

SITE PLAN & ARCHITECTURAL COMMISSION AGENDA APRIL 15, 2016



Commission Members

Jeff Bender, Chair

Jim Quinn, Vice Chair

Jim Catt

Bill Chmelir

Tim D'Alessandro

Bob Neathamer

Marcy Pierce

Curtis Turner

Rick Whitlock

City Council Liaison - Dick Gordon

City Council Liaison Alt. - Eli Matthews

Regular Commission meetings are held on
the first and third Fridays of every month

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380



Site Plan and Architectural Commission

Agenda

Public Hearing

April 15, 2016

12:00 P.M.

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

-
10. **Roll Call.**
 20. **Consent Calendar/Written Communications.**
 - 20.1 AC-16-005 Final Order for consideration of plans for a 9,181 sq. ft. Discount Tire Store on a 1.22 acre lot within the I-L (Light Industrial) zoning district. Subject site is located on the north side of Crater Lake Highway, approximately 300 feet northeast of the Crater Lake Highway and Whittle Avenue intersection (Maplot 371W18A3000). Discount Tire, Applicant (AAI Engineering, Agent).
 30. **Minutes.**
 - 30.1 Approval of minutes for the April 1, 2016, meeting.
 40. **Oral and Written Requests and Communications.**
 50. **Public Hearings.**
 - New Business.**
 - 50.1 AC-15-162 Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office building. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the northwest and Highway 238 on the south within the C-S/P (Service Commercial /Professional Office) and I-L (Light Industrial) zoning districts. Tatum Real Estate, Inc., Applicant/Agent.
 60. **Written Communications.** None.
 70. **Unfinished Business.** None.
 80. **New Business.**
 90. **Report from the Planning Department.**
 100. **Messages and Papers from the Chair.**
 110. **Propositions and Remarks from the Commission.**
 120. **City Council Comments.**
 130. **Adjournment.**

BEFORE THE MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF SITE PLAN AND ARCHITECTURAL COMMISSION)
FILE AC-16-005 APPLICATION FOR PROJECT REVIEW SUBMITTED) ORDER
BY DISCOUNT TIRE)

AN ORDER granting approval of plans for a 9,181 sq. ft. Discount Tire Store on a 1.22 acre lot within the I-L (Light Industrial) zoning district. Subject site is located on the north side of Crater Lake Highway, approximately 300 feet northeast of the Crater Lake Highway and Whittle Avenue intersection (Maplot 371W18A3000).

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.285.
2. The Site Plan and Architectural Commission has duly held a public hearing on the matter of an application plans for a 9,181 sq. ft. Discount Tire Store on a 1.22 acre lot within the I-L (Light Industrial) zoning district. Subject site is located on the north side of Crater Lake Highway, approximately 300 feet northeast of the Crater Lake Highway and Whittle Avenue intersection (Maplot 371W18A3000), with a public hearing a matter of record of the Site Plan and Architectural Commission on April 1, 2016.
3. At the public hearing on said application, evidence and recommendations were received and presented by the Planning Department staff; and
4. At the conclusion of said public hearing, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded, granted approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of approval.

THEREFORE LET IT BE HEREBY ORDERED that the application of Discount Tire, stands approved subject to compliance with the conditions stated in the Staff Report dated March 25, 2016.

AND LET IT FURTHER BE OF RECORD that the action of the Site Plan and Architectural Commission approving this application is hereafter supported by the following findings:

- (a) That the proposed development, with the conditions of approval, complies with the applicable provisions of all city ordinances as determined by the staff review.

FINAL ORDER AC-16-005

(b) That the proposed development is compatible with uses and development that exist on adjacent land, based upon information provided in the Applicant's Questionnaire and presented at the public hearing.

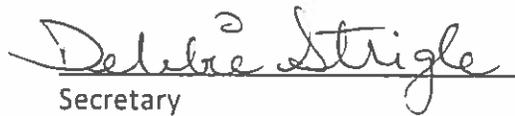
BASED UPON THE ABOVE, it is the finding of the Medford Site Plan and Architectural Commission that the project is in compliance with the criteria of Section 10.290 of the Land Development Code.

Accepted and approved this 15th day of April, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary



Site Plan and Architectural Commission Minutes

From Public Hearing on April 1, 2016

The regular meeting of the Site Plan and Architectural Commission was called to order at noon in the Council Chambers on the above date with the following members and staff in attendance:

Commissioners Present

Jeff Bender, Chair
Tim D'Alessandro
Bob Neathamer
Marcy Pierce
Curtis Turner
Rick Whitlock
Dick Gordon, City Council Liaison

Staff Present

Jim Huber, Planning Director
Kevin McConnell, Deputy City Attorney
Eric Mitton, Senior Assistant City Attorney
Desmond McGeough, Planner III
Debbie Strigle, Recording Secretary

Commissioners Absent

Jim Catt, Excused Absence
Bill Chmelir, Excused Absence
Jim Quinn, Vice Chair, Excused Absence

10. **Roll Call.**

20. **Consent Calendar/Written Communications.**

20.1 AC-15-154 Plans for the construction of a residential four-unit apartment building on a 0.27 acre parcel, located on the corner of Skyhawk Ridge Drive and Viewcrest Drive within the MFR-20 (Multiple-Family Residential – 20 dwelling units per gross acre) zoning district. Unis Family Trust-Ronald Unis Trustee, Applicant (Hoffbuhr & Associates/Dennis Hoffbuhr, Agent).

Motion: Adopt the consent calendar and revised Final Order.

Moved by: Commissioner Whitlock **Seconded by:** Commissioner D'Alessandro

Voice Vote: Motion passed unanimously, 5-0-1, with Commissioner Neathamer abstaining.

30. **Minutes.**

30.1 The minutes for the March 18, 2016, meeting, were approved as submitted.

40. **Oral and Written Requests and Communications.** None.

50. **Public Hearings.**

Kevin McConnell, Deputy City Attorney, read the rules governing the public hearings.

Continuance Request

50.1 AC-15-162 Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of

commercial and office building. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the northwest and Highway 238 on the south within the C-S/P (Service Commercial /Professional Office) and I-L (Light Industrial) zoning districts. Tatum Real Estate, Inc., Applicant/Agent.

Chair Bender asked for any conflicts of interest or ex-parte communications.

Desmond McGeough, Planner III, stated that the applicant requested this item be continued to the April 15, 2016, meeting.

Motion: Continue AC-15-162 to the April 15, 2016, meeting.

Moved by: Commissioner Neathamer Seconded by: Commissioner Turner

Roll Call Vote: Motion passed, 6-0

New Business.

50.2 **AC-16-005** Consideration of plans for a 9,181 sq. ft. Discount Tire Store on a 1.22 acre lot within the I-L (Light Industrial) zoning district. Subject site is located on the north side of Crater Lake Highway, approximately 300 feet northeast of the Crater Lake Highway and Whittle Avenue intersection (Maplot 371W18A3000). Discount Tire, Applicant (AAI Engineering, Agent).

Chair Bender asked for any potential conflicts of interest or ex-parte communications. There were none.

Desmond McGeough, Planner III, read the approval criteria, and gave a PowerPoint presentation of the March 25, 2016, Staff Report. Staff recommended approval.

The public hearing was opened and the following testimony was given:

- a) Craig Harris, AAI Engineering, agent for the applicant, gave a brief history of the company and said he had nothing to add to the staff report. He reserved time for rebuttal.

The public hearing was closed.

Motion: Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of AC-16-005 per the staff report dated March 25, 2016, including Exhibits A through S.

Moved by: Commissioner Neathamer Seconded by: Commissioner Turner

Roll Call Vote: Motion passed, 6-0

60. **Written Communications.** None.

70. **Unfinished Business.** None.

80. **New Business.** None.

90. **Report from the Planning Department.**

90.1 Jim Huber, Planning Director, stated there would be business scheduled for the April 15 and May 6, 2016, meetings.

90.2 Mr. Huber said that on April 21, 2016, City Council would be hearing a Street Vacation application on 2nd Street between the railroad tracks and Front Street.

90.3 Mr. Huber reported that City Council had taken action on the Urban Growth Boundary (UGB) Amendment. They adopted Option 4, the Grand Bargain.

90.4 Mr. Huber announced the City had hired a new City Attorney. He added they had also retained the service of private counsel attorney, Jeff Conditt, to assist with the UGB Amendment. Mr. Huber said the UGB adopted plan will be submitted to Jackson County for review, likely in June or July. After the county has reviewed the plan, it will then go on to the State.

100. Messages and Papers from the Chair. None.

110. Propositions and Remarks from the Commission.

110.1 Commissioner Neathamer announced he would not be able to attend the April 15, 2016, meeting.

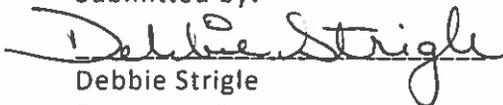
110.2 Kevin McConnell, Deputy City Attorney, introduced new Senior Assistant City Attorney, Eric Mitton. Mr. Mitton will be the counsel for this Commission.

120. City Council Comments. None.

130. Adjournment.

130.1 The meeting was adjourned at approximately 12:35 p.m. The proceedings of this meeting were digitally recorded and are filed in the City Recorder's office.

Submitted by:



Debbie Strigle
Recording Secretary

Jeff Bender
Site Plan and Architectural Commission Chair

Approved: April 15, 2016



Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a Type-C quasi-judicial decision: **Architectural and Site Plan Review**

PROJECT Northgate Center Office Park
 Tatum Real Estate, Inc., Applicant; Dillion Tidwell, Agent

FILE NO. AC-15-162

TO Site Plan and Architectural Commission *for April 15, 2016 hearing*

FROM Desmond McGeough, Planner III *[Signature]*

DATE April 8, 2016

BACKGROUND

Proposal

Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office buildings. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the northwest and Highway 238 on the south within the C-S/P (Service Commercial/Professional Office) and I-L (Light Industrial) zoning districts.

Subject Site Characteristics

Zoning	C/S-P, I-L	Service Commercial and Professional Office, Light-Industrial
GLUP	SC,GI	Service Commercial, General Industrial
Use	Vacant land	

Surrounding Site Characteristics

North	C-C, C-H	Grocery Store, Restaurants, Auto Repair, Office, Mini Storage
South	C-R, C-H	Northgate Marketplace Phase I & II
East	C-C, C-R	Miscellaneous Retail, Rogue Valley Mall
West	I-L, C-H	Vacant Land (Northgate Center Business Park), Office, Coffee Kiosk

Related Projects

- CP-06-065 Comprehensive Plan Amendment to GI to CM, SC
- ZC-06-066 Zone Change to C-R, C-S/P and I-L
- CP-11-041/ Amend the conditions of approval associated with the 2006
- ZC-11-042 Comprehensive Plan and Zone Change approvals the Northgate Centre Development.
- AC-11-076 Northgate Marketplace Master Site Plan
- AC-11-093 Northgate Marketplace Phase I Site Plan
- AC-15-032 Costco Warehouse at Northgate Marketplace (Withdrawn)
- AC-15-133 Northgate Marketplace Master Site Plan Revision & Phase II Final Site Plan

Applicable Criteria

Medford Land Development Code (MLDC) §10.290

The Site Plan and Architectural Commission shall approve a site plan and architectural review application if it can find that the proposed development conforms, or can be made to conform through the imposition of conditions, with the following criteria:

- (1) The proposed development is compatible with uses and development that exist on adjacent land; and
- (2) The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in MLDC § 10.253.

Corporate Names

The current property owner of the entire 18.83 acre Northgate Center Office Park Component is Northgate Center LLC. Patrick G. Huyke is identified as the Registered Agent of Northgate Center LLC.

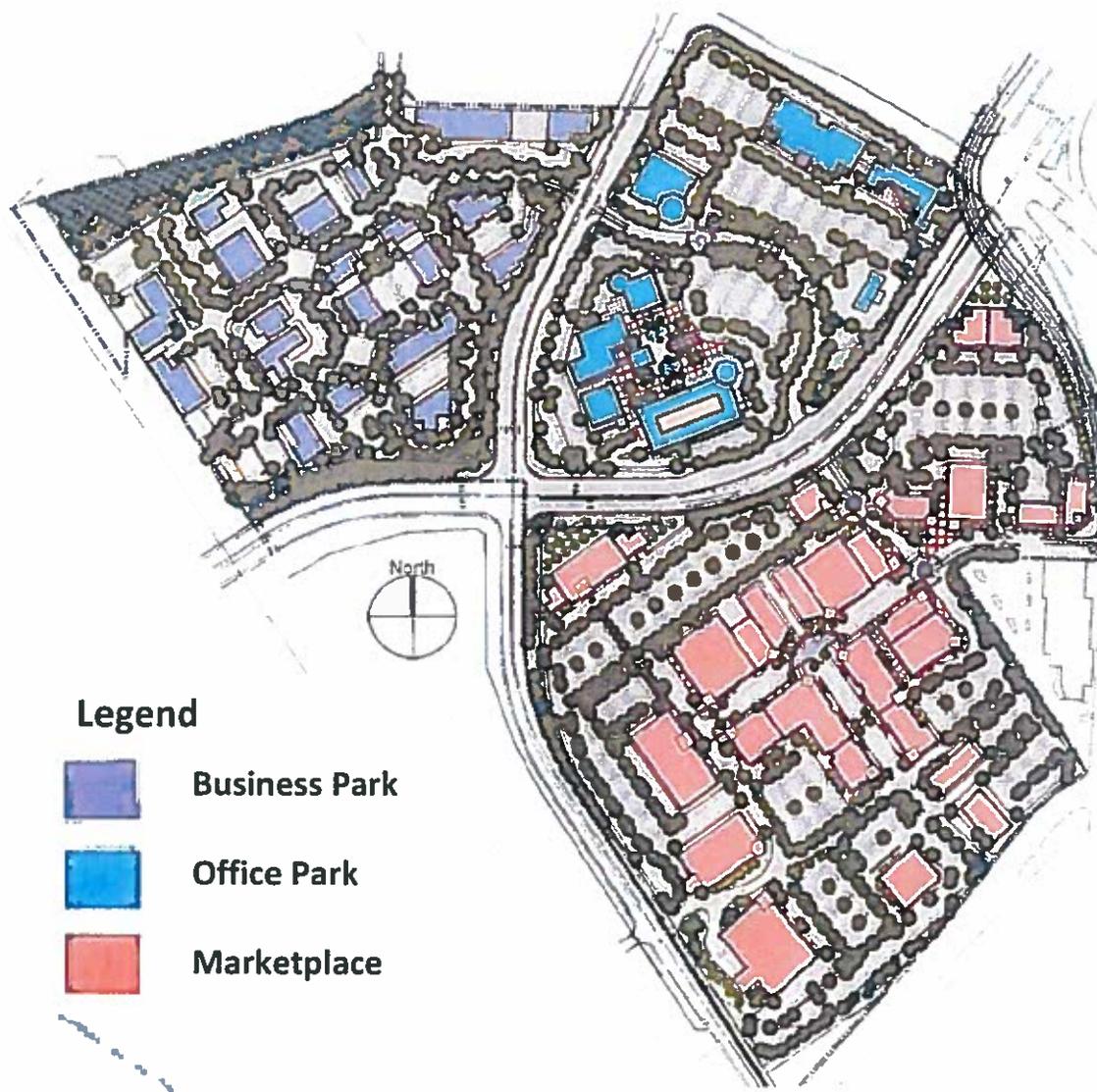
ISSUES AND ANALYSIS

Northgate Centre Overview

The Northgate Centre Office Park is one of three components encompassed by the Northgate Centre development. Overall, Northgate Centre consists of 84.07 net acres, located upon three quadrants of where State Highways 238, 62 and 99 intersect. The project site was once home to the Medco Lumber Mill.

Northgate Centre Development Concept Plan (ZC-06-065 / CP 06-066)

Component	Location	Zone District	Use	Acres	Building Square Footage
Northgate Marketplace	SE Tripartite	C-R	Mixed Retail	40.05	417,500
Northgate Centre Office Park	NE Tripartite	C-S/P, I-L	Office, Restaurants	18.85	219,300
Northgate Centre Business Park	NW Tripartite	I-G, I-L	Industry, Manufacturing	22.85	180,000



The Northgate Marketplace is located south of the North Gate Office Park and is entirely located within the C-R (Regional Commercial) zoning district. Northgate Centre Business Park is located to the west of the subject site and is located in the I-G (General Industrial) and I-L (Light Industrial) zone districts. Northgate Centre Office Park is located within the I-L and C-S/P (Service Commercial – Professional Office) zone districts.

The Northgate Center Office Park component is located at the northeast corner of Highway 62 and Central Avenue. The 2006 master conceptual plan demonstrated a 219,300 square foot office park located upon the 18.83 acres. The office park will provide an up-scale urban campus containing professional offices mixed with restaurant uses. The subject application seeks to secure the Master Plan approval of the entire 18.83 acre site and a Final Site Plan approval for a portion of the office park.

The proposed Northgate Centre Business Park is located at the northwest corner of the intersection and is located within the I-G zone district. This component is intended to serve as an incubator for traded sector manufacturing. The industrial park provides 180,000 square feet of industrial space located on a 22.85 acre site. Both the Office Park and Business Park have not yet commenced and are vacant at the present time.

To date, the Northgate Marketplace retail shopping center is partially developed. Phase I is completely constructed and anchored by tenants such as Trader Joes, REI, Petco and Ulta. Phase II is currently under construction and will be anchored by stores such as Dicks Sporting Goods, Field and Stream, Home Goods and Marshalls. Northgate Marketplace Phase III is approved at a master plan level and needs a final site plan approval before commencing. Northgate Marketplace Phase III is currently vacant, though a shopping center drive providing access to McAndrews Road bifurcates this remaining phase.

The Northgate Centre Development is limited to a maximum amount of building square footage as a condition of approval for the Comprehensive Plan Amendment and Zone Change applications. The building square footage limitation has the effect of placing a traffic generation “trip cap” to address transportation system facility adequacy issues identified in the traffic impact analysis (TIA), which is part of the approved Comprehensive Plan Amendment and Zone Change applications.

Northgate Centre - Application History

On March 1, 2006, a Comprehensive Plan Map Amendment request (CP-06-065) to amend the General Land Use Plan (GLUP) map from HI (Heavy Industrial), GI (General Industrial) and CM (Commercial) designations to the HI, GI, CM and SC (Service Commercial) designations was submitted concurrently with a Zone Change application. The Planning Commission heard testimony on both the Comprehensive Plan

Amendment and the Zone Change applications. On October 26, 2006, the Planning Commission forwarded a favorable recommendation on the Comprehensive Plan Amendment to the City Council. The Planning Commission also found that the zone change application met the required criteria of the Land Development Code, subject to conditions of approval. The Final Order for Zone Change ZC-06-066 was approved November 9, 2006, subject to Council approval of the concurrent application for GLUP Map Amendment.

The Medford City Council conducted a public hearing regarding the Comprehensive Plan Amendment application on November 16, 2006, and deliberated the item at the December 7, 2006 Council meeting. The Medford City Council at its December 21, 2006, meeting passed Ordinance No. 2006-264, subject to conditions, approving CP-06-065, a minor amendment of the Comprehensive Plan. The City Council also adopted Ordinance No. 2006-296, an ordinance affirming the decision of the Planning Commission regarding the Northgate Zone Change application (ZC-06-066). The applicants entered into a Disposition and Development Agreement (DDA) with the City of Medford on November 6, 2008, which addressed off-site infrastructure requirements and the approval process for Master Site Planning and Final Site Planning approvals.

The applicants submitted development applications (CP-11-041, ZC-11-042) on March 15, 2011, to amend the conditions of approval associated with the 2006 Comprehensive Plan and Zone Change approvals of the Northgate Centre Development (CP-06-065 & ZC-06-066 respectively). In summary, the Comprehensive Plan Amendment application and the associated Zone Change amendment requested the following: 1) allow for the off-site traffic mitigation improvements to be phased in conjunction with the built-out square footage of the development; 2) remove requirements for specific architectural features and design theme as a condition of Council approval of the Concept Plan; and 3) allow for flexibility for future project design revisions to be brought forward as design review applications to the Site Plan and Architectural Commission (SPAC) rather than through an amendment to the original Comprehensive Plan Amendment (CP-06-065), which is heard by the City Council.

The Planning Commission held a public hearing on June 9, 2011, on the consolidated application and recommended approval to the City Council regarding the Comprehensive Plan Amendment application. The Commission also directed staff to prepare a Final Order for approval of the zoning amendment application, subject to Council approval of the Comprehensive Plan Amendment application (CP-11-041). On July 9, 2011, the City Council approved application CP-11-041 (Ord. 2011-122), changing the conditions of approval for the Northgate Centre development. The Planning Commission approved the Final Order changing the conditions of approval regarding the zoning amendment application on July 14, 2011.

On August 18, 2011, the applicant received City Council approval on an Amended Disposition and Development Agreement, which incorporated the new conditions of approval, consistent with the approval of CP-11-041 and ZC-11-042 (Ord. 2011-163). There were no other substantive changes proposed for the DDA.

Per the 2006 approval of the Comprehensive Plan Amendment and Zone Change applications as amended, the applicant must receive SPAC approval of a Master Site Plan for each component of the Northgate Centre prior to the submittal of a final site plan. A master site plan for the Northgate Marketplace Component was considered, and the Final Order was approved by the Site Plan and Architectural Commission on September 2, 2011. The Site Plan and Architectural Commission subsequently held a public hearing on the Northgate Marketplace Phase I (AC-11-093) on September 16, 2011 and adopted the Final Order for approval of the Phase I plan on October 7, 2011.

A revision to the Northgate Marketplace Master Site Plan and a Final Site Plan for Northgate Marketplace Phase II (AC-15-133) was submitted in 2015. The final order for AC-15-133 was approved by the Site Plan and Architectural Commission on December 4, 2015. Changes to the Northgate Marketplace Master Plan were relatively minor in nature. Revisions included: reducing the number of intersecting driveways at the project round-a-bout, reorienting direction of buildings, shifting pad sites and splitting larger building space into smaller buildings. The approved revision to the Marketplace Master Plan did not increase the total amount of building square footage associated with the Northgate Centre retail component.

Northgate Centre Disposition and Development Agreement

Per the approved Disposition and Development Agreement, the approved Northgate Marketplace Master Site Plan will be effective for the entire term of the DDA. The term of the DDA established is period of 10 years, commencing on the Effective Date on which the DDA is executed. Therefore the Northgate Marketplace Master Plan is effective through August 18, 2021. The Developers shall have the option of extending the Term upon written notice to the City.

Per the DDA, each component of the development shall be subject to the Medford Land Development Code (MLDC) standards which are in place at the time of the approval of a Master Site Plan for each subject component.

Phase I Off-Site Transportation Improvements

Per the DDA and conditions of approval for the Northgate Centre Comprehensive Plan Amendment and Zone Change, the applicant was required to construct at their sole expense, four off-site transportation improvements prior to development of Phase I. Northgate Marketplace constructed the following offsite improvements with Phase I:

Phase I off site transportation improvements

Location	Improvement
Biddle Road at McAndrews Road	Construct turn lane
Highway 238 at Ross Lane	Construct traffic signal
Highway 238 at NB Sage Road	Construct northbound to eastbound right turn lane and half street improvement for future five lane section of Sage Road
McAndrews Road (south side, Central Avenue to Court Street)	Construct sidewalk along south side of McAndrews Road

The remaining required off-site transportation improvements will be phased in conjunction with the built-out square footage of the development. Applicants will construct the off-site improvements in accordance with the approved DDA timing provisions (Exhibit R - DDA Exhibit 3). Specific off-site improvements are triggered as overall project building square footage reaches a target threshold. Thus far, building permits issued for Northgate Marketplace Phase I & II total 258,590 square feet, and therefore have not exceeded the 300,000 square foot threshold that triggers the next off site street improvement.

The next required off site street system improvement is the construction of a north bound Central Avenue right hand turn lane at the Pacific Highway (Highway 99) intersection. The proposed Northgate Center Office Park Phase I development consists of a total of 58,243 square feet. Combined, Phase I & II of the Marketplace and Phase I Office Park comprise a total of 316,833 square feet. Under the assumption that all building permits for this phase are issued prior to issuance of permits for Northgate Center Office Park Phase II, Northgate Marketplace Phase III or the Northgate Center Business Park, the right hand turn on Central Avenue will be constructed prior to the completion of this phase. If development permits associated with this phase trigger a requirement to construct the right hand turn lane on Central Avenue, the improvement qualifies for Street System Development Credits pursuant to Section 3.1.1 of the Development Agreement.

Proposed Northgate Office Park Master Plan

The Office Park Master Plan (Exhibit E) demonstrates a total of 187,301 square feet of office and restaurant uses encompassed by fourteen buildings across the 18.83 acre site. Phase 1 consists of a total of 58,293 square feet of restaurant and office use on approximately 8.5 acres. Buildings A through F are comprised of one story structures

and Building G is a multi-story office structure. Most of Phase I is located in the C-S/P zone district. Phase II includes a total of 129,058 square feet of office space, located in both one- and two-story structures. Phase II consists of a total of 10.3 acres. The 7.8 acres south of the proposed development collector access drive spanning east to west is located within the I-L zone district. The area north of the collector driveway in Phase II is approximately 2.5 acres in size and is zoned C-S/P. The tables provided below specify the building square footage and parking provided for each of the two phases in the Northgate Center Office Park.

Based on the combination of uses identified by the applicant, the Northgate Center Office Park requires a total of 710 spaces under the Medford Land Development Code (MLDC). The applicant has provided a total of 745 spaces for both phases, which are 35 spaces over the minimum requirement. It should be noted that the applicant has submitted a parking study, consistent with provisions of MLDC 10.743 (3) (Exhibit C). Regarding the number of spaces needed for the Phase I development, their narrative identifies that, based on the Institute of Transportation Engineers (ITE) peak hour data, the minimum of 330 spaces required by code for Phase I exceeds the anticipated need for parking by over 20 %. This will be discussed further in the Phase I section on parking.

As noted on the master plan, the full 219,300 square foot allocation for the Northgate Office Park established by the zone change application (ZC-06-065) is not fully utilized in this master plan submittal. It is feasible that the 32,000 square feet not included within this plan could be developed by the addition of buildings or floors within the office component. However, to do so would require a revision to the Northgate Office Park master plan.

Phase One NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS			
LOT	BUILDING AREA	PARKING REQ'D	PROVIDED
A	4500 S.F.	20.3	20
B	10,000 S.F.	30	32
C	2,300 S.F. & 2,500 S.F.	50.1	52
D	9,113 S.F.	72	82
E	2,500 S.F. & 2,500 S.F.	32.5	33
F	4,830 S.F.	58	58
G	20,000 S.F.	60	70
TOTAL	58,243 S.F.	322.8	347

Phase Two NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS				
BLDG	FLRS	BLDG AREA	PARKING REQ'D	PROVIDED
A	2	24,350 S.F.	73	74
B	1	15,600 S.F.	46.8	48
C	1	10,250 S.F.	30.8	33
D	2	47,235 S.F.	141.7	147
E	1	3,600 S.F.	10.8	12
F	2	15,975	47.9	42
G	2	12,050	36.2	41
TOTAL		129,058 S.F.	387.2	398

Total NORTHGATE CENTER

BUILDABLE AREA	
Allowable Buildable Area	219,300 S.F.
Proposed Phase One Total Area	58,243 S.F.
Proposed Phase Two Total Area	129,058 S.F.
Remaining Allowable Buildable Area	31,999 S.F.

Northgate Center Office Park Phase I Final Site Plan Design

The Phase I final site plan (Exhibit D) includes a total of 58,023 square feet of restaurant and office space encompassed by several buildings across the 8.5 acre site. The current mix proposed for Phase I includes a financial institution, drive through restaurants, a sit down restaurant and two office buildings. Six of the seven buildings are single story. Building G, which is approximately 20,000 square feet, is a multi-story general office building. With the submittal of this Final Site Plan application for Northgate Center Office Park, pad site building locations, building foot prints, parking areas along with conceptual building elevations and Phase I architectural material palette have been provided for consideration and approval of SPAC. The combination of buildings does exceed 50,000 square feet; however, the smaller buildings of the campus-like development do not trigger the requirement for the "Large Retail Site Design Standards" (MLDC 10.725) as the Northgate Center Marketplace to the south did.

The six of the seven pad sites within the Phase I of the Office Park are located adjacent or near the arterial street right of way, which allows for parking to be located behind the buildings and generally screened from the street. The proposed site design and juxtaposition of buildings near the frontage, along with frontage landscaping should provide a pleasant streetside appearance from the arterial roads.

As noted above, the parking for Phase I is generally located between behind the buildings along the Pacific Highway and Rossanley Drive and designed with various orientations, divided by large landscape areas and has generous augmentation of landscape planters. Phase I does not have any area of parking which might be considered expansive.

There are two points of ingress into Phase I. The east access is through the adjoining parcel containing the balance of the office park which provides right-in right-out access to Rossanley Drive. The second point of access to Phase I is located at the northwest corner of the site, adjacent to Lot "A". This access provides right-in, right-out access to north Central Avenue. This access is considered temporary and will be eliminated when the Central Avenue right hand turn to southbound Pacific Highway is warranted and constructed. When this street improvement is needed, the alternate access through the adjoining office park site will be constructed for arterial access to occur at the mid-block of North Central Avenue.

