential structures with three or more attached dwelling units only. As mixed-use is defined differently in the MLDC, it is staff's opinion that this mixed-use building cannot be reviewed against the multiple-family standards in MLDC 10.716 to 10.719. The applicant did address the height issue in their 'Building Height Narrative' section of the findings in Exhibit F.

**Decision: No decision on this item was required as the applicant reduced all building heights to fall within the 35-foot maximum building height requirement.**

*4. Allow a minimum of 1.4 parking spaces for multi-family units rather than 1.5*

This proposed modification of the 2016 application was actually not approved by the Planning Commission. The Commission deferred their decision to the Site Plan and Architectural Review Commission. The revised Site Plan (Exhibit B-2) and the additional findings (Exhibit F) now identify a total of 240 parking spaces. No modification regarding the required amount of parking is necessary. The proposed parking, should the Commission accept the applicant's modifications to the private street standards (see No. 2, above), meets the standards of the Medford Land Development Code. With the latest revision, the proposed parallel parking spaces on the private street are no longer required in order for the applicant to meet the minimum parking standards.

Parking Spaces	Required	Proposed
Total Spaces	<b>110 dwelling units * 1.5            = 165</b> 13,214 square feet commercial space * min. 4.5/max. 5.4 = min. 60/max. 72  <b>Min. 225/max. 237</b>	<b>240</b>
Regular Spaces		157
Accessible Stalls	7	7
Compact Stalls	Max. 48	47
Motorcycle Stalls	Max. 12	12
Parallel (on Private Street)		<b>17</b>
<b>Total</b>	<b>240</b>	<b>240</b>

**Decision: No decision on this item was required as the applicant reduced the amount of dwelling units to 110 (from 120) and, therefore, was able to meet the minimum parking requirement of 1.5 spaces per unit without modifications to the parking standards.**

*5. Allow flexibility between multi-family unit counts and commercial square footages.*

With the 2016 PUD Revision, the Commission approved the applicant's revised modification to allow for up to 50% increase in commercial square footage than shown in the preliminary development plan (15,750 square feet). Rationale included the significant amount of commercial inventory that has been removed from the PUD

plan. The Planning Commission determined that if the area could support the additional square footage than it should be permissible. Thus, the Commission agreed to the Applicant's stipulation to limit commercial expansion square footage to no more than 50%.

The requested increase in commercial square footage as part of this application from 10,500 square feet to 13,214 square feet is within the previously approved maximum of 15,750 square feet. No further PUD modification is required.

**Decision: The Commission allowed for the addition of a mixed-use building at the corner of Cedar Links Drive and Farmington Avenue. The requested commercial space of 13,214 square feet falls within the previously allowed maximum.**

*6. Allow option of mixed residential and commercial within the commercial buildings subject of final design review, as required by the MLDC.*

As part of the 2016 PUD revision, the applicant agreed and stipulated to limiting second stories to office or storage area for any of the commercial buildings. Since the applicant is now proposing a mixed-use building, instead of commercial, the Commission will have to approve the proposed residential use on the 2<sup>nd</sup> and 3<sup>rd</sup>-floor of the building. Additionally, the Commission will have to approve the location of the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, itself.



Figure 3 - Proposed Mixed-Use Structure (Revised)

One of the issues that was linked to the restriction on commercial square footage and 2<sup>nd</sup> story uses was parking. According to the provided site plan and parking calculations, parking is no longer an issue and the proposed parking is able to support the increased amount of commercial square footage and dwelling units.

**Decision: The Commission allowed for the addition of a mixed-use building at the corner of Cedar Links Drive and Farmington Avenue and removed condition No. 8 of PUD-16-024 regarding the 2<sup>nd</sup>-story commercial use only.**

#### Additional proposed PUD Modification Requests

##### *Parking space drive-aisle design standards*

MLDC 10.746(16) requires 2-way drive-aisles for 90 degree parking spaces to be a minimum width of 24 feet. The applicant proposes all of the 2-way drive-aisles to be

20 feet in width. Aisles serving the proposed parking lot are proposed to be between 14 and 20 feet wide. The 14-foot sections are located towards the corners of the parking lot where there is expected to be relatively little vehicle movement. 20-foot aisles will act as the main connection for the parking lot between Farmington Avenue and Cedar Links Drive. MLDC 10.746(12) does not specify an aisle width; however, it does state that groups of more than three parking spaces shall be provided with adequate aisles or turnaround areas so that all vehicles may enter the street in a forward manner.

**Decision: The Commission decided not to allow for a reduction in drive-aisle widths within the parking lot. All drive-aisle must meet the minimum required standards per the Medford Land Development Code.**

*Review of Additional Standards & Information*

*Multi-Family Residential Standards*

Multiple-Family Dwelling Standards are listed in the MLDC Sections 10.716 through 10.719. The applicant addressed all applicable standards in their findings and the Commission can find that these standards are met.

It should be pointed out that the multi-family standards do not apply to the proposed mixed-use building at the corner of Cedar Links Drive and Farmington Avenue. However, the residential portion which is located above the ground floor, does seem to meet the multi-family residential standards, as well.

**Decision: The Commission decided to remove condition No. 7 of PUD-16-024, Exhibit A-2, having to do with the design letter by Kistler, Small & White and decided to amend condition of approval No. 2 of PUD-19-002, Exhibit A-1, to read 'Comply with the Multi-Family Residential Design Standards as set forth in MLDC 10.716 through 10.719', striking references to the KSW letter.**

	Allowed	Proposed
Lot Coverage, max.	40%	20%
Min. Front Yard Setback	15 feet	<b>Building A1 &amp; A2 - 25 feet</b>
Min. Street Side Yard Setback	10 feet	<b>Building A2 &amp; A3 - 20 feet Building B - 20+ feet</b>
Min. Side Yard Setback	Min. of <b>14 feet</b> for Buildings D1 and D2	Building D1 - <b>17 feet</b> Building D2 - <b>20.25 feet</b>

Min. Rear Yard Setback	Min. of <b>14 feet</b> for Buildings D1 and D2	Building D1 & D2 - <b>14+ feet from centerline of private street</b> <b>Building B - 10+ feet from centerline of private street</b>
------------------------	--	--

As shown in the table above, it can be found that the proposed building identified on the submitted site plan seems to meet all applicable standards for the PUD and Multiple-Family dwellings standards. It should be pointed out that the front yard setback was set to 15 feet as vehicular access to the parking is, in part, parallel to the street. Additionally, ~~future balconies for Building D2 seem to encroach into the required 15.5-foot side yard setback by more than 1-foot as allowed per MLDC 10.707(A)(2).~~

*Parking*

Vehicular parking standards are met based on the calculations provided earlier in this document. Bicycle parking standards were not addressed by the applicant. It will be a condition of approval to meet all applicable standards as set forth in MLDC 10.747 through 10.751.

Bicycle parking will have to be provided at one space per unit for multiple-family residential uses (120 spaces) and 10% of the number of spaces provided for automobiles for commercial uses (60 automobile spaces provided = 6 bicycle parking spaces). The total amount of bicycle parking required is 126 spaces.

In their updated findings, the applicant clarified that the required bicycle parking per MLDC 10.748 will be located in each building and comply with the required amount of 10% of provided automobile parking spaces (24). 116 bike parking spaces are proposed.

<b>Bike parking</b>	<b>Required</b>	<b>Proposed</b>
Multiple Family Residential	1 per unit = <b>110</b>	<b>110</b>
Commercial	10% of vehicular spaces provided for commercial uses 60 vehicular spaces = 6	<b>6</b>
<b>Total</b>	<b>116</b>	<b>116</b>

*Landscaping*

The applicant submitted a revised landscape plan (Exhibit B-2, pages 17 to 25) showing the proposed landscaping for the entire project area. The revised plans do

seem to conform to the parking area landscaping requirements as listed in MLDC 10.797. The plans do also conform to the street frontage landscaping requirements per MLDC 10.797 for the amount of trees and shrubs along Cedar Links Drive and Farmington Avenue. According to the applicant's parking lot landscaping calculations, all requirements per MLDC 10.746(3) are met.

Street Frontage	Required (Trees/Shrubs)	Proposed (Trees/Shrubs)
Cedar Links Drive	13/84	15/84+
Farmington Avenue	15/100	15/100+

**Parking Lot Landscaping (MLDC 10.746[3])**

	Required	Shown
Area (square feet)	5,000	9,291
Trees	30	32
Shrubs	60	221

*Transportation Impact Analysis*

A full Transportation Impact Analysis (TIA) is not required as part of this application. As per the Public Works Staff Report (Exhibit H), the applicant has submitted a letter showing that the proposed changes result in a net reduction of 3 P.M. peak hour trips when compared to the previous approval.

*Rogue Valley International Airport (Exhibit N)*

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

In addition, the Airport also requires the applicant to contact the FAA regarding submittal of a 7460-1 form.

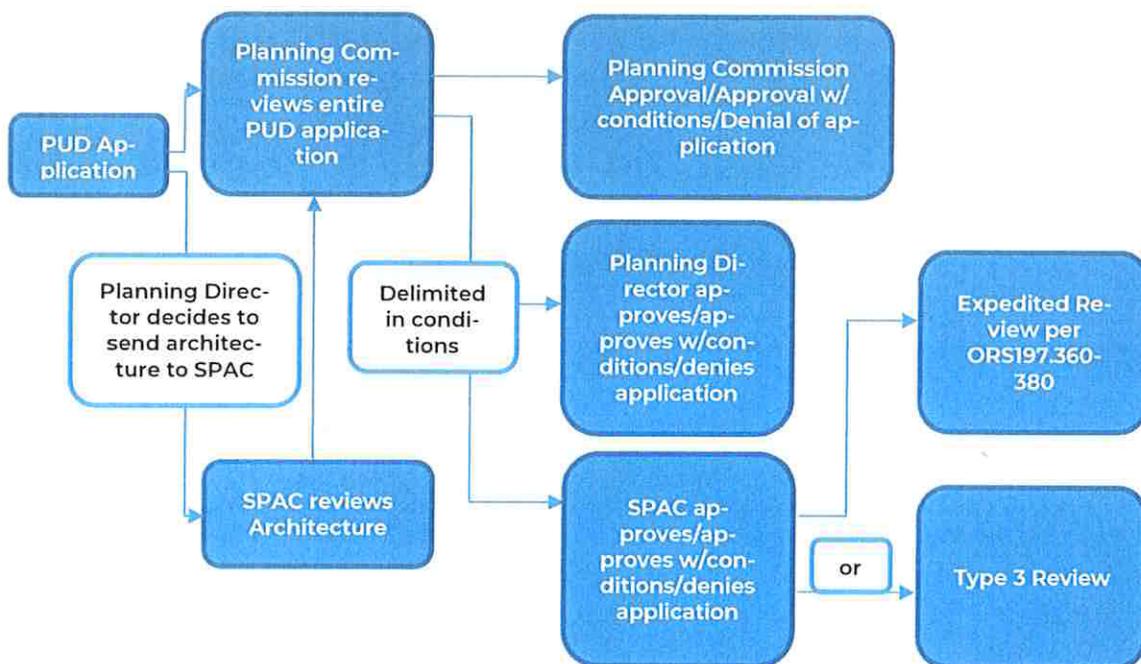
**PUD's Exempt from Site Plan and Architectural Review**

Per MLDC 10.192(D), PUD's shall be exempt and there shall be no requirement to apply separately for Site Plan and Architectural Review or demonstrate compliance

with the criteria in Section 10.200 if the Planning Director elects to not forward the project to the Site Plan and Architectural Review Commission (SPAC), as is the case here.

The Planning Commission may delegate authority to the SPAC or to the Planning Director to approve, in its name, the plans for buildings or other elements of a PUD or revision thereto after the Planning Commission has approved the Preliminary Plan (MLDC 10.192(E)).

The illustration below delineates possible paths on how to deal with Planned Unit Development applications that include architectural decisions.



**Decision: The Commission decided to approve the architecture of the proposed development. Separate Site Plan and Architectural Review Commission approval will not be required.**

#### Floodplain/Wetlands/Drainage

There is no mapped floodplain on the property; however, portions of the property contain wetlands as shown on Exhibit W. As per the Department of State Wetlands Note Response (Exhibit P), the subject area is within a wetland delineation (WD2014-0455) that is still valid. Removal and fill was completed, and mitigation and monitoring are still pending as of July 2017. A delineation is not required but applicant shall contact the Department of State Lands to assure the terms of the removal/fill authorization are carried through.



Figure 4 - Excerpt from local wetland inventory map

The local wetlands inventory describes the pond as non-locally significant golf course water hazards (Exhibit X).

### 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 E & F and Z) and recommends the Commission adopt the findings, subject to the following amendments:

- Increase amount of apartment units from 100 to 110.
- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units.
- ~~Increase maximum building height of mixed-use building to 38'-7".~~
- Adding the 'common building' including a leasing office, fitness room, and outdoor swimming pool, including two residential units.
- Increase the paved width of the Private Street to 28 feet and allowing 17 parallel parking spaces.
- Two-way drive-aisle reduction to 20 feet and one-way drive-aisle reduction to 14 feet for parking lot.

Additionally, staff finds that the proposal does meet the criteria found in MLDC 10.190(D)(1) through (7). The criteria found in MLDC 10.190(D)(1), (2), (5), (6) & (7) have been adequately addressed by the applicant in their findings and conclusions. In regards to criterion (4), staff finds that the location, size, shape, and character of all common elements in the PUD are appropriate for their intended use and function. The proposed changes present minimal differences in regards to common elements for the overall PUD design. Criterion (3) is not applicable.

## **ACTION TAKEN**

The Commission found that the applicable criteria in MLDC 10.198(A)(1) have been satisfied, the Commission adopted the findings as recommended by staff and directed staff to prepare the final order for approval of PUD-19-002 per the Commission Report dated December 5, 2019, including Exhibits A-2 through BBB including the following revisions:

- Increase amount of permitted apartment units from 100 to 110.
- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units.
- Adding the 'common building' including a leasing office, fitness room, and outdoor swimming pool, including two residential units.
- Dedicate to Minor Residential Street standards with 28-foot curb-to-curb.
- Approve the architecture.
- Remove Condition 7 of PUD-16-024 Exhibit A-2 having to do with the design letter by Kistler, Small & White and amend Condition 2 of Exhibit A-1 for PUD-19-002 to read 'Comply with the Multi-Family Residential Design Standards as set forth in MLDC 10.716 through 10.719, striking references to the KSW letter.
- Delete Condition 2 of PUD-16-024 regarding 2<sup>nd</sup>-story commercial use only.

## **EXHIBITS**

### **A-2 Conditions of Approval, dated December 5, 2019**

B-2 Revised Architectural, Civic and Landscaping Plans, received June 14, 2019 and August 13, 2019 & November 6, consisting of:

- Cover Sheet
- Architectural Site Plan
- Overall Floor Plan – Level 1
- Overall Floor Plan – Level 2
- Overall Floor Plan – Level 3
- Overall Roof Plan

- Exterior Elevations
  - Materials Board
  - Conceptual Grading and Drainage Plan
  - Conceptual Utility Plan
  - Planting Schedule
  - Planting Plans
  - Planting Schedule
  - Irrigation Plans
- C Assessor Maps, received June 14, 2019
- D Project Narrative, received June 4, 2019
- E Applicant's Findings of Fact, received June 14, 2019
- F Additional Findings and Revisions, received August 13, 2019
- G Traffic Impact Analysis, dated July 2, 2019
- H Public Works Report, revised July 29, 2019
- I Medford Water Commission Report, dated July 24, 2019
- J Medford Fire Department Report, dated July 15, 2019
- K Building Department Memo, dated July 17, 2019
- L Jackson County Roads Letter, dated July 16, 2019
- M Jackson County Roads E-Mail re: Condition 2, dated August 5, 2019
- N E-Mail from Medford Airport, dated July 24, 2019
- O E-Mail from Oregon Department of Fish & Wildlife, dated July 22, 2019
- P Oregon Department of State Lands Wetland Land Use Notice Response dated July 30, 2019
- Q Traffic Impact Analysis Form, received June 14, 2019
- R Neighborhood Meeting Notice, dated February 19, 2019
- S Exhibit J of File No. PUD-16-024, dated June 29, 2016
- T Proposed Site Plan by neighbor Rick Conklin, received August 15, 2019
- U Original Renderings from PUD-16-024
- V Declaration of Covenants, Conditions and Restrictions for Cedar Landing Residential
- W Wetland Delineation Report
- X Excerpt from Local Wetlands Inventory Map
- Y Response Letter from applicant addressing Planning Commission Comments, received September 19, 2019
- Z November PUD Revision Narrative, received November 6, 2019
- AA E-Mail from Deanna Copeland, received August 19, 2019
- BB Letter from Tom and Glenda Capsey, received August 19, 2019
- CC Letter from Dino Rossi, received August 21, 2019
- DD Letter from Jim Greathouse, received August 21, 2019
- EE Letter from Jim Wilson, received August 21, 2019
- FF Letter from Heather Kile, received August 22, 2019
- GG Letter from Tim & Kathy Partch, received August 22, 2019

- HH Photos of Sign, received August 22, 2019  
II Letter from Richard Conklin, received September 3, 2019  
JJ Letter from Gary Olson, received September 3, 2019  
KK Letter from Anna-Maria Sardo, received September 10, 2019  
LL Letter from Ron & Karen Weathers, received September 16, 2019  
MM Letter from Tom Michaels, received September 18, 2019  
NN Letter from James Greathouse, received September 18, 2019  
OO Letter from David Rabon, received September 18, 2019  
PP Letter from Kathy Rabon, received September 18, 2019  
QQ Letter from Elvin & Nancy Hawkins, received September 19, 2019  
RR Letter from Jim Wilson, received September 19, 2019  
SS Letter from Dar Wolber, received October 3, 2019  
TT Letter and Petition Packet from Elvin and Nancy Hawkins, received November 1, 2019 & November 6, 2019  
UU Letter from Valerie Dann, received November 1, 2019  
VV Letter from Millie Carlton, received November 6, 2019  
WW Letter from David & Linda Erickson, received November 6, 2019  
**XX Letter from Steve & Becky Chong, received November 7, 2019**  
**YY Letter from Denise Trochei, received November 7, 2019**  
**ZZ Letter from Heather Kile, received November 7, 2019**  
**AAA Powerpoint from Tim Partch, received November 12, 2019**  
**BBB Letter from James Greathouse, received November 14, 2019**  
Vicinity map

**PLANNING COMMISSION AGENDA:**

**AUGUST 22, 2019**  
**SEPTEMBER 26, 2019**  
**OCTOBER 24, 2019**  
**NOVEMBER 14, 2019**  
**DECEMBER 12, 2019**

## EXHIBIT A-2

Cedar Landing Apartments  
Conditions of Approval  
December 5, 2019

**All conditions of the Preliminary PUD plan approval (PUD-05-035 & PUD-16-024), other than those modified by this revision request, are still in effect.**

### CODE CONDITIONS

Prior to issuance of any Building Permits for vertical construction, the applicant shall:

1. Comply with MLDC 10.192(B)(6) and (C)(6) regarding all applicable standards for Private Streets within a PUD;
2. **Comply with the Multi-Family Residential Design Standards as set forth in MLDC 10.716 through 10.719.**
3. Comply with the Public Works Staff Report July 29, 2019 (Exhibit H);
4. Comply with the Medford Water Commission Memorandum July 24, 2019 (Exhibit I);
5. Comply with the Medford Fire Department Report dated July 15, 2019 (Exhibit J);
6. Comply with the Jackson County Roads Letter dated July 16, 2019 (Exhibit L);
7. Comply with the E-Mail from Rogue Valley International Airport received July 24, 2019 (Exhibit N) related to the filing of FAA Form 7460-1;
8. Comply with the E-Mail from Oregon Department of Fish & Wildlife received July 22, 2019 (Exhibit O);
9. Contact the Department of State Lands regarding the State Removal/Fill permit (Exhibit P).
10. Prior to Final Plat approval, the applicant shall
  - (a) submit for approval with the Planning Director Covenants, Conditions & Restrictions for the subject area to include all code required language and to include that only the owners of land and/or improvements

**EXHIBIT A-2**

Cedar Landing Apartments  
Conditions of Approval  
December 5, 2019

adjacent to the proposed public street shall be responsible for the improvements and maintenance of the private street; and

(b) create and record legal documents that establish an 'association of owners' for the subject area.

November 4, 2019

To Whom it May Concern:

We are writing in regard to the development at Cedar Links + Farmington. What we have to say could take pages to express, but we will simply say this: This development is a threat to our quiet neighborhood, community and way of life.

We moved to Medford from Eagle Point and specifically chose this neighborhood because of the wonderful people that are here. They are quiet, they are courteous and they care about the community established here. We also moved here because of Abraham Lincoln Elementary. The development at its face threatens all of this. The proposed amendments to cram so many units into such a space threatens it even more.

Of course, the object of this whole development has one obvious goal: to make as much money as possible. However, we implore you to look at the devastation this kind of project has on our community.

- It is quiet here. It is peaceful. We do not have many issues. This will destroy the quiet by having so many units in such a space.

- Delivery trucks will clog up Cedar Links and make it horrible to drive through here during delivery times.

- With so many units being crammed into one building you will be taking our schools. Overcrowding is a major concern. We moved here for our children, for their education and this is threatening this.

- Living areas on upper levels will look into neighboring yard  
Why must you take our privacy?

- Lowering our property page 33. Our futures. Our way of life.

EXHIBIT # XX

PUD: 19.002

We understand you want more housing in diverse areas, but this is not the answer. There are other areas where this development could go. We do not want this at all, but we know that will never happen. So, instead, we plead with you to go back to the other agreed-upon plan - not the most current proposal that makes this horrible situation even worse.

Please listen to these great people from our neighborhood fighting for our way of life. With everything that's going on in the world our homes are our sanctuary and our peace. Please do not take this away from us. Putting money ahead of your citizens' well-being is a travesty. Please hear our pleas and do not let this latest proposal pass.

Thank you for your time and attention.

Sincerely,

Steve + Becky Chang  
Wheat Ridge Dr.

November 7, 2019

Medford Planning Department  
Attn: Steffen Roennfeldt, Cedar Landing PUD Planner  
200 S. Ivy, Medford, OR 97504

**RECEIVED**

NOV 07 2019

**PLANNING DEPT.**

Re: PUD-19-002-Revised Cedar Landing Plan for Cedar Links Drive and Farmington Avenue, Medford

Dear Mr. Roennfeldt and Planning Commissioners:

I live in the Cedar Links neighborhood for over 4 years; yet I have only recently been made aware of the changes in plans. This is because only recently have there been notices of these proposed changes posted in a manner that residents could learn about these proposed changes. In fact, the posted map of the original plan has not been updated, thus causing current and new residents to believe that only homes will be built where the golf course and wetlands once existed. Since learning about the upcoming PUD meeting, I have done some research and read the minutes from the last two planning meetings in July and August. I am appalled to learn that the original plan has been drastically altered without full neighborhood input that will significantly impact my neighborhood by approving a huge apartment building to be erected. Now, I understand this Portland builder is pushing for a three story building and 120 apartments. **THIS IS ENTIRELY UNACCEPTABLE!**

1. I would like to know how an apartment building was allowed to be put through without proper advertisement and input from the residents? I would like to know whether it is legal to NOT update the posted diagrams of the proposed neighborhood plan that continues to show the original plan of homes (vs an apartment building) for our area. This has misled the neighborhood to believe that the development is on track as initially planned as per the diagram of homes ONLY in the old golf course area. Is it legal to misrepresent the actual plan being changed?
2. I would like to know how a 2 or 3-story apartment was approved not only without residents input, but also not taking into consideration how these proposed changes will impact our neighborhood. The sheer number of 100-120 separate apartments will adversely impact the entire quality of the neighborhood with a vastly increase in foot traffic on limited planned walkways, an increase in dogs doing their duty on our lawns, an increase in overall noise level and increase in auto traffic through limited streets, and a probable increase in crime, etc. These changes are incompatible to the type of neighborhood that I had thought that I moved into.
3. I would finally like to know whether it is legal to continue to destroy a wetland area where we once had a year-round ponds with year-round water hosting ducks and geese who raised their young over the winter months in this (once) special place. This wetland was also home to wildlife, birds and vegetation unique to marshland areas. Since preparing the building site, this wetland has been seriously diminished so that the ponds are now seasonal and the ducks and geese are mostly gone. Aren't there laws that protect such important wetland areas and whether these should be incorporated into any building plans.

As a resident of this neighborhood, I strongly request that the original plan of homes be implemented and that the proposed apartment building, whether 2 or 3 story, be repealed due to the fact that the public have been duped and the concerns stated above not respected. The residents of the neighborhood have more rights to how they wish their neighborhood to be than the any builder. This is a betrayal to us.

Sincerely,



Denise Trochei

3488 Viewpoint Drive, Medford, OR 97504

CITY OF MEDFORD

NOV 12 2019

PUD-19-002

**RECEIVED**

**NOV 07 2019**

**PLANNING DEPT.**

Heather Kile  
2823 Farmington Ave.  
Medford, OR 97504-4402

November 6, 2019

Medford Planning Committee  
200 S. Ivey St. #240  
Medford, OR 97501  
[planning@cityofmedford.org](mailto:planning@cityofmedford.org)  
[Steffen.Roennfeldt@cityofmedford.org](mailto:Steffen.Roennfeldt@cityofmedford.org)

RE: PUD-19-002 Revisions to 'the Village' area of Cedar Landing

Dear Medford Planning Commission Members,

I am writing to you in regard to the proposed **Revisions to 'the Village' area of Cedar Landing PUD-19-002** to be located at the intersection of Cedar Links Rd. and Farmington Ave. in East Medford.

I wish to express my opposition to any of the 2019 Revisions requested for this development. The buyer of this land could have bought a more appropriate location for a 120 unit apartment complex but without this highly desirable neighborhood surrounding it, rental rates in other areas were likely not as desirable. As stated at the last public committee hearing in August, you were told by him that without the revisions "this property no longer suits" their needs. So for that this neighborhood, if the commission permits it, is expected to accommodate and experience loss for a single developers profit line and need for more. Enough is enough. The change in 2016 to allow 100 apartments was a poor decision and for a Mr. Greathouse & Mr. Michaels with Mr. Artner to sign an agreement on the behalf of changes within this PUD when he does not even live in it, was not appropriate and likely not legal. Exhibit K pg. 272. He does not, nor has he been asked represent the residents of this PUD, yet while public hearings are postponed to hold smaller private meetings with him, the entire accommodation of this project from 2016-2019 is suspect. I can now only ask and hope that the commission will have the wisdom and resolve to stop the damage already in 2016 from going any further with more regard for the resident homeowners.

As for the current revisions requested; I am concerned about the **insufficient environmental impact considerations** to preserve and protect the last of the remaining ponds, wetlands & wildlife to include amphibians, year round and migratory geese, ducks and other water birds **who all breed on this land.** (Exhibit O-Q Pg. 260-266). **These animals and their habitat must also be protected from human destructive behaviors and the effects of such density.** Mr. Westerman made statements to residents that parking would be inside the complex and not around the perimeter and therefore also not as visible or close to the view of the wetland edge. Now the revision lines the entire edge with an unsightly string of 17 parallel parked cars on a private asphalt road. These will leak petroleum gas & oils only yards from the edge of the palustrine & pond wetlands as *toxic runoff*. **Please consider that these 17 parking spaces would not be necessary if not for the request of 20 more units!**

I am concerned that when Mr. Westerman was asked at the residents meeting if he planned a 7/11, Lil Pantry or other unsightly, high traffic convenience store in the retail area which would bring a list of negative attributes to this quiet neighborhood he assured us that something like that was not his plan and in fact he hoped for small businesses "such as a coffee shop, hair salon, boutiques etc." Yet at the last meeting when a committee member asked what he planned in retail he quickly replied "a grocery store." All such stores in Medford can easily be observed to bring busy traffic, loitering, and frequent noisy and large delivery trucks. They further utilize unsightly advertisement banners, posters, bright paint colors, neon lights, late hours and other commercial attributes contrary to a quiet residential neighborhood. This does not support the impression of the high quality, upper level apartment living we have been told to expect.

EXHIBIT P  
PUD-19-002

I am very certain of the questions asked about the parking near the wetlands and convenience store questions and the answers specifically, because I was the one who asked them.

I am concerned by the inadequate traffic survey which only assessed Foothill and Cedar Links while failing logic or credibility by concluding that after an addition of a dense apartment complex bringing more than 200 vehicles would absurdly DECREASE traffic and require no further analysis (Exhibit L-M Pg.255-257). The intersection of Cedar Links and Springbrook (which already experiences morning commuter backed up) and Farmington Ave. (bringing traffic through to/from Colonial via Delta Waters and Foothill via Viewpoint) will experience just as much if not more traffic from the apartments, since they are in the direction of more destinations.

Finally, I ask that you will personally visit this land and drive (or better yet walk) the surrounding neighborhood to see for yourself. To make a decision based on the very limited photos and conflicting interests reports does not provide you with an adequate prospective. I read online that the mission of the planning commission is: "WE ARE A DYNAMIC TEAM WORKING WITH THE COMMUNITY TO SHAPE A VIBRANT AND EXCEPTIONAL CITY" It does not benefit Medford to ruin its desirable neighborhoods with this kind of development in the middle of hundreds of family homes nor to disregarding the voice and significant investment its current residents chose in when buying their home in good faith. This neighborhood is already irreparably changed by the 2016 approval from cottages to dense 3-story apartments for which I and so many who purchased our homes after that year were deceived by lack of disclosure and the sign that still currently stands with the pre-2016 PUD plans. I ask that you execute your mission and refrain from approving any more unfavorable revisions for the benefit of an incompatible, high density, Portland developer. Numerous homes are now on the market by those who are financially able to relocate before the effects and property values drop. One question asked is; if we relocate to another newly established desirable area in Medford, will our chose again be undermined after all the single homes are built by the same density practices? How is this good for Medford?

**Thank you again for your consideration, and please require further assessment** and meaningful and realistic data for all the aforementioned environmental and traffic impacts before building proceeds.

Regards,

*Heather Kile*

Heather Kile

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PLANNING DEPT.



## PUD 19-002 Land Use

November 14, 2019

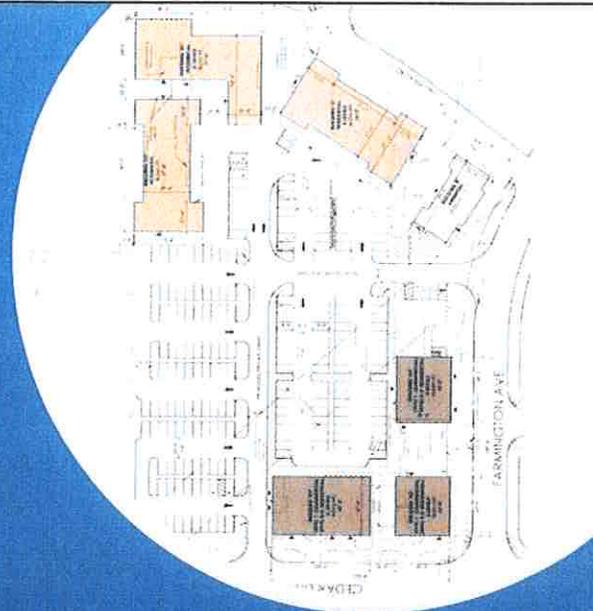
### Resident Recommendations

## Cedar Links Village

- High density housing does not fit community
- Additional multi-family units not warranted
- Building height does not fit community
- TIA is out of date

### Recommendations

- Relocate high density housing to relevant location
- Return to SFR-4/PD Single Family Residential homes
- Redesign commercial buildings to fit community
- Apply relevant TIA data to entire development vs phased buildouts



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EXHIBIT # AAA  
File # PUD-19-002

## Commercial Design

Mahar Hillcrest Office Park is a well-planned low profile visually pleasing commercial complex situated next door to SF-R4 housing tracks

### Suggestion:

- Redesign Village structures to be more in line with SF-4R building height and design requirements



## Construction Parking Problems

### Construction parking issues.

- Blocked Bike Lanes
- Blocked center turn lane
- No enforcement/citations
- No painted crosswalks
- No stop signs

### Suggestion:

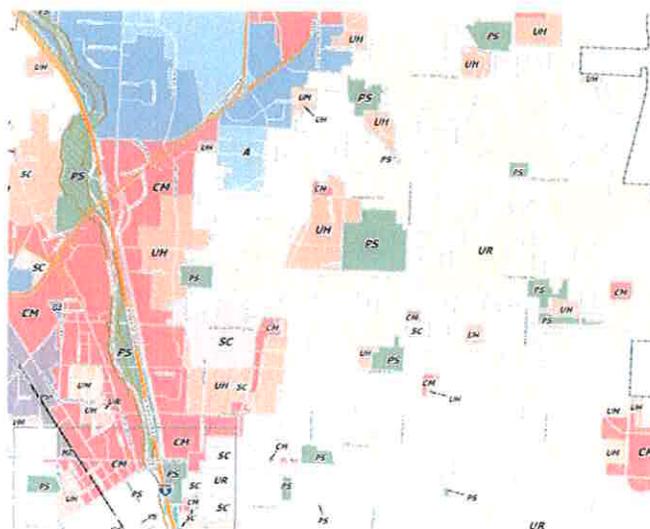
- Add 4 Way Stop Sign to slow traffic on Cedar Links
- Add painted crosswalks
- Cite illegally parked construction and personal vehicles

### High Density Housing

2016 approved "high density" housing in the Cedar Links Development is not consistent with City's master zoning plan

#### Recommendation

- Exchange for property near bus routes and within walking distance to shopping and dining (a win-win for occupants and developer)
- Examples: Poplar and West Barnett planned communities have sidewalks, shopping and bus routes as well as easy access to I-5.



## Cedar Links & Transportation Concerns

Transportation Impact Analysis are outdated not realistic

TIA's do not account for all phases of Cedar Links developments on existing and future traffic routes

Congestion at Cedar Links and Springbrook Road

Congestion at Delta Waters and Crater Lake Avenues

Congestion at Delta Waters and Crater Lake Hwy. Traffic backing up in all directions due to light timing and lanes

Congestion at McAndrews and Springbrook Road



## A PLANNED UNIT COMMUNITY



## Cedar Links A “Planned” Community

2016 approved “high density” housing in the Cedar Links Development was not consistent with City’s zoning plan

- Recommendation
  - Exchange for property in an area consistent with high density development, includes bus routes, bike paths and is within walking distance to shopping and dining.
  - Replace high density apartments with relevant buildings that “fit” the neighborhood such as a Day Care or Community Center with a community swimming pool or more single-family homes or cottages.
  - Developers should complete parks and walking paths prior to building. Residents walk in the street because sidewalks and paths are unavailable.



Thank you for listening to a resident’s suggestions

To: Kelly Evans  
Assistant Planning Director  
Planning Department  
City of Medford

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To: All members of the Planning Commission  
City of Medford

Reference: Planning Commission Meeting  
November 14, 2019  
Agenda Item # PUD-19-002

Gentlemen:

I am writing this letter as a update and addition to my letter, with attachments, submitted September, 26, 2019, designated exhibit NN. The subject of that and this document being the applicants failure to meet the requirements for Revision of a PUD as specified in section 10.198.A.1. item 2 of the current PUD ordinance.

I respectfully request that you review both letters prior to making a decision on this specific matter.

The planning department, in it's report of September 26, 2019, noted that the applicant had not adhered to the current policy of the planning department, IE. in its interpretation of section 10.198.(A) of the procedure to apply for a Revision to a PUD.

The planning department in its current staff report notes that a review of its past records reveals that several (2) past PUD's have been approved in a manner favorable to the applicant as opposed to the current policy of the department as noted in its staff report of September 26 , 2019.

Planning staff have requested that the planning commission make a finding as to which methodology should be used to determine the merit of the applicants PUD Revision Application.

While I personally believe that Mr. Westerman and his staff have submitted a revised plan, as of this date, which I can and do support as a neighbor, the fact remains that the requirements of Section 10.198.(A) have not been met.

First, on a philosophical and legal level, the perpetuation of a past policy mistake is itself bad policy and certainly not required by law. ( "Two wrongs do not make a right")

Secondly, the regulation itself is quite clear:

" The application form shall bear the signatures of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD

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EXHIBIT # **BBB**  
PUD-19-002

AND

who are also the owner(s) of land and improvements within the PUD which constitutes more than 50% of the total assessed value of the vacant portion of the PUD"

The AND specified in the required application specifically couples the standing of both vacant land owners and owners of improved property.

As we understand the applicants position, he asserts that his ownership of vacant land and the investment in infrastructure made by himself and those other land owners/developers who invested in the PUD, and who support his application, is in itself sufficient to meet the dual requirements of the statue.

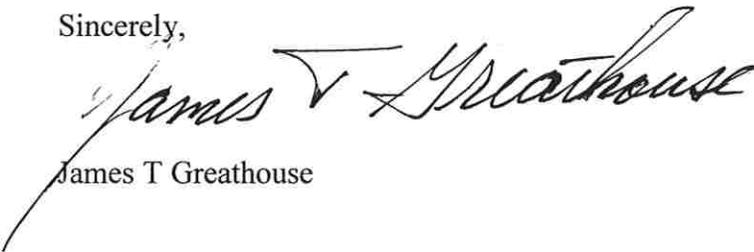
We believe his position to be erroneous. Infrastructure cost are initially borne by the developer, as a cost of development, and pasted on to the end customer, as a cost of purchase, with the knowledge of all parties that ultimate ownership is pasted to the city as a condition of development and sale. "Ownership" is not established until the infrastructure in question becomes the "property" of the city. A transient position does not establish ownership and thus meet the requirements of 10.198.(A).

Third: If the planning commission were to adopt a position favoring the applicant, it would in fact disenfranchise the parties who have invested and created "Improved property" within the PUD As a practical matter who would, in the future, invest in a PUD which was being developed, knowing full well that despite their investment and ownership of the property, they would have no equal vote in the future development of that vacant land which remained in the PUD given in fact, that the value of all improved property in the PUD met the required level of value, as set by the statue. A threshold quickly reached by the significant and despairing value of vacant vs. improved property.

Summarily, and for the reasons cited, we support the current and correct policy of the planning department in it's interpretation of section 10.198.(A)(1) Item 2 of the current PUD ordinance.

Thus, we respectfully submit, the planning commission should vote to make current practice permanent, and in that process, deny the applicants application and plan for Revision of the previously approved PUD apartment complex.

Sincerely,

A handwritten signature in black ink that reads "James T. Greathouse". The signature is written in a cursive style with a large, sweeping initial "J".

James T Greathouse

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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-017 APPLICATION )  
FOR A ZONE CHANGE SUBMITTED BY JOHNNIE AND SHARON BARGER )     **ORDER**

ORDER granting approval of a request for a zone change *for Johnnie and Sharon Barger*, described as follows:

For zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 (Single-Family Residential, ten dwelling units per gross acre).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Johnnie and Sharon Barger*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Staff Report dated November 7, 2019, and the Findings contained therein – Exhibit “A,” and Legal Description – Exhibit “B” attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 2W 25CB Tax Lots 12300 and 12400

are hereby changed as described above.

Accepted and approved this 12th day of December, 2019.

