Site Plan & Architectural Commission Agenda May 6, 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

Agenda

Public Hearing

May 6, 2016
12:00 noon

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

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10. Roll Call

20. Consent Calendar (voice vote). None.

30. Minutes

30.1 Consideration for approval of minutes from the April 15, 2016, meeting.

40. Oral and Written Requests and Communications

50. Public Hearings – Old 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)

Public Hearings – New Business

50.2 **AC-16-033** Consideration of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district. (Commercial Counsel Inc., Applicant; Access, Agent).

60. Written Communications

60.1 **CUP-16-022 / E-16-023** Consideration of a request for a Conditional Use Permit for the Kids Unlimited Public Charter School Master Campus Plan to allow for the expansion of existing facilities; including but not limited to 18,000 square foot multipurpose building, a two classroom modular building and outdoor athletic field. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of

public right-of-way for Edwards Street and Austin Street. The subject site is located west of Riverside Avenue, South of Edward Street, East of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential -10 units per gross acre), MFR-20 (Multiple-Family Residential – 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres. (Kids Unlimited of Oregon, Applicant; Scott Sinner Consulting Inc., Agent)

70. Unfinished Business

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

Minutes

From Public Hearing on April 15, 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
Jim Quinn, Vice Chair
Bill Chmelir
Bob Neathamer
Marcy Pierce
Curtis Turner
Rick Whitlock
Dick Gordon, City Council liaison

Staff Present
Jim Huber, Planning Director
Kelly Akin, Principal Planner
Eric Mitton, Senior Assistant City Attorney
Doug Burroughs, Public Works/Eng Development Services Manager
Alex Georgevich, Deputy Public Works Director – City Engineer
Desmond McGeough, Planner III
Debbie Strigle, Recording Secretary

Commissioners Absent
Jim Catt, Excused Absence
Tim D'Alessandro, Excused Absence

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).

Motion: Adopt the consent calendar.

Moved by: Commissioner Neathamer Seconded by: Commissioner Whitlock

Voice Vote: Motion passed unanimously, 7-0

30. Minutes.
30.1 The minutes for the April 1, 2016, meeting, were approved as submitted.

40. Oral and Written Requests and Communications. None.

50. Public Hearings.
Eric Mitton, Senior Assistant City Attorney, read the rules governing the 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.

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

Kelly Akin, Principal Planner, stated the applicant had requested this hearing be continued to the May 6, 2016, meeting.

The public hearing was opened.

There being no testimony, the public hearing was closed.

Motion: Continue AC-15-162 to the May 6, 2016, meeting per the applicant's request.

Moved by: Commissioner Quinn Seconded by: Commissioner Neathamer

Roll Call Vote: Motion passed, 7-0

60. Written Communications. None.

70. Unfinished Business. None.

80. New Business. None.

90. Report from the Planning Department.
90.1 Ms. Akin stated there would be business scheduled for both the May 6, 2016, and May 20, 2016, meetings.

90.2 Ms. Akin reported that Planning had no business before City Council last week but next week there would be a public hearing on a street vacation on 2nd Street, between the railroad tracks and Front Street.

100. Messages and Papers from the Chair. None.

110. Propositions and Remarks from the Commission. None.

120. City Council Comments.
120.1 Councilmember Gordon talked about the issue of compatibility and architectural design standards with the Commission. He challenged the Commissioners saying if they were not satisfied with compatibility the way it is currently defined or satisfied with some of the architectural designs, then perhaps the Commission could tackle the compatibility issue and also come up with some design standards. He also suggested the Commission might want to ask staff to come up with some recommended design standards.

Chair Bender responded there had been some movement by staff to start establishing that criteria and hopes to see those develop further. He commented he thought the design standards are headed in the right direction. He added the Commission could then offer more suggestions in creating and guiding those standards.

Councilmember Gordon wanted to know where staff was in the process and also their thoughts on the subject.

Jim Huber, Planning Director, said he felt the compatibility issue was a difficult standard because it is completely subjective. He commented he did not like that City Council had overturned this Commission's decisions regarding compatibility because City Council has to find that legal error has been made or that inadequate findings have been made. Mr. Huber stated that work needs to be done on the compatibility criterion.

Mr. Huber said that work has been done regarding downtown design standards but because of being understaffed, this has not been a top priority. It does, however, remain on the list of things to do.

130. Adjournment

130.1 The meeting was adjourned at approximately 12:15 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: May 6, 2016

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-15-162 APPLICATION FOR PROJECT REVIEW SUBMITTED	)	**ORDER**
BY TATUM REAL ESTATE, INC.	)	

AN ORDER granting approval of plans for the construction 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 .

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 of plans for the construction 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, with a public hearing a matter of record of the Site Plan and Architectural Commission on May 6, 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 Tatum Real Estate, Inc., stands approved subject to compliance with the conditions stated in the Revised Staff Report dated April 29, 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:

FINAL ORDER AC-15-162

(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.

(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 6th day of May, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

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Site Plan and Architectural Commission Chair

ATTEST:

Debbie Stigle

Secretary

REVISED 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 May 6, 2016 hearing*
FROM	Desmond McGeough, Planner III
REVIEWER	Kelly Akin, Principal Planner
DATE	April 29, 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/ ZC-11-042	Amend the conditions of approval associated with the 2006 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.

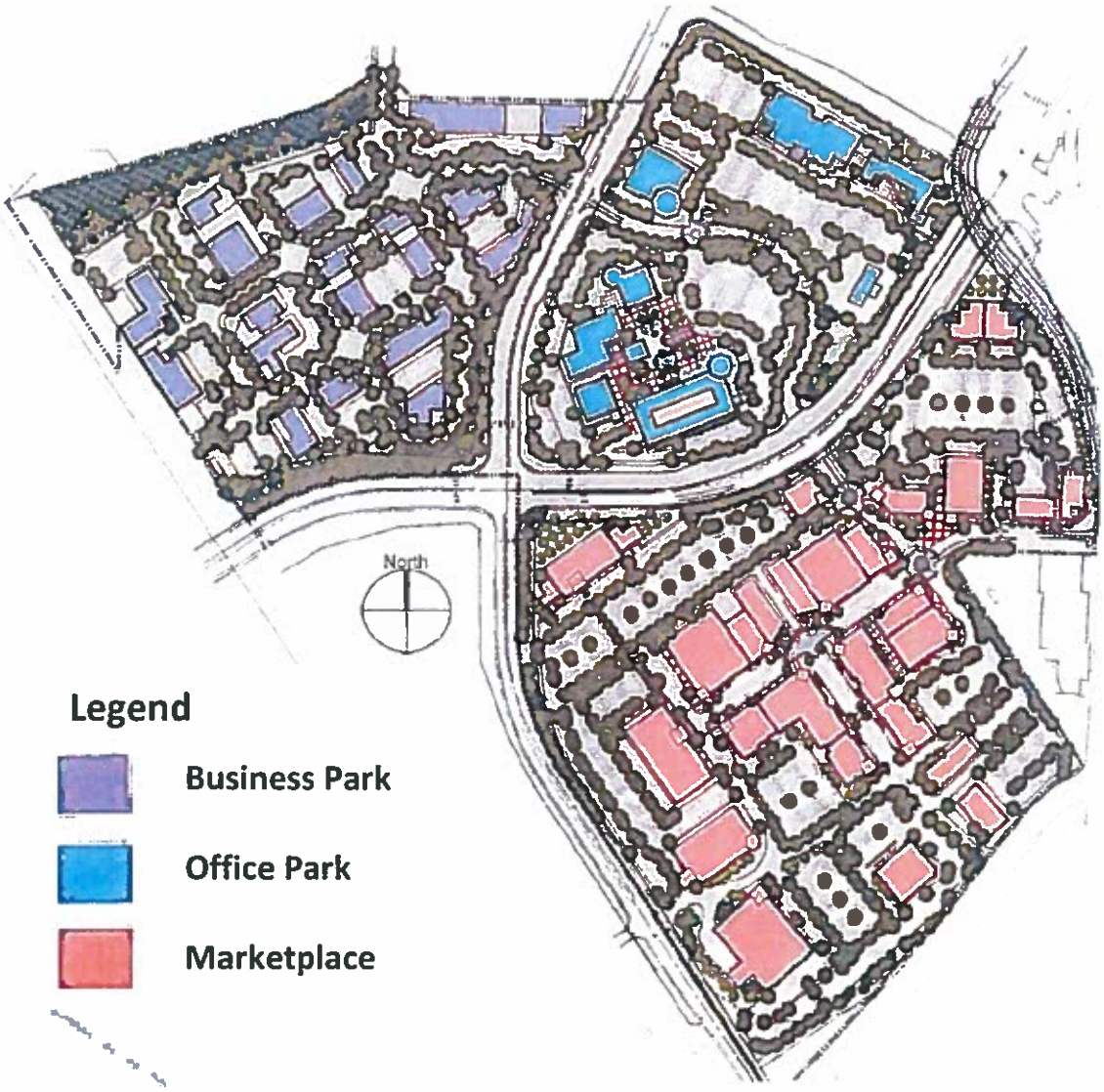
ISSUES AND ANALYSIS

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.

<u>Northgate Centre - Application History</u>

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.

<u>Northgate Centre Disposition and Development Agreement (Exhibit R-1)</u>

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.

<u>Proposed Northgate Office Park Master Plan</u>

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 745 parking spaces in total for both phases, which exceeds the minimum requirement by 35 spaces. 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, the applicant's narrative identifies, based on the Institute of Transportation Engineers (ITE) peak hour data, the minimum MLDC code requirement 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.

Master Plan Circulation

In terms of the on-site circulation for Phase I and II, the proposed master plan for the Northgate Center Office Park identifies three ingress/egress points. The two primary access points for the Office Park Development have been shown since the Northgate Centre conceptual plan was initially submitted in 2006. The access to and from Highway 238 provides right-in and right-out vehicular movement approximately halfway between Highway 99 and Central Avenue. The other primary ingress/ egress point provides access to Central Avenue, which is located approximately half way between Highway 238 and Highway 99.

The applicant has submitted a traffic study that has been reviewed and accepted by the City of Medford Public Works Department. The traffic study demonstrates that the mid-block entry on Central Avenue can accommodate a south bound Central Avenue left in movement, in addition to the right-in, right-out movements. However, Central Avenue facility is currently under the jurisdiction of ODOT jurisdiction. The process for turning jurisdiction of the roadway to the City of Medford will be initiated in the near future.

When the road comes under the jurisdiction of the City of Medford, a left-in from southbound Central Avenue will be permitted by the City.

The two primary entries of the development will ultimately be directly linked via a collector driveway aisle. There is no vehicular parking which will take direct access from this aisle. Two driveways provide access to the west side of the main collector drive and three driveways provide access to the east side of the office park property. The Northgate Center Office Park Master Site Plan and the Phase I Final Site Plan also identifies a driveway in the north portion of the development that provides access to Central Avenue. The subject access was not represented in the 2006 conceptual development plan submitted for the GLUP Map Amendment and Zone Change applications. The applicant is proposing the driveway as a temporary access drive to Central Avenue, until such time where Phase II can provide a link to the mid-block access point. Currently, there is a 22-foot wide dustpan driveway at that location providing access to the northern portion of the site.

Staff has several concerns pertaining to the third access and recommends that the Phase I Site Plan and development Master Plan be amended by removing the subject access. The first concern is the driveway is located in the area of influence of the Central Avenue and Highway 99 intersection. The temporary driveway access is approximately 220 feet from the intersection. During hours of higher traffic volumes, drivers seeking to cross two lanes of traffic to enter into the left hand turn lane for northwestwardly bound Highway 99 travel would likely cause egress delays internal to the site.

Additionally, when any developer in the Northgate Center project constructs the 300,000th square footage for the overall project, the DDA requires that a north bound right hand turn lane for Highway 99 be built on Central Avenue. This lane could be built by the subject developer, the developer of Phase II, the Northgate Center Industrial Park or Phase III of the Northgate Market Place. This effectively would eliminate this access point, thus leaving one access point to the development until Phase II is built. From an overall design perspective, this scenario leaves questions regarding what entity will be responsible for removing the on-site driveway pavement and providing landscaping of the vacated driveway; and, who will build the "alternative access" identified in the Phase I (Exhibit D), if Phase II has not commenced.

Per the DDA, properties in each development component in the Northgate Office Park are required to develop a Master Site Plan. One premise of the 2006 GLUP Map amendment and Zone Change applications was that each one of the three development areas within the overall 84 acres was an integral component of an overall Master Planned Development. While the concepts regarding the initial design requirements and thematics have changed over time, the notion that the overall project is to be planned holistic manner remains. All properties located in the Office Park Component

are currently under the same ownership. Regardless, through site master planning and code requirements for cross access, staff believes that permitting of a temporary access is not a desirable option, considering the location and questions surrounding its ultimate removal. Staff is recommending that Phase I connect to the mid-block access on Central Avenue and the temporary access be removed from the plan. A discretionary condition of approval (Exhibit A-1) has been included regarding the Central Avenue access.

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

Phase One NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS			
LOT	BUILDING AREA	PARKING REQ'D	PARKING 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	PARKING 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

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.

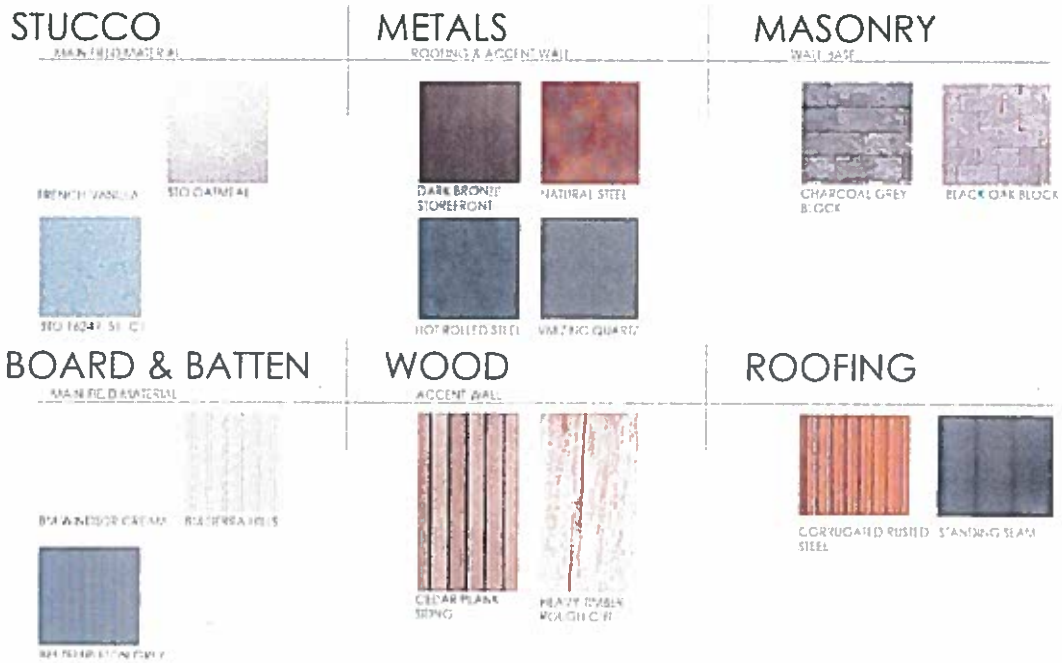
This application seeks final site plan approval of building locations and size, parking areas, vehicular and pedestrian circulation and landscaping areas for the development. The developer will submit final architectural and landscaping plans for "Stage Three" ministerial decision for each lot within 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 thematics 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 s 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, Phase I proposes that there will be two points of ingress/egress to the Phase I Office Park development. Both points provide right-in right-out access. The mid-block access located in Phase II 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. As noted above in the discussion regarding the Master Plan, staff recommends that the "alternative access" be constructed as part of Phase I of the development.

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 Transpiration 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.

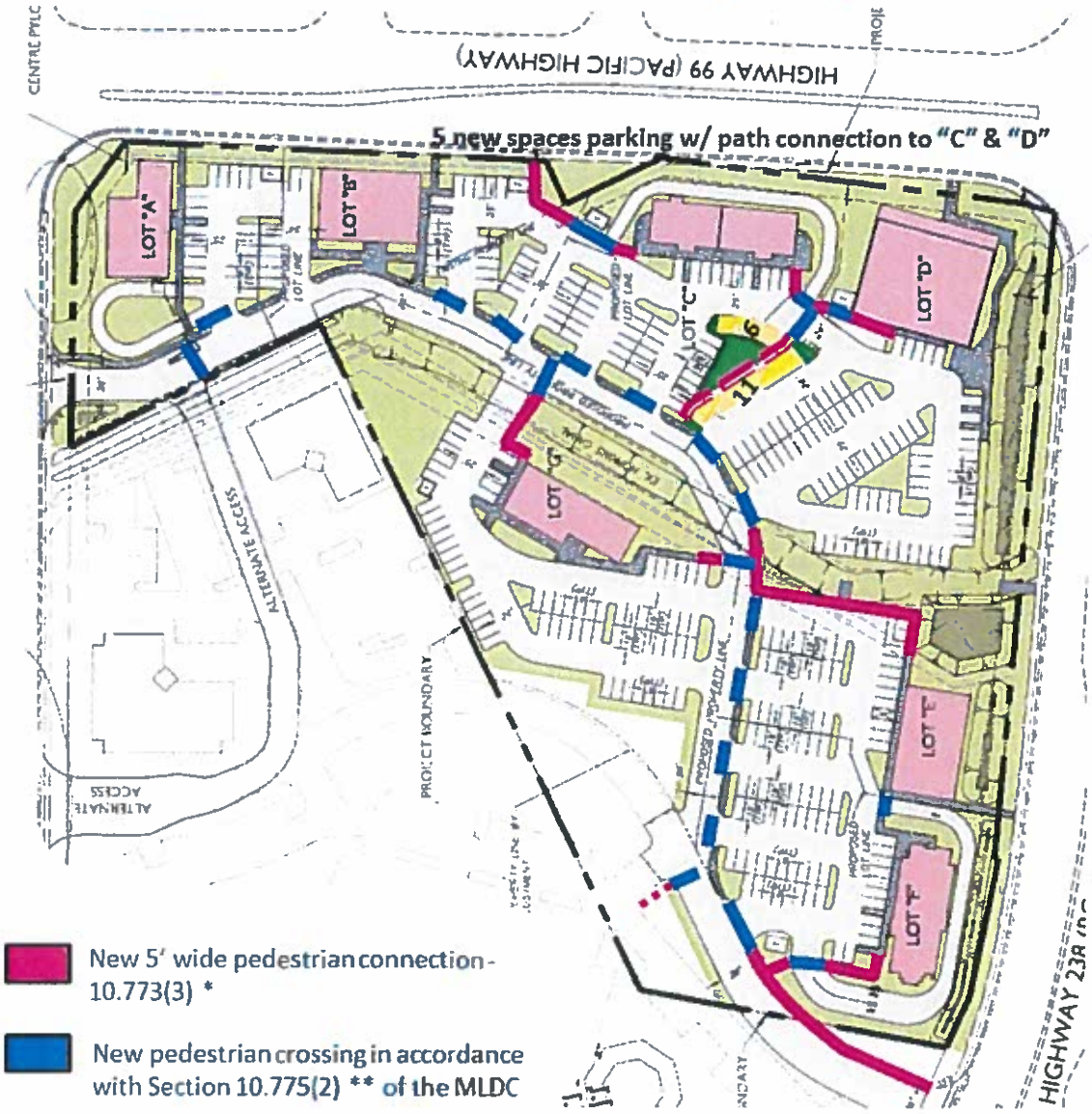
The applicant's narrative acknowledges that approval of a parking reduction will not result, nor is or is intended to increase, the amount of square footage permitted under the Master Plan. However, the intent is to provide some flexibility to provide for site design changes to allow for more convenient 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.

Conceptual pedestrian access per MLDC 10.773 & 10.775



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

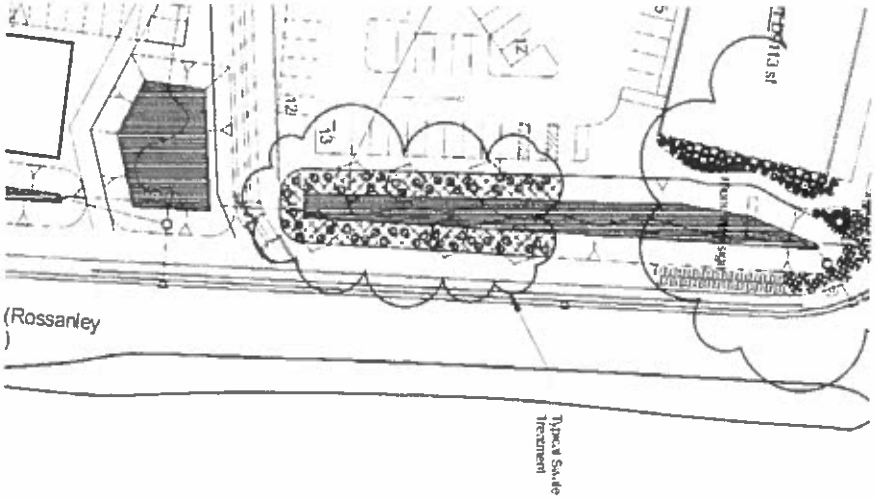
The narrative indicates that exterior lighting will be designed to meet City codes and downcast and shielded where necessary. However, there are no lighting details or parking lot pole standards demonstrating lighting proposed for the center. Staff is including a discretionary condition of approval requiring 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.

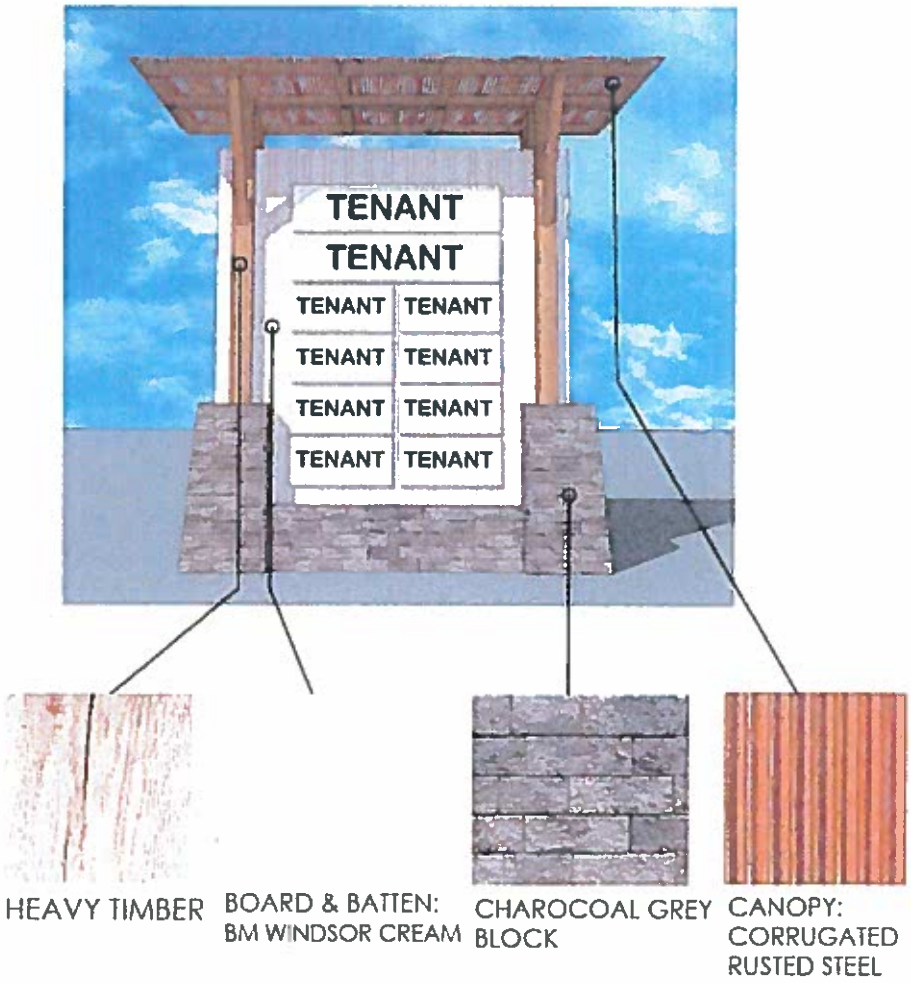
Storm Drainage

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 consist ant 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 Revised Staff Report dated April 29, 2016, including Exhibits A through R-1.

EXHIBITS

A-1 Conditions of Approval; dated April 29, 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-1	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-1	Disposition and Development Agreement (DDA) and corresponding 2015 Amendment
	Vicinity Map

EXHIBIT A-1

Northgate Office Park Master Site Plan and Phase I Final Site Plan
AC-15-162
Conditions of Approval
April 29, 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) and Amendment thereto (Ord. # 2015-045)

2. The applicant shall:

   a. Comply with the Public Works Department Staff Report, dated April 7, 2016; (Exhibit K-1).

   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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EXHIBIT A-1

Northgate Office Park Master Site Plan and Phase I Final Site Plan
AC-15-162
Conditions of Approval
April 29, 2016

5. Prior to submittal of plans for Phase 3 review, provide a revised Northgate Office Park Master Site Plan and Phase I Final Site Plan demonstrating removal of the temporary access located near the intersection of Highway 99 and Central Avenue, and demonstrating the establishment of a permanent access to the Central Avenue mid-block access point that will be constructed with initial improvements of the Phase I development.

"A-1"

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Section I – Narrative

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***

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EXHIBIT # "B"
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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.
    <u>UPDATE:</u> *Applicant acknowledge 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.
    <u>UPDATE:</u> *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 with promote use of alternative transportation as well.

P. No relief of landscape standards is being requested.

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Applicant's Questionnaire
Master Sign Program – Northgate Centre - Office Park

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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 plyon sign will not exceed an overall structure height of 16' and the top sign panel not to exceed 12'

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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	MLDC= 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.

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EXHIBIT # "B"
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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

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

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

REGISTERED PROFESSIONAL ENGINEER
53200PE
OREGON
SEPT 10, 2002
KIMBERLY PARDUCCI
RENEWS 12/31/16

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

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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 (*outside of Downtown Parking District*)**	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 orRecreationCenter	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 AdultCare 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

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

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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
RecreationalVehicle 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

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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

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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 orAnimalHospital	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.

(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.]

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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.*)

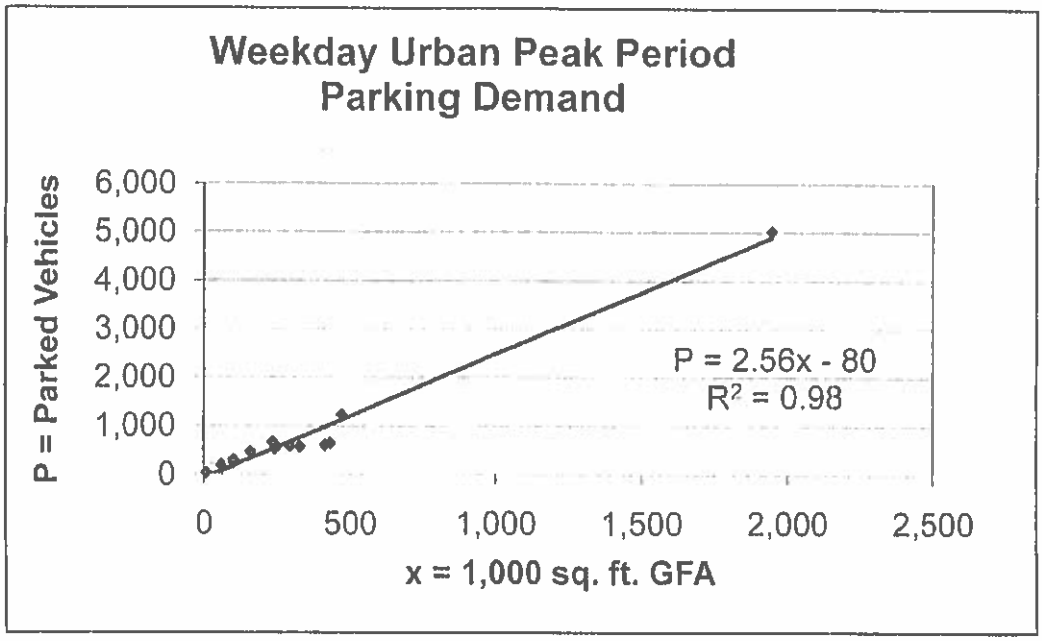
Based on Vehicles per 1,000 sq. ft. GFA	***Weekday Suburban***		***Weekday Urban***	
Hour Beginning	Percent of Peak Period	Number of Data Points*	Percent of Peak Period	Number of Data Points*
12:00–4:00 a.m.	–	0	–	0
5:00 a.m.	–	0	–	0
6:00 a.m.	–	0	–	0
7:00 a.m.	59	1	19	2
8:00 a.m.	79	10	64	4
9:00 a.m.	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

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

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)

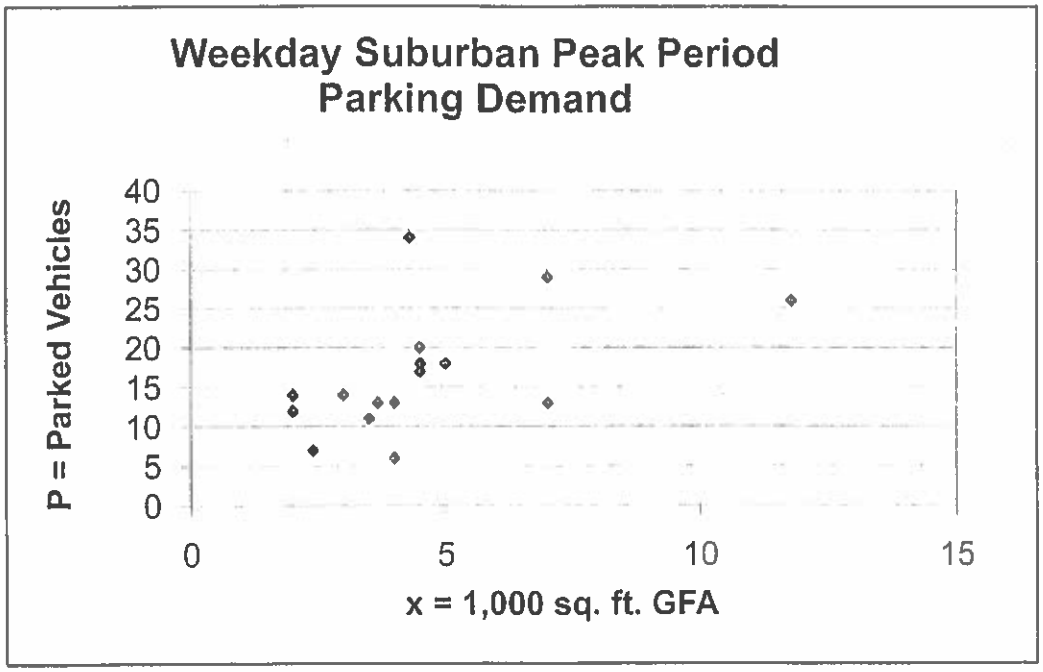
4th Edition Source Numbers

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

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).

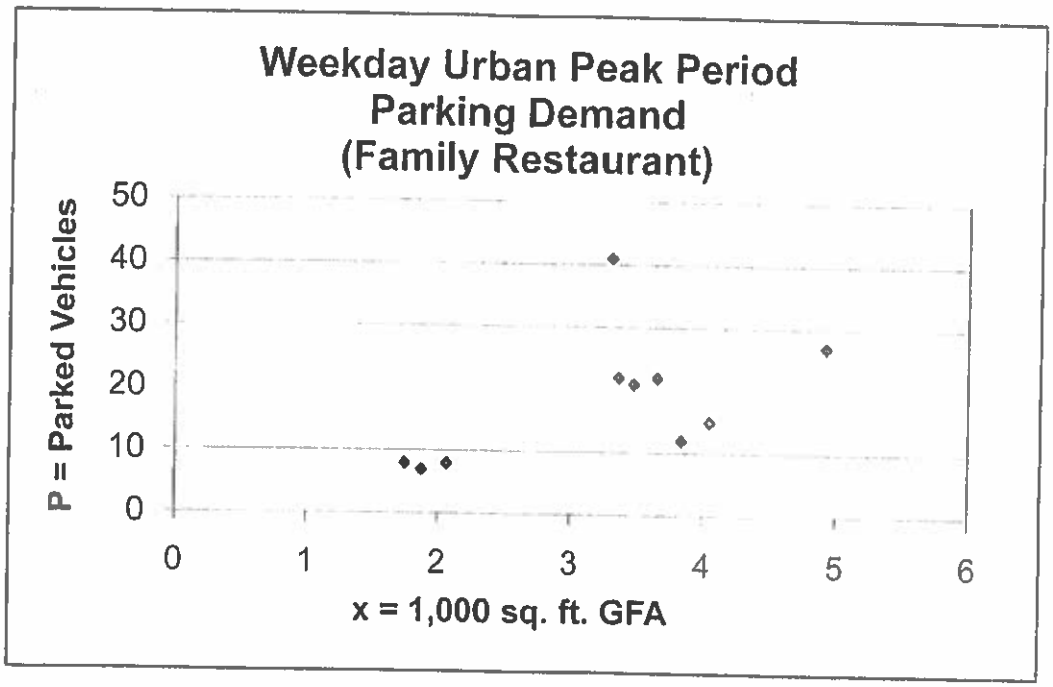
One urban family restaurant study site with weekday parking demand data is not included in the data plots because of its size. The site was 11,170 sq. ft. GFA and it had 360 seats. The parking supply ratios were 10.92 spaces per 1,000 sq. ft. GFA and 0.34 spaces per seat. Peak parking demand occurred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

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 shops 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.

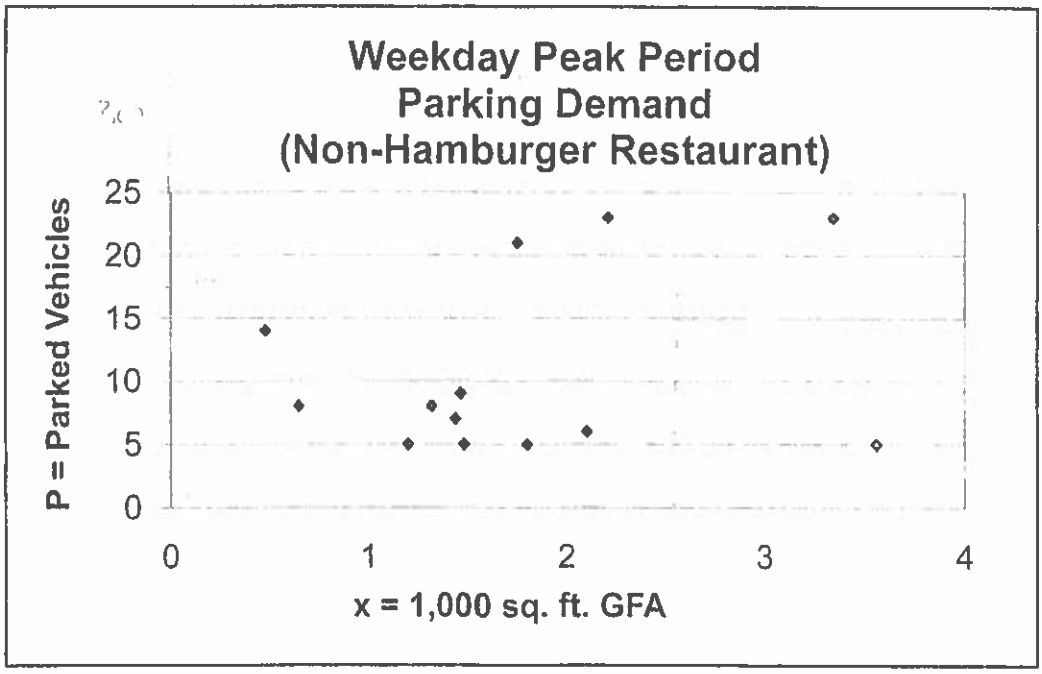
Parking demand data were available from four urban hamburger study sites for weekday conditions during the middle of the day. Each study site could be characterized as unique in its marketplace (with little similar competition). The sites were 3,800, 3,000, 1,800 and 1,400 sq. ft. GFA in size. Peak parking 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

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.

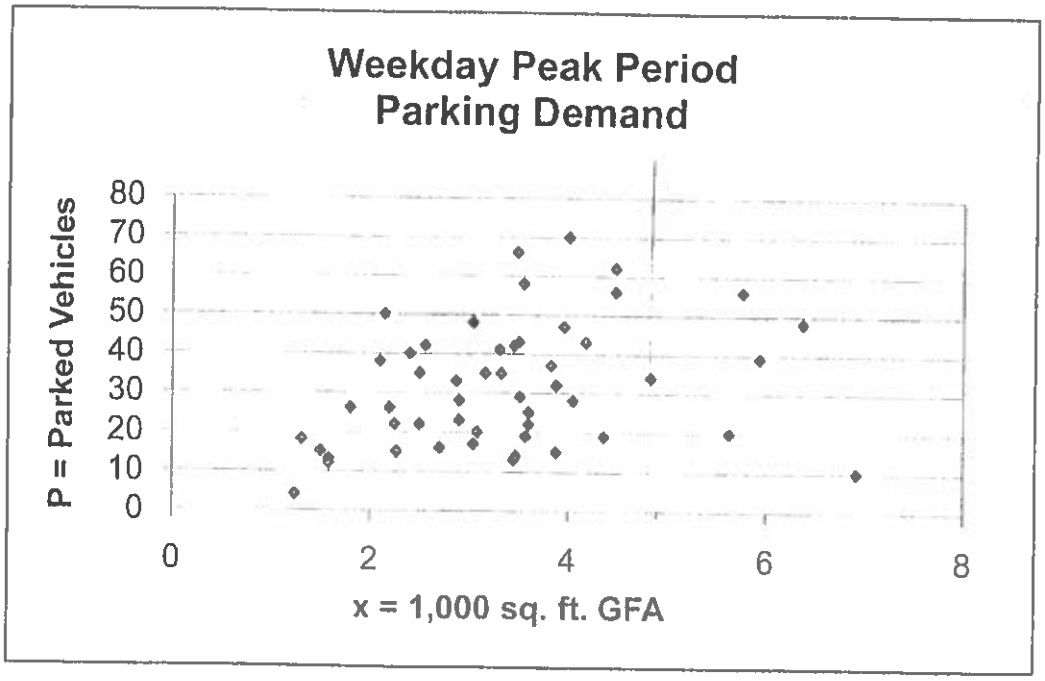
- Average parking supply ratios: 15.2 spaces per 1,000 square feet (sq. ft.) gross floor area (GFA) (53 study sites) and 0.6 spaces per seat (34 study sites).
- Average employee density at hamburger restaurants: 4 employees per 1,000 sq. ft. GFA (11 study sites).