The existing Hopkins Canal runs through the middle of the site located adjacent to Lot "E" and Lot "G". The subject facility will be piped and placed underground. The area above the canal will generally be part of the site landscaping area, except where the main driveway through Phase I crosses the facility.

The Final Site Plan demonstrates large areas of landscaping along the arterial streets, and in most cases the frontage landscape area significantly exceeds the 10 foot required landscape area. The proposed tree schedule utilizes a blend of deciduous trees, flowering trees and coniferous trees for spring and fall color and to provide year round foliage. The rear façade of buildings containing service area loading docks are generously screened by plant materials. It should be noted that the applicant has placed many plazas in the area surrounding the roundabout, enhancing the node as activity center and focal point for the development. Phase I project landscaping is discussed in detail further below.

It should be noted that that the Disposition and Development Agreement (DDA) allows that detailed and specific architectural elevations need not be submitted for review of the Site Plan and Architectural Commission with a final site plan when the general size and location of buildings have been submitted, considered and approved by the Commission. Per the DDA, finished and specific building plans and architectural elevations can be subsequently submitted and approved via a "Stage Three" administrative approval process if it is demonstrated in the Stage Three submittal that the proposal is consistent the final site plan, concept landscape plan, architectural palette and architectural character of the development. The Director shall make the determination within 25 working days after the filing of the plans with the Planning Department. The Director's determination of architectural consistency and substantial conformance with the Final Site Plan is Class E, ministerial action.

This application seeks final site plan approval of building locations and size, parking areas, vehicular and pedestrian circulation and landscaping areas for the development. The developer will submit final architectural and landscaping plans for "Stage Three" ministerial decision for each lot within the development. When a stage three decision

has been made on a lot, staff will provide notice and development exhibits to the Commission at the next scheduled Commission meeting.

Architecture, Color and Materials (Exhibit F)

The architectural character of the development could be expressed as “contemporary” with an emphasis on clean, horizontal lines. The buildings consist of a complementary mixture of three types of stucco, board and batten material, split face block and rough texture CMU block, standing seam metal roofing and roof parapets which artistically combine to provide a healthy composition of materials without becoming excessively ornate. The body color of site buildings include tan, cream and muted greenish grey colors. Aluminum store front windows are heavily employed in the development which will be often shaded by a heavy timber awning with rusted corrugated canopy.

Roof architecture is diversified, with varying building heights of buildings, parapet walls, and heavy timber tower elements situated at primary entrances of each building. Use of charcoal stone columns and wainscot provides a grounding effect while all other portions of the building to appear lighter. It seems that the designer of the Office Complex considered thematic occurring at the Marketplace without simply duplicating architecture and materials. Architectural form and materials submitted include items such as: knee bracing elements, large tower entries, large eaves, and grounding brick elements. These features seem to pull from the Marketplace center concepts without establishing exact duplication. This provides a unique sense of identity for the Office Park while blending into overall Northgate Center development.



PAD BUILDING



OFFICE BUILDING PERSPECTIVE



Phase I Concept Landscaping Plan

The Phase I Landscape Plan (Exhibit I) provides detailed representations of the landscaping treatments that will be employed throughout Phase II of the development. The arterial road frontages are landscaped with a variety of ground covers and street trees, providing nearly full surface coverage. Site exterior landscaping buffers, in most circumstances, far exceed requirements of the *MLDC*. The Parks Department recommends that the Commission approve the Conceptual Landscape Plan as submitted.



Phase I Vehicular Circulation/ Parking

As noted above in the Master Plan discussions, there are two points of ingress/egress to the Phase I Office Park development. Both points provide right-in right-out access. When the temporary access point is eliminated to Central Avenue, the alternative access to the mid-block will be constructed. If Central Avenue becomes City jurisdiction, the mid-block access will provide right-in right-out and left in from southbound Central Avenue. It will also provide traffic movement straight across to the Industrial Park for the Northgate Center trolley system.

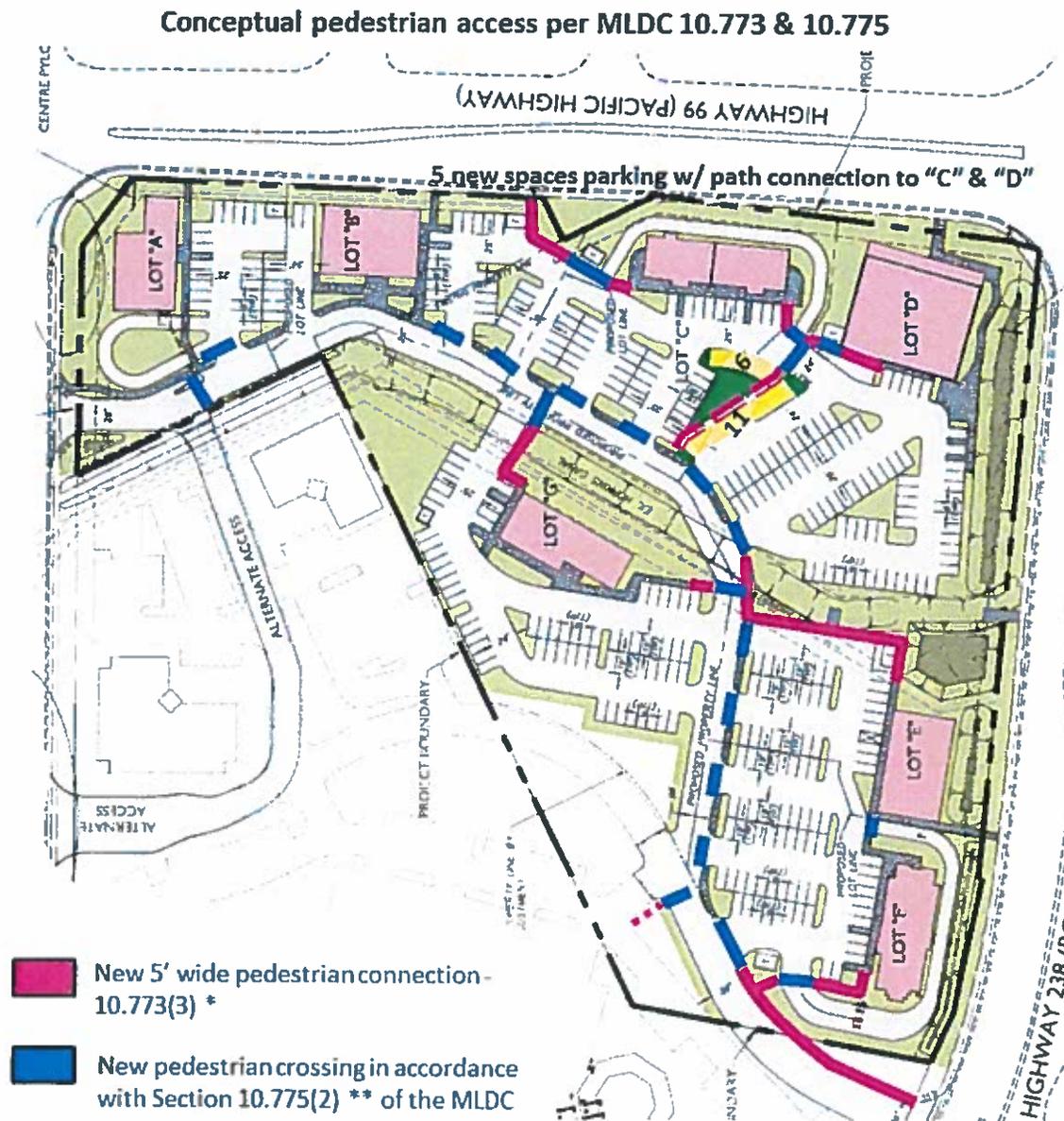
Parking to individual small parking lots feeds off the main collector that runs through Phase I. A total of 347 spaces have been provided, which exceeds MLDC standards by 17 spaces. The applicant has submitted a parking study, consistent with provisions of MLDC 10.743(3) in their narrative (Exhibit B) regarding the number of spaces needed for the Phase I. The study, based on the Institute of Transportation Engineers (ITE) peak hour data, identifies that the 330 spaces minimum parking spaces required by the MLDC for Phase I exceeds the anticipated need for parking by over 20%. Based on the independent study, the minimum number of spaces that would be required for the mix of tenants in Phase I would be 270 parking spaces. While the applicant is proposing the 347 spaces on the Phase I Final Site Plan, they are also requesting the minimum required number of spaces 270 spaces as identified in the detailed parking study.

The applicant's narrative acknowledges that approval of a parking reduction will not result, nor is or is intended to increase, the amount of square footage permitted under the Master Plan. However, the intent is to provide some flexibility to provide for site design changes to allow for more convenient circulation and additional features that may be deemed warranted by an applicant during the final site design. Staff supports the applicant's request to identify a reduced number of parking stalls per the detailed report provided by the traffic engineer in the project narrative as to allow for additional flexibility in parking lot design.

Phase I Pedestrian Traffic and Walkways

This project is particularly well-designed for pedestrian access, although the proposed site plan is not fully consistent with MLDC 10.773 and 10,725 which require that walkways connect building entrances to one another, to existing or planned transit stops and to connect the pedestrian circulation system to other areas of the site such as parking lots, required outdoor areas and any pedestrian amenities such as plazas and resting areas.

Pedestrian walkways shall be separated from parking area by grade, different paving materials, speed bumps or landscaping. The conceptual pedestrian walkway plan prepare by staff for the Phase I projects demonstrates how each of the buildings can be linked through additional sidewalk improvements and demarcated street crossings in accordance with Section 10.775. It is particularly important that Phase I development is well connected to the offices located in Phase II as it is anticipated that a significant number of pedestrians will travel to the many restaurants and services from the Phase II office development.



While the pedestrian exhibit prepared by staff is only conceptual, there are other alternatives to provide connectivity from each building and to the adjoining office development. Staff recommends that the applicant develop the pedestrian network in general conformance with the exhibit prepared by staff, as required by Section 10.773 and Section 10.775 of the MLDC. A discretionary condition has been included requiring the applicant to comply with Exhibit "J", or provide alternative pathways that provide the general pedestrian circulation represented by the exhibit.

Lighting

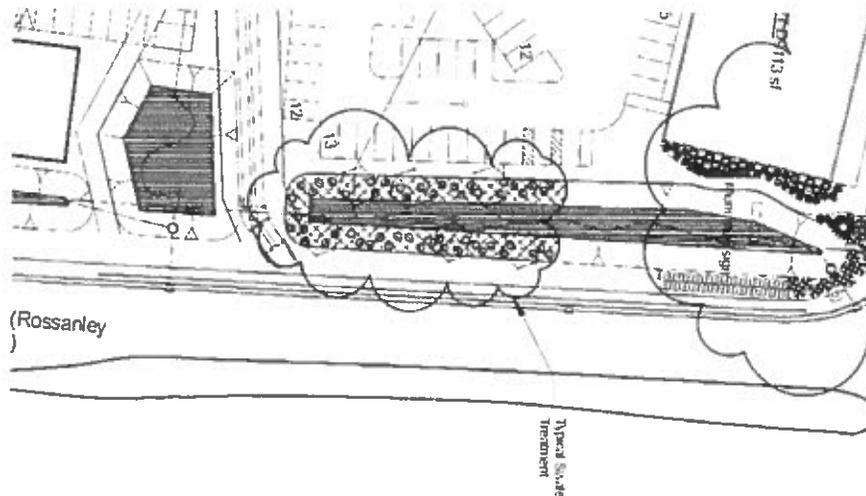
The narrative indicates that exterior lighting will be designed to meet City codes and downcast and shielded where necessary. However, there are no lighting details or parking lot pole standards demonstrating lighting proposed for the center. Staff is including a discretionary condition of approval requiring that the applicant place on the Master Site Plan and Phase I Final site plan a standard parking lot lighting pole and fixture standard to be used in both Phase I and Phase II.

Concealments

As noted in the applicant narrative, HVAC units will not be visible from public streets, parking areas or pedestrian pathways. Subject units will be located behind roof top parapet walls for screening purposes. The final site plan identifies the location of each of the proposed trash enclosures. All seven buildings have been provided with a location for a trash receptacle. Construction of the trash receptacles shall be in accordance with the standards of MLDC Section 10.781.

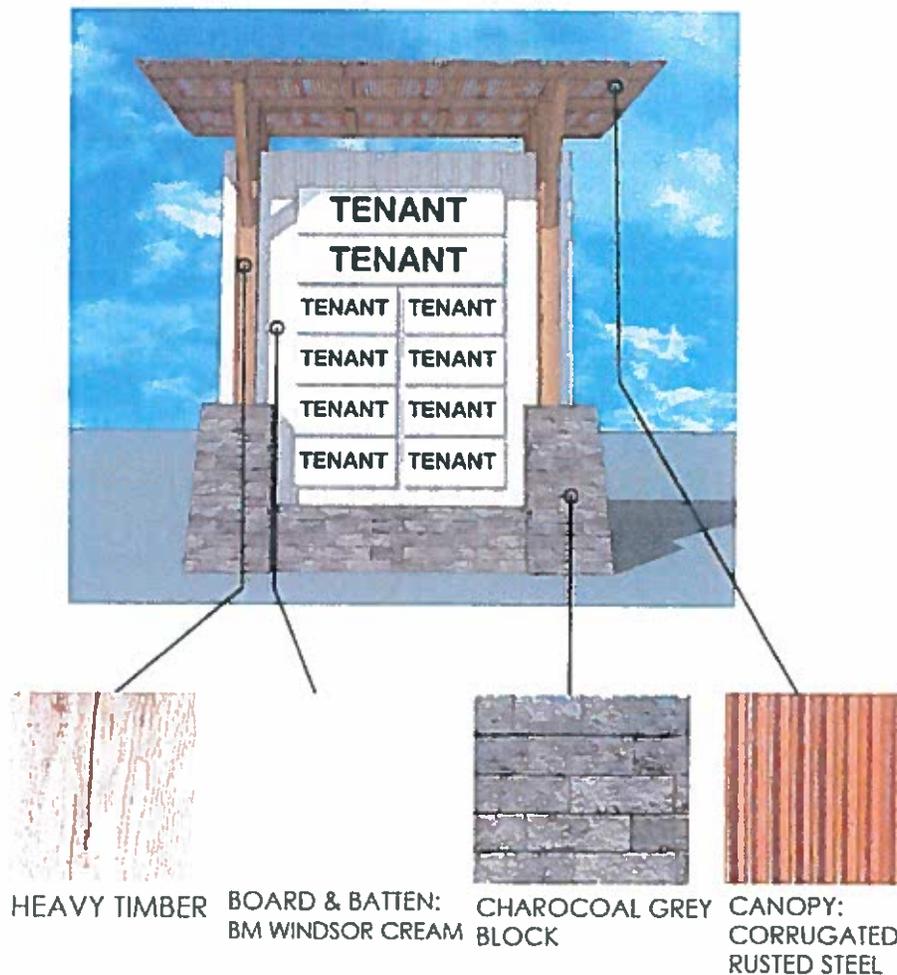
Storm Drainage

The applicant has submitted a Conceptual Storm Drainage Plan (Exhibit "G"). The applicant is proposing a large open storm water retention facility along the north side of Rossanley Drive. The Public Works report notes that all storm drainage lines shall be outside of the public right-of-way and public utility easements.



Signage

Two major multi-tenant identification pylon signs are planned for the Northgate Center Office Park development, both located on Phase I. The applicant proposes multi-tenant pylon signs at the intersection of Pacific Highway and Rossanley Drive and the intersection of North Central Avenue with Pacific Highway at the property corners. An exhibit of the pylon signs has been included below and found on the Design Guideline exhibit (Exhibit "F"). The center identification pylon signs demonstrate high architectural quality by utilizing design elements found throughout the project including charcoal block and a heavy timber cap that reflects the tower entrances of individual buildings. The MLDC allows one 20-foot high ground sign per arterial road frontage. Proposed freestanding signs do not exceed 12 feet. Approval of this final site plan for Phase I does not constitute approval of the proposed of any signage. The applicant shall obtain a sign permit for the pylon signs of identified within this application.



External Agency Review Comments

ODOT (Exhibit "P")

The Oregon Department of Transportation also had a comment regarding landscaping along street frontage. All three of the surrounding streets are under the jurisdiction of ODOT. While ODOT has no general objection with including landscaping in the right-of-way, it does have objection to the inclusion of "code required" landscape improvements being placed within the right of way. However, per the Medford Land Development Code, areas not hardscaped in the right-of-way are considered "landscape areas" and subject to the 8 year, 85% coverage rule for live vegetative ground cover. Another reason is that "required landscaping" placed in the ODOT right-of-way to meet a standard could be considered a gifting by ODOT. Staff has included a condition of approval that any MLDC street frontage required trees or shrubs be located upon the property, and the right of way area receive vegetative groundcover or shrubs, is subject to the approval of ODOT.

The ODOT memo also addresses that the Highway 238 (Rossanley Drive) access will be right-in and right-out only will require a State Highways Approach Permit. ODOT further requests that the drainage calculations and hydraulic reports be submitted to the appropriate ODOT for staff review. The memo also references the Year 2010 mitigation requirement, which is the right Central Avenue right-hand turn onto southbound Highway 99. This "Year 2010" improvement is also triggered when the development reaches 300,000 square feet of overall improvement and does not need to be improved until such time that threshold is reached. As such, staff has included a condition of approval requiring the applicant to comply with the ODOT memo (Exhibit P).

It was recently determined that Central Avenue is currently in ODOT jurisdiction. It has been requested by the applicant and supported by ODOT that the City accept jurisdiction of this street. If the City does not ultimately accept jurisdiction of this street, there are implications to the site receiving a south-bound left in turn off Central Avenue. If the subject street remains under ODOT jurisdiction, the mid-block intersection will be limited to right-in right-out movements.

No other issues were identified by staff.

Committee Comments

No comments were received from a committee such as BPAC.

FINDINGS OF FACT

MLDC 10.290

1. *The proposed development is compatible with uses and development that exist on adjacent land;*

The Commission can find that there is sufficient evidence contained in the Applicant's Questionnaire and the Staff Report to determine that the proposal is compatible with the uses and development on adjacent land. This criterion is satisfied.

2. *The proposed development complies with the applicable provisions of all city ordinances or the Site Plan and Architectural Commission has approved (an) exception(s) as provided in MLDC § 10.253.*

The Commission can find that the proposal can be made to comply with the applicable provisions of the Code with the imposition of conditions of approval contained in Exhibit A. The subject revised master plan for Northgate Marketplace and Final Site Plan are consistent with all previous approvals and the MLDC. No Exception is needed for this application.

FINDINGS AND CONCLUSIONS

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

RECOMMENDED ACTION

Accept the Applicant's findings as submitted and adopt a Final Order for approval of AC-15-162 per the report dated April 8, 2016, including Exhibits A through R.

EXHIBITS

- A Conditions of Approval; dated April 8, 2015
- B Applicant's Narrative & Code Compliance Worksheet, dated January 14, 2016
- C Parking Study, received December 1, 2015
- D Proposed Final Site Plan for Northgate Center Office Park Phase I, received December 1, 2015
- E Proposed Master Site Plan, received January 14, 2016
- F Phase I concept elevations and architectural material pallet received December 1, 2015
- G Conceptual Grading and Drainage Plan; received December 1, 2015
- H Conceptual Utility Plan; received December 1, 2015

- I Conceptual Landscape Plan; received December 1, 2015
- J Staff prepared conceptual pedestrian access plan,
- K Report from Public Works Department, dated April 7, 2016
- L Memo from Medford Water Commission dated February 25, 2016
- M Report from Fire Department, prepared February 26, 2016
- N Interoffice Memo from Parks Planner, dated March 2, 2016
- O Correspondence from Rogue Valley Sewer Services, dated February 19, 2016
- P Correspondence from ODOT, dated March 2, 2015
- Q Building Department Memo, dated March 2, 2016
- R Disposition and Development Agreement
Vicinity Map

EXHIBIT A

**Northgate Office Park Master Site Plan and Phase I Final Site Plan
AC-15-162
Conditions of Approval
April 8, 2016**

CODE REQUIREMENTS

1. The applicant shall comply with all applicable conditions of approval contained in application CP-06-065, ZC-06-066, CP-11-041, ZC-11-042, AC-11-076 and conditions provided by the Amended Disposition and Development Agreement approved August 18, 2011 (Ord. # 2011-163)
2. The applicant shall:
 - a. Comply with the Public Works Department Staff Report, dated April 7, 2016; (Exhibit K).
 - b. Comply with the Medford Water Commission Memorandum dated February 25, 2016; (Exhibit L).
 - c. Comply with the Fire Department Report, prepared October 23, 2015; (Exhibit M).
 - d. Comply with the correspondence from Rogue Valley Sewer Services, dated February 19, 2016; (Exhibit O).
 - e. Comply with Correspondence received from ODOT, dated March 2, 2015; (Exhibit P).
 - f. Prior to submittal of plans for building permit, provide a revised Phase I site plan to the Planning Department demonstrating compliance with Section 10.773 & 10.775, generally consistent with the conceptual pedestrian circulation plan provided by staff; (Exhibit J).

DISCRETIONARY CONDITIONS

3. The bicycle racks shall consist of the "inverted U" style or "post and ring" style as recommended by the Bicycle and Pedestrian Committee. The applicant shall provide a revised site plan with the building permit application that provides a bicycle rack detail consistent with this recommendation.
4. Prior to submittal of plans for building permit, provide a revised Phase I site plan and revised Office Park master plan demonstrating a standard to be utilized for the parking lot poles and lighting fixtures that will be utilized for the overall office park development.

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Section I – Narrative

Planning Dept.

Overview: Tatum Real Estate, Inc. is proposing to develop eight acres of the Office Park of Northgate Centre. This initial phase will be comprised of buildings to house restaurants, office, medical and service commercial uses distributed over seven lots which will be developed independently of each other. The architectural design of Office Park is intended to include a mix of masonry, stucco, board and batten, transparency and exposed rough cut timber elements within a contemporary design that when combined will be both modern and rustic, and will inspire association to the methods of construction that were used at this site in its former existence as a sawmill facility.

Proposal & Phasing: Under the current ordinance, we are requesting Master Site Plan Approval for the Office Park and a Final Site Plan Approval pursuant to Class "C" for the first phase of the Office Park development proposed with this application. Because the development of these seven lots is planned to occur over time, we request that this approval be granted for a period of Five (5) years.

UPDATE: *It is our intention that after Master Site Plan and Site Plan approval with this application (Stage I & II), each lot will be independently developed and the architectural design will be processed under through the Planning Director (Stage III), which design shall be consistent with the materials and design shown in the conceptual model presented with the Master Site Plan and Site Plan approval.*

Access: Access is proposed with a right in/out from Central near Lot A, and through the adjacent property with a (i) full turn movement from Central and (ii) a right/in out from Hwy 238. These access points are connected through an internal road from which each lot is to be developed from. Access through the adjacent property has been obtained with through an easement with the adjacent Parcel 600. Each lot within the Office Park will have pedestrian walkways through the parking areas and around the buildings, which will tie to the internal circulation road and the abutting right of ways.

UPDATE: *Applicant would like to process the modifications proposed to Central Avenue through its turn movement analysis, separately from this application. Realizing that if either the full turn to Central or the right in/out in the general location of Lot A is not approved, then the turn movement would be adjusted accordingly, but neither would affect the layout as proposed on the site plan associated with this application.*

Site Improvements: The exposed Rouge Valley Irrigation ditch which crosses the property will be placed underground in a phased process in conjunction with the development of each specific parcel. The resulting surface area will be landscaped. Landscaped areas have been created through the parking areas, rights of way, and between each building, which landscaped areas will also provide for site lighting features. Asphalt and concrete are the proposed materials for the impervious surfaces, with colored concrete to provide contrast to the pedestrian features. Outdoor trash bins will be screened by structures that are to be constructed with materials similar to the buildings.

As an additional improvement to the site, an extensive sidewalk has been planned along the internal circulation road linking the access points along the major roadways, intended to promote safe and easy access by pedestrians and bicyclists to then center in its entirety.

UPDATE: *It is proposed that the RVI ditch would be placed underground between Hwy 238 and the internal circulation road with the development of the road and water / sewer utility mains and hydrants, which work will be done with the development of the first lot(s). The remaining RVI ditch*

would be placed underground within the property with the development of Lot G. The water and sewer laterals from the mains will be stubbed to just outside the internal road so that they can be connected to in the future. The storm water ponds along Hwy 238 will be constructed with the initial phase and the laterals from the ponds will be extended as needed with the independent development of the lots.

Dedications and Parcels: A lot line adjustment will be filed separately which will (i) split Lot 101 with Lot 600 so that parcel line matches the zone boundary, and (ii) merge and adjust the current tax lots to match the proposed seven lots. Additionally, a dedication along Central will be made to facilitate the future northbound Central right turn lane to Hwy 99.

Outdoor Seating / Special Uses: Outdoor seating is proposed with the buildings to be constructed upon Lots C, D & E. These outdoor seating areas are to be dedicated to the individual uses within the building. These outdoor seating areas are intended to have tables, chairs, awnings / canopies and lighting will be accomplished by building mounted lighting in the patio areas. Each patio area is intended to be between 300 and 400 sq. ft. Furthermore, these lots intend to offer beer and wine sales for on-premises construction.

Master Sign Program: See item K, which follows.

Section II – Compatibility

- A. Currently the land is vacant. Adjacent uses include vacant IL zoned land to the east and south, ALBA Center to the west, and grocery / restaurants lots to the north. There is not an architectural theme to the properties to the north, however, the Alba Center is contemporary with a mix of materials using masonry and stucco.
- B. The architectural design of Sawmill Center at Northgate is intended to allow flexibility for each individual building to use a design that speaks to the use of each building. As shown in the submittal, the architectural guidelines use board and batten, exposed timbers, cedar siding, a flat tower element with corrugated metal or standing seam roofing. The use of these materials and varied color will create a unifying element between the buildings. The use of masonry, wood, stucco, and transparency will be integral to each design. All mechanical equipment is proposed to be on the roof of buildings and screened by the building parapets.
- C. Plan variations, change of materials and tower elements will break up each building wall, along with building transparency which will support the unifying architectural theme. Public entrances will be identified by tower elements which also incorporate the same exposed timbers and corrugated metal or standing seam roofing. Most of the building footprints are less than 5,000 sq. ft. which eliminate large facades, and their placement along the surrounding right of ways allow the incorporation of walkways and landscaping to disrupt the dominance of building features.
- D. Six of the seven lots within Northgate Centre Office Park have buildings placed adjacent to the surrounding right of ways. These buildings will offer transparent elements oriented towards the right of ways, and where functional outdoor patios, that combined will link the surrounding areas to the buildings.

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- E. Restaurant buildings within Northgate will incorporate outdoor patios for their patrons, where the patios are placed in areas visible to the surrounding right of ways. Large sidewalks, building entryways and sidewalks to the surrounding right of ways will enable simple pedestrian access within the project.
- F. Vehicle access will come through pre-approved access points from Hwy 238 & Central. These two access points will be unified through a serpentine access road that allows vehicles to navigate between the access points and each individual lot. Pedestrian access will be extensive, available through sidewalks within the property and to/from the surrounding rights of way.
- G. There are no plans to keep existing trees within the property. The proposed landscape plan will meet or exceed the City standards for trees and plantings.
- H. The storm water facilities will be towards Hwy 238 and will include landscaped features that integrate with the overall landscape design. These surface ponds will treat storm water before it is discharged into the City storm water system.
- I. The proposed landscape design is intended to mitigate views to areas of Sawmill Center that are not interrupted by the building placement. Landscaping will be used around the buildings to add substance to the overall design, while also keeping the architectural theme evident.
- J. Exterior lighting will be designed to meet the City codes and will be downcast and shielded where necessary.
- K. Proposed signage for each building is intended to comply with the City ordinance. Freestanding signage, while allowed on individual lots, will instead be combined onto pylon signs placed near the corners of Hwy 99 & Central and Hwy 238 & Hwy 99 intersections, where individual uses will have access to panels promoting their business.
- L. No fencing is proposed.
- M. Noise from the proposed uses is not expected to be a factor over the ambient noise already generated by the heavily commercial right of ways.
- N. The proposed project is abutted by light industrial zoned land. The proposed uses of office, medical, service commercial and restaurant will provide services in a convenient location that can support future employees and visitors to those properties. Additionally, the project's access and placement along Hwy 238 & Hwy 99, will allow exposure to local and regional residents that will benefit from the businesses within.
- O. The project is requesting two modifications, as contained in reports prepared by Southern Oregon Transportation Engineering LLC which request the following:
 - a. Access to Central through (i) a full turn ingress/egress point and (ii) a right in/out access point. This request has been submitted separately to Public Works.
UPDATE: Applicant acknowledges that these will be approved or disapproved separately and will not affect the site plan.
 - b. A reduction to the minimum parking standards contained in the municipal code to align with the parking demand as contained in the Institute of Transportation Engineers (ITE) *Parking Generation*, 4th edition handbook. This report is included in our submittal.
UPDATE: Applicant acknowledges that approval of the parking reduction will not result in increased square footage of the Master Site Plan but rather will allow the applicant flexibility in the site design to provide for more convenient circulation and additional features that may be deemed warranted by the applicant during detailed site design.