CITY OF MEDFORD PLANNING COMMISSION

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

ATTEST:

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

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Exhibit "B"

Schedule A

SITUATED IN JACKSON COUNTY, OREGON, DESCRIBED AS FOLLOWS, TO WIT;  
BEGINNING AT A POINT ON THE NORTH LINE OF LOT ONE, 1, IN BLOCK ONE, 1, OF  
NICKEL ADDITION TO THE CITY OF MEDFORD, JACKSON COUNTY, OREGON, ACCORDING  
TO THE OFFICIAL PLAT THEREOF, NOW OF RECORD, SAID BEING NORTH 89 DEG. 48  
MIN. WEST 1938.5 FEET FROM THE NORTHEAST CORNER OF DONATION LAND CLAIM NO.  
87 IN TOWNSHIP 37 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN, JACKSON  
COUNTY, OREGON, AND ALSO BEING THE NORTHWEST CORNER OF TRACT DESCRIBED IN  
VOLUME 248, PAGE 131, JACKSON COUNTY, OREGON, DEED RECORDS; THENCE NORTH 89  
DEG. 48 MIN. WEST 78.5 FEET TO THE NORTHWEST CORNER OF SAID LOT ONE, 1;  
THENCE SOUTH, ALONG THE WEST LINE OF SAID LOT ONE, 1; THENCE SOUTH, ALONG  
THE WEST LINE OF SAID LOT ONE, 1, A DISTANCE OF 103.0 FEET TO THE NORTH  
LINE OF THE OLD JACKSONVILLE RAILROAD RIGHT OF WAY; THENCE ALONG SAID RIGHT  
OF WAY, SOUTH 89 DEG. 48 MIN. EAST 78.5 FEET, TO THE SOUTHEAST CORNER OF  
SAID TRACT, DESCRIBED IN VOLUME 248, PAGE 131, SAID DEED RECORDS; THENCE  
NORTH 0 DEG. 25 AND ONE HAL F MIN. WEST 103.0 FEET TO THE POINT OF  
BEGINNING. THIS BEING THE SAME PROPERTY CONVEYED TO JOHNNIE MADISON  
BARGER, DATED 02.09.2010 AND RECORDED ON 02.10.2010 IN INSTRUMENT NUMBER  
2010 004821, IN THE JACKSON COUNTY RECORDERS OFFICE. PARCEL NO. 10429654

Schedule B

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-017

Exhibit "B"  
Exhibit 'A'

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Commencing at the quarter section corner between Sections 25 and 26 in Township 17 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, thence East 363.6 feet to the west line of West Walnut Park Addition to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record, thence South along the West line a distance of 1129.32 feet to the true point of beginning; thence North  $89^{\circ} 48'$  West 501.2 feet; thence South parallel with the said west line of West Walnut Park Addition, a distance of 65.0 feet to the south line of tract described in Volume 259 page 135 of the Deed Records of Jackson County, Oregon; thence South  $89^{\circ} 48'$  East, along said line a distance of 501.2 feet to the west line of said West Walnut Park Addition; thence North along said line, a distance of 65.0 feet to the true point of beginning.

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# PLANNING COMMISSION MINUTES



**MEDFORD**  
OREGON

November 14, 2019

5:30 P.M.

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

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

### Commissioners Present

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

### Staff Present

Matt Brinkley, Planning Director  
Kelly Evans, Assistant Planning Director  
Madison Simmons, Senior Assistant City Attorney  
Alex Georgevitch, City Engineer  
Greg Kleinberg, Fire Marshal  
Terri Richards, Recording Secretary  
Steffen Roennfeldt, Planner III  
Dustin Severs, Planner III

## 10. Roll Call

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

20.1 CUP-19-044 Final Order for a Conditional Use Permit (CUP) for a new educational use in an existing single-family residence located at 2841 Juanipero Way within the SFR-4 (Single Family Residential – 2.5 to 4 dwelling units per gross acre) zoning district (371W33BD8902); Applicant, Phoenix-Talent School District; Agent, CSA Planning Ltd.; Planner, Steffen Roennfeldt.

20.2 LDS-19-074 / E-19-050 Final Orders for tentative plat approval for Mollie's Place Subdivision, a proposed 8-lot residential subdivision, consisting of two single-family lots and six duplex lots, along with a request for an Exception to construct a half-street with a reduced width. The property is located on a single 1.08-acre parcel located at 1432 Orchard Home Drive in the SFR-6 (Single-Family Residential, six dwelling units per gross acre) zoning district (372W35DA TL 201); Applicant, Reeder, Knouff, Thomas, LLC; Agent, Scott Sinner Consulting, Inc.; Planner, Dustin Severs.

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

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

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

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30. Approval or Correction of the Minutes from October 24, 2019 hearing

30.1 The minutes for October 10, 2019, were approved as submitted.

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

50. Public Hearings

Madison Simmons, Senior Assistant City Attorney read the Quasi-Judicial statement.

Continuance Request

50.1 CP-19-004 A legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan; Applicant, City of Medford; Planner, Carla Paladino. **Staff requests this item be continued to the December 12, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the December 12th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on December 12th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued CP-19-004, per staff's request, to the Thursday, December 12, 2019 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

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

50.2 LDS-19-076 Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 buildings on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000); Applicant, LBG Medford, LLC; Agent, Neathamer Surveying, Inc.; Planner, Steffen Roennfeldt. **The applicant requests this item be continued to the December 12, 2019 Planning Commission meeting.**

Chair McKechnie stated that if there are members in the audience that have come to testify on this agenda item and cannot attend the December 12th hearing, please come forward and the Planning Commission will hear your testimony at this time. Please keep in mind that it is possible that your questions may be answered when staff presents their staff report on December 12th. There will be no decisions made this evening on this agenda item.

Motion: The Planning Commission continued LDS-19-076, per the applicant's request, to the Thursday, December 12, 2019 Planning Commission meeting.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

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

## TAKEN OUT OF ORDER

### New Business

**50.4 ZC-19-017** Consideration of requests for zone changes of two contiguous parcels located at 611 Meadows Lane: TL 12400 (0.79 acres) is requesting a zone change from SFR-00 (Single-Family Residential, one dwelling unit per lot) to MFR-20 (Multiple Family Residential, twenty dwelling units per gross acre), and TL 12300 (0.18 acres) is requesting a zone change from SFR-00 to SFR-10 ((Single-Family Residential, ten dwelling units per gross acre) (372W25CB TL 12300 & 12400); Applicant, Johnnie & Sharon Barger; Planner, Dustin Severs.

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

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

Dustin Severs reported that the Zone Change approval criteria can be found in the Medford Land Development Code Section 10.204. The applicable criteria were addressed in the staff report, included with the property owner notices and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Severs gave a staff report.

The public hearing was opened.

a. Johnnie Barger, 174 DeHague Street, Medford, Oregon, 97501. Mr. Barger reported that he will not be able to do any development on the property but perhaps sell it to provide housing for people that need it.

Chair McKechnie, asked what was the rationale of the recommendation for one parcel to be MFR-20 and the other parcel to be SFR-10 as opposed to all of being SFR-10? Mr. Severs commented that is what the applicant requested.

The public hearing was closed.

Motion: The Planning Commission adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of ZC-19-017 per the staff report dated November 7, 2019, including Exhibits A through F.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

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

## TAKE OUT OF ORDER

### Old Business

50.3 PUD-19-002 Consideration of a request for a revision to 'the Village' area of Cedar Landing Planned Unit Development (PUD). The PUD revision contains amendments to the site design including an increase in multi-family units from 100 to 120, a mixed-use structure, increase maximum building height for mixed-use building to 40 feet, and increase the paved width of the private street. Cedar Landing PUD is located on approximately 116 acres on the north and south side of Cedar Links Drive, west of Foothill Road within an SFR-4/PD (Single-Family Residential - 2.5 to 4 dwelling units per gross acre / Planned Development) zoning district. Applicant & Agent, Koble Creative Architecture; Planner, Steffen Roennfeldt.

Chair McKechnie inquired whether any Commissioners have a conflict of interest or ex-parte communication they would like to disclose. Commissioner Thomas lives near the neighborhood but will not affect his decision.

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

Steffen Roennfeldt, Planner III reported the Planned Unit Development approval criteria can be found in the Medford Land Development Code Section 10.190. The Revision or Termination of a Planned Unit Development can be found in the Medford Land Development Code Section 10.198. The applicable criteria were addressed in the staff report, included with the property owner notices, and hard copies are available at the entrance of Council Chambers for those in attendance. Mr. Roennfeldt gave a staff report. Mr. Roennfeldt stated that four letters were received after the publication of the agenda packet and another was received this evening. They will be entered into the record as Exhibit XX through Exhibit BBB. There is a signature issue. The Medford Land Development Code Section 10.198(A)(1) reads: "*An application to revise an approved PUD Plan (...) shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of vacant portion of the PUD*". This code section has been interpreted differently in the past. The applicant's position is that the signatures of owners of vacant land qualify for both the improvements and vacant land. Or, are signatures required from both owners of vacant land and owners of improved land aka home

owners within the whole PUD which is the neighbor's position. The Planning Commission should make a decision on this issue as per staff's recommended motion.

Chair McKechnie stated that the Commission needs to come to a resolution as to whether or not the issue with signatures has been satisfied. Mr. Roennfeldt commented that the PUD-16-024 signatures did not include the neighbors but was not an issue brought up then or addressed.

Chair McKechnie asked, should the Commission discuss the signature issue first or hear from the applicant? Ms. Simmons stated that the Commission should hear from the applicant and public testimony before discussing the signature issue.

Vice Chair Foley asked, are the signatures in Exhibit TT the signatures required for MLDC Section 10.198(A)? Mr. Roennfeldt responded that most of those signatures could be required. Ms. Simmons commented that those are signatures of the land owners of the improved land in the PUD.

Commissioner Mansfield sees no reason why anybody is benefited by a private street. Why is the applicant doing a private street instead of a public road? Private streets create repair messes two or three decades from now. Mr. Roennfeldt stated that private streets are permitted in a PUD. The question was deferred to the applicant.

Commissioner Pulver wanted clarification on the mixed-use buildings in term of this application versus the 2016 changes. Are they in the same location just different? Mr. Roennfeldt reported that in 2016 there were three separate buildings all commercial and now there is one mixed-use structure with residential on top.

Commissioner Pulver asked, with the 2016 proposal were the three buildings single story? Mr. Roennfeldt responded they were single story with the option for a second story for storage and office use only.

Commissioner Pulver asked, in regards to approving architecture aren't there building standards in the code now? Mr. Roennfeldt responded yes there are multi-family residential standards.

Commissioner Pulver asked, are the 14 foot aisles one-way and the 20 foot aisles is narrower than standard? Mr. Roennfeldt responded yes and the 20 foot aisles are a narrow two-way.

Chair McKechnie asked Ms. Simmons that an example that was cited was a project he was involved in. What does he do besides disclose that? Ms. Simmons stated that is not an issue. He worked on a project but it is not the only project this Commission has interpreted 10.198(A) and it is done.

a. Terry Amundson, Koble Creative Architects, 2117 NE Oregon Street, Portland, Oregon, 97232. Mr. Amundson stated that the most significant change were the primary concerns that came from the last

Planning Commission meeting that had to do with Cedar Links and Farmington relationships between the three-story mixed-use building and the residential homes across those streets. The applicant reduced it to two story, redistributed the units and eliminated ten units. There is residential is above the commercial rather than the commercial and storage per the previous PUD.

Mr. Amundson addressed the signature language stating that the "and who are also" with the vacant portion of the PUD being repeated twice seemed straight forward and they covered their basis thinking it was a non-issue. He can understand the language being interpreted multiple ways.

It does not seem to Commissioner Mansfield that the private street is a good idea. It is creating a maintenance problem several decades down the road. Mr. Amundson responded that he did not request that. It was in the original PUD for the subject area. He did not know it was a concern or a preference for that public right-of-way. He is not against having it as a public right-of-way.

Commissioner Thomas stated that Mr. Amundson mentioned he had met with a few of the neighbors. What is a few and when was it? Mr. Amundson reported they did the neighborhood meeting. Commissioner Thomas stated folks made decisions on their property based on the original PUD. His hope was that Mr. Amundson would go back and work with the neighbors before coming back to the Planning Commission. After the last Planning Commission meeting Mr. Amundson stated that he met with a few neighbors. How many neighbors and when was the meeting? Mr. Amundson responded that after that Planning Commission meeting he worked with Planning staff to invite key concerned neighbors to a group session at the Planning Department. Commissioner Thomas asked, were the neighbors being affected spoken to? Mr. Amundson replied no.

Commissioner Culbertson asked, how did the decision come to take the three multi-family units in the center of the property and move them to the back of the project? Mr. Amundson responded that the previous PUD had the multi-family units condensed towards the center of the site surrounded by parking. There are a number of reasons they put the parking towards the interior area of the site and put the buildings towards the exterior of the site. It activates the street frontages better, it reduced the number of ingress and egress points to the site and it places the parking and vehicle circulation so there is less impact of vehicle headlights, etc. on the surrounding neighborhood.

Commissioner Culbertson asked, has Mr. Amundson had any conversations with the owner of the cottage lot? Mr. Amundson replied he has.

Commissioner McFadden asked, does the Planning Commission have the option to defer the architecture to the Site Plan and Architectural Commission? Kelly Evans, Assistant Planning Director reported that there are paths in the PUD ordinance. The applicant can ask to defer architecture; the Planning Director has the ability to send those issues to the Site Plan and Architectural Commission before coming to the Planning Commission; the Planning Commission has the ability to defer specific issues to the Site Plan and Architectural Commission and there are multi-family design standards. Staff

has reviewed this project and determined that it meets those standards. Based on that staff does not feel there is a need for this to go to the Site Plan and Architectural Commission. There is nothing for them to do.

Chair McKechnie commented that since they have those standards having that piece in the narrative would have been helpful.

Commissioner Pulver asked, is it true that the design standards do not necessarily apply to the mixed-use building? Ms. Evans responded that is correct. However, again staff felt that in its design it is comparable with the multi-family, particularly the second floor, it did not warrant a need for Site Plan and Architectural Commission review.

Vice Chair Foley is concerned with the size of the drive aisles. Mr. Amundson reported that 20 feet is ample width with a deep parking stall. They are only asking for compact spaces in certain areas. The rest are standard spaces. It is a 4 foot difference with 2 feet from each side. It is larger than other jurisdictions.

Chair McKechnie stated actually it is not if he wants to know the truth. Very few jurisdictions that he deals with have a 20 foot wide drive aisle. Maybe they do in Portland but no place else that he is familiar with from Seattle to California. Chair McKechnie stated that Mr. Amundson indicated that a 14 foot access way was one-way but he has two-way markers on the plan. If he intended that he should identify those as one-way loops. Mr. Amundson apologized. Chair McKechnie replied that when you are asking for something you have to be careful.

Commissioner McFadden asked, what would be the overall effect of changing the parking to diagonal? Mr. Amundson stated that they could make adjustment to the aisle widths because they have made so many adjustments with the unit counts and what the parking counts are now from the first iteration. There is a chance it would be feasible to make some of the aisles 24 feet and a portion of the aisles 20 feet. Diagonal takes up parking spaces quicker and it is harder to get the counts.

Commissioner Thomas asked, where is the compact parking located? Mr. Amundson responded at the two ends. Commissioner Thomas asked, was it anticipated there would be street parking in front of the houses? Mr. Amundson reported that the only street parking they are showing is on the south side of the private road.

Commissioner McFadden asked, is there parking allowed along the curb line on Cedar Links or Farmington? Mr. Amundson stated it is bike lanes and traffic.

Mr. Amundson reserved rebuttal time.

b. Nancy Hawkins, 1030 St. Francis Drive, Medford, Oregon, 97504. Ms. Hawkins addressed the major decision that needs to be made regarding the signature issue. Ms. Hawkins referenced MLDC Section 10.198(A) citing that the applicant has failed to meet the criteria pertaining to a preliminary PUD under Subsection (1). She split the subsection into two parts. She stated part one reads: "The application form shall bear the signature of the owner(s) who control a majority interest in more than 50% of the vacant land covered by the approved PUD... part 2 reads: and who are also the owner(s) of land and improvements within the PUD which constitute more than 50% of the total assessed value of the vacant portion of the PUD". The applicant fulfilled part one. For part two the applicant needed thirteen homeowner's signatures to fulfill the 50% value of the developed land. The applicant has not fulfilled this part of the application requirement.

Ms. Hawkins was part of the mini meeting that was held. After that meeting they were sent a question from Mr. Westerman wanting to know how they felt now that he had given consideration to lower the three-story building to two-story. Volunteers collected three hundred twelve signatures within the community which included fifty eight of the sixty one developed homes that are located in the PUD. They do not support the revised proposal.

Ms. Hawkins asked Mr. Westerman and his representatives to resubmit a layout more in the likeness of the design approved in 2016; less density, open and inviting front perimeter and all living quarters be kept in the central or back portion of the property as the 2016 plan showed.

c. Millie Carlton Brenner, 2934 Farmington Avenue, Medford, Oregon, 97504. Ms. Brenner's concerns revolve around what steps the developer has taken to address today's need for a fire adapted community.

d. Elvin Hawkins, 1030 St. Francis Drive, Medford, Oregon, 97504. Mr. Hawkins read the language on the petition stating: "Petition, by signing this petition, I submit my signature to the Medford Planning Commission and ask that you DENY the Joe Westerman application of the revisions to the corner of Cedar Links Drive and Farmington Avenue, within the Cedar Landing PUD. There are two major objections to the 2019 proposal: Objection #1: The very large structure proposed to be 403 feet, 2 inches of continuous length creating a massive building wrapped around the front corner perimeter at one of the major entries to the community; Objection #2: We do not approve of residential living in this same building. We support the 2016 approved plan that offers a much more open and inviting feel to this corner and does not have upper story residents able to intrude upon the privacy of the homeowners living directly across the streets". There are approximately three hundred twelve residents in the community and over two hundred homes.

e. Tim Partch, 2430 Herrington Way, Medford, Oregon, 97504. Mr. Partch asked three times for clarification without the timer on. Mr. Partch disagrees with the petition in some respects. He feels the apartment complex should not be included in the area. Cedar Links, two miles in either direction, is single family homes. Mr. Partch recommended to relocate high density housing to a relevant location,

return to single family residential homes or cottages, redesign the commercial buildings that fit the community and apply relevant TIA data to the entire development instead of the phased buildouts.

f. James Greathouse, 2868 Wilkshire Drive, Medford, Oregon, 97504. Mr. Greathouse submitted a letter this evening as an update to his letter with attachments, submitted September 26, 2019, designated as Exhibit NN. The subject of that and this evenings submitted document being the applicant's failure to meet the requirements for revision of a PUD as specified in MLDC Section 10.198(A)(1) item 2 of the current PUD ordinance.

Mr. Amundson did not provide rebuttal.

Matt Brinkley, Planning Director addressed the Traffic Impact Analysis stating that it was done during the zone change application.

Emergency evacuation is not a standard of the Land Development Code. The Planning Commission does not have discretion to address that this evening. Staff is working on changes to the Land Development Code to address fire hazard on the wildland urban interface. The City of Medford has adopted new changes to the Oregon Structural Code that are designed to reduce fire risk.

Schools are not a standard of review. The City meets with the School District quarterly to discuss development.

The issue of consent is misleading to say that in the past the Planning Commission / Planning Department have processed PUD modifications twice looking at the consent with the signature issue in the way the applicant has interpreted it. The wording could be opened to interpretation however, the construction of the sentence states: "and the property owners who are also owners of improvements of vacant land". Staff discussed how this was constructed and the implications of interpreting it the way the neighbors would like the Planning Commission to interpret it. Staff arrived at the conclusion that this would make it impossible for any owner of vacant land in a PUD to change an approval. They would have to get the signatures without going through the land use process. Staff thinks it was designed to make sure the current owners of vacant land who may have constructed improvements that are not homes or buildings, maybe culverts, sanitary sewer connections, etc. has protection against the owner of property who had a large geographical area. To do otherwise would set a bad precedent. It would make the owner of vacant land at the mercy of the property owners to provide the signatures of consent before they get to a land use decision. That would be a de-facto land use decision. It would enable property owners who had something against a property owner of vacant land to deny an application before it comes to the Planning Commission and potentially City Council. This is not contemplated in Oregon law. That is not the way the code is written. The neighbors still have recourse. They can come to a public hearing, provide testimony that addresses the standards and the Planning Commission makes a decision. That is the way the process is supposed to work. The consent portion of this ordinance should not be construed as a means to circumvent a land use decision.

Commissioner Pulver asked, does the apartment complex need to have fire sprinklers? Mr. Brinkley responded that anything over three units is sprinkled. Chair McKechnie replied that is not entirely true. In the mixed-use buildings it is every unit that is required sprinkled.

Commissioner Thomas asked, what is the protection for people that buy into a PUD based on the approved PUD and do the improvements? Mr. Brinkley replied there is a land use process defined by the Land Development Code, Oregon State Law and Administrative Regulations.

Commissioner Thomas asked, when was the last revision to the Planned Unit Development language? Mr. Brinkley replied 1998.

Vice Chair Foley asked, was the 2016 revision made in conjunction with the partnership of the community? Mr. Brinkley does not know about partnership but in the 2016 approval there was a condition regarding the KSW letter. It was a resolution of a dispute between a neighborhood group and the owners at the time over the 2016 revision. It was resolved that KSW Architecture was hired to come up with some design standards and guidance in terms of the development in that particular part of the property and everyone signed off on it becoming a condition of approval for that modification.

Chair McKechnie stated that the original PUD, in 2006, was approved for up to 500 dwelling units in various shapes and forms and up to 80,000 square feet of commercial space. That PUD had been revised a lot. At the moment the law in force on that particular parcel is the revision approved in 2016. That had 100 of the 500 units were to be in this particular location and 15,000 square feet of the 80,000 that was originally approved of commercial. He sees that the Commission is looking at a different site plan, architecture, 20 foot drive aisles, 10 additional dwelling units over the 100 that have already been approved. Mr. Brinkley replied that is correct with the mixed-use building replacing the commercial building.

Commissioner McFadden stated that it seems to him that a phase of a PUD becomes a PUD by itself. He does not know of anything in the code that differentiates the PUD versus smaller phases? That might be something in the future to look at because the area being discussed is completely independent of everything else. The houses around it do not face it. Mr. Brinkley responded that whatever the Planning Commission decides this evening staff needs to cleanup this part of the PUD ordinance and other sections.

Commissioner Thomas wanted clarity that when this was approved in 2016 one of the conditions of approval was there had to be a resolution between the neighbors and owners of the PUD. Now the Planning Commission is being asked to throw that out. Commissioner Pulver reported that there was an agreement between the developers and neighbors added as a condition of approval.

The public hearing was closed.

Commissioner Pulver would be an advocate for discussion before making motions.

Commissioner Pulver asked, if the Planning Commission gets past the initial signature question and want to approve the changes but there are portions they do not want to approve, would the appropriate process be to approve it with the exception of? Mr. Brinkley commented that the Commission has the discretion to agree, disagree or in the case of the drive aisles, three feet or four feet. Also, provide reasoning as to why they are making the change or if they vote something down that is not in staff's recommendation.

Motion: The Planning Commission finds that the applicable criteria in MLDC 10.198(A) in regards to property owner consent have not been satisfied and denies PUD-19-002 per the Revised Staff Report dated November 7, 2019, including Exhibits A-1 through BBB.

Moved by: Vice Chair Foley

Seconded by: Commissioner McFadden

Commissioner Mansfield asked, is the motion to accept the neighbors interpretation instead of the applicant's? Vice Chair Foley replied yes.

Commissioner Culbertson sees it all the time that building developers hold onto a piece of property and may make modifications to the CC&Rs. They hold on to 51% to make modifications they want without having to get the neighbors consent before they do a modification. He agrees they are probably small PUDs in itself. Some of the modifications should have been done before they sold 51% of the overall project. Most of them come before the Planning Commission with a specific design and plan. Modifying it is altering the original designer's vision even though it is allowed. They should have had more buy-in from the land owners.

Commissioner Pulver read this as being focused on vacant land. Maybe the language and improvements had more to do with roads, utilities, etc. and not vertical construction. It is not 51% when talking about houses. A lot gets five votes instead of one. He does not think that is the intent or the way it reads. He will vote against the motion.

Vice Chair Foley thinks they have a precedent on this particular PUD with the work they did relating to things that happened in 2016. They have an engaged population looking at this. He is inclined to think they did not meet the criteria. He is leaning towards voting in favor of this motion.

Commissioner Thomas thinks if the policy is unclear it needs to be changed. The people who made an investment and read the policy a certain way based on what they thought the PUD was going to be should not be punished. He will vote yes on the motion.

Commissioner McManus is not in favor of the motion. This is an application with more than one factor that has an impact. He appreciates the public input and involvement. In relation to policy making, he feels for consistency purposes, if you are focusing on the factor that the motion was made on, it is clear from what staff had interpreted that it is the intent to have direction for staff to provide the quantitative information.

Commissioner Mansfield will vote no because he does not believe the Council intended to give that kind of veto power to the neighbors.

Chair McKechnie intends to vote no. The intent of the ordinance is not to deny modifications to existing PUDs. The intent of that particular paragraph in the land development code is to allow developers of PUDs to come in with a better idea for the Planning Commission to review. People that live in the PUD have an opportunity to comment. If they agree on the motion it will make redevelopment or improvements to PUDs impossible.

Ms. Simmons commented that there has not been one precedent for PUDs. It has never been a contested issue. There is not a legal precedent.

Roll Call Vote: Motion failed, 3-5-0, with Commissioner Mansfield, Commissioner McFadden, Commissioner McManus, Commissioner Pulver and Chair McKechnie voting no.

Motion: The Planning Commission finds that the applicable criteria in MLDC 10.198 (A) have been satisfied and adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of PUD-19-002 per the Revised Staff Report dated November 7, 2019, including Exhibits A-1 through BBB including the following revisions:

- Increase the amount of permitted multiple-family dwelling units from 100 to 110.
- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units.
- Add the 'common building' including 2 residential units.
- Increase the paved width of Private Street to 28 feet and allowing 17 parallel parking spaces.
- Decrease drive aisle width to 14 feet and 20 feet.
- Approve architecture.
- Remove Condition 7 of PUD-16-024 Exhibit A-2 having to do with the design letter by Kistler, Small & White and amend Condition 2 of Exhibit A-1 for PUD-19-002 to read 'Comply with the Multi-Family Residential Design Standards as set forth in MLDC 10-716 through 10.719, striking references to the KSW letter.
- Delete Condition 8 of PUD-16-024 regarding 2<sup>nd</sup> story commercial use only.

Moved by: Vice Chair Foley

Seconded by: Commissioner Mansfield

Commissioner McFadden made a friendly amendment: Accept the applicant's offer to change the private street to a public street. Commissioner Mansfield seconded the motion.

Commissioner Pulver would advocate for not allowing the increase in the number of units (staying in the previously permitted 75-100 range). He is troubled by the drive aisle widths and does not like the architecture issue.

Chair McKechnie made a friendly amendment: Not allowing decreasing the drive aisle width to 14 feet and 20 feet.

Ms. Evans suggested make the street a minor residential street which is a 55 foot right-of-way, 28 feet curb to curb with parking on one side. It is a condition to dedicate as a public right-of-way.

Commissioner Culbertson requested clarification that if they hold the maximum number of units down to 100 that would still permit the mixed-use in the front. Chair McKechnie commented that the applicant would have to figure 10 less units somewhere. Commissioner Culbertson has a problem with having the mixed-use. That was a big issue in 2016. They were having trouble calculating the number of parking spaces, the use and how the flow would work. They decided not to have the mixed-use on the front piece. He views that as a big change.

Commissioner McFadden stated that the mixed-use is being promoted across the country as a way to integrate the friendliness to the commercial area with the livability space of a residential area so that vandalism is controlled in the commercial area by having people there all the time.

Commissioner Thomas agrees with Commissioner Pulver on the previously permitted 75 to 100 units.

Ms. Evans reported that the motion on the table now is the main motion, the public street was an amendment to the main motion and the aisle width was an amendment to the main motion.

Vice Chair Foley stated they have had discussion on the number of units in the mixed-use.

Ms. Evans reported that the current motion is:

Motion: The Planning Commission finds that the applicable criteria in MLDC 10.198 (A) have been satisfied and adopts the findings as recommended by staff and directs staff to prepare the Final Order for approval of PUD-19-002 per the Revised Staff Report dated November 7, 2019, including Exhibits A-1 through BBB including the following revisions:

- Increase the amount of permitted multiple-family dwelling units from 100 to 110.

- Adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units.
- Add the 'common building' including 2 residential units.
- Dedicate to minor residential street standards with 28 feet curb to curb.
- Approve architecture.
- Remove Condition 7 of PUD-16-024 Exhibit A-2 having to do with the design letter by Kistler, Small & White and amend Condition 2 of Exhibit A-1 for PUD-19-002 to read 'Comply with the Multi-Family Residential Design Standards as set forth in MLDC 10.716 through 10.719, striking references to the KSW letter.
- Delete Condition 8 of PUD-16-024 regarding 2<sup>nd</sup> story commercial use only.

Amended Motion: Strike the first bullet that would take it back to the previously approved 75 to 100 residential units.

Moved by: Commissioner Pulver

Seconded by: Commissioner Culbertson

Commissioner McFadden asked Commissioner Pulver what his desired affect is for the change. Commissioner Pulver reported that he heard a lot of objection on a lot of fronts but the primary objection is a lot of density being pushed in a single family residential neighborhood. He does not see the need to increase the units from the 2016 approval.

Chair McKechnie thinks the increase to 110 units is perfectly reasonable. It is less than the overall density of the development. He intends to vote against the amendment.

Roll Call Vote on Amended Motion: Motion failed, 4-4-0, with Vice Chair Foley, Commissioner Mansfield, Chair McKechnie and Commissioner McFadden voting no.

Commissioner Culbertson requested discussion on adding the mixed-use building at the corner of Cedar Links Drive and Farmington Avenue, including 17 residential units. He is not opposed to mixed use. He thinks that if they are permitting that mixed-use on the front corner they are taking all the discussion and negotiations the homeowners and the previous PUD owner had and throwing it out. He is concerned because they voiced concerns of the people on the second floor of privacy looking down. That is a large departure from the 2016 application.

Commissioner Thomas strongly agrees. The reason he voted for the 100 to 110 units was because they are working with a community that worked hard to come up with something that nobody liked but they agreed this would be a good working model. Then in a couple of meetings the Planning Commission throws everything out. The 100 to 110 units may not seem like a big thing but it was a big deal to some of the folks. The mixed-use is a big deal so if there is a way to come to a compromise the community is still going to go on after the decision. The Planning Commission needs to consider that.

Commissioner McFadden commented to make the two-story all commercial or nothing at all. Chair McKechnie stated that the 2016 approval was all commercial. Commissioner Pulver responded that the 2016 approval was for storage and offices.

Amended motion: Eliminate the mixed-use on the corner of Cedar Links and Farmington Avenue keeping the 2016 approved application.

Moved by: Commissioner Culbertson

Seconded by: Commissioner Pulver

Ms. Evans wanted clarification stating that Condition 8 limits the use. Is it correct Commissioner Culbertson does not want it to be two-story? Commissioner Culbertson replied the amendment is to keep it the way the 2016 application was for two-story commercial use.

Roll Call Vote: Motion failed, 4-4-0, with Vice Chair Foley, Commissioner Mansfield, Chair McKechnie and Commissioner McManus voting no.

Roll Call Vote on Main Motion: Motion passed, 5-3-0 with Commission Culbertson, Commissioner Thomas and Vice Chair Foley voting no.

## 60. Reports

### 60.1 Site Plan and Architectural Commission

Commissioner Culbertson reported that the Site Plan and Architectural Commission met on Friday, November 1, 2019 and approved the construction of Advanced Auto Parts, Planet Fitness and Party City at Crater Lake Plaza containing Hobby Lobby and Ashely Home Store. He found it interesting that the middle of the parking lot is in a floodplain. He asked, how is it going to flood across Crater Lake Highway? It was not an issue for the applicant.

### 60.2 Transportation Commission

Commissioner Pulver reported that the Transportation Commission has not met since their last meeting.

### 60.3 Planning Department

Kelly Evans, Assistant Planning Director reported that there is a Planning Commission study session scheduled for Monday, November 25, 2019. Discussion will be on the City Initiated Zone Change / Annual Parks Zone Updates and Mr. Brinkley will give an overview of HB 2001.

There is no meeting on Thursday, November 28, 2019 due to the Thanksgiving holiday. There is business scheduled for Thursday, December 12, 2019. At this point in time there is no business scheduled for December 26, 2019.

Last week City Council approved the Street Vacation at Normil Terrace and Foothills, the Emergency Shelters amendment and the Housing Opportunity Fund award for two projects. One is Hearts with a Mission. They have a homeless facility for teens on the north side of Kids Unlimited. Columbia Care has 16 apartment units for Veteran housing. It is located on the southwest corner Stewart and Columbus.

Next week the City Council will hear an Annexation at 3558 Table Rock Road from RR-2.5 to I-L/I-00 and Funding Priorities and Homeless System Action Plan Implementation.

Chair McKechnie stated that he has a question regarding the administrative approval for Cedar Landing cottages where the applicant wanted to straighten out the meandering sidewalk. He remembers when it came before the Planning Commission the applicant made a big deal about the meandering sidewalk and how it was a solution to something. What happened? Mr. Brinkley responded that Rich Rosenthal, Parks and Recreation Director did not recollect what that was a great solution to. He was supportive of getting rid of the meandering pathway. Commissioner Pulver commented that they ended up making them curb tight as opposed to landscape strips.

70. Messages and Papers from the Chair. None.

80. City Attorney Remarks. None.

90. Propositions and Remarks from the Commission.

90.1 Commissioner Pulver stated that it is regular that the Commission sees objection to differing density in near proximity and mixed-use in close proximity. He hopes in some of the Urban Growth Boundary expansion areas people are better informed so there is not so many surprises. This was a unique situation. A good realtor should educate the buyer. He thinks a density agenda is being pushed and he does not know that it is solving the problem it is claiming to try and solve. He does not know that it is desired by all communities. There are residents in the City that are objecting to this agenda that is being pushed on them. It is a hot contested issue that they are being forced to deal with. Mr. Brinkley commented that the Planning Commission approved the Urban Growth Boundary amendment that made significant findings about mixed-use, higher density, walkable urban neighborhoods. That is the agenda. Commissioner Pulver responded that the Planning Commission approved that the density requirement was not one that they got to pick. RPS dictated all the mixed-use, the Planning Commission did not. You have to take the good with the bad but they were not the ones that decided all pieces of that. They agreed the City needs to grow but they were sort of forced to the terms it has to grow. Mr. Brinkley commented that is the tradeoff. That is the way the State planning system works. They added 1,039 acres of low density residential land in the Urban Growth Boundary. Of that they added 80 acres of high density. There is a lot of low density still available. Commissioner Pulver stated that the State needs to hear this.

Mr. Brinkley reported that the State is coming to Medford and have a listening session on HB 2001 and 2003. It will be in December. He will get the exact date. It would be nice to have local input on that process. They will be doing rule making. He asked the local representative to include someone from southern Oregon on the rule making body. No one received a call and they have formed the rule making body. This may be the only chance outside of the legislative process to discuss what Commissioner Pulver is concerned about.

Commissioner Mansfield responded to Commissioner Pulver stating that he would be disappointed if Commissioner Pulver stopped talking against density. Commissioner Mansfield's agenda is higher density. His point is that the public has not been educated as to why density is in the public interest. He thinks they should have more honest, solid, robust debates on the issue of whether it is or is not in the public interest.

Commissioner Pulver is not opposed to density in the general sense. He thinks larger lots can create special scenarios that do not need to be everywhere in the City but do need to be in some places of the City. The current zoning does not allow that.

**100. Adjournment**

101. The meeting was adjourned at approximately 8:07. p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:

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Terri L. Richards  
Recording Secretary

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Mark McKechnie  
Planning Commission Chair

Approved: December 12, 2019



**STAFF REPORT – CONTINUANCE REQUEST**

for a Type III quasi-judicial decision: **Commercial Pad-lot Subdivision**

**Project** Medford Center  
 Applicant: LBG Medford LLC; Agent: Neathammer Surveying Inc.

**File no.** LDS-19-076

**To** Planning Commission *for 12/12/2019 hearing*

**From** Steffen Roennfeldt, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director *h.*

**Date** December 5, 2019

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**BACKGROUND**

Proposal

Consideration of tentative plat approval for the Medford Center, a proposed commercial pad-lot subdivision in order to separate 11 existing structures on their own legal tracts of land. The property is located on a single 24.42-acre parcel located east of Biddle Road between Stevens and E Jackson Street in the C-R (Regional Commercial) zoning district (371W19CD 1000);

Request

The applicant has requested that the item be continued to January 9, 2020, in order to properly address several items from the Public Works Report.

**EXHIBITS**

- A Continuance request received December 3, 2019
- Vicinity map

**PLANNING COMMISSION COMMISSION AGENDA:**

**NOVEMBER 14, 2019**  
**DECEMBER 12, 2019**

## Steffen K. Roennfeldt

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**From:** Bob Neathamer <bob@neathamer.com>  
**Sent:** Tuesday, December 3, 2019 2:51 PM  
**To:** Steffen K. Roennfeldt  
**Cc:** Kelly Evans  
**Subject:** FW: LDS-19-076

<EXTERNAL EMAIL \*\*Be cautious with links and attachments\*\*>

Hello Steffen,

Based on my telephone conversation this afternoon with the applicant, LBG Medford, LLC, I am hereby requesting the Public Hearing scheduled for the subject application for December 5, 2019, City of Medford Planning Commission meeting, be rescheduled to the January 9, 2020 meeting. The request provides the applicant an opportunity to review and address the city departments, agencies and interested parties reports and comments submitted at the Land Development Committee meeting on October 10, 2019, and subsequent meetings with city departments. Please confirm this request, thank you.

**From:** Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>  
**Sent:** Tuesday, December 3, 2019 2:04 PM  
**To:** Bob Neathamer <bob@neathamer.com>  
**Subject:** RE: LDS-19-076

Sounds good, thank you.

1<sup>st</sup> meeting in 2020 will be on January 9<sup>th</sup>, 2<sup>nd</sup> meeting will be on the 23<sup>rd</sup>.  
Steffen

**From:** Bob Neathamer [mailto:bob@neathamer.com]  
**Sent:** Tuesday, December 3, 2019 1:32 PM  
**To:** Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>  
**Subject:** RE: LDS-19-076

<EXTERNAL EMAIL \*\*Be cautious with links and attachments\*\*>

Hello Steffen,

I have a telephone call scheduled with the applicant this afternoon. Based on my conversation with the applicant, I will let you know if we want to continue. It is my understanding the next scheduled Planning Commission will be January 12, 2020.

**Robert V. Neathamer | President | Neathamer Surveying, Inc.**

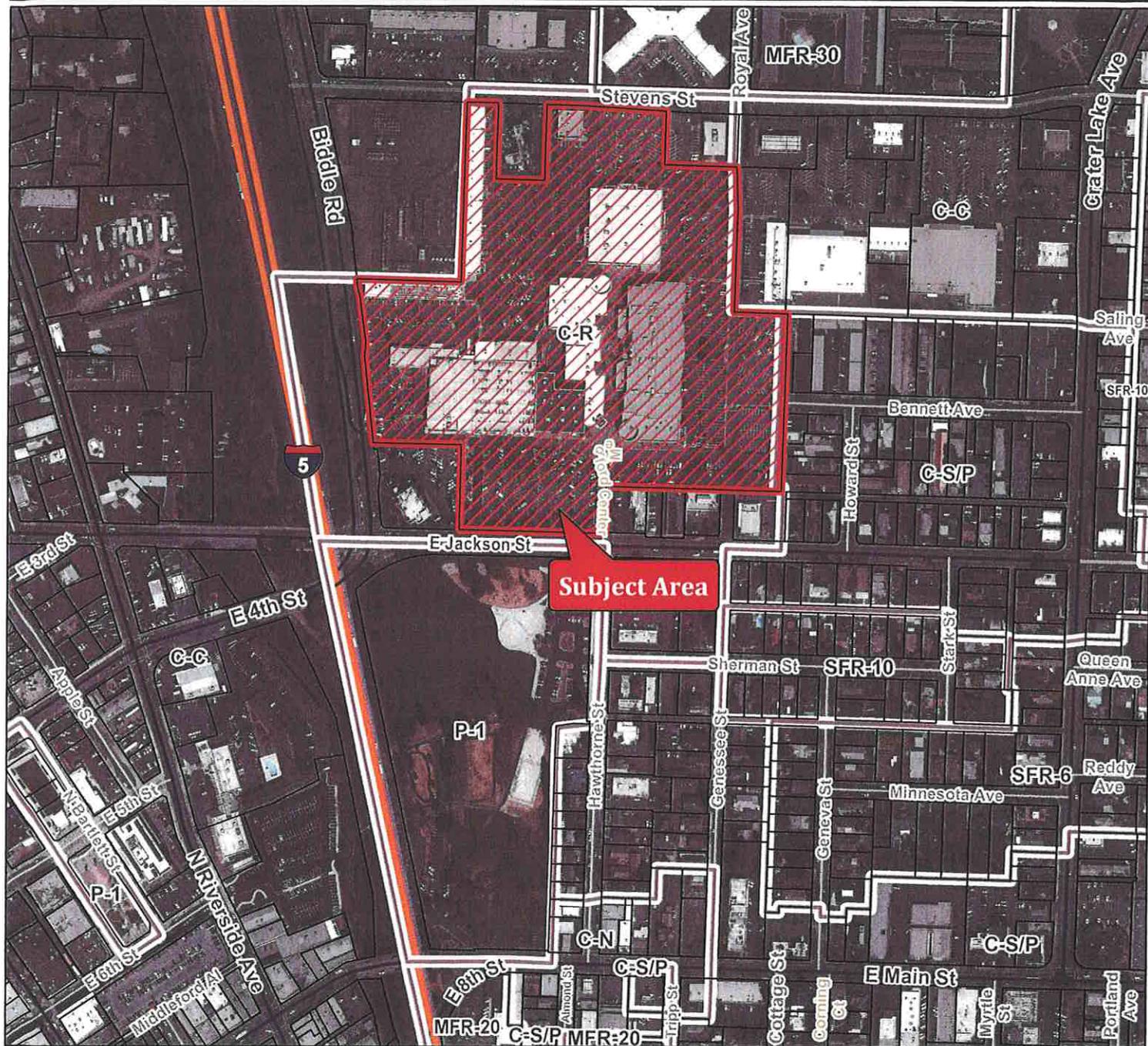
Professional Land Surveyor – Water Right Examiner – NSPS Oregon Director

☎ (541) 732-2869 | 📠 (541) 732-1382 | ✉ [bob@neathamer.com](mailto:bob@neathamer.com)  
3126 State St., Suite 203 | Medford, OR 97504 | [www.neathamer.com](http://www.neathamer.com)

**From:** Steffen K. Roennfeldt <Steffen.Roennfeldt@cityofmedford.org>  
**Sent:** Tuesday, December 3, 2019 1:18 PM  
**To:** Bob Neathamer <bob@neathamer.com>  
**Subject:** LDS-19-076

Hi Bob,

CITY OF MEDFORD  
RECEIVED  
A  
LDS-19-076

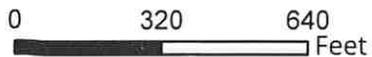


Project Name:

### Village Center

Map/Taxlot:

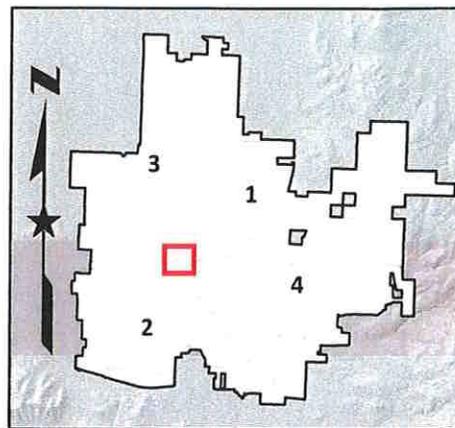
**371W19CD TL 1000**



### Legend

-  Subject Area
-  Tax Lots
-  Zoning Districts

09/24/2019



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

IN THE MATTER OF PLANNING COMMISSION FILE ZC-19-019 APPLICATION )  
FOR A ZONE CHANGE SUBMITTED BY ALVAREZ REAL ESTATE LLC ) **ORDER**

ORDER granting approval with conditions for a zone change of a single 0.96-acre parcel located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L (Light Industrial).