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

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

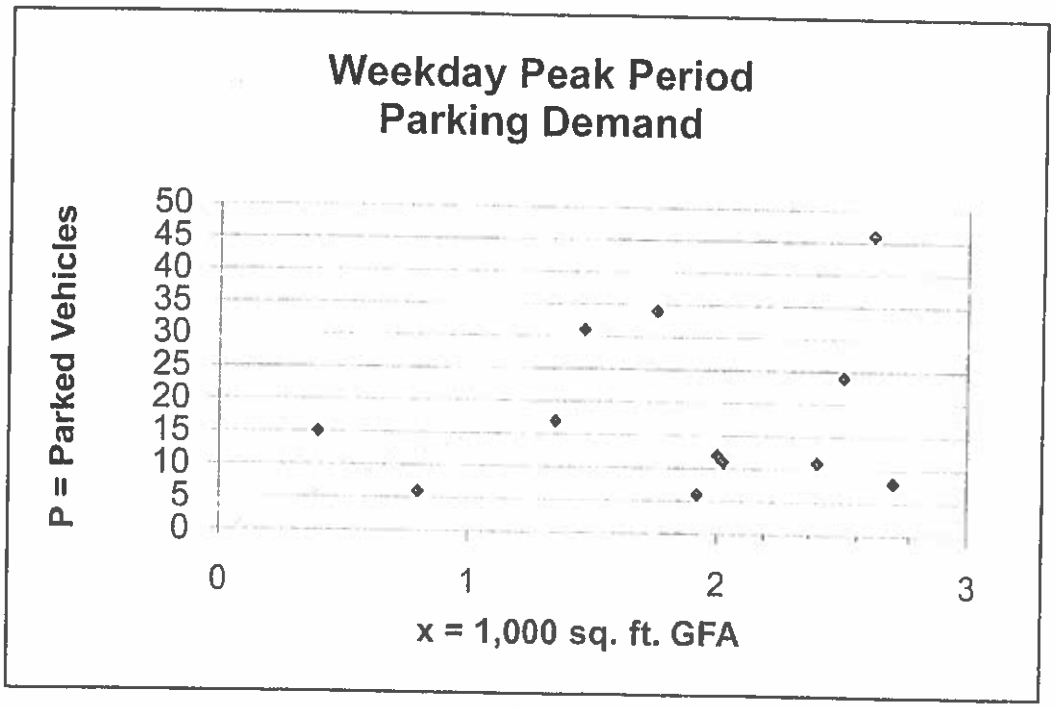
1105, 1107, 1110, 1112, 1127, 1133, 1142

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 mal 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 Institute[1] (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 locatec 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 seve department stores with variety of sto

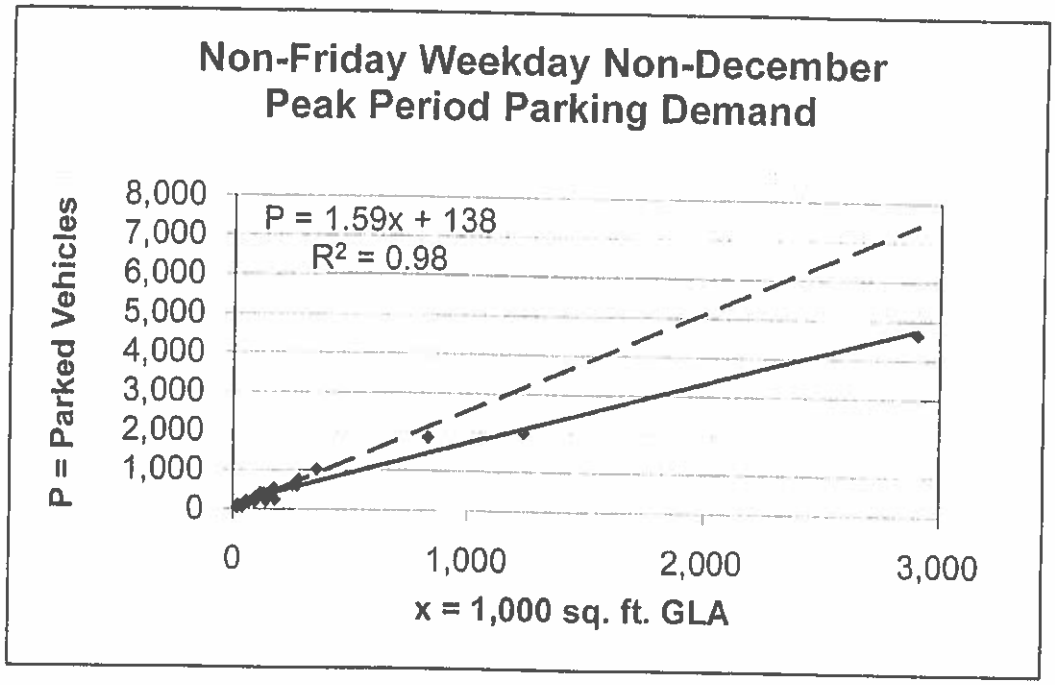
Future data submissions should attempt to provide information on the composition of each stuc site (types and number of stores within the shopping centers).

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

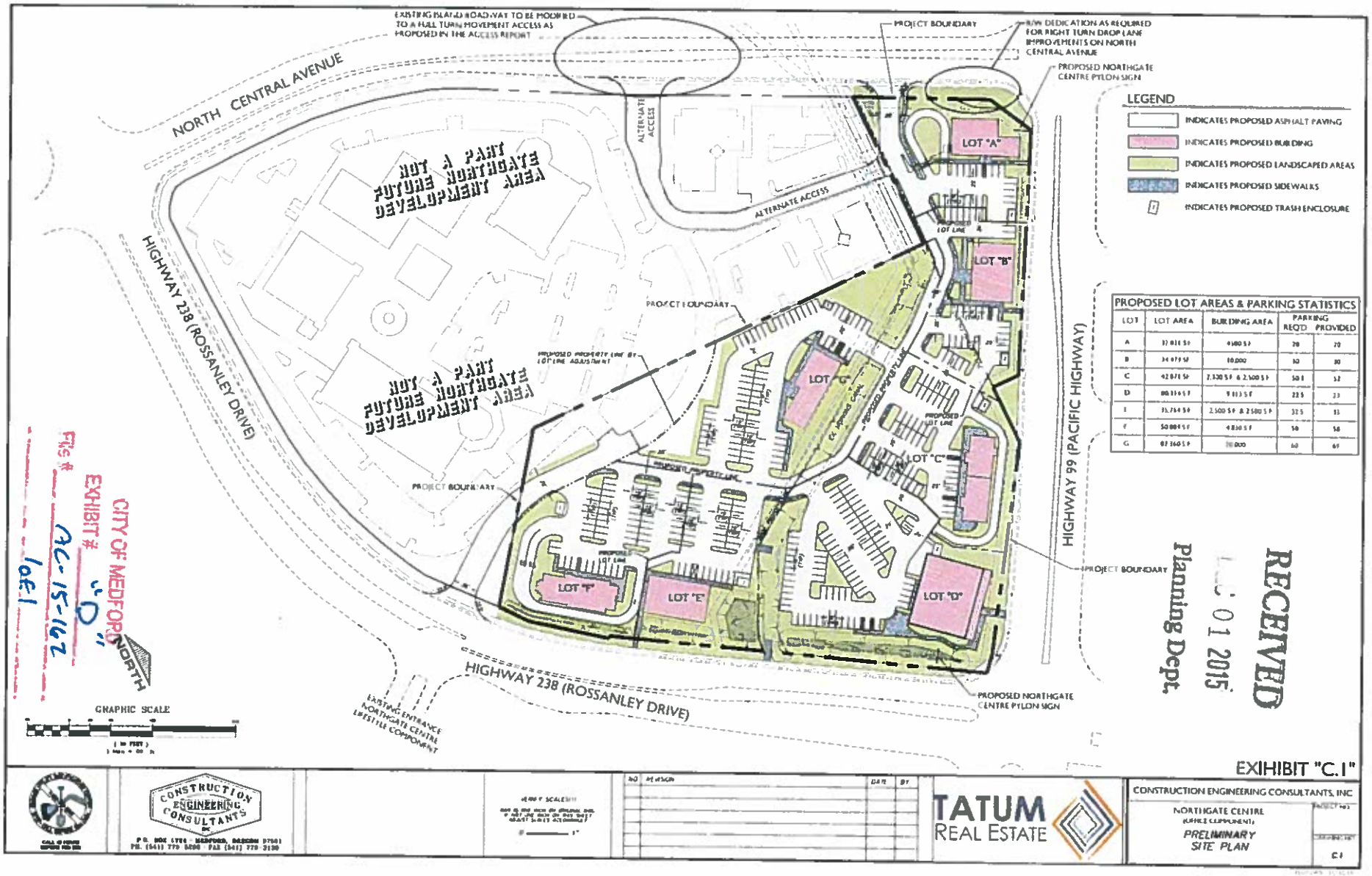
Land Use: 820
Shopping Center

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



PROPOSED LOT AREAS & PARKING STATISTICS

LOT	LOT AREA	BUILDING AREA	PARKING REQ'D	PARKING PROVIDED
A	32,021 SF	4,500 SF	20	20
B	34,479 SF	10,000	30	30
C	42,071 SF	2,300 SF & 2,500 SF	50.1	52
D	80,114 SF	9,113 SF	22.5	23
E	35,764 SF	2,500 SF & 2,500 SF	32.5	33
F	50,089 SF	4,830 SF	50	58
G	87,360 SF	10,000	60	69

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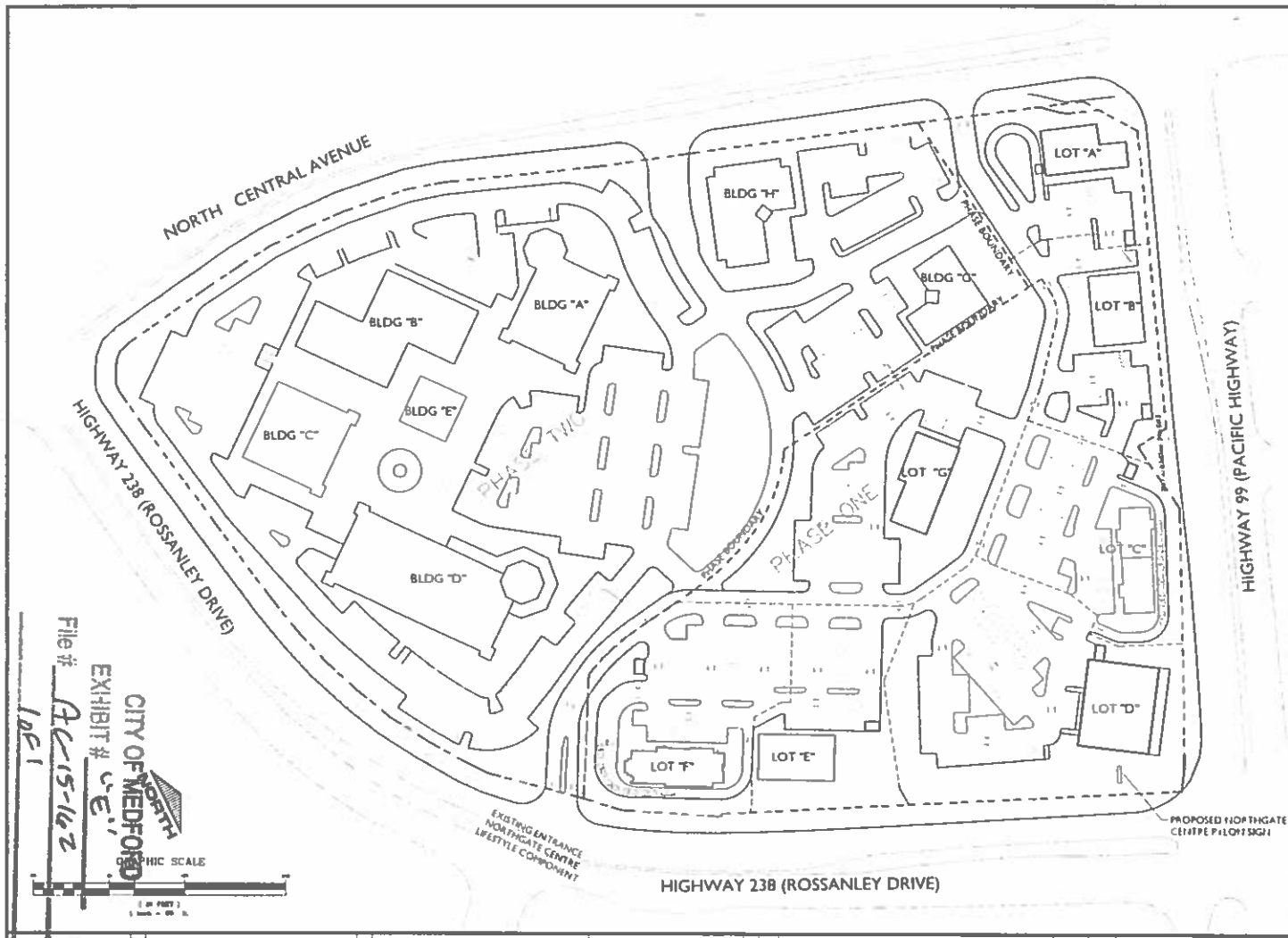

Phase One NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS			
LOT	BUILDING AREA	PARKING REQ'D	PARKING PROVIDED
A	6500 S.F.	30.3	28
B	10,000 S.F.	30	33
C	3,100 S.F. & 2,500 S.F.	56.6	52
D	9,133 S.F.	72	82
E	2,500 S.F. & 2,500 S.F.	33.5	39
F	4,800 S.F.	56	50
G	20,800 S.F.	68	70
TOTAL	58,243 S.F.	332.8	347

Phase Two NORTHGATE CENTER

BLDG AREAS & PARKING STATISTICS				
BLDG	FLRS	BLDG AREA	PARKING REQ'D	PARKING PROVIDED
A	2	24,350 S.F.	73	76
B	1	15,600 S.F.	46.8	46
C	1	10,150 S.F.	30.4	31
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		129,050 S.F.	387.1	390

Total NORTHGATE CENTER

BUILDABLE AREA	
Allowable Buildable Area	339,300 S.F.
Proposed Phase One Total Area	58,243 S.F.
Proposed Phase Two Total Area	129,050 S.F.
Remaining Allowable Buildable Area	31,999 S.F.

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NO.	REVISION	DATE	BY

TATUM REAL ESTATE

OVERALL MASTER PLAN

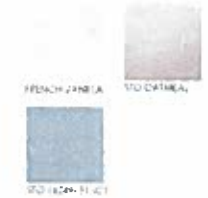
NORTHGATE CENTRE
(OFFICE COMPONENT)

PRELIMINARY SITE PLAN

C.2

INSPIRATIONAL ARCHITECTURAL STYLE

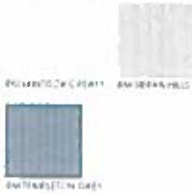
STUCCO



METALS

MASONRY

BOARD & BATTEN



WOOD

ROOFING

OFFICE BUILDING

MONUMENT SIGN

PAD BUILDING

OFFICE BUILDING PERSPECTIVE

OFFICE BUILDING PERSPECTIVE

PAD BUILDING PERSPECTIVE

PRELIMINARY NOT FOR CONSTRUCTION

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

CSHOA
Architecture and Engineering, P.C.

TA REAL ESTATE

DESIGN GUIDELINES

A1.0

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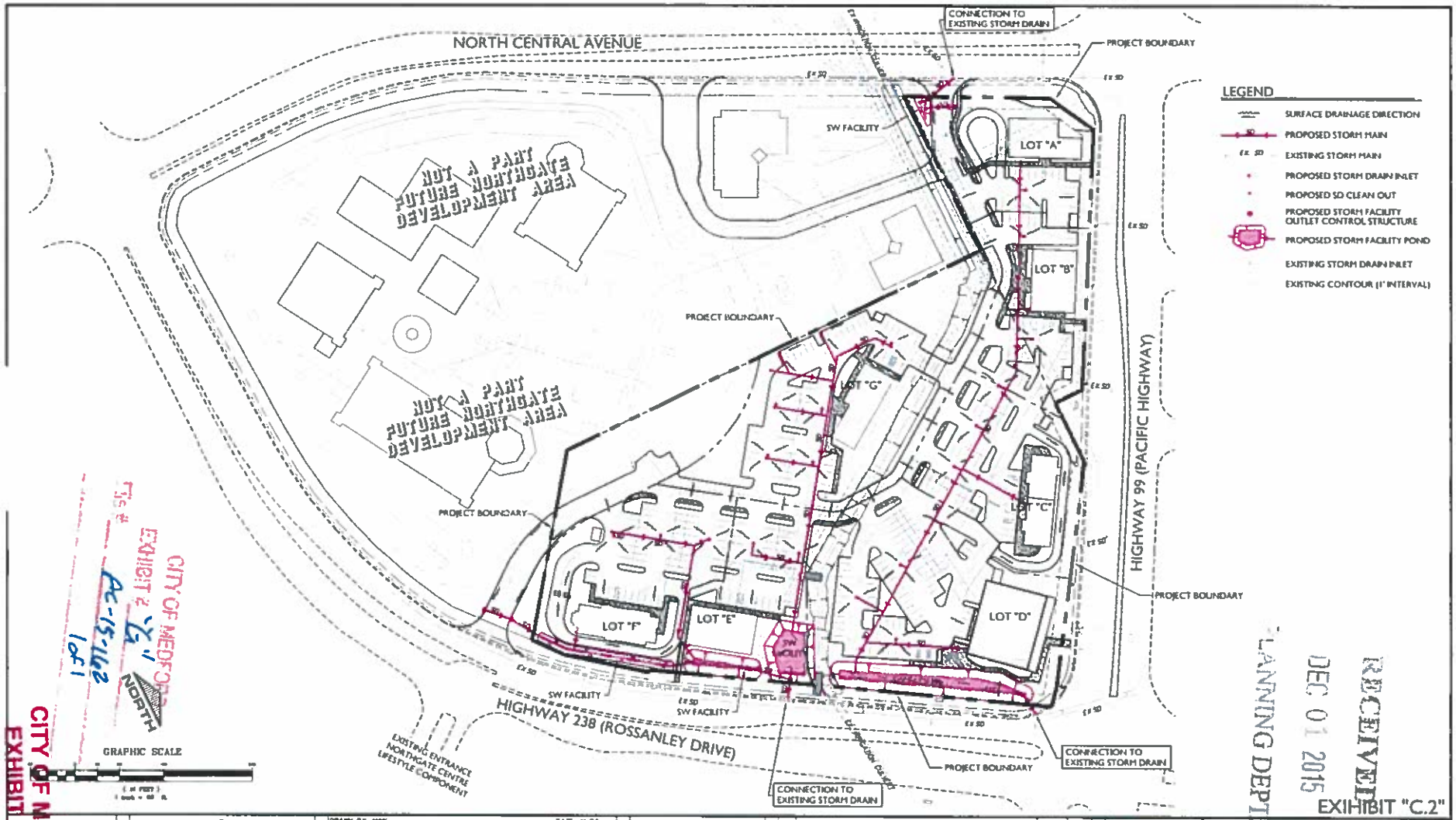

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CITY OF MEDFORD
EXHIBIT #
File # AC-15-162

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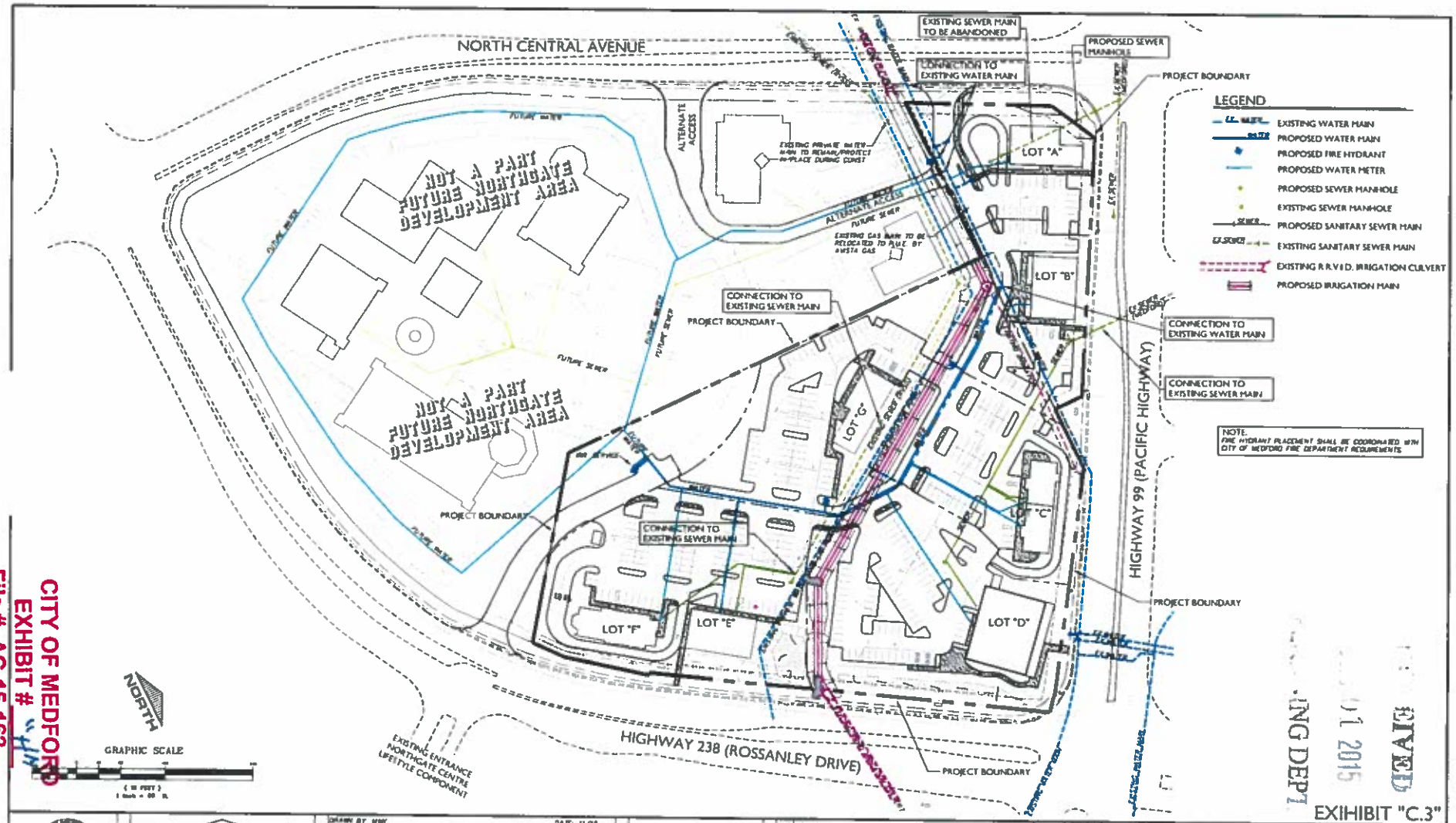

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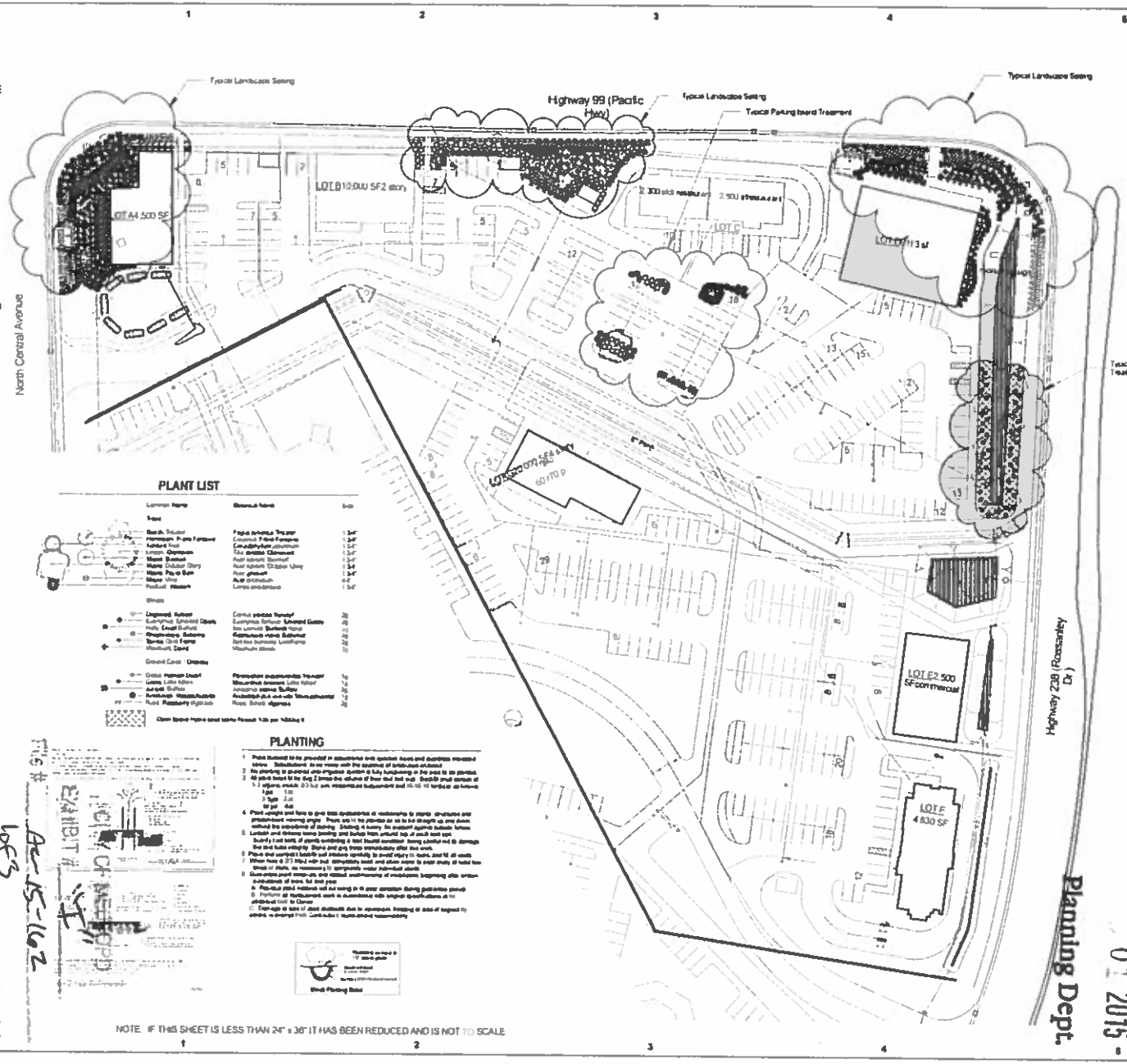

PLANT LIST

Common Name	Botanical Name	Size
Trees		
Beech, Tricolor	Fagus sylvatica 'Purpurea'	1 3/4"
Hornbeam, Purple Fastigiated	Carpinus 'Fastigiata'	1 3/4"
Ashleaf Maple	Acer negundo	1 3/4"
Maple, Cappadocian	Acer cappadocicum 'Aureum'	1 3/4"
Maple, Bloodgood	Acer platanoides 'Bloodgood'	1 3/4"
Maple, Globe Glory	Acer platanoides 'Globe Glory'	1 3/4"
Maple, Red Sunset	Acer rubrum 'Red Sunset'	1 3/4"
Maple, Vine	Acer circinatum	4-6' cl
Redbud, Western	Cercis occidentalis	1 3/4"
Shrubs		
Ceanothus, Ephedra Green	Ceanothus 'Ephedra'	2 gal
Holly, Dwarf Burford	Ilex cornuta 'Burfordii Nana'	2 gal
Rhododendron, Boulevard	Rhododendron 'Boulevard'	2 gal
Spirea, Gold Flame	Spiraea japonica 'Goldflame'	2 gal
Viburnum, David	Viburnum davidii	2 gal
Ground Cover / Grasses		
Grass, Hakonechloa Aureola	Hakonechloa macra 'Aureola'	2 gal
Grass, Little Kitten	Miscanthus sinensis 'Little Kitten'	2 gal
Juniper, Blue Rug	Juniperus horizontalis 'Blue Rug'	2 gal
Pennisetum, Hameln Dwarf	Pennisetum alopecuroides 'Hameln'	2 gal
Rose, Raspberry Rugosa	Rosa 'Scheig' rugosa	2 gal

Open space mulch and bark mulch 3 cu yd per 1000sq ft

PLANTING

1. Plant material to be provided in accordance with quality, size and quantities specified in lists. Substitutions to be made only with the approval of landscape architect.
2. No planting to be placed until irrigation system is fully functioning or the area to be planted.
3. All plant beds to be dug 2 times the volume of their root ball and backfill with mixture of 1/3 native soil, 1/3 bark and amendments (vermicomost and 16-16-16 fertilizer as follows):
   1 gal 1 oz
   5 gal 3 oz
   15 gal 4 oz
4. Plant weights and sizes to give true representation of relationship to plants, structures and predetermined viewing angle. Trees are to be planted so as to be straight up, and down, without the assistance of staking. Staking is merely the support against outside forces.
5. Landscape and irrigation trench backfill and bulkage from underlying top of pitch and sign. Subsidy and bark, of plants overlaying a total bound condition being identified and its damage the root ball integrity. Stake and guy trees immediately after tree work.
6. Place and compact backfill and mulch carefully to avoid injury to roots, and fill all voids.
7. Water trees & STI Mix (with root stimulants) root and other zones to avoid study of root tree areas or voids, as necessary to compensate water deficient areas.
8. Guarantee plant survival and normal maintenance of employees, beginning after certain substantial of work, for one year.
   a. Replace plant material will be using in to avoid operation during guarantee period.
   b. Perform all replacement work in accordance with original specifications at no additional cost to Owner.
   c. Replace at sole of plant materials due to vandalism, trapping or loss of support by others, or damage from Contractor's operations responsibility.

Shrub Planting Detail

NOTE IF THIS SHEET IS LESS THAN 24" x 36" IT HAS BEEN REDUCED AND IS NOT TO SCALE

LANDSCAPE AREA CALCULATIONS

Total square footage of landscaped areas in common and that building footprints are determined
Percentage of area comprised of high water use vs. moderate vs. 0%
The grading information is included on proposed Civil Drawings
The landscape design is based on meeting & planning standards that complements the or adjacent and allows for easy maintenance to be one site
At the same time the planting palette highlights the in relationship water usage items that thrive in our landscapings.

IRRIGATION DETAILS

1. An automatic irrigation system to be provided for all plant materials areas in accordance with industry standards. System is intended to perform at 30 gpm and 60 psi. Contractor should submit probationary drawing on site analysis water source.
2. All backflows are to be rear and or engine location
3. No zone shall exceed 3 gpm
4. Place manual drain valves at necessary low points on system
5. Sprinkler shrubs to be located in zone with equal quantity with surrounding upkeep. Sprinkler location on plan by area of intersection
6. Use Hunter SS rotator heads in background shrub islands. Use the appropriate radius nozzle for the area. ALL SPRAY SYMBOLS RE HEADS TO BE PLACED BASED ON HEAD TO HEAD COVERAGE FROM THE ADJACENT HEADS WITH 5-6 NOZZLE. ****NO EXCEPTIONS****
7. All the zones to use PVC laterals to ensure a level of distribution in each individual planting bed corresponding to a Drip Plan
8. Shrub emitter to be irrigation by drip irrigation
   A. All surface drip tubing to be 1/2" poly tubing. Tubing ends to have compression stops. Tubing to bunch a minimum of 3/4" and tied down every 3 inch. 1 emitter
   B. Flow Bird ISS 10 3 emitters to be placed on the outside edge of root zones of plants, in the following way
      1-2g plants 2 1GPH emitters placed on opposite sides of root ball
      3-5g plants 3 1GPH emitters placed on opposite sides of root ball
      Larger plants 5 1GPH emitters placed equally around perimeter of root ball
   C. All Drip zones to include a 200 mesh filter and 30psi pressure regulator
9. All tubing to be a minimum of 1/2" line. Bushes to be on 12inch and line of the drainage length from 1 1/2" in diameter. Bushes shall be adequately supported and protected against further damage
10. Mainline of 1 1/2" SCH40 PVC
11. All above zone shall be PVC SCH and 1" minimum
12. Electrical control check required electric installers of the direction of water
13. Control valves are to be a minimum of 1 1/2 and spaced with water proof connections only. Place all valve boxes parallel to sidewalks
14. Sleeving to be provided under all hardscapes by general contractor for irrigation purposes
15. Irrigation systems to be guaranteed against damage and replaced or maintainable for one year from the date of final acceptance. Damage or loss due to vandalism, flooding or acts of nature by others is exempt from Contractor's replacement responsibility
16. Provide owner with an automatic as-built drawing of water line system, zone and line blending
17. Provide owner with preliminary operating schedule for the established landscape
18. Provide owner with designed list of vendor contractors for operation of irrigation location including spring back up check operation and winterization
19. Water meter through the entire system including the operating instructions

[#1] Operation Group 1 - M Water Zone
Water Group one zone only

GENERAL CONSTRUCTION NOTES

1. Layout and protection of site to include
   A. Establishment of access through the existing construction of hardscape allowing deliveries that top soil
   B. Remove from area of all existing surfaces with proper access in planning areas
2. All shrub beds to be finish rough to a smooth condition prior to mulching
3. Weed free mulch to be placed in all shrub beds to a depth of 3"
4. Treatment Seven Sprays prior to
   A. Prep ground to include bringing grass to set even, subsoil spread new and hand or soil around, soil weight amounts dramatically to shrub planting
   B. Upon finish is to be hydro-mulched with pur
      1 treatment Swine blend grass seed — 50lb per 1,000 sq ft
      Wood Fiber Mulch — 40lbs per 1000 sq ft
      Over Tackifier — 1 lb per per 1000 sq ft
      Sum Fertilizer (2 shrub fertilizer 16-16-16 — 50lbs per 1,000 sq ft
      Sulphur 50lbs/1 — For Maintenance Specifications
   Sod Install Detail for specifications and detail
5. Sod work to use Fragrant Rye and Blend or equal as determined by Landscape Architect
6. INCLUDE 300 CINYS OF WINTERGREEN from the site of development excluding the not wished to
   A. Maintain planting areas to a healthy, weed free condition through a minimum of 60 weeks.
   B. Replace any damaged planting signs of stress
   C. Maintain irrigation for turning & pruning
   D. Provide owner with complete list of maintenance for completed work
7. Plan & supplementals and measurements should be confirmed to site. Any changes are the responsibility of the distribution to deal with and with the owner's approval

SEE CIVIL ENGINEERS DRAWINGS FOR GRADES WITHIN TREATMENT SWALE

GRADING

1. All planting beds to be constructed to a minimum depth of 12" or deeper as determined by landscaping contractor and horticulturist. Excavation to continued with remaining native soil. Hand native soil to include gravel, rock and debris greater than 1 1/2" in size and factory size than 1 inch diameter but no smaller 1/2" before surrounding horticulture
2. Fill planters with available reserved top soil horticultural from site that is determined to be satisfactory for a proper plant growth by testing done on Soil & Plant Laboratory Inc. of Anaheim, CA. If available bark/fir compost down soil mixed specifications 30 on planters. Agree with approved tolerance 1 to with sufficient volume to allow for 20% compaction. Fill planters up to be to amount a final grade within 2" of the top of the material hard surface or curb line
3. Placement of any soil is to take in combination with suitable weather conditions so as to prevent backing up soil structure
4. Subgrading and final grade to consist of to a smooth even grade, no undulation greater than plus or minus 1" within any 10 linear feet of distance
5. SEE CIVIL ENGINEERS DRAWINGS FOR GRADES WITHIN TREATMENT SWALE
6. All sub-grades to be adequately free entirely being firmly compacted
7. Comply subgrade of landscaped the Contractor Contractor is to and mature compact to a rate of 1 no pits per 1,000 sq ft, and then no to blend with top soil to a depth of 6"
8. Surface areas adjacent to sidewalks and block will remove small dirt and debris and prepare areas. These areas will be maintained based on the respective mature side of the adjacent site. They is based on City of Medford Municipal Code 14.769-0.1.2a
   a. Provide a smooth transition to a smooth even grade prepared 2" high in the middle and sloping 1" below surrounding areas. All finish grading to eliminate abrupt changes from one elevation and to be free of lumps and to allow for the proper drainage of water
   b. Provide stormwater responsibility for addressing any drainage problems encountered during course of construction with Landscape Architect

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Planning Dept.