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The access modification and locations from Central will allow for a more convenient and function vehicular access, while the reduction in the minimum parking will allow for reduced impervious area, additional landscaping and function design of parking areas. The increased pedestrian and bicycle paths of travel will promote use of alternative transportation as well.

P. No relief of landscape standards is being requested.

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Planning Dept.

Master Signage Program Phase I:

Building Signage: Proposed signage for each building is intended to comply with the City ordinance for each lot.

Freestanding Signage: We propose two pylon signs, one at each corner of the Hwy 99 frontage as shown on the site plan. Each face of the sign will have two (2) top panels and below two (2) columns with 4 rows below, for a total of 10 sign panels. While this is more than would be needed for Phase I, the intent is for panels to be available for use by future development to the south, while not precluding future development to the south to add additional free-standing signage along the Central and Hwy 238 parcels.

With Phase I we are proposing seven lots and would like to combine slightly less of the allowed signage of the 32 sq.ft for each lot. We are proposing that each pylon sign face would have 112 sq. ft. each, with a pylon sign height not to exceed 12 ft.

Update: We propose that each pylon sign will not exceed an overall structure height of 16' and the top sign panel not to exceed 12'

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SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION

Section II – Code Compliance: Criterion No. 2

PROJECT SITE	PROPOSED	REQUIRED
• Zoning District	CSP	CSP
• Overlay District(s)	None	N/A
• Proposed Use	Restaurant, office, limited comm.	Service Commercial
• Project Site Acreage	8.5 acres	
• Site Acreage (+ right-of-way)		
• Proposed Density (10.708)	Approx 58,243	
• # Dwelling Units	None	
• # Employees	TBD	

STRUCTURES	EXISTING	PROPOSED
• # Structures	None	7
• Structure Square Footage (10.710-10.721)	None	58,243

SITE DESIGN STANDARDS	PROPOSED	REQUIRED
• Front Yard Setback (10.710-721)	10'	
• Side Yard Setback (10.710-721)		
• Side Yard Setback (10.710-721)		
• Rear Yard Setback (10.710-721)		
• Lot Coverage (10.710-721)	16%	25%

PARKING	PROPOSED	REQUIRED
• Regular Vehicular Spaces (10.743)	347	MLDL = 330
• Disable Person Vehicular Spaces (10.746(8))	15	Parking study 270
• Carpool/Vanpool Spaces (10.809)		
• Total Spaces (10.743)	345	
• Bicycle Spaces (10.748)	TBD	
• Loading Berths (10.742)	TBD	

The proposed parking meets the City standards for each individual use as shown in the parking table. It does not reflect the reductions proposed through the parking study.

SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION

LANDSCAPING	PROPOSED	REQUIRED
• Total Landscape Area (square feet)	Approx - 109,000 sq. ft.	
• Total Landscape Area in High Water Use Landscaping (square feet)		
• Total Landscape Area in High Water Use Landscaping (percentage)		
• Total % Landscape Coverage		
• Required Organic Content (cu.yd.)		
• Frontage Landscaping (10.797)		
• Street:		
• Feet:		
• # Trees:		
• # Shrubs:		
• Street:		
• Feet:		
• # Trees:		
• # Shrubs:		
• Bufferyard Landscaping (10.790)		
• Type:		
• Distance (ft):		
• # Canopy Trees:		
• # Shrubs:		
• Fence/Wall:		
• Parking Area Planter Bays (10.746)		
• Type:		
• # Bays:		
• Area:		
• # Trees:		
• # Shrubs:		

STRUCTURE	PROPOSED
• Materials	
• Colors	

Please remember that the information you provide in response to the questionnaire must be included with your SPAR application submittal. Remember to sign and date your written response.

This section has been intentionally omitted as the landscape plan shows the conceptual themes that would be incorporated into the site plan for each lot.

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SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

112 Monterey Drive - Medford, Or. 97504 - Phone (541) 608-9923 - Email: Kwkp1@Q.com

November 17, 2015

Desmond McGeough, Planner II
 City of Medford Planning Department
 200 South Ivy Street
 Lausman Annex RM 240
 Medford, Oregon 97501

RE: Parking Demand for Northgate Office Park Phase 1 Development

Dear Commissioners,

At the request of my client, Tatum Real Estate, Southern Oregon Transportation Engineering, LLC evaluated the parking demand for the proposed Northgate Office Park Phase 1 development located on the southeast corner of Table Rock Road and Central Avenue in Medford, Oregon. Information from the City of Medford and the Institute of Transportation Engineers (ITE) *Parking Generation*, 4th edition handbook was compared to determine the minimum number of parking spaces to meet the demand of the Northgate Office Park. The land uses considered in the City of Medford and ITE requirements were based on individual buildings for Phase 1 development.

Parking Requirements

Parking demand requirements were calculated for the proposed Northgate Office Park Phase 1 development using both ITE and City of Medford rates. Refer to Table 1 below for a summary of results.

Table 1 – Parking Demand Generations, Northgate Office Park Phase 1 Development									
Land Use	Description	Unit	Size	Peak Hour Average Rate	Plotted Rate (Graph)	City Min. Rate	Peak Hour Average Demand	Peak Hour Plotted Demand	City Min. Parking
							Total	Total	Total
932	High Turnover Restaurant	1,000 SF	9.11	5.55	6.57	9	51	60	82
933	Fast-food no drive	1,000 SF	5.00	8.2	7	9	41	35	45
934	Fast-food w/ drive	1,000 SF	4.83	9.98	7.25	12	48	35	58
937	Coffee w/ drive	1,000 SF	2.30	10.4	10.9	12	24	25	28
912	Drive-In Bank	1,000 SF	4.50	4	4	4.5	18	18	20
701	Gen. Office	1,000 SF	32.50	2.47	3	3	80	97	97
Total			58.24				262	270	330

Note: SF=Square Feet

Parking Assessment

The information published by the ITE provides a guide to planners and designers regarding parking demand. Average rates, fitted curve equations, and other measures are provided to help determine the most reliable parking demand when local data is not available. Which rate to use depends upon where the proposed facility falls within the graph of plotted data points from studies within the data-base. The peak hour average and peak hour plotted demands in the ITE for the proposed Northgate Office Park Phase 1 development uses are shown to provide similar results with 262 and 270 minimum parking spaces, respectively. The City of Medford minimum parking requirement in comparison is 330 spaces, which is roughly 20% higher.

The goal with parking is to strike a balance between an oversupply of parking and an undersupply of parking. Providing enough parking for a maximized situation ensures that drivers will seldom be unsuccessful in finding a parking space, but it also creates waste when a facility isn't operating at maximum. Proposed Phase 1 development (58,240 square feet) of the Northgate Office Park represents approximately 27% of full buildout. At buildout the property is anticipated to include 219,300 square feet (SF) of office park uses. The closest ITE match in the parking generation manual is a shopping center. A shopping center of that size would require 487 spaces based on the fitted curve demand or 559 spaces based on the average demand. The City of Medford minimum parking requirement for a commercial site over 100,000 SF in size is 3.3 spaces per 1000 SF or 724 spaces. This is 30-49% higher than the ITE parking demands.

The ITE parking information for a shopping center includes 24 study sites and has extensive enough data sets to provide statistical analyses for parking demand by hour of day, day of week, month of year and area type. Based on this, the information is considered reliable. Furthermore, if the parking demand for a 219,300 SF shopping center is estimated to require 487-559 spaces then it is reasonable to conclude that Phase 1 or 58,240 SF (27%) of similar uses will not require more than the 262-270 spaces (~50%) shown to be required in Table 1, which considers individual building uses and should provide a conservative parking demand.

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Conclusion

The average and plotted parking demands in the ITE provide minimum parking demands of 262 and 270 spaces for proposed Phase 1 development of the Northgate Office Park. At buildout, the 219,300 SF Northgate Office Park can be expected to require between 487-559 spaces to meet the parking demand. The City's minimum parking requirement is shown to be roughly 20% more for Phase 1 development and between 30-49% higher for buildout, which would likely result in an excess of parking spaces the majority of time.

It is our conclusion that the ITE parking demand of 262-270 spaces provides a reasonable minimum number of spaces for Phase 1 development of the Northgate Office Park and constitutes a reduction from the City minimum requirement. This is based upon a conservative analysis of individual building uses that doesn't include any deductions for internal or mixed use trips. It is our professional opinion that the use of the ITE average parking demand rate is more appropriate for the Northgate Office Park development and should be approved as the minimum parking requirement as phases of development occur.

Sincerely,



Kimberly Parducci PE, PTOE

SOUTHERN OREGON TRANSPORTATION ENGINEERING, LLC

Attachments: City of Medford Land Development Code
ITE Parking Generation data sheets



11/17/15

10.743 Off-Street Parking Standards

(1) **Vehicle Parking – Minimum and Maximum Standards by Use.** The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10.743-1.

Where a use is not specifically listed in table 10.743-1, parking requirements shall be determined by the Planning Director or designee finding that the use is similar to one of those listed in terms of parking needs.

Parking spaces that count toward the minimum requirement are parking spaces meeting minimum dimensional and access standards in garages, carports, parking lots, bays along driveways, and shared parking areas.

[For non-residential uses, there is no minimum number of off-street parking spaces required in the Downtown Parking District, per Section 10.358(1)(a); and the Southeast (S-E) Overlay District, Commercial Center, per Section 10.378 (6).]

(2) **Number of Required Parking Spaces.** Off-street vehicle parking spaces shall be provided as follows:

(a) **Parking Space Calculation.** Parking space ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.

(b) **Parking Categories.**

(i) Table 10.743-1 contains parking ratios for minimum required number of parking spaces and maximum permitted number of parking spaces for each land use.

A. **Minimum Number of Required Parking Spaces.** For each listed land use, the City shall not require more than the minimum number of parking spaces calculated for each use.

B. **Maximum Number of Permitted Parking Spaces.** The number of parking spaces provided shall not exceed the maximum number of parking spaces allowed for each listed land use.

* (3) **Exceptions to Required Off-Street Parking for Non-Residential Uses.** The approving authority may allow exceptions to the number of parking spaces in Table 10.743-1 for specific uses without complying with Section 10.251 if they find that the applicant's detailed description of the proposed use demonstrates that the number of needed parking spaces is less than the minimum required or more than the maximum allowable based upon one or both of the following (effective Dec. 1, 2013):

(a) An explanation why the characteristics of the proposed use require a different off-street parking standard than what is otherwise required.

(b) An analysis providing parking data for the same business or a similar use within the city that demonstrates a need for a different off-street parking standard than what is otherwise required.

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**Table 10.743-1 – City of Medford
Minimum and Maximum Parking Standards**
Parking Standards are based on number of spaces per
1,000 Square Feet of Gross Floor Area (unless otherwise
noted)

Land Use Category	Minimum Number of Required Parking Spaces		Maximum Permitted Parking Spaces
	Central Business District C-B Overlay (<i>outside of Downtown Parking District</i>)**	All Other Zones	All Zones
Bank	4.0 spaces plus 5.0 spaces for drive-up window queue when permitted	4.5 spaces plus 5.0 spaces for drive-up window queue	5.4 spaces
Bowling Alley	4.0 spaces per lane plus 1.0 space per employee at largest shift	4.5 spaces per lane plus 1.0 space per employee at largest shift	5.4 spaces per lane plus 1.0 space per employee at largest shift
Cemetery	n/a	1.0 space per employee, plus 1.0 space per 4.4 visitors to the maximum occupancy of the chapel	1.0 space per employee, plus 1.0 space per 3.5 visitors to the maximum occupancy of the chapel
Church	1.0 space per 4.8 seats of maximum occupancy or 9.5 feet of bench length, whichever is greater	1.0 space per 4.4 seats of maximum occupancy or 9.0 feet of bench length, whichever is greater	1.0 space per 3.5 seats of maximum occupancy or 8.0 feet of bench length, whichever is greater
Commercial Use: less than 25,000 square feet	4.0 spaces	4.5 spaces	5.4 spaces
Commercial Use: between 25,000 and 50, 000 square feet	3.6 spaces	4.0 spaces	5.0 spaces

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Commercial Use: between 50,000 and 100,000 square feet	3.3 spaces	3.7 spaces	5.0 spaces
Commercial Use: more than 100,000 square feet	3.0 spaces	3.3 spaces	5.0 spaces
Community or Recreation Center	3.2 spaces or 1.0 space per 4.8 patrons at maximum occupancy, whichever is greater	3.6 spaces or 1.0 space per 4.4 patrons at maximum occupancy, whichever is greater	4.3 spaces or 1.0 space per 3.5 patrons at maximum occupancy, whichever is greater
Day Care, Child or Adult Care Center	0.8 space per teacher/employee on the largest shift, plus 1.0 space per 7.0 students	0.9 space per teacher/employee on the largest shift, plus 1.0 space per 6.5 students	1.1 spaces per teacher/employee on the largest shift, plus 1.0 space per 5 students
Enclosed Mall (shops interconnected by enclosed walkways)	2.6 spaces	2.9 spaces	4.0 spaces
Furniture Store	2.0 spaces	2.3 spaces	3.0 spaces
Golf Courses	n/a	4.5 spaces per hole, plus 0.9 spaces for each employee on the largest shift, plus 70% of spaces otherwise required for accessory uses (e.g., bars, restaurants)	6.0 spaces per hole, plus 1.2 spaces for each employee on the largest shift, plus 75% of spaces otherwise required for accessory uses (e.g., bars, restaurants)
Golf Course, Miniature	n/a	1.4 spaces per hole	1.7 spaces per hole

40-66

Golf Driving Range	n/a	0.9 space per tee	1.2 spaces per tee
Hospitals	2.0 spaces per 3.6 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift	2.0 spaces per 3.3 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift	2.0 spaces per 2.6 patient beds, plus 1.0 space per staff doctor and each other employee on the largest shift
Hotel or Motel	1.0 space per room, plus 1.0 space per every 3.6 employees on the largest shift, plus 1.0 space per 3.6 persons at the maximum occupancy of each public meeting and/or banquet room, plus 40% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)	1.0 space per room, plus 1.0 space per every 3.3 employees on the largest shift, plus 1.0 space per 3.3 persons at the maximum occupancy of each public meeting and/or banquet room, plus 45% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)	1.0 space per room, plus 1.0 space per every 2.6 employees on the largest work shift, plus 1.0 space per 2.6 persons at the maximum occupancy of each public meeting and/or banquet room, plus 55% of the spaces otherwise required for accessory uses (e.g., restaurants and bars)
Industrial or Warehouse	n/a	1.0 space per employee on the largest shift, plus 0.2 space per 1,000 square feet of gross floor area	1.0 space per employee on the largest shift, plus 0.3 space per 1,000 square feet of gross floor area
Library or Museums	2.0 spaces or 1.0 space per 4.8 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 2.4 employees on the largest shift	2.3 spaces or 1.0 space per 4.4 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 2.2 employees on the largest shift	3 spaces or 1.0 space per 3.5 seats at the maximum occupancy, whichever is greater, plus 1.0 space per 1.8 employees on the largest shift
Mini-Warehouse or Mini-Storage Facility	2.0 spaces per manager's residence, plus 1.0 space per 12 storage cubicles	2.0 spaces per manager's residence, plus 1.0 space per 11 storage cubicles	2.0 spaces per manager's residence, plus 1.0 space per 9 storage cubicles

Nursery, Plant	4.0 spaces	4.5 spaces	5.4 spaces
Office, General (under 4,000 square feet)	3.1 spaces	3.6 spaces	5.0 spaces
Office, General (over 4,000 square feet)	2.6 spaces	3.0 spaces	5.0 spaces
Office, Medical	4 spaces plus 1.0 space per doctor	4.5 spaces plus 1.0 space per doctor	5.4 spaces plus 1.0 space per doctor
Personal Service (such as spas, tattoo parlors, hair salons)	2.0 spaces per station	2.2 spaces per station	2.7 spaces per station
Private Club	1.0 space per 3.6 persons at maximum occupancy	1.0 space per 3.3 persons at maximum occupancy	1.0 space per 2.6 persons at maximum occupancy
Public Services (such as utility service yards)	1.0 space per 1.2 employees on the largest work shift, plus 1.0 space per company vehicle normally stored on the premises	1.0 space per 1.1 employees on the largest work shift, plus 1.0 space per company vehicle normally stored on the premises	1.0 space per .8 employees on the largest work shift, plus 1.0 space per company vehicle normally stored on the premises
Recreation	1.0 space per 4.8 patrons at maximum occupancy	1.0 space per 4.4 patrons at maximum occupancy	1.0 space per 3.5 patrons at maximum occupancy
Recreation, Skating Rink (ice or roller)	2.6 spaces	3.0 spaces	3.6 spaces
Recreation, Swimming Facility	1.0 space per 90 square feet of gross water area plus 1.0 space per employee on the largest shift	1.0 space per 85 square feet of gross water area plus 1.0 space per employee on the largest shift	1.0 space per 65 square feet of gross water area plus 1.0 space per employee on the largest shift
Recreation, Tennis, Racquetball, or Handball Courts	3.2 spaces per court plus 1.0 space per employee on the largest shift	3.6 spaces per court plus 1.0 space per employee on the largest shift	4.5 spaces per court plus 1.0 space per employee on the largest shift
Recreational Vehicle Park	1.2 spaces per RV site, plus 1.0 space per 1.2 employees on the largest shift	1.4 spaces per RV site, plus 1.0 space per 1.1 employees on the largest shift	1.7 spaces per RV site, plus 1.0 space per employee on the largest shift
Repair Services, except	2.6 spaces	3.0 spaces	3.6 spaces

46"

vehicle			
Residential, Group Living (nursing homes or similar special needs housing)	1.0 space per 7.0 resident beds, plus 1.0 space per employee on the largest shift	1.0 space per 6.5 resident beds, plus 1.0 space per employee on the largest shift	1.0 space per 5.5 resident beds, plus 1.0 space per employee on the largest shift
Residential, Multiple Family	1.5 spaces per dwelling unit	1.5 spaces per dwelling unit	n/a
Residential, Retirement or Congregate Housing	0.4 spaces per dwelling unit plus 1.0 space per 1.2 employees on the maximum shift	0.45 spaces per dwelling unit plus 1.1 space per employee on the maximum shift	0.6 spaces per dwelling unit plus 1.0 space per employee on the maximum shift
Residential, Single Family	2 spaces per dwelling unit	2 spaces per dwelling unit	n/a
Restaurant, Standard	8.0 spaces	9.0 spaces	11.0 spaces
Restaurant (with drive thru)	11.0 spaces plus 5.0 spaces for drive-up window queue	12.0 spaces plus 5.0 spaces for drive-up window queue	14.0 spaces
Road Service or Towing	4.0 spaces	4.5 spaces	5.4 spaces
School, College, University, Vocational, or other Educational Courses	1.0 space per 3.6 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period	1.0 space per 3.3 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period	1.0 space per 2.6 students, plus 1.0 space per employee (including faculty) at largest capacity class attendance period
School, Elementary Kindergarten - 8th	1.0 space per teacher and staff plus 1.0 space per 2.4 classrooms	1.0 space per teacher and staff plus 1.0 space per 2.2 classrooms	1.0 space per teacher and staff plus 1.0 space per 1.8 classrooms
School, Secondary (9th - 12th)	1.0 space per teacher and staff plus 1.0 space per 6 non-bused students	1.0 space per teacher and staff plus 1.0 space per 5.5 non-bused students	1.0 space per teacher and staff member plus 1 space per 4.4 non-bused students
Taverns, Dance Halls, Night Clubs, and Lounges	16.0 spaces	18.0 spaces	22.0 spaces

“0”

Theater or Auditoriums, indoor or outdoor	1.0 space per 3.6 patrons	1.0 space per 3.3 patrons	1.0 space per 2.6 patrons
Vehicle Sales	0.5 spaces	0.6 spaces	1.0 spaces
Vehicle Repair and Maintenance	2.0 spaces	2.2 spaces	3 spaces
Veterinary Office or Animal Hospital	2.4 spaces per doctor plus 1.0 space per other employee on the largest shift	2.7 spaces per doctor plus 1.0 space per other employee on the largest shift	3.3 spaces per doctor plus 1.0 space per other employee on the largest shift

****The Downtown Parking District is bound by Fourth Street on the north, Tenth Street on the south, Bear Creek on east, and the railroad right-of-way on the west.**

(4) Reductions in Required Parking Spaces.

The total number of required motor vehicle parking spaces for an existing or new industrial, commercial, or office development may be reduced by five percent (5%) for each of the activities listed below that are provided by the owners or operators in perpetuity, up to a maximum of ten percent (10%) reduction in the total number of motor vehicle spaces required per development.

- (a) Providing showers and lockers for employees who commute by bicycle or foot;
- (b) Providing twice as many covered, secured bicycle parking spaces as required by this code;
- (c) Providing a public plaza as defined herein adjacent to a transit route with transit service currently available, which is within one quarter (¼) mile of a major transit stop on that route. If there is a bus stop along the site's frontage, the plaza must be adjacent to the bus stop. The plaza must be open to the public, and at least 300 square feet in size exclusive of connecting walkways.
- (d) Providing a transit shelter with landscaping, and trash receptacle;
- (e) Other incentives provided in an approved Transportation Demand Management Plan (TDM) approved by the Approving Authority.

(5) Two-Wheeled Vehicle Parking.

When over twenty (20) spaces are required, a maximum of five percent (5%) of the required parking may be two-wheeled vehicle spaces (e.g. motorcycle/moped/scooter). Each two-wheeled vehicle space must be at least four (4) feet wide and eight (8) feet deep. The two-wheeled vehicle spaces shall be clearly designated by a sign posted or be marked on the pavement within the two-wheeled parking area. Two-wheeled spaces shall be grouped together in designated areas and need not be individually striped. Two-wheeled parking shall be closer to the building than fifty percent (50%) of the vehicle spaces.

116''

(6) Design Requirements for Large Parking Lots.

Large parking areas shall not exceed three (3) contiguous acres without incorporating one or more of the following components: plazas, large landscape areas, pedestrian walkways consistent with 10.725(C)(2), interior streets or driveways with street-like features. Street-like features include: a raised sidewalk of at least four (4) foot in width with a six (6) inch curb, accessible curb ramps, street trees in planter strips or tree wells, and pedestrian scale lighting.

(7) Exceeding Maximum Parking Ratios.

The Approving Authority may approve parking in excess of the maximum allowable set forth in Table 10.743-1 for phased projects or for planned future buildings or building additions. If any parking in excess of the maximum permitted is located in a parking structure, the parking ratios may be exceeded without requiring an approval by the Approving Authority.

[Replaced, Sec. 2, Ord. No. 2009-77, Apr. 16, 2009; Amd. Sec. 20, Ord. No. 2013-131, Sept. 5, 2013; Amd. Sec. 3, Ord. No. 2014-65, May 15, 2014.]

18"

Land Use: 701 Office Building

As noted, peak parking demand rates were different between sites located in suburban settings and those located in urban settings for the independent variable 1,000 sq. ft. GFA. The individual site surveys did not enable a quantitative explanation of the factors that caused the difference. One potential explanation may relate to differences in the availability of alternative modes (for example, transit, bike and pedestrian) available at the urban sites. Of the studies with data on transit availability and presence of a transportation demand management (TDM) program, the suburban sites reported about 55 percent with available transit services and 20 percent with TDM programs. The urban sites reported almost 100 percent with available transit and 63 percent with TDM programs of some form.

Weekend parking demand data were available at two study sites. At one site, the Saturday peak demand was less than 10 percent of peak weekday demand at the same site. At the other site, the Saturday and Sunday demand approached 90 percent of the weekday peak demand for the same site. It was not possible to derive reliable weekend parking demand rates due to lack of information on the nature of work conducted during the weekend at the two sites.

The following table presents the time-of-day distributions of parking demand variation for suburban and urban sites. The only sites included in the table data were those that submitted at least four consecutive hours of parking demand observations. (*Note: the majority of the parking demand data in the overall database consisted of one or two hourly observations.*)

<i>Based on Vehicles per 1,000 sq. ft. GFA</i>	<i>Weekday Suburban</i>		<i>Weekday Urban</i>	
	<i>Percent of Peak Period</i>	<i>Number of Data Points*</i>	<i>Percent of Peak Period</i>	<i>Number of Data Points*</i>
12:00-4:00 a.m.	—	0	—	0
5:00 a.m.	—	0	—	0
6:00 a.m.	—	0	—	0
7:00 a.m.	59	1	19	2
8:00 a.m.	79	10	64	4
9:00 a.m.	95	12	91	5
10:00 a.m.	100	12	99	5
11:00 a.m.	98	12	99	5
12:00 p.m.	90	12	98	5
1:00 p.m.	77	7	96	5
2:00 p.m.	84	7	100	5
3:00 p.m.	81	6	99	5
4:00 p.m.	72	6	90	5
5:00 p.m.	46	6	58	3
6:00 p.m.	25	1	—	0
7:00 p.m.	—	0	—	0
8:00 p.m.	—	0	—	0
9:00 p.m.	—	0	—	0
10:00 p.m.	—	0	—	0
11:00 p.m.	—	0	—	0

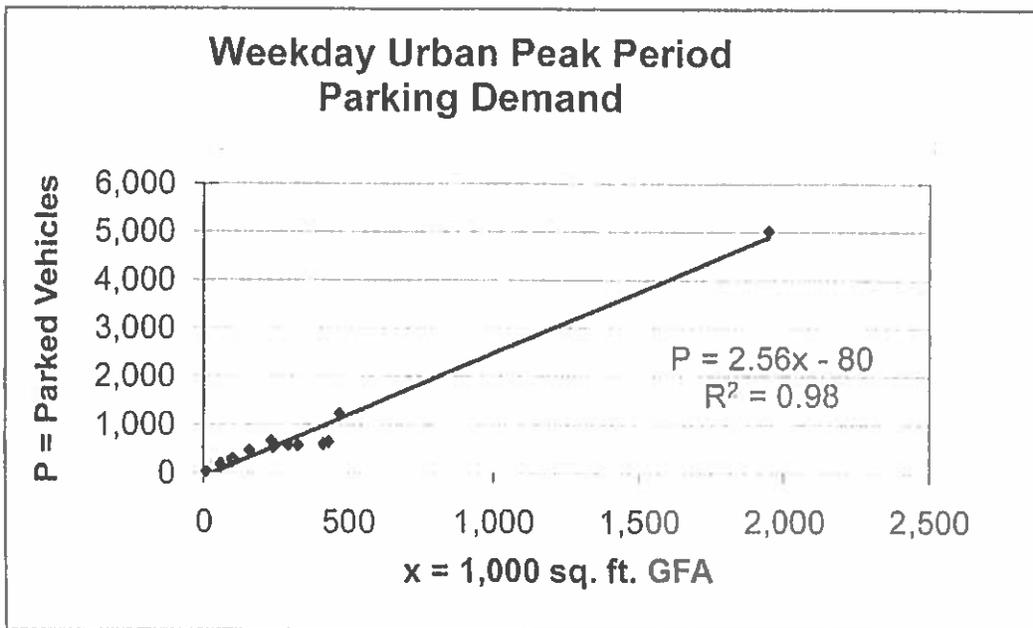
* Subset of database

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Land Use: 701 Office Building

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Weekday
Location: Urban

Statistic	Peak Period Demand
Peak Period	9:00 a.m.–5:00 p.m.
Number of Study Sites	14
Average Size of Study Sites	370,000 sq. ft. GFA
Average Peak Period Parking Demand	2.47 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.62
Coefficient of Variation	25%
Range	1.46–3.43 vehicles per 1,000 sq. ft. GFA
85th Percentile	2.98 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.24 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points — Fitted Curve/Average Rate

100"

Land Use: 912 Drive-in Bank

Description

Drive-in banks provide banking facilities for motorists who conduct financial transactions from their vehicles; many also serve patrons who walk into the building. The drive-in lanes may or may not provide automatic teller machines (ATMs).

Database Description

To reflect changes in travel patterns resulting from recent technological advances in the banking industry, data from years prior to the year 2000 have been removed from this land use.

The database consisted of all suburban sites.

- Average parking supply ratio: 8.4 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (two study sites).
- Average employee density: 3.1 employees per 1,000 sq. ft. GFA (two study sites).

For the two sites that provided data on employees, the average parking demand ratio was 1.60 vehicles per employee. The peak period occurred between 1:00 and 2:00 p.m. and between 3:00 and 4:00 p.m.

To assist in future analysis of this land use, it is important that Friday data be collected and reported separately from weekday data. It is also important to specify the date and month of the data collection period and the number of drive-through lanes that are open at the time of the study.