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning for *Alvarez Real Estate LLC*, as describe above; and

WHEREAS, the City Planning Commission has given notice of, and held a public hearing, and, after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Planning Commission Staff Report dated December 5, 2019, and the Findings contained therein - Exhibit "A," and Legal Description - Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MEDFORD, OREGON, that:

The zoning of the following described area within the City of Medford, Oregon:

37 2W 12A Tax Lot 800

is hereby changed as described above.

Accepted and approved this 12th day of December, 2019.

CITY OF MEDFORD PLANNING COMMISSION

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

ATTEST:

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



# MEDFORD PLANNING

## STAFF REPORT

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

**Project** Alvarez Zone Change  
Applicant: Alvarez Real Estate, LLC; Agent: CSA Planning

**File no.** ZC-19-019

**To** Planning Commission *for 12/12/2019 hearing*

**From** Dustin Severs, Planner III

**Reviewer** Kelly Evans, Assistant Planning Director

**Date** December 5, 2019

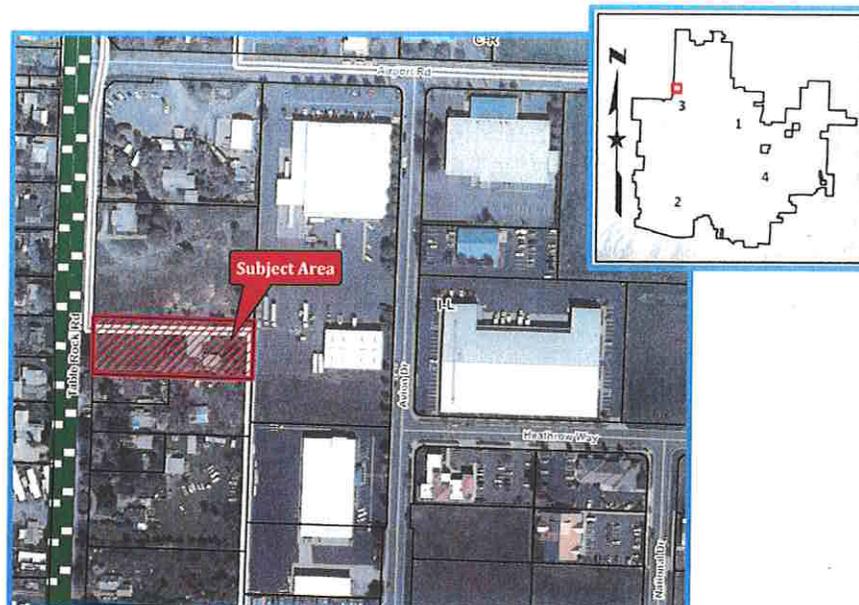
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### BACKGROUND

#### Proposal

Consideration of a request for a change of zone of a single 0.96-acre parcel located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L/AC (Light Industrial/Airport Area of Concern overlay) (372W12A TL 800).

#### Vicinity Map



### Subject Site Characteristics

GLUP        GI (General Industrial)  
Zoning      SFR-00  
Overlay     AC (Airport Area of Concern)  
Use         Residential

### Surrounding Site Characteristics

*North*      Zone:    I-L/AC  
                  Use:     Residential (SPAC approved mechanic shop and office in 2019)

*South*      Zone:    Jackson County RR-2.5 (Rural Residential, 2.5 acre minimum  
                  parcel size)  
                  Use:     Residential

*East*        Zone:    I-L/AC  
                  Use:     Pepsi-Cola Distribution Center

*West*        Zone:    Jackson County RR-2.5  
                  Use:     Residential

### Related Projects

A-19-001    Annexation (City Council approved November 21, 2019)

### Applicable Criteria

#### MLDC 10.204: Zone Change Criteria

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

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

\*\*\*

*(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 (2)(e) below.*

\*\*\*

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

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

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

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

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

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

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

*(b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method*

*described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.*

- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.*
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation, returned to the Planning Department, and may include, but are not limited to the following:*
  - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,*
  - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,*
  - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.*

### **Approval Authority**

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

### **ISSUES AND ANALYSIS**

#### **Background**

##### *Current Conditions*

The subject site is currently developed with a single family residence and detached garage developed under Jackson County jurisdiction. The property owner is a general contractor and intends to use the site to house that business.

### *Proposal*

The applicant is requesting the I-L zone for the subject site, which is consistent with the GI (General Industrial) General Land Use Plan (GLUP) map designation. The site is also located within the Airport Area of Concern overlay.

The applicant's Findings of Fact include findings for the Annexation application that preceded this request. Those criteria and findings do not apply to the subject zoning application and should be disregarded (Exhibit B, Section V [pp. 9 - 12]).

### *Annexation Application*

The City Council approved the Annexation application for the subject property on November 21, 2019. It should be noted that the annexation is not official until acknowledged by the Secretary of State and the city zoning designation cannot be applied outside the City's corporate boundary. Staff has included a condition of approval stating the zoning becomes effective upon the official date of annexation.

### *Transportation and Access*

In this case, the applicant submitted a TIA (Exhibit 20 to Exhibit B). The proposed zone change is estimated to generate 288 net average daily trips, which is more than the code standard at which a TIA is required. However, no higher order city intersection is impacted by 25 or more peak hour trips, the code standard for determining significant impacts. Therefore, Public Works has no transportation related comments regarding the zone change.

## **CRITERIA COMPLIANCE**

### *GLUP/TSP Consistency*

The General Land Use Plan (GLUP) designations for the subject site is GI (General Industrial). According to the General Land Use Plan Element of the *Comprehensive Plan*, the I-L zoning district is a permitted zone within the GI GLUP designation.

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

The applicant submitted a TIA. The Public Works has no transportation related comments regarding the zone change.

### *Locational Criteria*

Zone change requests require an assessment of the locational criteria for the proposed zoning district. The site, proposed to be rezoned to I-L, abuts the Jackson County RR-2.5 zone at its westerly and southerly boundaries and the City I-L zone on its northerly and easterly boundaries. The I-L zone may abut residential, commercial, and the I-G (General Industrial) zone. The proposal meets the locational criteria per MLDC 10.204(B)(2)(d)(i).

### *Facility Adequacy*

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

The agency comments included in Exhibits C-F, demonstrate that Category A facilities are adequate to serve the property at the time it is developed.

### **Other Agency Comments**

#### *Rogue Valley Sewer Services (RVSS) (Exhibit F)*

The subject property is within RVSS service area. In their report, RVSS states there is adequate system capacity for the proposed zone change.

#### *Jackson County Roads (Exhibit G)*

The segment of Table Rock Road fronting the subject property is under the jurisdiction of Jackson County. The report received by Jackson County Roads lists eight comments regarding the proposed zone change.

### **Committee Comments**

No other issues were identified by staff.

### **FINDINGS AND CONCLUSIONS**

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

- With regard to Criterion 1, there is adequate evidence in the record to demonstrate that the proposal is consistent with the GI General Land Use Plan

Map designation and the Transportation System Plan. The Commission can find that this criterion is met.

- With regard to Criterion 2, the subject property abuts the I-L zoning district along its northerly and easterly boundaries and the Jackson County RR-2.5 zoning district on its westerly and southerly boundaries, meeting the locational criteria for the I-L zone as per MLDC 10.204(B)(2)(d)(i). The Commission can find that this criterion is met.
- With regard to Criterion 3, the agency comments included as Exhibits C-F, including Rogue Valley Sewer Services (RVSS), demonstrate that Category A facilities are adequate to serve the property at the time of issuance of a building permit for vertical construction. The Commission can find that this criterion is met.
- The annexation criteria and findings do not apply to this application.

### **RECOMMENDED ACTION**

Adopt the findings as recommended by staff and adopt the final order for approval of ZC-19-019 per the staff report dated December 5, 2019, including Exhibits A through H.

### **EXHIBITS**

- A Conditions of Approval dated December 5, 2019.
- B Applicant's Findings of Fact and Conclusions of Law, received October 22, 2019.
  - Exhibit 3: Vicinity Map
  - Exhibit 4: Current General Land Use Plan Map
  - Exhibit 5: Current Zoning Map on Aerial Photo
  - Exhibit 6: Proposed Zoning Map
  - Exhibit 7: Prospective Draft Site Plan
  - Exhibit 8: Airport Overlays Map
  - Exhibit 9: Roadway Functional Classification
  - Exhibit 10: Summary of Preliminary Utility Analysis
  - Exhibit 11: Water Availability Correspondence
  - Exhibit 12: Sanitation Availability Correspondence
  - Exhibit 13: Transportation Impact Analysis Correspondence
  - Exhibit 14: Not included
  - Exhibit 15: Jackson County Assessor's Plat Map 37-2W-12A
  - Exhibit 16: Jackson County Assessor Information for Assessment Year 2019
  - Exhibit 17: Current deed of record for parcel
  - Exhibit 18: Legal description

- Exhibit 19: Not included
- Exhibit 20: Transportation Impact Analysis (TIA) (attachments are on file in the Planning Department)
- C Public Works staff report, received November 27, 2019.
- D Medford Water Commission report, received November 27, 2019.
- E Medford Fire Department memo, received November 27, 2019.
- F Rogue Valley Sewer Services letter, received November 15, 2019.
- G Jackson County Roads letter, received November 15, 2019.
- H Building Safety memo, received November 27, 2019
- Vicinity Map

**PLANNING COMMISSION AGENDA:**

**DECEMBER 12, 2019**

EXHIBIT A

Alvarez Zone Change  
ZC-19-019  
Conditions of Approval  
December 5, 2019

CODE REQUIRED CONDITIONS

1. The zone change shall become effective upon the property's official date of annexation.

CITY OF MILFORD  
EXHIBIT: A  
FILE: ZC-19-019



- Exhibit 6:** Proposed Zoning Map
- Exhibit 7:** Prospective Draft Site Plan
- Exhibit 8:** Airport Overlays Map
- Exhibit 9:** Roadway Functional Classification
- Exhibit 10:** Summary of Preliminary Utility Analysis, Thornton Engineering, August 13, 2019
- Exhibit 11:** Water Availability Correspondence
- Exhibit 12:** Sanitation Availability Correspondence
- Exhibit 13:** Transportation Impact Analysis Correspondence
- Exhibit 14:** 200-Foot Mailing Notice Map and Labels
- Exhibit 15:** Jackson County Assessor's Plat Map 37-2W-12A
- Exhibit 16:** Jackson County Assessor Information for Assessment Year 2019
- Exhibit 17:** Current deed of record for parcel.
- Exhibit 18:** Legal description of area to be annexed and zone changed (*Updated 10-22-2019*)
- Exhibit 19:** Signed and Notarized Irrevocable Annexation Consent; and Signed and Notarized Restrictive Covenant Form
- Exhibit 20:** Southern Oregon Transportation Engineering, LLC (SOTE) Transportation Impact Analysis (*Supplemental Exhibit 10-22-2019*)

### III

## RELEVANT SUBSTANTIVE APPROVAL CRITERIA

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### ANNEXATION

The regulations under which annexation applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.216, the Medford Comprehensive Plan, and Oregon Revised Statutes (ORS) 222.111 through 222.183.<sup>1</sup> The zoning of land annexed to the City of Medford is governed by MLDC 10.216(D).

The *approval criteria* for annexations are in MLDC 10.216(C), relevant policies in the Medford Comprehensive Plan, and ORS 222.125. The approval criteria are recited verbatim below and in Section V where each is addressed with conclusions of law based upon the findings of fact set forth in Section IV:

#### **MEDFORD LAND DEVELOPMENT CODE (MLDC)**

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<sup>1</sup> Public health hazard annexations are governed by ORS

**10.216 Annexation**

- (A) Annexation is the action taken to incorporate land into a city. The state requires annexation of property that is contiguous to city limits and within the city's Urban Growth Boundary.
- (B) Application for Annexation. Except for the annexation of unincorporated territory surrounded by the city as provided in Subsection (E) below, applications for annexation shall, in addition to requirements contained in the application form, be subject to the provisions of ORS 222.111 to 222.180 or 222.840 to 222.915.
- (C) Annexation Approval Criteria. The City Council must find that the following State requirements are met in order to approve an annexation:
  - (1) The land is within the City's Urban Growth Boundary,
  - (2) The land is contiguous to the current city limits, and
  - (3) Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.
- (D) Zoning of Annexed Property. At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-OO (Limited Industrial Overlay) shall be applied.

**MEDFORD COMPREHENSIVE PLAN - URBANIZATION ELEMENT**

**2.1 ANNEXATION POLICIES**

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The following are the policies of the City of Medford with respect to annexation:

**2.1.1. General Policy**

The City of Medford has planned to provide areas within the Urban Growth Boundary with public sewer and water service, zoning and development services, police and fire protection, and with all other municipal services required to support urban places. Therefore, the City does hereby encourage such areas to annex and receive the benefits offered by the City, and shall facilitate the process whereby such areas may become a part of the City.

**2.1.2. City Services Outside City Limits**

The City of Medford has acquired and holds its various service facilities for the benefit of residents and taxpayers within the city, and owes them a basic and primary duty to preserve the capacity of the facilities for their benefit, and to refrain from any excess use which would unnecessarily impose upon the residents and taxpayers the financial burden of increases in such capacity. Therefore, the City shall not extend or furnish municipal services to areas beyond the city limits, except in the performance of contracts with other incorporated cities. The City will honor presently existing contracts with special districts, but only to the extent of their present boundaries. However, because fire and emergency medical services are a critical need for all citizens, when, in the opinion of the Fire Chief, other satisfactory means are not available to non-city taxpayers for this service, the City shall continue to allow the Medford Rural Fire District No. 2 to annex beyond their present boundaries.

**2.1.3. City's Participation in the Annexation Proposal**

The City of Medford shall continue to require that residents of the area initiate, and assume the task of promoting, any annexation proposal, except that in areas that have been surrounded by the city limits, the City may initiate and promote the annexation.

**2.1.4. Annexations shall comply with the requirements of the Oregon Revised Statutes, Chapter 222**

The City Council must find that the following State requirements are met in order to approve an annexation:

- 1. The land is within the City's Urban Growth Boundary;
- 2. The land is contiguous with the current City limits;
- 3. The land is accessible via a public street right-of-way; and
- 4. Unless the land being considered for annexation is unincorporated territory surrounded by the incorporated boundary under ORS 222.750 or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

**2.1.5. Zoning District Change Required**

Upon annexation, the City will assign a city zoning district designation to the annexed area according to the following rules:

1. There is a city district that is comparable to the area's former county designation and corresponds to the General Land Use Plan map
2. If there is no comparable designation, the SFR-00 zone or I-00 overlay district will be applied, which will act as a holding zone until the area receives urban zoning; or
3. The landowner has requested a designation that has the approval of the City. This typically occurs when the owner has made an application for a zone change concurrently with the annexation application.

**2.1.6. Withdrawal from Special Districts**

For any areas hereafter annexed to the City of Medford and withdrawn from the Rogue Valley Sewer Services (RVS), or from any sanitary, rural fire protection, domestic water, or other special service district with existing general obligation indebtedness, the city shall, pursuant to ORS 222.520, assume and agree to pay the bonded indebtedness attributable to such area in the manner provided by ORS 222.520, and will thereby relieve the real property in such areas from further district taxation for such bonded indebtedness.

The following policies guide the administration of the Medford Urban Growth Boundary:

1. An Urban Growth Boundary adopted herein, or hereinafter amended, for the Medford area will establish the limits of urban growth to the year 2029.
  - a. Annexation to the City of Medford shall occur only within the adopted urban area.

**OREGON REVISED STATUTES: CHAPTER 222 - CITY BOUNDARY CHANGES; MERGERS; CONSOLIDATIONS; WITHDRAWALS**

**ORS 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation.**

The legislative body of a city need not call or hold an election in the City or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the City, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

\* \* \* \* \*

**ZONE CHANGE CRITERIA**

The regulations under which zone change applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.204. Relevant sections are quoted verbatim below:

**MEDFORD LAND DEVELOPMENT CODE (MLDC)**

**10.204 Zone Change**

**(A) Zone Change Initiation.**

A zoning district boundary change may be initiated by the Planning Commission either on its own motion or at the request of the City Council, or by application of the property owner(s) in the area subject to the zone change.

**(B) Zone Change Approval Criteria.**

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

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.



- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(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 (2)(e) below.
- (e) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one 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 zone;
  - (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;
  - (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or
  - (iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.
- (3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.
- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
- (b) Adequate streets and street capacity must be provided in one of the following ways:
- (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
  - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
  - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. 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 Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be

established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:

- (i) Restricted Zoning is a restriction of uses by type or intensity. 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 that do not meet minimum density standards;
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

#### IV

#### FINDINGS OF FACT

The City Council ("Council") and Planning Commission("Commission") finds the following facts to be true with respect to this matter:

- 1. Property Location:** The annexation and zone change territory (subject property) consists of one privately held parcel described in the Jackson County Assessment records as Township 37 South, Range 2 West, Section 12A, Tax Lot 800) and adjacent public rights-of-way. The subject private property is situated on the east side of Table Rock Road approximately 530 feet south of the intersection of Table Rock Road and Airport Way. The property is inside Medford's urban growth boundary (UGB) and is contiguous to the corporate limits of the City of Medford along its northerly and easterly boundaries. See, Exhibits 3 and 4.
- 2. Description, Zoning, Acreage, Assessed Value, and Ownership of Annexation Territory:** The following Table 1 sets forth factual information obtained through the records of the Jackson County Assessor concerning privately held property to be annexed and the same is further supported by Exhibits 15 and 16.<sup>2</sup> The portion of Table Rock Road Right-of-way area to be annexed includes approximately .17 acres, bringing the total annexation area to approximately 1.13 acres.

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<sup>2</sup> Table 1 does not include information with respect to public rights-of-way included in the annexation territory. Pursuant to ORS 222.170 (4), the Council's action on this annexation petition does not require the consent of the owners of publicly owned property within the annexation territory. ORS 222.170 (4) provides:

"Real property that is publicly owned, is the right of way for a public utility, telecommunications carrier as defined in ORS 133.721 or railroad or is exempt from ad valorem taxation shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section."

**TABLE 1**  
**Jackson County Assessment Data**  
 Source: Jackson County Department of Assessment and Taxation

Assessor Map No.	Tax Lot	Tax Code	County Zoning	Acres <sup>3</sup>	Assessed Value Land	Assessed Value Impvrmts	Total Assessed Value	Owner of Record
372W12A	800	49-03	RR-2.5	.96. <sup>1</sup>	\$67,480	\$70,730	\$138,210	Alvarez Real Estate, LLC

3. **Medford Comprehensive Plan Map:** According to the City of Medford Comprehensive Plan, the annexation territory is covered by a General Industrial comprehensive plan map designation. The General Industrial plan designation comports with Medford’s Light Industrial (I-L) and General Industrial (I-G) zoning districts. See, Exhibit 4.
4. **Current Zoning:** Subject Tax Lot 800 is currently zoned County RR-2.5. See, Exhibit 5.
5. **Proposed Zoning:** Applicant is proposing rezoning the subject property upon annexation to I-L, Light Industrial, zoning to match the adjacent zoning on the north and east. See, Exhibit 6.
6. **Overlays:** According to Medford and Jackson County GIS data, the subject property is within the City of Medford Airport Notice Overlay and the Jackson County Horizontal Surface Overlay. Upon annexation, the Jackson County Airport - Horizontal Surface Overlay will not be applicable to the property. See, Exhibit 8.
7. **Land Uses on Abutting Properties and Surrounding Area:**  
 Overview of area: The area has been slowly transitioning from large lot rural residential to industrial uses over the past 20 years. Table Rock Road is a busy collector street that makes residential living on the road difficult. With the addition of the Costco to the north, traffic is going to continue to increase.  
  
**East:** The subject property’s rear property line abuts the Pepsi-Cola distribution center in the Navigator’s Landing development. Other adjacent parcels in this portion of Navigator’s Landing house a roofing distributor, a stone and tile distributor and other similar distribution and warehousing companies  
  
**North:** To the north is a large lot that contains one single-family house. The majority of the property is used for storage of construction equipment. The parcel beyond to the north at the corner with Airport Road has a variety of automobile uses including used car and tire sales.  
  
**West:** To the west across Table Rock Road are primarily large lot rural residential properties and a mobile home park that back up to the Bear Creek floodplain.

<sup>3</sup> Acreage in Table 1 does not include land within adjacent public right-of-way which is to be included in the annexation territory.



**South:** To the south are properties housing a variety of residential uses including mobile homes, older residences that are in fair to poor condition. Beyond are vacant lots and parcels with small business uses.

8. **Existing Land Uses:** Subject Tax Lot 800 is occupied by an existing residence and garage. They are located on the easterly portion of the property. Applicant has repurposed the residence for office use and intends to remove the garage structure.
9. **Proposed Use:** Applicant proposes to use the subject property to house his general contracting business. Uses will include materials and equipment storage, on-site assembly of items for construction projects and the project management offices.
10. **Public Facilities and Services:** The annexation territory is served by the following public facilities and services:
  - a. **Water Distribution:** A new 12" line is located in Table Rock Road adjacent to the property and is available for connection. See, Exhibit 11. There is a legacy well on the property that is only to be used for on-site irrigation.
  - b. **Sanitary Sewer Collection:** The annexation territory is under the authority of Rogue Valley Sewer Services (RVSS). An 8" sewer line is available in Table Rock Road with a stub-out service line extending to the subject property. See, Exhibit 12. Currently the property is on a septic system. The Applicant plans to abandon and remove the septic system upon approval of annexation and to then connect to the RVS sanitary sewer system.
  - c. **Storm Drainage:** A new 18" storm line was recently installed along the property frontage and is available for connection. Applicant plans to connect onsite bioswale storm water treatment and detention area to this line. See, Exhibit 10.
  - d. **Transportation / Streets (Updated 10-22-2019):** The subject property fronts on Table Rock Road, which is listed in the Medford TSP as a Minor Arterial. The current residence has a road approach on Table Rock Road. See, Exhibits 9 and 13. This section of Table Rock Road was recently reconstructed and is fully developed with center turn lane, curb, gutter and sidewalk.

Southern Oregon Transportation Engineer's (SOTE) provided a Transportation Impact Analysis (TIA) in response to scoping letter from the City of Medford Public Works to which a response was provided at Exhibit 13. SOTE collected and provided the requisite data in response to the City's TIA Scoping Request. The TIA demonstrates compliance with TIA requirements. Initial correspondence with City of Medford and Jackson County Roads is provided at Exhibit 13. Pursuant to Medford Land Development Code Section 10.550<sup>4</sup>, at time of Site Plan Review, the property will be obligated to provide cross-access easements for adjacent lands to the north, south and

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<sup>4</sup> 10.550 Driveway Spacing and Locational Standards

a. Arterial and Collector Streets

(3) Cross-Access Easement Required. Any parcel or tract granted driveway access to an Arterial or Collector Street shall grant cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order than an Arterial or Collector Street. Site design must accommodate future use of such accesses. Use of shared driveways on multiple parcels or tracts and cross-access easements shall be required when site and traffic conditions, including projections of future traffic volumes and movements, indicate that such requirements will preserve the capacity and safety of the transportation system.

east – to which the Applicant has agreed to do. Applicant’s TIA addresses and proposes a solution to Jackson County Roads’ concerns over driveway access to Table Rock Road from the subject property for the intended light industrial uses. Note, based on correspondence with land-owners to the north, their approved project includes storm detention on their south property line, making any shared access between said property to the north and the subject property infeasible. Further, said property to the north already has multiple access points to Table Rock Road.

**11. Special Districts:** The annexation territory is within the 4-03 Tax Code. The subject property is currently serviced through the Medford Rural Fire Protection District 2 (MRFPD2). Commensurate with annexation, the Applicant will be withdrawing the property from that district so that it can be serviced directly by Medford Fire-Rescue.

V

**CONCLUSIONS OF LAW  
ANNEXATION**

---

The Council reaches the following conclusions of law and ultimate conclusions with respect to each of the relevant substantive criteria applicable to annexations:

***Annexation Criterion 1***

***MEDFORD LAND DEVELOPMENT CODE (MLDC)***

**10.195 Application for Annexation**

Except for the annexation of unincorporated territory surrounded by the city as provided in Section 10.199, applications for annexation shall, in addition to requirements contained herein, be subject to the provisions of ORS 222.111 to 222.180 or 222.840 to 222.915.

**Discussion; Conclusions of Law:** The City Council concludes that this annexation is not one where the unincorporated territory is surrounded by the city. The Council instead concludes that this annexation is properly undertaken pursuant to ORS 222.125 the requirements for which is addressed herein below as Criterion 10. The additional requirements of the Medford Land Development Code (MLDC) and Medford Comprehensive Plan are addressed below as Criterion 2 through 9. The Findings of Fact and Conclusions of Law for Criterion 1 through 10 are herewith incorporated and adopted and the Council concludes that this annexation is consistent with Criterion 1.

\*\*\*\*\*

***Annexation Criterion 2***

(C) Annexation Approval Criteria. The City Council must find that the following State requirements are met in order to approve an annexation:

- (1) The land is within the City’s Urban Growth Boundary,
- (2) The land is contiguous to the current city limits, and
- (3) Unless the land being considered for annexation is enclaved by the City or the City chooses to hold an election, a majority of the land owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.



**Discussion; Conclusions of Law:** The City Council concludes as follows with respect to the three requirements in Criterion 2:

1. Based upon Exhibit 4, the annexation territory, including the privately held property and public rights-of-way, is entirely within the City of Medford Urban Growth Boundary.
2. Based upon Exhibit 4, the annexation territory is contiguous to the current corporate limits of the City of Medford.
3. Exhibit 16 evidences that the sole property owner (representing 100% of ownership) has given their consent to the annexation and the same is before the Council at the specific request of this owner. The Council further concludes from the evidence that there are no electors which reside within the annexation territory. Therefore, consent for the annexation is limited solely to the consent of the owner which is unanimous.

Based upon the foregoing findings of fact and conclusions of law, the City Council concludes that the application is consistent with the requirements of Criterion 2.

\* \* \* \* \*

### ***Annexation Criterion 3***

- (D) Zoning of Annexed Property. At the time of annexation, the City shall apply a City zoning designation comparable to the previous County zoning designation. Where no comparable City zoning designation exists, the SFR-00 (Single-Family Residential – one dwelling unit per existing lot) zone or the I-00 (Limited Industrial Overlay) shall be applied.

**Discussion; Conclusions of Law:** Based on the evidence in Section III, the City Council observes that the property has County rural residential zoning. If the property were to be rezoned when annexed to a comparable residential zone as recommended above, the property would not be consistent with the underlying existing GLUP designation of General Industrial. The City Council concludes that the I-00 overlay is appropriate and could be applied instead to meet Criterion 3. However, the Council further understands that an application has been submitted to rezone the property to the I-L zone (also consistent with the underlying GI GLUP designation) concurrently with this annexation application and the same is allowed and contemplated commensurate with annexation pursuant to Medford Comprehensive Plan (Comp Plan) Section 2.1.5(3) addressed under Criterion 5 herein below.

Further and as concluded under Criterion 5 herein below, the commensurate application to rezone the property to the zone preferred by the Applicant at the time of annexation is allowed. Therefore, the Council concludes that Criterion 3 is overruled by Criterion 5 in that it recognizes the option posed by Criterion 3, but allows a choice between the automatic zone application and the application of a zone requested by the property owner. The conclusions under Criterion 5, along with supporting facts and evidence are herewith incorporated and adopted.

Therefore, the City Council concludes this Criterion 3 is met.

**MEDFORD COMPREHENSIVE PLAN**



2.1 ANNEXATION POLICIES

---

The following are the policies of the City of Medford with respect to annexation:

**Annexation Criterion 4**

**2.1.4. Annexations shall comply with the requirements of the Oregon Revised Statutes, Chapter 222**

The City Council must find that the following State requirements are met in order to approve an annexation:

1. The land is within the City's Urban Growth Boundary;
2. The land is contiguous with the current City limits;
3. The land is accessible via a public street right-of-way; and
4. Unless the land being considered for annexation is unincorporated territory surrounded by the incorporated boundary under ORS 222.750 or the City chooses to hold an election, a majority of the land-owners and/or electors have consented in writing to the annexation per ORS 222.125 or ORS 222.170.

**Discussion; Conclusions of Law:** As above concluded under Criterion 2, the annexation territory lies within the City of Medford Urban Growth Boundary; the parcel is contiguous with the current City limits; it is accessible via Table Rock Road, a public street right-of-way; and the owner of the subject property has consented and requests this annexation is considered under the official annexation policies of the City of Medford, which are addressed herein below and supported by the findings of fact and conclusions of law for the City's annexation policies and the same are herewith incorporated and adopted. Based on the above, the Council concludes that this annexation is consistent with Criterion 4.

\* \* \* \* \*

**Annexation Criterion 5**

**2.1.5. Zoning District Change Required**

Upon annexation, the City will assign a city zoning district designation to the annexed area according to the following rules:

1. There is a city district that is comparable to the area's former county designation and corresponds to the General Land Use Plan map
2. If there is no comparable designation, the SFR-00 zone or I-00 overlay district will be applied, which will act as a holding zone until the area receives urban zoning; or
3. The landowner has requested a designation that has the approval of the City. This typically occurs when the owner has made an application for a zone change concurrently with the annexation application.

**Discussion; Conclusions of Law:** As above concluded under Criterion 2, the City of Medford does not have a rural residential zone nor is a residential zone appropriate as the underlying GLUP designation is General Industrial. Criterion allows either the application of an automatic I-00 zone or an owner requested designation. The Council recognizes that the Applicant/Owner has made application for a zone change to I-L concurrently with this annexation application, and thereby Criterion 5 is satisfied based on compliance with Comp Plan subsection 2.1.5(3).

\* \* \* \* \*

**Annexation Criterion 6**

**OREGON REVISED STATUTES: CHAPTER 222  
CITY BOUNDARY CHANGES; MERGERS; CONSOLIDATIONS; WITHDRAWALS**

**ORS 222.125: Annexation by consent of all owners of land and majority of electors; proclamation of annexation.**



The legislative body of a city need not call or hold an election in the City or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the City, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation.

**Discussion; Conclusions of Law:** Based upon the evidence, the City Council concludes that the property owner has given their written irrevocable consent to this annexation and the annexation is properly before the Council at the specific request of this owner. The Council further concludes from the evidence that there are no electors who reside within the annexation territory. Therefore, consent for the annexation is limited solely to the consent of the owner which is unanimous. Therefore, the City Council concludes that this annexation is proper and consistent in all respects with the requirements of ORS 222.125 and thereby meets Criterion 6.

## VI

### CONCLUSIONS OF LAW ZONE CHANGE

---

The Planning Commission reaches the following conclusions of law and ultimate conclusions with respect to each of the relevant substantive criteria applicable to zone changes:

#### ZONE CHANGE CRITERIA

The regulations under which zone change applications are governed and must be considered, are in Medford Land Development Code (MLDC) 10.204. Relevant sections are quoted verbatim below:

##### *Zone Change Criterion 1*

###### **MEDFORD LAND DEVELOPMENT CODE (MLDC)**

###### **10.204 Zone Change**

(A) Zone Change Initiation.

A zoning district boundary change may be initiated by the Planning Commission either on its own motion or at the request of the City Council, or by application of the property owner(s) in the area subject to the zone change.

**Discussion; Conclusions of Law:** Based upon the evidence, the Planning Commission concludes that the zone change has been initiated by the sole property owner through this application. Criterion 1 has been met.

\*\*\*\*\*

##### *Zone Change Criterion 2*

(B) Zone Change Approval Criteria.

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

- (1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.

**Discussion; Conclusions of Law:** Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that the area proposed for zone change has a General Industrial designation and that it had that designation when the most recent Transportation System Plan was approved and acknowledged. Thereby the Commission concludes that the proposed zone is consistent with Criterion 2.

\*\*\*\*\*

**Zone Change Criterion 3**

- (2) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (2)(a), (2)(b), (2)(c), or (2)(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 (2)(e) below.

**Discussion; Conclusions of Law:** Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that the area proposed for zone change abuts only County residential and Medford I-L zoning. Therefore, the Commission concludes that the proposed change to the I-L zone is consistent with the locational standards for the I-L zone and meets Criterion 3.

\*\*\*\*\*

**Zone Change Criterion 4**

- (e) For purposes of (2)(c) and (2)(d) above, a zone change may be found to be suitable where compliance is demonstrated with one 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 zone;
  - (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (2)(c) or (2)(d) above;
  - (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing use(s) which are permitted or conditional use(s) in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing use(s); or
  - (iv) Notwithstanding the definition of "abutting" in Section 10.012 and for purposes of determining suitability under Subsection (2) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.

**Discussion; Conclusions of Law:** Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds that 50% of the subject property boundaries abut the I-L zone which is allowed under the criteria in 2(d). The Commission therefore concludes that the proposed change meets the criteria under this subsection (e)ii and thereby satisfies Criterion 4.

\*\*\*\*\*

**Zone Change Criterion 5**

- (3) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for



Category A services and facilities are contained in Section 10.462 as well as the Public Facilities Element and Transportation System Plan in the Comprehensive Plan.

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
- (b) Adequate streets and street capacity must be provided in one of the following ways:
  - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
  - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
  - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated land use, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs: the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or an applicant funds the improvement through a reimbursement district pursuant to the Section 10.432. 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.

Discussion; Conclusions of Law: Category A facilities include transportation, storm drainage, sanitary sewer and water facilities. Based upon the evidence in Section II and the findings in Section IV, the Planning Commission finds the following:

- (a) That the storm drainage, sanitary sewer, and water facilities are adequate in condition, capacity, and location to serve the property. Water and sanitary sewer are currently stubbed out to the property awaiting connection. A major storm sewer line runs adjacent to the property and is available for connection. See, Section IV Findings of Fact and Section II Attached Evidence Exhibits 10-13 and 20. That per section (i) Table Rock Road that has recently been reconstructed is adequate and has sufficient capacity to support the inclusion of the subject property. See, Section IV Findings of Fact Item x and Section II Attached Evidence Exhibit 13.

Therefore, the Commission concludes that the Applicant has demonstrated that adequate services and facilities can be provided to serve the subject property. Criteria 4 is therefore met.

\*\*\*\*\*

**Zone Change Criterion 5**

- (c) In determining the adequacy of Category A facilities, the Planning Commission may mitigate potential impacts through the imposition of special development conditions, stipulations, or restrictions attached to the zone change request. Special development conditions, stipulations, or restrictions shall be established by deed restriction or covenant, and must be recorded at the County Recorder's office with proof of recordation returned to the Planning Department. Such special development conditions shall include, but are not limited to the following:



- (i) Restricted Zoning is a restriction of uses by type or intensity. 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 that do not meet minimum density standards;
- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule;
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

**Discussion; Conclusions of Law:** Based upon the evidence in Section II and the findings in Section IV, the Planning Commission concludes that since adequate facilities are available to the subject property and no unusual impacts are anticipated, no special development conditions are needed. Criterion 5 is therefore inapplicable.

## VII

### ULTIMATE CONCLUSIONS

Based upon the preceding, the City Council ultimately concludes that the case for annexation under the applicable substantive criteria has been established on the basis of facts and evidence contained in the whole record.

Based upon the preceding, the Planning Commission ultimately concludes that the case for changing the zone to I-L for the subject property under the applicable substantive criteria has been established on the basis of facts and evidence contained in the whole record.

**Dated: August 30th, 2019.**

*Updated October 22, 2019*

Respectfully submitted on behalf of Applicant Alvarez Real Estate LLC:

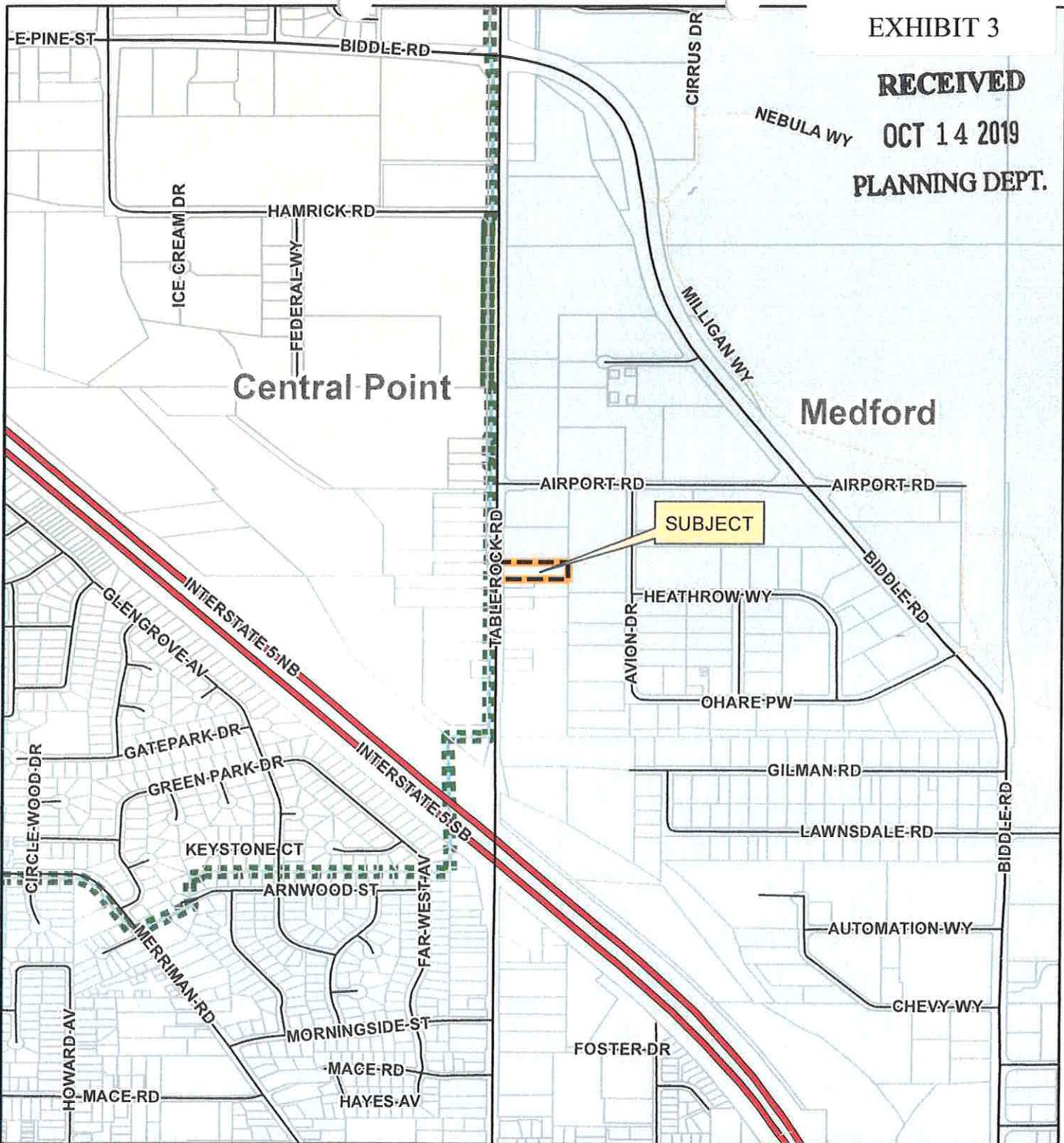
CSA PLANNING, LTD.