REGISTERED LANDSCAPE ARCHITECT

Madara Design Inc
Landscape Architecture, Design & Consultation
2994 Wells Fargo Rd
Central Point, OR 97502
541-664-7055
madaradesign@yahoo.com

NORTHGATE CENTRE
HIGHWAY 99 (PACIFIC HIGHWAY)
Medford, Or

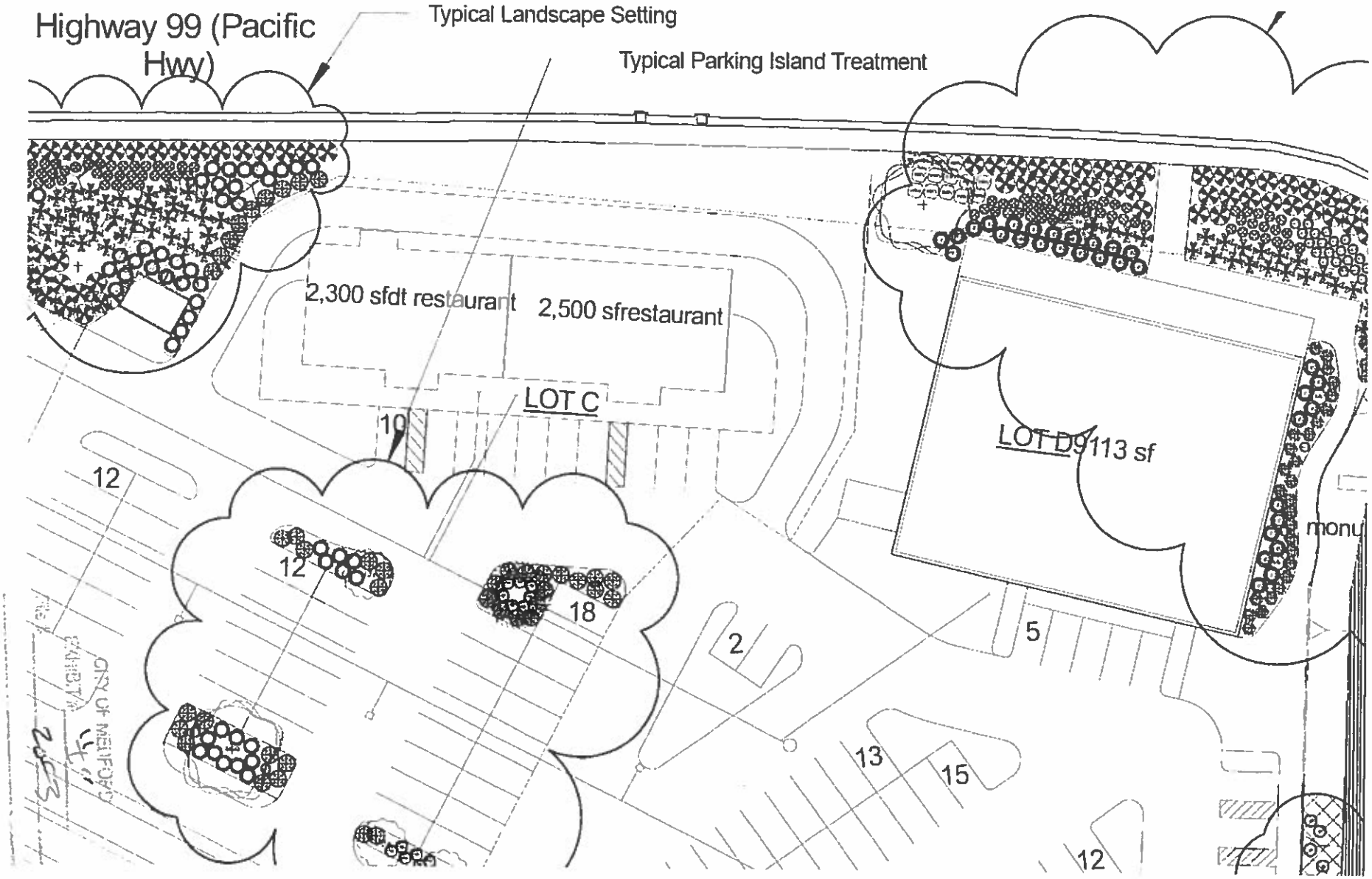
Revisions	Date	Description

CONCEPTUAL LANDSCAPE PLAN

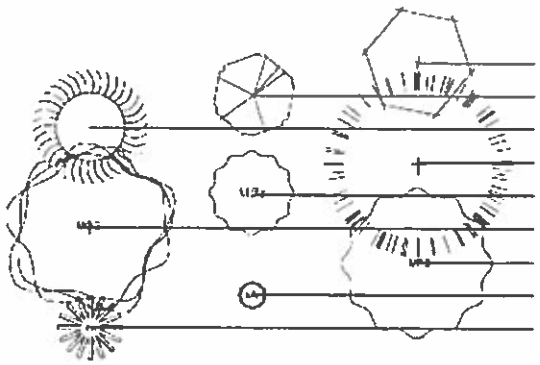
L-1

EXHIBIT # 1
CITY OF MEDFORD
FILE # AC-15-162
1 of 3

Landscape plan partial section



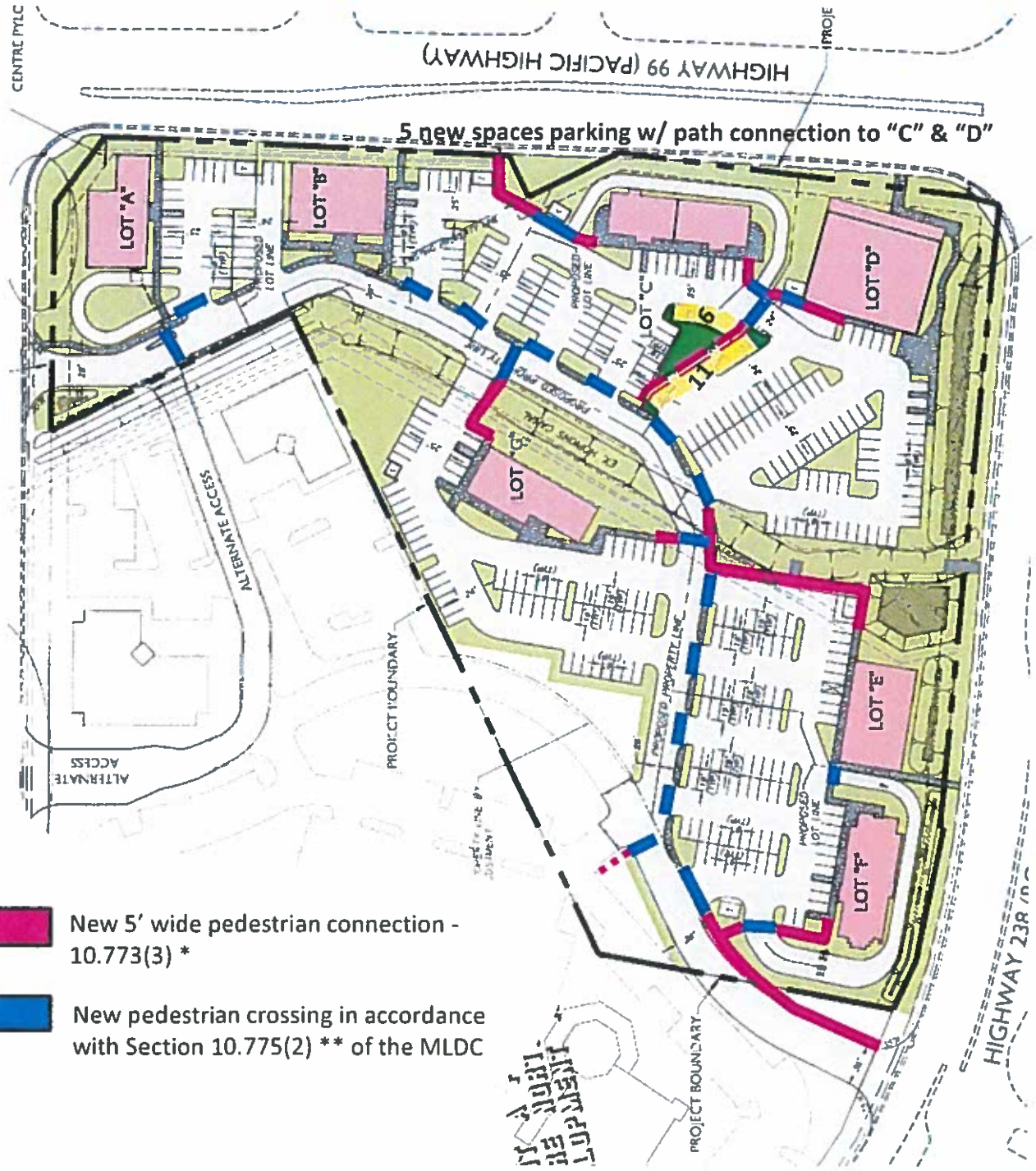
PLANT LIST



Common Name	Botanical Name	Size
Trees		
Beech, Tricolor	Fagus sylvatica 'Tricolor'	1 3/4"
Hornbeam, Frans Fontaine	Carpinus 'Frans Fontaine'	1 3/4"
Katsura Tree	Cercidiphyllum japonicum	1 3/4"
Linden, Glenleven	Tilia cordata 'Glenleven'	1 3/4"
Maple, Bowhall	Acer rubrum 'Bowhall'	1 3/4"
Maple, October Glory	Acer rubrum 'October Glory'	1 3/4"
Maple, Paper Bark	Acer griseum	1 3/4"
Maple, Vine	Acer circinatum	4-5'
Redbud, Western	Cercis occidentalis	1 3/4"
Shrubs		
Dogwood, Kelseyi	Cornus sericea 'Kelseyi'	2g
Euonymus, Emerald Gaiety	Euonymus fortunei 'Emerald Gaiety'	2g
Holly, Dwarf Burford	Ilex cornuta 'Burfordii Nana'	2g
Rhaphiolepis, Ballerina	Raphiolepis indica 'Ballerina'	2g
Spirea, Gold Flame	Spiraea bumalda 'Goldflame'	2g
Viburnum, David	Viburnum davidii	3g
Ground Cover / Grasses		
Grass, Hameln Dwarf	Pennisetum alopecuroides 'Hameln'	1g
Grass, Little Kitten	Miscanthus sinensis 'Little Kitten'	1g
Juniper, Buffalo	Juniperus sabina 'Buffalo'	2g
Kinnikinick, Massachusetts	Arctostaphylos uva-ursi 'Massachusetts'	1g
Rose, Raspberry Vigorosa	Rose, Solero Vigorosa	2g

Open Space Hydro-seed Idaho Fescue 10lb per 1000sq ft

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



- 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"
File # 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.

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MEDFORD, OREGON 97501
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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) Section10.471, **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.

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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 from Highway 238 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 and the process of transferring the jurisdiction of North

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Central Avenue to the City of Medford has started at the staff level. The jurisdictional transfer will need to be approved by the State Attorney General and the Medford City Council. However, given that North Central Avenue is anticipated to ultimately become a City of Medford Street, the Public Works department recommends the following access conditions:

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

2. 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

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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 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.

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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

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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 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

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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

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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.

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BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

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

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EXHIBIT # "L"
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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"
2 of 3

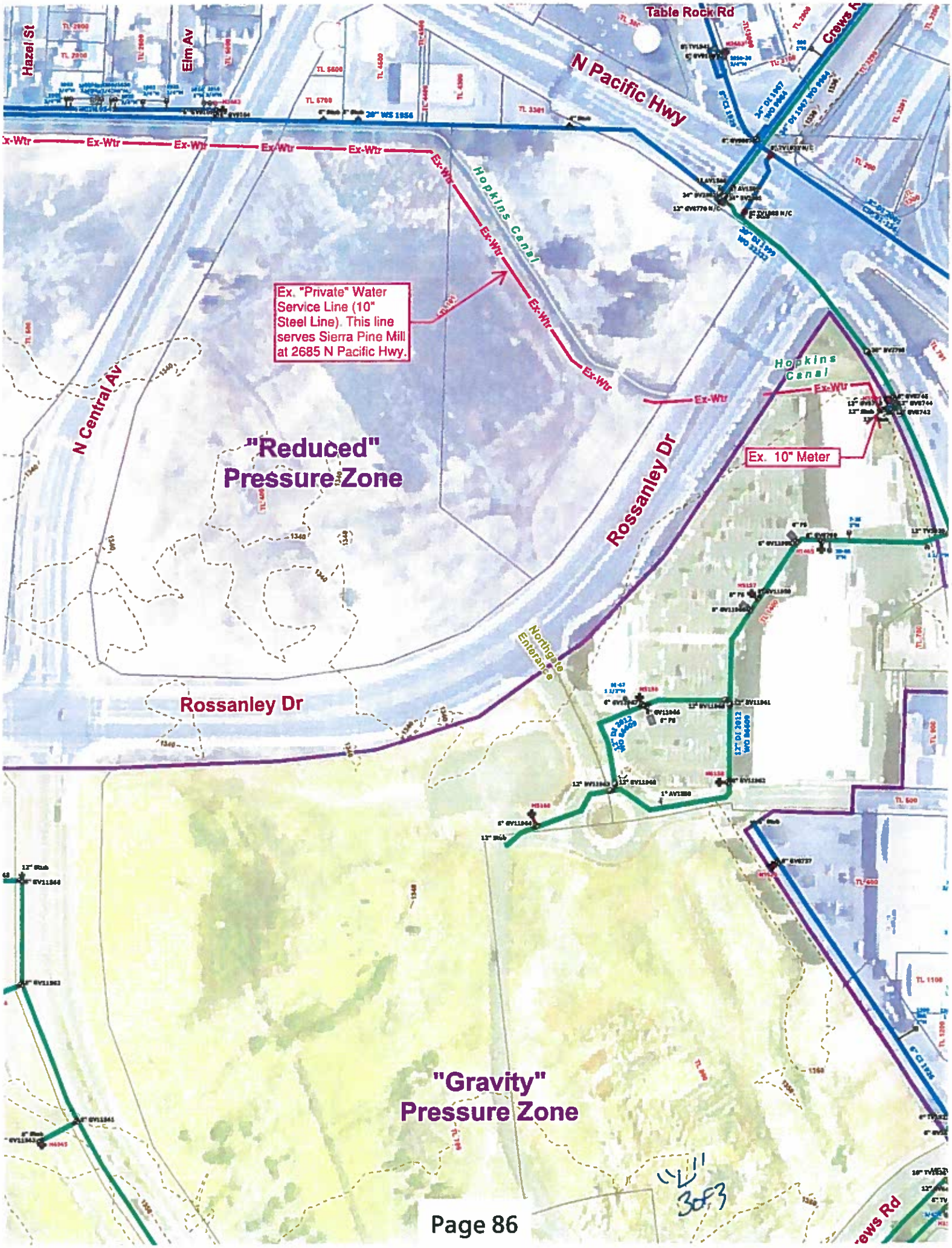
Table Rock Rd
Hazel St
Elm Av
N Pacific Hwy
Crews Rd
Ex-Wtr
Hopkins Canal
Ex. "Private" Water Service Line (10" Steel Line). This line serves Sierra Pine Mill at 2685 N Pacific Hwy.
N Central Av
"Reduced" Pressure Zone
Rossanley Dr
Hopkins Canal
Ex. 10" Meter
Northgate Entrance
Rossanley Dr
"Gravity" Pressure Zone
Crews Rd

3 of 3

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
1 of 3

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).

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

"M"
3 of 3

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
1 of 1

ROGUE VALLEY SEWER SERVICES

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

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 # "O"
File # AC-15-162
1 of 1

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

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

Oregon

Kate Brown, Governor

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,

Don Morehouse
Senior Transportation Planner, Development Review

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

Cc: Ron Hughes, Michael Wang, Cathy Harshma- [illegible] Griffin

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
EXHIBIT # "Q"
File # AC-15-162
1 of 1

CITY OF MEDFORD
AGREEMENT PROCESSING CONTROL RECORD

I. **INITIATING DEPARTMENT: COMPLETE SECTIONS I & II**

INITIATING DEPARTMENT: City Manager's Office DATE: April 29, 2015

APCR PREPARED BY: Lynette O'Neal (NAME) Asst. to DCM (TITLE) DEPT HEAD: (SIGNATURE)

AGREEMENT OR CONTRACT TITLE: Amended Disposition and Development Agreement (DDA)

AGREEMENT OR CONTRACT PURPOSE: Amend the DDA to allow Site Plan and Architectural Commission to make the determination for vehicular access points to the public right-of-way.

CONTRACT PARTIES: City of Medford and Northgate Centre, LLC.

CONTRACT TERM BEGIN: Nov. 6, 2008 END: _____ (PROJECTIONS ARE ACCEPTABLE)

OPTIONS TO RENEW: ☐ 1 YEAR ☐ 2 YEAR ☐ MORE THAN 2 YEARS

DATE OF COUNCIL ACTION: May 7, 2015

OTHER GOVERNMENT(S) AFFECTED: None

WHO PREPARED THE AGREEMENT OR CONTRACT: City of Medford

FINANCIAL IMPACT: _____

BUDGET ACCOUNT NUMBER: _____

BUDGET PROJECT NUMBER (if applicable): _____ 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 (DEPARTMENTS MUST CERTIFY UNENCUMBERED RESOURCES ARE AVAILABLE TO FULLY FUND THE CONTRACT)	☐	☐	☐
COMPETITVELY SOLICITED	☐	☐	☐
OTHER PARTY HAS EXECUTED	☐	☐	☐
PERFORMANCE BOND OR OTHER SECURITY IS ATTACHED	☐	☐	☐
INSURANCE CERTIFICATE(S) ATTACHED	☐	☐	☐
LEGAL DESCRIPTIONS BEEN RECEIVED AND CHECKED	☐	☐	☐

OTHER COMMENTS _____

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

III. CITY RECORDER:

DATE RECEIVED 4/30/15 APCR No. 163-15 DATE ROUTED 4/30/15

IV. LAW DEPT _____ DATE 5-13-15

RETURN TO CITY RECORDER

V. CITY MANAGER _____ DATE 5-4-15

RETURN TO CITY RECORDER

VI. ACTION RECORD

CITY COUNCIL ACTION DATE 5/7/15 ORDINANCE NO. 2015-45

MAYOR/CITY MANAGER/DEPT HEAD EXECUTION DATE 5/7/15

CITY RECORDER COMPLETION DATE 5/7/15

DISTRIBUTION: ORIGINAL: City Recorder's Office DEPT RETURNED TO: CMO

CITY OF MEDFORD
EXHIBIT # R-1
File # AC-15-162
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CITY OF MEDFORD
EXHIBIT # CMO
File # AC-15-162

M:\CityForms\APCR.doc

SECOND AMENDED DISPOSITION AND DEVELOPMENT AGREEMENT

FOR DEVELOPMENT OF NORTHGATE CENTRE

THIS SECOND AMENDED AGREEMENT FOR DEVELOPMENT OF NORTHGATE CENTRE is made as of this 7 day of May, 2015, 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, and **REGENCY CENTERS CORPORATION**, a Florida corporation ("Developers"). City and Developers are referred to jointly herein as the "Parties.

RECITALS

A. **Whereas,** the parties entered into a Disposition and Development Agreement with the City dated November 6, 2008;

B. **Whereas,** the parties entered into an Amended Disposition and Development Agreement with the City dated August 11, 2011;

C. **Whereas,** the parties desire to clarify the intent of the Conceptual Plan and review authority of the Site Plan and Architectural Commission;

Now therefore, the AMENDED DISPOSITION AND DEVELOPMENT AGREEMENT entered into between the Parties dated August 11, 2011, is hereby amended as follows:

(1) **Recital C**: Correct the date to November 6, 2008, and add Ordinance 2008-225.

(2) **Recital H**: Correct the third line to read, "...the approximate location and number...", which is the language from the GLUP Map amendment.

(3) **Section 4.1, Master Plan Approval (Stage One)**: "...The parties agree that the Conceptual Plan approved by the City Council does not control the design or layout of the Project, and is simply intended to show the overall location of the Project~~, its uses and vehicular access points~~. A Master Plan request will be processed via Site Plan and Architectural Review..."

All remaining terms and conditions of the AMENDED DISPOSITION AND DEVELOPMENT AGREEMENT agreed to by the parties remain unchanged.

IN WITNESS WHEREOF, the parties have executed this document as of the day and year first written above.

CITY OF MEDFORD

By: _____ Executed Date 5-7-15
Its: Mayor

ATTEST

APPROVED AS TO FORM

By: _____ Date 5-1-15
City Attorney

NORTHGATE LLC, an Oregon Limited Liability Company

By: _____ Executed Date 4-30-15
Title _____

ALBA VILLAGE LLC, an Oregon Limited Liability Company

By: _____ Executed Date 4-30-15
Title _____

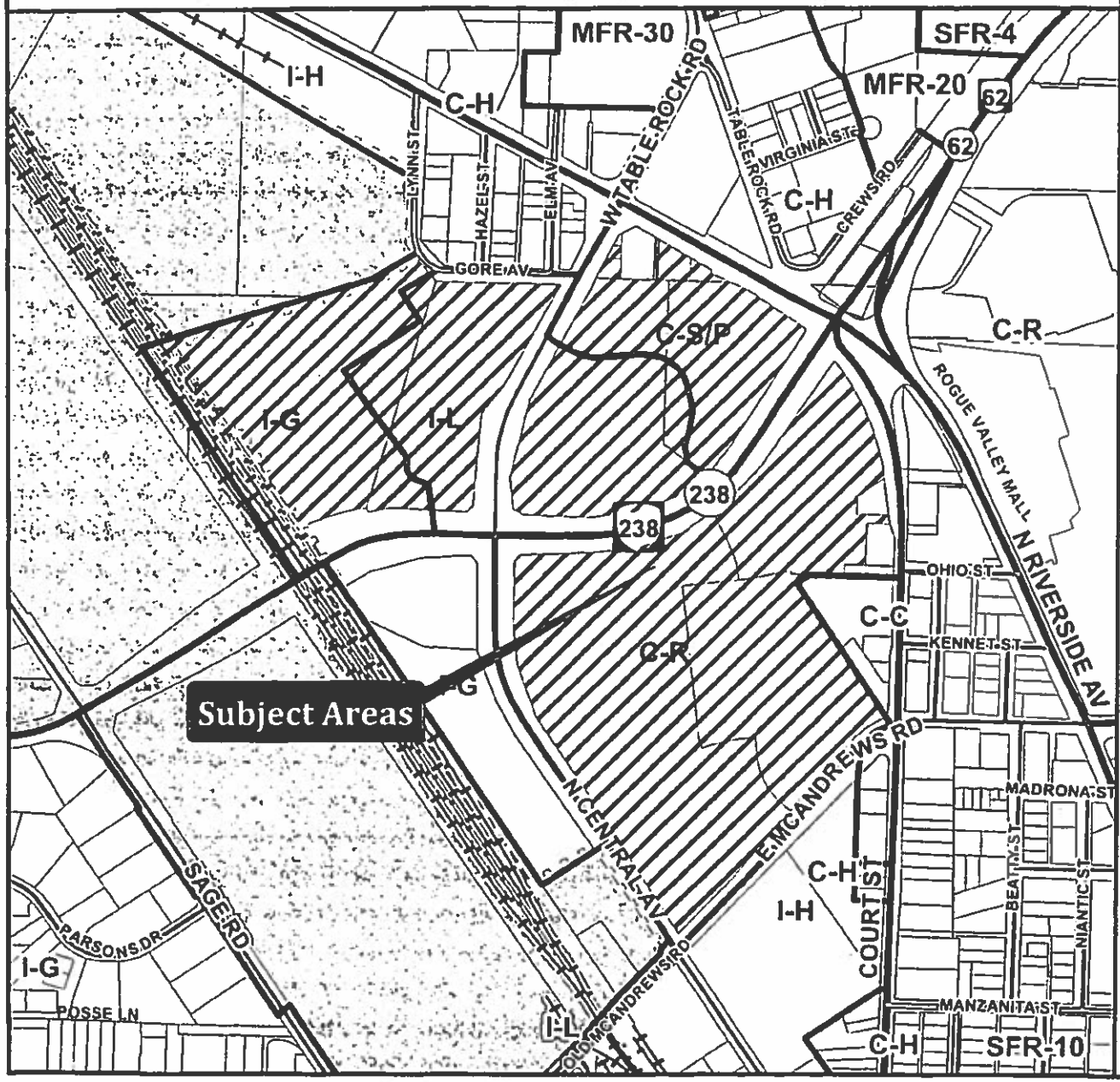
REGENCY CENTERS CORPORATION, a Florida corporation

By: _____ Executed Date 4-30-15
Title SVP

3.C34

CITY OF MEDFORD ✪ PLANNING DEPARTMENT

Vicinity Map



Application Name:
Northgate

Proposal:
Amend Conditions of Approval for CP-06-065/ZC-06-066

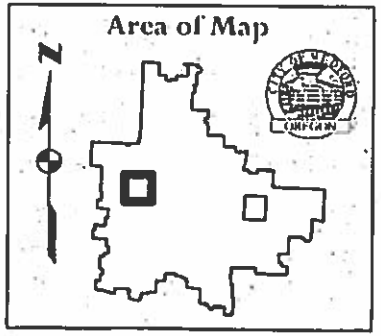
File Nos.:
CP-11-041/ZC-11-042

Applicant:
Regency Centers Corp.

Map/Taxlots:
372W24AB TL 1400
372W24 TL's 101, 400, 500, 600, 700, 800
372W13DC TL's 3301,4300 4400, 4500, 5500, 5600, 5700

Medford Zoning
Subject Area
UGB
Tax Lots

Area of Map



4/4/2011

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AMENDED DISPOSITION AND DEVELOPMENT AGREEMENT

FOR DEVELOPMENT
OF
NORTHGATE CENTRE

THIS AGREEMENT FOR DEVELOPMENT OF NORTHGATE CENTRE (this "Agreement") is made as of August 18, 2011, by the **CITY OF MEDFORD** ("City"), a municipal corporation of the State of Oregon, and **NORTHGATE CENTER, LLC AND ALBA VILLAGE LLC**, both Oregon limited liability companies, and **REGENCY CENTERS CORPORATION**, a Florida corporation (collectively, "Developers"). City and Developers are referred to jointly in this Agreement as the "Parties" and individually as a "Party".

RECITALS

A. WHEREAS, ALBA Village, LLC, owns 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 1, and further described in Exhibit 2 (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 a Retail Center, the Northgate Office Park and the Northgate Business Park ("Northgate Centre"), and

C. WHEREAS, Developers received approval to amend certain conditions of approval to Ordinance 2006-264 and ZC-06-066, and desire to amend the original Disposition and Development Agreement dated November 8, 2006 to reflect said amendments, and

D. WHEREAS, the Retail Center, 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

E. 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

F. 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 Amended Conditions of Approval of Ordinance 2011-122 and including a site plan, a conceptual landscape plan, conceptual drainage plan and schematic building architectural elevations, and

G. 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 amended Northgate Centre approvals 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

H. WHEREAS, notwithstanding that the Master Plan must be in substantial conformance with the amended approvals, the Parties agree that the Revised Conceptual Plan is intended to depict the type of use and the location and approximate number of vehicular access points to the public right-of-way, but is not intended to control the layout of the buildings, landscape design, design or location of internal walkways, or similar design features and as such the parties agree that the Master Plan will depict building layouts, walkways, landscaping and similar design features so long as maximum building square footage, vehicle access, uses, and the trip cap remain in substantial conformance with the amended Northgate approvals, and

I. 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

J. WHEREAS, because 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 theme approved by the Site Plan and Architectural Review Committee at the Master Plan Phase; and

K. 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

L. 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

M. WHEREAS, the Parties desire to specify in this Agreement the off-site improvements required to be constructed as part of the approval of amended Ordinance 2006-264 and amended ZC-06-066 and acknowledge that it is the intent of Developers to construct these off-site improvements as part of the Off-site Improvement Timing Plan adopted by the City.

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

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 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 1 and further described in Exhibit 2. The Project Components will be developed by Northgate LLC, Alba Village LLC, and/or Regency Center Corporation, 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. The Construction of these improvements shall occur in phases, as described in Exhibit 3 ("Off-site Timing Plan").

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 3. 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 MLDC 3.815(5), Sewer Development Credits MCC 3.835, and Storm Water Development Credits MLDC 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 3: 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 Amended Ordinance 2011-122 and further set forth in Exhibit 3 Off-site Timing Plan. ODOT has determined that its requirements have been met pursuant to its letter of acknowledgment dated May 26, 2011 set forth in Exhibit 4. 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.

3.1.3. City of Central Point, Oregon. Amended Ordinance 2011-122 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 5.

3.2. Prevailing Wage. The Parties acknowledge that no public funds shall be used to construct any of the improvements described in Exhibit 3. 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. The Master Plan is intended to establish the design of each component of the Project, including general building layout, architectural theme, landscape design and approximate location of pedestrian walkways. The parties agree that the Conceptual Plan approved by the City Council does not control the design or layout of the Project, and is simply intended to show the overall location of the Project, its uses and vehicular access points. A Master Plan request will be processed via Site Plan and Architectural Review ("SPAC") 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 Amended Conditions of Approval of Ordinance 2011-122 attached as Exhibit 6, 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
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 information required by the City as conditions of Master Plan Approval (Stage One review). SPAC may find the Final Site Plan is "consistent" with the Master

Plan if it finds that the architectural theme and landscape design are similar to the Master Plan; the Final Site Plan does not increase the project gross floor area by more than 20%; the Final Site Plan does not decrease overall parking by more than 10%; the Final Site Plan does not decrease the overall site landscaped area by more than 10%; and the modifications are consistent with the findings adopted by SPAC for the approved Master Plan.

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 (i.e. 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 SPAC 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 SPAC 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 a 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 SPAC at its next public meeting. 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 Amended Ordinance No. 2011-122 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. Applicable Regulations. The City shall apply the applicable land use standards and regulations in effect at the time of filing the first Master Plan to all subsequent 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 amended ZC-06-066. 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.

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 Amended Ordinance 2011-122, 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 their 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 freely assign all or any part of this Agreement to any subsidiary, affiliate, or successor, or by operation of law, provided that one or more of 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 6.2.

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 Land 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, 10 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, agree that in carrying out their obligations under this Agreement, they 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 Center, 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

Regency Centers Corporation
5335 SW Meadows Rd, Suite 295
Lake Oswego, Oregon 97035
Attn: Craig Ramey

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

City of Medford
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. The section Headings 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 and is intended to supersede and replace that Agreement originally executed by the City on November 6, 2008.

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 set forth below.

CITY OF MEDFORD

By: Gary H. Wheeler
Its: Mayor

Executed Date 8/18/11

ATTEST

APPROVED AS TO FORM

By: John Hull
Its: City Attorney

Date 8/17/11

NORTHGATE CENTER, LLC:

By: Stephen L. Morgan
Its: Manager

Executed Date 8-16-11

ALBA VILLAGE LLC:

By: WYNPAC VI, LLC, an Oregon liability company
Its: Manager

Executed Date _____

By: Mark D. Linehan
Its: Manager

REGENCY CENTERS CORPORATION, a Florida corporation

By: Craig Ramey
Its: _____

Executed Date _____

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

CITY OF MEDFORD

_____

By: _____ Executed Date _____

Its: _____

ATTEST

APPROVED AS TO FORM

_____

By: John Huttl Date_____

Its: City Attorney

NORTHGATE CENTER, LLC:

_____

By: Stephen L. Morgan Executed Date _____

Its: Manager

ALBA VILLAGE LLC:

By: WYNPAC VI, LLC, an Oregon liability company Executed Date _____

Its: Manager

_____

By: Mark D. Linehan

Its: Manager

REGENCY CENTERS CORPORATION,
a Florida corporation

_____

By: Craig Ramsey Executed Date 8-15-11

Its: SVP

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

CITY OF MEDFORD

_____

By: _____ Executed Date _____

Its: _____

ATTEST

APPROVED AS TO FORM

_____

By: John Huttl Date_____

Its: City Attorney

NORTHGATE CENTER, LLC:

_____

By: Stephen L. Morgan Executed Date _____

Its: Manager

ALBA VILLAGE LLC:

By: WYNPAC VI, LLC, an Oregon liability company Executed Date 8/16/11

Its: Manager

_____

By: Mark D. Linehan

Its: Manager

REGENCY CENTERS CORPORATION, a Florida corporation

_____

By: Craig Ramey Executed Date _____

Its: _____

STATE OF OREGON)
) ss:
County of Jackson)

On this 18 day of August, 2011, personally appeared the above named Gary H. Wheeler, as Mayor of the CITY OF MEDFORD, and acknowledged the foregoing instrument to be his/her voluntary act.

Before me:

Karen M Spoonts
Notary Public for Oregon

OFFICIAL SEAL
KAREN M. SPOONTS
NOTARY PUBLIC-OREGON
COMMISSION NO. 433802
MY COMMISSION EXPIRES DEC. 27, 2012

STATE OF OREGON)
) ss:
County of Jackson)

On this 16th day of August, 2011, personally appeared the above named STEPHEN L. MORGAN, as Manager, of NORTHGATE CENTER, LLC, and acknowledged the foregoing instrument to be his voluntary act.

Before me:

Kimberly J. Kindred
Notary Public for Oregon

OFFICIAL SEAL
KIMBERLY J KINDRED
NOTARY PUBLIC-OREGON
COMMISSION NO. 456304
MY COMMISSION EXPIRES FEBRUARY 24, 2015

STATE OF CALIFORNIA)
) ss:
County of _____)

On August _____, 2011, before me, _____ personally appeared MARK D. LINEHAN, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

_____
Notary Public for California

STATE OF OREGON)
) ss:
County of Jackson)

On this _____ day of August, 2011, personally appeared the above named _____, as _____ of the CITY OF MEDFORD, and acknowledged the foregoing instrument to be his/her voluntary act.

Before me: _____
Notary Public for Oregon

STATE OF OREGON)
) ss:
County of Jackson)

On this _____ day of August, 2011, personally appeared the above named STEPHEN L. MORGAN, as Manager, of NORTHGATE CENTER, LLC, and acknowledged the foregoing instrument to be his voluntary act.

Before me: _____
Notary Public for Oregon

STATE OF ~~CALIFORNIA~~ Montana)
) ss:
County of Powell)

On August 16th 2011, before me, Mark D. Linehan personally appeared MARK D. LINEHAN, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Carrie Lease
Notary Public for ~~California~~ Montana

SEAL
CARRIE LEASE
NOTARY PUBLIC for the
State of Montana
Residing at Deer Lodge, MT
My Commission Expires
August 14, 2015

17

STATE OF OREGON)
) ss:
County of WASHINGTON)

On this 15th day of August, 2011, personally appeared the above named CRAIG RAMEY, as SVP, of REGENCY CENTERS CORPORATION, and acknowledged the foregoing instrument to be his voluntary act.

Before me: Kim A. Magruder
Notary Public for Oregon

OFFICIAL SEAL
KIM A MAGRUDER
NOTARY PUBLIC-OREGON
COMMISSION NO. 435749
MY COMMISSION EXPIRES JANUARY 25, 2013

Exhibit 1

Map of Northgate Centre

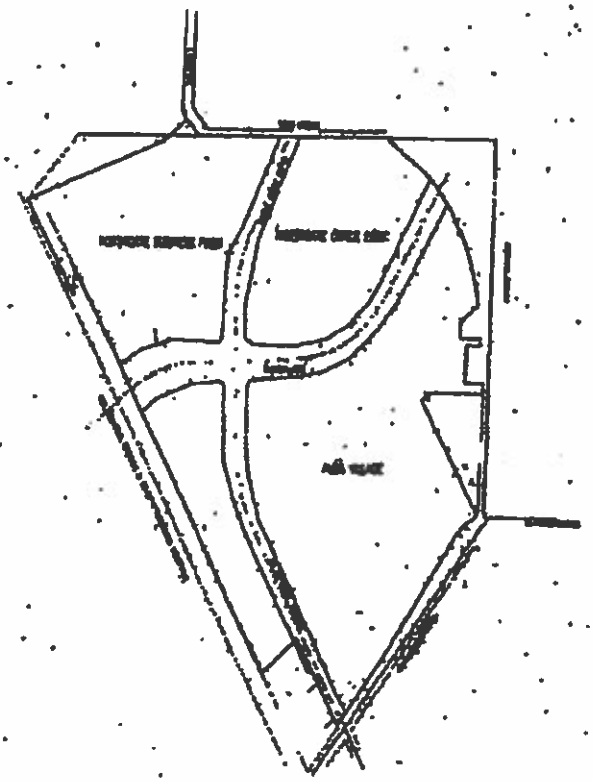

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EXHIBIT 1
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EXHIBIT 1

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

TRACT A:
COMMENCING AT THE SOUTHWEST CORNER OF DONATION LAND CLAIM NO. 60, TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 47°44'58" EAST, 3073.52 FEET TO THE MOST SOUTHERLY CORNER OF TRACT B DESCRIBED IN DOCUMENT NO. 03-63811, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON; THENCE ALONG THE NORTHWESTERLY LINE OF MCANDREWS ROAD, SOUTH 38°35'51" WEST, 412.59 FEET TO AN ANGLE POINT; THENCE CONTINUE ALONG SAID NORTHWESTERLY LINE, SOUTH 42°00'57" WEST, 301.95 FEET TO THE EASTERLY LINE OF THAT TRACT OF LAND ACQUIRED BY THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY CIRCUIT COURT FINAL JUDGMENT, CASE NO. 994180E2; THENCE ALONG SAID EASTERLY LINE AND SOUTHEASTERLY LINE OF SAID TRACT, NORTH 34°02'24" WEST, 667.25 FEET TO AN ANGLE POINT; THENCE NORTH 35°40'24" WEST, 365.08 FEET TO AN ANGLE POINT; THENCE NORTH 21°22'20" WEST, 222.40 FEET TO AN ANGLE POINT; THENCE NORTH 07°03'52" WEST, 162.86 FEET TO AN ANGLE POINT; THENCE NORTH 00°30'38" WEST, 252.74 FEET TO AN ANGLE POINT; THENCE NORTH 32°58'11" EAST, 31.01 FEET TO AN ANGLE POINT; THENCE NORTH 86°21'43" EAST, 290.56 FEET TO AN ANGLE POINT; THENCE NORTH 81°41'58" EAST, 167.65 FEET TO AN ANGLE POINT; THENCE NORTH 70°34'44" EAST, 184.03 FEET; THENCE NORTH 53°11'52" EAST, 152.59 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE, NORTH 53°11'52" EAST, 70.42 FEET TO AN ANGLE POINT; THENCE NORTH 42°01'13" EAST, 197.11 FEET TO AN ANGLE POINT; THENCE NORTH 32°43'49" EAST, 493.26 FEET TO AN ANGLE POINT; THENCE NORTH 32°32'23" EAST, 16.66 FEET TO NORTHEASTERLY LINE OF TRACT C DESCRIBED IN DOCUMENT NO. 03-63811, SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTHEASTERLY LINE, ALONG THE ARC OF A 971.70 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°19'22", A DISTANCE OF 472.91 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 25°44'44" EAST, 468.45 FEET) TO A 1-1/2 INCH IRON PIN; THENCE CONTINUE ALONG SAID NORTHEASTERLY LINE, SOUTH 08°56'09" EAST, 40.37 FEET TO A 1-1/2 INCH IRON PIN ON THE NORTHWESTERLY LINE OF WORTMANGORE ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF, NOW OF RECORD, IN JACKSON COUNTY, OREGON; THENCE ALONG SAID NORTHWESTERLY LINE, SOUTH 54°12'31" WEST, 127.27 FEET TO THE NORTHWEST CORNER OF THAT TRACT DESCRIBED IN DOCUMENT NO. 77-04790, SAID OFFICIAL RECORDS; THENCE ALONG THE WEST LINE THEREOF, SOUTH 00°02'34" EAST, 73.92 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 89°58'17" EAST, 124.94 FEET TO THE WEST LINE OF COURT STREET; THENCE ALONG SAID WEST LINE, SOUTH 08°13'32" EAST, 35.38 FEET TO THE NORTHEAST CORNER OF THAT TRACT DESCRIBED IN DOCUMENT NO. 91-04110, SAID OFFICIAL RECORDS; THENCE ALONG THE NORTH LINE OF SAID TRACT, NORTH 89°59'13" WEST, 88.07 FEET TO THE NORTHWEST CORNER THEREOF; THENCE ALONG THE WEST LINE THEREOF, SOUTH 00°14'20" WEST, 166.90 FEET TO SOUTHWEST CORNER THEREOF; THENCE NORTH 89°59'40" WEST, 83.96 FEET; THENCE SOUTH 00°00'20" WEST, 45.30 FEET TO THE NORTH LINE OF THAT TRACT DESCRIBED IN DOCUMENT NO. 98-41742, SAID OFFICIAL RECORDS, NORTH 89°57'34" WEST, 135.34 FEET TO AN ANGLE POINT; THENCE NORTH 89°57'34" WEST, 71.02 FEET; THENCE NORTH 07°41'59" WEST, 12.05 FEET; THENCE ALONG THE ARC OF A 1000.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04°43'15", A DISTANCE OF 82.39 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 78°40'25" WEST, 82.37 FEET); THENCE ALONG THE ARC OF A 1200.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 06°01'56", A DISTANCE OF 126.34 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 79°19'45" WEST, 126.28 FEET);

SEE LEGAL CONTINUED...