Study Sites/Years

Hamilton, NJ (2007); Rocky Hill, NJ (2007); West Windsor, NJ (2007); Sayreville, NJ (2007); Bryan, TX (2009); College Station, TX (2009)

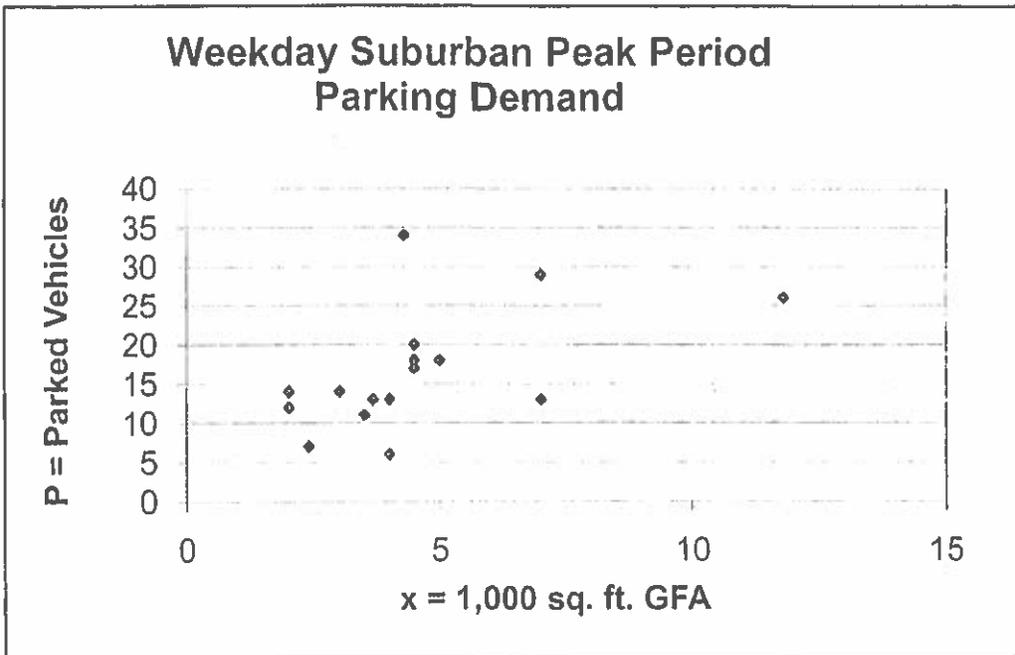
4th Edition Source Numbers

1111, 1145

Land Use: 912 Drive-in Bank

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Weekday
Location: Suburban

Statistic	Peak Period Demand
Peak Period	10:00 a.m.–2:00 p.m.
Number of Study Sites	16
Average Size of Study Sites	4,600 sq. ft. GFA
Average Peak Period Parking Demand	4.00 vehicles per 1,000 sq. ft. GFA
Standard Deviation	1.75
Coefficient of Variation	44%
Range	1.50–7.91 vehicles per 1,000 sq. ft. GFA
85th Percentile	5.67 vehicles per 1,000 sq. ft. GFA
33rd Percentile	3.24 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

4000

Land Use: 932

High-Turnover (Sit-Down) Restaurant

Description

This land use consists of sit-down, full-service eating establishments with turnover rates of approximately one hour or less. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours per day. These restaurants typically do not take reservations. Patrons commonly wait to be seated, are served by a waiter/waitress, order from menus and pay for their meal after they eat. Some facilities contained within this land use may also contain a bar area for serving food and alcoholic drinks. Quality restaurant (Land Use 931), fast-food restaurant without drive-through window (Land Use 933) and fast-food restaurant with drive-through window (Land Use 934) are related uses.

Database Description

The analysis of parking demand for this land use has identified different parking demand rates between high-turnover restaurants with and without bars. The term "family restaurant" is used interchangeably as an abbreviated version of "high-turnover (sit-down) restaurant without bar or lounge facilities."

The database consisted of a mix of suburban and urban sites, as well as one rural site. Parking demand rates appeared to differ only for family restaurants during the weekday time period. For Saturdays and Sundays, only suburban data were submitted.

- Average parking supply ratios at family restaurants: 14.3 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (39 study sites) and 0.53 spaces per seat (20 study sites).
- Average parking supply ratios at restaurants with a bar or lounge: 17.3 spaces per 1,000 sq. ft. GFA (20 study sites) and 0.53 spaces per seat (21 study sites).
- Average employee density at family restaurants: 2.4 employees per 1,000 sq. ft. GFA (five study sites).
- Average employee density at restaurants with a bar or lounge: 4 employees per 1,000 sq. ft. GFA (six study sites).

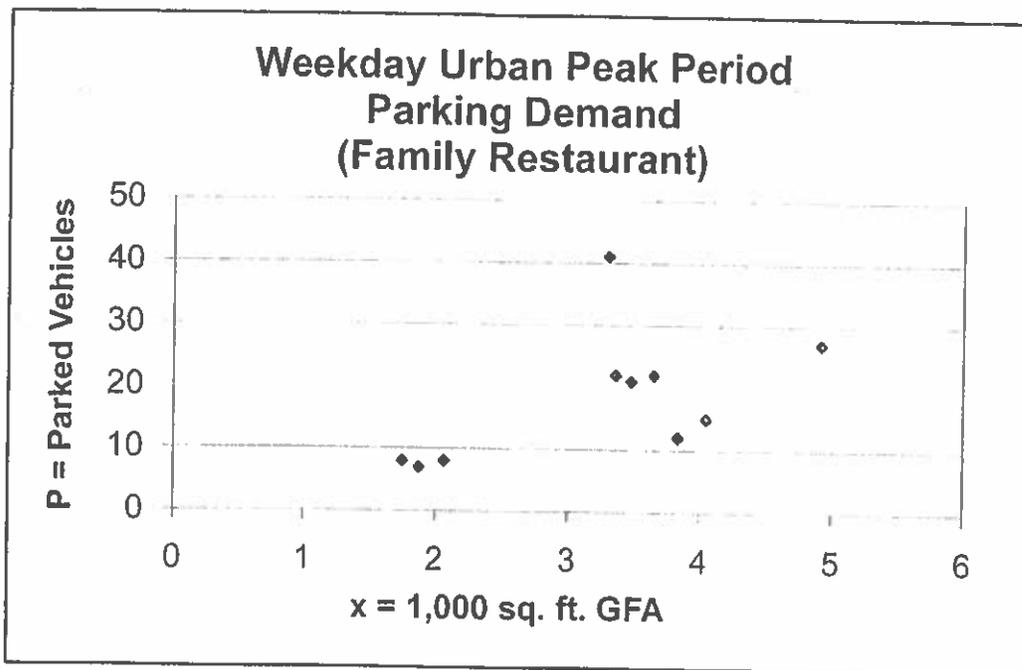
One urban family restaurant study site with weekday parking demand data is not included in the data plots because of its size. The site was 11,170 sq. ft. GFA and it had 360 seats. The parking supply ratios were 10.92 spaces per 1,000 sq. ft. GFA and 0.34 spaces per seat. Peak parking demand occurred between 12:00 and 1:00 p.m. and was 10.74 vehicles per 1,000 sq. ft. GFA and 0.33 vehicles per seat.

Data were scattered among several weekdays. Friday had the largest peak weekday parking demand. For suburban family restaurants, Friday peak parking demand was approximately 20 percent higher than the peak parking demand for other weekdays. For suburban bar/lounge restaurants, the Friday parking demand rates were approximately 80 percent higher than for other weekdays.

Land Use: 932 High-Turnover (Sit-Down) Restaurant

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Weekday
Land Use Code Subset: Family Restaurant (No Bar or Lounge)
Location: Urban

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–1:00 p.m.; 6:00–8:00 p.m.
Number of Study Sites	10
Average Size of Study Sites	3,200 sq. ft. GFA
Average Peak Period Parking Demand	5.55 vehicles per 1,000 sq. ft. GFA
Standard Deviation	2.69
Coefficient of Variation	48%
Range	3.13–12.41 vehicles per 1,000 sq. ft. GFA
85th Percentile	6.37 vehicles per 1,000 sq. ft. GFA
33rd Percentile	3.86 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

ucll

Land Use: 933

Fast-Food Restaurant without Drive-Through Window

Description

This land use includes fast-food restaurants without drive-through windows. This type of restaurant is characterized by a large carry-out clientele; long hours of service (some are open for breakfast, all are open for lunch and dinner, some are open late at night or 24 hours per day); and high turnover rates for eat-in customers. These limited-service eating establishments do not provide table service. Patrons generally order at a cash register and pay before they eat. High-turnover (sit-down) restaurant (Land Use 932) and fast-food restaurant with drive-through window (Land Use 934) are related uses.

Database Description

The study sites in this land use have been divided into two groups: restaurants that primarily serve hamburgers and restaurants that primarily serve non-hamburger meals (for example, chicken, taco and sandwich). These groupings produced better statistical results for the data submitted than did an aggregate.

The database consisted of a mix of suburban and urban sites. Parking demand rates at suburban hamburger restaurants were different from those at urban restaurants and were, therefore, analyzed separately. For the non-hamburger restaurants, all but one of the sites was urban. Parking demand at the suburban site was similar to the urban sites and, therefore, the data were combined and analyzed together.

- Average parking supply ratio at hamburger restaurant study sites: 21.2 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (two suburban and three urban study sites). The suburban and urban rates were equivalent.
- Average parking supply ratio at non-hamburger restaurant study sites: 12.7 spaces per 1,000 sq. ft. GFA (13 study sites).

All of the data for this land use were from free-standing sites. However, this type of facility is sometimes joined with other land uses, most notably, shopping centers (Land Use 820) and superstores (Land Use 860 group).

For all except one of the non-hamburger sites surveyed on a weekday, only a single demand count was reported. The time periods for the single counts vary significantly (such as midday for the sandwich shop and in the evening for a chicken restaurant). Therefore, no peak time frame could be established from the available data. The average peak parking demand was simply the average of the counts, regardless of the timeframe.

For the hamburger restaurants, all of the parking demand counts were during the lunchtime peak period (between 10:00 a.m. and 2:00 p.m.). No parking demand information was provided for the typical breakfast- or dinner-time periods.

Parking demand data were available from four urban hamburger study sites for weekday conditions during the middle of the day. Each study site could be characterized as unique in its marketplace (with little similar competition). The sites were 3,800, 3,000, 1,800 and 1,400 sq. ft. GFA in size. Peak parking demand ratios at the four sites were 6.58, 23.06, 15.05 and 24.93 vehicles per 1,000 sq. ft. GFA, respectively, for the largest through smallest sites. Additional surveys of similar sites would be desirable. Parking demand at these sites appeared different from suburban sites and was, therefore, excluded from the data plots.

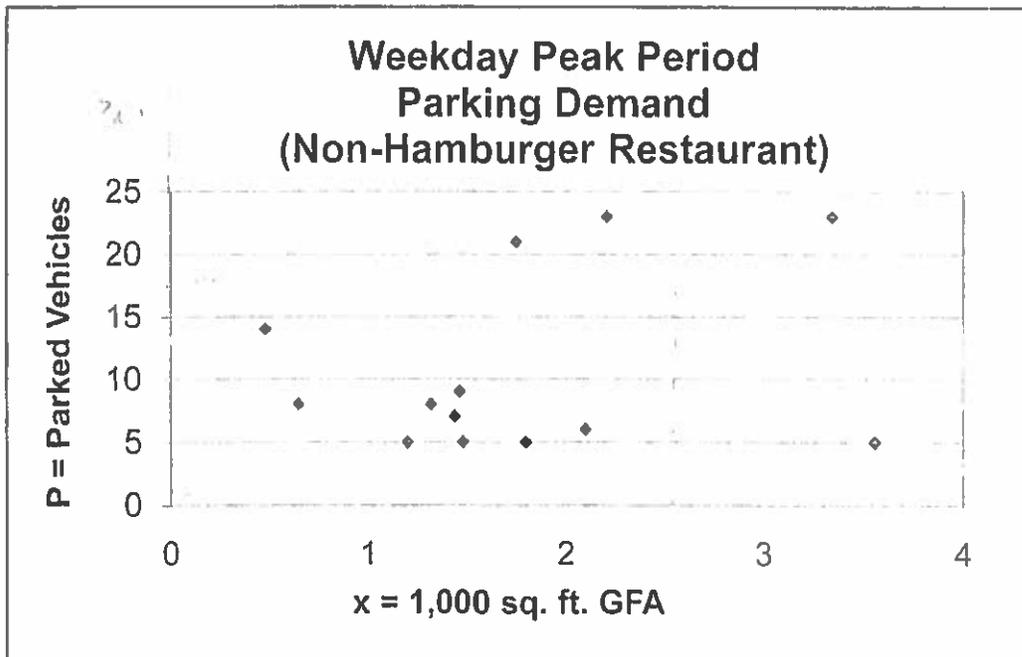
Land Use: 933 Fast-Food Restaurant without Drive-Through Window

Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a: Weekday

Land Use Code Subset: Non-Hamburger Restaurant

Statistic	Peak Period Demand
Peak Period	Varies*
Number of Study Sites	14
Average Size of Study Sites	1,700 sq. ft. GFA
Average Peak Period Parking Demand	8.20 vehicles per 1,000 sq. ft. GFA
Standard Deviation	7.12
Coefficient of Variation	87%
Range	1.41–29.17 vehicles per 1,000 sq. ft. GFA
85th Percentile	12.33 vehicles per 1,000 sq. ft. GFA
33rd Percentile	4.37 vehicles per 1,000 sq. ft. GFA

* Refer to the "Database Description" section of this land use for additional explanation.



◆ Actual Data Points

4011

Land Use: 934

Fast-Food Restaurant with Drive-Through Window

Description

This category includes fast-food restaurants with drive-through windows. This type of restaurant is characterized by a large carry-out clientele; long hours of service (some are open for breakfast, all are open for lunch and dinner, some are open late at night or 24 hours per day); and high turnover rates for eat-in customers. These limited-service eating establishments do not provide table service. Non-drive-through patrons generally order at a cash register and pay before they eat. High-turnover (sit-down) restaurant (Land Use 932) and fast-food restaurant without drive-through window (Land Use 933) are related uses.

Database Description

The study site restaurants in this land use category provided data for two groups: restaurants that primarily serve hamburgers and restaurants that primarily serve non-hamburger meals (for example, chicken, fish, taco). In general, the peak parking demand rates for hamburger and non-hamburger restaurants were similar and, therefore, analyzed together.

The database consisted of a mix of suburban and urban sites along with one rural site. Based on each data plot, it was generally noted that hamburger restaurants surveyed on weekdays produced significantly different parking demand rates for the suburban and urban sites. However, analyzing these data by area type did not display logical reasons to explain the causes for different parking demand. Therefore, the studies were grouped together for weekday data. For other time periods and restaurant groups, there was no significant difference in rates between suburban and urban sites and, therefore, the data were combined and analyzed together.

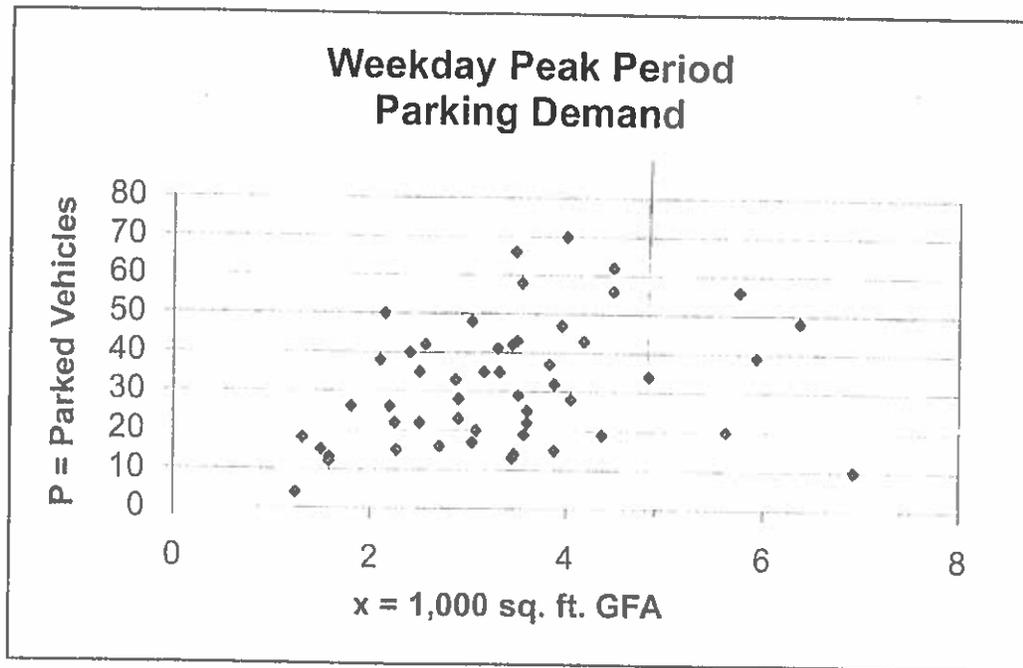
- Average parking supply ratios: 15.2 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (53 study sites) and 0.6 spaces per seat (34 study sites).
- Average employee density at hamburger restaurants: 4 employees per 1,000 sq. ft. GFA (11 study sites).

Data were submitted for a 5,600 sq. ft. GFA rural site with 97 seats. The only time period counted was between 12:00 and 1:00 p.m. on a weekday. Parking demand ratios were 3.56 vehicles per 1,000 sq. ft. GFA and 0.21 vehicles per seat. This site was excluded from the data plot.

Land Use: 934 Fast-Food Restaurant with Drive-Through Window

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a Weekday**

Statistic	Peak Period Demand
Peak Period	12:00–3:00 p.m.; 6:00–7:00 p.m.
Number of Study Sites	51
Average Size of Study Sites	3,400 sq. ft. GFA
Average Peak Period Parking Demand	9.98 vehicles per 1,000 sq. ft. GFA
Standard Deviation	4.70
Coefficient of Variation	47%
95% Confidence Interval	8.69–11.27 vehicles per 1,000 sq. ft. GFA
Range	1.45–23.26 vehicles per 1,000 sq. ft. GFA
85th Percentile	15.13 vehicles per 1,000 sq. ft. GFA
33rd Percentile	7.28 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points

ucl

Land Use: 937

Coffee/Donut Shop with Drive-Through Window

Description

This land use includes single-tenant coffee and donut restaurants with drive-through windows. Freshly brewed coffee and a variety of coffee-related accessories are the primary retail products sold at these sites. They may also sell other refreshment items such as donuts, bagels, muffins, cakes, sandwiches, wraps, salads and other hot and cold beverages. Some sites may also sell newspapers, music CDs and books. The coffee and donut shops contained in this land use typically hold long store hours (more than 15 hours) with an early-morning opening. Also, limited indoor seating is generally provided for patrons; table service is not provided. Coffee/donut shop without drive-through window (Land Use 936), bread/donut/bagel shop without drive-through window (Land Use 939) and bread/donut/bagel shop with drive-through window (Land Use 940) are related uses.

Database Description

The database consisted of a mix of suburban and urban sites. Transit service services were available within three blocks for each of the three urban sites. Parking demand ratios at the suburban sites were similar to those of the urban sites and, therefore, the data were combined and analyzed together.

- Average parking supply ratio: 18.4 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (nine sites).

Saturday parking demand was observed for seven nonconsecutive hours at two sites. The first site was 1,300 sq. ft. GFA in size and had a peak parking demand ratio of 5.41 vehicles per 1,000 sq. ft. GFA. The peak parking period occurred between 12:00 and 1:00 p.m. The second site was 1,350 sq. ft. GFA in size and had a peak parking demand ratio of 11.85 vehicles per 1,000 sq. ft. GFA. The peak parking period occurred between 8:00 and 9:00 a.m.

Due to the wide range of peak period parking demand ratios at the sites surveyed, caution should be exercised when using these data. Additional parking demand studies are needed to better define parking demand characteristics for this land use.

Study Sites/Years

Berlin, NJ (2003); Delran, NJ (2003); Hammonton, NJ (2003); Pemberton, NJ (2003); Colorado Springs, CO (2006); Thornton, CO (2006); Denver, CO (2006); Chicago, IL (2007); Reno, NV (2007); Seattle, WA (2007)

4th Edition Source Numbers

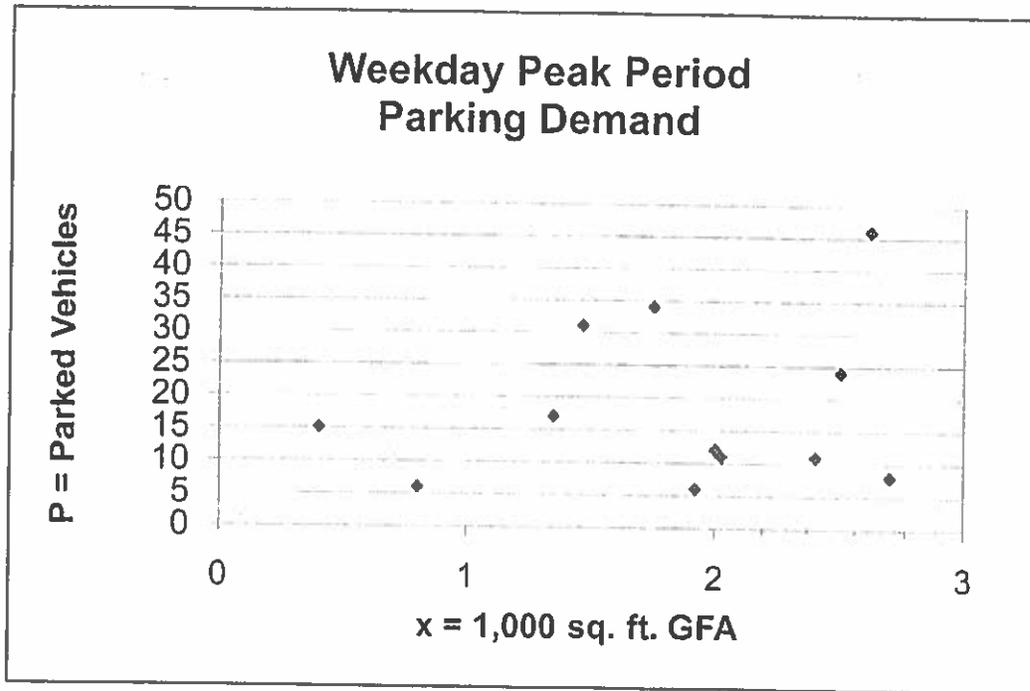
1105, 1107, 1110, 1112, 1127, 1133, 1142

Land Use: 937 Coffee/Donut Shop with Drive-Through Window

**Average Peak Period Parking Demand vs. 1,000 sq. ft. GFA
On a Weekday**

Statistic	Peak Period Demand
Peak Period	7:00–9:00 a.m.; 11:00 a.m.–2:00p.m.*
Number of Study Sites	16
Average Size of Study Sites	1,900 sq. ft. GFA
Average Peak Period Parking Demand	10.40 vehicles per 1,000 sq. ft. GFA
Standard Deviation	9.37
Coefficient of Variation	90%
Range	2.96–37.50 vehicles per 1,000 sq. ft. GFA
85th Percentile	18.97 vehicles per 1,000 sq. ft. GFA
33rd Percentile	5.39 vehicles per 1,000 sq. ft. GFA

** Although the majority of the study sites exhibited a peak parking demand between 7:00 and 9:00 a.m., two of the four sites, which were surveyed during both the morning and mid-day, reported a mid-day peak parking demand.*



◆ Actual Data Points

Land Use: 820 Shopping Center

Description

A shopping center is an integrated group of commercial establishments that is planned, developed, owned and managed as a unit. A shopping center's composition is related to its market area in terms of size, location and type of store. A shopping center provides on-site parking facilities sufficient to serve its own parking demands. Specialty retail center (Land Use 814) is a related use.

Database Description

The independent variable used to describe building size for this land use is 1,000 square feet (sq. ft.) gross leasable area (GLA). This independent variable is commonly used in the shopping center industry and is typically readily available for centers being planned. For smaller centers without an enclosed mall or peripheral buildings, the GLA is generally the same as the gross floor area (GFA) of the building.

The parking demand database includes data from 197 shopping centers. The surveyed shopping centers include strip, neighborhood, community, regional and super regional centers, as defined by the Urban Land Institute¹ (ULI) in the table below. The highest proportion of study sites was community shopping center, followed in order by regional, neighborhood, super regional and strip shopping centers. Some of these centers contained non-merchandising facilities, such as office space, movie theaters, restaurants, post offices, banks, health clubs and recreational facilities (for example, ice skating rinks or indoor miniature golf courses). Some of the shopping centers, in addition to the integrated unit of shops in one building or enclosed around a mall, may have included out parcels (peripheral buildings or pads located on the perimeter of the center, adjacent to the streets and major access points). These buildings were typically drive-in banks, retail stores, restaurants, or small offices.

Center Type	Strip	Neighborhood	Community	Regional	Super Regional
Building Area (GLA)	< 30,000	30,000 to 100,000	100,000 to 400,000	400,000 to 800,000	> 800,000
Typical Anchor and Tenant Type	Small Businesses	Anchored by supermarket and/or drug store with variety of supporting stores	Anchored by general merchandise stores or discount retailer	Anchored by department stores with variety of stores	Anchored by several department stores with variety of stores

Future data submissions should attempt to provide information on the composition of each study site (types and number of stores within the shopping centers).

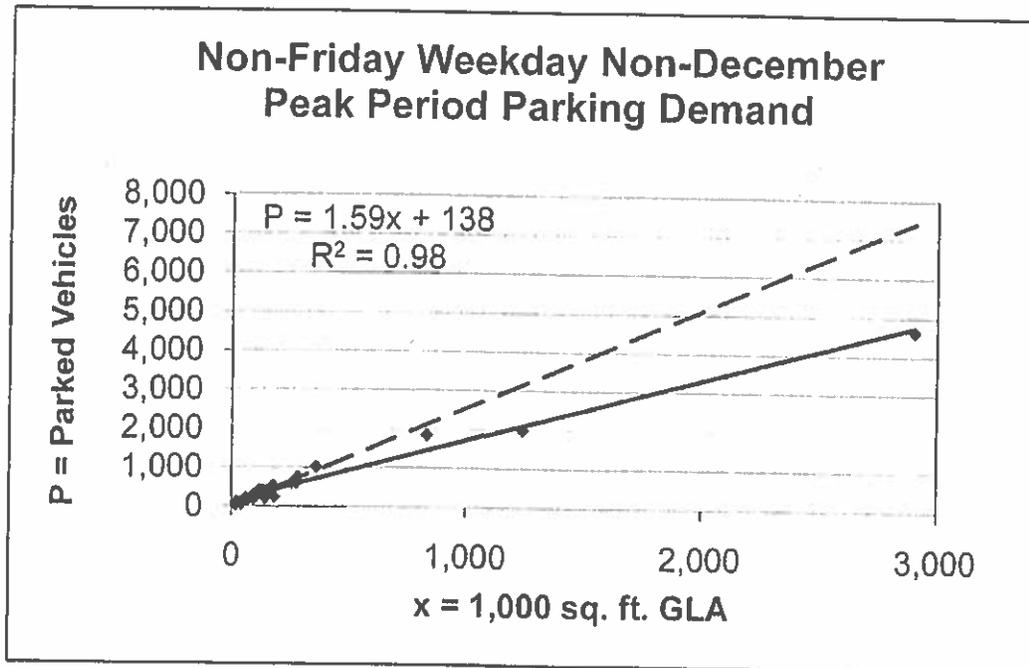
¹ *Parking Requirements for Shopping Centers*, 2nd Edition, Urban Land Institute, 1999, page 8.