  
Mike Savage  
Senior Associate

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 Proposed Area To Annex

 Tax Lots

 Urban Growth Boundary

 Central Point City Limits

 Medford City Limits

**Vicinity Map**

Alvarez Real Estate LLC  
 Annexation / Zone Change / Site Plan Review  
 37-2W-12A tax lot 800

0 500 1,000 Feet

**CITY OF MEDFORD**  
 Exhibit #   
 FILE # ZC-19-019 CSA Planning, Ltd.

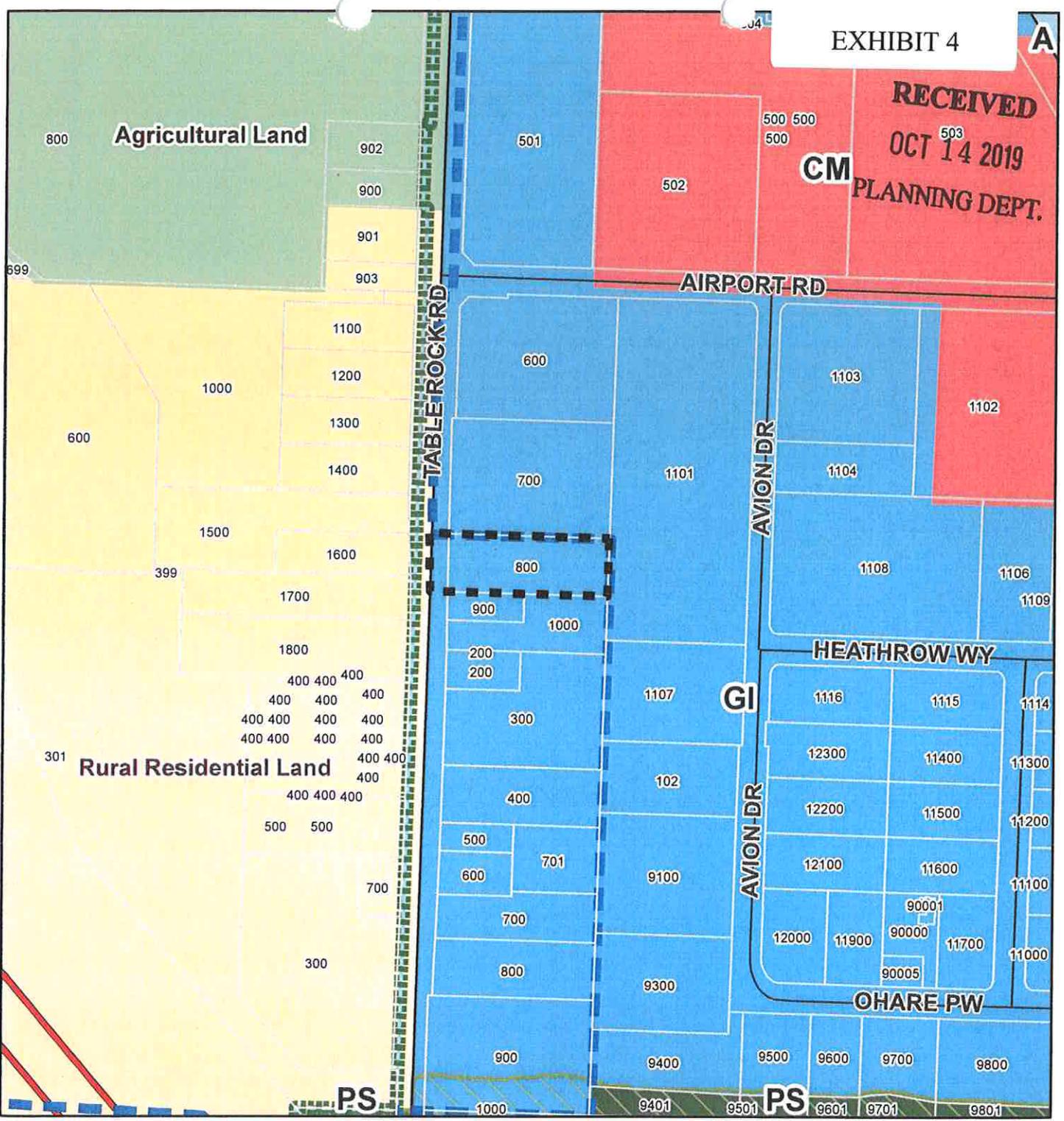
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CM



Subject	Medford GLUP A
Tax Lots	Medford GLUP CM
Medford City Limits	Medford GLUP GI
Urban Growth Boundary	Medford GLUP PS
Greenways	
<b>County Comp Plan</b>	
Agricultural Land	
Rural Residential Land	

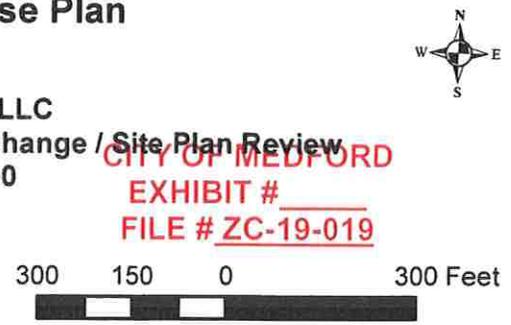
### General Land Use Plan (GLUP) Map

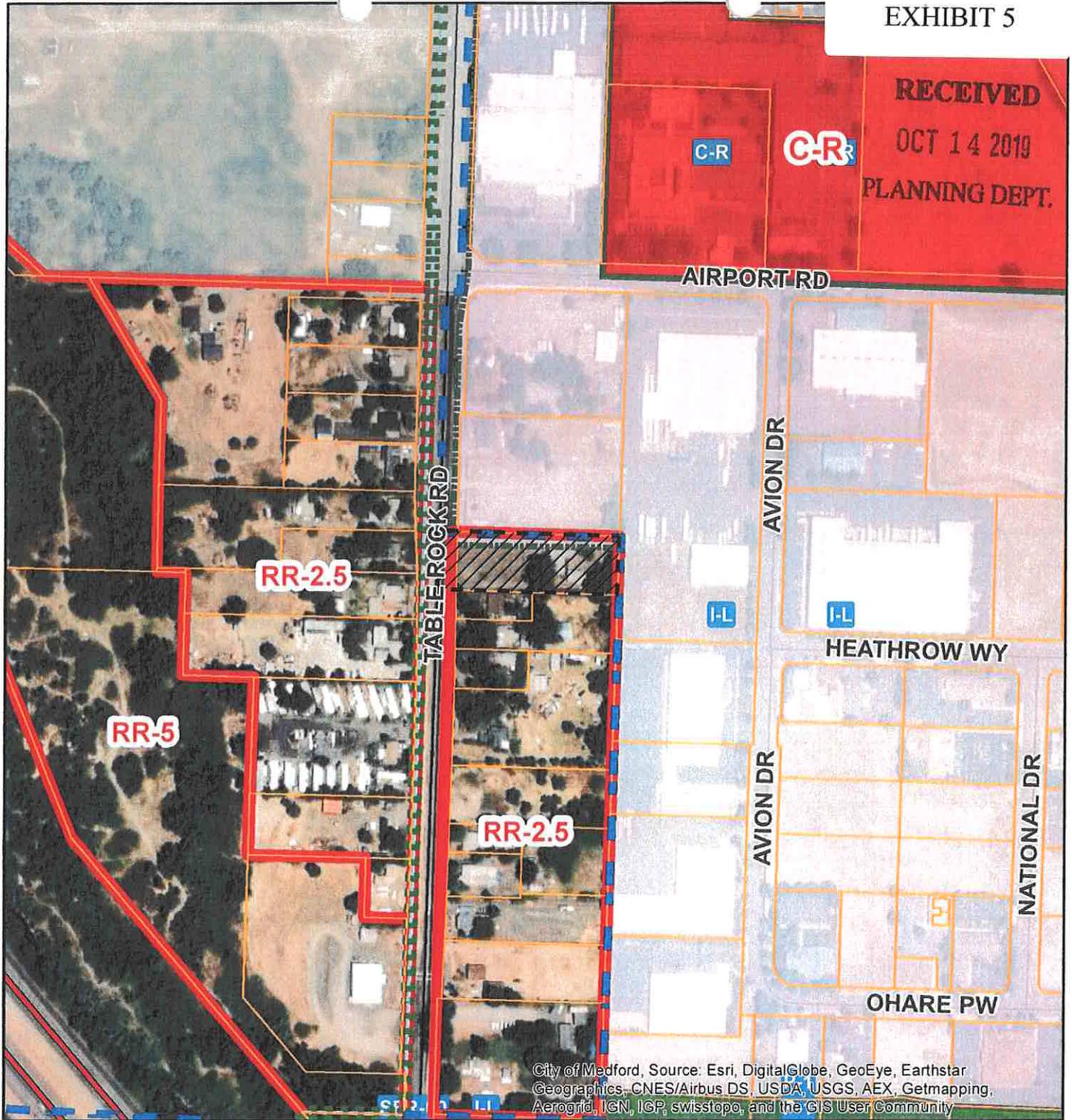
Alvarez Real Estate LLC  
 Annexation / Zone Change / Site Plan Review  
 37-2W-12A tax lot 800

CITY OF MEDFORD  
 EXHIBIT # \_\_\_\_\_  
 FILE # ZC-19-019



CSA Planning, Ltd.





City of Medford, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

	Subject	<b>City of Medford Zone</b>
	Medford City Limits	Public Park
	Tax Lots	Regional Commercial
	Urban Growth Boundary	Light Industrial District
	County Zoning	
	Central Point City Limits	

2018 Aerial

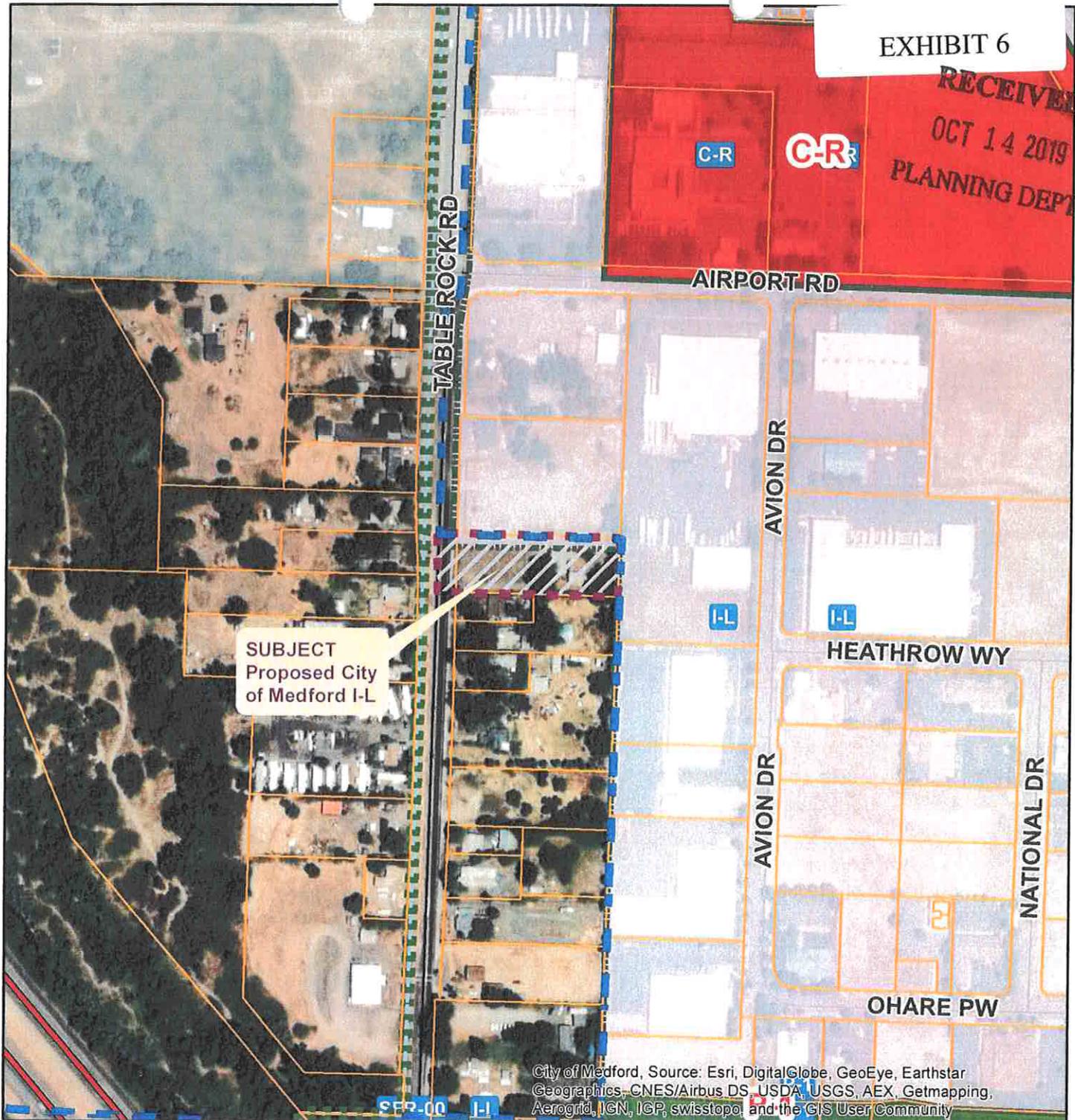
### Zoning on Aerial

Alvarez Real Estate LLC  
Annexation / Zone Change  
& Site Plan Review  
37-2W-12A tax lot 800

**CITY OF MEDFORD**  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-019

300 150 0 300 Feet

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City of Medford, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

 City Limits (Prior to Annexation)	<b>City of Medford Zone</b>
 Tax Lots	 Public Park
 Urban Growth Boundary	 Regional Commercial
 Central Point City Limits	 Light Industrial District
 CSA Planning, Ltd.	 Proposed I-L & Area to Annex

**Proposed Zoning on Aerial**

Alvarez Real Estate LLC  
Annexation / Zone Change  
& Site Plan Review  
37-2W-12A tax lot 800

**CITY OF MEDFORD**  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-019

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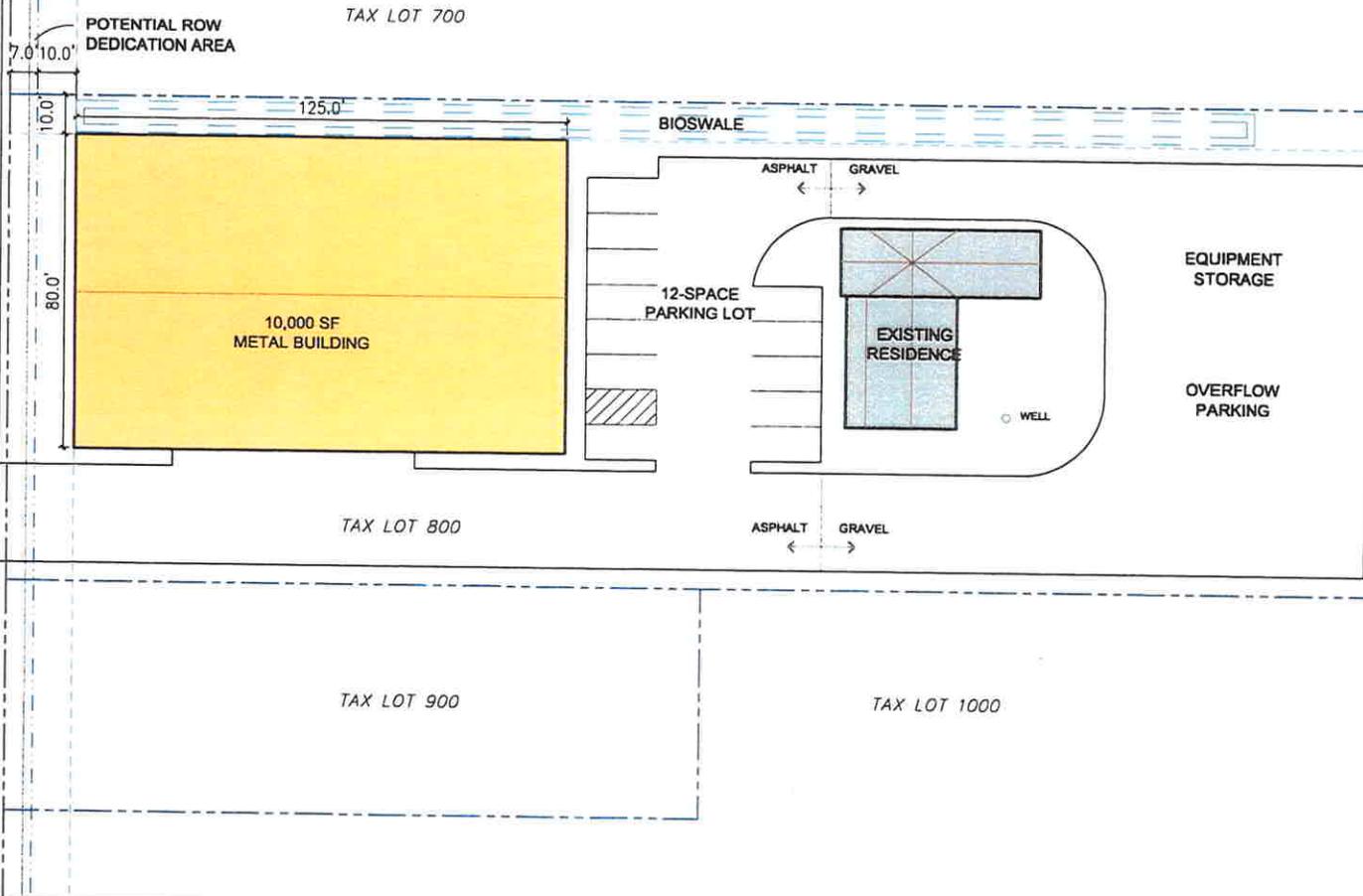


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TABLE ROCK ROAD



**NEW INDUSTRIAL BUILDING**  
3558 TABLE ROCK ROAD MEDFORD, OR

*Concept Site Plan*



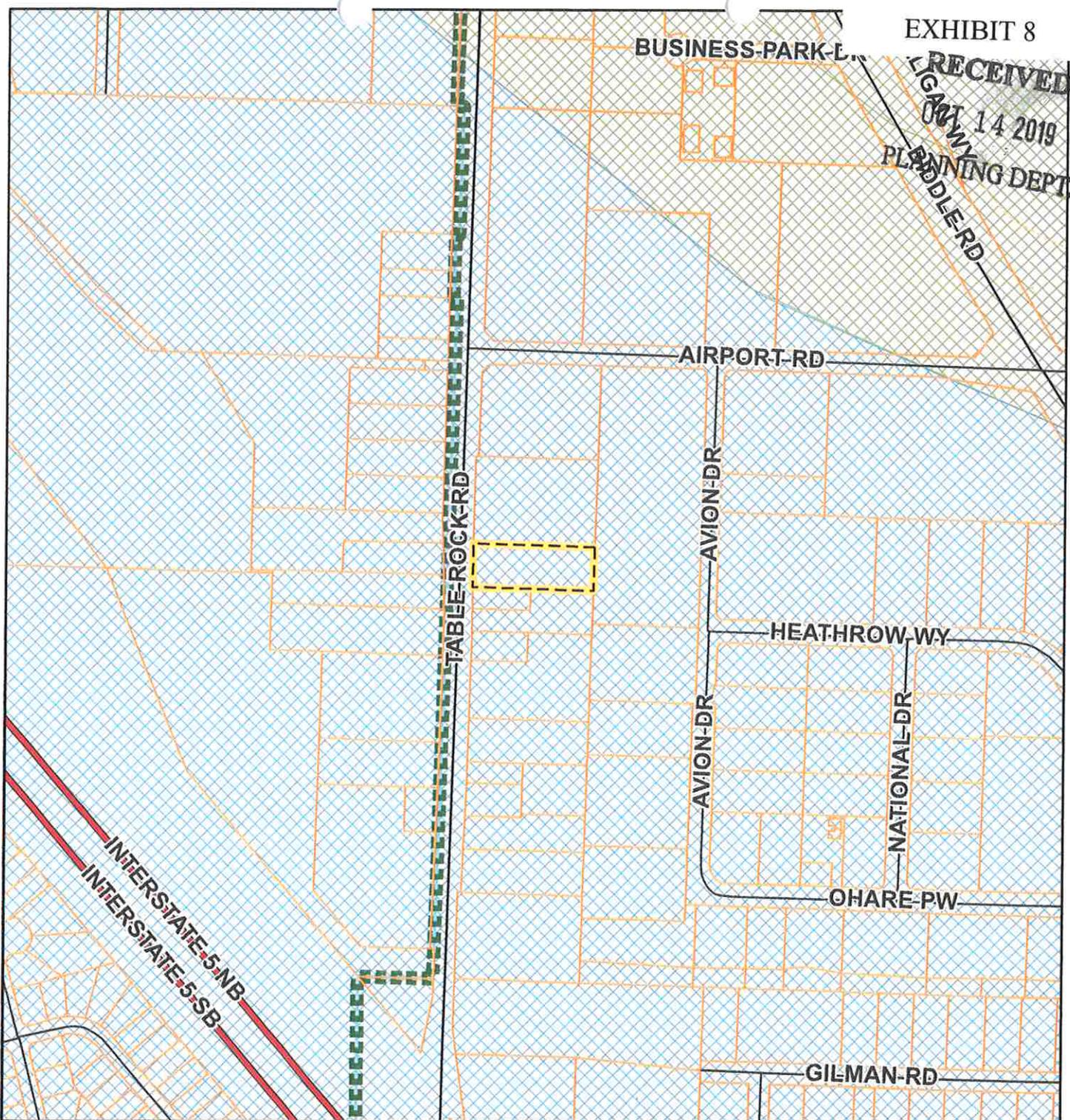
CSA Planning, Ltd.  
4427 Brownridge Farm  
Medford, OR 97504  
541-758-0668  
CSAplanning.net  
EXHIBIT #  
FILE # 76-19-010

Owner: Alvarez Real Estate, LLC

MAP: 37 2W 12A  
TAX LOT: 800

SCALE: 1:30  
DATE: 8/20/19

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Subject

Tax Lots

Urban Growth Boundary

**Airport Overlays**

Horizontal Surface (Plane)

Transitional Surface (7:1)

**Airport Overlays**

Alvarez Real Estate LLC  
Annexation / Zone Change / Site Plan Review  
37-2W-12A tax lot 800

CSA Planning, Ltd.

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-019

400 200 0 400 Feet

EXHIBIT 9  
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	Interstate		Subject
	Major Arterial		Tax Lots
	Minor Arterial	<b>City Limits</b>	
	Minor Collector		Medford
	Local Streets		Central Point
	Future Street		

**CSA Planning, Ltd.**

### Roadway Functional Classification

Alvarez Real Estate LLC  
 Annexation / Zone Change / Site Plan Review  
 37-2W-12A tax lot 800

**EXHIBIT #**  
**FILE # ZC-19-019**

500 250 0 500 Feet

**Thornton  
Engineering, Inc.**

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PLANNING DEPT.

# Memo

**To:** Bev Thruston, CSA Planning Ltd.  
**From:** Kirk Daley  
**CC:** Tim Alvarez  
**Date:** August 13, 2019  
**Re:** 3558 Table Rock Road – Summary of Preliminary Utility Analysis

I have performed a preliminary analysis of the availability and adequacy of the following urban services and facilities required to serve 3558 Table Rock Road. Based on my preliminary research and analysis the stormwater management facilities, sanitary sewer facilities, and water service facilities are adequate in condition, capacity, and location to serve the proposed development of the subject area.

## Storm Drainage Facilities

An existing 18-inch storm drain runs parallel to Table Rock Road adjacent to the parcel. This storm drain continues northerly along Table Rock Road until the storm drain ultimately outfalls at Bear Creek. The storm drain is more than adequate to convey storm runoff from the site to Bear Creek during a 10-year frequency rainfall event.

The design of the stormwater system improvement facilities for the development will:

1. Comply with the standards in the current Rogue Valley Stormwater Quality Design Manual. Rogue Valley Sewer Services currently has a policy of requiring on site storm water detention and water quality for commercial and industrial developments. The project site can accommodate storm water detention to maintain adequacy in the existing storm drain system.
2. Include on site storm drain facilities to collect and transport storm runoff to the existing storm drain. The design of the stormwater system improvement facilities for the development will also include, as required, real property or easement dedications adequate for flood protection, conveyance of stormwater, channel access, and maintenance along waterways needed for public conveyance of stormwater.
3. Include onsite infiltration to the greatest extent possible through a combination of provisions, such as minimizing impervious surface areas and providing landscape areas.
4. Develop best management practices to minimize water pollution from activities that are potential pollution sources.

5. Limit the rate of discharge to the site's predevelopment discharge for a 10-year frequency storm, if practical as determined in number 1 above.
6. Employ comprehensive erosion and sediment control practices during construction.

### **Sanitary Sewer**

An existing 8-inch sanitary sewer currently lies within Table Rock Road with an existing sewer lateral and cleanout stubbed to the parcel. The existing sewer has adequate capacity to serve the proposed development. Rogue Valley Sewer Services (RVSS) has stipulated that their downstream facilities are adequate to serve the proposed project..

The design of the project will include the connection to the existing sewer lateral.

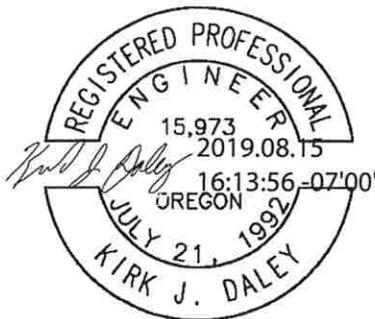
### **Water**

An existing 12-inch main runs north/south within Table Rock Road along the frontage of parcel. The Medford Water Commission (MWC) has stipulated that the existing facilities are adequate to serve the proposed project. Eric Johnson, MWC Engineer, has stated that serving the parcel is consistent with his interpretation of MWC's current service plan and policies.

### **Determination of Adequacy**

The determination of adequacy with regard to condition, capacity, and location is based on:

1. A review of agency (City of Medford, MWC & RVSS) record drawings and inventory maps.
2. Several site visits to verify the condition, size, and location of the existing facilities.
3. Discussions with agency staff regarding the adequacy of the existing facilities to serve the proposed project.
4. The proposed site plan provided by CSA Planning, Ltd., dated August 14, 2019.



RENEWAL DATE: 12/31/2019

EXHIBIT 11

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OCT 14 2019

PLANNING DEPT.



CSA Planning, Ltd  
4497 Brownridge, Suite 101  
Medford, OR 97504  
Telephone 541.779.0569  
Fax 541.779.0114  
Nathan@CSAplanning.net

**Memorandum**

To: File  
Date: August 12, 2019  
Subject: Water Availability at 3558 Table Rock Rd

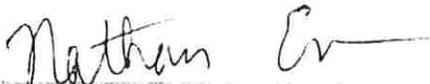
On Friday, August 9<sup>th</sup>, I had a discussion via phone with Eric Johnson, Principal Engineer at the Medford Water Commission. He was responding to a request for information to the Water Commission in which I inquired about the availability of water at 3558 Table Rock Road for a proposed redevelopment of the property.

Per our conversation, there should be no issues providing adequate water to the property and proposed development. Mr. Johnson made it known that a new 12" pipeline had recently been installed across the frontage of the property. In his estimation, there was plenty of water available and no obvious difficulties.

Mr. Johnson did observe that the property would need to annex in order to access the pipeline. He also stated that there was a well on the property. Discussion of the development led Mr. Johnson to believe that the existing well was unlikely to provide adequate water supply for the proposed development.

After our conversation, Mr. Johnson provided an email with a map of the pipeline in relation to the property. The email and map are attached to this memo.

CSA Planning, Ltd.

  
Nathan Emerson  
Associate

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-019

8

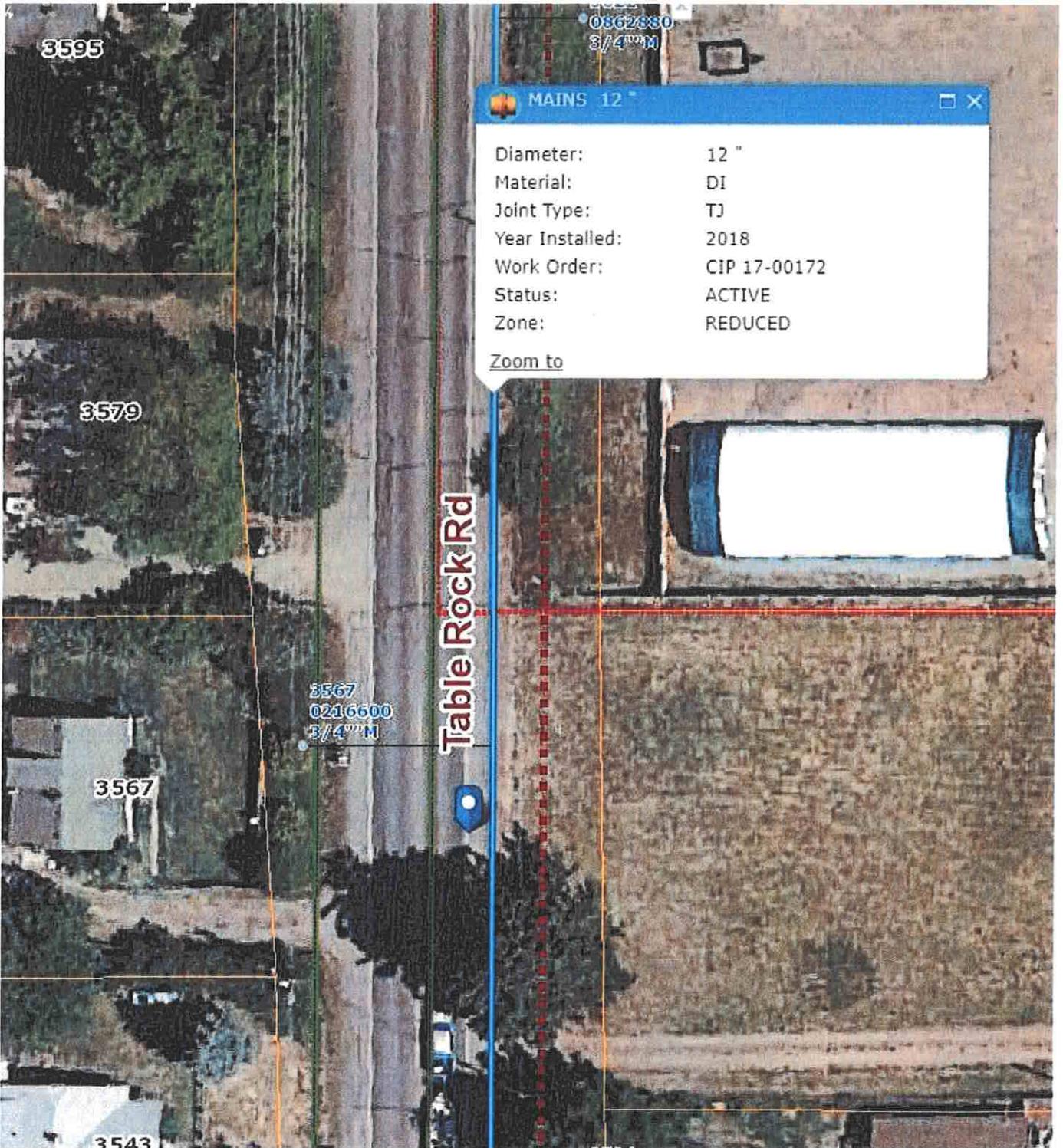
## **Nathan Emerson**

---

**From:** Eric C. Johnson <eric.johnson@medfordwater.org>  
**Sent:** Friday, August 9, 2019 3:32 PM  
**To:** Nathan Emerson  
**Cc:** Rodney L. Grehn  
**Subject:** RE: 3558 Table Rock Rd

Hi Nathan,

Here is a map of the 12" water main in Table Rock Road across the frontage of the property.



Thanks,  
Eric

Eric C. Johnson P.E.  
Principal Engineer  
Medford Water Commission  
Ph 541-774-2452  
Fax 541-774-2555  
Email: [Eric.johnson@medfordwater.org](mailto:Eric.johnson@medfordwater.org)

**From:** Rodney L. Grehn <rodney.grehn@medfordwater.org>  
**Sent:** Friday, August 09, 2019 8:04 AM  
**To:** Eric C. Johnson <eric.johnson@medfordwater.org>  
**Subject:** FW: 3558 Table Rock Rd

Eric,

Can you help Nathan, as I'll be out the office today.

*Rodney*

**From:** Nathan Emerson < >  
**Sent:** Thursday, August 08, 2019 2:55 PM  
**To:** Rodney L. Grehn <rodney.grehn@medfordwater.org>  
**Subject:** 3558 Table Rock Rd

Hello Rodney,

I just called and left you a message. I wanted to provide a bit of additional detail and my contact information, which I'm pretty sure I neglected to include on the phone.

We've got a client who wants to move his construction business to the property at 3558 Table Rock Road (37-2W-12A-800). To do so, we are helping him with an annexation, zone change to light industrial, and site plan.

The property is about an acre and has a 1,450~ sq ft home on it right now. It's county property zoned RR-2.5 but within the City of Medford's UGB. The owner wants to convert the existing home into an office and build about 10,000 square feet of storage. We've been told there's water up to the property line.

Mike Savage in our office suggested that I set up a time to meet with you to speak about the project. I'm trying to document the water supply situation and figure out what might be needed for the desired use. We don't have fine details or a site plan drawn up yet.

Please let me know if there's an optimal time to meet or if you have any questions.

Thank you very much,

Nathan Emerson  
Associate  
CSA Planning Ltd.  
4497 Brownridge, Suite 101  
Medford, Oregon 97504  
(541) 779-0569

**Nathan Emerson**

---

**From:** Daniel Madrigal <dmdrigal@rvss.us>  
**Sent:** Wednesday, August 14, 2019 10:42 AM  
**To:** Nathan Emerson  
**Subject:** Info for 3558 Table Rock  
**Attachments:** Inquiry 2795 - 3558 Table Rock Rd.pdf

**RECEIVED**  
**OCT 14 2019**  
**PLANNING DEPT.**

Good morning Nathan,

Rogue Valley Sewer Services (RVSS) recently completed a sewer mainline extension on Table Rock Rd, Project #17-01, to provide sewer services to multiple tax lots, including 3558 Table Rock Rd. A service lateral was stubbed out to this property.

There was an encumbrance payment due to cover the cost of construction of the sewer mainline. This encumbrance payment was received in full by RVSS for the above mentioned property. The attached service inquiry shows the SDC fees still due for connecting a Single Family Residence at this address.

A requirement for connection would also be that the existing septic tank be abandoned properly prior to permit sign off.