LEGAL CONTINUED...

THENCE ALONG THE ARC OF A 412.11 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 20°35'05", A DISTANCE OF 148.06 FEET (THE LONG CHORD OF WHICH BEARS NORTH 17°18'59" WEST, 147.26 FEET); THENCE NORTH 27°36'31" WEST, 123.41 FEET; THENCE NORTH 38°50'00" WEST, 22.27 FEET TO THE TRUE POINT OF BEGINNING.

TRACT B:
BEGINNING AT THE SOUTHWEST CORNER OF DONATION LAND CLAIM NO. 60, TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 47°44'58" EAST, 3073.52 FEET TO THE MOST SOUTHERLY CORNER OF TRACT B DESCRIBED IN DOCUMENT NO. 03-63811, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON; THENCE ALONG THE NORTHWESTERLY LINE OF MCANDREWS ROAD, SOUTH 38°35'51" WEST, 49.93 FEET; THENCE NORTH 52°45'29" WEST, 38.72 FEET; THENCE ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 45°03'30", A DISTANCE OF 220.20 FEET (THE LONG CHORD OF WHICH BEARS NORTH 30°13'44" WEST, 214.57 FEET); THENCE NORTH 07°41'59" WEST, 80.83 FEET; THENCE SOUTH 82°18'01" WEST, 40.34 FEET; THENCE ALONG THE ARC OF A 750.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 13°23'11", A DISTANCE OF 175.23 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 75°36'25" WEST, 174.83 FEET); THENCE NORTH 21°05'10" WEST, 17.66 FEET; THENCE ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 13°23'11", A DISTANCE OF 46.73 FEET (THE LONG CHORD OF WHICH BEARS NORTH 14°23'35" WEST, 46.62 FEET); THENCE NORTH 07°41'59" WEST, 590.82 FEET; THENCE NORTH 82°18'01" EAST, 223.50 FEET; THENCE ALONG THE ARC OF A 1200.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 06°01'56", A DISTANCE OF 126.34 FEET (THE LONG CHORD OF WHICH BEARS NORTH 79°19'45" EAST, 126.28 FEET); THENCE ALONG THE ARC OF A 1000.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 04°43'15", A DISTANCE OF 82.39 FEET (THE LONG CHORD OF WHICH BEARS NORTH 78°40'25" EAST, 82.37 FEET); THENCE SOUTH 07°41'59" EAST, 12.05 FEET; THENCE SOUTH 89°57'34" EAST, 71.02 FEET TO AN ANGLE POINT IN THE NORTH LINE OF THAT TRACT DESCRIBED IN DOCUMENT NO. 98-41742, SAID OFFICIAL RECORDS; THENCE ALONG SAID NORTH LINE, SOUTH 55°01'41" WEST, 60.00 FEET TO THE MOST WESTERLY CORNER THEREOF; THENCE ALONG THE SOUTHWESTERLY LINE OF SAID TRACT, SOUTH 34°58'19" EAST, 635.52 FEET TO THE NORTHWESTERLY LINE OF MCANDREWS ROAD; THENCE ALONG SAID NORTHWESTERLY, ALONG THE ARC OF A 50.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 27°55'03", A DISTANCE OF 24.36 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 48°40'02" WEST, 24.12 FEET); THENCE ALONG THE ARC OF A 376.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 23°59'31", A DISTANCE OF 157.44 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 50°36'53" WEST, 156.30 FEET); THENCE SOUTH 38°35'51" WEST, 301.22 FEET TO THE POINT OF BEGINNING.

SEE LEGAL CONTINUED...

LEGAL CONTINUED..

TRACT C:
COMMENCING AT THE SOUTHWEST CORNER OF DONATION LAND CLAIM NO. 60, TOWNSHIP 37 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON; THENCE SOUTH 47°44'58" EAST, 3073.52 FEET TO THE MOST SOUTHERLY CORNER OF TRACT B DESCRIBED IN DOCUMENT NO. 03-63811, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON; THENCE ALONG THE NORTHWESTERLY LINE OF MCANDREWS ROAD, SOUTH 38°35'51" WEST, 49.93 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHWESTERLY LINE, SOUTH 38°35'51" WEST, 362.66 FEET TO AN ANGLE POINT; THENCE CONTINUE ALONG SAID NORTHWESTERLY LINE, SOUTH 42°00'57" WEST, 301.95 FEET TO THE EASTERLY LINE OF THAT TRACT OF LAND ACQUIRED BY THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION BY CIRCUIT COURT FINAL JUDGMENT, CASE NO. 994180E2; THENCE ALONG SAID EASTERLY LINE AND SOUTHEASTERLY LINE OF SAID TRACT, NORTH 34°02'24" WEST, 667.25 FEET TO AN ANGLE POINT; THENCE NORTH 35°40'24" WEST, 365.08 FEET TO AN ANGLE POINT; THENCE NORTH 21°22'20" WEST, 222.40 FEET TO AN ANGLE POINT; THENCE NORTH 07°03'52" WEST, 162.86 FEET TO AN ANGLE POINT; THENCE NORTH 00°30'38" WEST, 252.74 FEET TO AN ANGLE POINT; THENCE NORTH 32°58'11" EAST, 31.01 FEET TO AN ANGLE POINT; THENCE NORTH 86°21'43" EAST, 290.56 FEET TO AN ANGLE POINT; THENCE NORTH 81°41'58" EAST, 167.65 FEET TO AN ANGLE POINT; THENCE NORTH 70°34'44" EAST, 184.03 FEET; THENCE NORTH 53°11'52" EAST, 152.59 FEET; THENCE SOUTH 38°50'00" EAST, 22.27 FEET; THENCE SOUTH 27°36'31" EAST, 123.41 FEET; THENCE ALONG THE ARC OF A 412.11 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 20°35'05", A DISTANCE OF 148.06 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 17°18'59" EAST, 147.26 FEET); THENCE SOUTH 82°18'01" WEST, 223.50 FEET; THENCE SOUTH 07°41'59" EAST, 590.82 FEET; THENCE ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 13°23'11", A DISTANCE OF 46.73 FEET (THE LONG CHORD OF WHICH BEARS SOUTH 14°23'35" EAST, 46.62 FEET); THENCE SOUTH 21°05'10" EAST, 17.66 FEET; THENCE ALONG THE ARC OF A 750.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 13°23'11", A DISTANCE OF 175.23 FEET (THE LONG CHORD OF WHICH BEARS NORTH 75°36'25" EAST, 174.83 FEET); THENCE NORTH 82°18'01" EAST, 40.34 FEET; THENCE SOUTH 07°41'59" EAST, 80.83 FEET; THENCE ALONG THE ARC OF A 280.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 45°03'30", A DISTANCE OF 220.20 FEET (THE LONG CHORD OF WHICH BEARS, SOUTH 30°13'44" EAST, 214.57 FEET); THENCE SOUTH 52°45'29" EAST, 38.72 FEET TO THE TRUE POINT OF BEGINNING.

Tax Parcel Number: 1-042912-7, 1-042915-0 and 1-038551-7

Exhibit 2

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 Villlage – Retail Center – Alba Village is being developed by Regency Centers Corporation, a Florida Corporation. 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 9 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.

Exhibit 3

Off-site Improvement Timing Plan

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	Square Feet when Triggered
Biddle Rd @ McAndrews Rd *	Turn lane improvement	1
Highway 238 @ Ross Ln	Construct a signal	1
Highway 238 @ Sage Rd NB (Timber Products Frontage) *	Add a NB to EB exclusive right turn lane and half street improvements for future 5 lane section on Sage Rd	1
South side of McAndrews Rd between Central and Court * (on-site improvement)	Add sidewalk along south side of McAndrews Rd between Central Ave and Court St where it does not currently exist	1
NB Central @ Highway 99 *	Add a right turn lane NB Central to EB/SB Highway 99	300,000
I-5 South @ Highway 62	Add a right turn lane from I-5 SB off-ramp to WB Highway 62	475,000
Highway 62 @ Highway 99 (Big X)	Add a 2nd WB to NB exclusive right turn lane	675,000
Highway 99 @ Lynn St	Contribute $300,000 to ODOT for future signal	725,000
Highway 62	Contribute to Highway 62 Access Management Improvements	775,000
	Contribute to flyover	823,800
Highway 238 @ Sage Rd SB **	Add a SB to WB exclusive right turn lane pending future traffic analysis	Deferred for future analysis

*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.

Oregon

John A. Kitzhaber, MD, Governor

Exhibit 4

Department of Transportation
Rogue Valley Office
100 Antelope Rd
White City, OR 97503-1674
(541) 774-6299
FAX (541) 774-6349

March 11, 2011

Mike Arneson
Sr. Project Manager
North Wind, Inc.
1425 Higham Street
Idaho Falls, Idaho

Subject: Northgate/Alba Village – revised off site improvement phasing plan

Dear Mike:

We have reviewed the revised off site improvement phasing plan and recognize some changes have been made to the order in which the improvements will be constructed. The purpose of this letter is to advise you that, after reviewing the plan and the supporting documentation, ODOT supports the revised off site improvement phasing plan.

We look forward to continue working with you in the future as the Northgate/Alba development moves forward.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Jeremiah Griffin
Assistant District Manager
ODOT – District 8

Exhibit 5

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 Flores, Director
Matt Samitore, Dev. Services Coord.

March 14, 2008

Mike Mendoza
Mendoza & Associates
The Northgate Development and City of Central Point

Mike,

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

Ordinance [illegible]

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

6. [illegible] 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 and operating improvements, at such time that the City of Central Point has identified the needed improvements and constructed the costs. Proportionality shall be determined by 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.

The City and the developer have agreed that the developer's monetary contribution will be $ [illegible]. The City will require the payment when Medford's Building Department of Alba Village's first vertical construction permit. The City will also send 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 [illegible], ext. [illegible].

Sincerely,

Matt Samitore
Development Services Coordinator

140 South Third Street • Central Point, OR [illegible] • [illegible] • Fax [illegible]

22 of 22

34 of 34

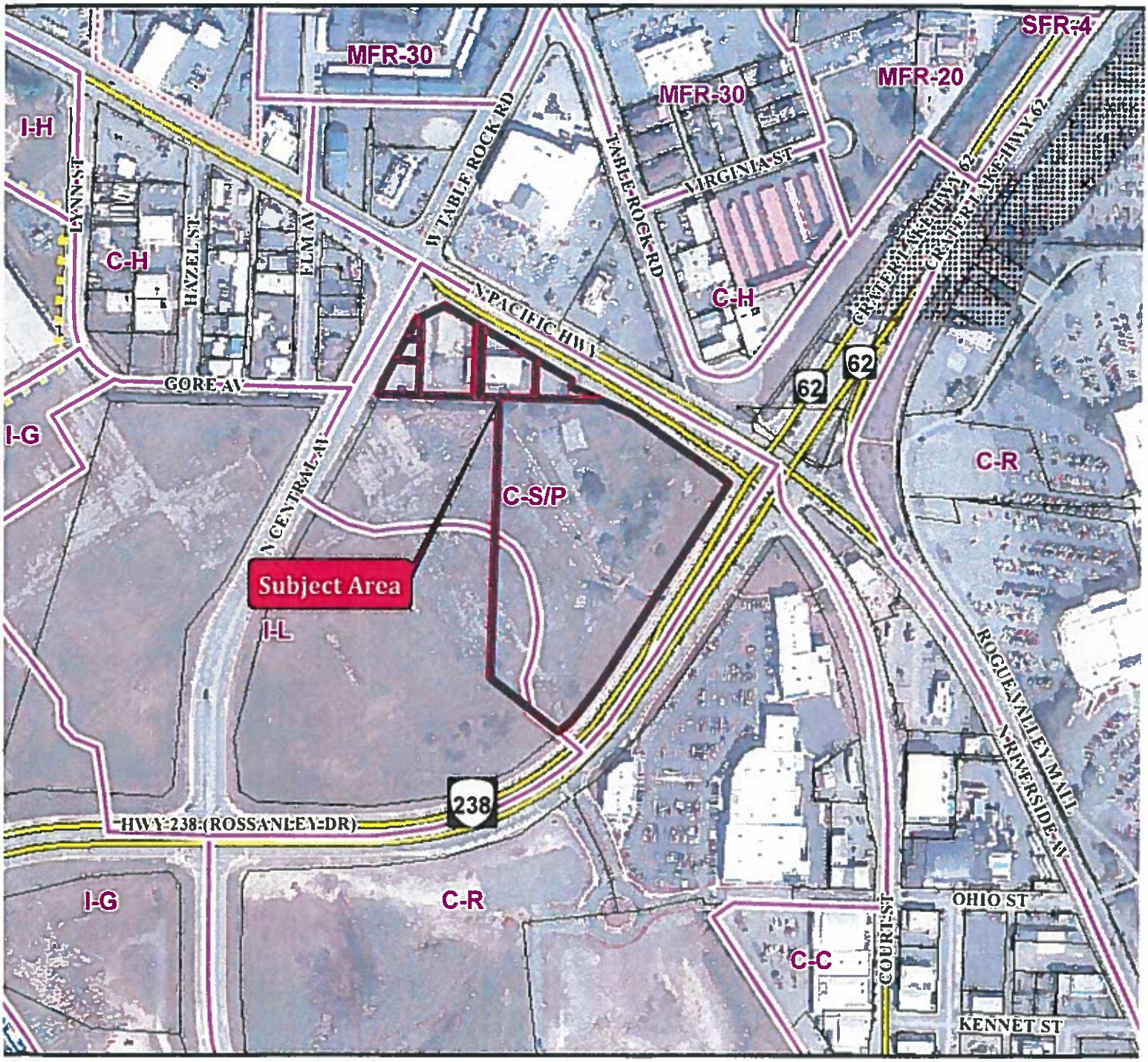
City of Medford

Planning Department

Vicinity Map

File Number:

AC-15-162



Project Name:

Northgate Centre - Office Park SPAC Review

Map/Taxlot:

372W24 TL 101
372W13DC TL's 3301, 4300-4600, & 5500-5700

0 250 500 Feet

Subject Area

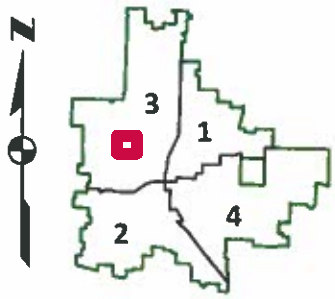
Medford Zoning

Freeway Overlay

Tax Lots

City Limits

Medford UGB with Wards



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-16-033 APPLICATION FOR PROJECT REVIEW SUBMITTED	)	**ORDER**
BY COMMERCIAL COUNSEL, INC.	)	

AN ORDER granting approval of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district.

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 of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district, with a public hearing a matter of record of the Site Plan and Architectural Commission on May 6, 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 Commercial Counsel, Inc., stands approved subject to compliance with the conditions stated in the Staff Report dated April 29, 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.

(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 6th day of May, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

_____

Site Plan and Architectural Commission Chair

ATTEST:

Debbie Strigle

Secretary

STAFF REPORT

for a Type-C quasi-judicial decision: Site Plan & Architectural Commission Review

Project	Victory Place Apartments Applicant: Commercial Counsel, Inc.; Agent: ACCESS
File no.	AC-16-033
To	Site Plan and Architectural Commission *for May 6, 2016 hearing*
From	Sarah Sousa, Planner IV
Reviewer	Kelly Akin, Principal Planner
Date	April 29, 2016

BACKGROUND

Proposal

Consideration of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district.

Subject Site Characteristics

Zoning: C-H
GLUP: CM (Commercial)
Use: Single Family Homes (to be demolished)

Surrounding Site Characteristics

North
Zoning: C-H
Use: Veterans Organization Building

South
Zoning: C-H
Use: Vacant Parcel

East
Zoning: C-C (Community Commercial)
Use: Fuel Station

West
Zoning: C-H
Use: Construction Company

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
Above listed Criterion is not applicable to this application as regulated by ORS 197.307(4).

(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

ACCESS (Aging Community Coordinated Enterprises & Supportive Services) is registered as a non-profit organization with the Oregon Secretary of State Business Registry. They provide food, housing, and essential services to low income individuals, families, seniors, and people with disabilities in Jackson County.

ISSUES AND ANALYSIS

ORS 197.307(4) – Needed Housing

The subject application is subject to Oregon Revised Statues (ORS) 197.303(1) which relates to needed housing. ORS 197.307(4) dictates that local governments only impose clear and objective standards, conditions and procedures regulating the development of needed housing. As this application is for a needed housing type listed within the Housing Element of the Medford Comprehensive Plan, the Commission may only impose clear and objective standards as listed in Medford Land Development Code (MLDC) Section 10.290(2) and may not impose MLDC Section 10.290(1) as it does not relate to objective standards.

Project Summary

The applicant is proposing to construct one two-story apartment building on the subject site for a total of 9,294 square feet. The units will be studio and one bedroom apartments with a total of 17 units.

Site Layout

The site is located on the corner of North Front Street and East Second Street. Vehicular access is from West Second Street off a public alley. A parking area is shown on the site plan on the eastern side of the property, just off the public alley (Exhibit B).

There is a proposed pattern of walkways that provide functional pedestrian circulation throughout the site. A concrete walkway extends from the existing sidewalk on North Front Street to a walkway that extends around the building. There is a walkway that separates the ground floor units in the middle between Units 4 and 5 that leads to a laundry area and office. A walkway also extends to north end of the site, to an outdoor seating area.

Street Dedications

As describes above, the site abuts North Front Street and East Second Street, both classified as commercial streets. The Public Works Department is requiring street dedications for both streets. The Public Works Report states all improvements are completed for both streets including pavement, curb and gutter, and sidewalk (Exhibit L). However, additional street lighting is required.

Density

The subject site is zoned Heavy Commercial, which is subject to the residential standards listed in the MFR-30 zoning district. The MFR-30 district allows a density range of 20 to 30 dwelling units per gross acre. In this case, the range is 13 to 19 dwelling units. The applicant is proposing 17 dwelling units, which is within the allowable range.

Architecture

The applicant's findings describe the style and materials of the proposed building (Exhibit K). The materials include cement fiber board and batten siding, shingle siding with composition roofing. The siding on the lower and upper portions of the building will have a mix of vertical and horizontal siding. The lower floor (Wright Stone), upper story (Unicorn White), trim (Stone Harbor), and doors (Winter Harbor) will each be a separate color for a total of four colors (Exhibit S).

Parking

Medford Land Development Code Section 10.743-1 requires a minimum of 1.5 parking spaces per dwelling unit for multiple family residential units. The site plan shows 14 regular spaces, 3 compact spaces, and one two-wheeled vehicle space. The minimum number of vehicular parking spaces required for this project is 26. There is no maximum number for this category. The applicant is proposing 18 total spaces, which is 8 less than the minimum required.

The applicant's findings provide a discussion about the parking typically needed for this type of housing (Exhibit K). The units will only be studio and one bedroom units ranging from 380 to 775 square feet. The units will be rented to low income veterans whom mostly use transit and do not necessarily own vehicles. The applicant manages properties in Medford (non-family complexes) that utilize less than one space per unit, which is sufficient. The current proposal provides one space per unit. Staff recommends the Commission allow the reduced amount of parking based upon the size of the units, the location of a bus stop directly in front of the site, as well as the availability of on-street parking on both adjacent streets.

Bicycle Parking

The bicycle parking standards of Medford Land Development Code Section 10.747-748 require one space per unit for multiple-family residential projects with four or more units. This project requires a total of 17 bicycle parking spaces. A total of 17 spaces are accommodated under a covered bike shelter at the north end of the site.

Landscape Plan

A variety of landscaping is proposed for the project along the frontage of each street, around the buildings, and within the storm water detention areas (Exhibit I). Medford Land Development Code Section 10.780(G)(5) limits the amount of high water use landscape elements in multiple family residential projects to 40 percent. The landscape plan shows no areas of high water plantings.

The applicant is requesting to reduce the number of street trees required by Medford Land Development Code Section 10.797. The Code requires 4 trees per 100 feet of frontage minus areas of driveways. A total of 8 trees are required along the North Front Street frontage and a total of 4 trees are required for the East Second Street frontage. The landscape plan shows 7 along North Front Street and 3 along East Second Street, two shy of the requirement. The applicant's findings explain the purpose of the reduction is to enhance the visibility and provide clear sight lines at the North Front Street and East Second Street intersection. All other required landscaping has been met and the Parks Department recommends approval of the plan (Exhibit P).

Concealments

A trash enclosure is proposed at the northeast corner of the project site. The enclosure would be constructed of a split faced concrete block and metal gates. A detail of the enclosure has been provided demonstrating compliance with Code requirements (Exhibit B).

Mechanical units are shown on the north side of the building facing the alley. Medford Land Development Code Section 10.782 requires heating and air equipment concealed from view. Screening can be accomplished within landscape areas, behind fences and walls, and within architectural elements of the building such as wing walls or alcoves. As no screening has been proposed for the mechanical units, a condition has been included requiring a method of screening to be submitted at the time of building permit review that is Code compliant.

Lot Consolidation

The Jackson County Assessor's map shows the project is located on multiple lots (Exhibit U). Under the two tax lots assigned to the area (Tax Lots 2400 & 2500), there are four to five platted lots. Building codes do not allow for a structure to straddle property lines. A condition has been included requiring a property line adjust (for a lot consolidation) to be submitted and approved prior to issuance of the building permit for vertical construction.

FINDINGS AND CONCLUSIONS

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

RECOMMENDED ACTION

Direct staff to prepare a Final Order of Approval per the staff report dated April 29, 2016, including Exhibits A-U.

EXHIBITS

A Conditions of Approval dated April 29, 2016
B Site Plan received March 14, 2016
C Grading & Detention Plan received March 14, 2016
D Building Elevations received March 14, 2016
E Color Building Elevations received March 14, 2016
F Floor Plans received March 14, 2016
G Roof Plan received March 14, 2016
H Tree Protection and Removal Plan received March 31, 2016

I Landscape Plan received March 31, 2016
J Applicant's Code Compliance Checklist received March 14, 2016
K Applicant's Questionnaire received March 14, 2016
L Medford Public Works Report received April 13, 2016
M Medford Fire Department Report received April 13, 2016
N Medford Building Department Memo received April 13, 2016
O Medford Water Commission Memo received April 13, 2016
P Medford Parks Department Memo received April 7, 2016
Q Rogue Valley Transportation District email received April 7, 2016
R Lighting Fixture Detail received March 14, 2016
S Building Paint Colors received March 14, 2016
T Photographs of subject property and surrounding area received March 14, 2016
U Jackson County Assessor's Map
Vicinity map

SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA: MAY 6, 2016

EXHIBIT A

Victory Place Apartments
AC-16-033
Conditions of Approval
April 29, 2016

CODE REQUIREMENTS

Prior to issuance of the first building permit, the applicant shall:

1. Submit a mechanical equipment screening detail consistent with Medford Land Development Code Section 10.782;

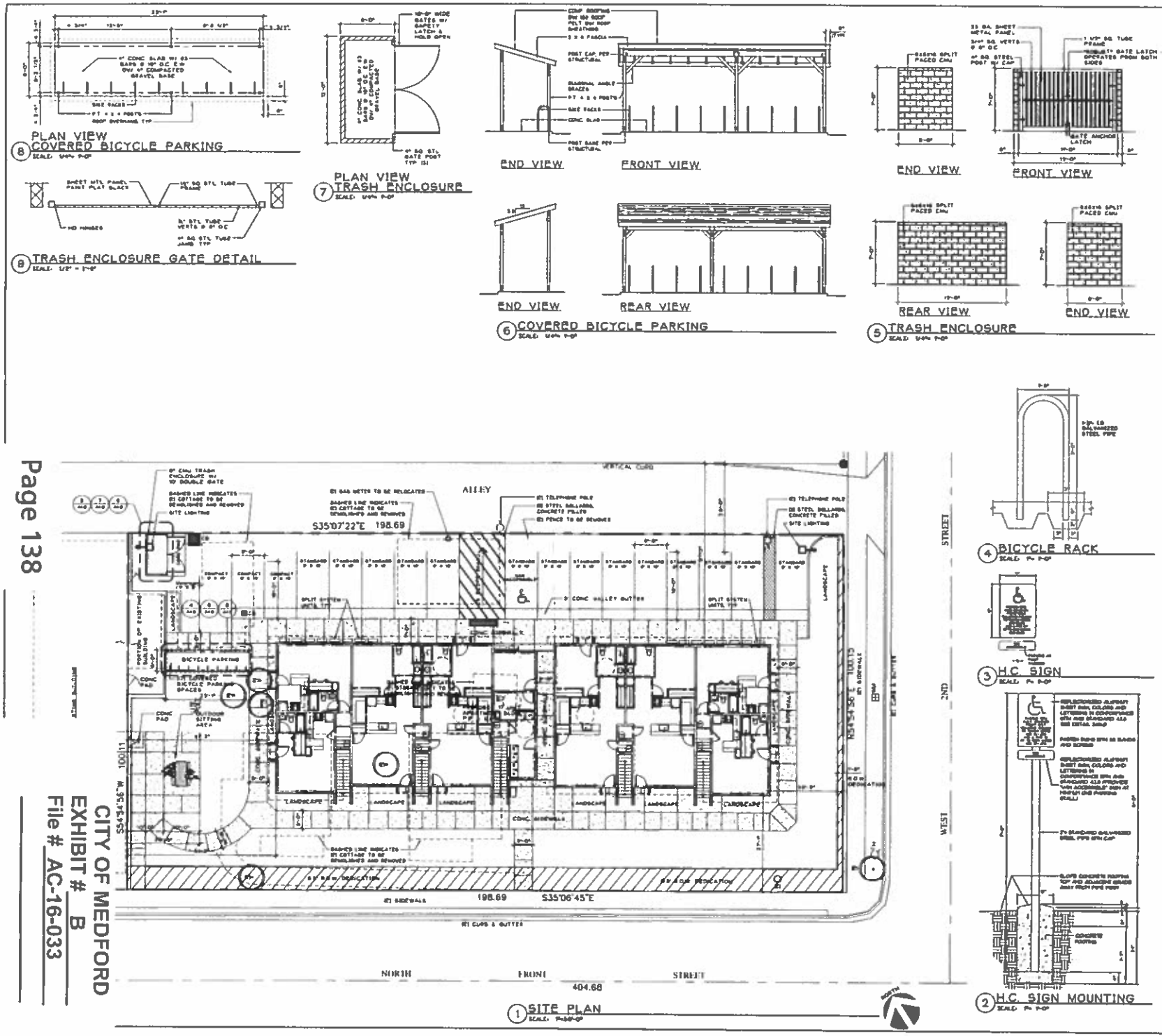
2. Submit an Irrigation Plan, per Medford Land Development Code Section 10.780(F);

3. Submit and get approval of a property line adjustment for the consolidation of lots;

4. Comply with the Public Works Department Report received April 13, 2016 (Exhibit L);

5. Comply with the Medford Water Commission Memo received April 13, 2016 (Exhibit O).

CITY OF MEDFORD
EXHIBIT # A
File # AC-16-033



KEYED NOTES

GENERAL NOTES

1. SEE CIVIL SITE PLAN

KEY PLAN

ACCESS
VICTORY PLACE
17 UNIT APARTMENT PROJECT
MEDFORD, OREGON

RECEIVED
MAR 14 2016
PLANNING DEPT.

REVISIONS	BY

FILE	A10 Site Plan
DATE	03/14/16
SCALE	AS SHWN
DRAWN	DE
JOB #	1601
SHEET	A1.0
OF	4

CITY OF MEDFORD
EXHIBIT # B
File # AC-16-033

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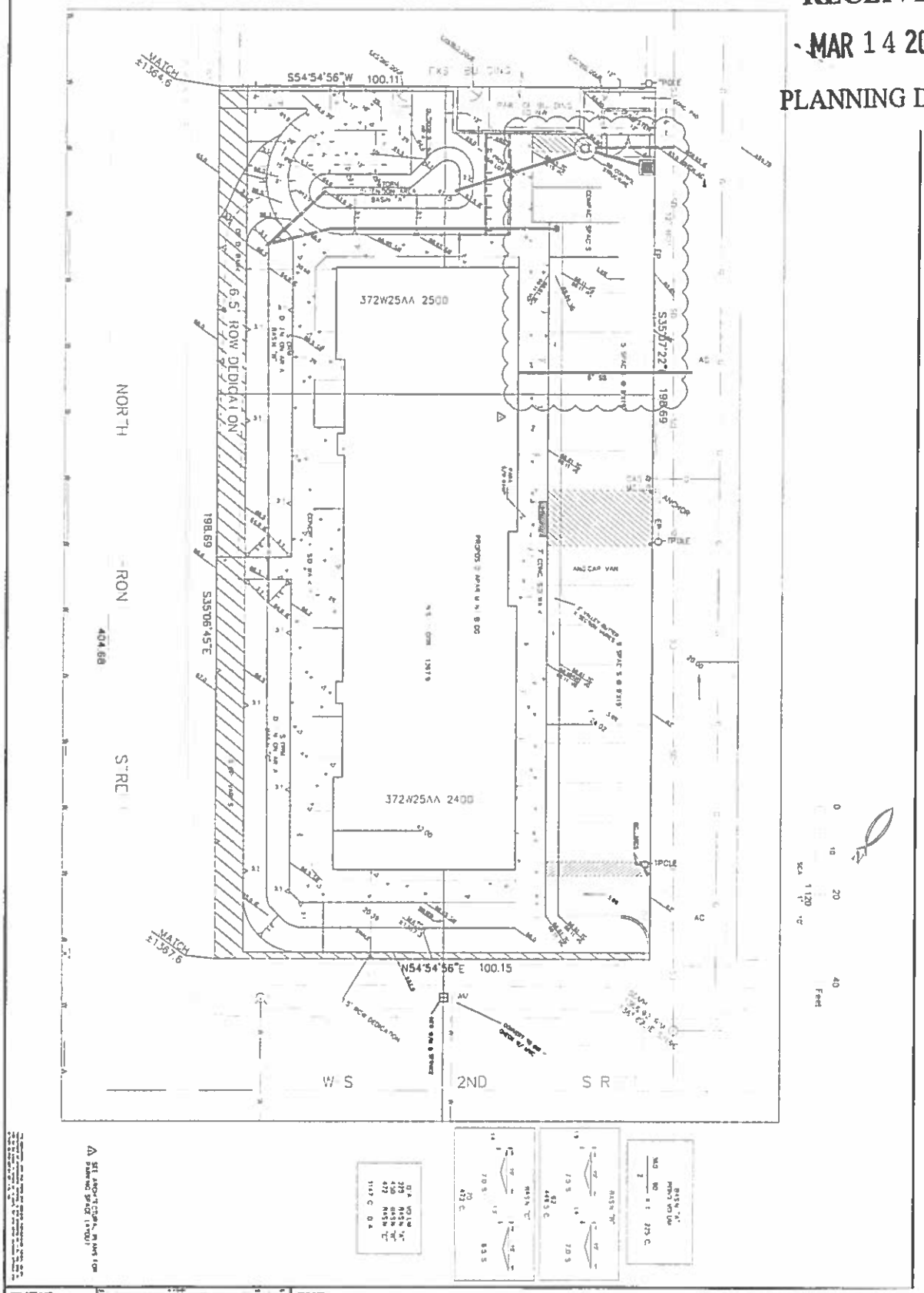

PROJECT INFO

SHEET 02 OF

PROJECT

ACCESS
VICTORY PLACE
PRELIMINARY GRADING AND DE

ACCESS, INC

CITY OF MEDFORD
EXHIBIT # C
File # AC-16-033

FRONT ELEVATION
SCALE 1/4" = 1'-0"

RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"

'ED NOTES

- [illegible]OARD & BATT SIDING. BATTS LOCATED @16" O.C. PAINTED WITH [illegible]HT STONE TAN, #10YY 33/106. CONTRACTOR TO PROVIDE DRAW [illegible]O ARCHITECT FOR APPROVAL.
- [2] 8" FIBER CEMENT, HORIZONTAL LAP SIDING, PAINTED WITH "SLIDDEN", "UNICORN WHITE", #10YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
- [3] FIBER CEMENT BOARD & BATT SIDING. BATTS LOCATED @16" O.C. PAINTED WITH "SLIDDEN", "UNICORN WHITE", #10YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
- [4] FIBER CEMENT DOOR / WINDOW TRIM, FASCIA BOARDS, CORNER BOARDS AND EAVES / SOFFITS. PAINTED WITH "SLIDDEN", "STONE HARBOR GREISE", #10YY 46/031. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
- [5] FIBER CEMENT SHINGLE SIDING, PAINTED WITH "SLIDDEN", "UNICORN WHITE", #10YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- [6] EXTERIOR DOOR / GABLE VENT TRIM, PAINTED WITH "MILLER PAINT", "WINTER HARBOR", HISTORIC 6051. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
- [7] "CERTAINTEED" COMPOSITION ROOFING, "LANDMARK" SERIES "SHADOW GRAY". INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- [8] WALL TO ROOF COPPER STEP FLASHING TO PROVIDE A WATERTIGHT SEAL. INSTALL PER SMACNA RECOMMENDATIONS.
- [9] CONTINUOUS WALL TO ROOF COPPER "L" FLASHING TO PROVIDE A WATERTIGHT SEAL. INSTALL PER SMACNA RECOMMENDATIONS.

ORGA

VICTORY PLACE
MEDFORD, OREGON

REVISIONS	BY

FILE	
DATE	03.14.16
SCALE	
DRAWN	JEH
JOB #	1601
SHEET OF	A-3.1

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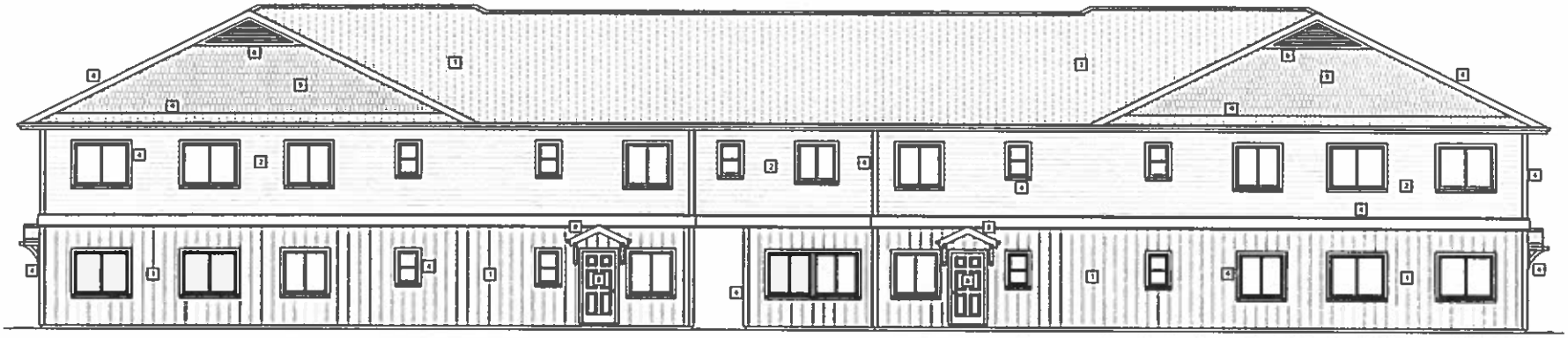
PLANNING DEPT

CITY OF MEDFORD
EXHIBIT # D
File # AC-16-033
1 of 2



REAR ELEVATION
SCALE 1/8" = 1'-0"

LEFT SIDE ELEVATION
SCALE 1/8" = 1'-0"

ELEVATION KEYED NOTES

1. FIBER CEMENT BOARD & BATT SIDING. BATTS LOCATED @16" O.C. PAINTED WITH "SLIDDEN", WRIGHT STONE TAN, 610YY 53/136. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
2. 6" FIBER CEMENT, HORIZONTAL LAP SIDING. PAINTED WITH "SLIDDEN", "UNICORN WHITE", 610YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
3. FIBER CEMENT BOARD & BATT SIDING. BATTS LOCATED @16" O.C. PAINTED WITH "SLIDDEN", "UNICORN WHITE", 610YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
4. FIBER CEMENT DOOR / WINDOW TRIM, FASCIA BOARDS, CORNER BOARDS AND EAVES / SOFFITS. PAINTED WITH "SLIDDEN", "STONE HARBOR GREISE", 610YY 48/071. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
5. FIBER CEMENT, SHINGLE SIDING. PAINTED WITH "SLIDDEN", "UNICORN WHITE", 610YY 64/046. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
6. EXTERIOR DOOR / GABLE VENT TRIM. PAINTED WITH "MILLER PAINT", WINTER HARBOR, HISTORIC 6051. CONTRACTOR TO PROVIDE DRAW DOWN SAMPLE TO ARCHITECT FOR APPROVAL.
7. "CERTAINTEED" COMPOSITION ROOFING, "LANDMARK" SERIES, "SHADOW GRAY". INSTALL PER MANUFACTURER'S SPECIFICATIONS.
8. WALL TO ROOF COPPER STEP FLASHING TO PROVIDE A WATERTIGHT SEAL. INSTALL PER SMACNA RECOMMENDATIONS.
9. CONTINUOUS WALL TO ROOF COPPER "L" FLASHING TO PROVIDE A WATERTIGHT SEAL. INSTALL PER SMACNA RECOMMENDATIONS.