40"

Land Use: 820 Shopping Center

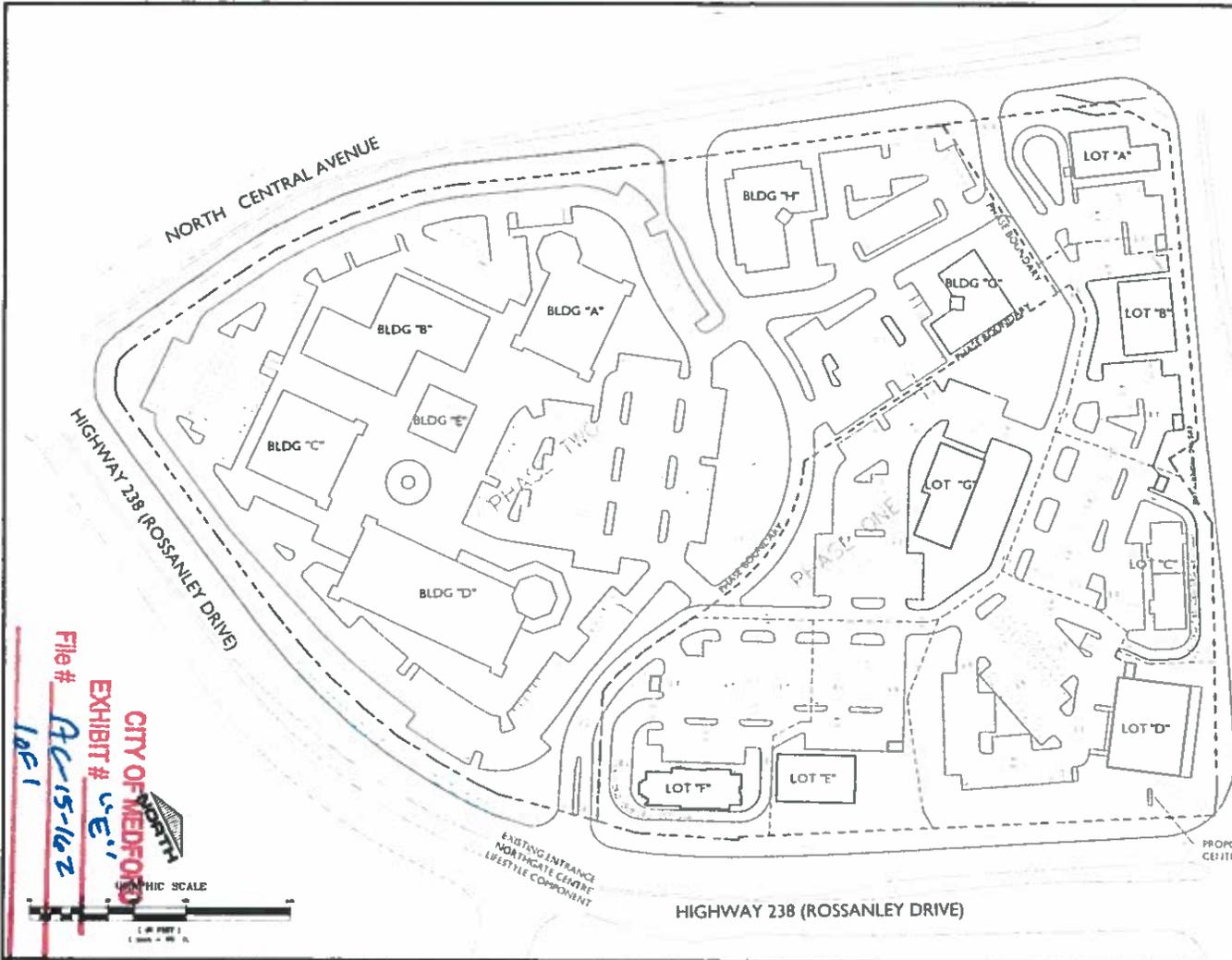
**Average Peak Period Parking Demand vs. 1,000 sq. ft. GLA
On a: Non-Friday Weekday (Non-December)**

Statistic	Peak Period Demand
Peak Period	11:00-3:00 p.m.; 6:00-7:00 p.m.
Number of Study Sites	24
Average Size of Study Sites	357,700 sq. ft. GLA
Average Peak Period Parking Demand	2.55 vehicles per 1,000 sq. ft. GLA
Standard Deviation	0.93
Coefficient of Variation	37%
Range	1.33-5.58 vehicles per 1,000 sq. ft. GLA
85th Percentile	3.16 vehicles per 1,000 sq. ft. GLA
33rd Percentile	2.20 vehicles per 1,000 sq. ft. GLA



◆ Actual Data Points — Fitted Curve - - - Average Rate

ucl



Phase One NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS		
LOT	BUILDING AREA	PARKING REQ'D PROVIDED
A	4509 SF	20 X 20
B	10000 SF	30 32
C	2320 SF & 2500 SF	50 51
D	9811 SF	71 72
E	2500 SF & 2500 SF	32 5 33
F	4030 SF	50 50
G	20000 SF	60 70
TOTAL	58748 SF	322 0 347

Phase Two NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS			
BLDG	FIRS	BLDG AREA	PARKING REQ'D PROVIDED
A	2	24390 SF	73 76
B	1	15600 SF	46 0
C	1	10750 SF	30 0
D	2	47235 SF	148 7
E	1	2600 SF	10 0
F	2	15925 SF	47 9
G	2	12050 SF	36 1
TOTAL		119050 SF	397 2

Total NORTHGATE CENTER

BUILDABLE AREA	
Allowable & Buildable Area	219300 SF
Proposed Phase One Total Area	58748 SF
Proposed Phase Two Total Area	129050 SF
Remaining Allowable Buildable Area	311302 SF

RECEIVED
JAN 14 2016
Planning Dept.
EXHIBIT "C.2"

File # PC-15-162
 EXHIBIT # C.2
 CITY OF MEDFORD
 NORTHGATE CENTER
 GRAPHIC SCALE
 1" = 100'



NO.	REVISION	DATE	BY

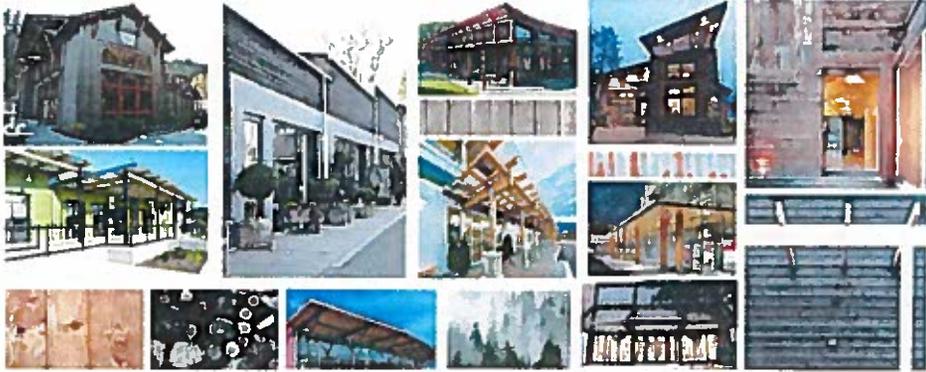
HORIZONTAL SCALE: 1" = 100'
 VERTICAL SCALE: 1" = 100'
 ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.

TATUM REAL ESTATE
 PRELIMINARY SITE PLAN

TATUM REAL ESTATE
 PRELIMINARY SITE PLAN

OVERALL MASTER PLAN
 NORTHGATE CENTER
 (CHAS. & CONNOR #111)
 PRELIMINARY SITE PLAN
 C.2

INSPIRATIONAL ARCHITECTURAL STYLE



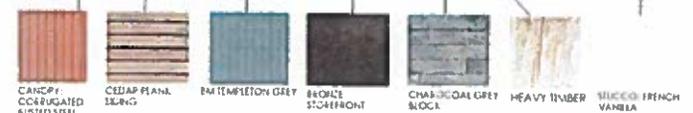
OFFICE BUILDING



MONUMENT SIGN



PAD BUILDING



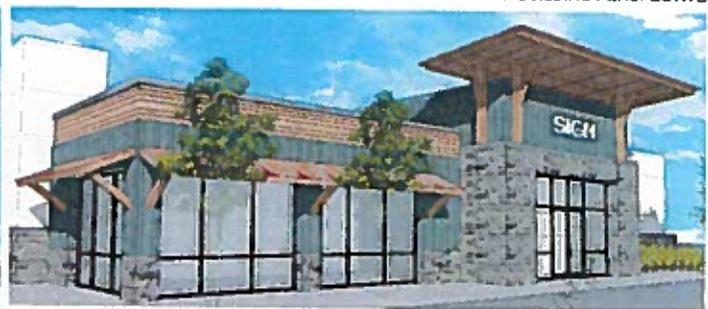
OFFICE BUILDING PERSPECTIVE



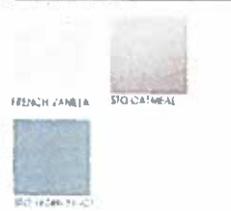
OFFICE BUILDING PERSPECTIVE



PAD BUILDING PERSPECTIVE



STUCCO



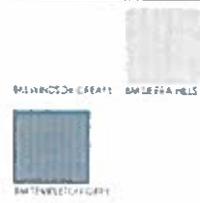
METALS



MASONRY



BOARD & BATTEN



WOOD



ROOFING



CITY OF MEDFORD
EXHIBIT A
AC-15-142
10/1

Page 64

CITY OF MEDFORD
EXHIBIT A
AC-15-162

PRELIMINARY NOT FOR CONSTRUCTION

SHOEA
A Professional Association Architectural and Engineering, P.C.

NORTHGATE CENTRE - OFFICE PARK
SE CORNER OF WEST TABLE ROCK ROAD AND HIGHWAY 99
MEDFORD, OREGON

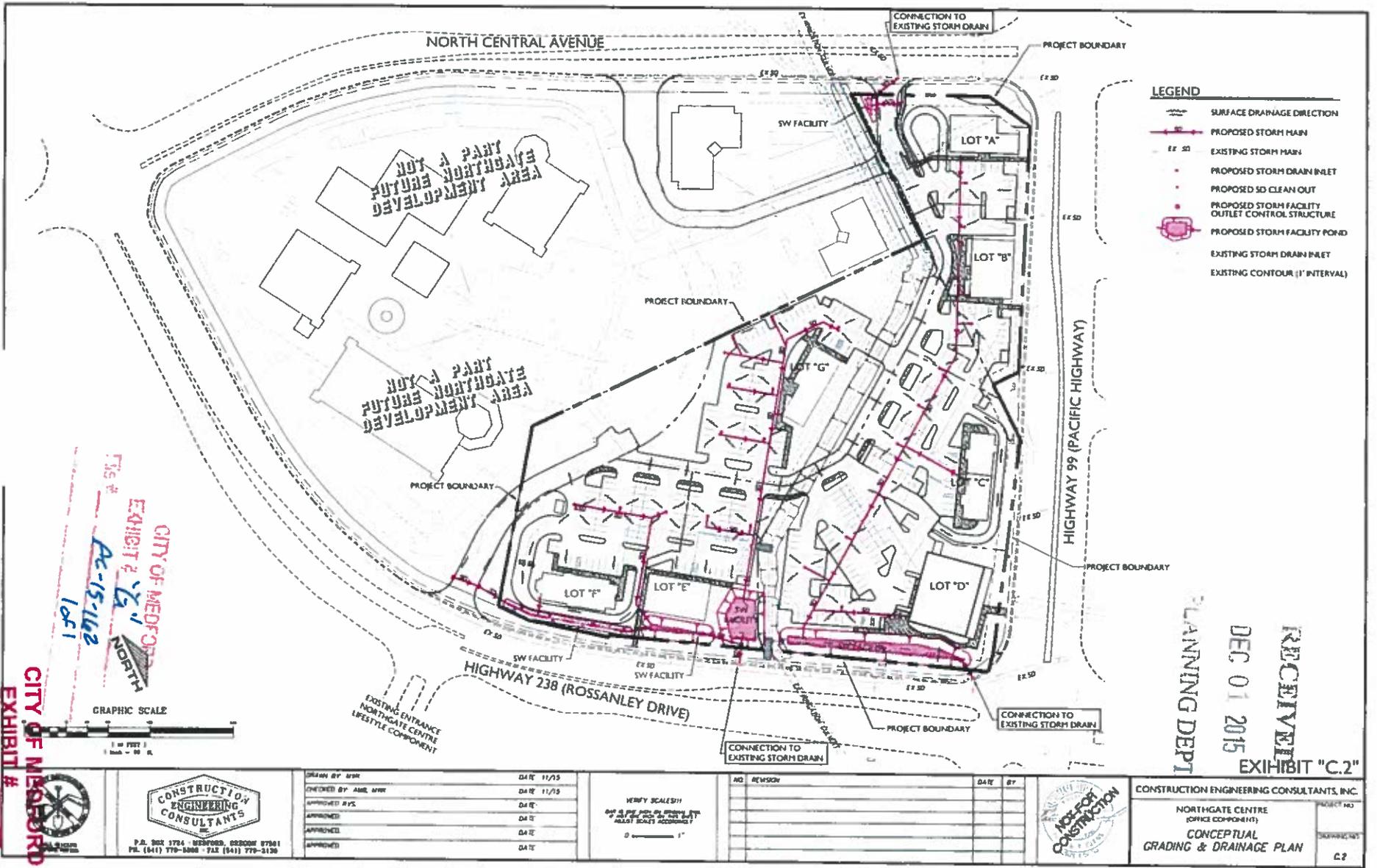
TATUM REAL ESTATE

PROJECT: 11/20/15
DATE: 11/20/15
DESIGNER: DLM/MS

DESIGN GUIDELINES

A1.0
ORIGINAL SHEET 020
BY: J.P.P.

RECEIVED
PLANNING DEPT.
DEC 01 2015



LEGEND

- SURFACE DRAINAGE DIRECTION
- PROPOSED STORM MAIN
- EXISTING STORM MAIN
- PROPOSED STORM DRAIN INLET
- PROPOSED SD CLEAN OUT
- PROPOSED STORM FACILITY OUTLET CONTROL STRUCTURE
- PROPOSED STORM FACILITY POND
- EXISTING STORM DRAIN INLET
- EXISTING CONTOUR (1' INTERVAL)

RECEIVED
 DEC 01 2015
 PLANNING DEPT
 EXHIBIT "C.2"

CITY OF MEDFORD
 EXHIBIT # 13
 AC-15-162
 NORTH



CITY OF MEDFORD
 EXHIBIT #



DRAWN BY: MVR	DATE: 11/15
CHECKED BY: AME, MVR	DATE: 11/15
APPROVED BY: RVS	DATE:
APPROVED:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

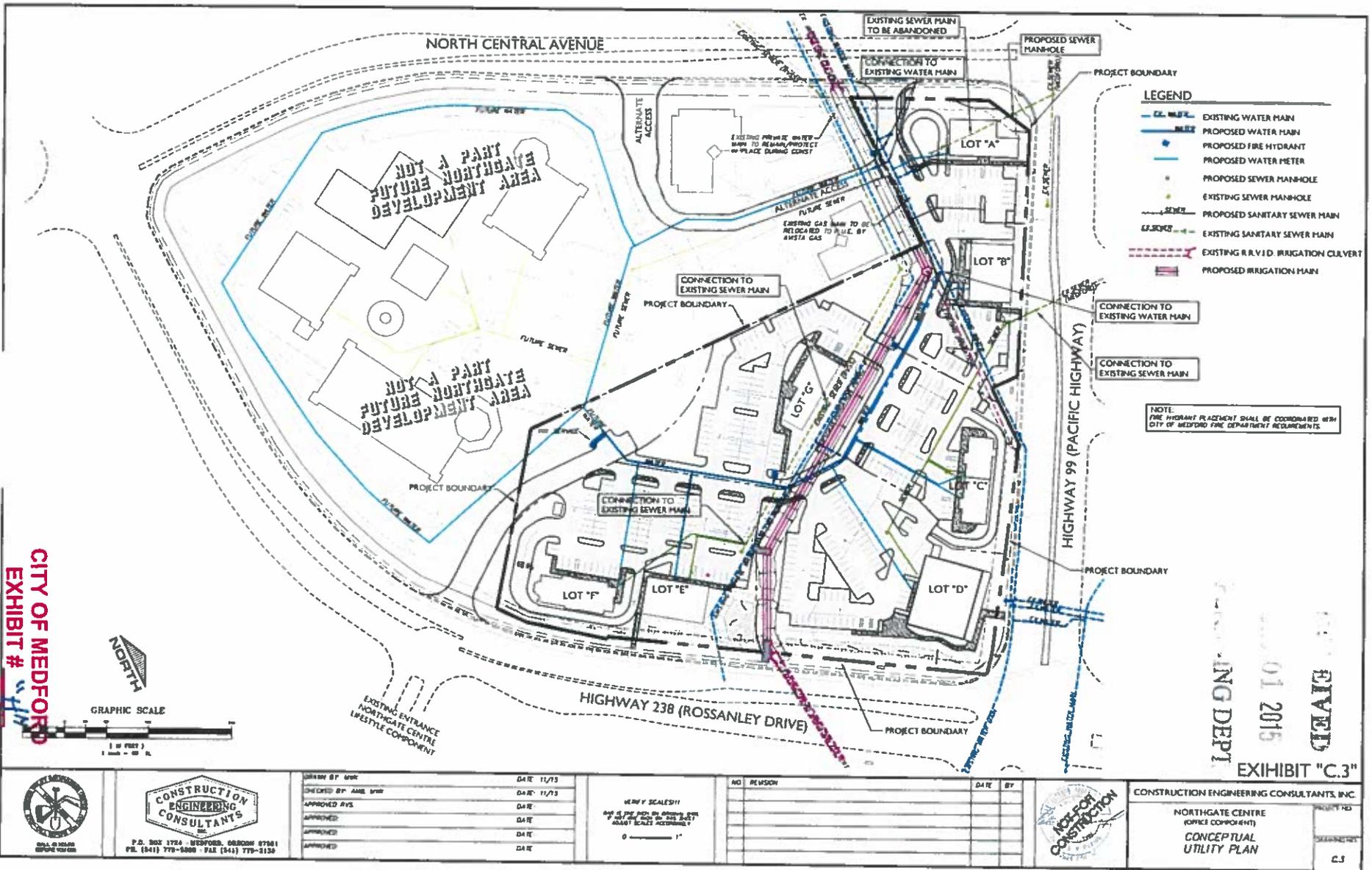
VERIFY SCALES!!
 60% & 100% FOR ALL PLOTS
 1" = 100' FOR ALL PLOTS
 1" = 100' FOR ALL PLOTS

NO.	REVISION	DATE	BY



CONSTRUCTION ENGINEERING CONSULTANTS, INC.
 NORTHGATE CENTRE
 (OFFICE COMPONENT)
 CONCEPTUAL
 GRADING & DRAINAGE PLAN
 SUBJECT: NGS
 DRAWING: NGS
 C2

MADE WITH MICRO-CAD 2000
 PLOT: 11/24/15 11:24 AM



P.O. BOX 1724 - MEDFORD, OREGON 97501
PH. (541) 779-6888 - FAX (541) 779-2126

DRAWN BY: MJC	DATE: 11/13
CHECKED BY: AME MJC	DATE: 11/13
APPROVED BY:	DATE:
APPROVED:	DATE:
APPROVED:	DATE:

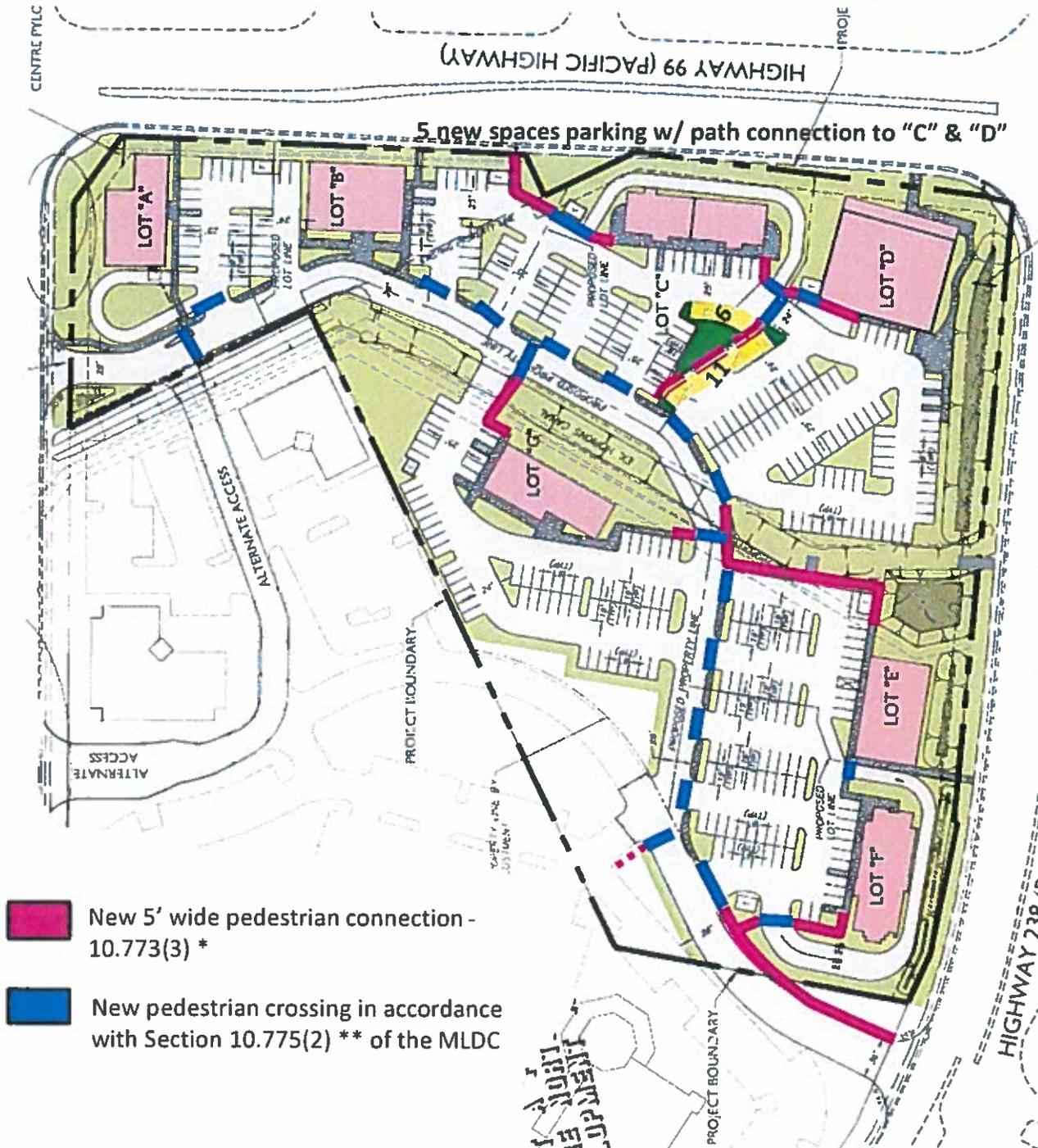
VERIFY SCALES!!
DATE IS THE KEY TO THE SCALE AND NOT THE SCALE NUMBER!!
0" = 1"

NO.	REVISION	DATE	BY



CONSTRUCTION ENGINEERING CONSULTANTS, INC.
NORTHGATE CENTRE (OFFICE COMPONENT)
CONCEPTUAL UTILITY PLAN
C.3

Conceptual pedestrian access per MLDC 10.773 & 10.77 (Exhibit 5)



- New 5' wide pedestrian connection - 10.773(3) *
- New pedestrian crossing in accordance with Section 10.775(2) ** of the MLDC

• 10.773 (3) A pedestrian walkway shall be provided To connect building entrances to one another, to existing or planned transit stops and to connect the pedestrian circulation system to other areas of the site such as parking lots, children's play areas, required outdoor areas and any pedestrian amenities such as plazas, resting areas and viewpoints.

** 10.775 (2) Pedestrian walkways shall be s separated from parking area by grade, different paving materials, speed bumps or landscaping.

CITY OF MEDFORD
EXHIBIT # 5
FRS # AC-15-162



Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 4/7/2016
File Number: AC-15-162

PUBLIC WORKS DEPARTMENT STAFF REPORT Northgate Office Park 100 Rossanley Drive

Project: Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office building.

Location: Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the Northwest and Highway 238 on the south within a C-S/P (Service Commercial/Professional Office) and I-L (Light Industrial) zoning districts. (Map lot: 372W24 TL101, 372W13DC TL'S 3301, 4300-4600, & 5500-5700)

Applicant: Tatum Real Estate. Inc., Applicant. Desmond McGeough, Planner.

NOTE: Existing Requirements and Agreements: Developer shall meet the conditions of approval for the Northgate Development CP-06-065, ZC-06-066, and Council Ordinance 2006-264 as modified by application CP-11-041, ZC-11-042, and Council Ordinance 2011-122, and Public Works memo dated October 25, 2006 as well as the amended Disposition and Development Agreement (DDA) dated August 8, 2011 (Council Ordinance 2011-163).

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

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

- Submittal and approval of plans for site grading and drainage, and detention.
- Completion of all public improvements, if required. The applicant may provide security for 120% of the improvements prior to issuance of building permits. Construction plans for the improvements would need to be approved by the Public Works Engineering Department prior to acceptance of security.
- Items A – D, unless noted otherwise.

CITY OF MEDFORD
EXHIBIT # 4211
File # AC-15-162

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

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

A. STREETS

1. Dedications

North Central Avenue – Please contact Oregon Department of Transportation (ODOT) for any requirements. If jurisdiction is transferred to the City of Medford, then no additional right-of-way dedications are required along this developments frontage, **except** for dedication at the North Central Avenue and Highway 99 intersection to facilitate the northbound right turn lane.

Highway 238 (Rossanley Drive) – Please contact Oregon Department of Transportation (ODOT) for any requirements.

Highway 99 (Pacific Highway) – Please contact ODOT for any requirements.

If jurisdiction is transferred to the City of Medford, then in accordance with Medford Land Development Code (MLDC) Section 10.471, **the property owner shall dedicate a 10-foot wide public utility easement (PUE)** adjacent to the right-of-way line on North Central Avenue.

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

2. Public Improvements

a. Public Streets

Based upon the stipulations from the DDA, the Northgate Office Park final site plan being considered will trigger traffic mitigation of adding a right turn lane northbound on North Central Avenue to eastbound/southbound Highway 99.

North Central Avenue – Please contact ODOT for any requirements. If jurisdiction is transferred to the City of Medford, then the Developer shall construct the required northbound right turn lane onto Highway 99 from North Central Avenue. The Developer shall coordinate this work with the City of Medford and ODOT.

Highway 238 (Rossanley Drive) – Please contact ODOT for any requirements.

Highway 99 (Pacific Highway) – Please contact ODOT for any requirements.

b. Street Lights and Signing

The developer shall provide and install street lights in compliance with MLDC 10.495. Based on the preliminary plan submitted, the following number of street lights will be required. Numbers are subject to change if changes are made to the plans. All streetlights shall installed per City standards and will require submittal of public improvement plans as noted in Section 'D'. Public Works will provide preliminary street light locations upon request.

The Developer shall install four (4) new 400 watt HPS street lights (three (3) on Highway 238 and one (1) on North Central Avenue). Power to be sourced from new base mounted cabinets (BMCs), or Engineer to confirm existing power source is adequate to handle the additional street light. One (1) BMC will be located on Highway 238 and one (1) BMC will be located on North Central Avenue, unless an Engineer can show availability from lights at the intersection.

The street lights are required to be completed and turned on prior to first building permit, or the Developer shall provide security for 120% of the improvements and sign a Land Development Agreement, if a permit is desired prior to constructing the light.

The Developer's contractor shall coordinate with ODOT to remove any existing signs and place new signs.

c. Pavement Moratoriums

There are no pavement cutting moratoriums currently in effect along this developments frontage.

3. Access and Circulation

The Developer shall provide a current trip inventory for Northgate Office Park, which shows the total trip generation of the Northgate development previously approved plus the proposed new trip generation in relation to the current trip cap. This information must be provided to Public Works at least 5 working days prior to the public hearing.

Driveway access to the proposed development site shall comply with ODOT requirements.

The Developer shall submit evidence of or provide cross-access easements for the property along its boundaries in accordance with MLDC 10.550. The easements shall be described to include the proposed driveways for this Development.

Public Works has received a report from Southern Oregon Transportation Engineering (SOTE) regarding access to the site from North Central Avenue. Subsequent to reviewing and commenting on that report, the City of Medford and ODOT discovered that North Central Avenue is still under ODOT jurisdiction. All Access to this site is from ODOT facilities and needs to be coordinated with them. If jurisdiction of North Central Avenue is transferred to the City of Medford in the future, then the SOTE report will be recognized and the following access

conditions will apply.

The access shown in the northwest corner of the site (near Lot "A") on the preliminary site plan is not allowed and should be removed from the plan.

Furthermore, the proposed "alternate access" cannot be a full turn movement access as called out on the preliminary site plan. Per the Traffic Impact Analysis it can be modified to be a right-in, right out, left-in access with conditions, as described below:

Public Works received a report from Southern Oregon Transportation Engineering providing analysis in support of a requested change to the approved access on North Central Avenue for the proposed office park. The development was originally approved as a multi-use development spanning three quadrants around the intersection of Highway 238 and North Central Avenue. The southeast quadrant is Alba Village, a retail shopping center; the northeast quadrant is proposed to be an office park; and the northwest quadrant is proposed to be a light industrial center. The office park quadrant was approved with access to Highway 238 and to North Central Avenue. The North Central Avenue driveway was approved as a "right-in right-out only" that would allow a through crossing of North Central Avenue by a development sponsored trolley that would enhance internal trip capture among three quadrants of the development.

The analysis focused on two aspects of the requested change from "right-in right-out only" access to "right-in right-out left-in" access; one aspect was the level of service of the intersection the other was the effect on the proposed trolley. It shows that the level of service will not be significantly affected by the addition of left-in movements when compared with the originally approved right-in right-out access. The level of service stays at LOS D for either configuration. LOS D for unsignalized intersections has a range of between 25 and 35 seconds of average delay per vehicle. It also shows that the average delay to the proposed trolley will increase from 25.2 seconds per vehicle to 27.3 seconds per vehicle with the addition of the left-turn-in movements.

Public Works, therefore, has no reason to object to the proposed change in access from right-in right-out only to right-in right-out left-in, provided that the following conditions are met. Access across North Central Avenue will remain a through movement for the trolley only.

1. Since the trolley will ultimately be sponsored by the whole development, and since the development is being built by multiple owners and/or companies, we recommend that the Planning Commission require the applicant to submit notarized documents from all other owners of the property within the three quadrants of the overall Northgate development stating that they are aware that this change to the access on North Central Avenue will result in delay to each trolley trip and that they accept any additional future operating costs that may result from this additional delay.

2. The applicant shall provide design for the driveways and accesses on both sides of North Central Avenue to a sufficient level of detail that the City can confirm that the proposed movements can be accommodated while still providing the necessary restrictions. Once a preliminary design is approved for the full intersection, the applicant will be required to

"K"

complete design and construction only on the improvements associated with the office park access. All access improvements for the office park shall be constructed in conformance with the approved full intersection design.

B. SANITARY SEWERS

This site lies primarily within the Rogue Valley Sewer Service (RVSS) area. Contact RVSS for sanitary sewer connections to their system.