Thank you and have a great day,  
Daniel Madrigal

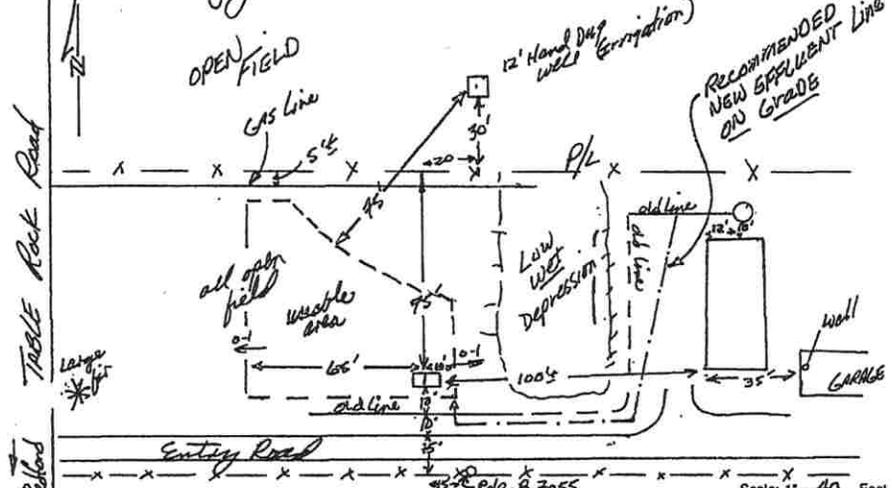


**Daniel Madrigal**  
Finance / Development  
Rogue Valley Sewer Services  
138 W Vilas Rd | Central Point, OR 97502  
Phone: 541-664-6300 | Fax: 541-664-7171  
Office Hours: Monday-Friday 8AM – 4PM





NAME Elmer Dungey TWP 37 RANGE 20 SECTION 12A TAX LOT 800



Potential Permit Recommendations: Gallons Per Day (GPD) 300 Linear Feet Per 150 GPD 25 Total Linear Feet 250 Scale: 1" = 40 Feet  
 (See Permit For Specifics) Trench Depth: W/ 12 Rock Cap --- Curtain Drain --- W/ --- Rock  
 Other ---

Position: Foot Slope - Side Slope - Top - Fan - Hi Terrace - Lo Terrace - Bottom Flood Plain - Other  
 Relief: Smooth - Concave - Convex - Undulating - Hummocky

Depth	Texture	Structure	Pores	Mottling	Soil Color	Water Table
P I T # 1	0-58 <i>Siel</i>	Wk Mod St SG Bk Grn Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		at <u>37</u> Slope % Up <u>0-2</u> Down Limiting Layer at
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		

Pit #1 Notes: *DARK SOIL MARKS MOTTLES*

Depth	Texture	Structure	Pores	Mottling	Soil Color	Water Table
P I T # 2		Wk Mod St SG Bk Grn Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		at Slope % Up Down Limiting Layer at
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		

Pit #2 Notes:

Depth	Texture	Structure	Pores	Mottling	Soil Color	Water Table
P I T # 3		Wk Mod St SG Bk Grn Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		at Slope % Up Down Limiting Layer at
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		

Pit #3 Notes:

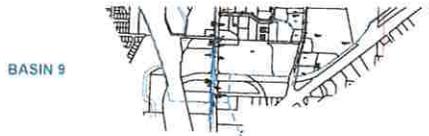
Depth	Texture	Structure	Pores	Mottling	Soil Color	Water Table
P I T # 4		Wk Mod St SG Bk Grn Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		at Slope % Up Down Limiting Layer at
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		
		Wk Mod St SG Bk Pri Ply Mas	Few Com Mny dis F Med Co con	Faint Dis or Pro		

Pit #4 Notes:

Additional Notes:

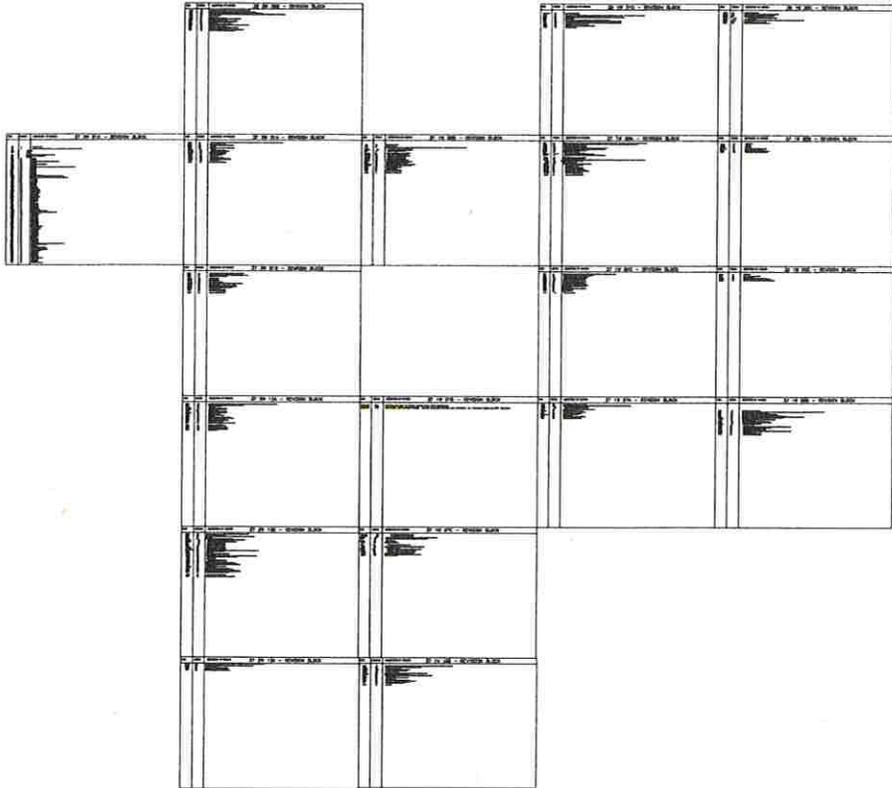
SITE SUITABILITY: Standard Repair USEABLE AREA:  
 Site Evaluation By: Stoney Date On-Site: 10/8/95 Date Completed: 10/9/95

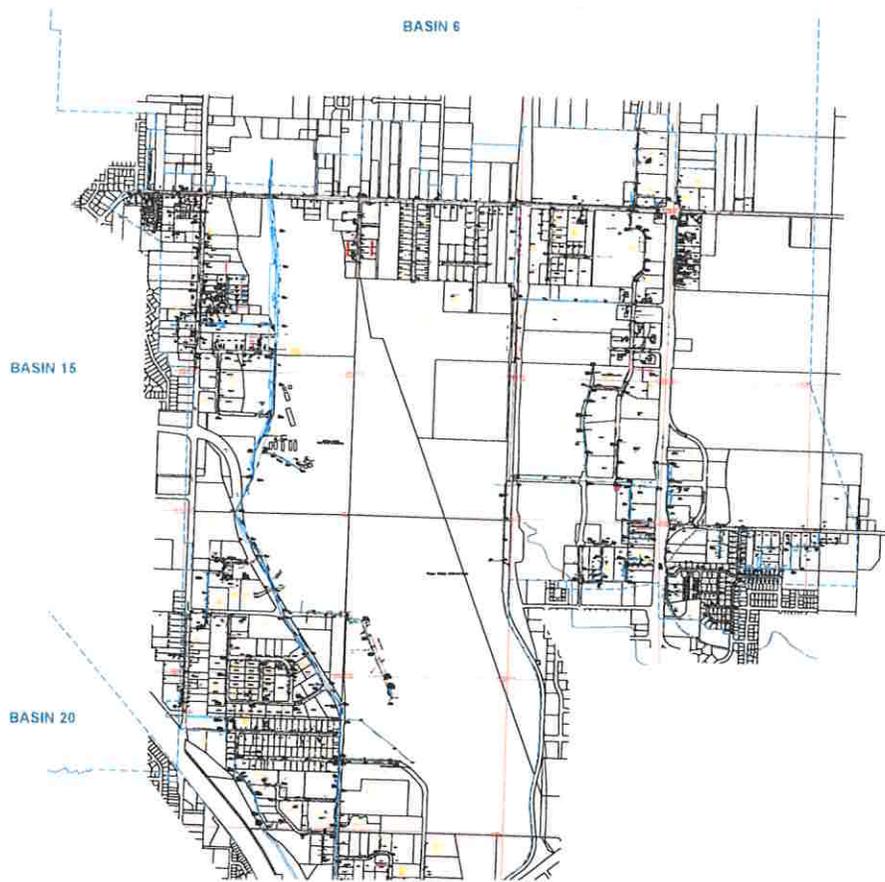
Abbreviations:  
 Lt - light C - clay W - weathered Seds - sedimentary Meta - metamorphic S - sand(y)  
 H - heavy L - loam Fx - rocks HW - highly weathered Fx - fractured SL - stones (+10")  
 F - fine P - pebbles (2mm-3") Sub - substrata Sl - silt(y) V - very  
 Co - coarse K - cobbles (3"-10") Vol - volcanic DG - decomposing granite Copies: Yes \_\_\_ No \_\_\_



BASIN 9

BASIN 8







**MEDFORD**  
PUBLIC WORKS

EXHIBIT 13

**RECEIVED**  
**OCT 14 2019**  
**PLANNING DEPT.**

August 26, 2019

Kimberly Parducci, PE, PTOE  
Southern Oregon Transportation Engineering  
319 Eastwood Dr.  
Medford, OR 97504

**SCOPING LETTER FOR REQUEST FOR CONCURRENT  
ANNEXATION AND ZONE CHANGE ON 372W12A 800:  
3558 TABLE ROCK RD**

Dear Kimberly Parducci,

Changing zoning from SR-2.5 (County one single family residence per 2.5 acre lot) to I-L on 372W12A800, a 0.96 acre parcel, will require a traffic impact analysis (TIA) to determine project impacts to the transportation system. The existing SR-2.5 zoning is expected to generate 9 ADT. The I-L Light Industrial zone is expected to generate 288 ADT. The difference between these two proposals is 279 ADT, which exceeds 250 ADT; the code standard beyond which a TIA is required. We do not expect that any intersections will be significantly impacted by trips generated by the proposed development. Project access and the streets immediately adjoining the development are the jurisdiction of Jackson County. Impacts to the project driveways shall be addressed in the report to Jackson County. The analysis must be prepared by a licensed engineer in the State of Oregon and follow our current TIA methodology. The general format is as follows and pertains to City of Medford and Jackson County facilities that involve collector and arterial streets (ODOT facilities should be addressed with ODOT using ODOT criteria.):



# MEDFORD

PUBLIC WORKS

adjusted to the design year of the project. A seasonal traffic adjustment is required on study area streets if counts were not prepared during the peak period of the year and count data shows a 10% increase in traffic volumes.

7. All LOS analyses shall follow operational procedures per the current Highway Capacity Manual. Ideal saturation flow rates greater than 1800 vehicles per hour per lane should not be used unless otherwise measured in the project vicinity. Queue lengths shall be calculated at the 95th percentile where feasible. Peak hour factors shall be assumed to be 1.00 for all analysis.
8. Unsignalized intersections shall be evaluated for signal warrants if the level of service (LOS) is determined to be below standard minimums. Channelization requirements, such as left and right turn lanes, shall also be evaluated where failing facilities are identified and none are currently provided.
9. Signalized intersection analyses shall be in accordance with the City's timing sheets. Analyses will follow either pre-timed, actuated-coordinated, or actuated-uncoordinated timing plans, as applicable to each location. Once the study area is defined by the applicant's traffic engineer and a written request is received, Public Works will supply all timing information within one week.
10. Comprehensive Plan Amendment application, including a Zone Change, requires a Year 2038 analysis that includes an analysis of the TSP project list. If additional projects are required, then a financial analysis shall also be included. The application shall also include Year of Build analysis and mitigation.
11. This scoping letter shall be included as an appendix in the initial study and subsequent revisions.

# **SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC**

319 Eastwood Drive - Medford, Or. 97504 – Phone (541) 608-9923 – Email: Kim.parducci@gmail.com

August 21, 2019

Peter Mackprang, Associate Traffic Engineer  
City of Medford  
Public Works/Engineering Division  
200 South Ivy Street, Lausmann Annex  
Medford, Oregon 97501

RE: Request for Scoping Letter

Dear Peter,

Southern Oregon Transportation Engineering, LLC is requesting a scoping letter for a proposed zone change from County Residential (RR-2.5) to City Light Industrial (I-L) on 0.96 acres located along the east side of Table Rock Road, south of Airport Road on Township 37S Range 2W Section 12, Tax Lot 800 in Medford, Oregon. Access currently exists on Table Rock Road at the southern property line. An assessor map and vicinity map are attached for reference.

Existing County RR-2.5 zoning allows one single family residential dwelling or 9.44 average daily trips (ADT). Proposed City I-L zoning is estimated to generate 288 ADT based on the City's I-L traffic generation estimate of 300 ADT per acre. The net increase to the transportation system is 279 ADT.

The Medford Land Development Code (MLDC) section 10.461 requires a traffic impact analysis if a proposed application has the potential to generate more than 250 net ADT to the transportation system. Based on this, it is our determination that a traffic impact analysis is required, but that it likely won't reach any study area intersections with 25 or more peak hour trips. The site driveway would likely be the only location with 25 or more trips. If you could provide a scoping letter for what would be required for this then that would be appreciated.

Thank you for your time and consideration of this scoping request.

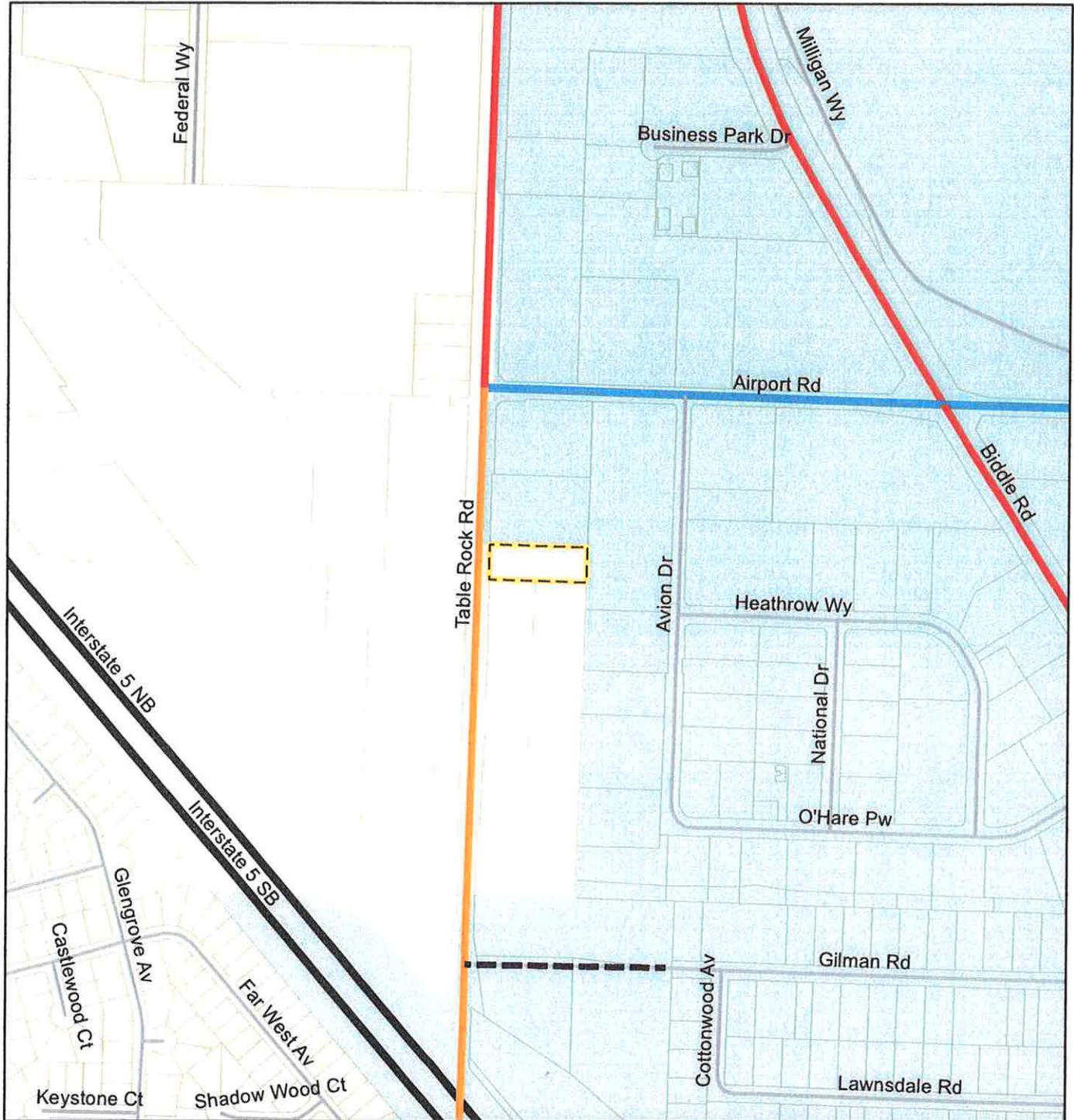
Sincerely,



Kimberly Parducci PE, PTOE

**SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC**

Cc: Client



	Interstate		Subject
	Major Arterial		Tax Lots
	Minor Arterial		<b>City Limits</b>
	Minor Collector		Central Point
	Local Streets		Medford
	Future Street		

**CSA Planning, Ltd.**

### Roadway Functional Classification

**Alvarez Real Estate LLC  
Annexation / Zone Change / Site Plan Review  
37-2W-12A tax lot 800**





**SUBJECT**

**TABLE**

S89-52W 93.5  
N00-03E 1471.89  
FROM ESE  
COR. DLC 58

700  
1.94 Ac CS 17423

O.R. 2016-42492

O.R. 2016-39641

800  
0.96 Ac

S89-52W 93.5  
N00-03E 1103.77  
FROM ESE  
COR. DLC 58

900  
0.22 Ac

O.R. 2016-39644

1000  
0.74 Ac

O.R. 2016-42448

**49-3**

CEN. SEC.

CS-14155

PCL. 1

1107  
1.47 Ac

PCL. 3

CS 14606

AVION DRIVE

2-33

2-53-1995

245.41'

355.0

726'

245.41'

355.0

122.71'

122.71'

355.0

178.0

60'

60'

122.7'

300'

355.0

62.7'

60'

706.07'

10R 21'

280.02'

31.4'

37.4'

102.73'

20'

25' 25'

<a href="#">Account Sequence</a>	<a href="#">Map TL Sequence</a>	Assessment Year <input type="text" value="2019"/>	<input type="button" value="Print Window"/>	<input type="button" value="Close Window"/>					
<b>Assessment Info for Account 1-042703-7 Map 372W12A Taxlot 800</b> Report For Assessment Purposes Only Created July 24, 2019									
<b>Account Info</b>		<b>Tax Year 2018 Info</b>		<b>Land Info</b>					
Account	1-042703-7	<input type="button" value="Pay Taxes Online"/>		Tax Code <b>49-03</b>					
Map Taxlot	372W12A 800	Tax Report	<input type="button" value="Details"/>	Acreage <b>0.96</b>					
Owner	ALVAREZ REAL ESTATE LLC	Tax Statement	<input type="button" value="Details"/>	<a href="#">Zoning</a>					
Situs Address	3558 TABLE ROCK RD MEDFORD/COUNTY	Tax History	<input type="button" value="Details"/>	RR-2.5					
Mailing Address	ALVAREZ REAL ESTATE LLC 380 PAIR A DICE RANCH RD JACKSONVILLE OR, 97530	Tax Details	<input type="button" value="Details"/>	<a href="#">Land Class</a>					
Appraiser		Tax Rates	<input type="button" value="Details"/>	UNK 0.96 Ac					
				<a href="#">Property Class</a> <b>401</b>					
				<a href="#">Stat Class</a> <b>131</b>					
				Unit ID <b>168405-1</b>					
				Maintenance Area <b>6</b>					
				Neighborhood <b>000</b>					
				Study Area <b>12</b>					
				Account Status <b>ACTIVE</b>					
				Tax Status <b>Assessable</b>					
				Sub Type <b>NORMAL</b>					
<b>Sales Data (ORCATS)</b>									
Last Sale (consideration > 0)	Sale Date	Instrument Number	Sales History						
\$ 182,000	Jun 05, 2019	<a href="#">2019-15888</a>	<input type="button" value="Details"/>						
<input checked="" type="checkbox"/> <b>Value Summary Detail ( For Assessment Year 2019 - Subject To Change )</b>									
<input type="checkbox"/> <b>Market Value Summary ( For Assessment Year 2019 - Subject To Change )</b>									
Code Area	Type	Acreage	RMV	M5	MAV	AV			
49-03	LAND	0.96	\$ 115,870	\$ 115,870	\$ 67,480	\$ 67,480			
49-03	IMPR	0.00	\$ 39,720	\$ 39,720	\$ 70,730	\$ 70,730			
Value History	<input type="button" value="Details"/>	Total:	\$ 155,590	\$ 155,590	\$ 138,210	\$ 138,210			
<a href="#">Value Summary Details</a>									
<b>Improvements</b>									
Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Type	SqFt	% Complete	<input type="button" value="Details"/>
1	49-03	1949	1958	131	One story	Residence	1450	100 %	<input type="button" value="Details"/>
<b>Photos and Scanned Documents</b>									
Type	Item Number	Image Files							
ACCOUNT PHOTO	1	1	<input type="button" value="PDF"/>						
SCANNED ASSESSOR DOCUMENTS	(See new portal)	(See new portal)	<input type="button" value="Portal"/>						
<input checked="" type="checkbox"/> <b>Improvement Comments</b>									
<b>Appraisal Maintenance</b>									
2008 - INVENTORY REVIEW									
<input type="checkbox"/> <b>Account Comments</b>									
6/19/08 NLC #151>>>									
<input type="checkbox"/> <b>Exemptions / Special Assessments / Notations / Potential Liability</b>									
Notations									
Description	Tax Amount	Year Added	Value Amount						
CARTOGRAPHIC ACTIVITY		2017							
READ BEFORE DATA ENTRING EXCEPTION		2006							
<input type="checkbox"/> <b>Location Map</b>									

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
FILE # ZC-19-019



Close Window

Print Window



EXHIBIT 17

THIS SPACE

Jackson County Official Records	<b>2019-015888</b>
R-WD	
Stn=16 MORGANSS	06/11/2019 10:53:39 AM
\$10.00 \$10.00 \$8.00 \$11.00 \$60.00	<b>\$99.00</b>
I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the Instrument Identified herein was recorded in the Clerk records.	
Christine Walker - County Clerk	

After recording return to:  
Alvarez Real Estate LLC  
380 Pair A Dice Ranch Rd  
Jacksonville, OR 97530

Until a change is requested all tax statements shall be sent to the following address:

Alvarez Real Estate LLC  
380 Pair A Dice Ranch Rd  
Jacksonville, OR 97530  
 File No. 299130AM

**RECEIVED**  
**OCT 14 2019**  
**PLANNING DEPT.**

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**STATUTORY WARRANTY DEED**

**Jillinda Brooke Atkinson,**

Grantor(s), hereby convey and warrant to

**Alvarez Real Estate LLC,**

Grantee(s), the following described real property in the County of Jackson and State of Oregon free of encumbrances except as specifically set forth herein:

**Commencing at the East Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian; thence South 89 degrees 52 minutes West 93.5 feet thence North 0 degrees 03 minutes East 1103.77 feet to the point of beginning; thence North 89 degrees 57 minutes West 355.0 feet to the Easterly right-of-way line of the Table Rock Market Road; thence North 0 degrees 03 minutes East along said right-of-way line 122.71 feet; thence South 89 degrees 57 minutes East 355.0 feet; thence South 0 degrees 03 minutes West 122.71 feet to the point of beginning.**

**EXCEPTING THEREFROM that portion conveyed to Jackson County, a Political Subdivision of the State of Oregon, recorded December 2, 2016 as Document No. 2016-011276 in the Official Records of Jackson County, Oregon.**

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

**372W12A 800**

The true and actual consideration for this conveyance is \$182,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

CITY OF MEDFORD  
 EXHIBIT # \_\_\_\_\_  
 FILE # ZC-19-019

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

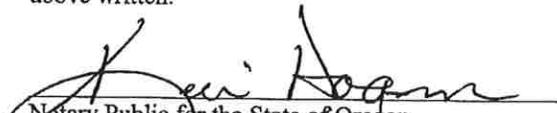
Dated this 5 day of June, 2019.

  
Jillinda Brooke Atkinson

State of Oregon } ss  
County of Jackson }

On this 5 day of June, 2019, before me, Kelli S. Hogenson a Notary Public in and for said state, personally appeared Jillinda Brooke Atkinson, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
Notary Public for the State of Oregon  
Residing at: Medford  
Commission Expires: 2/16/2020



TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



L.J. FRIAR & ASSOCIATES P.C.

CONSULTING LAND SURVEYORS

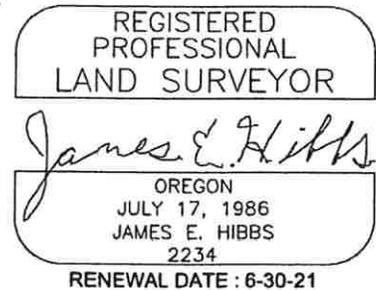
P.O. BOX 1947  
PHOENIX, OR 97535

ljfriarandassociates@charter.net

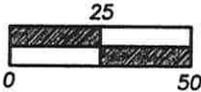
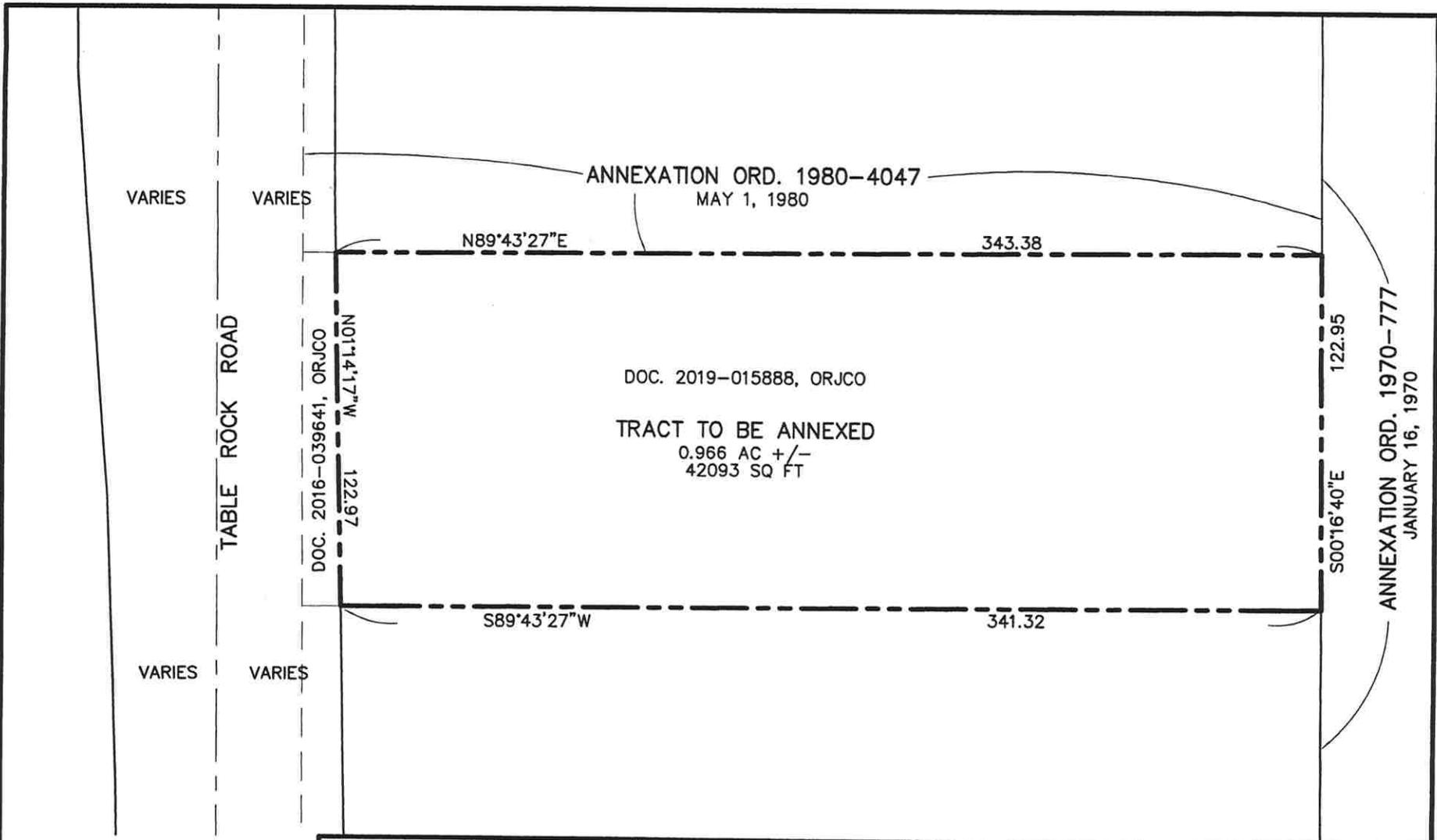
LEGAL DESCRIPTION

Commencing at the East-Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian said point being on the existing City of Medford Boundary per Ordinance No. 1970-777 passed January 16, 1970; thence along said City boundary, South 89°32'35" West, (record South 89°52' West), 93.5 feet to the Southwest corner of said City boundary; thence continue along said City boundary, North 00°16'40" West (record North 00°03' East), 1103.77 feet to the Southwest corner of that tract set forth in Document No. 2019-015888, Official Records of Jackson County, Oregon and the true point of beginning; thence leaving said City boundary along the South line of said tract, South 89°43'27" West (record North 89°57' West), 341.32 feet to the East right-of-way line of the Table Rock Road set forth in Document No. 2016-039641, said Official Records; thence along said East right-of-way line, North 01°14'17" West, 122.97 to the North line of that tract set forth in Document No. 2019-015888, said Official Records, said point also being on the existing City boundary per Ordinance No. 1980-4047 passed May 1, 1980; thence along the North line of said tract and along said City Boundary, North 89°43'27" East, 343.38 feet (record South 89°57' East) to the Northeast corner of said tract; thence along the East line thereof and along said City boundary per Ordinance No. 1970-777 passed January 16, 1970, South 00°16'40" East, 122.95 (record South 00°03' West, 122.71 feet) to the true point of beginning. Containing 42093 square feet or 0.966 acre, more or less.

TRACT TO BE ANNEXED/REZONED  
372W12A TL800  
CSA Planning  
19-194  
October 17, 2019



CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
File # \_\_\_\_\_



<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>James E. Hibbs</i></p> <p>OREGON JULY 17, 1986 JAMES E. HIBBS 2234</p> <p>RENEWAL DATE 6-30-21</p>	<p>TITLE: <b>TRACT TO BE ANNEXED</b></p>	<p>DATE: 17 OCT 2019</p>
	<p>ASSESSOR'S MAP #: 372W12A TL800</p>	<p>SCALE: 1 inch : 50 feet</p>
<p>FOR: CSA PLANNING 4497 BROWNRIDGE, SUITE 101 MEDFORD, OR 97504</p>	<p>ORIGIN:</p>	<p>DRAWN BY: JEH CHK BY:</p>
<p> L.J. FRIAR &amp; ASSOCIATES P.C. CONSULTING LAND SURVEYORS P.O. Box 1947, Phoenix, OR 97535 Phone: (541) 772-2782 ljfriarandassociates@charter.net</p>	<p>ROTATION: 0° JOB#: 19194FM</p>	<p>Sheet 1 of 1.</p>

**SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC**

319 Eastwood Drive - Medford, Or. 97504 – Phone (541) 608-9923 – Email: Kim.parducci@gmail.com

October 10, 2019

Michael Kuntz, Engineer  
Jackson County Roads Department  
200 Antelope Road  
White City, Oregon 97503

**RECEIVED**  
**OCT 22 2019**  
**PLANNING DEPT.**

RE: RR-2.5 to City I-L Annexation/Zone Change Access Analysis

Dear Mike,

Southern Oregon Transportation Engineering, LLC prepared an access analysis for a proposed annexation and zone change from County RR-2.5 to City I-L on a 0.96-acre parcel in Medford. The parcel is located along the east side of Table Rock Road, south of Airport Road on Township 37S Range 2W Section 12, Tax Lot 800. The previous use on the site included a single residential home.

**Background and Scoping**

The subject property is currently zoned County RR-2.5 and is proposed for annexation and a concurrent zone change to City I-L (Light Industrial). The property is County zoned but located within the Medford city limits with a City plan designation of Industrial on the General Land Use Plan (GLUP) map. The application process for the annexation and concurrent zone change will be handled by the City of Medford, and will be reviewed by both the City of Medford and Jackson County because direct access is taken from Table Rock Road, which is a Jackson County facility.

**City Requirements**

Current County zoning allows one single family residential dwelling unit, which is estimated to generate 9.44 average daily trips (ADT) or an equivalent one trip during the p.m. peak hour. City I-L zoning is estimated (using the City's 300 ADT/acre traffic estimation) to generate 288 ADT or an equivalent 29 trips during the p.m. peak hour. The net increase in traffic to the transportation system is 278 ADT or 28 p.m. peak hour trips. The City of Medford requires a traffic analysis if a proposed zone change is estimated to generate a net increase of 250 ADT or more to the transportation system. The City further requires all intersections involving collectors and arterials reached with 25 or more development trips during the peak hour to be included as study area intersections and evaluated for facility adequacy. The subject property is shown to meet the City ADT threshold for when a traffic impact analysis is required because it produces a net increase of 278 ADT to the transportation system, but development trips are not shown to reach any intersection with 25 or more peak hour trips based on existing traffic splits on Table Rock Road. The traffic impact analysis, therefore, is limited to the development access point and does not have any facility adequacy requirements.

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
File # \_\_\_\_\_

### **County Requirements**

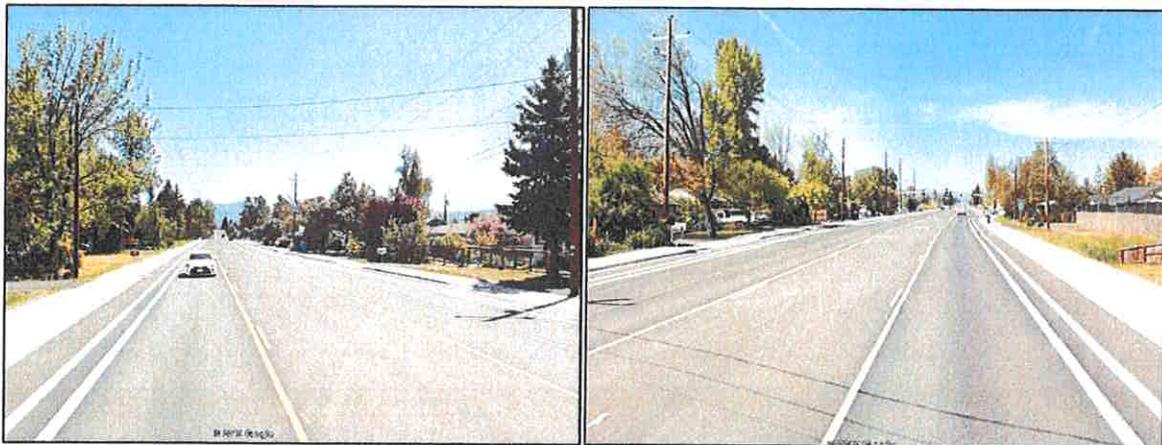
Jackson County requested that an access analysis be prepared for the subject property to address safety and traffic circulation along Table Rock Road. No study area intersections were required to be included in the analysis, which is consistent with the City of Medford requirements.

### **Study Area Characteristics**

Access to the subject property is currently provided on Table Rock Road at the southern property line. Table Rock Road is a three-lane County Urban Minor Arterial that is estimated to carry approximately 12,450 ADT under existing conditions. A Minor Arterial is estimated in the County Transportation System Plan (TSP) to carry approximately 5,000-15,000 ADT. Table Rock Road is fully improved with curb, gutter, sidewalk, and striped bike lanes at the subject property.

Table Rock Road looking south

Table Rock Road looking north



### **Traffic Count Data**

A manual traffic count was gathered in January of 2019 at the intersection of Airport Road and Table Rock Road during the a.m. and p.m. peak hours after construction of a new traffic signal. This traffic data was used in the access analysis to determine directional traffic splits on Table Rock Road at the subject property, as well as evaluate 95<sup>th</sup> percentile queue lengths between the traffic signal and the subject property. A gap count was gathered in late August of 2019 on Table Rock Road at the development driveway to determine number of adequate gaps available for given traffic movements. All count data is provided in the attachments.

## Year 2019 No-Build Queuing and Blocking

Queue lengths on Table Rock Road were evaluated at the Airport Road / Table Rock Road traffic signal to determine how far to the south the northbound left and through movements extend to under existing conditions. Queue lengths are reported as the average, maximum, or 95<sup>th</sup> percentile queue length. The 95<sup>th</sup> percentile queue length is used for design purposes and is the queue length reported in this analysis. Five simulations were run and averaged in SimTraffic to determine 95<sup>th</sup> percentile queue lengths. Queue lengths were rounded up to the nearest 25 feet (single vehicle length) and reported in Table 1 for applicable movements at the traffic signal during the a.m. and p.m. peak hours.

**Table 1 – Year 2019 No-Build 95<sup>th</sup> Percentile Queue Lengths**

<b>Intersection Movement</b>	<b>Available Link Distance (Feet)</b>	<b>95<sup>th</sup> Percentile Queue Length AM (feet)</b>	<b>95<sup>th</sup> Percentile Queue Length PM (feet)</b>
<b><i>Airport Road / Table Rock Road</i></b>			
Northbound Left	325	0	0
Northbound Through	>1000	100	125
Northbound Through/Right	300	100	125

Note: Exceeded queue lengths are shown in bold, italic

Results of the queuing analysis show the northbound left turn queue length to be zero in both peak hours and the northbound through lanes to be 100 feet and 125 feet during the a.m. and p.m. peak hours, respectively. Table Rock Road at Airport Road has two through lanes for approximately 300 feet where it then reduces to a single lane. The northbound left turn lane is approximately 325 feet in length before transitioning into a center two-way left-turn lane (TWLTL). Currently, the northbound left turn movement is a minor movement at the traffic signal. The subject parcel's northern property line is approximately 500 feet south of Airport Road, which means the longest northbound queue length at the traffic signal is still approximately 375 feet away from reaching the site during peak conditions. SimTraffic output sheets are provided in the attachments.

## Crash History

Crash data for the most recent 5-year period from January 1, 2013 through December 31, 2017 was gathered from ODOT's Crash Analysis Unit. One crash was reported to occur along Table Rock Road in the vicinity of the subject property. It occurred in February of 2015 near the northern property line and involved vehicles traveling in opposite directions. The cause was reported to be from a rock that was kicked up by one of the vehicles. No injury resulted from the crash, and there were no other crashes reported along Table Rock Road near the development in the five-year period. No further investigation is shown to be necessary.

## Available Gaps

Gaps were gathered at the existing development driveway during the a.m. and p.m. peak hours in August of 2019. Results showed that there are a sufficient number of gaps of adequate size on Table Rock Road at the development driveway for right and left turn movements considering full City I-L buildout. The number of gaps shown for the eastbound and westbound left turn movements in both diagrams assumes that the center TWLTL is not utilized, and is meant to show a worst-case scenario. If drivers use the center lane then they will use what is referred to as a two-stage gap, which means they will use a gap in one direction then wait in the center lane for a gap in the other direction. When this is done, the number of available gaps of adequate size are equal to the number for gaps for right turn movements from each approach, which is significantly higher. Not all drivers feel comfortable using the center lane, however, so the worst-case condition is shown for this reason. Diagrams are provided below to illustrate number of gaps in each direction.

### Gaps - AM Peak Hour

Gap Spreadsheet for Table Rock Road at Site Driveway Zone Change to City I-L									Date: Tues August 27, 2019 7:30-8:30 AM
Gap size	# of	Mult. factor	NA EBR gaps	# of	Mult. factor	Site WBR gaps	# of	Mult. factor	No TWLTL EBL-WBL gaps
6 to 7	34	1	34	42	1	42	NA	NA	NA
8 to 9	16	1	16	31	1	31	26	1	26
10 to 11	9	2	18	22	2	44	24	1	24
12 to 13	18	2	36	15	2	30	9	2	18
14 to 15	9	3	27	17	3	51	13	2	26
16 to 17	8	3	24	16	3	48	12	3	36
18 to 19	6	4	24	7	4	28	6	3	18
20 to 21	9	4	36	8	4	32	2	4	8
22 to 23	3	5	15	4	5	20	2	4	8
24 to 25	5	5	25	3	5	15	3	5	15
26 to 27	4	6	24	0	6	0	0	5	0
28 to 29	2	6	12	3	6	18	1	6	6
>29	31	6	186	8	6	48	1	6	6
<b>Total</b>			<b>477</b>			<b>407</b>			<b>191</b>

### Gaps - PM Peak Hour

Gap Spreadsheet for Table Rock Road at Site Driveway Zone Change to City I-L									Date: Wed August 28, 2019 4:15-5:15 PM
Gap size (seconds)	# of	Mult. factor	NA EBR gaps	# of	Mult. factor	Site WBR gaps	# of	Mult. factor	No TWLTL EBL-WBL gaps
6 to 7	27	1	27	52	1	52	NA	NA	NA
8 to 9	25	1	25	30	1	30	24	1	24
10 to 11	22	2	44	17	2	34	21	1	21
12 to 13	18	2	36	17	2	34	9	2	18
14 to 15	18	3	54	19	3	57	13	2	26
16 to 17	8	3	24	9	3	27	3	3	9
18 to 19	6	4	24	9	4	36	1	3	3
20 to 21	6	4	24	11	4	44	3	4	12
22 to 23	4	5	20	4	5	20	2	4	8
24 to 25	3	5	15	7	5	35	0	5	0
26 to 27	3	6	18	1	6	6	0	5	0
28 to 29	2	6	12	2	6	12	0	6	0
>29	8	6	48	7	6	42	1	6	6
<b>Total</b>			<b>371</b>			<b>429</b>			<b>127</b>

## Trip Generation

Trip generation calculations for the proposed zone change were calculated utilizing City of Medford traffic estimations for I-L zoning. The City estimates 300 ADT per acre with approximately 10% of daily trips occurring during the p.m. peak hour and 8% during the a.m. peak hour. Traffic splits are assumed to distribute 50% inbound and 50% outbound. A summary is provided in Table 2.

ITE Land Use	Unit	Size	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	(In)	(Out)	Total	(In)	(Out)
<i>City of Medford I-L (Light Industrial)</i>	Acre	0.96	288	23	11	12	29	14	15
<b>Total</b>			<b>288</b>	<b>23</b>			<b>29</b>		

## Trip Distribution and Assignment

Development trips were distributed in accordance with existing traffic patterns along Table Rock Road, south of Airport Road. Splits are shown below.

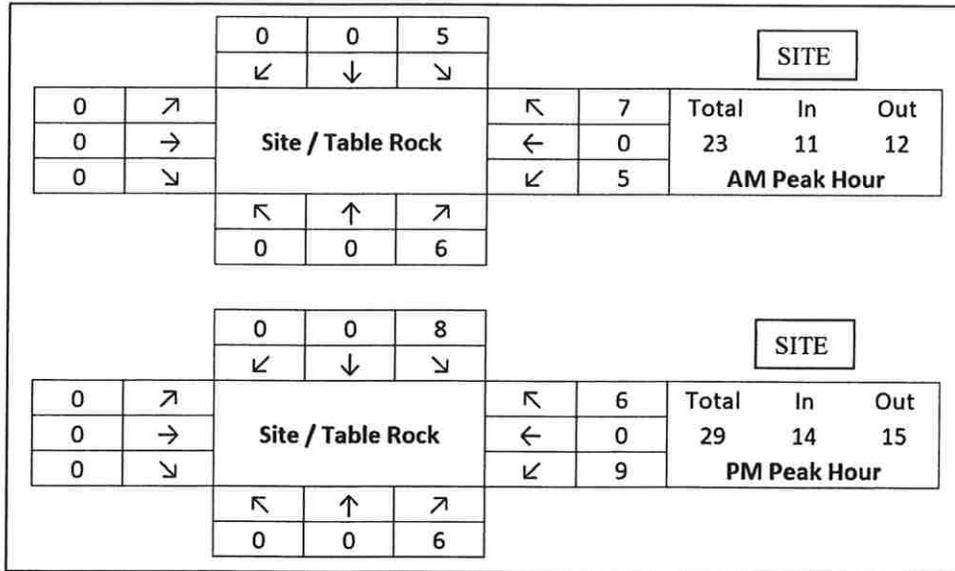
### AM Peak Hour

58% Inbound from south  
 42% Inbound from north  
 58% Outbound to north  
 42% Outbound to south

### PM Peak Hour

43% Inbound from south  
 57% Inbound from north  
 43% Outbound to north  
 57% Outbound to south

Refer to the following diagram for development trip assignments during the a.m. and p.m. peak hours.