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ORGA
ARCHITECTURE & PLANNING, LLC

VICTORY PLACE
MEDFORD, OREGON

REVISIONS	BY

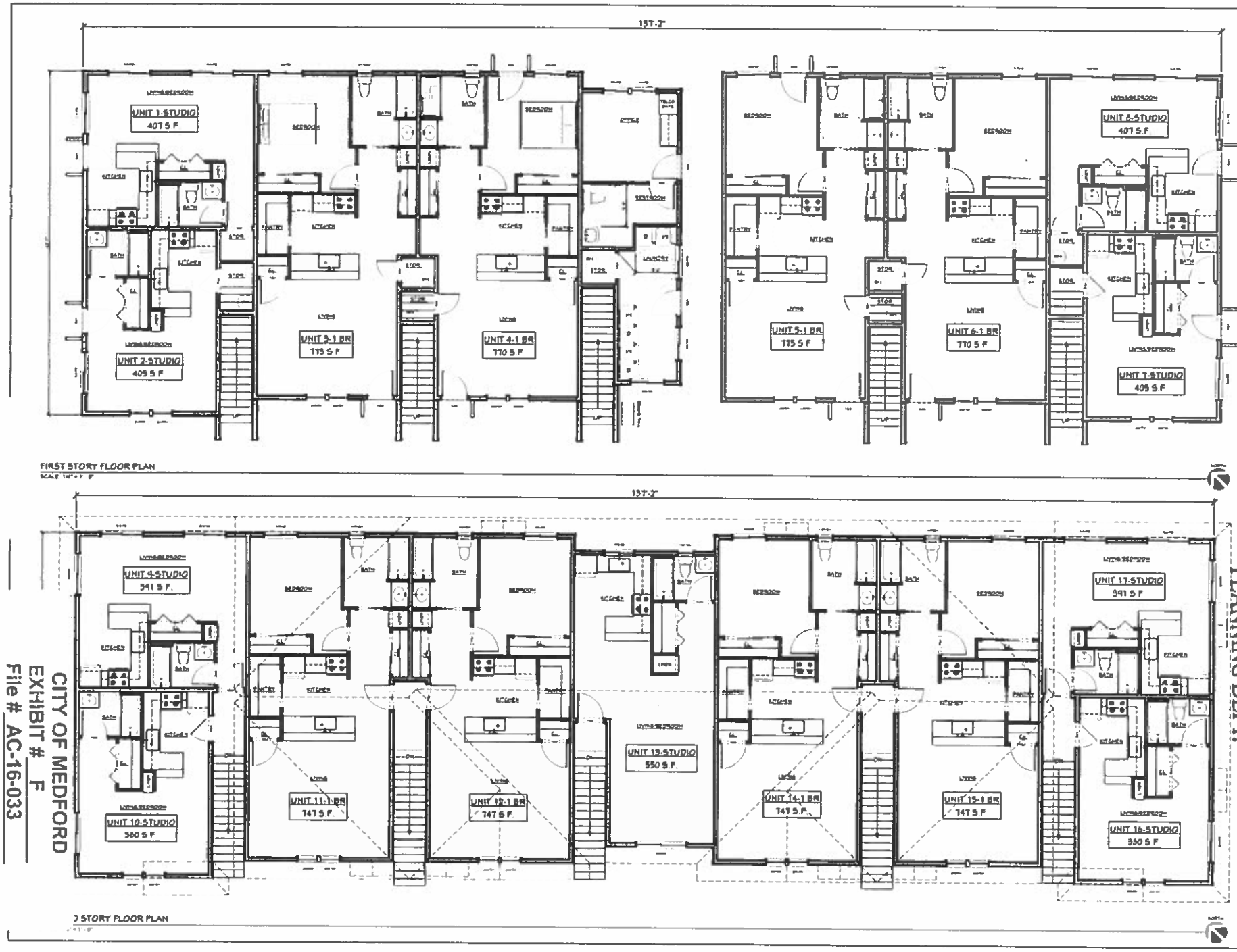
FILE	
DATE	03.14.16
SCALE	
DRAWN	JEH
JOB #	1001
SHEET OF	A-3.2

CITY OF MEDFORD
EXHIBIT # D
File # AC-16-033
2 of 2

ACCESS
VICTORY PLACE
17 UNIT APARTMENT PROJECT
MEDFORD, OREGON

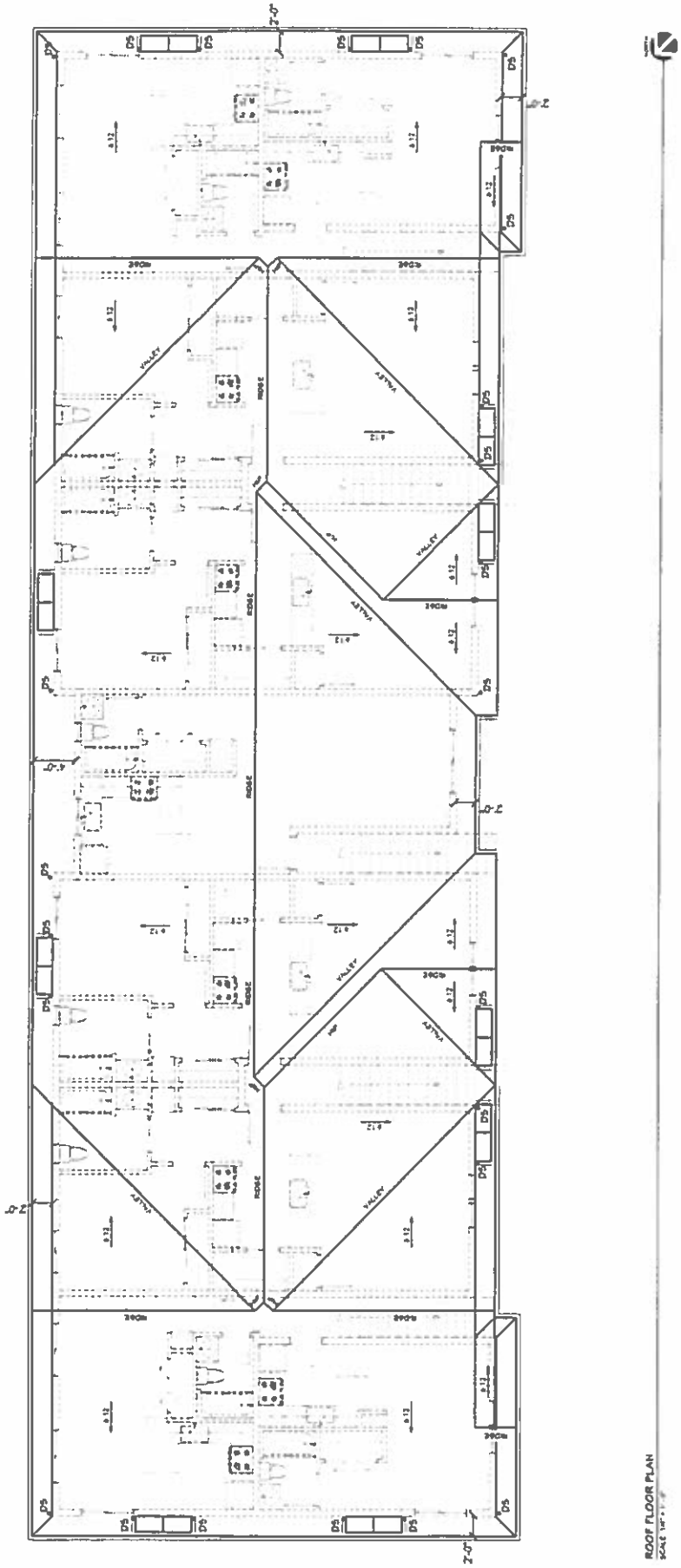
CR-1.1

CITY OF MEDFORD
EXHIBIT # E
File # AC-16-033


157'-2"
UNIT 1-STUDIO
407 S.F.
UNIT 2-STUDIO
405 S.F.
UNIT 3-1 BR
775 S.F.
UNIT 4-1 BR
770 S.F.
UNIT 5-1 BR
775 S.F.
UNIT 6-1 BR
770 S.F.
UNIT 7-STUDIO
405 S.F.
UNIT 8-STUDIO
407 S.F.
FIRST STORY FLOOR PLAN
157'-2"
UNIT 9-STUDIO
341 S.F.
UNIT 10-STUDIO
360 S.F.
UNIT 11-1 BR
747 S.F.
UNIT 12-1 BR
747 S.F.
UNIT 13-STUDIO
550 S.F.
UNIT 14-1 BR
747 S.F.
UNIT 15-1 BR
747 S.F.
UNIT 16-STUDIO
360 S.F.
UNIT 17-STUDIO
341 S.F.
STORY FLOOR PLAN
RECEIVED
MAR 14 2016
VICTORY PLACE
MEDFORD, OREGON
PLANNING DEPT.
REVISIONS
DATE
SCALE
DRAWN
JEH
JOB #
1001
SHEET OF
A-2.1
CITY OF MEDFORD
EXHIBIT # F
File # AC-16-033

VICTORY PLACE
MEDFORD, OREGON

A-4.1



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PLANNING DEPT.

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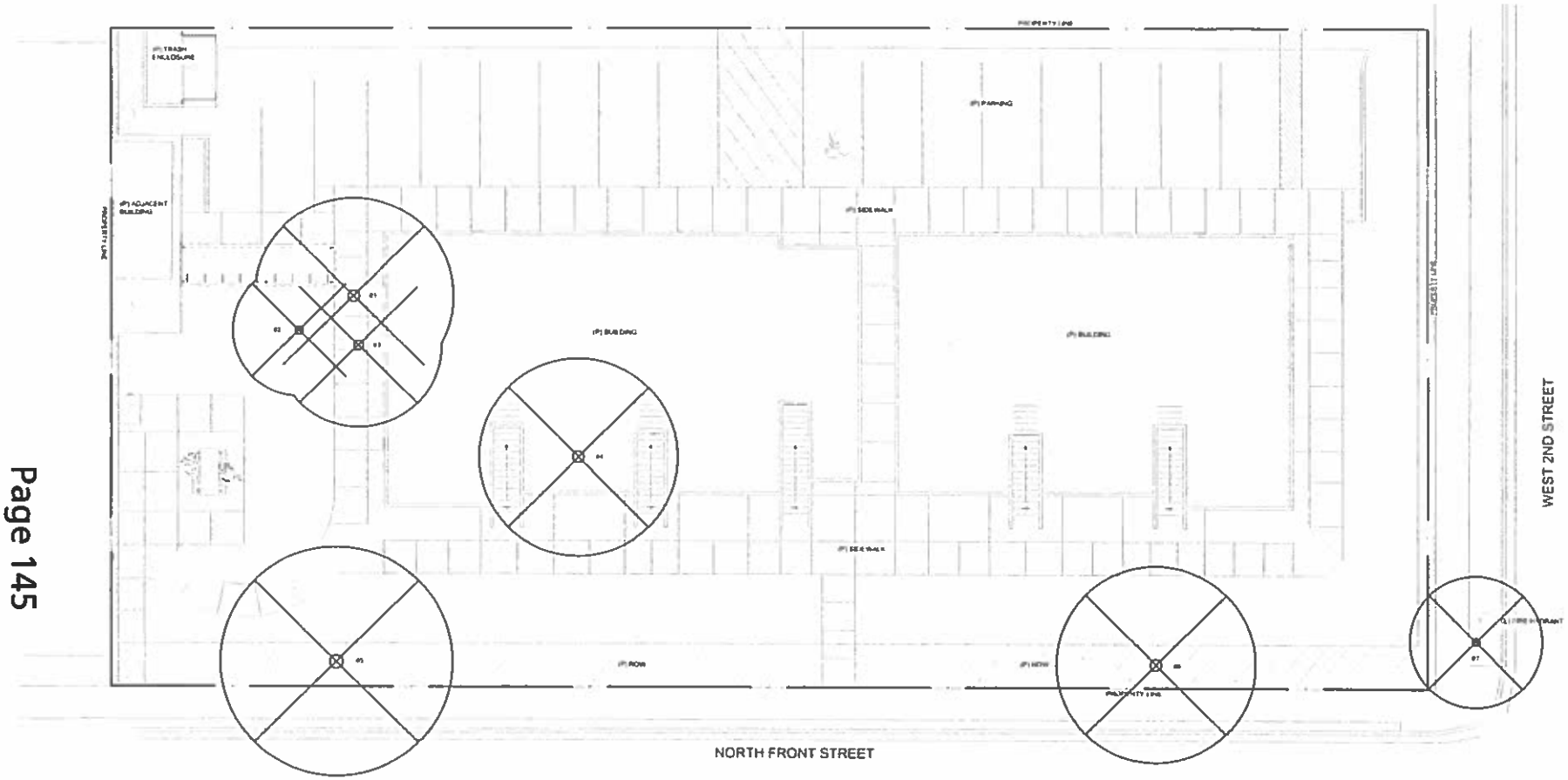
EXHIBIT # G
File # AC-16-033



TREE INVENTORY

TREE #	Common name	DBH IN INCHES	CROWN RADIUS IN FEET	NOTES
1	LOCUST	16	15	remove
2	LOCUST	9	10	remove
3	LOCUST	9	12	remove
4	LOCUST	9	15	remove
5	LOCUST	16	15	remove
6	LOCUST	12	15	remove
7	DECIDUOUS	12	10	remove

LEGEND

Existing tree to be removed

Total # of trees to be removed: 7

TREE PROTECTION AND REMOVAL PLAN

PLANNING DEPT.

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MAR 31 2016

Victory Place
520-526 North Front Street
Medford, Oregon

March 1, 2016

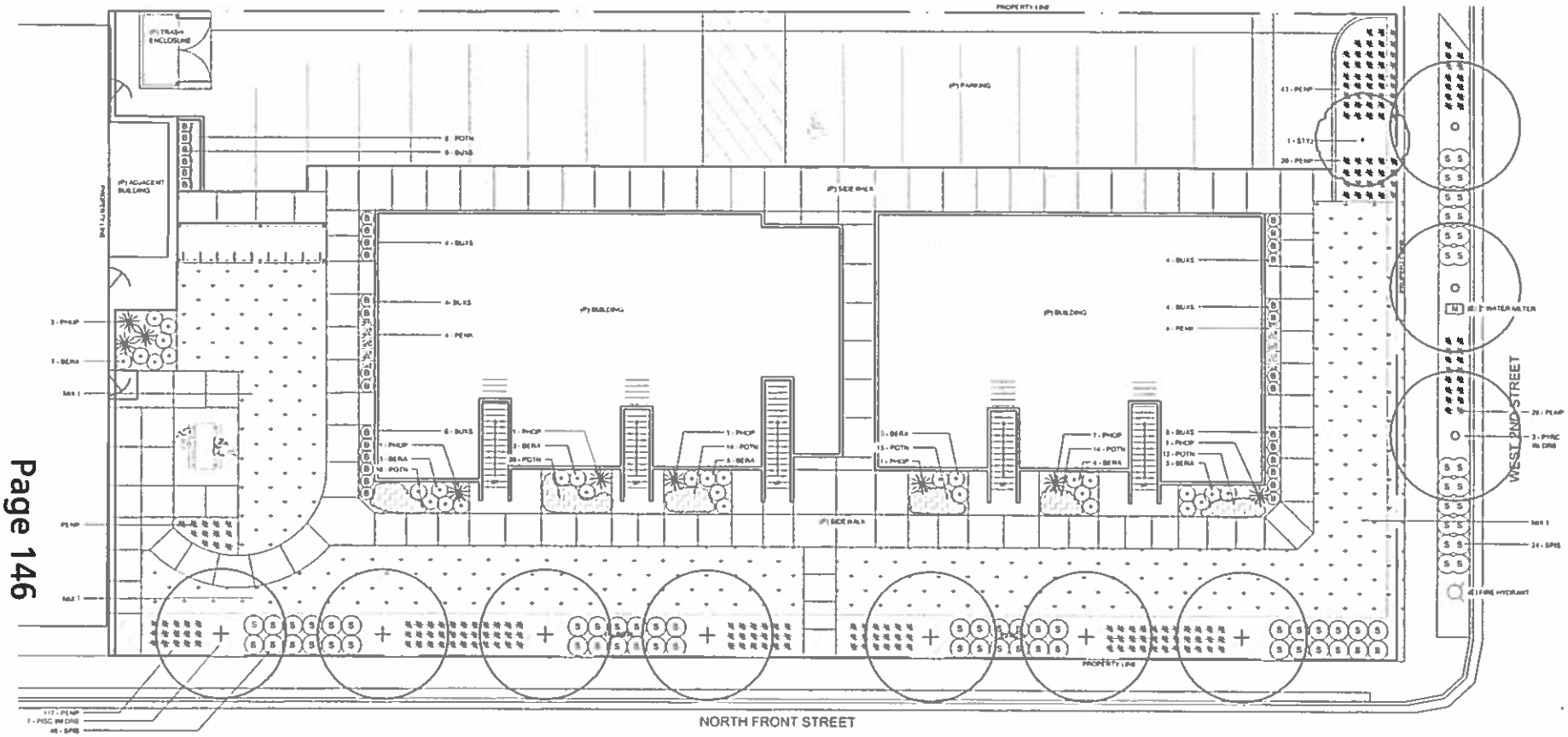
Laurie Sager
and Associates Landscape Architects Inc
700 Mistletoe Road, Suite 201
Ashland, Oregon 97520

REGISTERED LANDSCAPE ARCHITECT

Revision Date

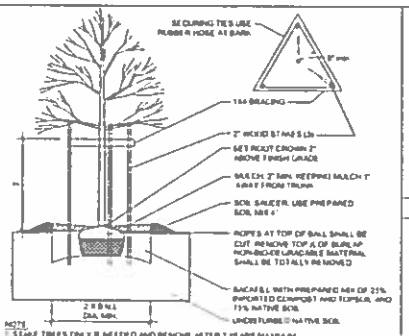
Drawn By
cb
11x17 Scale 1" = 16'-0"
24x36 Scale 1" = 8'-0"

CITY OF MEDFORD
EXHIBIT # H
File # AC-16-033



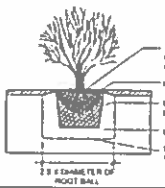
PLANT LEGEND

CATEGORY	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
TREES	PYRC	PYRUS CALLERYANA	CALLERY PEAR	1.5" CAL
	PIST	PISTACIA CHINENSIS	CHINESE PISTACHE	1.5" CAL
	STYJ	STYRAX JAPONICA	JAPANESE SNOWBELL	1.5" CAL
SHRUBS PERENNIALS AND GRASSES	BERA	BERBERIS AURIA	GOLDEN BARBERRY	1 GAL
	BUXS	BUXUS 'BUFFTONSIS'	DWARF BOXWOOD	1 GAL
	PENR	PENNISETUM 'KARLEY ROSE'	KARLEY ROSE FOUNTAIN GRASS	1 GAL
	PENP	PENNISETUM 'PICILE'	PICILE FOUNTAIN GRASS	1 GAL
	PHOP	PHORMIUM PLATT'S BLACK	PLATT'S BLACK NEW ZEALAND FLAX	5 GAL
	SPIS	SPIREA SHIMBARA	SHIMBARA SPIREA	1 GAL
MIXES NURSEOVER	MIX 1	WILDFLOWER SEED	PROSEEDS COLUMBIA CHEWINGS FESCUE, AVAILABLE AT WWW.PROSEEDSMARKETING.COM	APPROX. 25 LBS. FOR COVERAGE
	POTN	POTENTILLA INCANNAMAH	GROUNDCOVER YELLOW POTENTILLA	4" POTS @ 12" O.C.

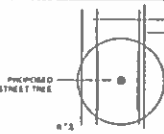


NOTE
1. STAKE TREES ONLY IF NEEDED AND REMOVE AFTER 2 YRS ARE MAXIMUM.
2. INSTALL SUNSCALD WRAP/TREE GUARD ON TREES PLACED IN FULL SUN AVAILABLE THROUGH ARBORGUARD.

1 TREE PLANTING DETAIL



2 SHRUB PLANTING DETAIL



NOTES
DEEP ROOT BARRIER (DRB) FOR TREES IN PARK RIGHT OF WAY
1. INSTALL DRB IMMEDIATELY INSIDE OF CURB AND SIDEWALK ADJACENT TO ALL (P) STREET TREES.
2. INSTALL DRB IN 10' SECTIONS CENTERED ON TREE TRUNK (EXTEND DRB 2' TO EITHER SIDE OF TREE
3. INSTALL DRB 2' BELOW VERTICALLY BELOW FINISH GRADE. REFORM SOIL PREPARATION AND INSTALL. AVAILABLE AT WWW.DEEPROOT.COM
4. INSTALL PER CITY CODE.

3 DEEP ROOT BARRIER DETAIL

NOTES

1. PLACE 6" COMPOST/TOPSOIL BLEND IN ALL PLANTING AREAS. TOPSOIL PLUS BLEND AVAILABLE FROM HILTON FUEL.
2. INSTALL SOIL BLEND AND TILL THOROUGHLY TO BLEND WITH EXISTING SOIL.
3. INSTALL IRRIGATION PER MANUFACTURER'S SPECIFICATIONS.
4. THE AUTOMATIC IRRIGATION SYSTEM WILL BE A COMBINATION OF DRIP AND SPRAY IRRIGATION. BACKFLOW PREVENTER WILL BE A 1" Wilkins 350 AST OR EQUAL TO MEET CITY REQUIREMENTS.
5. PLANT ALL TREES AND SHRUBS PER DETAIL 1 & 2. LA SHALL APPROVE ALL PLANT LAYOUT PRIOR TO INSTALLATION.
6. INSTALL SEED MIX PER MANUFACTURER'S SPECIFICATIONS.
7. MULCH ALL NON-SEEDED PLANTING AREAS AFTER INSTALLATION OF PLANT MATERIAL WITH 3" OF DARK MULTIBARK OR EQUAL.

CALCULATIONS

1. TOTAL SQUARE FOOTAGE OF LANDSCAPE AREA: 5,081 SF
2. TOTAL NON-WATER LANDSCAPE ELEMENTS: [illegible]
3. PERCENTAGE OF NON-WATER LANDSCAPING: 0 %

PLANTING PLAN

Scale 1:4

PLANNING DEPT.

RECEIVED
MAR 31 2016

VICTORY PLACE
520-526 NORTH FRONT STREET
MEDFORD, OREGON

LAURIE SAGER
AND ASSOCIATES LANDSCAPE ARCHITECTS INC
700 MISTLETOE ROAD, SUITE 201
ASHLAND, OREGON 97520

REGISTERED LANDSCAPE ARCHITECT

Revision Date

Drawn By
LS

11x17 Scale 1" = 16'-0"
24x36 Scale 1" = 8'-0"

CITY OF MEDFORD
EXHIBIT # 1

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Section II – Code Compliance: Criterion No. 2

PROJECT SITE	PROPOSED	REQUIRED
Zoning District	CH	
Overlay District(s)	Airport concern	
Proposed Use	Housing	
Project Site Acreage	.46	
Site Acreage (+ right-of-way)	30,903 s.f.	
Proposed Density (10.708)	17/.46=37	
# Dwelling Units	17	13 to 20
# Employees	0 to 1	

STRUCTURES	EXISTING	PROPOSED
# Structures	4	1
Structure Square Footage (10.710-10.721)	2667	9294

SITE DESIGN STANDARDS	PROPOSED	REQUIRED
Front Yard Setback (10.710-721)	27'	20
Side Yard Setback (10.710-721)	20'-5"	0
Side Yard Setback (10.710-721)	41'-2"	
Rear Yard Setback (10.710-721)	51'	
Lot Coverage (10.710-721)	26.03%	

PARKING	PROPOSED	REQUIRED
Regular Vehicular Spaces (10.743)	17	25.5
Disable Person Vehicular Spaces (10.746[8])		
Carpool/Vanpool Spaces (10.809)	1	
Total Spaces (10.743)	18	25.5
Bicycle Spaces (10.748)	17	
Loading Berths (10.742)		

CITY OF MEDFORD
EXHIBIT # J
File # AC-16-033

LANDSCAPING

	PROPOSED	REQUIRED
• Total Landscape Area (square feet)	5601	--
• Total Landscape Area in High Water Use Landscaping (square feet)	0	0
• Total Landscape Area in High Water Use Landscaping (percentage)	0	0
• Total % Landscape Coverage	28.15	--
• Required Organic Content (cu.yd.)	104	16.8
• Frontage Landscaping (10.797)		
• Street:	North Front	--
• Feet:	198	--
• # Trees:	7	8
• # Shrubs:	163	50
• Street:	West 2nd	--
• Feet:	100	--
• # Trees:	3	4
• # Shrubs:	52	25
• Bufferyard Landscaping (10.790)		
• Type:	n/a	
• Distance (ft):		
• # Canopy Trees:		
• # Shrubs:		
• Fence/Wall:		
• Parking Area Planter Bays (10.746)		
• Type:	n/a	
• # Bays:		
• Area:		
• # Trees:		
• # Shrubs:		

STRUCTURE

	PROPOSED
• Materials	See ext. elevations A3.1
• Colors	see attached

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.

ACCESS

Helping People Help Themselves

3630 Aviation Way
P.O. Box 4666
Medford, OR 97501

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MAR 14 2016
PLANNING DEPT.

Site Plan and Architectural Review Application

Applicant's Questionnaire

(1) The proposed use of our development is a permitted use for this Medford CH zoned property.
(2) The proposed development complies with all applicable provisions of City ordinances except for the parking requirement of 1.5 spaces per living unit. Please see details in section O.

Section I – Narrative

The Victory Place development is a partnership that came about in reaction to the overwhelming need to house our veteran population. The State of Oregon advertised a grant opportunity in the summer of 2015 dedicated to housing Veterans. ACCESS worked with Commercial Counsel's owner and applied for those State funds. Commercial Counsel Inc. was awarded a grant of funds to build the project during 2016. The project size and preliminary design has been reviewed and approved by the State of Oregon. A preliminary site design and floor plans were brought to the Planning department prior to the State application for their required Certificate of Zoning, Special Flood Hazard Determination with FEMA map as well as a letter discussing the zoning and parking requirements. It was noted in this letter that the project was in harmony with many of the Housing Elements of the City's Comprehensive Plan, specifically Housing Policy 2, 3, 6 and 8.

We believe that this is a creative design on such a compact lot providing 17 studio and one bedroom units in the building. There is an outside meeting space as well as a small indoor space and an onsite laundry room. We have revised the exterior elevations and roof plan since the State application to more closely follow the Medford guidelines while still staying true to the approved State plan. We hope that you agree that this is a worthwhile and attractive addition to the City of Medford and the surrounding neighborhood.

Section II – Compatibility: Criterion No. 1

A. The existing uses of the adjacent properties are all commercial. To the east across the alley is a car wash. To the south is an undeveloped lot currently used for storage. To the west are commercial businesses (Cut 'n Break Concrete). To the north is the American Legion that is the perfect neighbor for this Veterans housing complex. The American Legion building is an older wood and concrete block structure that is brown in color. (See attached pictures)

B. Much of the current neighborhood is in a deteriorating condition that we would like to improve rather than replicate. The proposed building structure and exterior treatments will be upgrading the current neighborhood look. We plan to side the building with a cementatious siding such as Hardi Plank that looks like wood to enhance to friendliness of the complex. We have recessed stairwell entrances to the upstairs units and an attractive roof line giving depth and interest to the building.

CITY OF MEDFORD
EXHIBIT # K
File # AC-16-033

C. The building is designed in pods of stacked units. The exterior of each pod has a separation by a recessed stairwell and a roof component. We plan for the siding on the lower portion of the building to be places in a vertical pattern while the upper portion will be placed horizontally. We are also planning for the building to be painted using 4 different colors. The lower body, one color, upper body another color with the belly band and trim a third color. The fourth color will be for the doors and eave vents. Trim work is also used to bring interest in the separate units and assist in breaking up the mass of the building facade. The roof design also gives the opportunity for a solar presence on the southern exposure.

D. The orientation of the building is set to provide the most livability to the units as possible. The parking is placed in the back off the alley allowing for the front to be utilized in landscaping and gathering places rather than a parking lot. We believe this orientation definitely promotes a more pedestrian-friendly site.

E. We have planned for an accessible gathering space on the north side of the property. This area is also near one of the rear entrances to the American Legion Hall.

F. There is street parking available on two sides of the property at the front of the building and on the south side for visitors or tenants if they choose. The tenant parking lot is located at the rear of the building giving the two accessible/adaptable one bedroom units easy access through their back doors. We have also incorporated a breezeway through the middle of the building to add access to the front of the building, the upstairs unit stairwells and front doors of the units that face west. There are walk ways all the way around the building. There is also a sidewalk in the front of the building that connects to the public sidewalk.

G. There is no significant native vegetation on the site. The existing Locust trees are in poor condition and considered to be nuisance trees.

H. The Storm water detention facilities on the property are located on the west and north sides of the building. There are three interconnected Storm Detention Area Basin's designed to handle the storm water from the site. They are all sloped 3:1 providing a surface that can be landscaped with grass that is not too steep to mow.

I. This proposed landscaping design makes the most from a very limited space. One of the goals in the design was to use drought tolerant plants while still giving the development a relaxed atmosphere. We will have grass planted in the sloped bio-swale, storm water detention areas to provide additional gathering space that also has shade trees adjacent. We also have a border of Spirea and Fountain grass along the streets providing an interesting visual break for folks taking a walk.

J. The exterior lighting chosen for this building will be porch light at each tenant door focused downward with a frosted lens. We also have 2 parking lot lights proposed.

K. The proposed signage will be an address placed on the building adjacent to the front doors near the light fixture so as to be visible. If there is a sign indicating the complex name of "Victory Place" it will be a low sign placed in a landscape area. We have no requirements from our funders to have a sign of this nature at this time.

L. Fencing & its purpose. We are proposing one fenced area. We would like to place a wood fence from west of the garbage enclosure, past the bicycle parking, continuing another four or so feet, turning north and extending it another 4 or so feet, giving delineation from the adjoining property.

M. We have no potential noise generators that need to be planned for. This is a residential complex with noise standards located in the Policies and Procedures handbook given out at time of rental.

N. This housing complex, set aside for Veteran's is a perfect match to the adjacent American Legion. We anticipate that the residents will be able to socialize there forming enduring bonds to others in the community.

O. We are asking that the parking requirement be modified and reduced to less than the current code stated requirement of 1.5 spaces per unit to 1 space per unit. These rental units are studio and one bedroom units set aside for low income veterans who may or may not even have vehicles. Our experience over the last 20 years with low income individuals in Medford is that many of our current tenants that have access to the bus line do not own vehicles. All of the parking areas in the non-family complexes that we own or manage in Medford are utilized with <u>less than</u> 1 car per unit.

P. In the landscape architects design they have eliminated two of the required number of trees in order to enhance visibility at the intersection of North Front and West 2nd Streets. We are officially requesting that the total number of required trees be reduced by two in order to provide those critical clear sight lines at that intersection.

Merry Hart

Merry Hart
Housing Analyst
ACCESS

3/14/16
Date

Continuous Improvement Customer Service

RECEIVED
APR 13 2016
PLANNING DEPT.

CITY OF MEDFORD

LD Date: 4/13/2016
File Number: AC-16-033

PUBLIC WORKS DEPARTMENT STAFF REPORT
Commercial Counsel, Inc. – Victory Place

Project: Consideration of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres.

Location: Located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district.

Applicant: Commercial Counsel, Inc., Applicant (ACCESS, Agent). Sarah Sousa, Planner.

NOTE:

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

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

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

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CITY OF MEDFORD
EXHIBIT # L
File # AC-16-033

A. STREETS

1. Dedications

North Front Street is classified as a Commercial Street within the Medford Land Development Code (MLDC), Section 10.429. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

East 2nd Street is classified as a Commercial Street within the MLDC, Section 10.429. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Public Alley to the east, shall be a minimum 20-feet wide with 18-feet of paved width per MLDC, Section 10.430A(2). The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this proposed subdivision to comply with the half width of right-of-way, which is 10-feet. Based on the proposed plans, it appears there is 10-feet of existing right of way west of centerline. **No additional right-of-way appears to be required however, the Developer's surveyor shall verify if any additional right-of-way is required along this frontage.**

In accordance with MLDC 10.471, **the property owner shall dedicate a 10 foot wide public utility easement** (PUE) adjacent to the right-of-way line in North Front Street and East 2nd Street along this Developments respective frontage.

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

North Front Street is classified as a Commercial Street within the Medford Land Development Code (MLDC), Section 10.429. All street section improvements have been completed, including pavement, curb and gutter and sidewalk.

East 2nd Street is classified as a Commercial Street within the MLDC, Section 10.429. All street section improvements have been completed, including pavement, curb and gutter and sidewalk.

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Public Alley to the east, shall be a minimum 20-feet wide with 18-feet of paved width per MLDC, Section 10.430A(2). If any portion of the Public Alley has less than 18-feet of paved width, the Developer shall improve the entire alley (along the Developments frontage) to Public Alley standards. It appears that no additional alley improvements are reuired.

b. Street Lights and Signing

The developer shall provide and install in compliance with Section 10.495 of the MMC. Based on the preliminary plan submitted, the following number of street lights will be required:

Street Lighting - Developer Provided & Installed

A. 3 – 150W HPS Street Lights
B. 1 – Base Mounted Cabinet (BMC)
   a. Removal of one PP&L luminaire and arm at the intersection of East 2nd Street and North Front Street. Developer to coordinate removal with PP&L.

Numbers are subject to change if changes are made to the plans. All streetlights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request.

All street lights shall be operating and turned on at the time of the final "walk through" inspection by the Public Works Department.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

The Developer shall be responsible for the preservation and re-installation of all signs removed during demolition and site preparation work. The Developer's contractor shall coordinate with the City of Medford Public Works, Maintenance and Operations Division to remove any existing signs and place new signs provided the Developer.

c. Pavement Moratoriums

There is a pavement cutting moratorium currently in effect along this frontage (North Front Street from East 4th Street to East Jackson Street). The moratorium is set to expire on July 9th, 2016.

3. Access and Circulation

Access shall be taken off of the Public Alley directly into the parking area as indicated on the proposed plans.

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4. MLDC Section 10.668 Analysis

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless: (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose, and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose

The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and are supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. Rough proportionality between the required dedications and improvements, and the impacts of development.

No mathematical formula is required to support the rough proportionality analysis. Also, the City is allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

North Front Street and East 2nd Street

The additional right-of-way will provide the needed width for a future planter strip. North Front Street currently carries approximately 700 vehicles per day. The 8-foot planter strip moves pedestrians a safe distance from the edge of the roadway. These streets will be the primary route for pedestrians traveling to and from this development.

Dedication of the PUE will benefit development by providing public utility services, which are out of the roadway and more readily available to each Lot being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated and improved for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. The Developer

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shall provide one separate individual service lateral to the site or ensure that the site is served by an individual service lateral. All unused laterals adjacent and stubbed to the development shall be capped at the main.

C. STORM DRAINAGE

1. Drainage Plan

A drainage plan showing the project's impacted site with sufficient information to determine the direction of runoff to the existing or proposed drainage system, and also showing elevations of the proposed drainage system (if applicable), shall be submitted with the first building permit application for approval. Any new or reconstructed 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.

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

If applicable, 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. 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.

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

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

3. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the 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 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

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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.

4. 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.

5. 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.

By Doug Burroughs

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200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

SUMMARY CONDITIONS OF APPROVAL

Commercial Counsel, Inc. – Victory Place
AC-16-033

A. Streets

1. Street Dedications to the Public:

- **North Front Street** – Dedicate additional public right-of-way for a 31.5' right-of-way half width.
- **East 2nd Street** - Dedicate additional public right-of-way for a 31.5' right-of-way half width.
- Dedicate 10-foot Public Utility Easement (PUE) along the frontage of North Front Street and East 2nd Street.

2. Improvements:

Public Streets
- No public improvements are required along North Front Street or East 2nd Street.
- Public improvements may be required on Public Alley if paved width is less than 18-feet, in accordance with MLDC, Section 10.430A(2).

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
- Access shall be taken off of the Public Alley.

Other
- There is a pavement moratorium currently in effect on North Front Street.

B. Sanitary Sewer:

- Ensure or construct separate individual sanitary sewer connection.
- Cap remaining unused laterals at the main.

C. Storm Drainage:

- Provide a comprehensive grading and drainage plan.
- Provide water quality and detention facilities, calculations and O&M Manual.
- Provide engineers certification of stormwater facility construction.