The Developer is showing some lots connecting to City of Medford sewer in Highway 99 via an extension of the public main. This extension is required to be a public main and will require submittal of public improvement plans as noted in Section 'D'. The Developer shall provide one separate individual service lateral to each tax lot or ensure that each tax lot is served by an individual service lateral. Any existing sanitary sewer laterals that will not serve the proposed building shall be capped at the main with a permit issued by the City (to be issued concurrent with the vertical building permit).

All public sanitary sewer mains shall be located in paved public streets or within easements. Easements shall have a minimum width of 10-feet or a width of two (2) times the depth of the main if greater than 5-feet deep to the invert of the main. All manholes shall be accessible by paved, all-weather roads. All easements shall be shown on the public improvement plans.

C. STORM DRAINAGE

1. Drainage Plan

A comprehensive drainage plan showing the entire project site with sufficient spot elevations to determine direction of runoff to the proposed drainage system, and also showing elevations on the proposed drainage system, shall be submitted with the first vertical building permit application for approval. All area catch basins shall meet Department of Environmental Quality (DEQ) requirements, which include a down-turned elbow and sump.

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

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

This site is bisected by the Hopkins Canal. Rogue River Valley Irrigation District (RRVID) manages this portion of the canal. The Developer shall provide written approval from RRVID for any work to the canal or within their easement.

2. Grading

A comprehensive grading plan showing the relationship between adjacent property and the proposed development shall be submitted with the building permit application for approval. Grading on this development shall not block drainage from an adjacent property or concentrate

drainage onto an adjacent property without an easement. The developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. Detention and Water Quality

Stormwater quality and detention facilities shall be required in accordance with MLDC Section 10.481 and 10.729.

4. Certification

Upon completion of the project, and prior to certificate of occupancy of the building, the developer's design Engineer shall certify that the construction of the stormwater quality and detention system was constructed per plan. Certification shall be in writing and submitted to the Engineering Division of Public Works. Reference Rogue Valley Stormwater Quality Design Manual, Appendix I, Technical Requirements.

5. Wetlands

The Developer shall contact the Division of State Lands for the approval or clearance of the subject property with regards to wetlands and/or waterways, if they are present on the site.

6. Erosion Prevention and Sediment Control

All development that disturbs 5,000 square feet or greater shall require an Erosion Prevention and Sediment Control Plan. Developments that disturb one acre and greater shall require a 1200C permit from the Department of Environmental Quality (DEQ). Erosion Prevention and Sediment Control Plans shall be submitted to the Building Department with the project plans for development. All disturbed areas shall be covered with vegetation or properly stabilized prior to certificate of occupancy.

D. General Conditions

1. Design Requirements and Construction Drawings

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

2. Construction Plans

Construction drawings for any public improvements for this project shall be prepared by a professional engineer currently licensed in the State of Oregon, and submitted to the Engineering Division of Medford Public Works Department for approval. Construction drawings for public improvements shall be submitted only for the improvements to be constructed with each phase. Approval shall be obtained prior to beginning construction. Only a complete set of construction drawings (3 copies) shall be accepted for review, including plans and profiles for all streets, minimum access drives, sanitary sewers, storm drains, and street lights as required by the Planning Commission's Final Order, together with all pertinent details and calculations. A "K"

checklist for public improvement plan submittal can be found on the City of Medford, Public Works web site (<http://www.ci.medford.or.us/Page.asp?NavID=3103>). The Developer shall pay a deposit for plan review and construction inspection prior to final plan approval. Public Works will keep track of all costs associated with the project and, upon our acceptance of the completed project, will reconcile the accounting and either reimburse the Developer any excess deposit or bill the Developer for any additional amount not covered by the deposit. The Developer shall pay Public Works within 60 days of the billing date or will be automatically turned over for collections.

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

1. Phasing

The Preliminary Site Plan does not show any phasing. However, any public improvements needed to serve a particular phase shall be improved at the time each corresponding phase is being developed. Public improvements not necessarily included within the boundaries of any given phase, but are needed to serve that phase shall be constructed at the same time.

2. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the governing agency, either ODOT or City of Medford Department of Public Works, prior to commencing any work within the public right-of-way that is not included within the scope of work described within approved public improvement plans.

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

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

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

Any work within ODOT right-of-way may also require permits and plans to be approved by ODOT. Contact ODOT at 541-774-6299.

Any work related to the irrigation canal shall be coordinated with the Rogue River Valley Irrigation District. Contact Rogue River Valley Irrigation District at 541-773-6127.

3. Site Improvements

All on-site parking and vehicle maneuvering areas related to this development shall be paved in accordance with MLDC, Section 10.746, prior to issuance of certificate of occupancy for any structures on the site. Curbs shall be constructed around the perimeter of all parking and maneuvering areas that are adjacent to landscaping or unpaved areas related to this site. Curbs may be deleted or curb cuts provided wherever pavement drains to a water quality facility.

4. System Development Charges

Buildings in this development are subject to street, sanitary sewer collection and treatment, and Storm Drain system development charges (SDC). All SDC fees shall be paid at the time individual building permits are issued.

Prepared by: Jodi Cope/Doug Burroughs

SUMMARY CONDITIONS OF APPROVAL

Northgate Office Park

AC-15-162

A. Streets

1. Street Dedications to the Public:

- Dedicate additional right-of-way for the northbound right turn lane on North Central Avenue as required by the governing agency.
- Dedicate a 10-foot wide PUE adjacent to the right-of-way line on North Central Avenue as required by the governing agency.

2. Improvements:

Public Streets

- Construct northbound right turn lane on North Central Avenue as required by the governing agency.

Lighting and Signing

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

Access and Circulation:

- Provide a trip generation inventory.
- Provide cross access easements.

B. Sanitary Sewer

- Contact RVSS for lots located in their service area.
- Ensure or construct separate individual sanitary sewer connection for lots to be serviced by City of Medford.
- Provide Public Improvement Plans and easements for the public main extension.

C. Storm Drainage

- Provide a comprehensive grading and drainage plan.
- Locate all private storm drain lines outside of the right-of-way and PUE.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide Engineers certification of stormwater facility construction.
- Provide copy of an approved Erosion Control Permit (1200C) from DEQ for this project.

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



Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: AC-15-162

PARCEL ID: 372W24 TL 401, 372W13DC TL's 3301, 4300-4600, & 5500-57-00

PROJECT: Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office building. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the Northwest and Highway 238 on the south within a C-S/P (Service Commercial/Professional Office) and I-L (Light Industrial) zoning districts; Tatum Real Estate. Inc., Applicant. Desmond McGeough, Planner.

DATE: February 25, 2016

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

CONDITIONS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of "on-site" 12-inch water lines is required. Applicants' civil engineer shall coordinate with MWC engineering department for on-site water facility layout. Water lines are required to be installed in paved travel lanes. They shall not be installed through landscaping islands, parking islands, and also not through parking stalls.
4. Dedication of a 10 foot wide (minimum) access and maintenance easement to MWC over all water facilities located outside of public right-of-way is required. Easement shall be submitted to MWC for review and recordation prior to construction.
5. Installation of an MWC approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.
6. Applicants' civil engineer shall coordinate with Medford Fire Department for Approved Fire Hydrant Locations.

Continued to next page

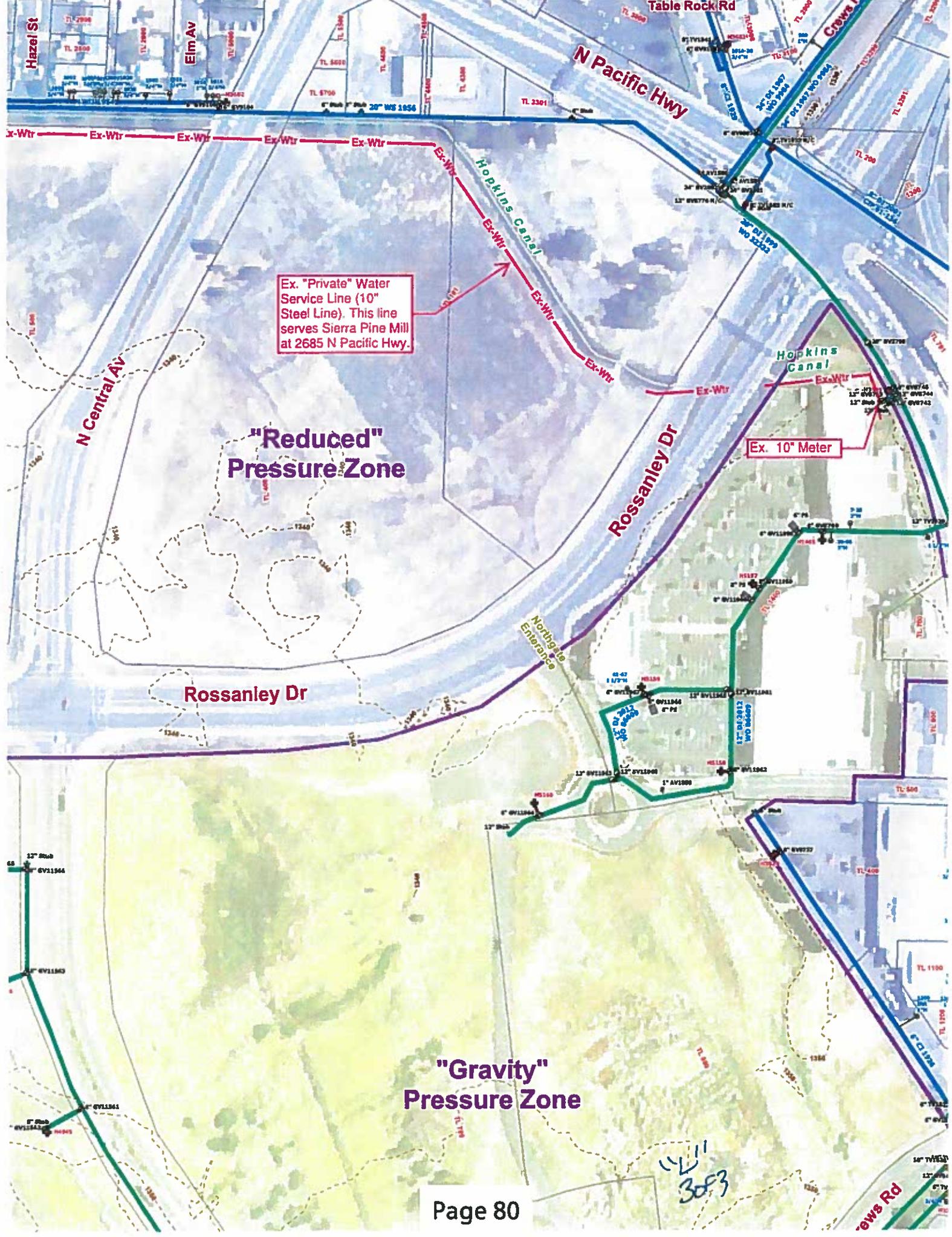


Continued from previous page

COMMENTS

1. Off-site water line installation is not required.
2. On-site water facility construction is required. (See Condition 3 above)
3. MWC-metered water service does not exist to this property.
4. Access to MWC water lines is available. There is an existing 20-inch welded steel water transmission line along the southerly side of N Pacific Hwy up to the southerly boundary of Tax Lot 3301, where the 20-inch water line heads to the east along the north boundary of Tax Lot 101.

“L”
20F3



Ex. "Private" Water Service Line (10" Steel Line). This line serves Sierra Pine Mill at 2685 N Pacific Hwy.

"Reduced" Pressure Zone

Ex. 10" Meter

"Gravity" Pressure Zone

3053



Medford Fire Department

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

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 03/02/2016

From: Greg Kleinberg

Report Prepared: 02/26/2016

Applicant: Applicant. Desmond McGeough, Planner.

File #: AC - 15 - 162

Site Name/Description: Northgate Office Park

Consideration of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office building. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the Northwest and Highway 238 on the south within a C-S/P (Service Commercial/Professional Office) and I-L (Light Industrial) zoning districts; Tatum Real Estate, Inc., Applicant. Desmond McGeough, Planner.

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

Requirement FIRE HYDRANTS

OFC

508.5

Fire hydrants with reflectors will be required for this project.

Fire hydrant locations shall be as follows: Six total fire hydrants required: One serving lot F, one serving lot E, one serving lot D, one serving lot C, one serving lot G, and one serving lots A & B.

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

The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

Plans and specifications for fire hydrant system shall be submitted to Medford Fire Department for review and approval prior to construction. Submittal shall include a copy of this review (OFC 501.3).

Requirement PRIVATE FIRE DEPARTMENT ACCESS PARKING RESTRICTION

OFC

503.4

Fire lanes are required to be posted as No Parking - Fire Lane by one of the methods below.

Fire apparatus access roads 20-26' wide shall be posted on both sides as a fire lane. Fire apparatus access roads more than 26' to 32' wide shall be posted on one side as a fire lane (OFC D103.6.1).

Where parking is prohibited for fire department vehicle access purposes, NO PARKING signs shall be spaced at 50' intervals along the fire lane and at fire department designated turn-around's. The signs shall have red letters on a white background stating "NO PARKING FIRE LANE TOW AWAY ZONE ORS 98.810 to 98.812" (See handout).

For privately owned properties, posting/marking of fire lanes may be accomplished by any of the following

CITY OF MEDFORD

EXHIBIT # "M"

File # AC-15-162 Page 1

1053



Medford Fire Department

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

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 03/02/2016

From: Greg Kleinberg

Report Prepared: 02/26/2016

Applicant: Applicant. Desmond McGeough, Planner.

File #: AC - 15 - 162

Site Name/Description: Northgate Office Park

alternatives to the above requirement (consult with the Fire Department for the best option):

Alternative #1:

Curbs shall be painted red along the entire distance of the fire department access. Minimum 4" white letters stating "NO PARKING-FIRE LANE" shall be stenciled on the curb at 25-foot intervals.

Alternative #3:

Asphalt shall be striped yellow or red along the entire distance of the fire department access. The stripes shall be at least 6" wide, be a minimum 24" apart, be placed at a minimum 30-60 degree angle to the perimeter stripes, and run parallel to each other. Letters stating "NO PARKING-FIRE LANE" shall be stenciled on the asphalt at 25-foot intervals.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths (20' wide) and clearances (13' 6" vertical) shall be maintained at all times (OFC 503.4; ORS 98.810-12).

This restriction shall be recorded on the property deed as a requirement for future construction.

Requirement FD APPARATUS ACCESS ROAD DESIGN

OFC

503.2.1

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under section 503.2.1, shall be maintained at all times. The fire apparatus access road shall be constructed as asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 60,000 pounds.

(See also OFC 503.4; D102.1)

The turning radius on fire department access roads shall meet Medford Fire Department requirements (OFC 503.2.4).

14"
2 of 3

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

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

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

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

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

MEDFORD PARKS & RECREATION

HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.



CITY OF MEDFORD Interoffice Memo

TO: Planning Department
FROM: Tim Stevens- Park Maintenance Superintendent
SUBJECT: LANDSCAPE REVIEW OF FILE AC-15-162, NORTHGATE
DATE: March 2, 2016

I have reviewed the applicant's conceptual landscape plan and recommend it be accepted as submitted.

This report addresses horticultural concerns only. Applicant shall comply with all aspects of Medford Code 10.780 Interpretation of the Medford Code will be per the Planning Department. Aesthetic considerations will be per the Site Plan and Architectural Review Commission or Planning Commission upon their review.

CITY OF MEDFORD

EXHIBIT # "N"

File # AC 15-162
10.F.1



CONTINUOUS IMPROVEMENT | CUSTOMER SERVICE
701 N. COLUMBUS AVE | MEDFORD OR 97501 | 541.774.2400
WWW.PLAYMEDFORD.COM | PARKS@CITYOFMEDFORD.COM



COMMUNITY ENRICHMENT EXCELLENCE EXCEPTIONAL CUSTOMER SERVICE INNOVATION



ROGUE VALLEY SEWER SERVICES

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

February 19, 2016

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

Re: AC-15-162, Northgate Centre (37 2W 24A) REF: PA 15-079

ATTN: Desmond,

The subject property is within the Rogue Valley Sewer Services sewer service area. There is an 8 inch diameter sewer main that enters the subject property from N Central Avenue near Gore Avenue. The sewer main runs parallel to and South of the irrigation canal.

Sewer service to the proposed development can be had by direct connections to this sewer main or by constructing internal sewer mains.

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

1. Any new sewer main construction must be designed and constructed in accordance with RVSS standards.
2. Applicant must obtain a permit from RVSS for any new service connections to the existing sewer main.
3. Applicant must pay relevant sewer system development charges to RVSS prior to the issuance of building permits.

Sincerely,

Carl Tappert

Carl Tappert P.E.
Manager

CITY OF MEDFORD
EXHIBIT # 40
File # AC-15-162
1 of 1

K:\DATA\AGENCIES\MEDFORD\PLANNG\ARCH COMM\2015\AC-15-162_NORTHGATE CENTRE.DOC



Oregon

Kate Brown, Governor

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

March 2, 2016

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

Re: Tatum Real Estate, Inc. - Northgate Office Park (AC-15-162).

Thank you for the opportunity to review the application submittal of a 18.83 acre master site plan for the Northgate Office Park and final site plan for an 8.5 acre portion of the Northgate Office Park consisting of 58,243 square feet of commercial and office buildings. Subject site is bounded between Highway 99 to the northeast, North Central Avenue on the northwest and Highway 238 on the south within the C-S/P (Service Commercial/Professional Office) and I-L (Light Industrial) zoning districts. 37-2W-13-DC, Tax Lots 5500, 5600, 5700, 4600, 4500, 4400, 4300, and 3301. 37-2W-24, Tax Lot 101.

ODOT staff's comments are as follows:

- Right-turn lane on Northbound Central Avenue/Table Rock Road at OR 99: Cooperative Improvement Agreement (CIA) 29468 (Northgate Center Development/Alba Village Regency/Northgate Center/Alba Village) Developer's Obligation's 1. Developer's shall be responsible for transportation improvements on the State Highway system as part of this Project. Developer's responsibilities of this Agreement, if met, shall satisfy State's conditions of approval for the Northgate Center Project, dated February 12, 2008, as amended by ordinance No. 2011-122, or as otherwise approved and amended by the City of Medford and State. Under ODOT Conditions of Approval 5. The applicant shall provide a right-turn lane on northbound Central Avenue/Table Rock at OR 99 southbound as Year 2010 mitigation. The site plan submitted with AC-15-162 shows "right of way dedication as required for right turn drop lane improvements on North Central Avenue" to the north of Lot A but no further specifications pertaining to the right-turn lane improvement project. The proposed project (AC-15-162) will trigger the additional improvement project that will need to be designed and submitted to ODOT Region 3 for review and approval.
Drainage: All drainage calculations and hydraulic reports should be sent to me in order to have the proper ODOT staff review them.
Right-In, Right-Out on OR 238: The location of the right-in, right-out on OR 238 is correct. Please have the property owner contact Cathy Harshman at 541-774-6259 to obtain a State Highway Approach Permit.
Landscaping in ODOT Right of Way: Landscaping between the sidewalk and curb within the ODOT right of way along OR 99 and OR 238 will be approved as long as the landscaping is not being done to meet City of Medford standards. ODOT miscellaneous permits will be required for any work performed in the ODOT right of way. Please have the property owner contact Roger Allemand at 541-774-6360 to obtain miscellaneous permits that may be needed for construction within the ODOT right of way.

You may contact me at 541-774-6399 if you have any further questions or require additional information.

Thank you,

Den Morehouse
Senior Transportation Planner, Development Review

CITY OF MEDFORD
EXHIBIT # "P"
File # AC-15-162
1 of 1

Cc: Ron Hughes, Michael Wang, Cathy Harshma, [redacted]



Memo

To: Desmond McGeough, Planning Department
From: Chad Wiltrout, Building Department (541) 774-2363
CC: Tatum Real Estate Inc., Applicant
Date: March 2, 2016
Re: March 2, 2016 LDC Meeting: AC-15-162

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 2014 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.

For questions related to the Conditions or Comments, please contact me, Chad Wiltrout, directly at (541) 774-2363 or 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 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 Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

Comments:

5. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.
6. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.
7. The building and building appurtenances shall be designed by an Oregon licensed design professional in accordance with 107.1 and 107.3.4 OSSC.
8. A geotechnical engineer shall provide a design for soils at building locations pursuant to 1803 of the Oregon Structural Specialty Code

**CITY OF MEDFORD
AGREEMENT PROCESSING CONTROL RECORD**

I. INITIATING DEPARTMENT - COMPLETE SECTIONS I & II

INITIATING DEPARTMENT City Manager's Office DATE October 30, 2008

APCR PREPARED BY Lynette O'Neal ASST TO THE CITY MGR I DEPT HEAD Michael D'Angel
NAME TITLE SIGNATURE

AGREEMENT OR CONTRACT TITLE Northgate Centre DDA

AGREEMENT OR CONTRACT PURPOSE Disposition and Development Agreement

CONTRACT PARTIES City of Medford, Northgate LLC, and Alba Village LLC

CONTRACT TERM BEGIN Executed Date END Ten years - 2018 1 YEAR 2 YEAR MORE THAN 2 YEARS
(PROJECTIONS ARE ACCEPTABLE)

DATE OF COUNCIL ACTION November 6, 2008

OTHER GOVERNMENT(S) AFFECTED None

WHO PREPARED THE AGREEMENT OR CONTRACT City of Medford

FINANCIAL IMPACT None

BUDGET ACCOUNT NUMBER _____

BUDGET PROJECT NUMBER (if applicable) N/A BOLI YES NO

II. CHECK 'YES' TO ALL APPLICABLE SECTIONS BEFORE ROUTING TO RECORDER'S OFFICE FOR FURTHER PROCESSING (NO ACCEPTABLE FOR AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES)

	YES	NO	N/A
FUNDING IS AVAILABLE <small>(DEPARTMENTS MUST CERTIFY UNENCUMBERED RESOURCES ARE AVAILABLE TO FULLY FUND THE CONTRACT)</small>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMPETITIVELY SOLICITED	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OTHER PARTY HAS EXECUTED	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PERFORMANCE BOND OR OTHER SECURITY IS ATTACHED	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
INSURANCE CERTIFICATE(S) ATTACHED	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
LEGAL DESCRIPTIONS BEEN RECEIVED AND CHECKED	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
OTHER COMMENTS <u>Contract allows for two 2-year extensions</u>			

PROVIDE TWO (2) COPIES OF COMPLETED APCR AND ATTACH TWO (2) COPIES OF AGREEMENT TO BE SIGNED

III. CITY RECORDER

DATE RECEIVED 10/30/08 APCR No 358-08 DATE ROUTED 10/30/08

IV. LAW DEPT _____ DATE 10/31/08
RETURN TO CITY RECORDER

V. CITY MANAGER Michael D'Angel DATE 10/30/08
RETURN TO CITY RECORDER

VI. ACTION RECORD

CITY COUNCIL ACTION DATE 11/6/08 ORDINANCE NO 2008-225

MAYOR/CITY MANAGER/DEPT HEAD EXECUTION DATE 11/7/08

CITY RECORDER COMPLETION DATE 11/10/08

DISTRIBUTION ORIGINAL City Recorder's Office DEPT RETURNED TO CMO

CITY OF MEDFORD
EXHIBIT # "R"
File # AC-15-162

NORTHGATE CENTRE

DISPOSITION AND DEVELOPMENT AGREEMENT

Between

**City of Medford,
And
Northgate LLC and Alba Village LLC**

"R"

October 20, 2008

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Exhibit B	Description of Project Components of Northgate Centre
Exhibit C	Off-Site Improvements Required by the City of Medford
Exhibit D	Off-Site Improvements Required by the Oregon Department of Transportation
Exhibit E	February 22, 2008 letter from the Oregon Department of Transportation to the City of Medford
Exhibit F	Off-Site Mitigation – State Highway 99 / Beall Lane Central Point Oregon
Exhibit G	City of Medford Comprehensive Plan Amendment Ordinance 2006-264 (Conditions of Approval)

"R"

DISPOSITION AND DEVELOPMENT AGREEMENT

**FOR DEVELOPMENT
OF
NORTHGATE CENTRE**

THIS AGREEMENT FOR DEVELOPMENT OF NORTHGATE CENTRE (this "Agreement") is made as of _____, 2008, by the **CITY OF MEDFORD** ("City"), a municipal corporation of the State of Oregon, and **NORTHGATE LLC AND ALBA VILLAGE LLC**, both Oregon limited liability companies ("Developers") City and Developers are referred to jointly in this Agreement as the "Parties" and individually as a "Party".

RECITALS

- A WHEREAS, Developers own real property at the former site of the Medco/Medite Timber Mill, located in three of the four quadrants formed by the axis of Oregon Highway 62 and 238 with Central Avenue, as depicted in Exhibit A, and further described in Exhibit B (the "Project Area"), and

- B WHEREAS, Developers received approval with conditions from the City for a Minor General Land Use Plan Map Amendment (Ordinance 2006-264) and Zoning Map Amendment (ZC-06-066), which changed the Plan and Zone Map designations within the Project Area from Heavy Industrial to a mix of Heavy Industrial, General Industrial, Service Commercial and Commercial designations for the purpose of developing the Northgate Centre, a mixed use development comprised of Alba Village, a lifestyle retail center, the Northgate Office Park and the Northgate Business Park ("Northgate Centre"), and

- C WHEREAS, Alba Village, the Northgate Office Park and the Northgate Business Park components (the "Project Components") of Northgate Centre may be developed independently and in phases to respond to existing market demands as determined by the Developers, and

- D WHEREAS, Ordinance 2006-264 requires that a Master Plan be adopted for the Northgate Centre via Site Plan and Architectural Review pursuant to Class "C" procedures of the Medford Land Development Code, and

- E WHEREAS, to accommodate the phased development of Northgate Centre, Developers will submit to the City a separate Master Plan for each of the Project Components, considering the elements set forth in Condition 5 of the Conditions of Approval of Ordinance 2006-264 and including a site plan, a conceptual landscape plan, conceptual drainage plan and schematic building architectural elevations, and

"R"

- F. WHEREAS, the individual Master Plans for each of the Project Components will ultimately comprise the overall Northgate Centre Master Plan which will (1) demonstrate substantial conformance with the Northgate Centre application materials submitted as part of Case File Numbers, CP-06-065 and ZC-06-066, and (2) ensure planning consistency between each of the Project Components, and
- G. WHEREAS, the parties agree that a Master Plan for each of the Project Components shall be approved by the City prior to approval of a Final Site Plan for a Project Component and that this approval process can either occur simultaneously or in two separate stages, and
- H. WHEREAS, the end users of the Project Components of Northgate Centre may not be identified at time of Master Plan and Final Site Plan approval, the parties agree that Site Plan and Architectural Review via a Class "C" procedure is not required for the approval of architectural plans for individual buildings that were not considered and finalized as part of Final Site Plan Approval if the Planning Director determines that the proposed plans are in substantial conformity with the architectural style and materials for the buildings approved by the City; and
- I. WHEREAS, the parties agree that Site Plan and Architectural Review via a Class "C" procedure is not required for minor modifications to Final Site Plan Approval if the Planning Director determines that the plan modifications are in substantial conformance with the Master Plan and Final Site Plan approved by the City, and
- J. WHEREAS, the parties acknowledge that the Planning Director is the appropriate City official to determine whether a plan modification submitted by Developers is in substantial conformance with an approved Master Plan and Final Site Plan and that it is appropriate to provide certain guidelines in this Agreement to assist the Planning Director in making such a determination, and
- K. WHEREAS, the parties desire to specify in this Agreement the off site improvements required to be constructed as part of the approval of Ordinance 2006-264 and ZC-06-0066 and acknowledge that it is the intent of Developers to construct these off site improvements as part of the first Project Component of Northgate Centre

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the Parties agree as follows

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SECTION 1. DEFINED TERMS

In General. Words that are capitalized, and which are not the first word of a sentence, are defined terms. A defined term has the meaning given it when it is first defined in this Agreement. Defined terms may be used together and the combined defined term has the meaning of the combined defined terms. A defined term that is a noun may be used in its verb or adjective form and vice-versa. Defined terms may be used in the singular or the plural.

SECTION 2. DESCRIPTION OF PROJECT AND PHASES

The Northgate Centre consists of three discrete coordinated Project Components situated within the Project Area as depicted in Exhibit A and further described in Exhibit B. The Project Components will be developed by Northgate LLC and Alba Village LLC, and will be completed in phases.

SECTION 3. INFRASTRUCTURE

3.1 Construction of Off-Site Improvements. The Developers will be responsible for the construction of certain off-site transportation improvements under the jurisdiction of the City of Medford, the Oregon Department of Transportation (ODOT) and the City of Central Point.

3.1.1 City of Medford. The Developers shall be mutually obligated to provide, at their sole expense, the off-site improvements identified in Exhibit C. The City shall provide Developers with System Development Fee Credits associated with any qualifying improvements under the City's System Development Credits, Street Development Credits MCC 3 723, Sewer Development Credits MCC 3 835, and Storm Water Development Credits MCC 3 891.

The City agrees to provide Developers with credits against the Street System Development Charge for improvements, which increase capacity, as determined by the City, to the following roadways as identified in Exhibit C: Biddle Road @McAndrews Road; Sage Road @ Highway 238; south side of McAndrews between Court and Central, and Table Rock @ Highway 99. Credits for internal and frontage improvements will be deducted by the value of "local street" improvements consistent with the City's existing practice.