Using the directional splits on Table Rock Road, the proposed zone change to City I-L is estimated to result in approximately five westbound left turns during the a.m. peak hour and nine during the p.m. peak hour. Similarly, it is estimated to generate seven westbound right turns during the a.m. peak hour and six during the p.m. peak hour. The number of available gaps on Table Rock Road (discussed in the previous section) under existing conditions are shown to have more than an adequate amount to serve proposed development at full I-L buildout during both peak hours.

## Year 2019 Build Queuing and Blocking

Queue lengths were re-evaluated with the addition of I-L development trips to determine whether there would be any center turn lane conflicts. Five simulations were run and averaged in SimTraffic. Queue lengths were rounded up to the nearest 25 feet (single vehicle length) and reported in Table 3 for applicable movements during the a.m. and p.m. peak hours.

<b>Intersection Movement</b>	<b>Available Link Distance (Feet)</b>	<b>95<sup>th</sup> Percentile Queue Length AM (feet)</b>	<b>95<sup>th</sup> Percentile Queue Length PM (feet)</b>
<b><u>Airport Road / Table Rock Road</u></b>			
Northbound Left	325	0	0
Northbound Through	>1000	125	150
Northbound Through/Right	300	125	125
<b><u>Development / Table Rock Road</u></b>			
Southbound Left	150	25	25
Northbound Through/Right	>1000	0	0
Westbound Left/Right	100	25	50

Results of the queuing analysis show no conflicts between the northbound left turn queue length at the traffic signal and southbound left turn queue length at the development driveway, regardless of where the access is along the property frontage. The northbound through queue at the traffic signal increases slightly with I-L development traffic but is still 350 feet from reaching the northern property line of the site. The southbound left turn queue length at the site is approximately 25 feet or the equivalent of one vehicle during both peak hours. No queuing concerns are identified.

## Turn Lane Criterion

A center TWLTL already exists on Table Rock Road at the proposed development driveway. Criterion for a northbound right turn lane was evaluated but not shown to be met with the addition of I-L development traffic. Turn lane graphs are provided in the attachments for further reference.

## Access Spacing Standards

The Jackson County minimum access spacing standard on an Urban Minor Arterial is 250 feet. The closest driveway north of the northern property line is approximately 165 feet. The closest driveway south of the southern property line is approximately 65 feet. The existing driveway on the southern property line meets the County access spacing standard to the north but not to the south. Relocating the existing driveway to the northern property line would not meet the spacing standard in either direction. Relocating the centerline of the existing driveway any distance between zero and 30 feet will continue to meet the spacing standard to the north but no location, including the existing location will meet the standard to the south.

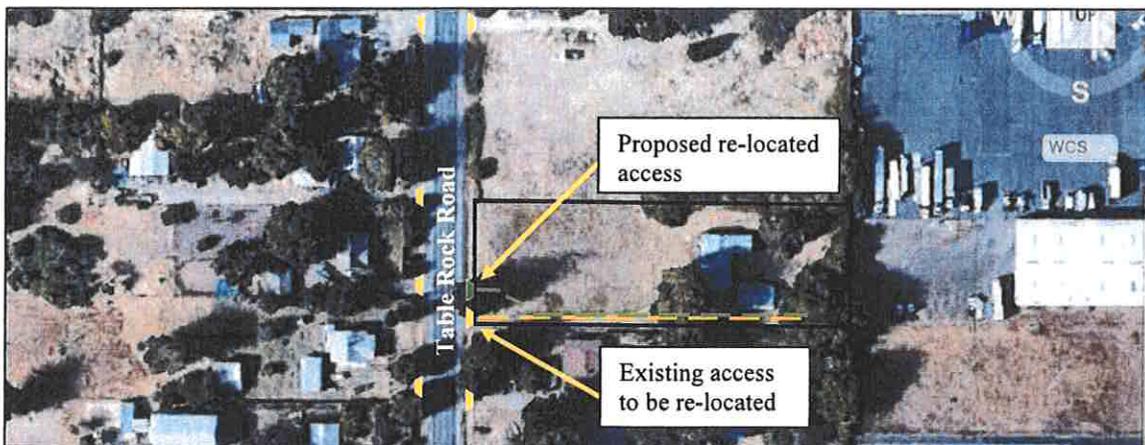
In taking a more comprehensive look at driveways along Table Rock Road, it is our opinion that relocating the existing driveway northward to better line up with an existing driveway across Table Rock Road is the best location currently. We considered several driveway locations which included one on the southern property line (existing location), midway to better line up with an access across the street, and one on the northern property line. The pros and cons varied for each location.

**Existing location:** Leaving the access on the southern property line provides the most distance from the traffic signal to the north, allows for future cross-access with the neighboring property, allows for future connectivity to the east, and meets the County spacing requirement to the north. The one downside of the existing location is that it is offset in the wrong direction with an access across the street, which creates left-in turn conflicts. These conflicts, however, are interim conflicts because the parcels across Table Rock Road are in the City of Central Point and are slated to be redeveloped within the planning horizon.

**Midway location:** Relocating the existing driveway approximately 15 feet to the north (measured from existing centerline) and then transitioning it back to the southern property line further east places the driveway in a location that better lines up with an existing driveway across the street, but continues to allow for cross-access to the south and connectivity to the east in the future. It also continues to meet the County spacing requirement to the north and slightly extends the separation from the nearest access to the south. The left-in movement conflict is mitigated with this alternative, so we do not see any con with this location.

**North property location:** Relocating the existing driveway to the northern property line at first seemed like potentially the best option because there is a driveway across from this location and we assumed it could potentially have all of the benefits of the southern property location, but the more we looked at it the more it became apparent that there were other issues. The northern property line is slightly offset to the south from the existing driveway across Table Rock Road. There is a grade drop from the north parcel to the subject property and after considering minimum setbacks and slopes, a relocated driveway ends up being offset in the wrong direction from the driveway across Table Rock Road and creates left-in turn conflicts, similar to the existing southern location. Additionally, the northern property line location has less potential for reducing access points along Table Rock Road because there is a low probability that the parcel to the north will ever want or need to share this location. It also has less connectivity potential to the east and does not meet the County spacing standard in either direction. For these reasons, this location was considered to have the least benefits.

Taking into consideration all three locations, it is our recommendation to relocate the existing driveway approximately 15 feet to the north (measured from centerline).



## Sight Distance

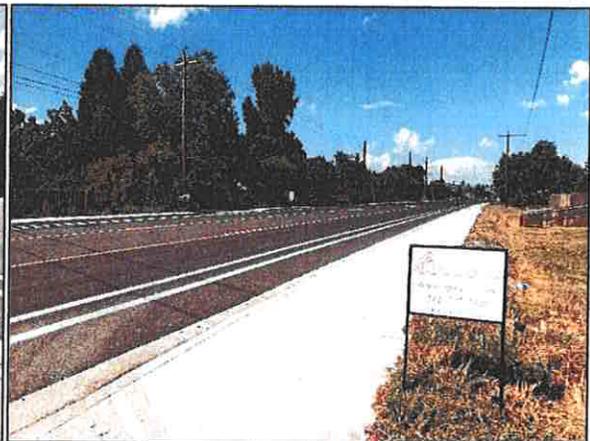
Access to the site is currently located at the southern boundary. Sight distance was evaluated from this location and shown to be unobstructed in both directions. The posted speed on Table Rock Road is 40 miles per hour.

The minimum stopping sight distance (SSD) recommended by American Association of State Highways and Transportation Officials (AASHTO) for a facility with a posted speed of 40 miles per hour is 305 feet. The desirable intersection sight distance (ISD) is 445 feet. Jackson County's minimum stopping sight distance for an Urban Minor Arterial is 315 feet. Field measurements showed sight distance being greater than 1000 feet to the south and to the traffic signal toward the north, which is over 600 feet away. Sight distance in both directions, therefore, is shown to meet minimum and desirable sight distances for Jackson County and AASHTO.

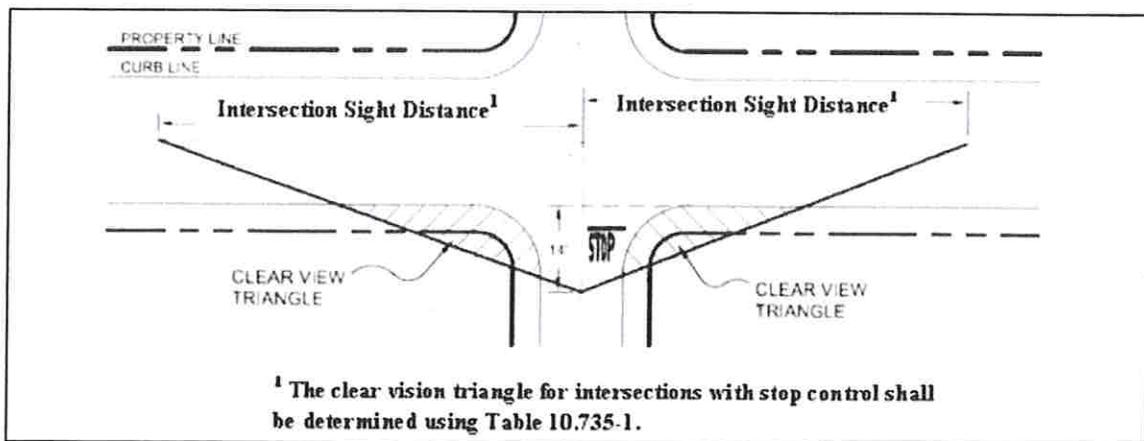
Looking south from the development driveway



Looking north from the development driveway



If the site driveway re-locates approximately 15 feet to the north, then sight distance continues to be adequate. At the time of development, the clear vision triangle should be maintained to ensure adequate sight distance. The City of Medford clear view standard in the Medford Land Development Code Section 10.735 is shown below.



## Conclusions

The findings of the traffic analysis conclude that the proposed annexation and zone change from County RR-2.5 to City I-L on a 0.96 acre parcel located along the east side of Table Rock Road at Township 37S Range 2W Section 12, Tax Lot 800 in Medford, Oregon can be approved without causing safety concerns on the transportation system. The traffic analysis evaluated site distance, queuing, crash history, access spacing, turn lanes, and conflicts between access points along Table Rock Road. It is our recommendation for the proposed development to re-locate their existing driveway approximately 15 feet to the north to better line up with an access across Table Rock Road and reduce left-in turn conflicts. This location continues to have the potential to reduce additional driveways in the future along Table Rock Road, and potentially provide east-west connectivity.

This concludes our access analysis for the proposed annexation and zone change from County RR-2.5 to City I-L. Please feel free to contact me if you have any questions or need additional information regarding this letter.

Sincerely,



Kimberly Parducci PE, PTOE

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Attachments: Draft Concept Plan  
Count Data  
SimTraffic Output  
Turn Lane Graph  
Medford Scoping Letter  
Jackson County Scoping Email

Cc: Client





# MEDFORD

PUBLIC WORKS

LD DATE: 11/27/2019

File Number: ZC-19-019

## PUBLIC WORKS DEPARTMENT STAFF REPORT

**RECEIVED**

**NOV 27 2019**

**PLANNING DEPT.**

### 3558 Table Rock Road (TL 800)

Alvarez Real Estate, LLC

**Project:** Consideration of a request for a change of zone of a single 0.96-acre parcel.

**Location:** Located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L (Light Industrial) (372W12A TL 800).

**Applicant:** Applicant, Alvarez Real Estate LLC; Agent, CSA Planning; Planner, Dustin Severs.

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

### I. Sanitary Sewer Facilities

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

### III. Transportation System

Public Works received a Transportation Impact Analysis (TIA) from Southern Oregon Transportation Engineering LLC, dated October 10, 2019, titled "RR-2.5 to City I-L Annexation/Zone Change Access Analysis".

CITY OF MEDFORD  
DEPT: C  
File # 20-19-019

The Zone Change is estimated to generate 288 net average daily trips (ADT), which is more than 250 ADT, the code standard at which a Traffic Impact Analysis is required. However, no higher order city intersection is impacted by more 25 or more peak hour trips, the code standard for determining significant impact. Therefore Public Works has no transportation related comments regarding the Zone Change.

Access to Table Rock Rd is the responsibility of Jackson County Roads Department to manage. Public Works supports the County's conditions regarding driveway access.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

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

City of Medford

200 S. Ivy Street, Medford, OR 97501

(541) 774-2100

cityofmedford.org



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** ZC-19-019  
**PARCEL ID:** 372W12A TL 800  
**PROJECT:** Consideration of a request for a change of zone of a single 0.96-acre parcel located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L (Light Industrial) (372W12A TL 800). Applicant, Alvarez Real Estate LLC; Agent, CSA Planning; Planner, Dustin Severs.  
**DATE:** November 27, 2019

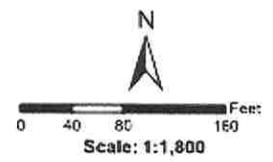
**RECEIVED**  
NOV 27 2019  
PLANNING DEPT.

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

**COMMENTS**

1. Annexation into the City of Medford is required prior to obtaining domestic water service.
2. 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."
3. 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.
4. The MWC system does have adequate capacity to serve this property.
5. Static water pressure in this area is approximately 95 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
6. Off-site water facility construction is not required.
7. On-site water facility construction may be required depending on future land development review.
8. MWC-metered water service does not exist to this property at this time.
9. Access to MWC water lines for connection is available. There is an existing 12-inch water line on the east side of the Table Rock Road.

CITY OF MEDFORD  
EXHIBIT D  
File # ZC-19-019



**Water Facility Map**  
**City of Medford**  
**Planning Application:**  
**ZC-19-019**  
**(372W12A800)**  
**Nov 27, 2019**

- Legend**
- Air Valve
  - Sample Station
  - Fire Service
  - Hydrant
  - ▲ Reducer
  - Blow Off
  - Plugs-Cops
- 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





BUILDING SAFETY DEPARTMENT  
ROOM 277

CITY OF MEDFORD  
LAUSMANN ANNEX  
200 SOUTH IVY STREET  
MEDFORD, OREGON 97501

TELEPHONE (541) 774-2350  
FAX (541) 774-2575  
E-MAIL:  
bldmed@ci.medford.or.us

## Policy on Installation of Pressure Reducing Valves

August 5, 2014

Section 608 of the 2011 Edition of the Oregon Plumbing Specialty Code requires a pressure regulator (commonly called a Pressure Reducing Valve or PRV) where the static pressure in the water supply piping exceeds 80 psi. Although this section gives limited guidance as to installation, it does require the device to be

*"...accessibly located above ground or in a vault equipped with adequate means to provide drainage and shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping."*

"Accessible" and "readily accessible" are defined in chapter 2.

To assure uniform and appropriate installation of these devices within Medford, the following standards have been agreed to by the City of Medford Building Safety Department and the Medford Water Commission:

1. The need for these devices will be based on pressure information provided by the Medford Water Commission, and can be verified on-site with a pressure gage. While factory settings of these devices may be adjusted, MWC recommends that the regulated pressure be set no higher than 65 psi.
2. PRVs shall NOT be installed when static pressure is less than 50 psi, except for limited specific equipment-based needs.
3. The PRV shall be installed outside the street right of way as close as practical to the water meter.
4. No expansion tank is necessary.
5. No fixture, device or system is permitted between the meter and the PRV.
6. The PRV must NOT be direct buried nor installed in a crawl space.
7. PRVs shall be installed within a readily accessible valve box / vault following the same standard as used for double check backflow assemblies, as follows:

*"On new installations, at least 12-inches clearance will be required as per section 603.3.4. When replacing an existing assembly, the 12-inch clearance requirement can be waived as long as there is at least 3-inches clearance between the bottom of the assembly and the ground, and the device is tested and serviced from the top."*

***Sam Barnum***

Building Safety Director



Medford Fire-Rescue Land Development Report

**Review/Project Information**

Reviewed By: Kleinberg, Greg

Review Date: 11/18/2019  
Meeting Date: 11/27/2019

LD File #: ZC19019

Planner: Dustin Severs

Applicant: Alvarez Real Estate LLC

Site Name: n/a

Project Location: 3558 Table Rock Road

ProjectDescription: Consideration of a request for a change of zone of a single 0.96-acre parcel located at 3558 Table Rock Road from SFR-00 (Single Family Residential, one dwelling unit per existing lot) to I-L (Light Industrial) (372W12A TL 800).

**Specific Development Requirements for Access & Water Supply**

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

**Construction General Information/Requirements**

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

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

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

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

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

CITY OF MEDFORD  
Exhibit E  
2019 ZC-19-019



# ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P.O. Box 3130, Central Point, OR 7502-0005  
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

November 14, 2019

City of Medford Planning Department  
411 West 8th Street  
Medford, Oregon 97501

**RECEIVED**

**NOV 15 2019**

**PLANNING DEPT.**

**Re: ZC-19-019, 3558 Table Rock Road, Tax Lot 800, Map 372W12A**  
**Ref: A-19-001**

ATTN: Dustin,

The subject property is within the RVSS service area. There is a newly constructed 8 inch sewer main along Table Rock Road and 4 inch service stubbed to the subject property. This sewer system was constructed via Reimbursement District and has adequate capacity for the proposed development.

Sewer service for the proposed development will require connection to the existing 4 inch service stub. The sewer connection permit will be issued by the City of Medford. However, there will be system development charges and associated Reimbursement District connection charges owed to Rogue Valley Sewer Services. The existing property owner has been notified of the costs associated with sewer connection via letter dated March 5<sup>th</sup> 2019. Please have the applicant contact RVSS with any questions regarding their connection.

Rogue Valley Sewer Services requests that approval of this development and application be subject to the following conditions:

1. The applicant must provide RVSS with a plumbing fixture plan for the determination of system development charges.
2. The applicant must pay associated sewer system development charges and reimbursement district charges to RVSS prior to issuance of a building permit.

Please feel free contact me with any questions.

Sincerely,

Nicholas R. Bakke, PE  
District Engineer

K:\DATA\AGENCIES\MEDFORD\PLANNING\ZONE CHANGE\2019\ZC-19-019\_3558 TABLE  
ROCK ROAD.DOC

CITY OF MEDFORD  
EXHIBIT # F  
File # ZC-19-019



# JACKSON COUNTY

## Roads

Roads  
Engineering

Chuck DeJanvier  
Construction Engineer

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

www.jacksoncounty.org

November 15, 2019

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

**RECEIVED**

NOV 15 2019

**PLANNING DEPT.**

RE: Tentative Zone Change of a lot at  
3558 Table Rock Road - a County maintained road  
Planning File: ZC-19-019

Dear Dustin:

Thank you for the opportunity to comment on consideration of a request for a change of zone of a single approximate 0.96 acre parcel, located at 3558 Table Rock Road. The current County zoning designation of SFR-00 (one dwelling unit per existing lot) will be changed to the City I-L-00 (Light Industrial/Limited Industrial Overlay) (37-2W-12A TL 800). Jackson County Roads has the following comments:

1. A traffic study that addresses impacts at the site accesses is in progress. If mitigations are recommended they shall be required and be study shall be reviewed and approved by Jackson County Roads.
2. A Commercial Road Approach Permit from Jackson County Roads is required for any new or improved driveways off Table Rock Road.
3. Utility Permits are required from Roads for any utility work within the county road right-of-way. On longitudinal trenches within a travel lane 100' or greater in length, unless otherwise approved by the Engineer, the existing pavement shall be removed and replaced to full paving-machine width (normally 10'-12') for a travel lane restoration. Drag boxes or other pull-type asphalt spreaders will not be permitted for longitudinal trench pavement replacement.
4. Table Rock Road is a County Urban Minor Arterial and is maintained by the County. The Average Daily Traffic count was 13,500 on the City of Medford's 2016 Traffic Volumes Map

CITY OF MEDFORD  
EXHIBIT # 6  
File # ZC-19-019

5. If county storm drain facilities are to be utilized, the applicant's registered Engineer shall provide a hydraulic report and plans for review and approval by Jackson County Roads. Storm drainage runoff is limited to that area currently draining to the County storm drainage system. Upon completion of the project the developer's Engineer shall certify that the construction of the drainage system was constructed per the approved plan. A copy of the certification shall be sent to Chuck DeJanvier at Jackson County Roads.
6. ADA curb ramps must be located wherever there are curbs or other barriers to entry from a pedestrian walkway or sidewalk, including any intersection where it is legal for a pedestrian to cross the street, whether or not there is any designated crosswalk.
7. Be Advised: other permits from local State or Federal Agencies' or Departments may be required prior to starting work.
8. Please contact Roads for a pre-construction meeting.

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

Sincerely,



Chuck DeJanvier, PE  
Construction Engineer



**RECEIVED**

NOV 27 2019

**PLANNING DEPT.**

MEMORANDUM

To: Dustin Severs, Planning Department  
From: Chad Wiltrout, Building Department (541) 774-2363  
CC: Alvarez Real Estate, LLC, Applicant; CSA Planning, Agent  
Date: November 26, 2019  
Subject: ZC-19-019; 3558 Table Rock Road

*Please Note:*

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

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

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

General Comments:

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.

CITY OF MEDFORD  
EX-100-2  
File # 20-19-019  
H



# MEDFORD

BUILDING SAFETY

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. No comments at this time for zone change.



Project Name:

**3558 Table Rock Road**

Map/Taxlot:

**372W12A TL 800**

**Legend**



Subject Area



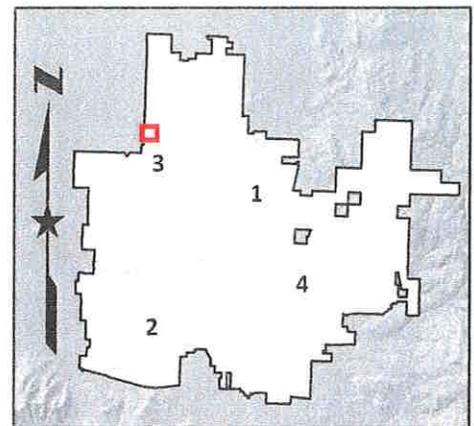
Tax Lots



Zoning Districts



10/22/2019



TELEPHONE  
541-772-2782

JAMES E. HIBBS, PLS



**L.J. FRIAR & ASSOCIATES P.C.**

CONSULTING LAND SURVEYORS

P.O. BOX 1947  
PHOENIX, OR 97535

ljfriarandassociates@charter.net

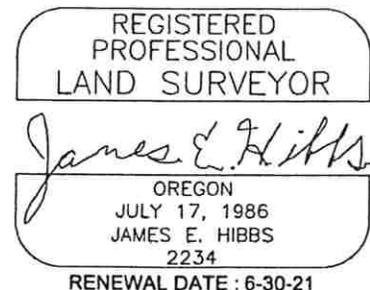
Exhibit 18  
REV: 10-22-2019

LEGAL DESCRIPTION

Exhibit "B"

Commencing at the East-Southeast corner of Donation Land Claim No. 58, Township 37 South, Range 2 West, Willamette Meridian said point being on the existing City of Medford Boundary per Ordinance No. 1970-777 passed January 16, 1970; thence along said City boundary, South 89°32'35" West, (record South 89°52' West), 93.5 feet to the Southwest corner of said City boundary; thence continue along said City boundary, North 00°16'40" West (record North 00°03' East), 1103.77 feet to the Southwest corner of that tract set forth in Document No. 2019-015888, Official Records of Jackson County, Oregon and the true point of beginning; thence leaving said City boundary along the South line of said tract, South 89°43'27" West (record North 89°57' West), 341.32 feet to the East right-of-way line of the Table Rock Road set forth in Document No. 2016-039641, said Official Records; thence along said East right-of-way line, North 01°14'17" West, 122.97 to the North line of that tract set forth in Document No. 2019-015888, said Official Records, said point also being on the existing City boundary per Ordinance No. 1980-4047 passed May 1, 1980; thence along the North line of said tract and along said City Boundary, North 89°43'27" East, 343.38 feet (record South 89°57' East) to the Northeast corner of said tract; thence along the East line thereof and along said City boundary per Ordinance No. 1970-777 passed January 16, 1970, South 00°16'40" East, 122.95 (record South 00°03' West, 122.71 feet) to the true point of beginning. Containing 42093 square feet or 0.966 acre, more or less.

TRACT TO BE ANNEXED/REZONED  
372W12A TL800  
CSA Planning  
19-194  
October 17, 2019



CITY OF MEDFORD  
EXHIBIT A  
FILE #

VARIES

VARIES

ANNEXATION ORD. 1980-4047  
MAY 1, 1980

N89°43'27"E

343.38

TABLE ROCK ROAD

DOC. 2016-039641, ORJCO

N01°14'17"W

122.97

DOC. 2019-015888, ORJCO

TRACT TO BE ANNEXED  
0.966 AC +/-  
42093 SQ FT

122.95

S00°16'40"E

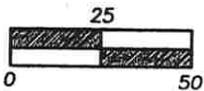
ANNEXATION ORD. 1970-777  
JANUARY 16, 1970

S89°43'27"W

341.32

VARIES

VARIES



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*James E. Hibbs*

OREGON  
JULY 17, 1986  
JAMES E. HIBBS  
2234

RENEWAL DATE 6-30-21

© L.J. FRIAR & ASSOCIATES, P.C. 2019

TITLE:

TRACT TO BE ANNEXED

ASSESSOR'S MAP #:

372W12A TL800

FOR:

CSA PLANNING  
4497 BROWNRIDGE, SUITE 101  
MEDFORD, OR 97504



L.J. FRIAR & ASSOCIATES P.C.  
CONSULTING LAND SURVEYORS

P.O. Box 1947, Phoenix, OR 97535  
Phone: (541) 772-2782  
ljfriarandassociates@charter.net

DATE:

17 OCT 2019

SCALE:

1 inch : 50 feet

DRAWN BY: JEH

CHK BY:

ORIGIN:

ROTATION: 0°

JOB#: 19194FM

Sheet 1 of 1.



# MEDFORD PLANNING

## **STAFF REPORT** for a Type IV legislative decision: Major General Land Use Plan map amendment & Major Zone Change

**Project** Annual Parks Mapping Update  
**File no.** GLUP-19-005 & ZC-19-018  
**To** Planning Commission *for 12/12/2019 hearing*  
**From** Sarah Sousa, Planner IV  
**Reviewer** Carla Angeli Paladino, Principal Planner  
**Date** December 5, 2019

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### **BACKGROUND**

#### Proposal

A General Land Use Plan map amendment and Major Zone Change to convert 10 existing park properties to the Parks and Schools designation and Public Parks Zone.

#### Related projects

DCA-16-072 Public Parks Zoning Amendment

#### Authority

This proposed plan authorization is a Type IV legislative Major General Land Use Plan map amendment and Major Zone Change. The Planning Commission is authorized to recommend, and the City Council to approve, major amendments to the General Land Use Plan map and zoning map under Medford Municipal Code Section 10.220.

#### History

In 2018, the City adopted the Public Parks Zone (P-1), which was created to differentiate parks and trails from residential, commercial, and industrial uses. Once approved, it was applied to 144 publicly owned parks and trail properties in Medford.

It is the Planning Department's intent to update the City's General Land Use Plan (GLUP) map and Zoning map annually, or as necessary, to change recently acquired parkland to the Parks and Schools GLUP designation and Public Parks zone.

## ANALYSIS

The Parks and Schools General Land Use Plan designation is applied to properties that contain publicly owned parks or schools. The City's corresponding zoning to that designation for park properties is the Public Parks zone. The proposed project includes adding these designations to 10 properties. These properties relate to 1) Cedar Landing Open Space, 2) Lone Pine Park Addition, 3) Village Center Park, and 4) Liberty Park. All of the properties are parks or portions of parks or trail segments that are publicly owned. The table below shows the existing designations and zoning with the proposed changes.

The Howard Memorial Sports Park property on North Ross Lane was originally included in the project. However, since the property is not yet owned by the City it is not eligible for the Public Parks zone. The Public Parks zone can only be applied to publicly owned properties.

GLUP & ZONE CHANGES						
Property Description	Map/Tax Lot #(s)	Existing GLUP	Proposed GLUP	Existing Zone	Proposed Zone	Owner
Lone Pine Park Addition	371W21BA 701	UR	PS	SFR-4	P-1	City of Medford
Cedar Landing Open Space	371W16BD 211, 214 371W16BC 100, 200	UR	PS	SFR-4	P-1	City of Medford
Village Center Park	371W27 1203	UH	PS	MFR-20	P-1	City of Medford
Liberty Park	372W24DD 15100 & 15200	CM	PS	SFR-10	P-1	City of Medford
Larson Creek Trail	371W33BA 1700	UR	PS	SFR-10	P-1	Jackson County
Larson Creek Trail	371W33BA 2800	SC	PS	C-S/P	P-1	Jackson County

## FINDINGS AND CONCLUSIONS

### Applicable criteria

Major Type IV Amendments are listed in Medford Municipal Code Section 10.220. For Major Zoning Map Amendments, Section 10.220(B) refers to the approval criteria for Land Development Code Amendments in Section 10.218. For Major General Land Use Plan map amendments, the section redirects to the "Review and Amendments" chapter of the Comprehensive Plan.

The criteria are set in *italics* below; findings and conclusions are in roman type.

Medford Land Development Code Section 10.218

*The Planning Commission shall base its recommendation and the City Council its decision on the following criteria:*

*(A) Explanation of Public Benefit*

### Findings

The proposed changes are intended to benefit the public. The Public Parks zone helps to identify the location of parks throughout the city on the zoning map. This makes them more transparent to the citizens of Medford as to the location of parks as well as the land use expected. The current zoning on the subject properties are generally commercial or residential, which is not a clear indication of actual use. The Public Parks zone clarifies that a park, not a commercial or residential operation, exists on these properties.

### Conclusions

The zone change proposal clarifies the location of parks and trails in Medford by showing parkland on the zoning map. This helps the general public understand the location of parks and trails while also providing a more accurate description of how land is being used. This criterion is satisfied.

*(B) The justification for the amendment with respect to the following factors:*

*(1) Conformity with goals and policies of the Comprehensive Plan considered relevant to the decision.*

### Findings

*Goal 4: To coordinate park and recreation planning, acquisition, maintenance, and development in the City of Medford to serve a broad spectrum of citizen and institutional interests.*

The proposed zone change conforms to Goal 4 in the Comprehensive Plan as described above. New and expanded parks, trails, and facilities within the Public Parks zone have a specific land use review called the Park Development

Review. This review does not contemplate the use since that is already established through zoning, whereas in other zones parks require a Conditional Use Permit. This provides more assurance that park facilities can be built to serve the citizens of Medford.

### Conclusions

The Public Parks zone, as applied to park properties, conforms to the Goals and Policies of the Comprehensive Plan that requires coordination of park planning and development. This criterion is satisfied.

*(2) Comments from applicable referral agencies regarding applicable statutes or regulations.*

### Findings

The proposal was provided to applicable referral agencies and departments as well as the Department of Land Conservation and Development. Comments were received from the following:

- Medford Public Works Department confirmed that all of the sites, except the Lone Pine Park addition, would be able to connect to storm drainage facilities. At the time of development, the Lone Pine Park addition would require evidence of a storm water easement to Lone Pine Creek. In regards to sewer, sufficient capacity exists to serve the sites. The Public Works Department also confirmed that no traffic impact analysis is required for any of the subject sites.
- Medford Building Department stated in a memo that there are no comments at this time until construction is proposed.
- Medford Fire Department submitted a report with no additional conditions or requirements.
- Medford Water Commission supplied a memo stating there are no comments or conditions for the project.
- Medford Parks and Recreation Department provided comments that the Department supported the project but requested to eliminate the Howard Memorial Sports Park property. Since the property is not currently owned by the City, it is not eligible for the Public Parks zone.

### Conclusions

The only change requested by the referral agencies was by the Parks Department. As a result, staff eliminated the Howard Sports Park property from the list of subject properties. This criterion is satisfied.

*(3) Public Comments*

Findings

Staff went over the proposal at a study session with the Planning Commission on November 25, 2019. The Commission had no questions or concerns. Notices to property owners within 200 feet of all of the subject properties were sent out. No letters in support or opposition have been submitted regarding the project. The public will have more opportunities to review the changes via the City's website. The Planning Commission will hold a hearing, which will provide another opportunity for public input, prior to the City Council hearing in February.

Conclusions

Information about the project has been made available to the public via public hearing notices as well as via a Planning Commission study session. To date, no public input has been received. This criterion is satisfied.

*(4) Applicable governmental agreements*

Findings

There are no governmental agreements that apply to the proposed Major zone change.

Conclusions

This criterion is not applicable to this proposal.

*Comprehensive Plan, Review and Amendments chapter: Amendments to Map Designations shall be based on the following [criteria 1-7]:*

1. *A significant change in one or more Goal, Policy, or Implementation Strategy.*

Findings

The proposed changes from the residential and commercial designations of Urban Residential, Urban High Density Residential, Commercial, and Service Commercial no longer adequately describe the use of the subject properties that are all developed as parks or trails. Land available for public parks and trails is identified within the Leisure Services Plan of the Comprehensive Plan. The subject properties have been identified as either existing or planned parks or trails. At this time all have been developed as such. The Comprehensive Plan specifies that the Parks and Schools designation is appropriate for existing and proposed public parks.

### Conclusions

There is no significant change in one or more Goal, Policy, or Implementation Strategy driving this amendment. However, the proposal is consistent with the Comprehensive Plan in that land for parks shall be designation appropriately with the Parks and Schools General Land Use Plan. This criterion is met.

2. *Demonstrated need for the change to accommodate unpredicted population trends, to satisfy urban housing needs, or to assure adequate employment opportunities.*

### Findings

Medford is the largest city in Southern Oregon and a regional provider of park and recreational facilities. As the population of the Rogue Valley continues to increase, the demand for park facilities increases. According to the Leisure Services Plan, Medford falls short of the median 6.4 acres of parkland per 1,000 persons for higher density urban communities. As of 2015, Medford was deficient of developed neighborhood parks by approximately 27 acres. The properties being converted to the Parks and Schools designation are developed parks, land adjacent to a developed park, or an existing or planned trail. It is important to designate and protect this parkland to be consistent with Medford's goal of providing an adequate supply of parks and open space for the community.

### Conclusions

The City's population growth along with the demand to provide regional facilities, places a high demand for parkland. The subject properties are all developed as parks or trails. The Parks and Schools designation is the most appropriate for the subject properties. This criterion is met.

3. *The orderly and economic provision of key public facilities.*

### Findings

All of the subject properties are developed as a park or trail, facilities are already available to the sites. Development permits have been issued for Lone Pine Park, Cedar Landing (open space areas have since been dedicated to the City), Liberty Park, Village Center Park, and the Larson Creek Trail. All have gone through a Planned Unit Development or Conditional Use Permit review prior to development. Issues related to inadequate facilities would have been raised as part of the development permit process. All have been subsequently development as a park or trail.

### Conclusions

If facilities such as water and sewer were not available to the subject sites, they would not have been able to develop as parks. However, all of the subject properties have gone through land use reviews and been allowed to develop as a park or trail. The process of changing the land use designation of the properties is a formal acknowledgment of what has already been developed on the sites. This criterion is met.

#### 4. *Maximum efficiency of land uses within the current urbanizable area.*

### Findings

The change of the General Land Use Plan map designation to Parks and Schools is an appropriate distribution of land. All of the subject properties have already been determined to be suitable for a park or trail through a land use process. The City evaluates the General Land Use Plan map changes to ensure there is not a significant change to decrease the amount of needed land, especially high density residential. Only one site is changing from Urban High Density Residential to the Parks and School designation. That site is now Village Park in the Southeast, which is a 3.23 acre property. When the Southeast Plan was adopted, this particular property was designated for residential units, not for a park.

It is best to accurately reflect the use of the land as a park with the Parks and Schools designation rather than count it inappropriately towards residential or commercial land.

### Conclusions

The distribution of land classifications is monitored in order to keep the supply of needed land as determined in the recently adopted Urban Growth Boundary Amendment. A total of 11.24 acres are proposed to be changed to the Parks and Schools designation, most of which is low density residential land. The re-designation of land to Park and Schools is more precise description of the land. This criterion is met.

*Environmental, energy, economic, and social consequences.*

### Findings

The designation change to Parks and Schools does not have a negative impact on the environmental, energy, and social consequences. Parkland contains more open space with natural vegetation and planted landscaping. This is a positive environmental and energy impact over commercial and residential uses, which would include denser development with more impervious surface and greater impacts on city facilities. The social consequences of parkland is positive as it provides the public with recreational opportunities as well as places to meet with

friends and family for passive and active activities. Only .42 acres is changing from a commercial designation. This is a minor impact on commercial and economic opportunities. Of that land, .23 acres is Liberty Park and .19 is within the Larson Creek Greenway, a linear strip of land between other sections of the trail.

#### Conclusions

The Parks and Schools General Land Use Plan designation does not have a negative impact on the environmental, energy, economic, and social consequences. This criterion is met.

5. *Compatibility of the proposed change with other elements of the City Comprehensive Plan.*

#### Findings

General Land Use Plan Map - Goal 1: To maintain and update the City of Medford General Land Use Plan Map.

It is the intent of the Planning Department to update the General Land Use Plan map every year with recently obtained parkland in order to accurately reflect all public parks and trails on the General Land Use Plan map.

#### Conclusions

The proposed changes will reflect an accurate update of parkland in the City, consistent with Goal 1 of the General Land Use Plan map section of the Comprehensive Plan. This criterion is satisfied.

6. *All applicable Statewide Planning Goals.*

Goal 1—Citizen Involvement

#### Findings

Goal 1 requires the City to have a citizen involvement program that sets the procedures by which affected citizens will be involved in the land use decision process. The City of Medford has an established citizen-involvement program consistent with Goal 1 that includes public review of proposed General Land Use Plan map amendments by the Planning Commission and City Council.

#### Conclusions

By following standard notification and comment procedures, the City provided adequate opportunities for citizen input. Goal 1 is satisfied.

## Goal 2— Land-use Planning

### Findings

The City has a land use planning process and policy framework in the form of a Comprehensive Plan and development regulations in Chapter 10 of the Municipal Code. These are the bases for decisions and actions.

### Conclusions

The proposed amendments to the General Land Use Plan adheres to the land use process identified in the City's code, which in turn complies with the Statewide Planning goal. Goal 2 is satisfied.

Goal 3—Agricultural Lands does not apply in this case.

Goal 4—Forest Lands does not apply in this case.

Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces does not apply in this case.

Goal 6—Air, Water, and Land Resources Quality does not apply in this case.

Goal 7—Areas Subject to Natural Hazards does not apply in this case.

Goal 8—Recreation Needs

### Findings

This goal relates to the City's responsibility for meeting the community's recreational needs today and into the future. The Leisure Services Plan within the Comprehensive Plan describes the number and types of parks and trails the City requires. The General Land Use Plan map changes to incorporate recently built parks or newly acquired parkland to the Parks and Schools designation is part of the process by which the City calculates the number of recreational acres within the City to ensure compliance with this goal.

### Conclusions

The proposed changes support this goal. Goal 8 is satisfied.

Goal 9—Economic Development does not apply in this case.

Goal 10—Housing does not apply in this case.

Goal 11—Public Facilities and Services does not apply in this case.

Goal 12—Transportation does not apply in this case.

Goal 13—Energy Conservation does not apply in this case.

Goal 14—Urbanization does not apply in this case.

Goals 15–19 do not apply to this part of the State.

### **RECOMMENDED ACTION**

Based upon the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation for approval of GLUP-19-005 and ZC-19-018 to the City Council per the Staff Report dated December 5, 2019, including Exhibits A-G.

### **EXHIBITS**

- A Medford Public Works Department Staff Report (GLUP Amendment) received November 20, 2019
- B Medford Public Works Department Staff Report (Zone Change) received November 20, 2019
- C Medford Building Department Memo received November 20, 2019
- D Medford Fire Department Report received November 20, 2019
- E Medford Water Commission Memo received November 20, 2019
- F Medford Parks and Recreation Department Memo received November 20, 2019
- G Planning Commission Study Session minutes from November 25, 2019  
Vicinity map

**PLANNING COMMISSION AGENDA: DECEMBER 12, 2019**



## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **GLUP Amendment (11 Park Properties)**

#### **Parks & School GLUP Designation**

**Project:** The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

**Applicant:** City of Medford

**Planner:** Sarah Sousa, Planner IV – Long Range Division

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

Wes Howard Memorial Sports Park is located in 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 these parks under the proposed zoning.