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.

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MEDFORD, OREGON 97501
www.ci.medford.or.us
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FAX (541) 774-2552

Medford Fire Department

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

RECEIVED
APR 13 2016
PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 04/13/2016

From: Fire Marshal Kleinberg

Report Prepared: 04/11/2016

File #: AC - 16 - 33

Site Name/Description:

Consideration of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district; Commercial Counsel, Inc., Applicant (ACCESS, Agent). Sarah Sousa, Planner

DESCRIPTION OF CORRECTIONS	REFERENCE
Approved as Submitted	
Meets Requirement: No Additional Requirements	

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

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

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

CITY OF MEDFORD
EXHIBIT # M
File # AC-16-033

Memo

RECEIVED
APR 13 2016
PLANNING DEPT.

To: Sarah Sousa, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Commercial Counsel, Inc., Applicant (ACCESS, Agent).

Date: April 13, 2016

Re: April 13, 2016 LDC Meeting: AC-16-033

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. The building and building appurtenances shall be designed by an Oregon licensed design professional in accordance with 107.1 and 107.3.4 OSSC.

7. A geotechnical engineer shall provide a design for soils at building locations pursuant to 1803 of the Oregon Structural Specialty Code.

8. A code analysis providing occupant load type of construction, type of occupancy, occupant load, notation of sprinkled or non-sprinkled, separated or non-separated use, etc… will be required.

CITY OF MEDFORD
EXHIBIT # N
File # AC-16-033

9. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.

10. Follow the provisions for ADA requirements found in 1107 OSSC.

BOARD OF WATER COMMISSIONERS

Staff Memo

MEDFORD WATER COMMISSION

RECEIVED
APR 13 2016
PLANNING DEPT.

TO: Planning Department, City of Medford

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

SUBJECT: AC-16-033

PARCEL ID: 372W25AA TL 2400 & 2500

PROJECT: Consideration of plans for the construction of a 17-unit multi-family residential project on two parcels totaling 0.46 acres, located on the east side of North Front Street, approximately 120 feet south of East Jackson Street, within the C-H (Heavy Commercial) zoning district; Commercial Counsel, Inc., Applicant (ACCESS, Agent). Sarah Sousa, Planner.

DATE: April 13, 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. The existing water meters can remain in place to serve this proposed development. The ¾-inch meter along E 2nd Street can be upsized to a 1"-inch meter to serve the proposed building if existing size is inadequate. The existing ¾-inch water meter serving 526 N Front Street can be utilized for a dedicated irrigation meter. The Applicant or their civil engineer shall coordinate with MWC Engineering Department to water meter sizes.

4. 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 .

COMMENTS

1. Off-site water line installation is not required.

2. On-site water facility construction is not required.

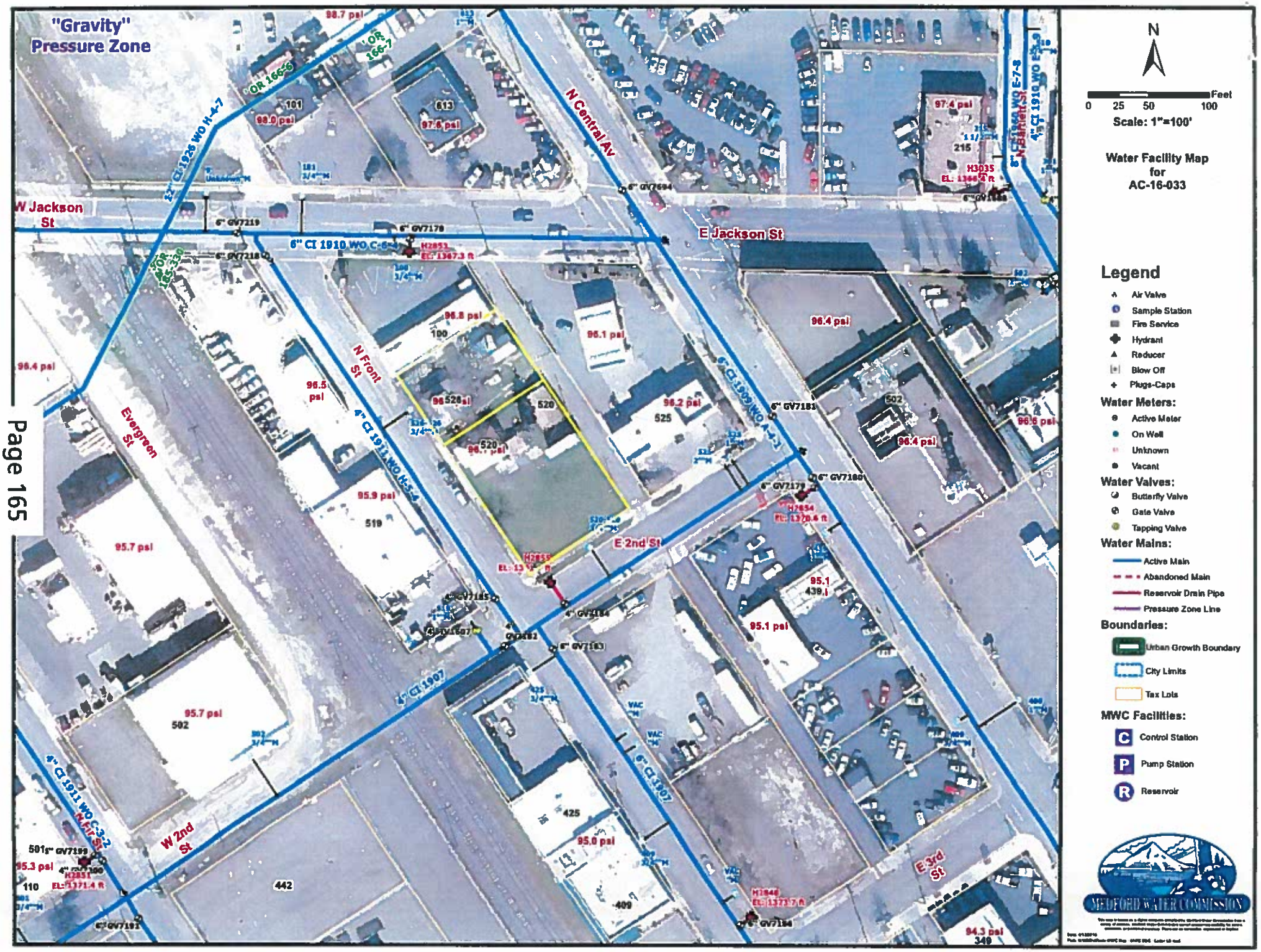
3. If this development requires an Fire Sprinkler System, the applicant or their civil engineer shall request a fire hydrant flow test be performed during the months of July-September.

CITY OF MEDFORD
EXHIBIT # O
File # AC-16-033

4. Static water pressure in this area is 95 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

5. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter along N Front Street that serves water to 526 Front Street, and a ¾-inch meter along E 2nd Street that serves water to 520 N Front Street.

6. Access to MWC water lines is available. There is an existing 4-inch water line in both N Front Street and in E 2nd Street which connects to a 8-inch water line in N Central Avenue.


"Gravity" Pressure Zone
N
Feet
0 25 50 100
Scale: 1"=100'
Water Facility Map for AC-16-033
Legend
Air Valve
Sample Station
Fire Service
Hydrant
Reducer
Blow Off
Plugs-Caps
Water Meters:
Active Meter
On Well
Unknown
Vacant
Water Valves:
Butterfly Valve
Gate Valve
Tapping Valve
Water Mains:
Active Main
Abandoned Main
Reservoir Drain Pipe
Pressure Zone Line
Boundaries:
Urban Growth Boundary
City Limits
Tax Lots
MWC Facilities:
Control Station
Pump Station
Reservoir
MEDFORD WATER COMMISSION
W Jackson St
E Jackson St
N Central Av
N Front St
Evergreen St
E 2nd St
W 2nd St
E 3rd St
6" CI 1910 WO C-6-4
6" CI 1909 WO A-4-1
4" CI 1911 WO H-5-4
4" CI 1907
6" CI 1907
4" CI 1911 WO C-3-2
12" CI 1926 WO H-4-7
OR 166-6
OR 166-7
OR 165-330
98.7 psi
98.0 psi
97.6 psi
97.4 psi
96.8 psi
96.1 psi
96.4 psi
96.5 psi
96.2 psi
96.6 psi
95.9 psi
95.7 psi
95.1 psi
95.0 psi
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94.3 psi
101
613
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100
520
525
502
519
425
409
442
110
349

MEDFORD
PARKS & RECREATION
HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.

CITY OF MEDFORD
Interoffice Memo

RECEIVED
APR 07 2016
PLANNING DEPT.

TO: Planning Department

FROM: Tim Stevens- Park Maintenance Superintendent

SUBJECT: LANDSCAPE REVIEW OF FILE AC-16-033, COMMERCIAL COUNSEL INC

DATE: April 7, 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.

CAPRA

CITY OF MEDFORD
EXHIBIT # P
File # AC-16-033

Sarah K. Sousa

From:	Townsend, Paige <ptownsend@rvtd.org>
Sent:	Thursday, April 07, 2016 4:07 PM
To:	Sarah K. Sousa
Cc:	mhart@accesshelps.org
Subject:	RVTD bus stop at 17 unit housing AC-16-033

RECEIVED
APR 07 2016
PLANNING DEPT.

Hi Sarah,

RVTD has an existing bus stop located at this parcel. We would like to make the applicant aware of the stop and will be installing a simme seat on the sidewalk, or if necessary behind the sidewalk.

The simme seat requires a 2' x 4' footprint. The 2' is parallel to the sidewalk so is the sidewalk at least 6' feet deep? If not, we will need the applicant to construct a small pad behind the sidewalk or within the planter strip to maintain ADA accessibility.

Additionally, RVTD requires a concrete pad within the planter strip to allow the bus to deploy the wheelchair ramp. We can try to combine the two but I need to work with the applicant.

I am available to attend the LDC meting next Wed. but would prefer to talk to the applicant prior if possible, thanks!

Paige Townsend
RVTD Senior Planner
541-608-2429
www.rvtd.org

CITY OF MEDFORD
EXHIBIT # Q
File # AC-16-033

DIY Projects & Ideas Credit Services Pro Xtra Store Finder

Products and Services What can we help you find? Your Store Phoenix,OR Si

RECEIVED
MAR 14 2016
PLANNING DEPT.

Hampton Bay Model # IMS1691L Internet # 205399900 Store SKU # 1000711971

Outdoor Oil-Rubbed Bronze LED Wall Lantern

★★★★★ (2) Write a Review Questions & Answers (2)

$49.97 /e

NEARBY STORES MAY HA

Check Nearby Store

Open Expanded View Click Image to Zoom

PRODUCT OVERVIEW

Model # IMS1691L Internet # 205399900 Store SKU # 1000711971

The LED exterior wall lantern is uniquely designed with a contemporary feel. Hand painted in oil rubbed bronze, it provides a
This uniquely designed fixture is the choice of discriminating yet value conscious homeowners who want to enrich their home

- LED exterior wall lantern
- Oil-rubbed bronze finish
- Uses 14-Watt LED module
- UL-listed
- Home Depot Protection Plan:

CITY OF MEDFORD
EXHIBIT # R
File # AC-16-033

SPECIFICATIONS (for Outdoor Oil-Rubbed Bronze LED Wall Lantern)

Dimensions			
Product Depth (in.)	3.88	Product Length (in.)	8
Product Height (in.)	12.38	Product Width (in.)	3.88
Details			
Bulb Type	LED	Number of Bulbs Required	0
Bulb(s) Included	Yes	Outdoor Lighting Features	Waterproof,Weather Resistant
Dusk to Dawn	Yes	Power Type	Hardwired
Exterior Lighting Product Type	Outdoor Sconces	Product Weight (lb.)	2.00 lb
Fixture Color/Finish	Oil-Rubbed Bronze	Returnable	90-Day
Glass/Lens Type	Frosted	Style	Classic
Light Source	LED	Wattage (watts)	14
Motion Sensor	No	Weather Resistant	Yes
Warranty / Certifications			
Certifications and Listings	4-UL Certified,ETL Listed,FCC Listed	Manufacturer Warranty	3 Year Warranty
ENERGY STAR Certified	Yes		

LED lighting facts

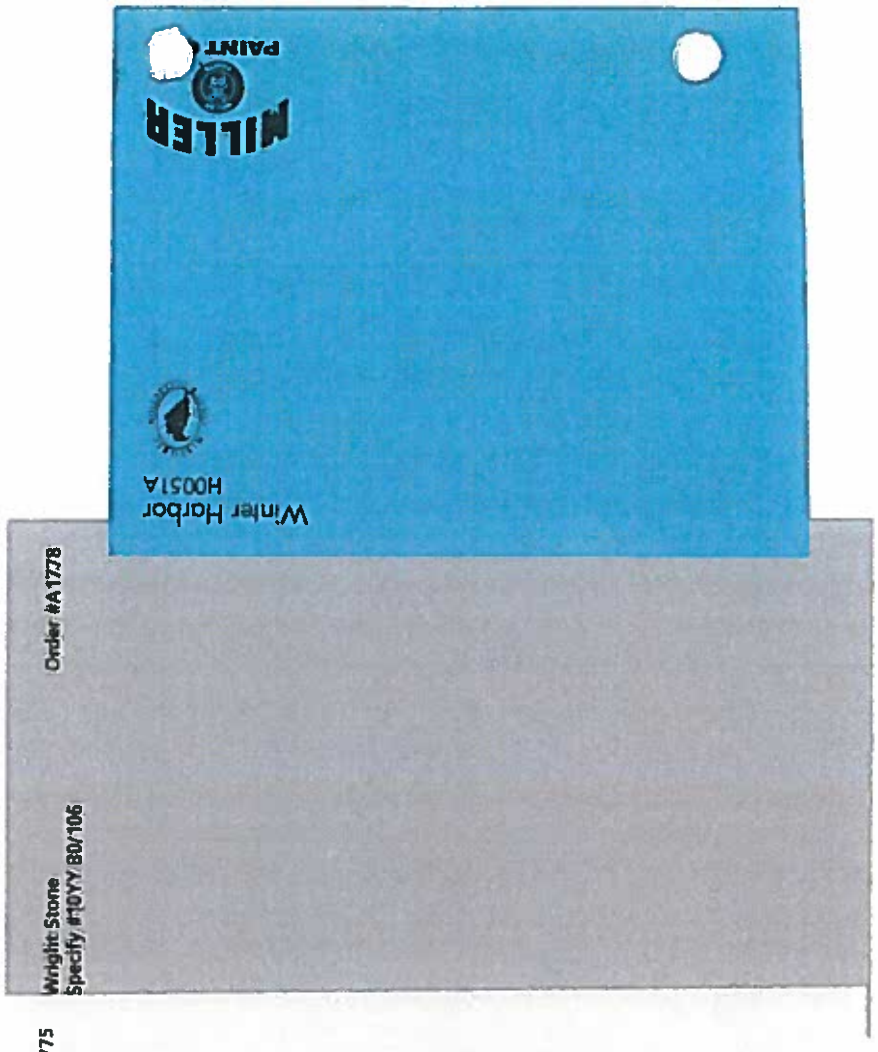
A Program of the U.S. DOE

Light Output (Lumens)	**520**
Watts	**10.8**
Lumens per Watt (Efficacy)	**48.15**

Color Accuracy Color Rendering Index (CRI)	**80**

Light Color
Correlated Color Temperature (CCT) **3000 (Bright White)**

Visit www.lightingfacts.com for the *Label Reference Guide*.



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MAR 14 2016
PLANNING DEPT.

CITY OF MEDFORD
EXHIBIT # S
File # AC-16-033

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PLANNING DEPT.

520 Front St., NW Corner, Built 1924, 750SF, 2 Bedroom

520 Front Door, West side

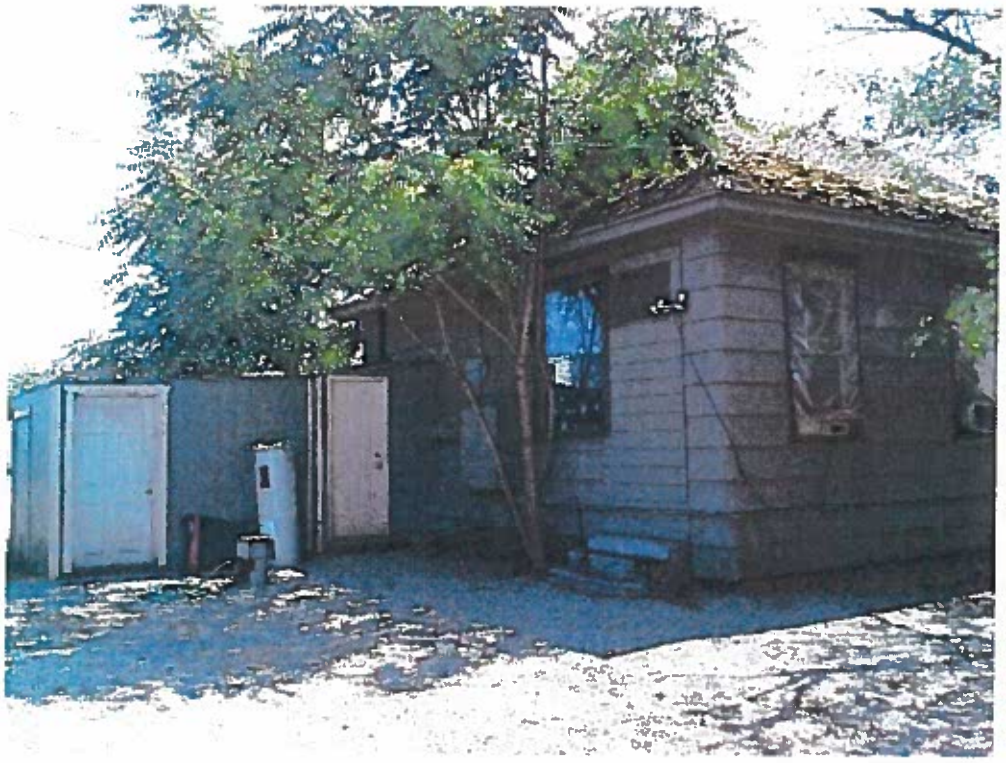
CITY OF MEDFORD
EXHIBIT # T
File # AC-16-033

9

520 South side

520 South side from a distance

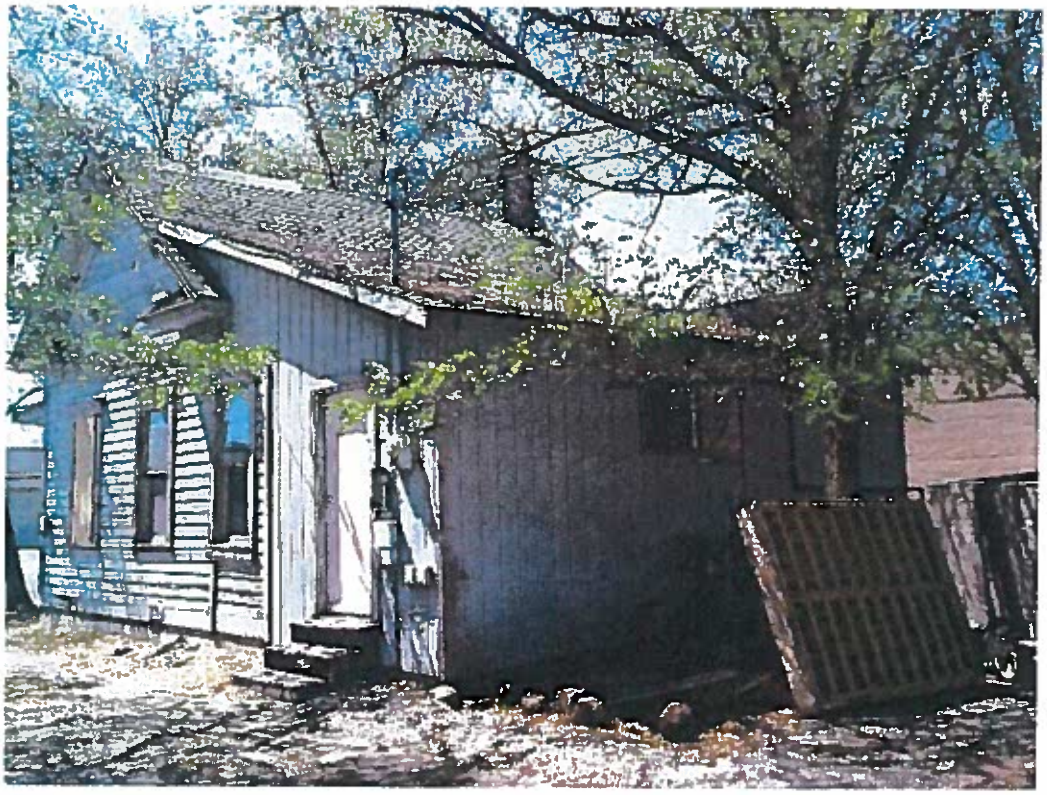
520 East side



526 Front St., House front, West side, Built 1930, 872 SF, 2 Bedroom

526 South side

526 South East side

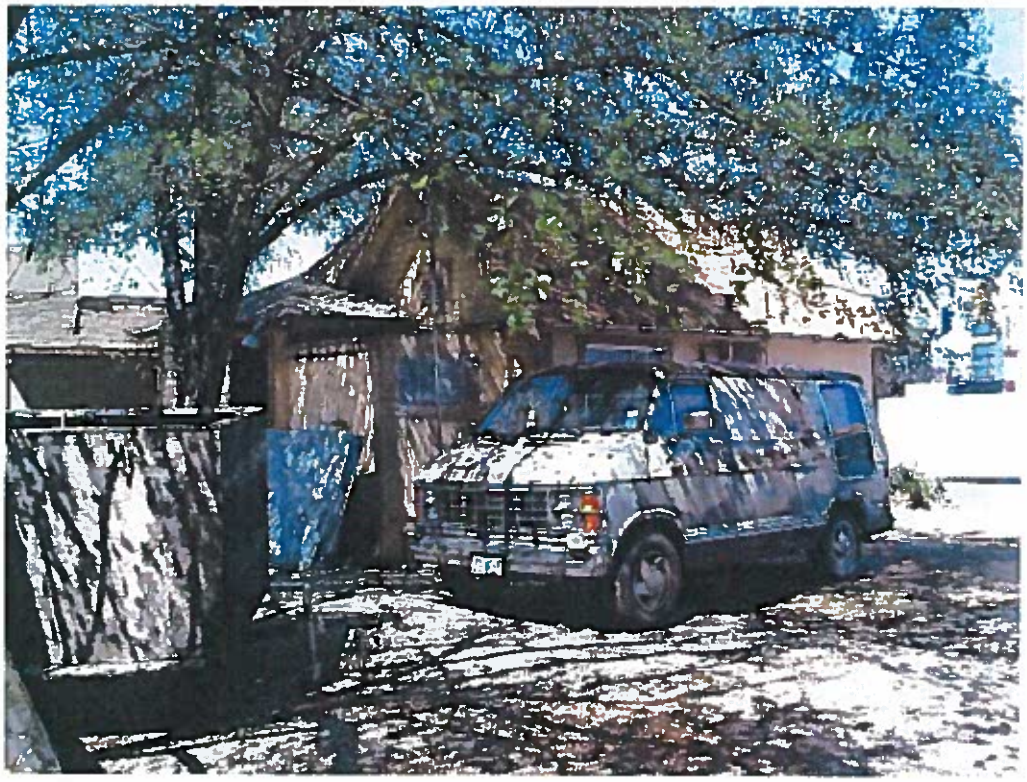


526 North side

526 North side with 526 ½ in background

526 ½ Front Door on the West side with 520 ½ in the background

526 ½ Front St. South & West sides, Built 1900, 541 SF, 1 bedroom



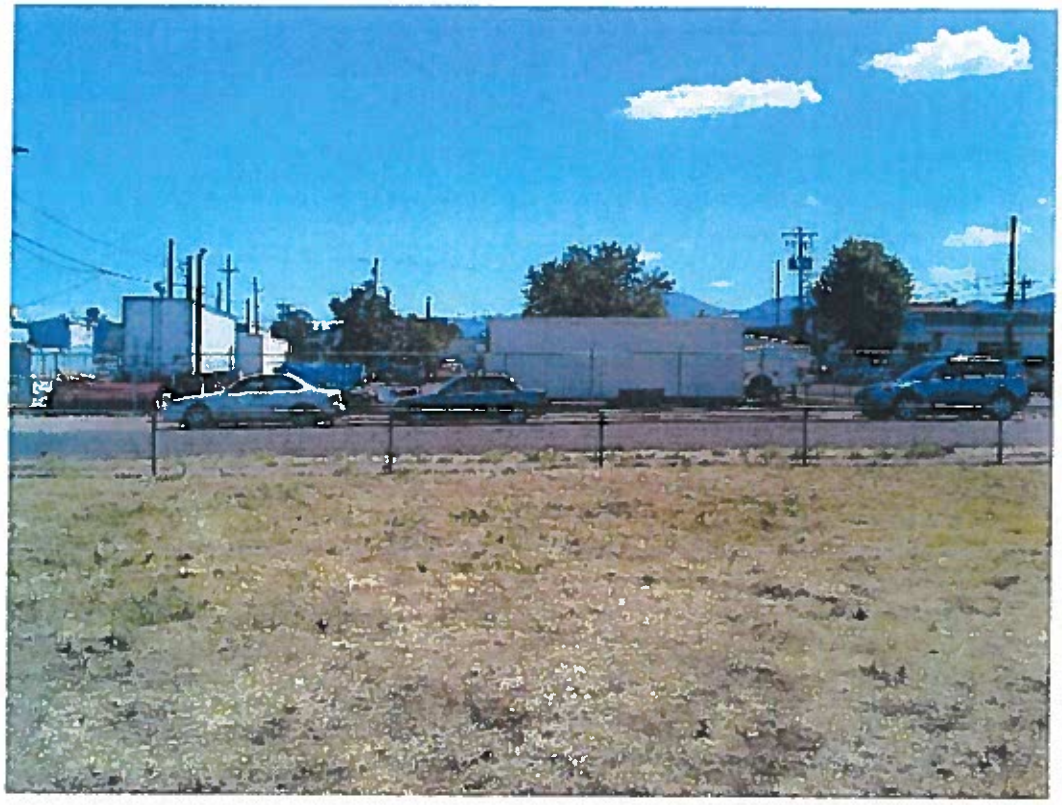
526 ½Front St. South & East sides, from the Alley

520 ½ Front St., North & East sides from the Alley, Built 1900, 504 SF, One Bedroom

520 ½ South & East sides from the Alley with 526 ½ in the background

520 ½ North & West sides

Looking South from property



Looking East over the Alley from South end of lot

Looking East over the Alley at North end of lot

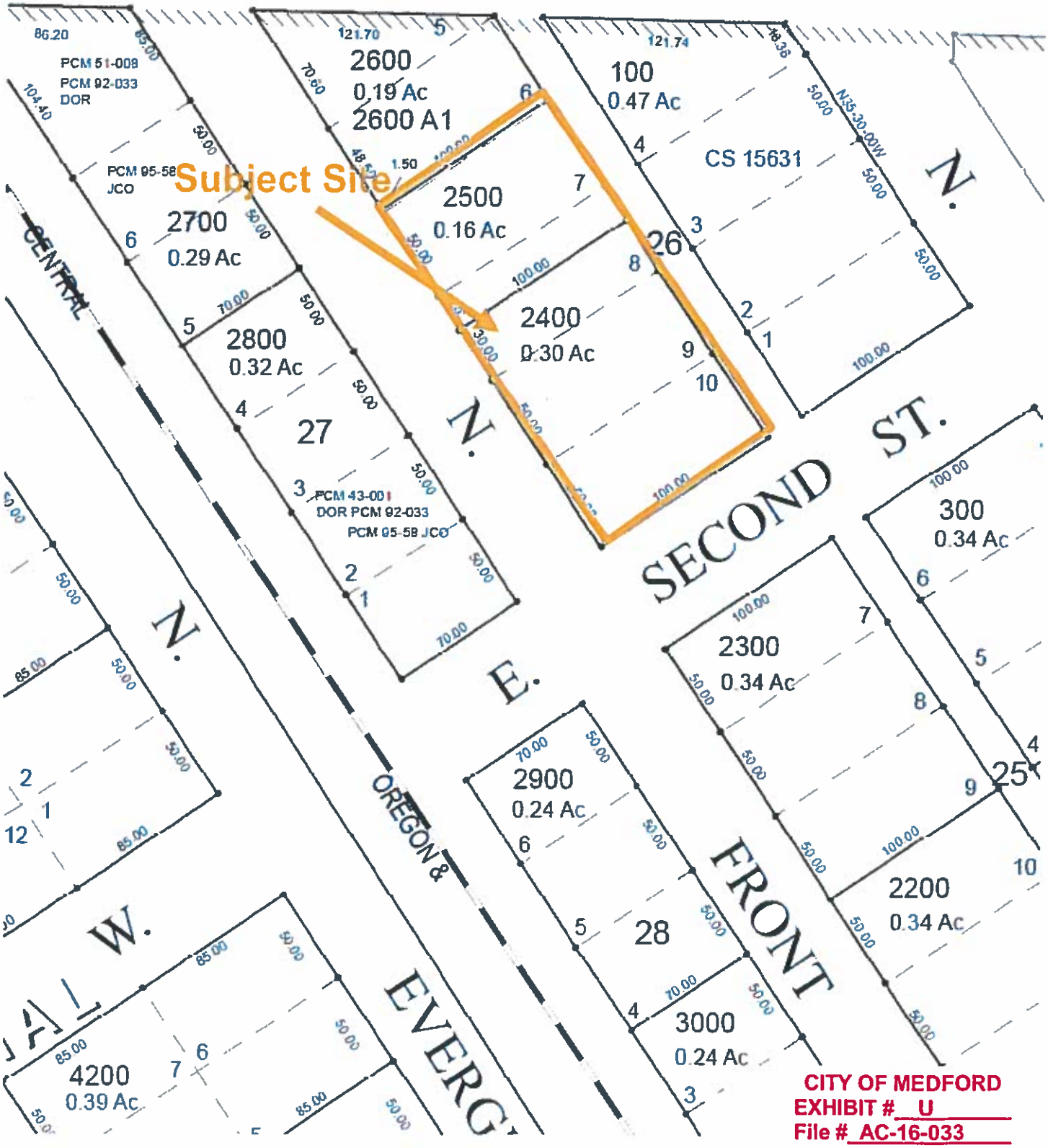
Looking West across the street

Looking North on Front Street

Looking South on Front Street

/4, N.E.1/4, SEC.25, T.37S., R.2W., W.M.
JACKSON COUNTY
1" = 100'
SEE MAP 37 2W 24DD

CS 12680



CITY OF MEDFORD
EXHIBIT # U
File # AC-16-033

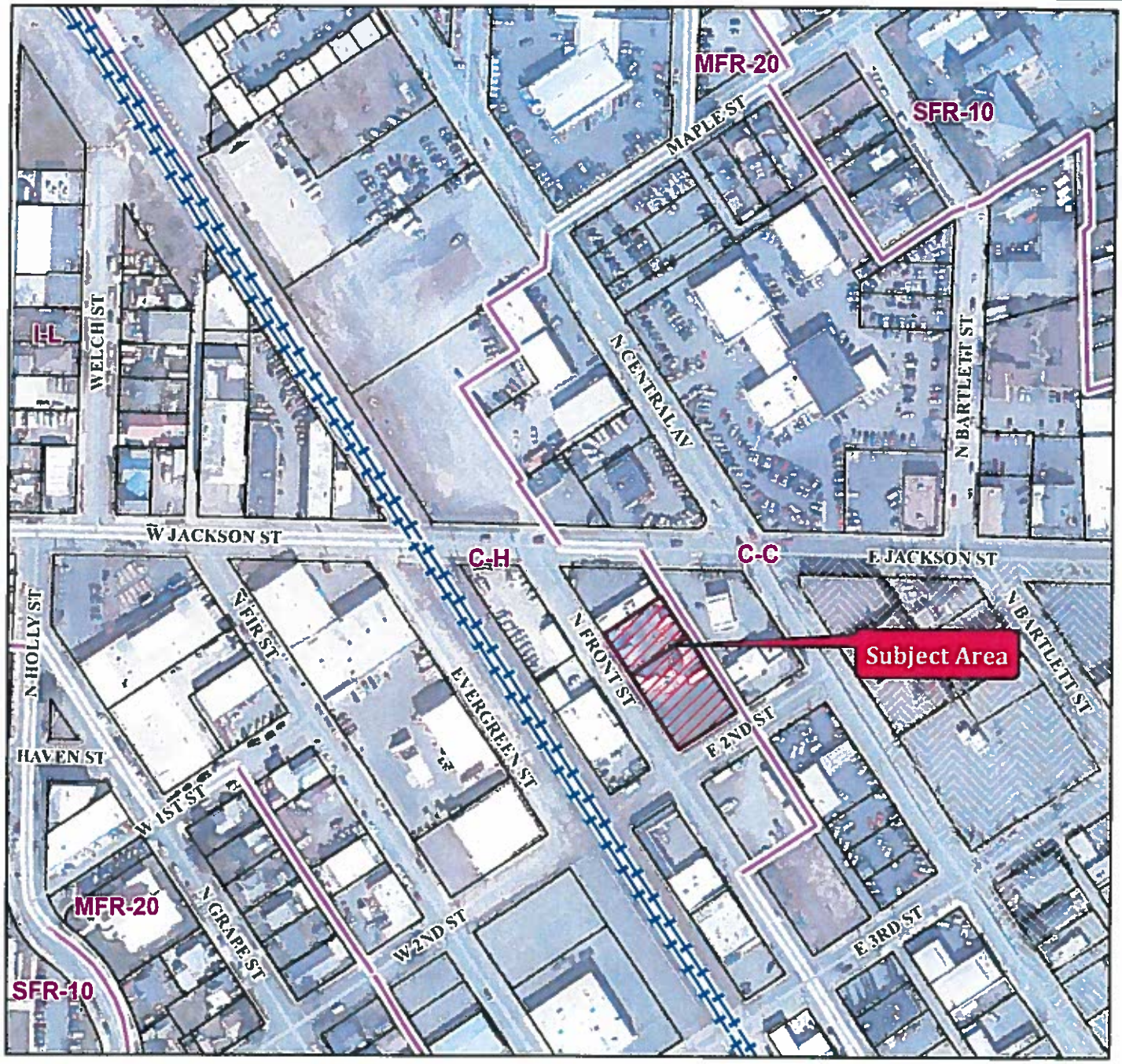
City of Medford

Planning Department

Vicinity Map

File Number:

AC 16-033



Project Name:

Victory Place

Map/Taxlot:

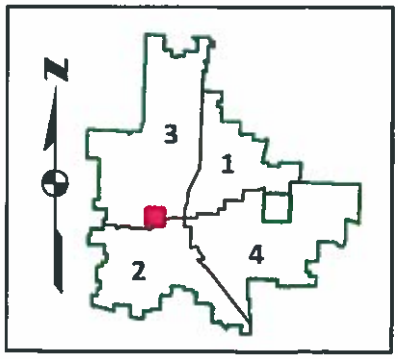
372W25AA TL 2400 & 2500

0 50 100 200 300 400 Feet

3/28/2016

Legend

- Subject Area
- Medford Zoning
- Tax Lots
- Streets
- Central Business District



WRITTEN COMMUNICATION

PROJECT	Kids Unlimited Academy Master Campus Plan Conditional Use Permit – Architectural Review Kids Unlimited of Oregon, Applicant; Scott Sinner Consulting, Inc., Agent
FILE NO.	CUP-16-022 / E-16-023
TO	Site Plan and Architectural Commission *for May 6, 2016 meeting*
FROM	Desmond McGeough, Planner III
REVIEWER	Kelly Akin, Principal Planner
DATE	April 29, 2016

BACKGROUND

Proposal

Consideration of building architectural plans, site landscaping and general site plan review, as authorized by Section 10.247a and requested by the applicant, for a Conditional Use Permit for the Kids Unlimited Academy Public Charter School Master Campus Plan.

The subject Conditional Use Permit will allow expansion of existing school facilities, including but not limited to an 18,000 square foot multipurpose building, a two-classroom modular building, an outdoor athletic field, and modular building that will be utilized for health services. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of public right-of-way for Edwards Street and Austin Street.

The subject site is located west of Riverside Avenue, south of Edward Streets, east of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential-10 units per gross acre), MFR-20 (Multiple-Family Residential – 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres.

Subject Site Characteristics

Zoning	SFR-10	Single Family Residential, 10 dwelling units per gross acre
	MFR-20	Multi-Family Residential, 20 dwelling units per gross acre
	C-C	Community Commercial
GLUP	CM	Commercial
	UR	Urban Residential
	UH	Urban High Density Residential
Use	Kids Unlimited Academy & vehicular parking, single family residential	

Surrounding Site Characteristics

North	C-C/SFR-10	Sign company, single family residential
South	C-C/SFR-10	Vacant car lot, residential
East	C-C	Hotel, burger stand, auto dealership
West	MFR-20	Single family residential, multi-family residential

Applicable Criteria

Medford Land Development Code (MLDC) Section 10.247(a) specifically exempts a conditional use permit from Site Plan and Architectural Commission Review. There is no requirement to apply separately for Site Plan and Architectural Commission review or to demonstrate compliance with the criteria in Section 10.290. However, the Planning Director in his/her discretion may forward a conditional use proposal to the Site Plan and Architectural Commission for review. When forwarded by the Planning Director, the Site Plan and Architectural Commission shall have authority to review the CUP plans and make recommendations to the Planning Commission. In this circumstance, the applicant requested that the Director forward the application to the Site Plan and Architectural Commission for consideration.

Corporate Names

The County data base identifies Kids Unlimited of Oregon as owner. The Secretary of the State Business Registry lists Pat Huycke as the registered agent, Chuck Martinez as President, and Jamie Brindle as Secretary.