3.1.2 ODOT. The Developers shall, at their sole expense, cause to be constructed off-site transportation improvements sufficient to meet ODOT's infrastructure requirements identified in Ordinance 2006-264 and further set forth in Exhibit D. ODOT has determined that its requirements have been met pursuant to its letter of acknowledgment dated February 22, 2008 set forth in Exhibit E. The City reserves the right to review the

projects identified in the "acknowledgment letter" for purposes of evaluating performance compatibility. This review right shall not be interpreted to vest the City with approval authority over ODOT's acknowledgment that the requirements have been met.

3.1.2 City of Central Point, Oregon Ordinance 2006-264 requires the Northgate Project to mitigate its proportionate share of traffic projected for the intersection of Beall Lane and Highway 99. The Developers and the City of Central Point have reached agreement regarding the satisfaction of this requirement as set forth in Exhibit F.

- 3.2 **Prevailing Wage.** The Parties acknowledge that no public funds shall be used to construct any of the improvements described in Exhibits C and D. It is the Parties' mutual understanding that improvements constructed by Developers or its agents shall not be subject to prevailing wage requirements. The Developers shall be responsible to obtain confirmation that prevailing wage requirements are not applicable.
- 3.3 **Public Service Fees.** The Parties acknowledge that, other than customary fees specified in current City fee schedules, no additional fees shall be paid by the Developers unless by prior written agreement between the parties.

SECTION 4. APPROVAL PROCESS

4.1 **Master Plan Approval (Stage One)** The Developers will submit to the City a Master Plan for each of the Project Components of Northgate Centre. A Master Plan request will be processed via Site Plan and Architectural Review pursuant to Class "C" procedures of the Medford Land Development Code. The Master Plan Approval shall be effective for the term of this Agreement as provided in Section 8.2 herein. The Master Plan request will address the elements set forth in Condition No. 5 of the Conditions of Approval of Ordinance 2006-264, attached as Exhibit G, and include the following information:

A Preliminary Site Plan

- (1) Lot dimensions
- (2) Site statistics
- (3) Location of proposed buildings
- (4) Loading areas
- (5) Location of proposed walls and fences

42"

- (6) Location of parking areas and all points of site ingress and egress
- (7) Location of pedestrian walkways
- (8) General nature and location of site lighting
- (9) Proposed street frontage improvements
- (10) Location of areas of the site devoted to landscaping (this is independent of any future building landscaping such as vines potted plants etc.)
- (11) Location of proposed outdoor trash enclosures

B Preliminary Landscape Plan

- (1) A narrative description of the purpose and goal of the landscaping program
- (2) General locations of landscaped areas including parking planters and perimeter landscaping
- (3) Conceptual tree and plant list
- (4) A general description of type of irrigation system to be used

C Preliminary Drainage Plan

D Schematic Architectural drawings

Conceptual elevations associated with a sample of building types

E Master Signage Plan

4.2 Final Site Plan Approval (Stage Two) For each of the Project Components, a Master Plan shall be approved by the City prior to an approval of a Final Site Plan for a Project Component. A Final Site Plan request must be consistent with an approved Master Plan. A Final Site Plan request will be processed via Site Plan and Architectural Review pursuant to Class "C" procedures of the Medford Land Development Code. A Master Plan and Final Site Plan Review can be processed either simultaneously or in two separate stages. A Final Site Plan request shall conform to the requirements of MLDC 10 287 and shall include any other

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information required by the City as conditions of Master Plan Approval (Stage One review)

- 4.3 Planning Director Approval (Stage Three).** Once a Final Site Plan is approved by the City for a Project Component, the Planning Director shall have the authority to approve the architectural plans (ie elevations, floor plans, material board and roof plan) for individual buildings whose size and location were considered, but the architecture was not finalized as part of the Final Site Plan Approval (Stage Two review) Prior to approving architectural plans pursuant to this subsection, the Planning Director shall make a determination that the proposed plans are in substantial conformity with the architectural style and materials for the buildings approved by the City in the Final Site Plan Approval process (Stage Two) The Planning Director shall make the determination within a period of not more than twenty-five (25) working days after the filing of the proposed plans with the Planning Department The Planning Director's determination is a Class E, ministerial action Notice of this determination shall be provided to the applicant and the Site Plan Architectural Commission at its next public meeting. Notwithstanding the Planning Director's authority to make a decision under this Section, the Planning Director may, in his/her discretion, forward the architectural plans to the Site Plan and Architectural Commission for review pursuant to Class "C" procedures of the Medford Land Development Code
- 4.4 Minor Modifications.** The Planning Director shall have the authority to approve minor modifications to Final Site Plan approval if the Planning Director determines that the modifications are in substantial conformance with an approved Master Plan and Final Site Plan. The Planning Director shall make the determination within a period of not more than twenty-five (25) working days after the filing of the proposed modifications with the Planning Department The Planning Director's determination is a Class E, ministerial action Notice of this determination shall be provided to the applicant and the Site Plan Architectural Commission Guidelines for determining substantial conformity include the following
- A. The request does not cause an increase in trip generation beyond the Trip Cap identified in Ordinance 2006-264 or create new or additional dangers to the public due to increased traffic volumes or altered circulation patterns
 - B. The request does not increase the project gross floor area by more than 20 percent

- C. The request is consistent with the architectural style and building materials approved by the City
- D. The request does not decrease the overall parking count by more than 10 percent
- E. The request does not decrease the overall site landscaped area by more than 10 percent
- F. The modifications are consistent with the findings adopted by the City for the approved Master Plan and Final Site Plan

4.5 Applicable Regulations.

4.5.1 The City shall apply the applicable land use standards and regulations in effect at the time of filing the Master Plan to Stage One, Stage Two, Stage Three and Minor Modification requests as set forth herein

4.5.2 Future Zone Change Applications Full build-out of Northgate Centre may occur over time, during which market forces may necessitate changes in the zoning approved in ZC-06-0066 Any future zone change request for the Project Area shall comply with the Medford Land Development Code in effect at the time.

4.6 Construction Standards. Any Party undertaking construction of improvements pursuant to the terms of this Agreement shall comply with all applicable laws, including, but not limited to, the Americans with Disabilities Act (42 U S C Section 1201 et seq)

4.7 Plan Checks. The City and Developers agree that the City, at Developer's cost and expense, may use the services of a third party plan checker selected by Developers from the list maintained by the City's Building Safety Department

4.8 Minor Modifications to Construction Documents. The City and Developers mutually agree that from time to time minor modifications to approved construction plans may be requested by the Developers to meet a tenant's unanticipated construction requirements or for other reasons that are required to enhance the operation and use of a tenant space In such event, "minor modifications" shall be defined as any modification which does not modify a structural member, a "fire and life safety" requirement, and does not substantially alter the character of the building's exterior A minor modification request shall be processed administratively in a timely manner, not to exceed five (5) business days from the date of the request, with Developers paying all necessary fees and permit costs

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- 4.9 **Cooperation by City.** The City shall use good faith efforts to coordinate processing of all necessary permits and approvals for Northgate Centre in order to secure the required approvals. To the extent that street vacations, dedications or modifications to any streets, roadways or alleyways located in the Project Area are required, the City shall use good faith efforts in undertaking such activities in order for the Project Components to be approved and constructed in a timely manner.
- 4.10 **Coordination Meetings.** To coordinate the various components of the Northgate Centre, the City and Developers agree to attend periodic meetings during the planning, development and construction of the Northgate Centre and to have the appropriate representatives from the various departments, including appropriate outside professionals, in order to expedite all required approvals for Project Components. The timing and necessity of such meetings shall be determined by either party.

SECTION 5: TRIP CAP

- 5.1 **Trip Cap Monitoring.** Under Ordinance 2006-264, a trip cap is applied that limits vehicular trip generation for Project Components of Northgate Centre to no more than 18,509 Average Daily Trips ("ADT") and 1,882 PM peak hour trips as a mitigation to ensure that traffic impacts will not reduce transportation facility adequacy below Level of Service ("LOS") D. Developers are obligated to develop a compliance monitoring system that monitors ADT and PM peak hour trips to ensure the Trip Cap is met and maintained. The Trip Cap Monitoring System is a cooperative effort between Developers and the City. Trip Cap monitoring shall be conducted by the City at the time of development permit approval. The Monitoring method shall be based on the latest edition of the ITE (Institute of Transportation Engineers) Trip Generation Manual and the Medford Municipal Code. The Developers shall mitigate impacts exceeding the Trip Cap. Any modification of the Trip Cap shall be based on adequate and substantial traffic evidence, and written approval by the City and ODOT. Developers shall maintain and make available for review upon request by the City, a current trip inventory in accordance with the Trip Cap Monitoring System.
- 5.2 **Trip Reduction.** As part of the Stage One approval process, the City shall determine whether the design of a Project Component facilitates internal trip capture resulting in a two percent (2%) trip reduction. An additional five percent (5%) trip reduction shall be available in conjunction with the implementation of a Transportation Demand Management ("TDM") plan. The TDM measures must include trolley service serving all Project Component quadrants with 10 minute headways and capable of capturing 360 passengers per hour. The trolley shall

operate in perpetuity, at least Monday through Friday from 7 00 A.M. to 6 00 P.M. The Developers may, at its sole option, enter into an agreement with a third party transit operator, whose qualifications are acceptable to the City, to provide said service. Should Rogue Valley Transit District ("RVTD") service improve sufficiently to meet Northgate Centre's transit obligations, Developers shall not be required to provide duplicative service and may instead substitute RVTD public transit operations.

SECTION 6. ASSIGNMENT AND TRANSFER PROVISIONS

- 6.1 Transfers by Developers.** Developers may assign all or any part of this Agreement to any subsidiary, affiliate, or successor, or by operation of law, provided that the Developers continue to retain a majority interest or serve as the managing members of the assignee. All other assignments shall require the written consent of the City, which consent shall not be unreasonably withheld.
- 6.2 Transfers by City.** The City shall not transfer any of their respective rights or obligations under this Agreement (except by operation of law in accordance with ORS 457.055 and 457.075) without the prior written approval of Developers, which approval may be granted, denied or withheld in Developers' sole discretion.

SECTION 7. DEFAULT; REMEDIES

- 7.1 Default by Developers.** A default shall occur
- 7.1.1** If Developers breach any material provision of this Agreement, whether by action or inaction, and such breach continues and is not remedied within thirty (30) days after Developers receive written notice from the City specifying the breach. In the case of a breach which cannot with due diligence be cured within such thirty (30) day period, a default shall occur if Developers do not commence to cure the breach within such thirty (30) day period and thereafter diligently pursue the cure to completion.
- 7.1.2** If Developers make any assignment for the benefit of creditors, or are adjudicated in bankruptcy, or have a receiver, trustee or creditor's committee appointed over either entity that is not removed within ninety (90) days after appointment.
- 7.2 Default by City.** A default shall occur
- 7.2.1** If City breaches any material provision of this Agreement, whether by action or inaction, and such breach continues and is not remedied within thirty (30) days after the City receives written notice from Developers specifying the breach. In the case of a breach which cannot with due diligence be cured within such thirty (30) day period,

a default shall occur if City does not commence to cure the breach within such thirty (30) day period and thereafter diligently pursue the cure to completion.

7.2.2 If City voluntarily or involuntarily undertakes to assign any of its rights or obligations under this Agreement in violation of Section 5.2.

7.3 **Nonexclusive Remedies.** The rights and remedies provided by this Agreement shall not be deemed exclusive, except where otherwise indicated, and shall be in addition to any and all rights otherwise available. The exercise by any Party of one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedy for the same default or of any of its remedies for any other default by the other Party, including, without limitation, the right to compel specific performance. Any limitation of remedies set forth herein should not limit or affect the obligations of a Party under any contractual indemnities set forth herein.

7.4 **Dispute Resolution.**

7.4.1 **Mediation.** If a dispute between the Parties arises out of or relating to this Agreement or the interpretation of this Agreement, the Parties agree to submit such dispute to a mutually agreed upon mediator, and to continue good faith mediation efforts until such dispute is resolved or any Party notifies the others in writing that it elects to withdraw from mediation.

7.4.2 **Tolling of Clock.** The Parties acknowledge and agree, if it is necessary to renegotiate any of the provisions contained in this Agreement, the time periods for performance and/or calendar deadline(s) shall be tolled and/or suspended temporarily until completion of such renegotiation and/or mediation, after which time such party's performance shall recommence and/or such calendar deadline(s) shall be recalculated.

7.5 **Unavoidable Delay.** No Party nor that Party's successor in interest shall be considered in breach of or in default with respect to any obligation created hereunder or progress in respect thereto, including compliance with Section 10.292 of the Medford Development Code if the delay in performance of such obligations is due to causes that are unforeseeable, beyond its control and without its fault or negligence, including but not limited to acts of God, acts of the public enemy, acts of the state or federal government, acts of the other Party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, earthquakes, explosions, mob violence, not, inability to procure or general sabotage or rationing of labor, equipment, facilities, sources of energy, material or supplies in the open market, litigation or arbitration involving a Party or others relating to zoning or other governmental action or inaction pertaining to the Project,

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malicious mischief, condemnation action, delays of litigation and unusually severe weather or delays of suppliers or subcontractors due to such causes or any similar events and/or occurrences beyond the reasonable control of such Party (the "Unavoidable Delay").

- 7.6 Request.** It is the purpose and intent of this provision that, in the event of the occurrence of any such Unavoidable Delay, the time or times for the performance of the obligations of any Party shall be extended for the period of the Unavoidable Delay, provided, however, that the Party seeking relief under this Section shall, within fifteen (15) days after the Party becomes aware of the causes of any such unavoidable Delay, notify the other Party or Parties in writing of the cause or causes of the delay and the estimated time of correction and the other Party or Parties mutually agree this is an Unavoidable Delay and also agree to the time of correction. In any event, however, the total period of Unavoidable Delay shall not exceed One Hundred Eighty (180) days unless mutually agreed upon by the parties. Such mutual agreement to extend the time of the Unavoidable Delay shall not serve to diminish the enforceability of any other Section of this Agreement.

SECTION 8. TERM AND TERMINATION

- 8.1 Effective Date.** This Agreement is effective as of the date all Parties have executed the Agreement (the "Effective Date")
- 8.2 Term of Agreement.** The term of this Agreement shall be a period of 10 years commencing on the Effective Date, or the date that all Project Components of Northgate Centre are completed, whichever shall first occur (the "Term"). The Developers shall have the option of extending the Term upon written notice to the City. The Developers shall have no more than two (2) extensions of two (2) years each.
- 8.3 Termination.** This Agreement shall terminate upon following occurrences:
- 8.3.1** Developers giving the City written notice that they are not able or willing to proceed with any or all Project Components
 - 8.3.2** Any covenant contained herein that is changed or amended by governmental order
 - 8.3.3** Upon mutual agreement of the parties.

SECTION 9. MISCELLANEOUS PROVISIONS

- 9.1 **Conflict of Interests.** No member, official or employee of City shall make any decision relating to the Agreement which affects the member's, official's, or employee's personal interests or the interests of any corporation, partnership or association in which member, official, or employee is directly or indirectly interested. Developers warrants that it has not paid or given, and shall not pay or give, any third person any money or other consideration for obtaining this Agreement.
- 9.2 **Non-Liability of City Officials, Employees, and Agents.** No member, official, employee or agent of the City shall be personally liable to Developers, or any successor in interest, in the event of any default or breach by City or for any amount, which may become due to Developers or successor or on any obligation under the terms of this Agreement.
- 9.3 **Discrimination.** Developers, for itself and its successors and assigns, agrees that in carrying out its obligations under this Agreement, it will not discriminate against any employee or applicant for employment because of race, color, religion, age, gender, sexual orientation or national origin.
- 9.4 **Notice.** Any notice or communication intended for one of the Parties shall be addressed as set forth below, or in such other way as either Party may, from time to time, designate in writing dispatched as provided in this Section. Notice given in any other manner shall be effective upon receipt by the Party for whom the same is intended. Any notice or communication under this Agreement by any Party to the others shall be deemed given and delivered (a) forty-eight (48) hours after being dispatched by registered or certified U S mail, postage prepaid, return receipt requested, or (b) when received if personally delivered, and

9.4.1 Notices to Developers. In the case of a notice or communication to Developers, addressed as follows

Northgate LLC,
711 Medford Center, Suite 413
Medford, OR 97504
Attn: Steven Morgan, Managing Member

Alba Village LLC
5330 Debbie Rd
Santa Barbara, California 93111
Attn: Mark Linehan, Managing Member

9.4.2 Notices to City. In the case of a notice or communication to Developers, addressed as follows

City of Medford

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411 W 8th Street,
Medford, OR 97501
Attn. City Manager

With a copy to
City Attorney
City Attorney's Office
411 W 8th Street,
Medford, OR 97501

- 9.5 **Successors and Assigns.** The benefits conferred by this Agreement, and the obligations assumed hereunder, shall inure to the benefit of and bind the successors and assigns of the Parties
- 9.6 **Place of Enforcement.** Any action or suit to enforce or construe any provision of this Agreement by any Party shall be brought in the Circuit Court of the State of Oregon for Jackson County, or the United States District Court for the District of Oregon, in the venue assigned for Medford, Oregon
- 9.7 **No Partnership.** Nothing contained in this Agreement or any acts of the Parties hereby shall be deemed or construed by the Parties, or by any third person, to create the relationship of principal and agent, or of partnership, or of joint venture, or any association between any of the Parties.
- 9.8 **Non-Waiver of Government Rights.** Subject to the terms and conditions of this Agreement, by making this Agreement and complying with the applicable provisions hereof, the City is specifically not obligating the City, or any other agency with respect to any discretionary governmental action relating to development or operation of the improvements to be constructed within or as a part of Northgate Centre, including, but not limited to, rezoning, budgetary, variances, environmental clearances or any other governmental approvals which are or may be required, except as expressly set forth herein
- 9.9 **Reasonable Approvals.** The approval of a Party of any documentation or submissions herein called for shall not be unreasonably withheld, except where rights of approval are expressly reserved to a Party's sole discretion in this Agreement. All such approvals shall be given or denied in a timely and expeditious fashion
- 9.10 **Amendments and Modifications.** Any amendments or modifications to this Agreement shall be made in writing, approved in the manner as this Agreement was initially approved, and executed by all Parties Notwithstanding this general requirement, the City Manager may approve minor modifications to this Agreement without City Council approval. For purposes of the Section, minor modifications include corrections of errors, clarifications, or other modifications that do not change the substantive content of this Agreement

- 9.11 **Time is of the Essence.** Time is of the essence in the performance of and adherence to each and every provision of this Agreement
- 9.12 **Non-Waiver.** Waiver by any Party of strict performance of any provision of this Agreement shall not be deemed a waiver of or prejudice a Party's right to require strict performance of the same or any other provision in the future. A claimed waiver must be in writing and signed by the applicable Party granting a waiver. A waiver of one provision of this Agreement shall be a waiver of only that provision. A waiver of a provision in one instance shall be a waiver only for that instance, unless the waiver explicitly waives that provision for all instances.
- 9.13 **Partial Invalidity.** If any provision of this Agreement is held to be invalid or unenforceable, the remainder of this Agreement, and the application of such provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. If a material provision of this Agreement is held invalid or unenforceable such that a Party does not receive the benefit of its bargain, then the other Parties shall renegotiate in good faith terms and provisions that will effectuate the spirit and intent of the Parties' agreement herein.
- 9.14 **Calculation of Time.** Unless referred to as Business Days, all periods of time shall include Saturdays, Sundays, and Legal Holidays. However, if the last day of any period falls on a Saturday, Sunday, or Legal Holiday, then the period shall be extended to include the next day which is not a Saturday, Sunday, or Legal Holiday. "Business Days" shall mean Monday through Friday, and "Legal Holiday" shall mean any holiday observed by the State of Oregon.
- 9.15 **Headings, Table of Contents.** The section Headings and Table of Contents are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.
- 9.16 **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.
- 9.17 **Attorneys' Fees.** If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Agreement or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover its attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary, as determined by the court at trial or on any appeal or review, in addition to all other amounts provided by law.

- 9.18 **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties as to the subject matter covered by this Agreement
- 9.19 **Interpretation of Agreement.** This Agreement is the result of arm's-length negotiations between the Parties and shall not be construed against any Party by reason of its preparation of this Agreement
- 9.20 **Future Assurances.** Each of the Parties shall promptly execute and deliver such additional documents and shall do such acts that are reasonably necessary, in connection with the performance of their respective obligations under this Agreement and any applicable schedules so as to carry out the intent of this Agreement
- 9.21 **Capacity to Execute; Mutual Representations.** The Parties each warrant and represent to the others that this Agreement constitutes a legal, valid, and binding obligation of that Party Without limiting the generality of the foregoing, each Party represents that it's governing authority and, in the case of the City and council respectively, has authorized the execution, delivery, and performance of this Agreement by it The individuals executing this Agreement warrant that they have full authority to execute this Agreement on behalf of the entity for whom they purport to be acting Each Party represents to the others that neither the execution and delivery of the Agreement, nor the consummation of the transactions contemplated hereby will, violate any constitution, statute, regulation, rule, injunction, judgment, order, decree, ruling, charge, or other restriction of any government, government agency, or court to which it is subject or any provision of its charter or bylaws, or conflict with, result in a breach of, or constitute a default under any other agreement to which it is a party or by which it is bound Each Party represents to the others that it does not need to give any notice to, make any filing with, or obtain the consent of any other entity or person to consummate the transaction contemplated by this Agreement
- 9.22 **Exhibits and Schedules.** The Exhibits and Schedules attached to this Agreement are an integral part of this Agreement and are fully incorporated into this Agreement where they are referenced in the text of this Agreement

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Executed in multiple counterparts as of the day and year first below

CITY OF MEDFORD

By [Signature]
Its: Mayor
ATTEST

Executed Date 11-6-08

APPROVED AS TO FORM

By [Signature]
City Attorney

Date 11/03/08

NORTHGATE LLC, an Oregon Limited Liability Company

By _____ Executed Date _____
Title _____

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By _____ Executed Date _____
Title _____

"R"

Executed in multiple counterparts as of the day and year first below.

CITY OF MEDFORD

By: _____ Executed Date: _____

Its:

ATTEST:

APPROVED AS TO FORM:

By: _____ Date: _____

City Attorney

NORTHGATE LLC, an Oregon Limited Liability Company

By: *Steve J. Morgan* Executed Date: 11-3-08
Title: Managing Member

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By: _____ Executed Date: _____
Title: _____

"R"

Executed in multiple counterparts as of the day and year first below.

CITY OF MEDFORD

By: _____

Executed Date: _____

Its:

ATTEST:

APPROVED AS TO FORM:

By: _____

Date: _____

City Attorney

NORTHGATE LLC, an Oregon Limited Liability Company

By: _____

Executed Date: _____

Title: _____

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By:  _____

Executed Date: 10/31/08

Title: MANAGING MEMBER

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TABLE OF EXHIBITS

- Exhibit A** **Map of Northgate Centre**
- Exhibit B** **Description of Project Components of Northgate Centre**
- Exhibit C** **Off-Site Improvements Required by the City of Medford**
- Exhibit D** **Off-Site Improvements Required by the Oregon Department of Transportation**
- Exhibit E** **February 22, 2008 letter from the Oregon Department of Transportation to the City of Medford**
- Exhibit F** **Off-Site Mitigation – State Highway 99 / Beall Lane - Central Point Oregon**
- Exhibit G** **City of Medford Comprehensive Plan Amendment Ordinance 2006- 264 (Conditions of Approval)**

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EXHIBIT B

Description of Project Components of Northgate Centre

Identification of Alba Village, Northgate Office Park, Northgate Business Park

The Project Area is described in the aggregate as the properties bordered by Court St , McAndrews Rd , Central Ave , State Highway 238, Central Oregon and Pacific Railroad; the South boundary of tax lots 372W24100, 372W13CD4800; Lynn St , Gore Ave , Table Rock Rd.; State Highway 99.

Northgate Centre consists of three discrete Project Components

Alba Village - Retail Center - Alba Village is being developed by Alba Village LLC, an Oregon Limited Liability Company whose members are Northgate LLC and Wyncac VI Alba Village will be constructed on the approximately 42 acre site further described as the property bordered by Court St McAndrews Rd , Central Ave and State Highway 238 Alba Village will be a retail center The total building square footage of Alba Village will be up to 417,500 square feet

Northgate Office Park - Northgate Office Park is being developed by Northgate LLC as an office park comprised of offices, banks, restaurants and other uses permitted by the underlying zone The site is further described as that property bordered by State Highways 99 and 238 and Table Rock Rd The property will be a mixed use office park The total building square footage of the Northgate Office Park shall contain up to 219,300 square feet

Northgate Business Park - Northgate Business Park is being developed by Northgate LLC as a light industrial business park. The site is described as the property bordered by, the South boundary of tax lots 372W24100, 372W13CD4800, Lynn St , Gore Ave , Table Rock Rd and State Highway 238 The property consists of tax lots 372W24500 and 372W24600 The property will be a mixed use business park . The total building square footage of the Northgate Business Park will be up to 180,000 square feet.

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EXHIBIT C

Off-site Improvements as required by City of Medford

The Developers shall, at their sole expense, cause to be constructed the following off-site transportation improvements. The Developers will provide evidence of compliance with these transportation improvement requirements.

Location	Description	Date(s) of Completion
Biddle Rd @ McAndrews Rd **	Add a 2nd SB to EB left turn lane	2010
Highway 238 @ Sage Rd NB**	Add a NB to EB exclusive right turn lane and half street improvements for future 5 lanes section on Sage Rd	2009
Highway 238 @ Sage Rd SB***	Add a SB to WB exclusive right turn lane pending future traffic analysis	At time of 3rd Phase of Northgate Project***
South side of McAndrews Rd between Central and Court**	Add sidewalk along south side of McAndrews Rd between Central Ave and Court St where it does not currently exist	As part of on-site development, 2009-2010
Highway 62 @ Highway 99 (Big X)	Add a 2nd WB to NB exclusive right turn lane	2010
Table Rock Rd @ Highway 99 **	Add a NEB to SEB exclusive right turn lane	2010
Highway 99 @ Lynn St	Contribute \$300,000 to ODOT for future signal	At time of 2nd Phase of Northgate Project
Highway 238 @ Ross Ln	Construct a signal	2009

** Qualifies for Street System Development Credits pursuant to Section 3.1.1 of this Agreement

*** Developers shall provide additional traffic analysis to the City at the time of development of Phase III (Business Park) of Northgate Centre. The purpose of the additional analysis will be to re-evaluate the need for the SB right turn lane based on traffic counts that are the result of Phases I and II of Northgate Centre being in place and functioning. If the additional analysis continues to support the need for the SB right turn lane, Developers shall be responsible for the design and construction of the improvement prior to or in conjunction with the issuance of development permits for Phase III. If the additional analysis shows the SB right turn lane is not needed, the City will release Developers from this condition.

ur

EXHIBIT D

**Off-Site Improvements as required by the Oregon Department of
Transportation**

February 12, 2008

Mr. Arthur H. Anderson, Jr.
Area Manager
Oregon Department of Transportation
100 Antelope Road
White City, Oregon 97503

Dear Art:

Pursuant to our conversation and negotiations, I am attaching a final version of our agreement regarding the ODOT Conditions of Approval related to the Northgate/Alba Village project. Steve and I have executed this agreement and upon ODOT's execution, please forward me a fully executed copy.

It is my understanding that upon ODOT's execution of this, ODOT will forward a letter to the City of Medford so that we can finalize our DDA with the City and move forward with the project.

I also want to let you know I appreciate all the effort and hard work that went into finalizing this agreement.

Best Regards,

Mark D. Linchan

11/2/11

ODOT Conditions of Approval
for Alba Village/Northgate Centre

- "1. The applicant shall provide mitigation consistent with the City of Medford Public Works Department revised memo dated October 17, 2006."
 - > Applicant is providing mitigation consistent with the City of Medford conditions of approval. The intent of this agreement is to specifically define the mitigation the Applicant will provide for the ODOT imposed conditions of approval.
- "2. The applicant shall be financially responsible for transportation improvements identified on the State Highway system. All mitigation shall be approved by ODOT and designed to state standards. ODOT may require modifications to turning bay, medians and similar system design enhancements as part of the detailed mitigation review and approval process. Prior to the issuance of development permits, the design of all transportation improvements, construction timing, and proportional contribution to the OR-62 flyover project shall be agreed to in writing by the applicant and ODOT."
 - > The last sentence of this condition is the basis for this agreement.
 - > Applicant agrees to be financially responsible for the transportation improvements on the State Highway system as defined in this agreement.
 - > Applicant agrees to have all mitigation approved by ODOT and designed to State Standards.
 - > As a result of our discussions with ODOT, it is understood that ODOT will not require any additional modifications to turning bays, medians and similar system design enhancements beyond the specific mitigation that is required in subsequent conditions of approval in this agreement.
- "3. The applicant has agreed to, and shall provide, additional 95th percentile queues and existing storage bay capacities to determine storage deficiencies. Applicant shall provide adequate Year 2010 traffic storage bay mitigation, based on the additional queuing analysis. ODOT may require right- and/or left-turn lanes to be extended before final site plan approval of the project, based on review of the additional queuing analysis, prior to final site plan approval by the City of Medford."
 - > Applicant has provided the requested queues and storage bay capacity analysis as part of the approved traffic impact study. No further traffic analysis is required.
- "4. In lieu of the TIA identified signal mitigation at OR-99/Lynn Street intersection, the applicant shall contribute \$300,000.00 toward OR-99/Lynn Street intersection area improvements to meet ODOT and City of Medford standards."
 - > ODOT agrees to defer this contribution until the business park portion of the Northgate Centre is developed.
 - > Northgate Centre agrees to pay this contribution when the business park portion of the site is being developed, twelve (12) months prior to the issuance of development permits for said portion of development.