For all other park locations, there is sufficient capacity in the sanitary sewer to allow the zone changes without conditions.

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

The City of Medford has existing storm drain facilities in the park areas. These sites, with the exception of Lone Pine Park addition, would be able to connect to drainage facilities at the time of development. These parks may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

For the Lone Pine Park addition, the Developer shall provide evidence of storm drainage easements to Lone Pine Creek prior to development.

#### **III. Transportation System**

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

Exhibit A

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

Prepared by: Jodi K Cope  
Reviewed by: Doug Burroughs

The above report is based on the information provided with the General Land Use Plan 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.



## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **Major Zone Change (11 Park Properties)**

#### **Parks Zoning**

**Project:** The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

**Applicant:** City of Medford

**Planner:** Sarah Sousa, Planner IV – Long Range Division

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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**

Wes Howard Memorial Sports Park is located in 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 these parks under the proposed zoning.

For all other park locations, there is sufficient capacity in the sanitary sewer to allow the zone changes without conditions.

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

The City of Medford has existing storm drain facilities in the park areas. These sites, with the exception of Lone Pine Park addition, would be able to connect to drainage facilities at the time of development. These parks may be required to provide stormwater quality and detention at time of development in accordance with MLDC, Section 10.729 and/or 10.486.

For the Lone Pine Park addition, the Developer shall provide evidence of storm drainage easements to Lone Pine Creek prior to development.

Exhibit B

### III. Transportation System

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

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

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

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



# MEDFORD

BUILDING SAFETY

## MEMORANDUM

To: Sarah Sousa, Planning Department  
From: Chad Wiltrout, Building Department (541) 774-2363  
CC: City of Medford, Applicant  
Date: November 20, 2019  
Subject: GLUP-19-005/ZC-19-018\_Annual parks Zoning Updates

*Please Note:*

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

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

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

*General Comments:*

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.



**MEDFORD**  
BUILDING SAFETY

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. No construction proposed. No other comments at this time.

**Medford Fire-Rescue Land Development Report**

**Review/Project Information**

**Reviewed By:** Kleinberg, Greg

**Review Date:** 11/13/2019

**Meeting Date:** 11/20/2019

**LD File #:** GLUP19005 **Associated File #1:** ZC19018

**Planner:** Sarah Sousa

**Applicant:** City of Medford

**Site Name:** N/A

**Project Location:** N/A

**Project Description:** The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone.

**Specific Development Requirements for Access & Water Supply**

Conditions

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

**Construction General Information/Requirements**

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

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

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

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

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



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BOARD OF WATER COMMISSIONERS  
**Staff Memo**

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

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

**SUBJECT:** GLUP-19-005/ZC-19-018

**PARCEL ID:** 11 Park Properties (371W16BC100, 371W16BC200, 371W16BD211, 371W16BD214, 371W21BA701, 371W271203, 371W33BA1700, 371W33BA2800, 372W231300, 372W24DD15100, and 372W24DD15200.

**PROJECT:** The proposal includes a General Land Use Plan (GLUP) Map amendment and Major Zone Change to convert 11 park properties to the Parks and Schools GLUP designation and the corresponding Parks zone. Applicant: City of Medford, Planner: Sarah Sousa.

**DATE:** November 20, 2019

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

**CONDITIONS**

1. No Conditions

**COMMENTS**

1. No Comments

Exhibit E



**MEDFORD**  
PARKS, RECREATION AND FACILITIES

MEMORANDUM

To: Sarah Sousa, Planning Department

From: Haley Cox, Parks Planner

Date: November 20, 2019

Subject: GLUP-19-005/ZC-19-018

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The Parks Department has reviewed the proposal, and with the exception of the Howard Memorial Sports Park, which is not publicly owned, we support the Planning Department's initiative to rezone public park parcels and amend the General Land Use Plan Map to reflect these uses.

Exhibit F

# PLANNING COMMISSION STUDY SESSION MINUTES



**MEDFORD**  
OREGON

November 25, 2019

12:00 P.M.

Lausmann Annex, Room 151

200 S. Ivy Street, Medford, Oregon

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The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

**Commissioners Present**

Mark McKechnie, Chair

Joe Foley, Vice Chair

David Culbertson

Bill Mansfield

Jeff Thomas

**Staff Present**

Eric Mitton, Deputy City Attorney

Carla Paladino, Principal Planner

Sarah Sousa, Planner IV

**Commissioners Absent**

David McFadden, Unexcused Absence

E.J. McManus, Excused Absence

Jared Pulver, Excused Absence

20. **Subject**

20.1 ZC-19-018 / GLUP-19-005 City Initiated Zone Change / Annual Parks Zone Updates

Sarah Sousa, Planner IV reported that the City changed the General Land Use Plan Designation of approximately 500 acres as part of the Urban Growth Boundary Amendment process in 2014. The purpose was to improve the efficiency of the land. While the General Land Use Plan map designation of those area were changed, the City did not follow up with corresponding zone change.

In order to follow through with that process while also encouraging more housing, the Planning Director came up with the City-Initiated Zone Change Program. City staff processes zone changes on behalf of property owners free of cost (property owners have to consent in writing). Eligible properties for the program would be properties that were changed to a higher density residential designation as part of the UGB process; and around an acre in size or less.

Staff sent two rounds of letters out to eligible property owners, held meetings with interested parties, collected written consents to rezone (23 properties included), and met with a traffic engineer who is providing a scope of work to evaluate potential impacts of the rezones.

Exhibit G

Consents are from four properties in the Coker Butte / Springbrook area. They are zoned SFR-00 and eligible for MFR-15 zoning.

There are thirteen consents from properties on Charlotte Ann Road. They are zoned SFR-00 and eligible for MFR-20 zoning.

There are five consents from properties on Westwood and Orchard Home zoned SFR-6 and eligible for MFR-15 and MFR-20 zoning. There is one consent from a property on Stewart Avenue with the zoning SFR-00 and eligible for MFR-20 zoning.

Commissioner Culbertson asked, wasn't one of the properties an application that came before the Planning Commission to change to MFR-30 or was it MFR-20? Ms. Sousa replied it is MFR-15. Carla Paladino stated that properties south of Westwood are UM and would be MFR-15.

Commissioner Mansfield asked, has there been property owners that staff approached that have said no they do not want to change? Ms. Sousa replied yes. Commissioner Mansfield asked, is that a large or small number? Ms. Sousa replied there have only been a few.

There are two more properties interested on Charlotte Ann Road.

The next steps is that staff is waiting for results of a traffic analysis. They anticipate begin processing zone changes in early 2020.

Vice Chair Foley asked, what does processing zone changes mean? Will they come before the Planning Commission? Ms. Sousa replied yes. However, they are considered a major zone change so the City Council is the deciding body.

Chair McKechnie asked, is there criteria for the acre or less? Ms. Sousa replied yes. Chair McKechnie asked, do platted lots owned by the same people fit this criteria? Ms. Sousa responded that the owners that live in that area (Charlotte Ann Road) received letters encouraging them to participate. The front properties are designated for Commercial. Chair McKechnie's understanding is that Habit for Humanity owns four lots. Ms. Sousa replied that she knows they own two but may own more. Chair McKechnie asked, does staff combine those to determine whether or not they meet the acre or less criteria? Ms. Sousa responded they have a few that are over an acre. They are trying to keep them an acre or less. Chair McKechnie asked, what if they are owned by the same owner. Ms. Sousa replied they are treated individually.

Ms. Sousa reported staff is working on an Annual Parks Zoning Update. The City adopted the Parks Zone in 2018. It was applied to publicly owned trails and parks in Medford. The Planning Department will be doing annual updates to add the Parks and Schools GLUP and the Parks Zone

to newly acquired parkland or trails. Adding the Parks and Schools General Land Use Plan designation and the corresponding Parks Zone to the following properties:

MAPLOT	Description
371W16BC100	Cedar Landing Open Space
371W16BC200	Cedar Landing Open Space
371W16BD211	Cedar Landing Open Space
371W16BD214	Cedar Landing Open Space
371W21BA701	Lone Pine Park Addition
371W271203	Village Center Park in SE
371W33BA1700	Larson Creek Trail
371W33BA2800	Larson Creek Trail
372W24DD15100	Liberty Park
372W24DD15200	Liberty Park

Staff will present this to the Planning Commission on Thursday, December 12, 2019 and City Council hearing on Thursday, February 6, 2019 for final.

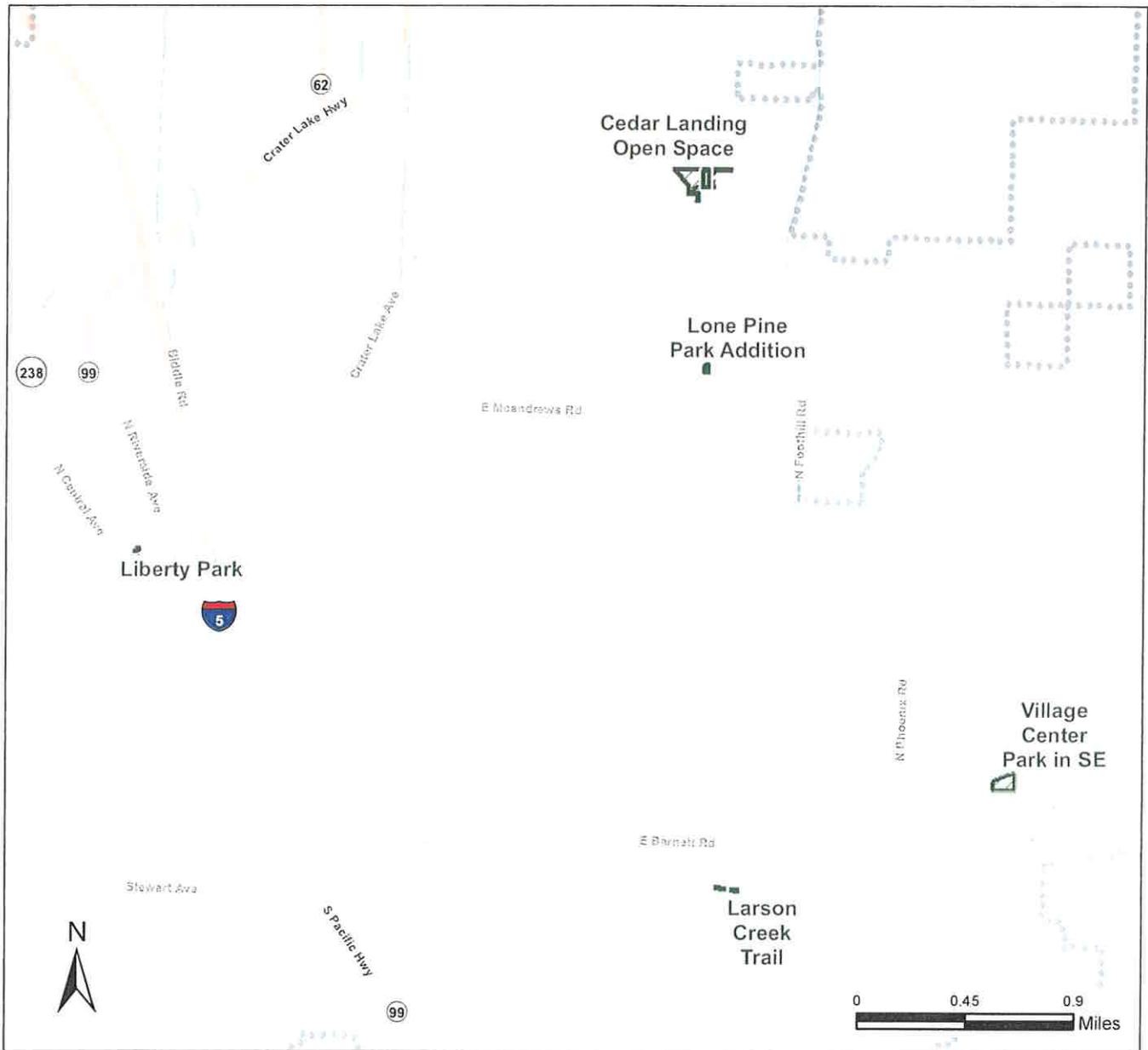
**100. Adjournment**

101. The meeting was adjourned at approximately 12:12 p.m.

Submitted by:

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Terri L. Richards  
Recording Secretary



### Legend

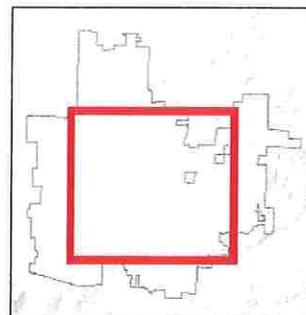


Parks Taxlots - PS GLUP/P-1 Zone Proposed



Urban Growth Boundary

MAPLOT	Description
371W16BC100	Cedar Landing Open Space
371W16BC200	Cedar Landing Open Space
371W16BD211	Cedar Landing Open Space
371W16BD214	Cedar Landing Open Space
371W21BA701	Lone Pine Park Addition
371W271203	Village Center Park in SE
371W33BA1700	Larson Creek Trail
371W33BA2800	Larson Creek Trail
372W24DD15100	Liberty Park
372W24DD15200	Liberty Park



Date: 11/20/2019



## **STAFF REPORT**

for a Type IV legislative decision: Major Comprehensive Plan Amendment

Project Liberty Park Neighborhood Plan  
Applicant City of Medford  
File no. CP-19-004  
To Planning Commission *for 12/12/2019 hearing - continued from 11/14*  
From Carla Angeli Paladino, Principal Planner, Long-Range Planning  
Reviewer Matt Brinkley, AICP CFM, Planning Director  
Date December 5, 2019

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### **BACKGROUND**

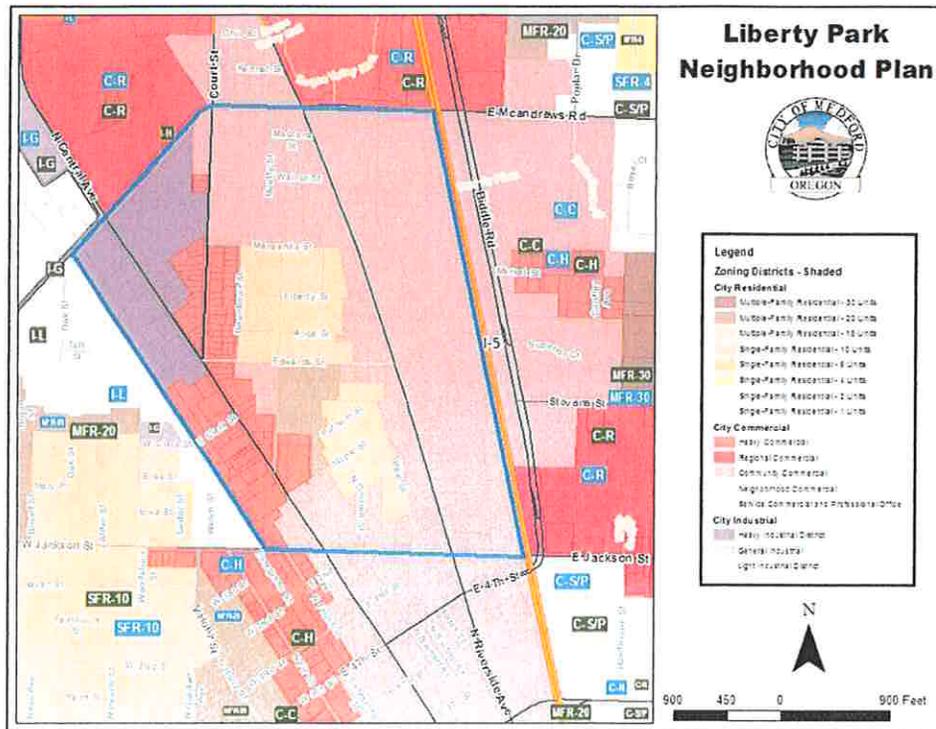
#### **Proposal**

A legislative amendment to incorporate the 2019 Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies chapters of the Comprehensive Plan. **See Exhibit A** for links to the Liberty Park Neighborhood Plan document and appendices) (**See Exhibits B and C** for the proposed text changes to the Neighborhood Element and Goals and Policies chapters).

#### **History**

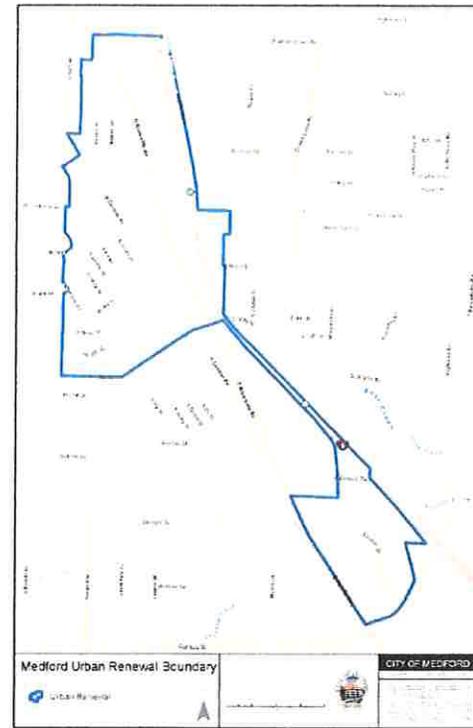
The Liberty Park Neighborhood (formerly known as Beatty Manzanita) is located north of downtown. The study area for the project includes McAndrews Road on the north, Interstate 5 (I-5) on the east, Jackson Street on the south, and the railroad tracks on the west. The residential core is separated from the commercial and industrial perimeter by Central Avenue, Court Street and Riverside Avenue. Old survey data shows many of the originally platted subdivisions within the neighborhood were established in 1888 and 1906, making this one of the oldest neighborhoods in the city.

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In 1988, the City Council approved Ordinance No. 6213 which established an urban renewal program known as the City Center Revitalization Plan. The urban renewal boundary is approximately 605 acres in size and includes parcels and right-of-way within the Liberty Park Neighborhood and extends south to the South Gate Shopping Center. Over the next thirty years, urban renewal made substantial streetscape and capital improvements in the downtown core.

In 2018, the Medford Urban Renewal Agency extended the life of the program with a renewed focus on improving the Liberty Park Neighborhood.



In August 2017, the City was awarded a Transportation and Growth Management (TGM) Grant from the State to develop a neighborhood plan for Liberty Park. The project would build off of a Neighborhood Action Plan created by residents and community leaders in 2002.

City Planning Staff in coordination with consultants from Angelo Planning Group and Jacobs worked closely with a citizen based Neighborhood Advisory Committee (NAC) to develop the Liberty Park Neighborhood Plan.

The project kicked off in June 2018. The NAC met as a group for the first time to discuss the planning process and identify goals for the project. That evening, the first Open House for the project was held at Liberty Park on Maple Street inviting residents and business owners to share their vision for the neighborhood and changes needed.

Over the course of sixteen months, the NAC would meet six times to discuss goals and objectives, outline a vision, review land use and transportation projects, provide comments on the draft plan and make final recommendations.

In coordination with the NAC's work, the development of the plan was provided to the public for comments and feedback through on-line survey opportunities and four open house public gatherings (June and December 2018 and April and July 2019).

The draft plan was presented to the community (during open house #4 in July 2019) and during study sessions with the City Council in September (See **Exhibit G** for minutes), the Transportation Commission in October and December (See **Exhibit H**), the Planning Commission in November (See **Exhibit I**), and the Bicycle and Pedestrian Advisory Committee (BPAC) in December.

The plan is divided into three main categories:

- Goals
- Land Use Recommendations
- Transportation Recommendations including a project list

There are nine key goals the plan aims to achieve that relate to:

- Making the neighborhood easier and safer to get from one place to another;

- Effectively utilizing social services and law enforcement to help minimize crime and reduce the impacts of homelessness;
- Creating a healthy and vibrant neighborhood through a shared sense of responsibility;
- Creating and enhancing places within the neighborhood such as parks, gathering places, and community facilities that enrich lives;
- Providing a range of quality housing for a range of incomes, ages, and needs;
- Supporting the creation and expansion of local businesses to serve neighborhood residents and workers;
- Finding opportunities to create family wage jobs and educational advancements for residents in the neighborhood;
- Conserving natural resources and preserving the natural environment through connections to the Bear Creek Greenway; and
- Improving transportation systems from the neighborhood to downtown and other parts of the City.

The land use recommendations outline broad concepts for future improvement of the neighborhood with a focus on:

- Identifying locations for infill and redevelopment;
- Working to enhance connectivity to and safety of the Bear Creek Greenway and creating park spaces;
- Creating a regulatory framework that addresses design guidelines, land uses, enhanced landscaping, and encourages development of new housing;
- Reviewing the General Land Use Plan (GLUP) and zoning designations and making adjustments to those designations;
- Finding partnerships with law enforcement and code enforcement to help alleviate concerns with criminal activity, dilapidated buildings, and impacts of homelessness; and
- Reviewing where auto-oriented businesses such as gas stations, drive-throughs, and car-related businesses are permitted and how they are designed on a site.

Additional work through adoption of an implementation plan will be needed to refine some of the land use concepts noted above.

The transportation recommendations are categorized under the following topics including:

- Traffic calming (for interior streets and perimeter arterials);
- Enhancement of the bicycle network and improvement of connections to downtown;
- Improvement of pedestrian crossings and a connection to the Bear Creek Greenway;
- Infilling sidewalk along the residential core of the neighborhood; and
- Relocation of bus stops.

A specific project list describes each of the twenty-two identified improvements recommended for the neighborhood. The project costs are estimated at approximately \$8.2 million.

### **Authority**

This proposed legislative land use action is a Type IV Major Comprehensive Plan Amendment. The Planning Commission is authorized to recommend, and the City Council to approve, amendments to the Comprehensive Plan under Medford Municipal Code §§10.214 and 10.220.

### **ANALYSIS**

More than 30 years ago, the Liberty Park neighborhood and the issues it was facing helped justify the creation of the Medford Urban Renewal Agency (MURA). Over the years, the renewal agency has completed significant improvements in downtown, creating opportunities for reinvestment and change. To date, the same level of success and investment has not been fully realized in Liberty Park. However, with renewed City interest in this neighborhood, funding available from MURA, and private investment already taking place; the revitalization and strengthening of the neighborhood is possible.

The 2019 Liberty Park Neighborhood Plan is a planning tool to carry forward the vision of the residents and identify the land use and transportation needs within its boundaries. The plan serves as a blueprint and seeks to positively affect how residents live, work, shop, recreate, travel, invest, and interact within and outside of Liberty Park. The adoption of the neighborhood plan into the City's Comprehensive Plan helps direct where future improvements and investments will occur moving forward.

## **FINDINGS AND CONCLUSIONS**

### **Applicable criteria**

For the applicable criteria the Medford Municipal Code §10.220(B) redirects to the criteria in the “Review and Amendments” chapter of the Comprehensive Plan. The applicable criteria in this action are those for conclusions, goals and policies, and implementation strategies.

The criteria are set in *italics* below; findings and conclusions are in roman type.

*Comprehensive Plan, Review and Amendments chapter: Amendments [to Conclusions] shall be based on the following:*

1. *A change or addition to the text, data, inventories, or graphics which substantially affects the nature of one or more conclusions.*

### **Findings**

Over the course of the past 16 months, City staff in coordination with consultants from Angelo Planning Group and Jacobs, and a 12-member citizen based Advisory Committee have been working to develop a neighborhood plan for the Liberty Park area. The plan formalizes the vision and goals set out for the neighborhood and outlines land use and transportation recommendations as well as specific transportation projects to be constructed within the neighborhood boundary. The plan formalizes proposed changes within the neighborhood to help support future decisions and investments from potential funding sources such as the Medford Urban Renewal Agency (MURA), City Capital Improvement Plans and grant opportunities made available through state and federal funding sources.

The plan (Exhibit A) will be formally adopted into the Neighborhood Element of the Comprehensive Plan. A new summary of conclusions (Exhibits B and C) will be added to the Conclusions chapter of the Comprehensive Plan providing an overview of the neighborhood and its specific circumstances.

### **Conclusions**

**Criterion 1: Satisfied.** The Liberty Park plan outlines six conclusion statements that help provide context for existing conditions and

opportunities for change. The conclusions summarize the neighborhood's historic location, the mix of land uses, and its proximity to downtown, commercial centers, and the greenway. They speak to the lack of infrastructure that makes it difficult for residents to travel within and outside of the neighborhood. In addition, the conclusion statements highlight opportunities for redevelopment and improvement that will help realize the goals of the plan and help alleviate unwanted activities that are occurring within the neighborhood.

The new conclusions are reflective of the neighborhood plan objectives. This criterion is found to be satisfied.

*Comprehensive Plan, Review and Amendments chapter: Amendments [to Goals and Policies] shall be based on the following [criteria 1-6]:*

1. *A significant change in one or more Conclusion.*

### **Findings**

The Liberty Park Neighborhood Plan and its Conclusions are new additions to the Comprehensive Plan as noted above and as outlined in Exhibits B and C. There are no existing Conclusion statements to modify with this proposal.

### **Conclusions**

**Criterion 1: Not Applicable.** A new Conclusions section will be added to the Comprehensive Plan to reflect the Liberty Park Neighborhood Plan. There are no current Conclusions to modify or change with this project. This criterion is found to be not applicable.

2. *Information reflecting new or previously undisclosed public need.*

### **Findings**

The updated neighborhood plan is divided into two main categories: land use and transportation recommendations including a detailed transportation project list. The concepts under the land use category relate to opportunities for infill and redevelopment, motel uses, parks and open space, evaluating land use and development standards, and coordinating with law and code enforcement to help address unwanted activities occurring within the neighborhood.

Concerns with unwanted activities taking place at the motels and then filtering into the neighborhood were raised throughout the planning process. The Medford Police Department provided data from 2017 to 2019 showing the services calls for nine motels in the neighborhood compared to another motel chain outside of the neighborhood (**See Exhibit D**). Six of the nine motels had at least one year where service calls were over 100. In three cases, service calls exceeded 200 calls, with one of the three motels exceeding 400 calls in two consecutive years. The numbers help to quantify the concerns raised and provide data to help support future actions or communications with motel owners to identify solutions or changes to benefit the neighborhood.

The transportation recommendations focus on issues related to traffic calming, modifications to Court/Central and Riverside, improving the bicycle network, enhancing pedestrian crossings and bus stop locations, as well as sidewalk construction and connections to the Bear Creek Greenway. Through public input and discussions and support of the Neighborhood Advisory Committee (NAC), twenty-two distinct projects dispersed throughout the neighborhood have been outlined to be completed.

### **Conclusions**

**Criterion 2: Satisfied.** The 2019 neighborhood plan delves deeper into the issues and improvements needed within Liberty Park. A list of transportation improvements have been identified along with land use recommendations to help support changes in the future. This criterion is found to be satisfied.

3. *A significant change in community attitudes or priorities.*

### **Findings**

Between June and August 2017, the Medford Urban Renewal Agency (MURA) Board began contemplating an amendment to the City Center Revitalization Plan (an area 605.6 acres in size that includes downtown and the Liberty Park neighborhood). Three public hearings were held during that time to gather input on whether to increase the district's indebtedness and continue the Agency. Some projects were identified by the Board, early in the discussions, that would allocate approximately 10 percent of the

funds to seismic upgrades in the downtown core and the remaining funds to projects in the Liberty Park area.

At the same time, the Planning Department applied for a Transportation and Growth Management (TGM) grant from the Department of Land Conservation and Development (DLCD) and the Oregon Department of Transportation (ODOT) to develop a revised neighborhood plan for the Liberty Park neighborhood. The grant was submitted in June 2017 and the City received its award letter in August 2017.

Following, MURA directed staff to establish a MURA Advisory Committee to develop and consider projects in Liberty Park. The Committee met three times with one meeting being a neighborhood community input meeting held in January 2018 attended by approximately 40 citizens. The final recommendations that were proposed by the Advisory Committee were general rather than specific understanding that a more detailed neighborhood plan was going to be developed.

In April 2018, the City Council passed Council Bill No. 2018-33, adopting the City Center Revitalization Plan Substantial Amendment No. 6, which outlined improvements for MURA to pursue related to Liberty Park and the downtown core. The project list in the amendment included street upgrades to Manzanita and Edwards streets, a sewer lateral replacement program, housing assistance through a home improvement program for single-family, multiple family housing or mixed use developments, and a placeholder for projects that would be identified as part of the Liberty Park Neighborhood Planning process, as well as the establishment of a below market rate or grant program for seismic retrofitting of buildings within a designated downtown boundary. The passage of the ordinance set the stage for the start of the Liberty Park planning process and a more focused look at the types of projects needed in the neighborhood.

In June 2018, the Planning Department kicked off the Liberty Park Neighborhood Plan with a meeting of the Neighborhood Advisory Committee (NAC) followed by an Open House to discuss the plan with members of the public. Over the course of the following 16 months, a revised plan was created for the Liberty Park neighborhood. The plan outlines both land use and transportation recommendations, in addition to over twenty specific transportation projects to complete.

Both the amendment to the City Center Revitalization Plan and the update to the Liberty Park Neighborhood Plan signifies a shift in community priorities that supports adoption of the plan and future funding considerations for the projects contained within it.

### **Conclusions**

**Criterion 3: Satisfied.** For nearly thirty years, the Medford Urban Renewal Agency has operated, completing improvements in the City's downtown core and elsewhere in the boundary. In 2017, the MURA Board decided to consider extending the life of the program with a renewed focus on making investments in the Liberty Park neighborhood. In April 2018, the Council substantiated this consideration by approving a substantial amendment to the City Center Revitalization Plan and increasing the maximum indebtedness by over 19 million dollars. In addition, the Council supported the Planning Department's application to request assistance through the State's TGM program to update the Liberty Park Neighborhood Plan and identify additional projects for future consideration by MURA and other public funding sources. A renewed interest and priority has been directed at the Liberty Park neighborhood. This criterion is found to be satisfied.

#### *4. Demonstrable inconsistency with another Plan provision.*

### **Findings**

The addition of the Liberty Park Neighborhood Plan is found to be appropriate and consistent with other plan provisions already outlined in the Comprehensive Plan. The plan supports a number of existing goals and policies found within the following elements: Housing, Parks, Law Enforcement, and the Transportation System Plan. There are no inconsistencies found within the Comprehensive Plan.

### **Conclusions**

**Criterion 4: Not Applicable.** This criterion is not applicable as there are no inconsistencies among the various elements in the Comprehensive Plan.

5. *Statutory changes affecting the Plan.*

**Findings**

The proposal focuses attention on the Liberty Park neighborhood and establishes a plan that is specific to this locale. The plan was not written in order to address statutory changes.

**Conclusions**

**Criterion 4: Not Applicable.** There are no statutory changes that affect the plan. This criterion is not applicable to the proposal under consideration.

6. *All applicable Statewide Planning Goals.*

**Goal 1—Citizen Involvement**

*Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.*

**Findings**

The Liberty Park Neighborhood Plan was created through citizen input and involvement during the planning process. From the beginning, the various elements of the plan from plan goals to the identification of transportation projects have been reviewed, discussed, and amended through conversations with the Neighborhood Advisory Committee (NAC) members. The NAC represents twelve community members from various sectors including City Council, Planning Commission, housing authority, neighborhood residents, business owners, social service agencies, primary educational institutions, and the Rogue Valley Transit District. The NAC met six times during the development of the plan in public meetings. At the last meeting in September 2019, the NAC provided final recommendations on the plan including adding language related to the motels within the neighborhood, a new alley paving location between Bartlett and Maple, and including opportunities for gateway signage, park space and improved landscaping along the major corridors.

At the start of the process, Planning Staff conducted 29 stakeholder interviews with a diverse group of citizens representing neighborhood residents, business owners, social service and educational representatives, and City officials and leaders. Information from the interviews helped identify strengths and limitations within the neighborhood, desired uses,

and the relationship between the neighborhood and the adjacent commercial corridors, downtown, and the greenway. The information helped set the stage for identifying plan goals and potential uses.

The City engaged with the community through two on-line platforms, a community visioning survey and community visioning tool. The survey was taken by over 100 people who shared ideas about what uses they envision in the neighborhood, priority projects, how they travel within and through the neighborhood, and their level of comfort using the existing streets within and surrounding the neighborhood. The community visioning tool was geared toward understanding residents preferences related to proposed streetscapes and provided an outlet for feedback on the development of the plan.

Four public open houses were held throughout the project specifically in June and December 2018 and in April and July 2019. Each open house focused on a different aspect of the plan starting with plan goals and objectives and was followed by recommendations on land use and transportation topics in December. In April 2019, the public was asked to comment on draft final alternatives and recommendations, and in July staff presented the draft plan and solicited questions and comments from those in attendance.

In addition, the plan has been discussed and presented to the following appointed and elected officials.

- City Council Study Session on September 12, 2019
- Transportation Commission on October 23, 2019 & December 4, 2019
- Planning Commission Study Session on November 11, 2019
- Bicycle and Pedestrian Advisory Committee on December 9, 2019

Planning staff has maintained a Liberty Park Neighborhood Plan project page on the City's website informing residents of upcoming meetings and plan development. The formal adoption of the plan will be evaluated through the public hearings process by both the Planning Commission and City Council, providing additional opportunities for residents to voice their opinions and recommendations regarding the plan.

## **Conclusions**

**Goal 1: Satisfied.** The plan has been developed and improved through the assistance of the NAC, through information obtained through stakeholder interviews and on-line surveys, as well as public comments during four public open houses. Also final comments from citizens can be provided during the public hearing process. This criterion is found to be satisfied.

### **Goal 2—Land-use Planning**

*Goal 2 requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.*

## **Findings**

The City of Medford has an acknowledged Comprehensive Plan and an adopted set of land use regulations to help ensure a land use process consistent with state law. The City was fortunate to receive a Transportation and Growth Management (TGM) grant from the State to help coordinate efforts between state and local agencies on the plan. Progress reports and updates were set to the Oregon Department of Transportation (ODOT) representative at identified intervals to inform of the plans progress. The development of the plan was guided by a twelve-member advisory committee and substantial public input and involvement was received from local residents and appointed and elected officials.

The adoption of the plan follows the Type IV legislative review process. This enables the public to provide additional comments and feedback on the plan through two public hearings. The Department of Land Conservation and Development (DLCD) was notified of the application to amend the City's Comprehensive Plan in early October 2019. Referral agencies both internal and external of the City, and including the Oregon Department of Transportation were notified of the proposal and afforded an opportunity to comment on the plan and challenge any inconsistencies with the City's adopted plans. Comments were received from Medford Engineering (**Exhibit E**), Medford Water Commission (**Exhibit F**) Jackson County (**Exhibit J**), Medford Fire Rescue (**Exhibit K**), and Medford Building (**Exhibit L**).

## **Conclusions**

**Goal 2: Satisfied.** The plan has developed through a coordinated effort between state and local officials and direct local support from a diverse mix of residents. The adoption process is in line with state and local land use laws and procedures. This criterion is found to be satisfied.

**Goal 3—Agricultural Lands** does not apply in this case.

**Goal 4—Forest Lands** does not apply in this case.

**Goal 5—Natural Resources, Scenic & Historic Areas, and Open Spaces** does not apply in this case.

**Goal 6—Air, Water, and Land Resources Quality** does not apply in this case.

**Goal 7—Areas Subject to Natural Hazards** does not apply in this case.

## **Goal 8—Recreation Needs**

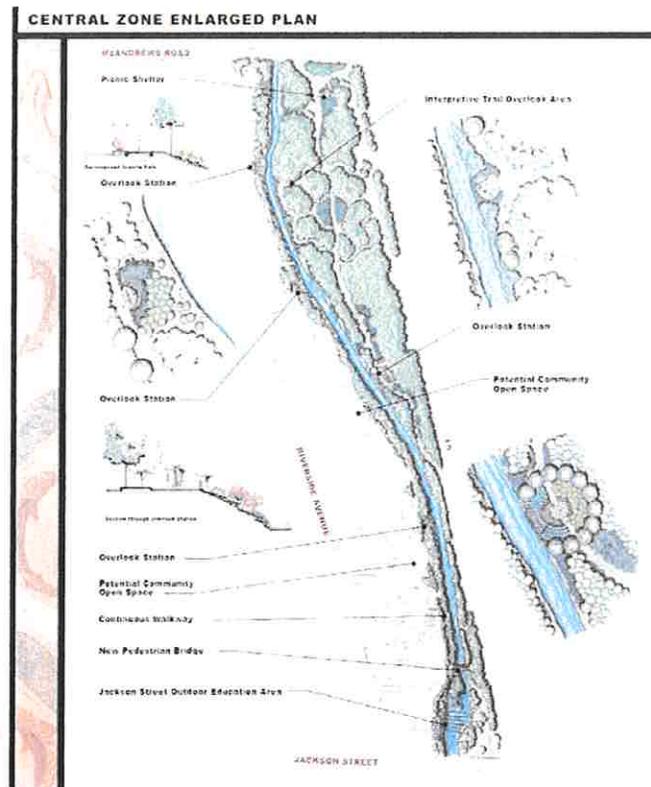
*Goal 8 seeks to satisfy the recreational needs of the citizens of the state and visitors, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.*

## **Findings**

The Liberty Park neighborhood includes park and open spaces, Bear Creek, and the Greenway trail on the east. Bear Creek is bordered by commercial development and is not readily accessible to residents in the neighborhood through safe pedestrian or creek crossings. The plan identifies upgrades to pedestrian crossings on Riverside Avenue and a future creek crossing for residents both within and outside Liberty Park to facilitate better use of these amenities. Discussions with the Parks Department led to the creation of a concept plan that envisions activating the space along Bear Creek with features such as a dog park, playground, and nature trails.



In addition, the Bear Creek Master Plan adopted in 2003 (see image below) outlines amenities such as overlook stations and a creek crossing along this segment of the creek. Future projects may require updates to the Bear Creek Master Plan.



Enhancements along Bear Creek Greenway and the creation of additional green spaces within the neighborhood were identified as important components of the plan.

### **Conclusions**

**Goal 8: Satisfied.** The Bear Creek Greenway is the largest green space within Liberty Park but is cut off from the residential core of the neighborhood making it challenging to access. Proposed enhancements through a creek crossing project and other pedestrian crossing projects along Riverside Avenue are proposed to better link the neighborhood to the creek. Additional green spaces are desired amenities within the neighborhood however no specific locations have been identified in the plan. This criterion is found to be satisfied.

### **Goal 9—Economic Development**

*Goal 9 requires local comprehensive plans and policies contribute to a stable and healthy economy in all regions of the state.*

### **Findings**

The residential center of the Liberty Park neighborhood is surrounded by commercial and industrial land uses. These land uses provide opportunities for infill, expansions or conversions of existing businesses, and new development to occur. Over the years new investment has taken place along the Court/Central and Riverside corridors including Kids Unlimited expansion, Options for Southern Oregon, Star Auto Body and Enterprise Rental Car. The plan focuses on continuing this trend of investment by identifying locations for redevelopment of sites and making transportation improvements that will support new development along these corridors. Economic changes in Liberty Park will help strengthen ties to downtown and other commercial centers.

### **Conclusions**

**Goal 9: Satisfied.** The plan supports economic advancements within the neighborhood. This criterion is found to be satisfied.