ISSUES AND ANALYSIS

Background

As the Site Plan and Architectural Commission is not the approving authority on the CUP or Exception application, departmental reports with conditions of approval along with

the applicant's findings of fact for the CUP and Exception request have been attached as background information.

Site Plan (Exhibit B)

The project is located on 13 separate tax lots totaling 2.8 net acres in size. The existing Kids Unlimited building is located at the northeast corner of the site and encompasses a total of 32,464 square feet. The primary expansion of the facility is located immediately west of the existing building where the applicant proposes a 13, 361 square foot gymnasium. Located on the northwest corner of the site are three tax lots almost totaling 17,000 square feet that will be utilized as an athletic field.

A public alley runs through the middle of the site and will remain in place. Located at the southeast corner of the site is a parking lot that accommodates up to 75 vehicles. In the central portion of the site, south of the alley, are a gated play area and tot-lot for young children and a two-classroom modular building. At the southwest corner of the facility will be a modular building that will provide health services. At the present time, Kids Unlimited has not acquired all the properties south of the alley. The demo plan shows the existing buildings that will remain on three tax lots, which front onto Austin Street to the south.

Vehicular access

Access to the site will be from several locations. The two way alley, running from Riverside Avenue on the east to Niantic Street on the west will serve as two points of access. Four existing driveways that connect to Austin Street will provide ingress or egress to one-way drive aisles that access Austin Street.

Within the parking field on the south side of the building, there are two one-way traffic aisles that run to the north and two one-way drive aisles that run to the south. Each of the four on-way drive aisles is 18 feet in width, which meets the code minimum of 16 feet for one-way drive aisles that access 60 degree parking spaces.

Pedestrian access

There is an existing detached sidewalk on Riverside Avenue. A pedestrian pathway currently provides a direct ADA access from Riverside Avenue to the front of the entry of the school. The pedestrian pathway/plaza also provides access to the parking lot to the south for the facility. The applicant proposes a five foot attached side walk along the north side of Edwards Street with street tree planter bulb out. On Niantic Street on the west the applicant proposes a five foot wide sidewalk and a five foot planter strip. Likewise on the parcels that the applicant has control over on Austin Street, a five foot sidewalk and five foot planter strip are also proposed. The applicant has filed an Exception request for deviations from the standard cross section for minor collector

street (Edwards) and for Austin Street to maintain the existing right-of-way width. Thus, the applicant is requesting a five foot planter strip in lieu of the eight-foot planter strip.

Parking

Vehicular

The narrative indicates that there is a minimum of 63 spaces required for the development and a maximum of 68 parking spaces required for this development overall. The existing number of parking stalls of 70 spaces. The applicant requests five additional spaces for a total of seven spaces over the maximum to allow for future staffing changes. The proposed site plan provides a total five ADA spaces; four spaces are at the entry of the main facility and one space is located at the health center.

With the exception of the two-way alley, all drive aisles are one-way and meet or exceed the 16-foot width requirement for 60 degree parking. The existing parking surface is a flat painted blacktop surface. The applicant is now proposing a parking area that visually interrupted by landscape islands at the ends of each parking row. Parking lot planters are dispersed throughout and contain the total overall required landscaping area specified in the planting schedule of Subsection 10.746(3) of the MLDC. The subject site design meets and exceeds design requirements for parking islands and projections.

It appears that the two northerly parking spaces in the first row encroach into the required ten foot front setback area for Riverside Avenue, and therefore encroaches into the required ten foot front yard landscaping area. It appears that in order to meet the required ten foot minimum landscape area from property line, one parking space will need to be removed; the other space can likely meet compact parking depth requirement with a ten foot front landscape yard. Staff recommends that the Commission recommend to the Planning Commission that a minimum of ten feet of landscaping depth be maintained along Riverside Avenue as required by code.

Bicycle

The site development plan shall include a bicycle parking plan, drawn to scale and submitted with the development permit application. The plan shall show all those elements necessary to indicate that the requirements of the Code are being fulfilled. Section 10.748 of the MLDC provides bicycle parking standards for institutional uses. Bicycle parking spaces for institutional uses shall be 10% of the number of spaces provided for automobiles, to be calculated by rounding up to the nearest whole number. The master plan shows the correct bike rack detail but the location of the bike racks do not appear on the plan. The MLDC requires that the applicant provided eight bicycle parking spaces near the main entry of the facility. Staff recommends that the Site Plan and Architectural Commission recommend to the Planning Commission that a minimum of eight bicycle stalls be included near the front entry.

Landscape Plan (Exhibit J)

The applicant has submitted a landscape plan that can be found to comply with the requirements of MLDC Section 10.746 regarding parking area planters and with Section 10.780 regarding site landscaping with one exception. The applicant is proposing a new athletic field at the northwest corner of the site, which will be approximately 17,000 square feet of turf. The recreational field encompasses more than half of the total site landscaping; therefore, high water usage exceeds any maximum threshold for any of the underlying districts. MLDC Section 10.780(C)(2) allows for the approving authority to make an exception to the area of high water usage when a particular public benefit will be achieved. The benefit in this circumstance is that the turf will provide a safe play surface for the active recreation of the students. This is the only landscape area on the plan that employs turf landscaping.

Additionally, the Parks Department memo (Exhibit N) includes a recommendation that the Dogwood tree on Austin Street be replaced with a more sun tolerant species. Staff is recommending that the Site Plan and Architectural Commission recommend approval of the requested exception to the high water usage standards to the Planning Commission and endorse the revisions recommended by the Parks Department (Exhibit N).

Elevations (Exhibit E, F, I)

The exterior façade of the building will have a mix of materials. Primary materials used on the exterior walls include a gray ground CMU block along with cool black matte metal wall siding and large glazed windows. Other elements that that augment the building include an aluminum louvered awning and a standing seam metal roof. The west end of the building has large framed windows extending from the floor to ceiling that will provide natural lighting while being protected from direct sunlight by the aluminum awning system. Another feature of the proposed north elevation is a framing element so that murals can be included along the wall of the existing building. The architecture is four-sided, so exterior detailing will extend around the entire perimeter of the building.

The applicant is also proposing two modular buildings which include a cream colored vertical batt and board fiber siding with shingled taupe colored wainscot and large window frames with black vinyl framing. The roof of both structures consists of a dark composite asphalt shingle. Staff provides no recommendations regarding changes to any of the proposed campus buildings.

Concealments

HVAC Screening

Per the MLDC, HVAC units may not be visible from public streets, parking areas or pedestrian pathways. Though the findings are silent to this issue, none of the elevations or rendered perspectives shows that roof top equipment is visible. The two modular buildings located on the south side of the campus do have HVAC units located on the south side of the each building. Per MLDC Section 10.782, all HVAC equipment and roof-mounted wireless communication facilities shall be concealed from view. Where possible, such concealment should be accomplished using the architectural elements of the buildings (i.e., roof forms, parapets, wing walls, alcoves, etc.). Free standing walls or fences may also serve as sight-obscuring concealment devices. Chain link fencing, with or without slats, for fencing purposes is not permitted. Staff recommends that the Commission provide in its recommendation to Planning Commission that the HVAC units of the modular buildings be screened from view with a wood or vinyl fencing material.

Committee Comments

No comments were received from a committee such as BPAC.

Suggested Recommendations for the Planning Commission

1. Revise landscape plan per the Parks Department Memorandum dated April 20, 2016 (Exhibit N).

2. The fronting landscape area along Riverside Avenue shall be a minimum of ten feet as required by the Medford Land Development Code.

3. A minimum of eight bicycle stalls be shall be included near the front entry.

4. HVAC units of the modular buildings shall be screened from view with a wood or vinyl fencing material.

EXHIBITS

A Site Plan Cover Page, received March 3, 2016
B Master Site Plan, received March 3, 2016
C Site Demo Plan, received March 3, 2016
D Site Survey, received March 3, 2016
E Campus Renderings, received March 3, 2016
F Existing and new multi-purpose building elevations, received March 3, 2016
G Existing and new multi-purpose building Floor Plans, received March 3, 2016

H Existing and new multi-purpose Roof Plan, received March 3, 2016
I Modular Buildings, Elevations and Floor Plans, received March 3, 2016
J Landscape Pan, received March 3, 2016
K Proposed Street Cross Sections, received March 3, 2016
L Jackson County Assessor Map with site depicted, received March 3, 2016
M Conditional Use Permit and Exception Request Findings of Fact and Conclusions of Law, received March 3, 2016
N Parks Department Memorandum, received April 20, 2016
O Medford Public Works Department Staff Report dated April 28, 2016.
P Medford Water Commission Memorandum, dated April 13, 2016.
Q Medford Fire Department Report, prepared April 4, 2016.
R Building Department Memo, dated April 13, 2016.
Vicinity Map

SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA: MAY 6, 2016

KIDS UNLIMITED ACADEMY

SYMBOLS LEGEND:

DETAIL REF
SECTION CUT
WINDOW REF
DOOR (OR) KEY NOTE REF
WALL (OR) REVISION REF
INTERIOR ELEV REF
WINDOW TYPE
ROOM NUMBERS
SHEET REF
LARGE AREAS
REVISION INDICATOR
NORTH ARROW
GRID LINES
FLOOR LINE
SPOT ELEVATION
EARTH
BATT INSULATION
FRAMING LUMBER
GRAVEL
CONCRETE
PLYWOOD
RIGID INSULATION

ABBREVIATION LIST:

@	DIAMETER	FN	FINISH		
#	PLUS OR MINUS	FLUOR	FLUORESCENT	PLYWD	PLYWOOD
AB	ANCHOR BOLT	FR	FOOT	℄	PROPERTY LINE
ACOUST	ACOUSTICAL	FT	FOOT/FEET	PL	PLATE
AC	ASPHALTIC CONCRETE	FRM	FRAME	PR	PAIR
		GA	GAUGE		URINAL
AT	AIR	GAL	GALLON	PRD	PARTITION
	CONDITIONING	GALV	GALVANIZED	PVD	PAVED
AB	AIRSCREW	GB	GYPSUM	R	RADIUS
ABT	ABOVE FINISH		BOARD	RB	RUBBER BASE
	FLOOR	GLS	GLASS	RCPT	RECEPTACLE
AH	AIRHANDLER	GWB	GYPSUM		
ALL	ALL NOT NOTED		WALLBOARD	RE	REFRIGERATOR
ALT	ALTERNATE	GYPBD	GYPSUM	REF	REFERENCE
ALUM	ALUMINUM		BOARD	REG	REGISTER
APPROX	APPROXIMATE	GL	GALVANIZED	REINF	REINFORCING
ASSY	ASSEMBLY		GRILLE		ROOF
BLDG	BUILDING		LAMINATED	RH	RIGHT HAND
BLKG	BLOCKING	HB	KNOB HOLE	RM	ROOM
BM	BEAM	HC	HANDICAP	RO	ROUGH OPENING
BOT	BOTTOM		HOLLOW	RQD	REQUIRED
BRS	BACKER ROD	HDW	HARDWARE	SC	SOLID CORE
	ANALAGAT	HDR	HEADER	SCH	SCHEDULE
BU	BUILT UP	HM	HOLLOW	SHT	SHEET
CAB	CABINET		METAL	SIM	SIMILAR
CJ	CONTROL JOINT	HT	HEIGHT	SL	SLIDING
℄	CENTERLINE	HORIZ	HORIZONTAL	SOD	SAME OTHER
CLG	CEILING	HVAC	HEATING		SIDE
CMU	CONCRETE		VENTILATING	SP	STRUCTURAL
	MASONRY UNIT		AIR		PLYWOOD
COL	COLUMN		CONDITIONING	SPKR	SPEAKER
CONC	CONCRETE	ID	INTERIOR	SPEC	SPECIFICATIONS
CONT	CONTINUOUS		DIMENSION	SQ	SQUARE
CTR	COUNTER,	IE	EXAMPLE	STD	STANDARD
	CENTER	INSUL	INSULATION	STL	STEEL
CTSK	COUNTERSUNK	INT	INTERIOR	STOR	STORAGE
CU	CONDUIT	EQ	EQUAL	STRUCT	STRUCTURAL
D	DOOR	LAM	LAMINATE		STANDARD WELD
DH	DEADBOLT	LAV	LAVATORY	SS	STAINLESS STEEL
DIA	DIAMETER	L	ELBOW		STRUCTURAL
DIM	DIMENSION	LN	LINEAR	SUSP	SUSPENDED
DIST	DISTANCE	LT	INTERLOCK	SVN	SHEET VINYL
DN	DOWN	MAINT	MAINTENANCE		
DWG	DRAWING	MANUF	MANUFACTURER	SQ	SQUARE
EA	EACH	MAT	MATERIAL	THRSH	THRESHOLD
EJ	EXPANSION	MAX	MAXIMUM		
	JOINT	MC	MEDICAL	TC	TOILET
EMBED	EMBEDMENT		CABINET		COMPANY
			MISSILE	TEMP	TEMPERED
EQ	EQUAL		CABINET		TEMPORARY
EXP	EXPANSION		CONDUIT	THK	THICK
	JOINT	MECH	MECHANICAL	THRD	THREADED
EXT	EXTERIOR	MED	MEDICAL	TOG	TONGUE & GROOVE
FD	FLOOR DRAIN		MANUFACTURER		
FE	FIRE EXTINGUISHER	MIN	MINIMUM	TP	TOILET PAPER
FHC	FIRE HOSE CABINET		MINUTE	TYP	TYPICAL
FIN	FINISH	MO	MASONRY		
FLR	FLOOR		OPENING	UNO	UNLESS NOTED OTHERWISE
FLUOR	FLUORESCENT	MTD	MOUNTED		
FO	FIELD OBSERVATION		METAL	V	VANING
FOB	FREE BOARD	N/C	NOT	VCT	VINYL COMPOSITION TILE
FRC	FIBERGLASS REINFORCED CONCRETE		CONTACT		
FRP	FIBERGLASS REINFORCED PLASTIC	NOM	NOMINAL	VERT	VERTICAL
FT	FOOT/FEET	NTS	NOT TO SCALE	VCD	VERTICAL CHAIN DRAINSLASH
FW	FACE OF WALL	OBS	OBSOLETE		
FWP	FOOTING	OC	ON CENTER		
ES	EACH SIDE		OUTSIDE	VIN	VINYL
FS	FACE OF WALL	OPNG	OPENING	VTR	VENT THRU ROOF
EXH	EXHAUST	OA	OVERALL	W	WIDE
EXP	EXPANSION	OH	OVERHEAD	WD	WIDE WOOD
EXT	EXTERIOR	OV	OVER	W/	WITH
FIN	FINISHED	PBD	PARTICLE	W/O	WITHOUT
FL	FLOOR		BOARD	WD	WOOD
		PL	PLATE	WH	WATER HEATER
	EXTINGUISHER		PLASTIC	WP	WEATHERPROOF
	EXHIBITION	PLAM	LAMINATE	WR	WATER RESISTANT
	HIGH GLASS		PLYWOOD	WSCT	WAINSCOT
	EXHIBITORS	PLYWD	PLYWOOD	WWM	WELDED WIRE MESH
	DATUM AND	℄	PROPERTY LINE		
	ARCHITECTURAL				

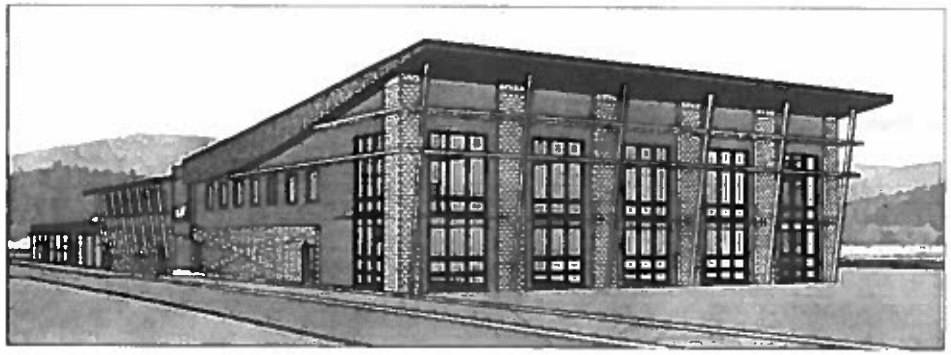
DRAWING INDEX:

ARCHITECTURAL:
A0 COVER SHEET
A01 MASTER PLAN
A02 DEMO SITE PLAN
A10 MAIN LEVEL FLOOR PLAN
A11 SECOND LEVEL FLOOR PLAN
A30 EXTERIOR ELEVATIONS
A31 EXTERIOR ELEVATIONS
A40 ROOF PLAN
A910 MODULAR HEALTH CLINIC
A920 MODULAR CLASSROOM BUILDING

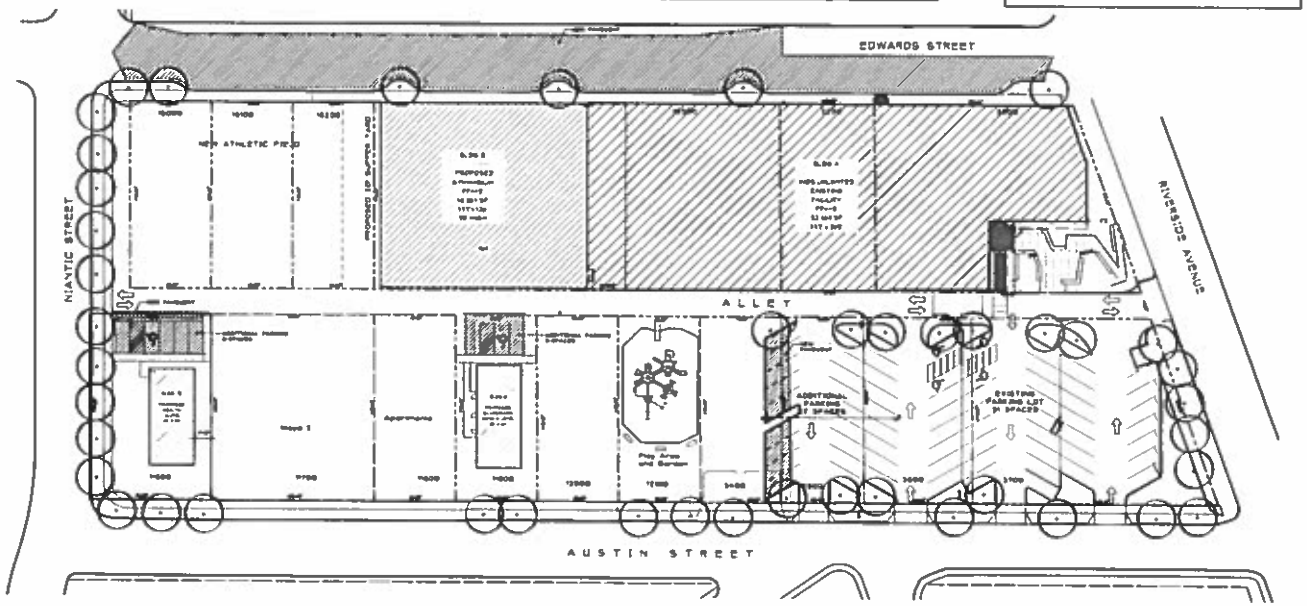
CIVIL:
C0 CONCEPT UTILITY
C1 CONCEPT GRADING
C51 STORMWATER SECTION

LANDSCAPE:
L0.0 LANDSCAPE PLAN

SURVEY:
SU1 TOPOGRAPHIC SITE SURVEY



NORTHWEST PERSPECTIVE



1 SCHEMATIC SITE PLAN
SCALE: 1" = 50'

PROJECT DESCRIPTION:

[illegible]

DIRECTORY:

[illegible]

AREA AND PLANNING ANALYSIS

MAP & TAX LOT	ZONING	LAND	DEMO	LEGACY USE	MASTERPLAN USE
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SQUARE FOOTAGE

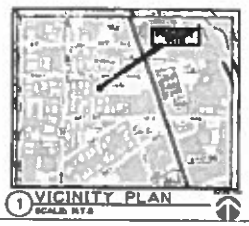
[illegible]

LOT COVERAGE

[illegible]

PARKING

[illegible]



1 VICINITY PLAN
SCALE: NTS

KIDS UNLIMITED
MEDFORD
MEDFORD, OR 97504

PLANNING DEPARTMENT

MARCH 3, 2016

A.0

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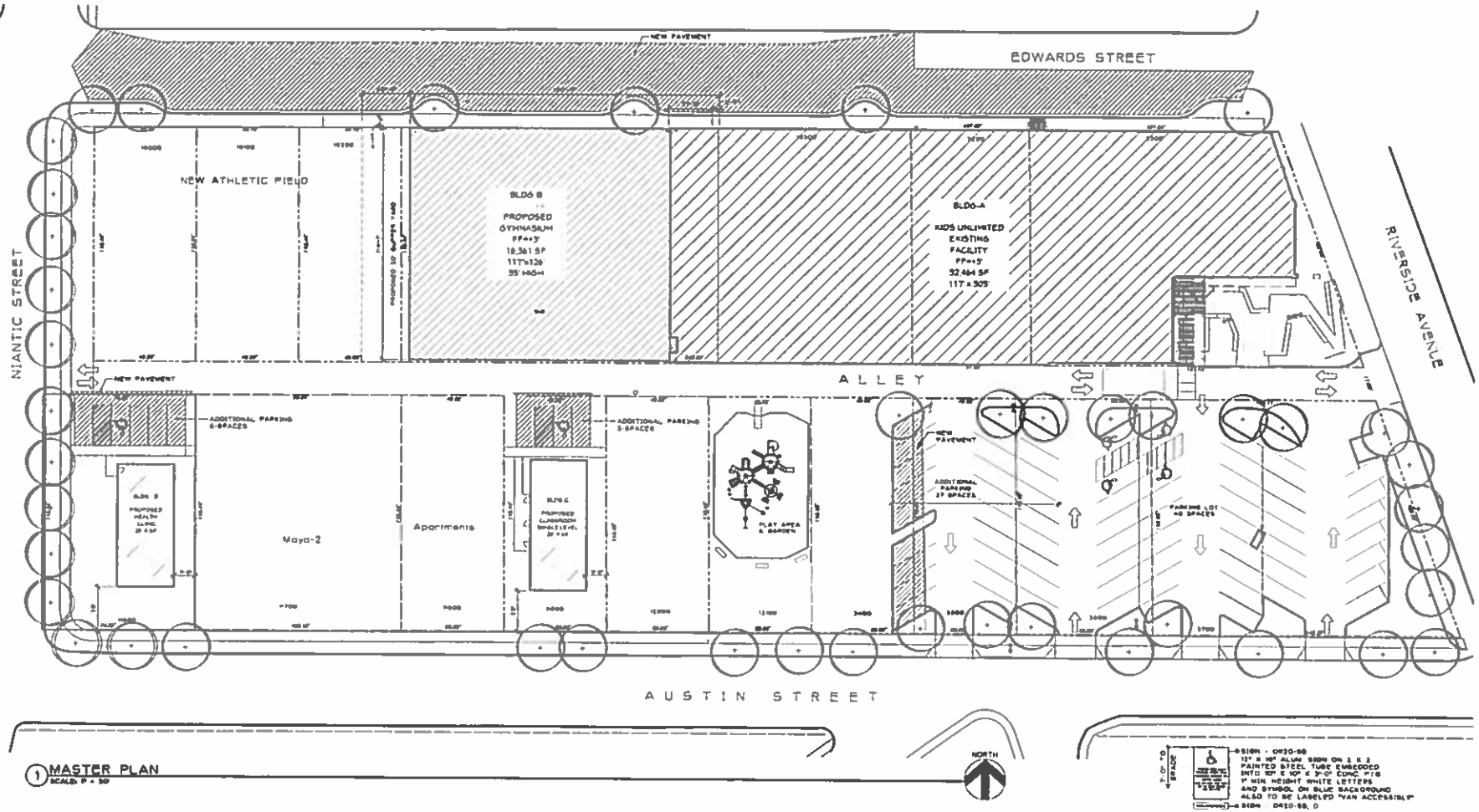
Page 192

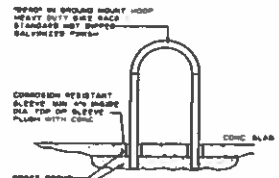
File # CUP-16-022 / E-16-023

CITY OF MEDFORD
EXHIBIT 14

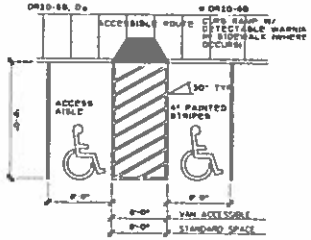
KIDS UNLIMITED ACADEMY MASTERPLAN



1 MASTER PLAN
SCALE: 1" = 30'



2 BIKE RACK DETAIL
SCALE: NTS



3 HC PARKING DETAIL
SCALE: NTS

KIDS UNLIMITED
MEDFORD
MEDFORD, OR 97504

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A0.1

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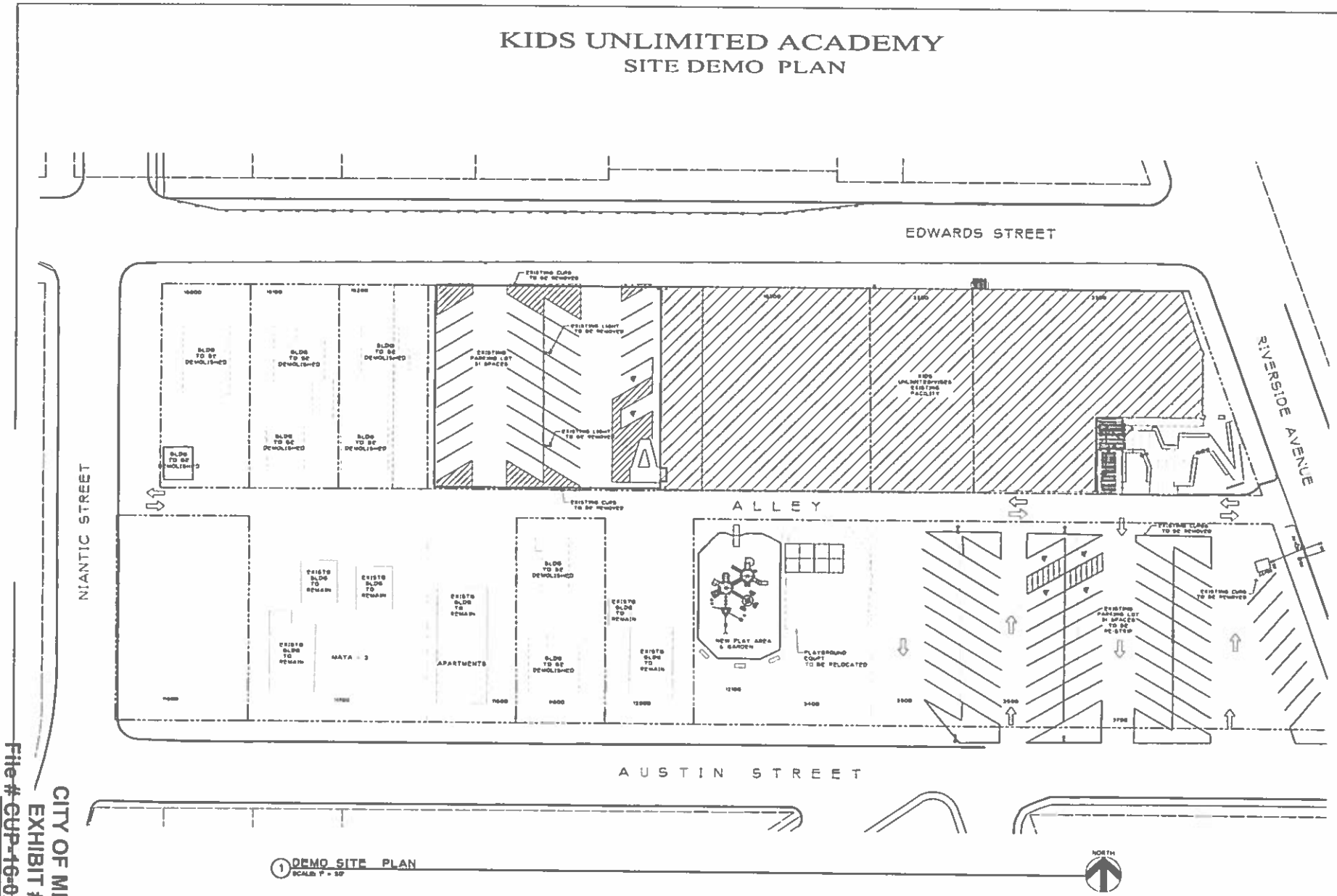
File # CUP-16-022 / E-16-023

KIDS UNLIMITED ACADEMY
SITE DEMO PLAN



1 DEMO SITE PLAN
SCALE: 1" = 30'

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MEDFORD, OR 97504

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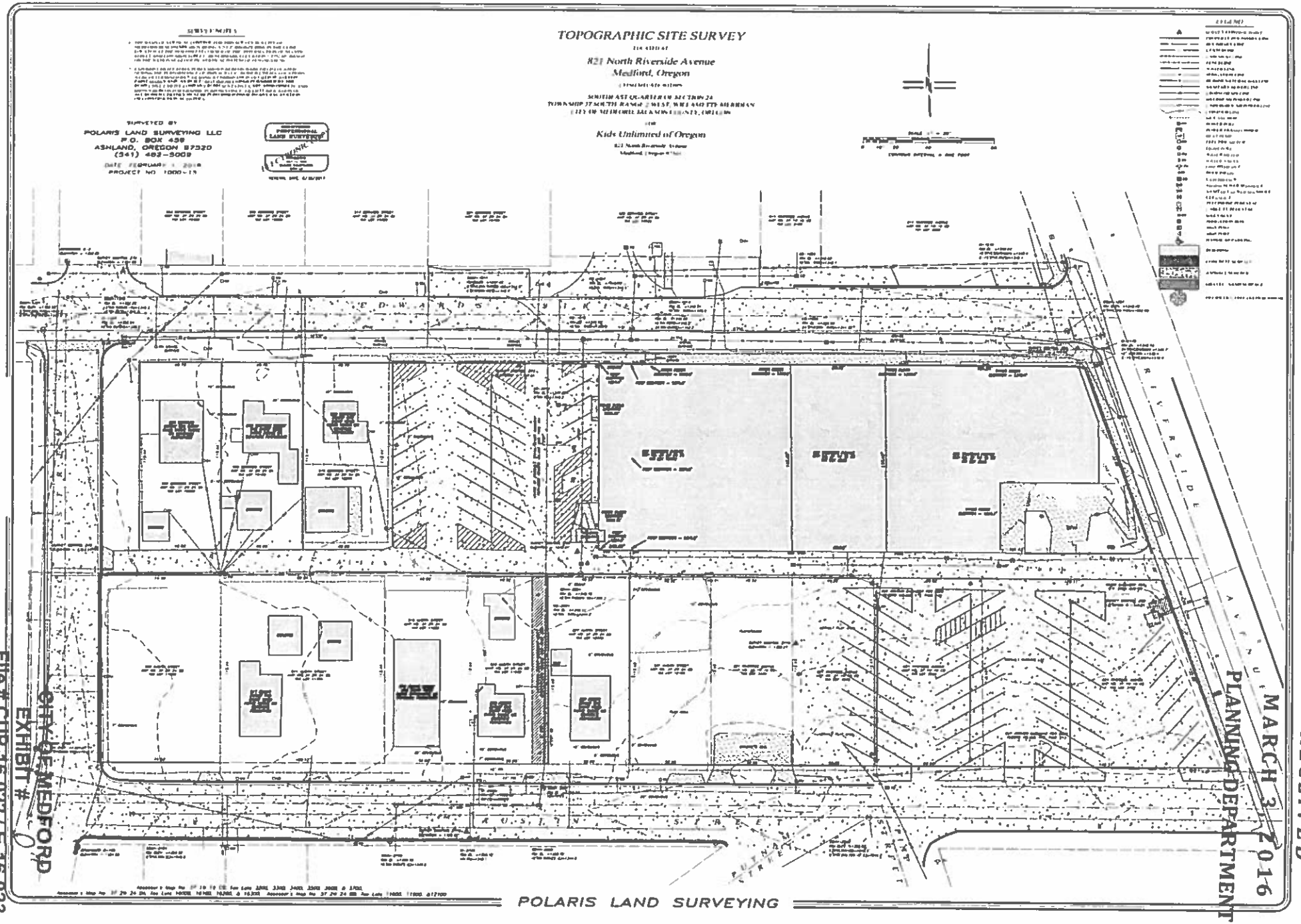

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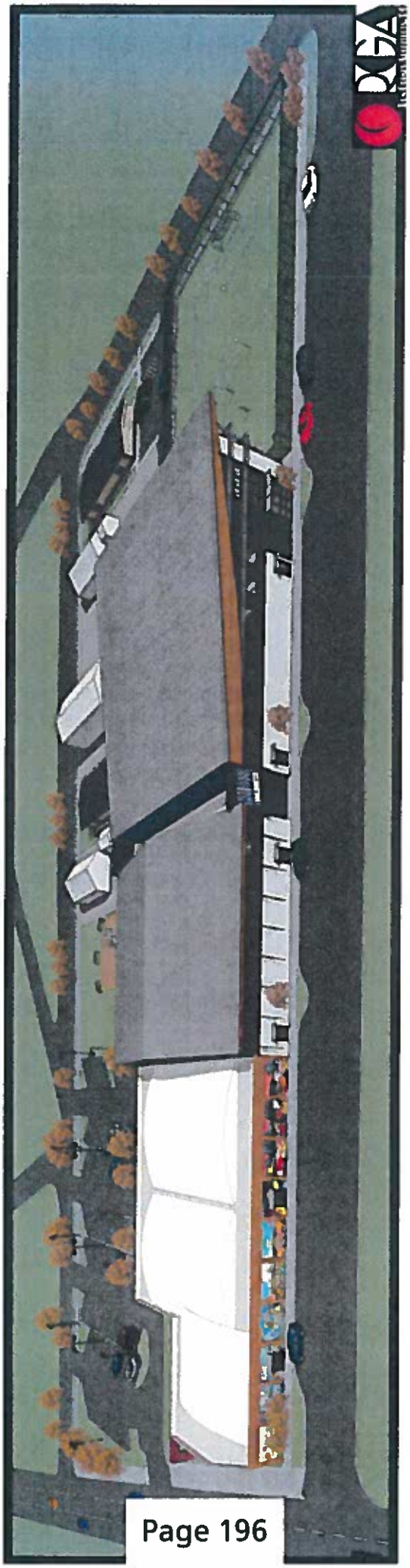

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EXHIBIT # "E"
File # CUP-16-022 / E-16-023

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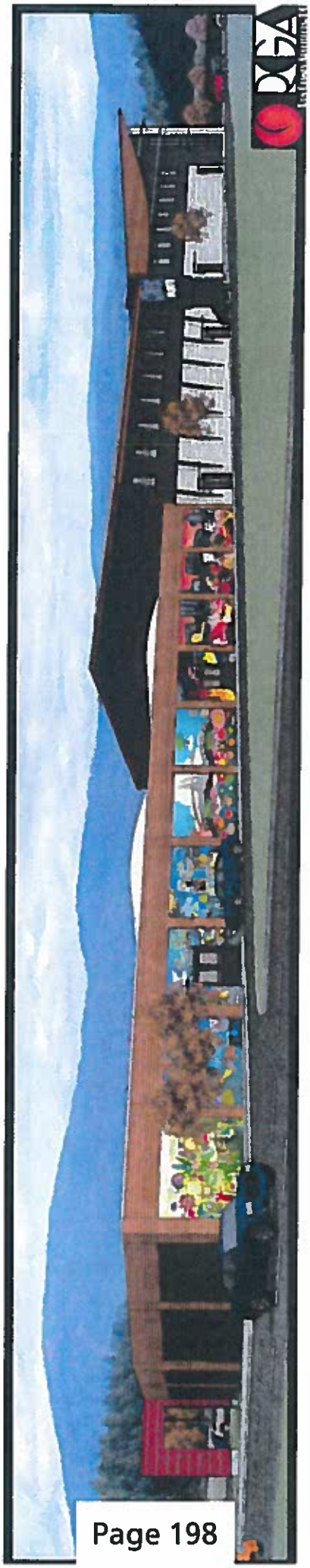
CITY OF MEDFORD
EXHIBIT # E
File # CUP-16-022 / E-16-023



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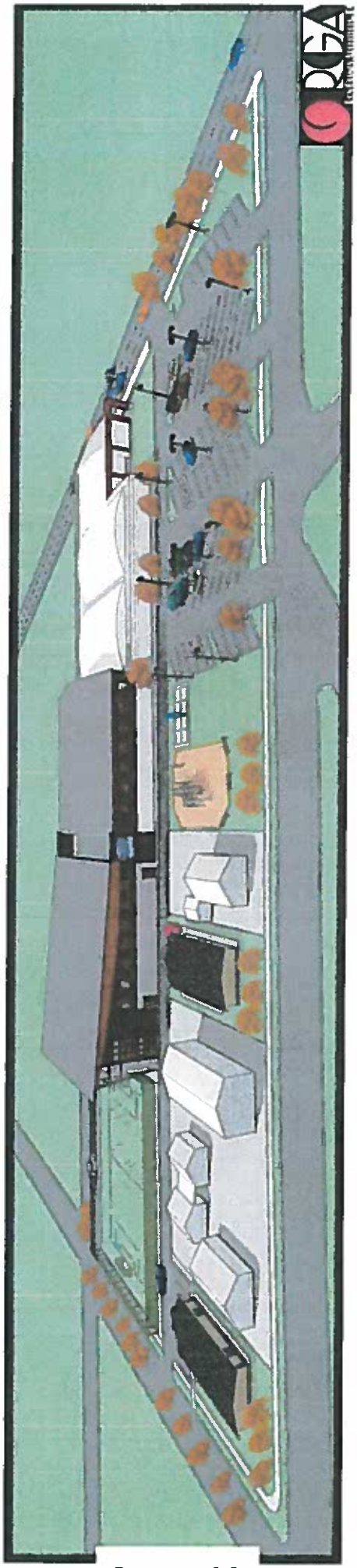

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EXHIBIT # "E"
File # CUP-16-022 / E-16-023