112"

- "5. The applicant shall provide a right-turn lane on northbound Central Avenue/Table Rock at OR-99 as Year 2010 mitigation."
- > This improvement was also conditioned by the City.
 - > The Applicant is currently in the preliminary survey/engineering phase for this improvement.
 - > The design will be coordinated with ODOT and receive ODOT approval before construction begins.
- "6. The applicant shall provide northbound or southbound right-turn lanes on Sage Rd. at OR-238 as Year 2010 mitigation; and, shall provide \$100,000.00 toward intersection improvements."
- > This improvement was also conditioned by the City.
 - > The Applicant is currently in the preliminary survey/engineering phase for this improvement. The Applicant plans to construct a northbound right-turn lane.
 - > The design will be coordinated with ODOT and receive ODOT approval before construction begins.
 - > The Applicant shall provide northbound or southbound right-turn lanes on Sage Rd. at OR 238 as Year 2010 mitigation. If applicant provides a northbound right-turn lane only, applicant shall contribute \$100,000 to ODOT for future intersection improvements. If applicant constructs both the northbound and southbound right-turn lanes, no payment shall be made to ODOT.
- "7. The applicant shall provide a right-turn lane at the North Medford Interchange southbound off-ramp as Year 2010 mitigation."
- > Applicant and ODOT shall attempt to design and construct a feasible and viable additional right-turn lane on the I-5 southbound off-ramp of the North Medford Interchange. If the additional right turn lane is not feasible or viable, applicant shall pay ODOT \$1.28 million for ODOT's application to other traffic mitigations.
- "8. The applicant shall provide a right-turn lane on OR-62 to northbound OR-99 as Year 2010 mitigation."
- > Applicant will construct the said improvement per the original condition.
 - > Applicant proposes to work with ODOT closely to determine if there is another adequate means of providing signage in lieu of a full-span sign bridge. Options might include cantilevers or other ground mounted sign supports in an effort to provide adequate signing while reducing overall cost.
 - > The design will be coordinated with ODOT and receive ODOT approval before construction begins.
- "9. The applicant shall provide a new traffic signal at the OR-238/Ross Lane intersection as Year 2010 mitigation."

"R"

- > Applicant will install a signal at this intersection per the original condition.
- > The design will be coordinated with ODOT and receive ODOT approval before construction begins.

"10. The applicant, or subsequent title owner, shall dedicate right-of-way to construct an OR-62/OR-238 to OR-99 "flyover" (adopted 2005-2030 Regional Transportation Plan, Project #916, ODOT long range tier 1), and shall contribute a proportionate funding contribution toward flyover construction and associated OR-62 access management improvements. At time of flyover construction (or as a prior phased improvement), we recommend consolidation of the OR-62 Mall/Target/Red Lobster entrance to one (1) approach - i.e., eliminate existing westbound OR-62 left-in at Target/Red Lobster and consolidate to one (1) Rogue Valley Mall/Target/Red Lobster entrance on OR-62. The applicant's proportionate share contribution shall assist to remedy the flyover, access management and/or other transportation improvements benefiting capacity, safety and/or operations of this OR-62 corridor segment between North Medford Interchange 30 and the "Big X." - i.e., applicant's proportionate share of a comprehensive OR-62 solution-fix project between the North Medford Interchange and the Big X. Proportionate share to be determined and agreed upon by the applicant and ODOT via an Oregon Highway Plan policy Action 2A.7 agreement, or similar bidding legal document."

- > Applicant's engineers have estimated the cost of the flyover to be approximately \$15 million, exclusive of right-of-way. Based on the approved TIA, the entire Northgate Centre Master Plan is responsible for 3.5% of the traffic volume in the Highway 62 westbound to Hwy 99 southbound left turn movement, the movement that the flyover is intended to address. The applicant proposes to contribute 3.5% of \$15 million or \$525,000.
- > Applicant's engineers have estimated the cost of the OR-62 "fix", as described in the original condition #10, to be approximately \$2.5 million, exclusive of right-of-way. Based on the approved TIA, the entire Northgate Centre Master Plan is responsible for 8.0% of the traffic on this segment of OR-62. The Applicant proposes to contribute 8.0% of \$2.5 million or \$200,000.
- > Applicant agrees to fund both the \$525,000 and \$200,000. Applicant shall fund to ODOT the aggregate sum of these amounts totaling \$725,000 within 30 days of obtaining the development permits from the City of Medford for the construction of the Alpha Village portion of Northgate Centre. Upon payment Northgate Centre and Alpha Village shall have met their requirement for financial and/or other contribution and shall have no further obligation to ODOT for these improvements. If, within 15 years from the date of the applicant's funding, the improvements intended to be partially funded with this contribution are not completed, ODOT shall refund the \$725,000 to the Applicant.

"11. Trip cap monitoring shall be conducted by the City of Medford at the time of development permit approval. Monitoring method shall be based on the latest edition of the ITE (Institute of Transportation Engineers) *Trip Generation* manual, applying the appropriate trip generation based on the proposed square feet of development. The applicant, or subsequent title owner, shall mitigate impacts exceeding the trip cap. Amendment of the stipulated trip cap shall only be approved based on adequate, substantial traffic evidence, and written approval by the City of Medford and ODOT."

- > Applicant will comply with this Condition of Approval.

12"

"12. The applicant shall provide proof of valid ODOT Road Approach Permit (i.e., an access permits) for access to state highway facilities, prior to the issuance of development permits. ODOT access permitting is a two-phase process involving a preliminary *Permit to Construct a State Highway Approach*, and a final *Permit to Operate, Maintain, and Use a State Highway Approach*. Proof of a valid access permit shall include an approved *Permit to Operate, Maintain, and Use*."

➤ Applicant will comply with this Condition of Approval.

"13. The applicant shall provide proof of valid ODOT Utilities Permit for any work within, or otherwise affecting, state highway rights-of-way (e.g., water, sewer, and/or drainage facilities, etc.)."

➤ Applicant will comply with this Condition of Approval.

"14. The applicant shall provide proof of valid ODOT Miscellaneous Permit for any landscaping proposed within the state highway right-of-way. A maintenance agreement providing maintenance by others shall be required."

➤ Applicant will comply with this Condition of Approval.

"15. The applicant shall provide an adequate storm water management plan and hydrology study for ODOT review and approval, prior to city issuance of development permits."

➤ Applicant understands this condition to be related to the off-site improvements and to be included in design plans submittals.

➤ Applicant will comply with this Condition of Approval.

** The applicant is required to obtain a grant of access from ODOT for access from Highway 238 to the Alba Village Shopping Center. During research of the Property, we discovered that ODOT did not fully acquire the property necessary to construct the realigned Highway 238. See attached sketch. As part of the negotiations over the past several months, ODOT has agreed to provide a grant of access along both sides of Highway 238 at the proposed entrances for the Alba Village Shopping Center and the future business park and the Applicant will dedicate the outstanding right of way to ODOT.

➤ Applicant will comply with the grant of access process and provide ODOT all necessary engineering information to support said grant.

➤ Applicant understands that access to Alba Village will be right in/right out from eastbound 238 and left in only from westbound 238. Access to the business park portion of the Northgate Center will be right in/right out from westbound 238. The exact design to be worked out during the grant process.

➤ Applicant understands that no money will change hands as part of this agreement.

12/11

The elements in this agreement clearly address the original conditions of approval and quantify previously unknown proportional contributions using sound engineering and estimating methodology to which ODOT has previously agreed. Concur with the elements as shown by the signatures below.

Mark D. Linehan Date
Alba Village LLC

Paul Mather Date
Oregon Department of Transportation

Steve L. Morjan Date
Northgate Center, LLC

"R"

EXHIBIT E

By its letter to City of Medford Planning Department, dated February 22, 2008, a copy of which is incorporated herein, the Developer's obligations to the Oregon Department of Transportation are met.

02/22/2008 08:05 PAL 10417746340

MAIL: PALM@CLIP

0802/002



Oregon
Thomas S. Koloski, Governor

Department of Transportation
Rogue Valley Office
100 Antelope Road
Weir City, OR 97503-3474
(541) 774-4399
Fax: (541) 774-4349

FILE CODE:

February 22, 2008

City of Medford Planning Dept.
Attn: Bianca Feirou
200 S. Ivy, Room 240
Medford, OR 97501

Dear Ms. Feirou,

The Oregon Department of Transportation has received from Applicant/developers Alba Village, LLC, and Northgate Center, LLC, the signed ODOT Conditions of Approval for the Northgate development project (see attachment).

ODOT is in agreement with the February 12, 2008 letter from the developer outlining mitigation consistent with the City of Medford's conditions of approval. Further, ODOT will be processing a Cooperative Improvement Agreement to memorialize the conditions and responsibilities of the developer, to be signed by ODOT and the developer.

Regards,

Arthur H. Anderson, Jr.
Area Manager
Oregon Dept. of Transportation

Attn:
Conditions of Approval

cc: Mark Linehan

File: 774-349 (04-08)

LR11

EXHIBIT F

Off-Site Mitigation – State Highway 99 / Beall Lane Central Point Oregon

By its letter to City of Medford Planning Department, dated March 14, 2008, a copy of which is incorporated herein, the Developer's stipulated proportional mitigation for future improvements to the intersection of State Highway 99 and Beall Lane in Central Point, Oregon has been met.

Public Works Department



Bob Pierce, Director
Matt Semtore, Dev. Services Coord.

March 14, 2008

Mike Montiro
Montiro & Associates
Re: Northgate Development and City of Central Point

Mike,

The City of Central Point has reviewed the following ordinance and condition of approval for the Northgate Center and its transportation impact on the intersection of Hwy 99 and Beall Lane.

Ordinance 2006-264

The following stipulations of the applicant are accepted and applied as conditions:

6. **Beall/Highway 99 Improvement.** Applicant agrees to stipulate to its proportional share of the cost to improve the intersection of Beall Lane and Highway 99, including rail crossing improvements, at such time that the City of Central Point has identified the needed improvements and ascertained the costs. Proportionality shall be determined as a proportion of the amount of traffic projected to pass through this intersection which is related to Northgate Center in comparison to all other intersection traffic.

The City and the developer have agreed that the developer's monetary contribution will be \$ 53,606.00. The City will require the payment when Medford's Building Department of Alba Village's first vertical construction permit. The City will also need documentation that the City of Medford has received and acknowledged that the condition of approval has been met.

If there are any additional questions please contact me at 664-3321, ext. 205.

Sincerely,

Matt Semtore
Development Services Coordinator

140 South Third Street - Central Point, OR 97502 • 541.864.3321 • Fax 541.864.6384

"R"

EXHIBIT G

City of Medford Comprehensive Plan Amendment Ordinance 2006-264 (Conditions of Approval)

SECTION 1 ORDINANCE NO. 2006-264

AN ORDINANCE approving, with conditions, a minor amendment of the Medford *Comprehensive Plan* changing the General Land Use Plan (GLUP) Map land use designations from Heavy Industrial, General Industrial, and Commercial to Heavy Industrial, General Industrial, Commercial, and Service Commercial on 84 acres located generally north of West McAndrews Road, east of the Central Oregon & Pacific Railroad tracks, and west of North Pacific Highway (CP-06-065)

THE CITY COUNCIL OF THE CITY OF MEDFORD, OREGON, ORDAINS AS FOLLOWS:

Section 1 The minor amendment of the Medford *Comprehensive Plan* changing the General Land Use Plan (GLUP) Map land use designations from Heavy Industrial, General Industrial, and Commercial to Heavy Industrial, General Industrial, Commercial, and Service Commercial on 84 acres located generally north of West McAndrews Road, east of the Central Oregon & Pacific Railroad tracks, and west of North Pacific Highway is approved

Section 2. This minor amendment to the Medford *Comprehensive Plan* is supported by the Findings of Fact and Conclusions of Law included in the Revised City Council Staff Report and exhibits dated November 6, 2006, as updated December 11, 2006, with the Findings of Fact and Conclusions of Law and Supplemental Findings of Fact dated on file in the Planning Department and incorporated herein by reference, and the following conditions of approval which are necessary to meet the criteria for approving this minor amendment to the Medford *Comprehensive Plan*, and to which the property owner has agreed

Conditions of Approval for CP-06-065

Within 30 days of the effective date of the Ordinance adopting the GLUP Map amendment, the property owner shall, prior to recording, submit for approval by the Planning Director after review by the City Attorney, a covenant or covenants to be recorded on the subject properties containing the following stipulations to the Planning Department for review Upon approval, the property owner shall immediately record the covenant(s) with Jackson County

A copy of this Ordinance shall be an exhibit recorded with each covenant

CR

The conditions of approval set forth in this ordinance can only be changed through a minor comprehensive plan amendment process, now existing or as subsequently enacted.

Management details regarding the following conditions of approval shall be administered through an executed Developer's Agreement with the City of Medford. The timing of compliance with the following conditions shall be established as part of the Developer's Agreement, which shall be adopted through a land use decision per ORS 94 508

1. Trip Cap

A trip cap is hereby applied that limits vehicular trip generation by development on the subject site to no more than 18,509 ADT and 1,882 P M peak hour trips as a mitigation to ensure that impacts will not reduce transportation facility adequacy below LOS 'D' A 2% trip reduction for the internal trip capture that is likely to result from the project design and up to an additional 5% deduction for the TDM measures shall be available To receive more than the 2%, the TDM measures must include trolley service serving all project quadrants with 10 minute headways and capable of capturing 360 passengers per hour The trolley shall operate in perpetuity, at least Monday through Friday from 7 00 A.M to 6 00 P.M The applicant is responsible for monitoring ADT generation by proposed development projects (per the most current edition of the ITE Trip Generation Manual) and reporting to the City of Medford in conjunction with applications The compliance monitoring system shall be developed as part of the Developer Agreement.

2. Transportation Improvements

The City of Medford Public Works Department memo dated October 25, 2006 (Exhibit K-3) and the Oregon Department of Transportation letters dated October 18 and October 25, 2006 (Exhibits V-1A and V-1B) herein establish the required transportation improvements and conditions Applicant to provide evidence of compliance with transportation improvement requirements.

3. Transportation Demand Management Plan

(A) **Transit Pass for Employees** An employee transit pass subsidy shall be provided for at least 5 years for fixed-route transit district passes at no cost to all employees on the subject site who wish to use transit, beginning within two years from the date that the first Certificate of Occupancy is approved by the City for the subject site After such beginning date, verification of compliance shall be provided to the Planning Director on a yearly basis for five years

(B) **Trolley Service.** If the additional 5% trip reduction is taken for a trolley, the privately funded fare-free trolley(s) shall service the three quadrants of

the subject site beginning within two years from the date that the first Certificate of Occupancy is approved by the City for the building square footage for which the reduction is taken. At a minimum, trolley service shall operate with 10 minute headways and be capable of capturing 360 passengers per hour, at least Monday through Friday from 7:00 A.M. to 6:00 P.M. Trolley service to connect to the Rogue Valley Mall is subject to the permission of the Rogue Valley Mall owners. Applicant shall construct the Exclusive Transit Crossing which traverses North Central Avenue between the Office and Business Parks if the same is approved by the City of Medford.

(C) **Off-Street Vehicular Parking Space Reduction/Cap.** A parking space reduction is hereby approved for the subject site which reduces the required number of off-street vehicular parking spaces by five percent. The reduction distribution shall be approved through the Site Plan Architectural Commission Master Plan approval. This reduction does not reduce the bicycle parking space requirement, which shall be based on the number of parking spaces normally required by the *Medford Land Development Code*. No more than 120% of the number of off-street vehicular parking spaces normally required shall be supplied.

(D) **McAndrews Multi-Use Path.** A concrete multi-use path at least 10 feet in width shall be constructed behind the planter strip along the frontage of McAndrews Road connecting between Court Street and Central Avenue in lieu of the sidewalk. Specific design and location of such path is subject to specifications of the City of Medford Engineering Division and the Site Plan Architectural Commission Master Plan Approval process.

(E) **Transit/Carpool Facilities.** Transit and carpool facility improvements in conformance with *Medford Land Development Code* sections 10 807 and 10 808, 10 809 shall be determined through the Site Plan Architecture Commission Master Plan approval and code required subsequent Site Plan and Architectural Review approvals.

(F) **Transportation Management Association.** Businesses in Northgate Centre with 50 or more employees shall join a Transportation Management Association if one exists for the Medford area.

4. **Compatibility Restrictive Covenant.** A restrictive covenant which restricts property owners and lessees on the subject site from remonstrating with respect to the common and customary industrial manufacturing practices which occurs on nearby lands devoted to industry shall be incorporated as deed restrictions on the subject site and as provisions in the leases for future tenants of the subject site. A sample of the language for such a covenant is provided in Exhibit F-F. The Planning Commission voted to recommend including the following changes to Exhibit "F-F" pp 5-6:

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Third line begins " *Timber Products Corporation and/or SierraPine Corporation*", delete the words "as forest products businesses" and insert, " *and any successor industrial users of those sites and/or adjacent industrial property owned by those businesses*" Line 8, which begins " *businesses to any federal, state or local agency so long as the businesses operate in conformance with*", delete "conformance" and change to "material compliance" Line 10 begins " *of the businesses* " Add "Violation of a single day threshold reported in compliance with industry standard practice shall not constitute material non-compliance"

5. Northgate Centre Master Plan

Zoning shall be in effect that permits the land use types indicated in the Master Plan prior to further Master Plan review

(A) A Northgate Centre Master Plan shall be adopted via Site Plan and Architectural Review pursuant to Class "C" procedures of the *Medford Land Development Code*. The Master Plan shall be approved through such review prior to any further SPAC applications for individual sites or projects within the project boundary. The Master Plan and subsequent applications shall be in substantial conformance with the Northgate Centre application materials submitted as part of CP-06-065 and ZC-06-066

(B) The following elements, among others, shall be considered during the Site Plan and Architectural Review for inclusion in the Master Plan

(1) Pedestrian elements to include benches dispersed throughout the site, areas that integrate outdoor commerce and eating with pedestrian space, trolley stops and decorative and functional pavement treatments at key locations of vehicle/pedestrian interaction. Interconnections between the three quadrants of the project shall also be considered to the extent possible under ODOT regulations and restrictions prevailing on the piece of property

(2) A building façade that contains a public entrance to include the following architectural elements

- a) A cupola or tower feature on a building corner common to the building façade wall with the public entrance or cupola or tower integrated into the entrance itself
- b) A minimum percentage of the façade to include masonry work depending upon land use type
- c) A minimum percentage of the building façade wall having transparent or translucent windows and awnings depending upon land use type

"R"

(3) Methods to address issues covered by the City of Medford proposed "big box Ordinance" for those structures to which the Ordinance would apply

(4) Exterior Site Lighting

- a) Lighting in commercial areas to be less than 25 feet in height and of a design similar to that shown in the conceptual lighting plan (Exhibit C, p.13)
- b) Conventional style lighting to be restricted in industrial areas so that no more than 30 percent of the total illumination may come from conventional commercial/industrial lighting. The balance to be less than 25 feet in height and of a design similar to that shown in the conceptual lighting plan (Exhibit C, p 13)

(5) Water Features

At least one significant water feature to be included in the Lifestyle Center and Office Park of a design similar to that shown in the conceptual landscape plan details (Exhibit C, p 14)

(6) Landscaping

- a) Landscape plans to include landscaped buffer between SierraPine and the Northgate Centre of a design similar to that shown in the conceptual buffer detail plan (Exhibit C, p.12)
- b) Landscape plans to include street trees, landscaping, and appropriate irrigation installed in the public right-of-way planter strips. If and where planter strips are not required, street trees and appropriate irrigation to be included abutting public right-of-way sidewalks.

(7) Master Signage Plan

A master signage plan, including project entry and directional signs.

(8) The following exceptions are noted

- a) The configuration of the Business Park (Exhibit C, p.11) may change to accommodate the specific requirements of potential industrial/business tenants or future owners
- b) The applicant cannot guarantee rail service as contemplated in the Northgate Centre proposal (Exhibit C, p.11) and future

"R"

plans for Northgate Centre are not required to provide rail service

(C) Development Phasing Plan shall be proposed and approved

The following stipulations of the applicant are accepted and applied as conditions:

6. Beall/Highway 99 Improvement

Applicant agrees to stipulate to its proportional share of the cost to improve the intersection of Beall Lane and Highway 99, excluding rail crossing improvements, at such time that the City of Central Point has identified the needed improvements and ascertained the costs. Proportionality shall be determined as a proportion of the amount of traffic projected to pass through this intersection which is related to Northgate Centre in comparison to all other intersection traffic

7. Mc Andrews Sidewalk

Applicant agrees to stipulate to a 100% share of the cost to install a sidewalk beneath the McAndrews Road viaduct and easterly along the southeasterly side of McAndrews Road to its intersection with Court Street provided that the said improvement, including right-of-way acquisition (if needed) can be obtained by the City of Medford

8. Wetlands; Hopkins Canal

Applicant agrees to work cooperatively with the Rogue Valley Irrigation District to accommodate any reasonable concerns or requests made by the district

9. Sanitary Sewer, Domestic Water, Storm Drainage Facilities.

Applicant agrees to extend and construct all needed sanitary sewer, domestic water and storm drainage facilities in accordance with the most current adopted facility plans of the City (or other facility providers) and the same will be based upon engineering construction plans prepared by a qualified civil engineer registered in Oregon and approved by the City (or other facility providers). Public facility construction will incorporate the recommendations contained in Appendix E-2 as approved by the City.

10. Storm Water

Applicant agrees to incorporate stormwater system design considerations into final engineering for the proposed stormwater facility improvements and carry out these in accordance with the Appendix E-2 analysis, standards and regulations of the City and generally accepted engineering practices.

118"

11. Street Vacation.

Pursuant to Oregon Revised Statutes ("ORS") 271 130, applicant agrees to take steps to vacate the city streets shown in Appendix F-3

12. Consolidation of Existing Parcels

Applicant agrees to consolidate or adjust as appropriate existing tax lots in Northgate Centre to conform to the approved plans for Northgate Centre and the requirements of the MLDC, and the same will be accomplished before issuance of any Certificate of Occupancy for buildings in Northgate Centre

13. Delivery of Rail Service

Applicant agrees to continue reasonable efforts to acquire and supply commuter rail service as anticipated in these land use applications

14. Waste Management

Applicant agrees to establish a comprehensive waste management operations plan in cooperation with Rogue Disposal and Recycling, Inc

15. Berm and Tree Buffer

Applicant agrees to construct and install the berm and landscaping to buffer Sierra Pine from Northgate Centre generally as shown on Exhibit C, pp 2 and 12 and as approved by the Site Plan and Architectural Commission per condition 5 (B)(6) a).

PASSED by the Council and signed by me in authentication of its passage this 21 day of December, 2006

ATTEST /s/Glenda Owens
City Recorder

APPROVED December 21, 2006

/s/Gary H. Wheeler
Mayor
/s/Gary H Wheeler
Mayor

11/21



Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE LOS ANGELES NEW YORK PORTLAND SAN FRANCISCO SEATTLE SHANGHAI WASHINGTON, D.C.

GREGORY S. HATHAWAY
Direct (503) 778-5207
gregoryhathaway@dwt.com

SUITE 2300
1300 SW FIFTH AVENUE
PORTLAND, OR 97201-5630

TEL (503) 241-2300
FAX (503) 778-5299
www.dwt.com

November 3, 2008

Ms. Lynette O'Neal
Assistant to the City Manager
City of Medford
411 West 8th Street, Suite 312
Medford, OR 97501

Re. Northgate DDA

Dear Lynette:

Pursuant to your request, enclosed please find the signature pages to the Northgate DDA signed by Alba Village and Northgate.

Very truly yours,

Davis Wright Tremaine LLP


Dawn Fulps,
Land Use Paralegal

Enclosures

RECEIVED

NOV 03 2008

CITY MANAGER'S OFFICE

DWT 12077376v1 0086836-000001
Portland

"R"

Executed in multiple counterparts as of the day and year first below

CITY OF MEDFORD

By: _____ Executed Date: _____

Its:

ATTEST:

APPROVED AS TO FORM:

By: _____ Date: _____

City Attorney

NORTHGATE LLC, an Oregon Limited Liability Company

By: _____ Executed Date: _____

Title: _____

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By:  Executed Date: 10/31/08

Title: MANAGING MEMBER

"R"

Executed in multiple counterparts as of the day and year first below

CITY OF MEDFORD

By: _____ Executed Date: _____

Its:

ATTEST:

APPROVED AS TO FORM:

By _____ Date: _____

City Attorney

NORTHGATE LLC, an Oregon Limited Liability Company

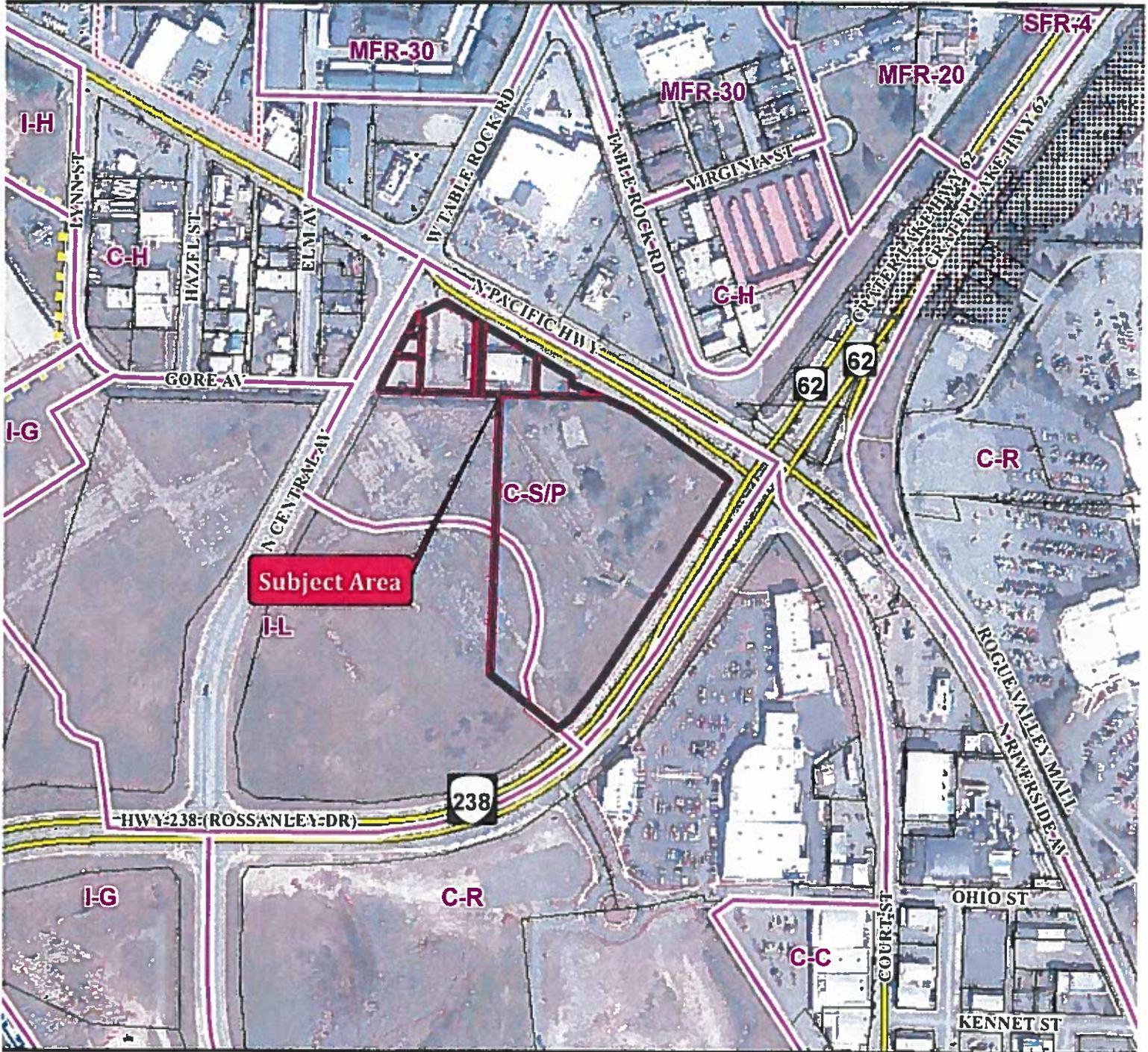
By: Steve J. Ferguson Executed Date: 11-3-08
Title: Managing Member

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By _____ Executed Date _____

Title: _____

"R"



Project Name:
**Northgate Centre - Office Park
 SPAC Review**

Map/Taxlot:
**372W24 TL 101
 372W13DC TL's 3301, 4300-4600,
 & 5500-5700**



-  Subject Area
-  Medford Zoning
-  Freeway Overlay
-  Tax Lots
-  City Limits
-  Page 132