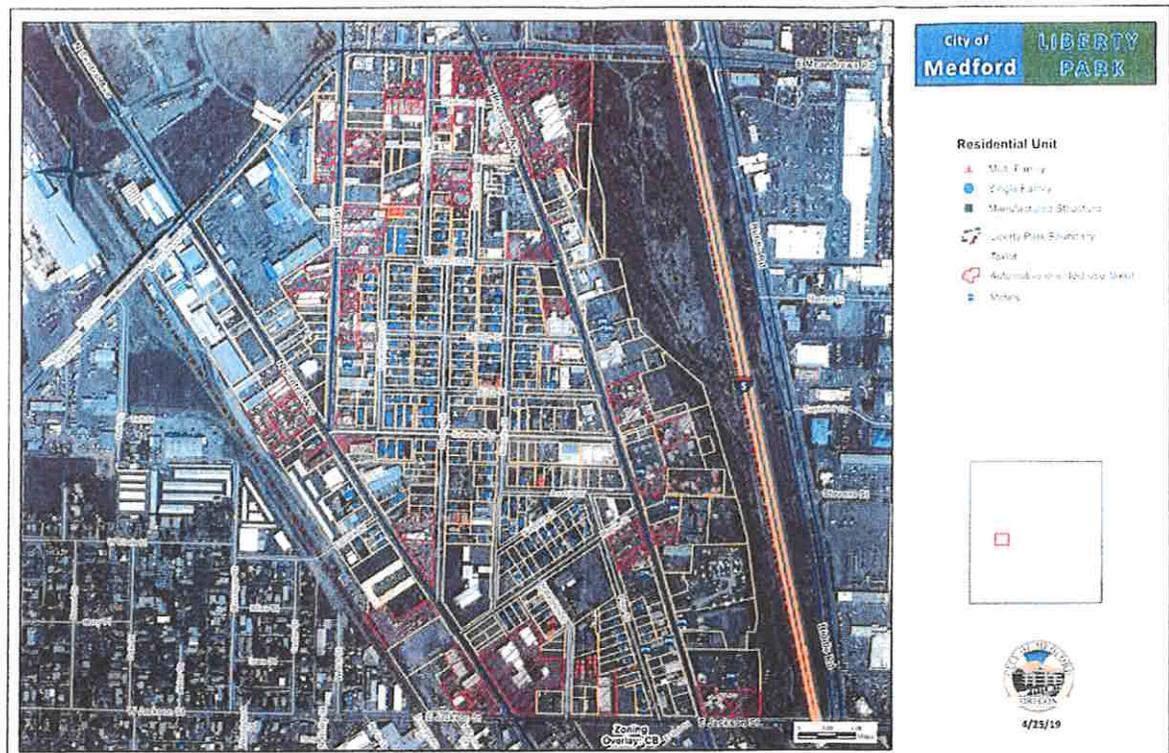
### Goal 10—Housing

*Goal 10 requires local jurisdictions to provide for the housing needs of its citizens and provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas developed or undergoing development or redevelopment.*

### Findings

Housing within the neighborhood is predominantly comprised of single family residences with pockets of multiple family dwellings. The Shirleen Mobile Home Park is located on Riverside Avenue. Motels exist mainly along Riverside Avenue but also on Court Street, some of which provide more extended stay housing options. Other types of social service housing assistance also exist within the neighborhood such as Hearts with a Mission and Rogue Retreat.

The plan seeks to provide infill or redevelopment opportunities within the residential core that may take the form of accessory dwelling units, duplexes up to five-plexes, live-work units, and cottage cluster housing. The commercial zones on the perimeter of the neighborhood provide other options for mixed use and multiple family developments.



## **Conclusions**

**Goal 10: Satisfied.** The plan seeks to provide quality, affordable, and attractive housing options for people of all incomes, ages, and needs. The neighborhood has a strong residential base that can be expanded upon to help create new housing units in a central location in the City. This criterion is found to be satisfied.

## **Goal 11—Public Facilities and Services**

*Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."*

## **Findings**

Transportation facilities are one component of the required infrastructure needed for development based on the City's Comprehensive Plan. A central focus of the plan evaluates the transportation needs within the neighborhood. Twenty-two distinct transportation improvements are identified that include projects such as the installation of bicycle facilities and sidewalk, vehicle speed reductions, traffic calming measures, and enhanced pedestrian crossings and bus stops.

The Liberty Park plan is identified in Action Item 8-b of the City's Transportation System Plan (TSP) which supports implementation of transportation improvements within specific neighborhood plans and requests coordination and consistency between the neighborhood plan and the TSP. Project B2 in the Liberty Park plan references Project #462 in the TSP related to street improvements, specifically the installation of bicycle facilities on Edwards Street. Edwards Street is the only minor collector street that runs east-west through the neighborhood. The description of the project in the Liberty Park plan was originally consistent with the TSP but further review of the project and the potential for future land use changes along Edwards Street necessitated a more flexible solution to be described. Therefore, an alternative is built in that would allow for the City to evaluate the cross section of Edwards Street through the lens of the City's legacy street provisions. This flexibility provides for a review of possible modifications to the cross section that may be more in

line with the existing and (future) development patterns occurring on the street.

There are existing water, sewer, and storm drain infrastructure within the neighborhood. A detailed evaluation of the condition of these facilities was not conducted as part of the plan. Comments from the Engineering Department indicate there is capacity in the sanitary sewer collection system to support future zone changes within the neighborhood (**Exhibit E**). Storm drain facilities also exist within the project boundary and new projects would be able to connect to these facilities. Liberty Park has existing water lines and fire hydrants in the majority of the streets. The Medford Water Commission would review any proposed improvement projects to evaluate the sizing of existing facilities (**See Exhibit F**).

### **Conclusions**

**Goal 11: Satisfied.** Liberty Park has existing utility infrastructure that can be used and upgraded as development occurs. A central focus of the plan is to provide transportation improvements that benefit the neighborhood and City overall. This criterion is found to be satisfied.

### **Goal 12—Transportation**

*Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a "safe, convenient and economic transportation system. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule ("TPR"). The TPR contains numerous requirements governing transportation planning and project development.*

### **Findings**

Please see transportation findings outlined in Goal 11 above (Public Facilities and Services).

### **Conclusions**

**Goal 12: Satisfied.** The Liberty Park plan outlines transportation projects that help create a safer, enhanced multi-modal system that is consistent with the goals of the state and the City's adopted TSP. This criterion is found to be satisfied.

### **Goal 13—Energy Conservation**

*Goal 13 seeks to conserve energy*

#### **Findings**

Liberty Park is an established neighborhood located in close proximity to downtown and other commercial and residential areas making it a model for how compact development can help the City conserve energy. The plan seeks to make transportation facilities more multi-modal and provide better connectivity to surrounding locations helping to encourage new means of travel by residents. Other improvements such as alley upgrades, establishing new green spaces, and planting trees within the neighborhood are other important ways to conserve energy. Also, by improving existing building stock and creating infill opportunities less resources are expended because infrastructure exists to serve the planned land uses.

#### **Conclusions**

**Goal 13: Satisfied.** Focusing improvements in Liberty Park helps to ensure the viability of the neighborhood into the future and creates more energy efficiencies through infrastructure, compact development patterns, and enhanced transportation options. This criterion is found to be satisfied.

Goal 14—Urbanization does not apply in this case.

Goals 15–19 do not apply to this part of the State.

*Comprehensive Plan, Review and Amendments chapter: Amendments [to Implementation Strategies] shall be based on the following [criteria 1–6]:*

- 1. A significant change in one or more Goal or Policy.*

#### **Findings**

The Liberty Park Neighborhood Plan and its Goals, Policies and Implementation Strategies are new additions to the Comprehensive Plan as outlined in Exhibits B and C. There are no existing Goals and Policies to modify with this proposal.

#### **Conclusions**

**Criterion 1: Not Applicable.** New Goals, Policies, and Implementation Strategies are being added to the Comprehensive Plan to reflect the Liberty Park Neighborhood Plan. There are no current Conclusions to modify or

change with this project. This criterion is found to be not applicable as there are no existing Goals, Policies, or Implementation Strategies to amend related to the Liberty Park Neighborhood.

2. *Availability of new and better strategies such as may result from technological or economic changes.*

### **Findings**

The Liberty Park neighborhood is a gateway to the City's downtown center and is one of the oldest established neighborhoods within the City. Its residential core is surrounded by commercial and industrial activity making it a very unique and ideal neighborhood setting if proposed improvements (such as sidewalk infill, enhanced street crossings, and speed reductions) are completed to balance the interplay between the different uses. Opportunities for development and redevelopment of sites are noted within the plan, and investments have already started occurring with the growth of Kids Unlimited, Hearts with a Mission, Star Auto Body, NW Pineapple, and Options for Southern Oregon. However, the neighborhood is not without its challenges that exist with some current businesses (e.g. motels) and societal issues (homelessness, crime, and aging buildings) which cause strain on the neighborhood overall.

The updated neighborhood plan provides guidance to modify the built environment through a number of transportation and park projects which in turn help improve the neighborhood and provide support for reinvestment and new investment in the residential core and outer commercial/industrial areas. An economic strengthening of this neighborhood is positive for downtown and the City as a whole.

### **Conclusions**

**Criterion 2: Satisfied.** The Liberty Park Neighborhood Plan refocuses attention to this established and centrally located neighborhood within the City. The list of projects and land use considerations within the plan will guide future changes to support continued growth and improvements within the neighborhood.

3. *Demonstrable ineffectiveness of present strategy(ies).*

**Findings**

In 2002, a collaborative effort among residents, community members, and city officials helped create the Liberty Park Neighborhood Revitalization Action Plan. The plan was recognized by the City Council by Resolution No. 2003-225 in August 2003. In the years that followed, few changes occurred in the neighborhood, leaving room for additional work to be accomplished.

Preceding the completion of the Urban Growth Boundary expansion, in 2014, the City evaluated changes to nearly 500 acres of land within the City limits to gain efficiency in needed land uses. The Liberty Park area was included in this evaluation and modifications to approximately 19 acres were made to the General Land Use Plan map from Urban Residential to Urban Medium Density Residential (land bounded by Manzanita, Boardman, Edwards, and properties east of Niantic). Although this area is mostly developed, the idea was to create redevelopment opportunities as its location is optimal due to its proximity to downtown and other commercial centers.

In 2017, renewed focus was placed on the Liberty Park Neighborhood through efforts of the MURA Board. The City followed alongside by re-engaging citizens within the neighborhood and creating an updated neighborhood plan through a detailed and citizen informed planning process.

The proposed plan will be incorporated into the Comprehensive Plan giving it more emphasis within the City's land use framework than the previous plan.

**Conclusions**

**Criterion 3: Satisfied.** The previous objectives of the 2002 plan which relate to housing, mobility, connectivity to the natural environment and downtown, and enhanced economic and educational opportunities for the residents have been incorporated into the goals of the 2019 neighborhood plan. It is unclear why the previous plan did not maintain momentum, but renewed attention has been directed at this neighborhood to help realize positive changes and to complete identified projects deemed important to the stability and growth of Liberty Park.

4. *Statutory changes affecting the Plan.*

**Findings**

The proposal focuses attention on the Liberty Park neighborhood and establishes a plan that is specific to this locale. The plan was not written in order to address statutory changes.

**Conclusions**

**Criterion 4: Not Applicable.** There are no statutory changes that affect the plan. This criterion is not applicable to the proposal under consideration.

5. *Demonstrable budgetary constraints in association with at least one of the above criteria.*

**Findings**

The plan outlines twenty-two transportation projects within the neighborhood to be completed. The project costs are estimated at approximately \$8.2 million. The plan does not identify direct funding sources for each project. However, it is anticipated that MURA will review the list and identify projects to fund that best align with the mission of the Agency and that are deemed appropriate uses of MURA's tax increment resources under state law. Preliminary discussions are already underway among the MURA Board and the MURA Advisory Committee regarding first round projects to implement. The projects discussed to date include modifying the speed limit within the residential core of the neighborhood to 20 miles per hour, restriping Central Avenue from Court/Edwards Street to Jackson Street with parking and bicycle lanes, and evaluating changes on Bartlett Street.

In addition, Planning staff has begun discussing funding options with Engineering staff. Some of the funding sources discussed include but are not limited to MURA funds, annual funding dedicated through the Transportation System Plan (TSP) for bicycle and sidewalk improvements (a request would be made for a portion of this funding in the next budget cycle through the Bicycle and Pedestrian Advisory Committee (BPAC) and a formal recommendation through the Transportation Commission (TC) to City Council), and Safe Routes to School grants. A detailed review of the projects and possible funding sources still needs to be outlined in order to assist with implementing the plan.

### **Conclusions**

**Criterion 5: Satisfied.** The twenty-two transportation projects outlined within the plan are categorized generally into near (11), medium (7) and long (4) term projects. Discussions regarding projects to be funded through MURA have begun and a more in-depth review will occur once the plan is adopted. Aside from MURA funds, a more formal evaluation of project funding will be analyzed in preparation for the next City budget cycle and opportunities available through state and federal funding sources.

#### *6. All applicable Statewide Planning Goals.*

### **Findings**

The pertinent Statewide Planning Goals for the project have been addressed in detail in Criterion 6 above.

### **Conclusions**

**Criterion 6: Satisfied.** The Liberty Park Neighborhood Plan is in compliance with the applicable Statewide Planning Goals. This criterion is found to be satisfied.

### **RECOMMENDED ACTION**

Based on the findings and conclusions that all of the applicable criteria are satisfied or not applicable, forward a favorable recommendation for approval of CP-19-004 to the City Council per the staff report dated December 5, 2019, including Exhibits A through L.

### **EXHIBITS**

- A Liberty Park Neighborhood Plan and Appendices
- B Amendments to the Neighborhood Element
- C Amendments to the Goals and Policies Element
- D Motel service call data between 2017-2019
- E Comments from the Engineering Department
- F Comments from the Medford Water Commission
- G City Council Study Session Minutes, September 12, 2019
- H Transportation Commission Meeting Minutes, December 4, 2019 (Not yet available)

- I Planning Commission Study Session Minutes, November 11, 2019
- J Comments from Jackson County
- K Comments from Medford Fire-Rescue
- L Comments from Medford Building
- M Bicycle and Pedestrian Advisory Committee Meeting Minutes,  
December 9, 2019 (Not yet available.)

**PLANNING COMMISSION AGENDA:**

**DECEMBER 12, 2019**

## **Exhibit A**

### 2019 Liberty Park Neighborhood Plan and Appendices

The plan and appendices noted above can be found under the Liberty Park page on the City's website at the following links:

#### **Plan**

[https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan\\_November%202019\\_1\(1\).pdf](https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan_November%202019_1(1).pdf)

#### **Appendices**

<https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Appendix%20-%20Reduced.pdf>

Exhibits B and C  
Neighborhood Element & Conclusions, Goals, and Policies Element

## Medford Comprehensive Plan

### Chapter 10

# Neighborhood Element

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#### Introduction

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

#### Contents

Introduction .....	27
10.1 Southeast Plan .....	Error! Bookmark not defined.
10.2 Southeast Circulation Plan .....	Error! Bookmark not defined.
10.3 Bear Creek Master Plan .....	Error! Bookmark not defined.
10.4 Urbanization Planning.....	Error! Bookmark not defined.
10.5 Liberty Park Neighborhood Plan.....	Error! Bookmark not defined.

## 10.5 Liberty Park Neighborhood Plan

Adopted by Medford City Council on Month, Date, Year  
Ordinance no. 2020-~~XX~~

### 1. Introduction

2. Public Engagement

3. Land Use Recommendations

4. Transportation Recommendations

5. Transportation Projects

Appendix A - Comprehensive Plan and Zoning Amendments

Appendix B - Technical Memoranda

Appendix C- Public Involvement and Title IV/Environmental Justice Summary

The entire Liberty Park Neighborhood Plan, as adopted as part of the Medford Comprehensive Plan, has been printed as a separate document which contains all of the chapters and appendices noted above. The plan and appendices can be viewed in paper format at the Medford Planning Department (200 South Ivy Street, Medford, Oregon 97501) and is available on the City's website at the following links:

Plan:

[https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan\\_November%202019\\_1\(1\).pdf](https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan_November%202019_1(1).pdf)

Appendices:

<https://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Appendix%20-%20Reduced.pdf>

## NEIGHBORHOOD ELEMENT

Adopted 3/7/2013 by Ord. 2013-42; Amd Urbanization Planning 11/15/2018 by Ord. 2018-131; Amd Liberty Park Plan XX/XX/2020 by Ord. 2020-XX

### LIBERTY PARK NEIGHBORHOOD PLAN – CONCLUSIONS

1. The 2019 Liberty Park Plan identified the following:

a. Liberty Park is one of the City's oldest and most established neighborhoods, with a diverse mix of residents and businesses. It includes a mix of housing, commercial, and retail businesses, educational and other institutions, and industrial uses, while serving as a gateway to the Downtown, other commercial areas, and the Bear Creek Greenway.

b. Liberty Park lacks a complete and reliable network of sidewalks and safe and convenient crossings, and has little in the way of bicycle infrastructure, making access and mobility within and outside the neighborhood a challenge.

c. There are opportunities through redevelopment to create multi-modal connections from the Liberty Park neighborhood to the Bear Creek Greenway, downtown, and other commercial and residential areas which would be a benefit to local residents, visitors, and employees.

d. Several parcels within the Liberty Park neighborhood are vacant or underutilized, and their redevelopment supports the goals of the Liberty Park Neighborhood Plan.

e. Residential and mixed-use development and redevelopment is desired in the plan area's commercial corridors.

f. The neighborhood is facing issues of crime, illegal dumping, and homelessness.

### LIBERTY PARK NEIGHBORHOOD PLAN – GOALS, POLICIES, AND IMPLEMENTATION MEASURES

Goal 1: Make Liberty Park Neighborhood a safe neighborhood for residents to walk, bicycle, and socially interact through design of private development and public spaces.

Policy 1-A: The City of Medford shall implement the transportation projects of the Liberty Park Neighborhood Plan through a variety of sources which may include its Capital Improvement Plan, Transportation System Plan, private development, and other relevant processes and sources.

**Policy 1-B:** The City of Medford shall implement an overlay zone for the neighborhood that includes site and design standards and multi-modal requirements of development and redevelopment in the area.

**Goal 2:** Enhance and promote social services and law enforcement that meet community needs and help minimize crime and the impacts of homelessness on the neighborhood.

**Goal 3:** Create and maintain a happy, health, attractive, and vibrant neighborhood for residents and business owners through a shared sense of responsibility, accountability, ownership, and respect.

**Goal 4:** Create, maintain and enhance places within the neighborhood that contain resources to enrich lives, including parks, gathering places and other educational and community facilities and services that enhance the neighborhood and improve the lives of people within it.

**Goal 5:** Provide quality, affordable, attractive housing for people with a range of incomes, ages, and needs through development and redevelopment of a full range of housing types and mixed residential and commercial development.

**Policy 5-A:** The City of Medford shall implement an overlay zone and other development code amendments for the Liberty Park Neighborhood that support development and redevelopment of a variety of housing types and mixed uses.

**Policy 5-B:** The City of Medford shall evaluate potential rezoning of properties that better reflect existing and potential uses in the neighborhood and the goals of the neighborhood plan.

**Goal 6:** Support creation and expansion of local businesses, including those that serve neighborhood residents and workers and provide products that meet every day needs.

**Goal 7:** Conserve natural resources, preserve the natural environment and provide access to nature, including connectivity to the Bear Creek Greenway.

**Policy 7-A:** The City of Medford shall work to create bicycle and pedestrian access to the Bear Creek Greenway from Riverside Drive.

**Implementation 7-A(1):** Work with the City of Medford Parks and Recreation Department to identify one or more preferred locations for access from the neighborhood to Bear Creek Greenway.

**Implementation 7-A(2):** Require development and redevelopment of properties east of Riverside Drive to provide access and amenities, as identified in adopted plans.

**Implementation 7-A(3):** Implement an improved pedestrian crossing on Riverside Avenue with wayfinding, and signage to support access to the Bear Creek Greenway from the Liberty Park neighborhood.

**Goal 8:** Support the creation of family wage jobs and advanced educational opportunity to the residents of the neighborhood.

**Goal 9:** Connect this neighborhood into the downtown economy and to other parts of the City through improvement and maintenance of an efficient, effective transportation system that supports all types of travel, including walking, bicycling, driving, and transit.

**Policy 9-A:** The City of Medford shall evaluate and implement a reconfiguration of OR-99 (Court/Central and Riverside) as described in the Liberty Park Neighborhood Plan in order to improve multi-modal travel, reduce speeds, and increase the aesthetic appeal along these facilities.

**Policy 9-B:** The City of Medford shall partner with the Rogue Valley Transit District to locate bus stops to better connect to local activity centers and pedestrian crossings within the Liberty Park Neighborhood.

# Exhibit D

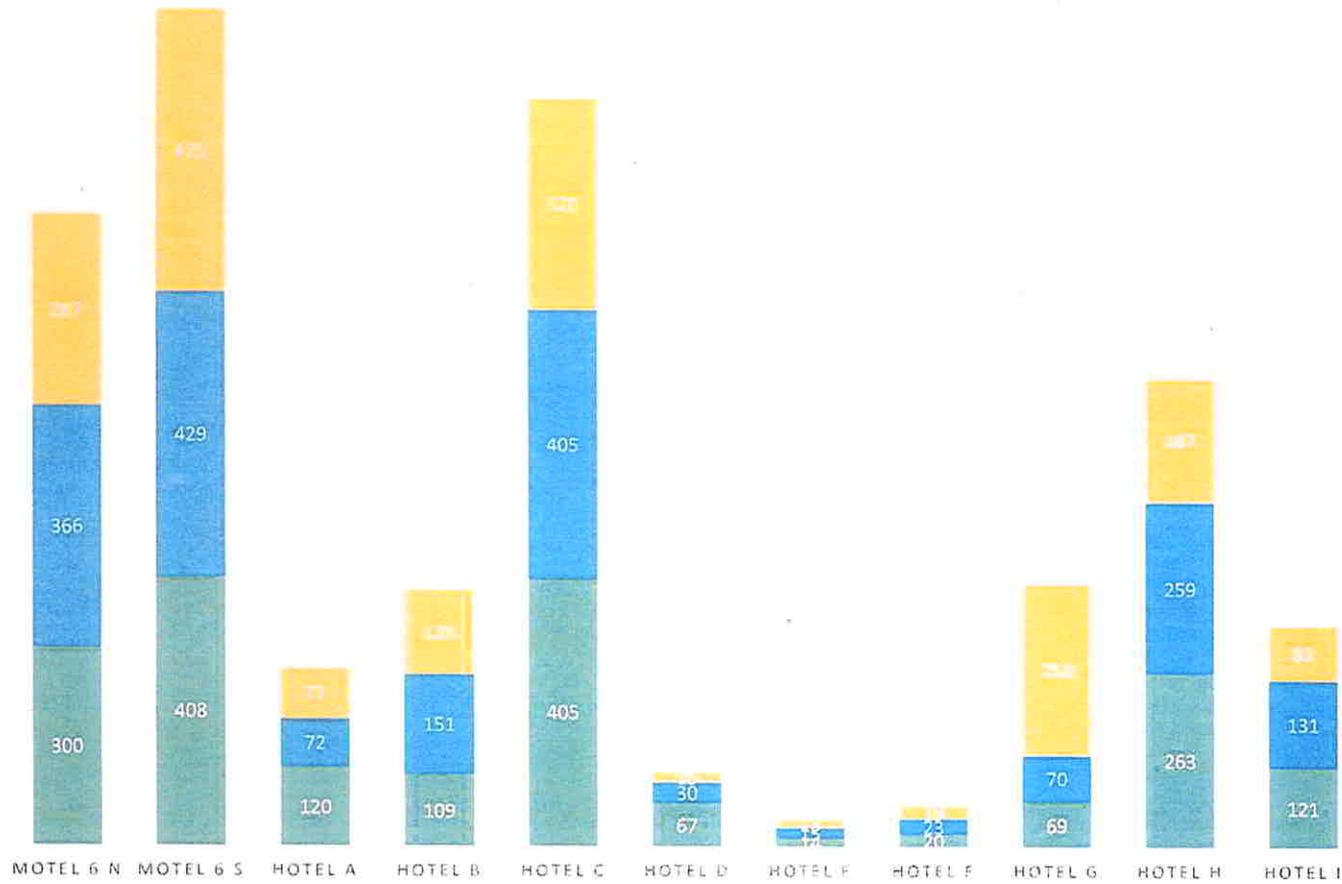


**MEDFORD**  
OREGON



## CALLS FOR SERVICE BY YEAR

2017 2018 2019



Created by E. Greb 11/05/2019 @ 0900



LD DATE: 11/6/2019

File Number: CP-19-004

## **PUBLIC WORKS DEPARTMENT STAFF REPORT**

### **Liberty Park Neighborhood Plan Major Comprehensive Plan Amendment**

Project: Legislative amendment to incorporate the Liberty Park Neighborhood Plan in to the Neighborhood Element Goals and Policies section of the Comprehensive Plan.

Applicant: City of Medford

Planner: Carla Paladino, Principal Planner – Long Range Division

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

Capacity exists in the sanitary sewer collection system to support the zone changes if the zone changes were applied for at this time.

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

The City of Medford has existing storm drain facilities in the area. The Liberty Park neighborhood would be able to connect to these facilities at the time of development. The Liberty Park neighborhood may 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 plan talks about requiring development or redevelopment in certain areas to provide better pedestrian access to the Bear Creek Greenway and coordinating the Bear Creek Greenway connection with an enhanced crossing project across Riverside. Public Works recommends that an additional study be completed to identify which of the four Bear Creek Greenway connections shown in the plan is desired so these items can be implemented in the correct locations.

Public Works recommends removing the timelines associated with the priority on page 17 since there is no identified funding stream.

Prepared by: Jodi K Cope

Reviewed by: Doug Burroughs

City of Medford

200 S. Ivy Street, Medford, OR 97501

(541) 774-2100

cityofmedford.org



## BOARD OF WATER COMMISSIONERS

### *Staff Memo*

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

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

**SUBJECT:** CP-19-004

**PARCEL:** N/A

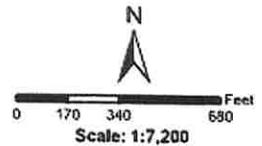
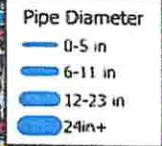
**PROJECT:** Legislative amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element Goals and Policies section of the Comprehensive Plan. Planner, Carla Angeli Paladino.

**DATE:** November 6, 2019

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

#### COMMENTS

1. The proposed Liberty Park Neighborhood Plan is in an older part of town, Medford Water Commission has existing water lines and fire hydrants in most streets within the proposed Liberty Park area.
2. Upon submittal of proposed improvement projects within the Liberty Park area, water lines and fire hydrant coverage will be reviewed by Medford Water Commission for possible required up sizing of water lines.



**Water Facility Map**  
**City of Medford**  
 Planning Application:  
 CP-19-004  
 Nov 6, 2019

**Legend**

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



# Exhibit G

## City Council Study Session Minutes - Excerpt

### MINUTES

September 12, 2019

6:00 P.M.

Prescott Room, Medford Police Station

219 South Ivy Street, Medford, Oregon

The Medford City Council Study Session was called to order at 6:00 p.m. in the Prescott Room of the Medford Police Station on the above date with the following members and staff present:

Mayor Gary Wheeler; Councilmembers Clay Bearson, Kay Brooks (arrived at 6:11 p.m.) Tim D'Alessandro, Dick Gordon, Alex Poythress, Eric Stark, Kevin Stine, Michael Zarosinski (arrived at 6:07p.m.); City Manager Brian Sjothun, Deputy City Manager Eric Zimmerman, City Attorney Lori Cooper, Deputy City Recorder Winnie Shepard

Councilmembers Tim D'Alessandro and Dick Gordon were absent.

#### Liberty Park Plan

Principal Planner Carla Paladino outlined the history of the Liberty Park Neighborhood Plan, noting that this study session was to provide revision recommendations to the draft plan and to receive direction from Council. She advised that the plan recognizes the needs and wants of the residents of that area.

The City received a grant from the state last year for this project. A team was created, consisting of the [Liberty Park] Neighborhood Advisory Committee, City of Medford staff and APG and Jacobs Consultants was assembled to work on the Plan. They determined the following goals:

- Create a safe neighborhood
- Minimize crime and impacts of homelessness
- Enhance places and lives
- Increase quality and range of housing options
  1. Maintain existing historic housing while increasing the housing options
- Support and foster local businesses
- Promote family wages jobs and educational opportunities
- Make better connections to the greenway, downtown and other areas

## Land Use Considerations

- Seek opportunities for infill and redevelopment
- Enhance the Bear Creek Greenway and park spaces
- Create a land use framework
- Partner with law and code enforcement

### Transportation Projects:

- Traffic calming – reducing speed, reducing lanes, etc.
- Greenway connections
- Lane reconfigurations – lane reductions/configurations on Central and Riverside
- Sidewalk infill; providing a buffer from traffic
- Bicycle network; connectivity
- Bus stop relocations
- Pedestrian crossings; improve safety
- Alley improvements

Ms. Paladino provided the draft plan to Council and requested revisions, suggestions and corrections.

Council discussed the potential lane reduction on Riverside. Ms. Paladino advised that through public outreach, approximately 50% of citizens approved the lane reduction. Councilmember Brooks believed that three lanes of traffic in each direction was excessive; there are only four lanes on the freeway.

Councilmembers agreed that the area's streetscaping/aesthetics needed improvement.

Council discussed funding options. Ms. Paladino advised that the City received funding for study, but not for implementation. The team did not consider funding options; the grant was limited to the Plan.

Councilmember Zarosinski questioned whether the Greenway improvements proposed in the Plan were included in the Greenway Master Plan. They were not included in the Greenway plan, but the team did review it.

Council discussed the significant blight, and chronic nuisance properties in the neighborhood. Councilmember Brooks noted that the [Liberty Park] Neighborhood Advisory Committee has been discussed blight at length.

Medford Urban Renewal Director Harry Weiss advised that the Plan is a guiding document for how the City Council and MURA can align services and leverage resources to complete area improvements. He advised against closing the blighted hotels as people were using them as residences. Although it wasn't ideal housing, closing them could potentially create homelessness.

Ms. Paladino clarified that she will bring back the final plan in December and a Council meeting in January. There were no objections.

The meeting adjourned at 7:11 p.m.

Winnie Shepard, CMC  
Deputy City Recorder

# PLANNING COMMISSION STUDY SESSION MINUTES



Exhibit I  
**MEDFORD**  
OREGON

November 11, 2019

12:00 P.M.

Lausmann Annex, Room 151

200 S. Ivy Street, Medford, Oregon

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The regular meeting of the Planning Commission was called to order at 12:00 noon in the Medford Lausmann Annex, Room 151, 200 S. Ivy Street, Medford, Oregon on the above date with the following members and staff in attendance:

Commissioners Present

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

Staff Present

Kelly Evans, Assistant Planning Director  
Eric Mitton, Deputy City Attorney  
Carla Paladino, Principal Planner

Commissioner Absent

David Culbertson, Excused Absence

20. Subject

20.1 CP-19-004 Liberty Park Neighborhood Plan Review

Carla Paladino, Principal Planner recognized Commissioner Foley. He was on the Liberty Park Neighborhood Advisory Committee. They met six times over the course of fifteen to sixteen months.

The boundaries of the project encompassed land south of McAndrews, west of Interstate 5, north of Jackson Street and east of the railroad tracks.

In 2002 an action plan for the neighborhood was created. However, the plan was never formally adopted into the Comprehensive Plan. In August of 2017 the City was awarded a Transportation and Growth Management Grant to receive outside consultant help to update the plan. In June of 2018, the advisory committee was formed. In April 2018, the Medford Urban Renewal Agency (MURA) Substantial Amendment was approved. The neighborhood plan is to guide future Medford Urban Renewal Agency investments. Also, help realize a new vision for the neighborhood.

There were twenty-nine stakeholder interviews that included neighbors, business owners, social service agencies, City Manager and anyone that had a thought on the project. A neighborhood advisory committee was formed with twelve members that had six meetings. There were two community surveys online and staff held four open houses.

The plan talks about goals, land use recommendations and transportation recommendations.

The first open house and meeting with the advisory committee was to hear what people envisioned for the neighborhood, goals and what are they trying to accomplish. What staff heard the most was to create a safe neighborhood, minimize crime and impacts of homelessness, enhance places and lives, increase quality, range of housing options, support and foster local businesses, promote family wage jobs and educational opportunity and make better connections to the Greenway, Downtown and other neighborhoods.

For land use review the main topics in the plan are to look for infill and redevelopment opportunities. The Medford Urban Renewal Agency purchased approximately three acres for redevelopment on the west side of Central Avenue.

Commissioner McFadden asked, does that include the warehouses in that area? Ms. Paladino replied yes.

Other elements of the land use review are to enhance the Bear Creek Greenway and park spaces, evaluate uses, GLUPs and zoning, create site and design standards, and partner with law and code enforcement to address negative activities.

The plan is heavy on transportation projects. There are twenty-two projects outlined under eight main categories, projects address all modes, help accomplish the stated goals related to connectivity and safety, and test ideas with pilot projects.

Traffic calming would reduce traffic speeds (interior to 20 mph and along major roadways to 25 mph). Launch a "20 a Plenty" campaign within the neighborhood, pilot project for traffic calming along streets that have been noted as problematic, pilot project for diagonal diverters (redirect traffic) and look for opportunities for traffic calming at Pine and Maple with traffic circles, speed humps, bulb out, or chicanes.

Lane configuration would modify the configuration on Riverside and Central to slow traffic, add bicycle lanes to provide connectivity and opportunity to travel along these roadways, less travel lanes makes it easier for pedestrians to cross these major streets, and reduce speed from 30 mph to 25 mph.

Bicycle network could possibly add sharrows and signage to the street letting people know to share the road with bicycles, help make the connection from the Neighborhood to Downtown, Edwards Street is the only higher order street that bisects the residential core of the neighborhood, the Transportation System Plan includes a project that would add bicycle facilities, depending on the future land use pattern of Edwards, a different cross section may be looked at, corresponds to the Transportation System Plan project #462.

The Greenway Crossing is to find the best location to provide crossing after further study. The possibilities would be Manzanita, Alice, Edwards and Austin. This is a long term project.

For sidewalk infill the Plan includes a project to install missing sidewalks within the residential core of the neighborhood and within the commercial / industrial areas. In total, approximately three miles of sidewalk are proposed to be installed to provide safe places for residents and visitors to walk and visit.

For bus stop relocations there are existing bus stops along Riverside and along Court / Central. The project would look at relocating three of the locations in coordination with the pedestrian crossing enhancement at these locations. Coordination with Rogue Valley Transportation District would be needed.

Another improvement would be alley improvements. Since the open house in July, an alley improvement project was added to the list of projects. These create better access to existing homes, provide opportunities for storm water drainage and improve aesthetics and how the space is used and functions. The project looks at four main alleys located within the core.

The next steps for the draft plan is to make final edits to the Plan and prepare the Plan for adoption. The hearing schedule was originally scheduled for the Planning Commission hearing on November 14, 2019. Staff is not ready so they will request a continuance to the December 12, 2019 Planning Commission meeting and January 16, 2020 to City Council.

Commissioner Mansfield asked, how does staff suggest the City be involved in support and foster local businesses and promote family wage jobs? What do cities do to promote and support local businesses and support family wage jobs in a particular area? Ms. Paladino responded it is allowing for better and easier use of home occupations. They have not picked a solution to family wage jobs. It could be bringing in businesses that may help people that live there.

Commissioner Mansfield asked, is staff suggesting that the City taxes should be spent for increasing quality and range of housing options? There are a lot of possibilities. Ms. Paladino replied that it is the entire gamut of possibilities. Everything from potentially funding from the Medford Urban Renewal Agency to help for housing rehabilitation using some of the CDBG dollars. Looking at opportunities for changes along the commercial core (vacant lots how to get

people to want to build multi-family or mixed-use) and promoting the neighborhood as a location that is close to Downtown. Infill strategies would be looking at the zoning use possibilities.

Commissioner Mansfield asked, what is the motel issues about? Ms. Paladino stated that there is a lot of crime at the hotels in the area that are causing issues to the neighborhood. In some of the locations the police are getting over four hundred calls per year. Commissioner Mansfield asked, how does Planning play a part in solving that? Ms. Paladino replied that there is a pilot that happened with Motel 6 through the Police Department that helped reduce the number of calls and crime occurring. Eric Mitton, Deputy City Attorney reported that it is under the chronic nuisance property ordinance. When there is a certain number of certain types of calls for service the City can reach out and state that the business needs to setup an abatement plan to address the issues. If they don't the City has the ability to shut down the business for a twelve month window. That brought Motel 6's corporate counsel to make changes on how they do business. They brought in on-site private security. Their number of theft and drug calls have plummeted at Motel 6 south. That is a good model of how an affordable motel can successfully address some of the drug and crime issues while still catering to the affordable market. Ms. Paladino stated that there are strong feelings from some of City Council members that they would like the City to buy some of the motels and change them into different types of housing.

Chair McKechnie asked, is there enough single family housing for the neighborhood to survive? He is wondering if that is not the solution they want to spend money on. Ms. Paladino reported that the General Land Use Plan designations in some of the area are MFR designations. Areas that are SFR-10 need to be rezoned. The lots are small so the impact should be minimal. There would be small increments of units. The idea is not to disrupt the residential core but make changes to the outer edges.

Commissioner McFadden asked, how do we protect the existing housing? Vice Chair Foley commented that the committee talked about an overlay that allows more flexibility to put duplexes. Also, mixing businesses and residential together. Residents that engaged heavily with the committee basically owned a single-family home.

Chair McKechnie commented that other jurisdictions have created an enterprise zone for something like this. It comes with a monetary incentive to redevelop.

Commissioner Mansfield stated that enterprise zones means the rest of the taxpayers subsidize that area. He is not necessarily opposed to that but he is speaking reality.

Chair McKechnie commented not necessarily. The development pays the impact of whatever that development is by fees like System Development Charges.

Commissioner Pulver asked, does the Medford Urban Renewal Agency own this going forward and how do we prioritize projects? Ms. Paladino responded that it would be multi-departmental. For bicycle and pedestrian projects annually the Transportation System Plan has funding that is fluid. Could the Bicycle and Pedestrian Advisory Committee prioritize some of the things happening in Liberty Park in the next biennium? The Medford Urban Renewal Agency has an advisory committee that are looking at land reconfiguration and the crossing at Jackson. The Parks Department probably has a piece in terms of the Greenway.

Commissioner Pulver asked, who owns and is responsible for the Greenway? Ms. Paladino responded the Parks Department.

Commissioner Pulver asked, does the Oregon Department of Transportation (ODOT) have jurisdiction on Riverside, Court and Central? Ms. Paladino replied they are our streets, however, if the City impacts anything north or south on ODOT's facilities they will have to be identified.

Commissioner McManus's understanding is that on the outer edges of Liberty Park if there is some type of a configuration pilot or test the zones would be changed. He is on the MURA Advisory Committee. At the collaboration of making sure some of the outer boundary changes will be reflected to take advantage of some of the Transportation changes. Ms. Paladino replied that staff updated the text about the lane reconfiguration to two travel lanes, one bike lane and parking.

Chair McKechnie commented on the design standards stating that in a transitional neighborhood they tend to be a "buzz kill" on stuff. He suggested to be careful of imposing design standards on this. Rather than doing an enterprise zone perhaps the first project in or the second project gets a waiver on fees or additional design support. Ms. Paladino stated that the design standards would also be site standards.

100. Adjournment

101. The meeting was adjourned at approximately 12:42 p.m.

Submitted by:



Terri L. Richards  
Recording Secretary



## JACKSON COUNTY *Roads*

### **Roads Engineering**

**Chuck DeJanvier**  
*Construction Engineer*

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

October 25, 2019

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

RE: Comprehensive Plan Amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan.  
Planning File: CP-19-004

Dear Carla:

Thank you for the opportunity to comment on the request for Comprehensive Plan Amendment to incorporate the Liberty Park Neighborhood Plan into the Neighborhood Element and Goals and Policies section of the Comprehensive Plan. Jackson County Roads have the following comments:

1. Please contact the Oregon Department of Transportation for comments.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck DeJanvier'.

**Chuck DeJanvier**  
Construction Engineer

## Medford Fire-Rescue Land Development Report

### Review/Project Information

**Reviewed By:** Kleinberg, Greg

**Review Date:** 10/30/2019

**Meeting Date:** 11/6/2019

**LD File #:** CP19004

**Planner:** Carla Paladino

**Applicant:** City of Medford

**Site Name:** Liberty Park Neighborhood

**Project Location:** Liberty Park Neighborhood

**ProjectDescription:** Legislative amendment to incorporate the Liberty Park Neighborhood Plan in to the Neighborhood Element Goals and Policies section of the Comprehensive Plan.

Visit:

<http://www.ci.medford.or.us/SIB/files/Liberty%20Park%20NH%20Plan%20-%20Revised%20Oct2019.pdf>

### Specific Development Requirements for Access & Water Supply

#### Conditions

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

### Construction General Information/Requirements

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

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

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

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

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



MEMORANDUM

To: Carla Angeli Paladino, Planning Department  
From: Chad Wiltrout, Building Department (541) 774-2363  
CC: Applicant, City of Medford  
Date: November 5, 2019  
Subject: CP-19-004\_Major Comp Plan Amendment – Liberty Park Neighborhood Plan

*Please Note:*

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

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

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

*General Comments:*

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.



# MEDFORD

BUILDING SAFETY

4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. Permits required for any new structures or additions.