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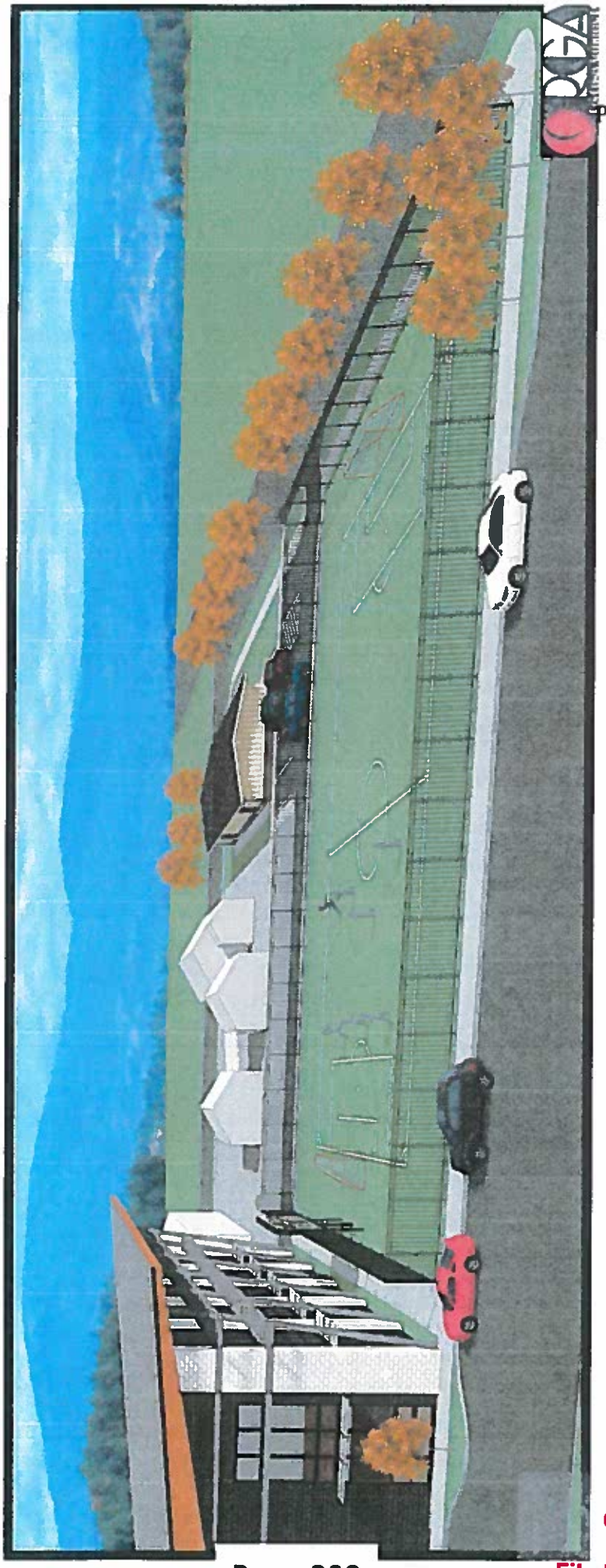

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File # CUP-16-022 / E-16-023

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CITY OF MEDFORD
EXHIBIT # "C"
File # CUP-16-022 / E-16-023

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CITY OF MEDFORD
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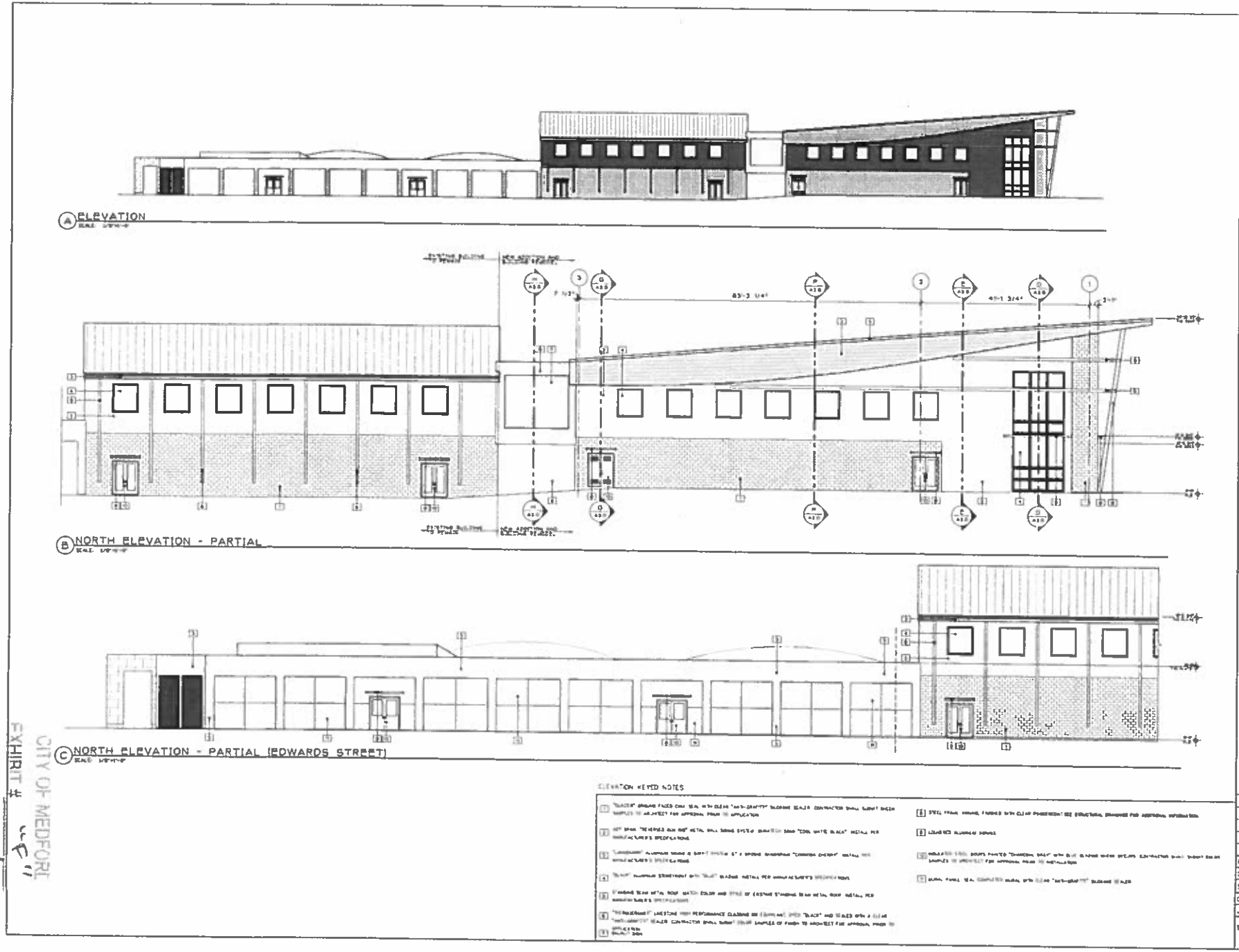
File # CUP-16-022 / E-16-023



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ORGA Co-Ford Architects, LLC

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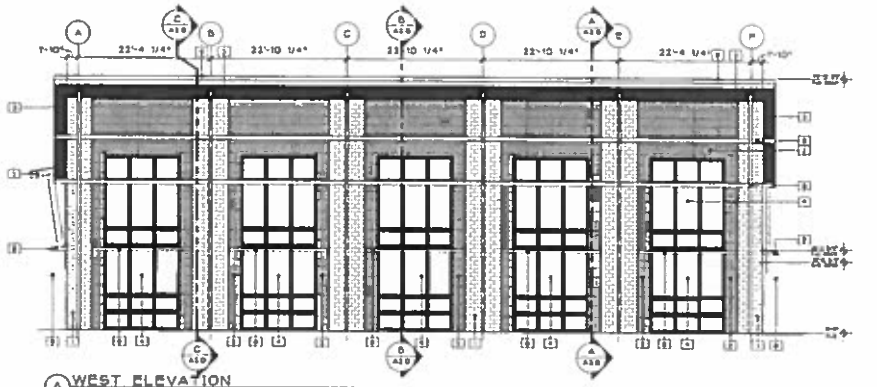
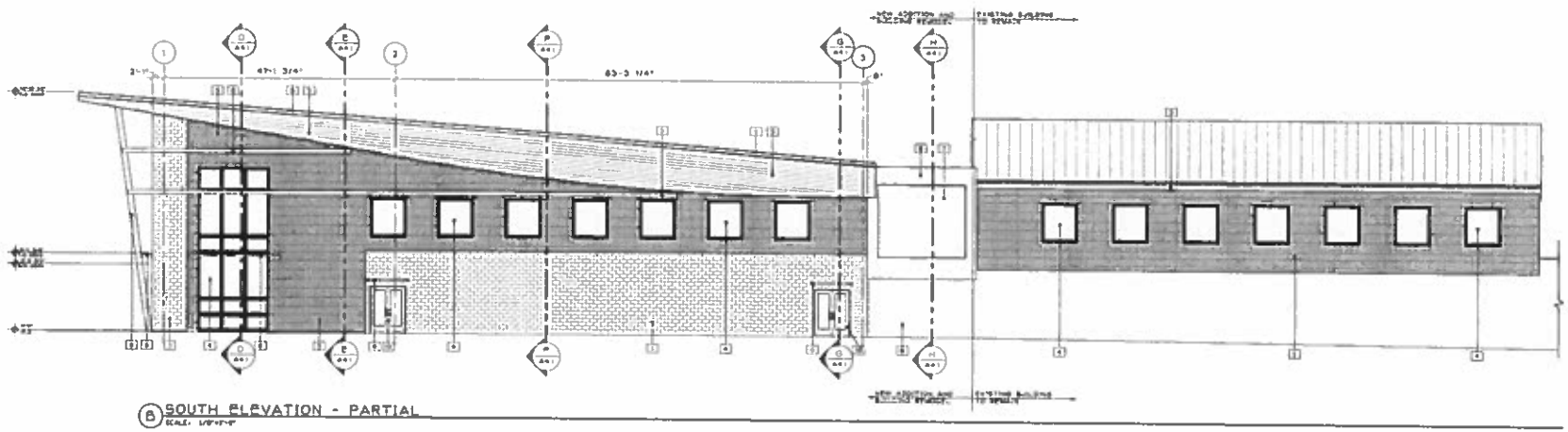
CITY OF MEDFORD
EXHIBIT # "F"

File # CUP-16-022/E-16-023
1 of 2



A WEST ELEVATION



B SOUTH ELEVATION - PARTIAL

ELEVATION KEYED NOTES

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File # CUP-16-039/E-16-033
2 OF 2

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MEDFORD, OR 97504

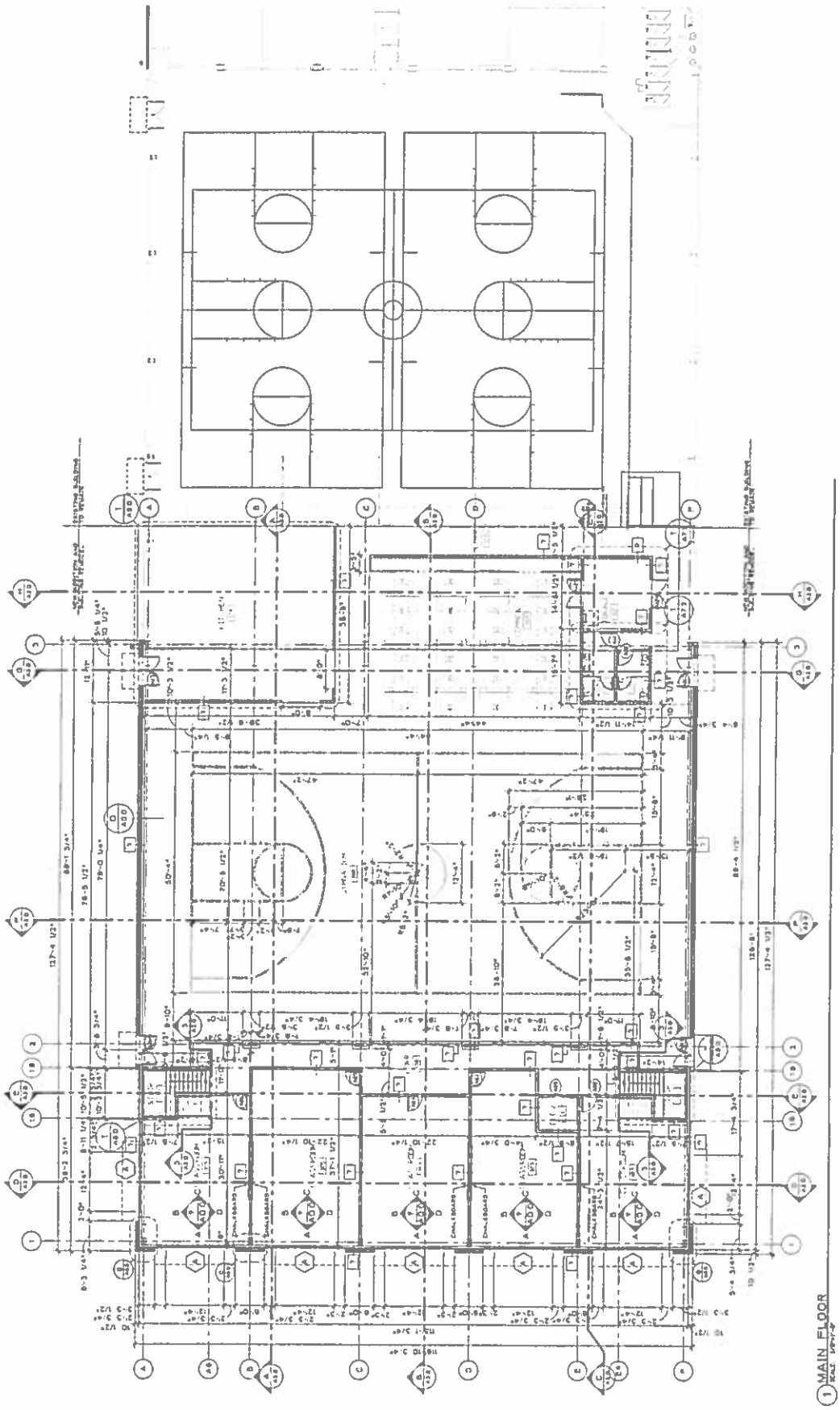

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EXHIBIT # "G"
File # CUP-16-022 / E-16-023
1 of 2

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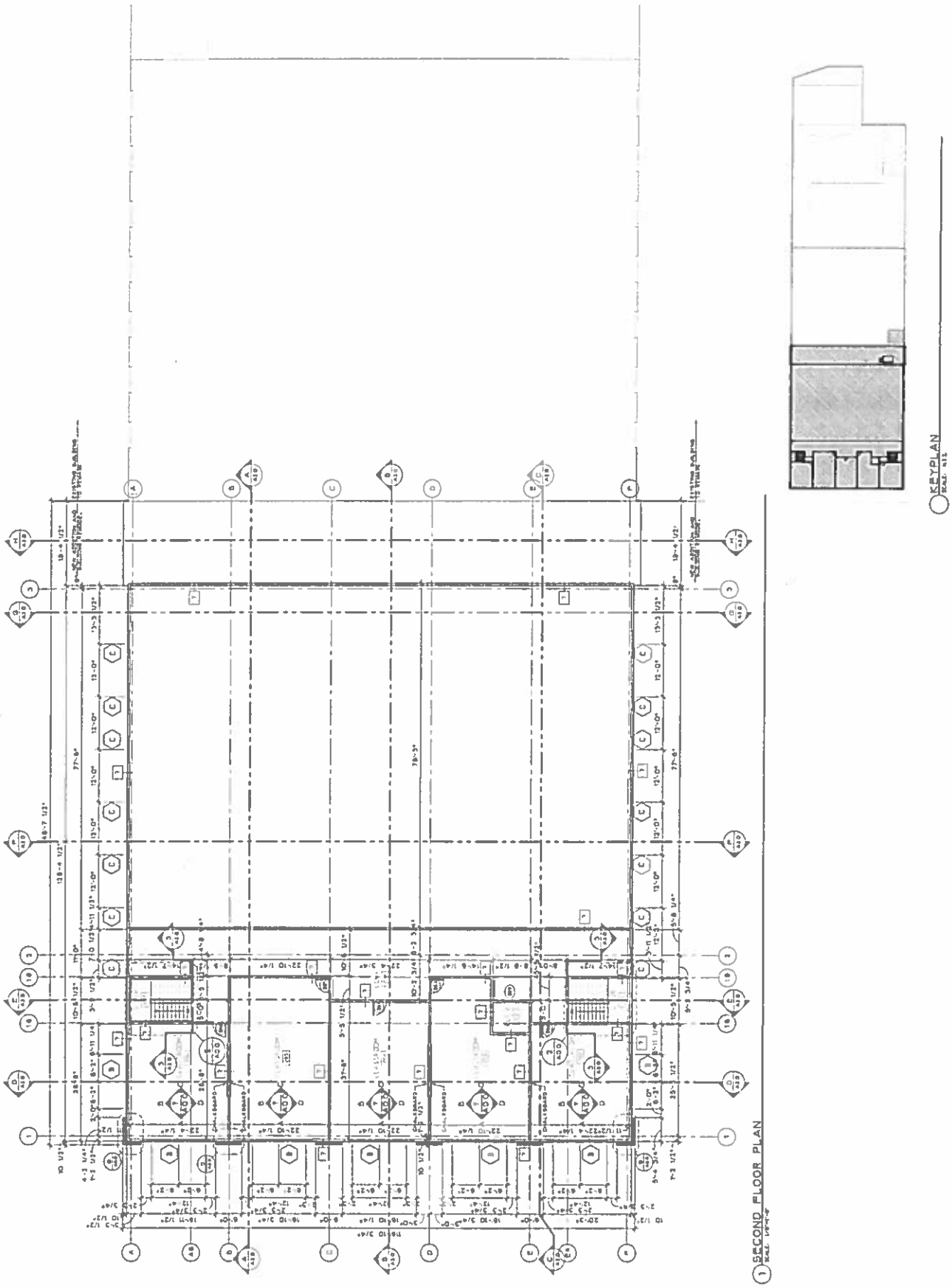
MEDFORD
MEDFORD, OR 97504

A2.1



CITY OF MEDFORD
EXHIBIT # "G"
File # CUP-16-022 / E-16-023
2 of 2

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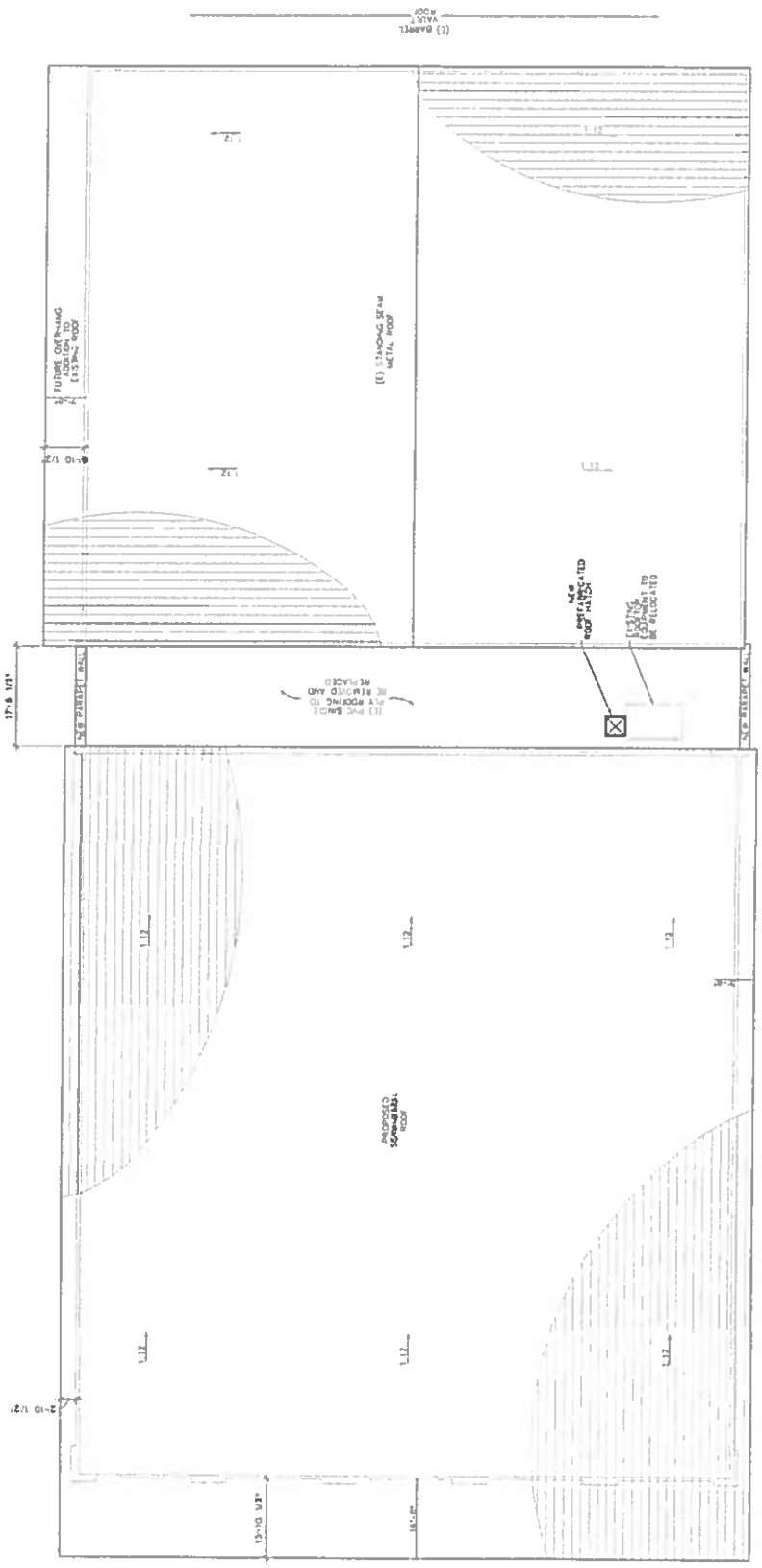
MEDFORD, OR 97504



CITY OF MEDFORD
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File # CUP-16-022 / E-16-023

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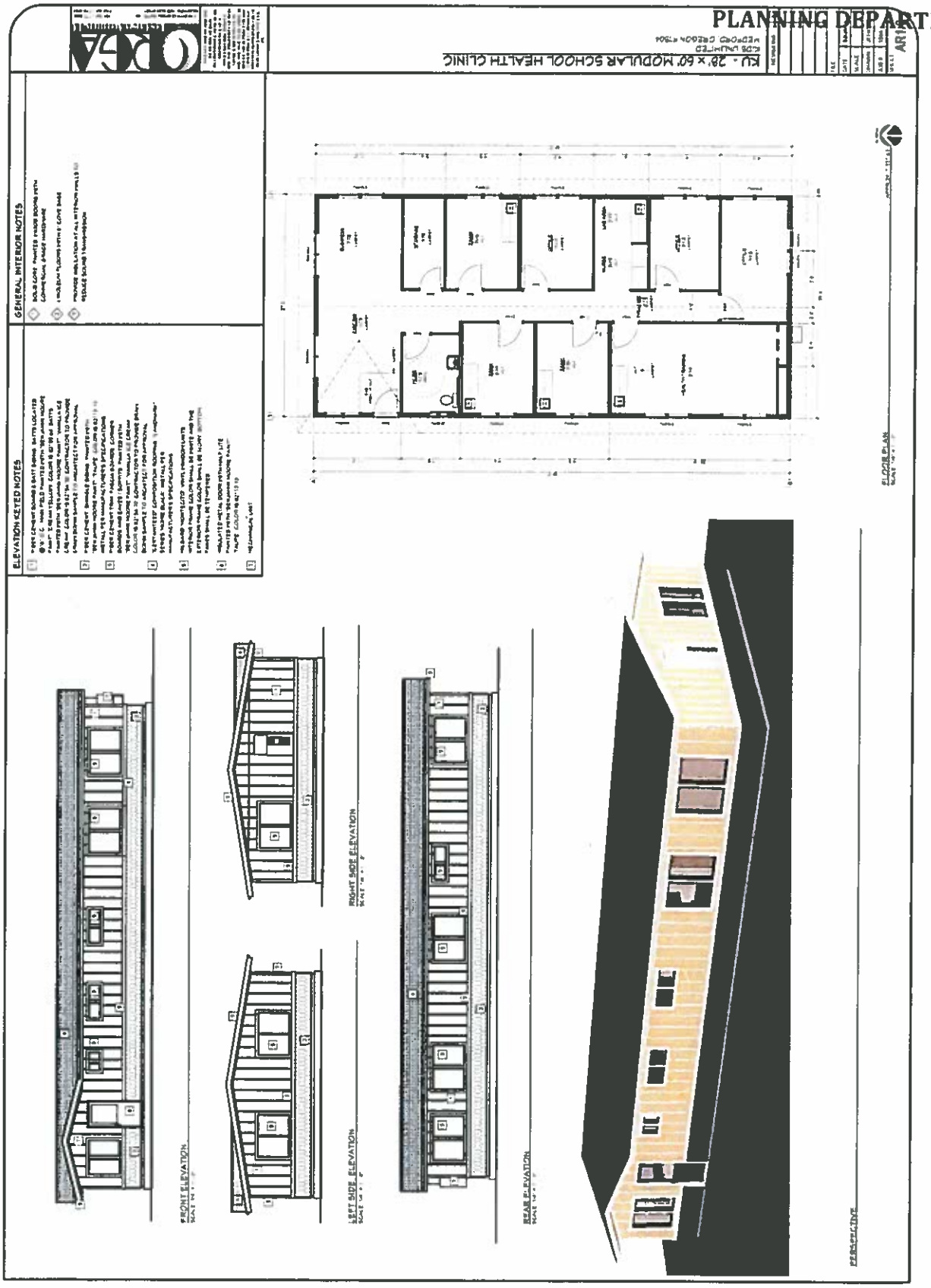

CITY OF MEDFORD
EXHIBIT # "I"
File # CUP-16-022 / E-16-023
1 of 2

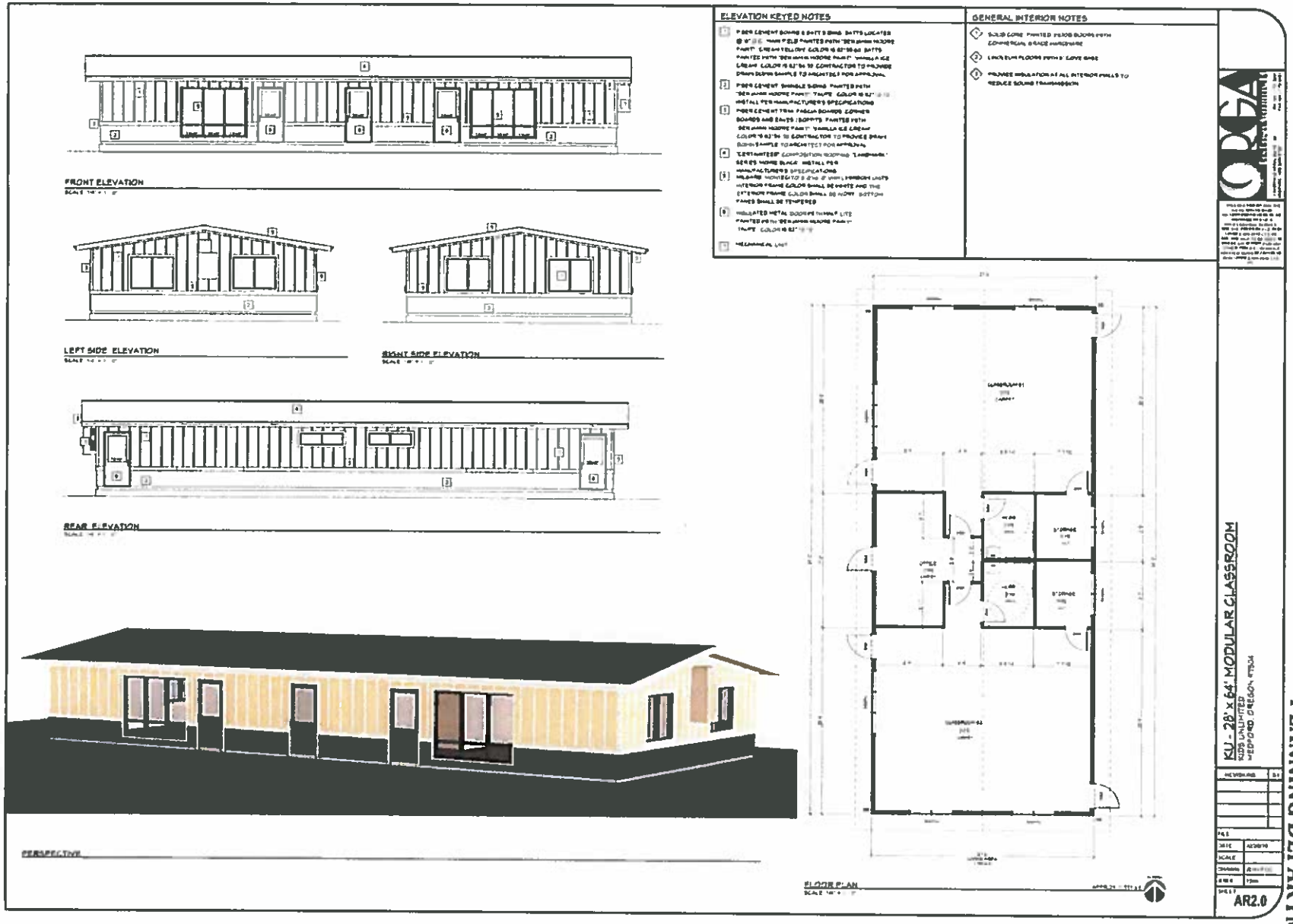

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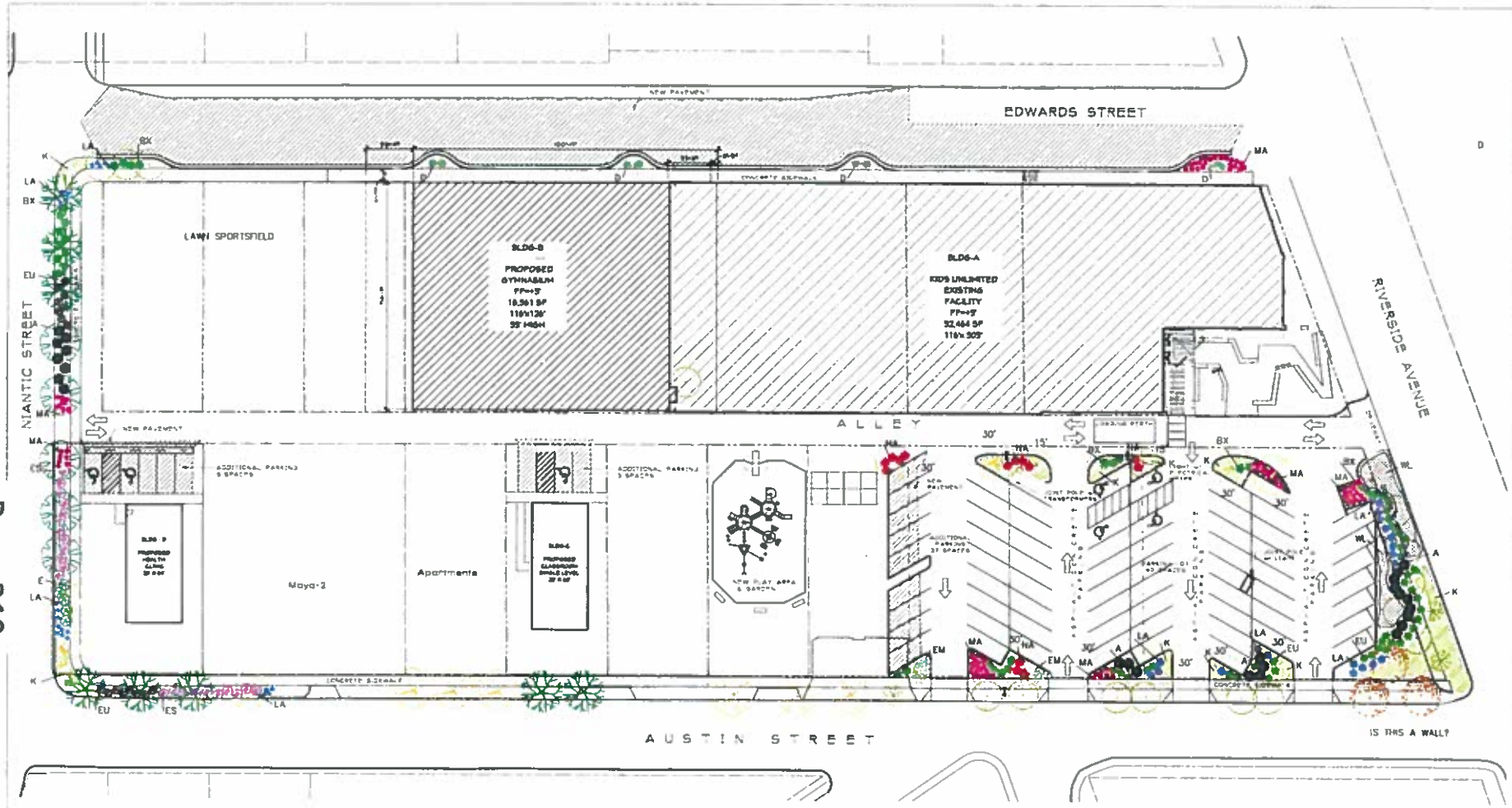
EXHIBIT # 1
File # CUP-16-022 / E-16-023



1 LANDSCAPE PLAN
SCALE: 1" = 10'

NORTH

SHRUB & GROUNDCOVER LEGEND

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE
A = ABELIA	ABELIA	ABELIA 'GRANDIFLORA'	2 GAL.
BX = BOXWOOD	BOXWOOD	BUXUS SEMP. 'GREEN GEM'	2 GAL.
EU = EUONYMUS	EUONYMUS	EUONYMUS JAPONICUS	2 GAL.
ES = EMERALD SWEET	EMERALD SWEET	EUONYMUS JAP. 'EMERALD SWEET'	2 GAL.
EM = EMERALD	EMERALD GAIETY	EUONYMUS JAP. 'EMERALD GAIETY'	2 GAL.
LA = LOCAL	LOCALONIA	LOC. FRUIT. 'PINK PRINCESS'	2 GAL.
EU = EUONY-S	EUONYMUS	EUONY. 'SILVER QUEEN'	2 GAL.
LA = LAVENDER	LAVENDER	LAVANDULA 'MUNSTEAD'	1 GAL.
MA = MAHONIA	OREGON GRAPE	MAHONIA AQUIF. 'COMPACTA'	1 GAL.
NA = NANDINA	HEAVENLY BAMBOO	NAND. DOMESTICA	15-18"
CR = OTTO	LAUREL	PRUNUS OTTO LUYKEN	3 GAL.
WL = WILTONI	BLUE RUG	ARCTOSTAPHYLOS UVA-URSI JUNIPERUS HOR. 'WILTONI'	1 GAL. 6" O.C. 1 GAL. 6"O.C.

TREE LEGEND

SYMBOL	COMMON NAME	BOTANICAL NAME
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

LANDSCAPE NOTES

1. 6" 70/30 BLENDED TOPSOIL/COMPOST IN SHRUB BEDS.
2. 4" BARK MULCH IN ALL SHRUB BEDS.
3. 6" 70/30 BLENDED TOPSOIL/COMPOST IN ALL LAWN AREAS.
4. DRIP IRRIGATION IN ALL PARKING LOT AND BUILDING PLANTERS NOT IRRIGATED WITH SPRAY ZONES.
5. 1-1 G.P.H. EMITTER PER SHRUB 2-1 G.P.H. EMITTERS PER TREE
6. LATERAL LINE SIZE SHALL BE SUCH THAT VELOCITIES SHALL NOT EXCEED 5 F.P.S. AT ANY TIME.
7. DRIP ZONE "RAINBIRD XCZ-075 DRIP ZONE" WITH MEDIUM FLOW REGULATOR & FILTER
8. USE DEEP ROOT UB-24-2 ROOT BARRIERS OR EQUAL ON ALL TREES WITHIN 5'-0" OF HARDSCAPE.
9. ALL DECIDUOUS TREES ARE 1 3/4" CALIPER
10. STRUCTURAL SOIL SHALL BE UTILIZED WHERE NECESSARY TO MEET SECTION 10.780 G 10
11. SOILS SPECIFIED EXCEED SOIL PREP REQUIRED SUBSECTION 10.780 C 8 b

WORK BY OTHERS

1. PROVIDE SUBGRADE FREE OF SHALE, CONCRETE, ASPHALT, BUILDING RUBBLE, ETC.
2. IRRIGATION SOURCE SHALL BE 85 psi MINIMUM
3. PROVIDE 110 V TO CONTROLLER-HARD WIRE IN
4. PROVIDE SLEEVES UNDER HARD SURFACES 12-18" DEEP, CAP OR TAPE ENDS.
5. EXPOSE ENDS OF ALL SLEEVES FOR LANDSCAPE CONTRACTOR
6. 2" SLEEVES FOR LIFT AND BUILDINGS.
7. 6" SLEEVES FOR MAIN AND SUB-MAINS.
8. STRUCTURAL SOIL SHALL BE PER CITY OF MEDFORD REQUIREMENT OF TWO CUBIC FEET OF SOIL VOLUME PER EACH SQUARE FOOT OF TREE CANOPY AT MAXIMUM- CANOPY NOTED ON PLAN MINIMUM DEPTH OF SHALE FEET

LANDSCAPE PLAN
FOR
KIDS UNLIMITED
FEBRUARY 17, 2016

NATURAL SYSTEMS LANDSCAPE, INC.
DESIGNS BY: MICHAEL STARR
LCB 10060 ALL PHASE CONTRACTOR
770 2065
MEDFORD, OREGON

Lr

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MEDFORD
MEDFORD, OR 97504

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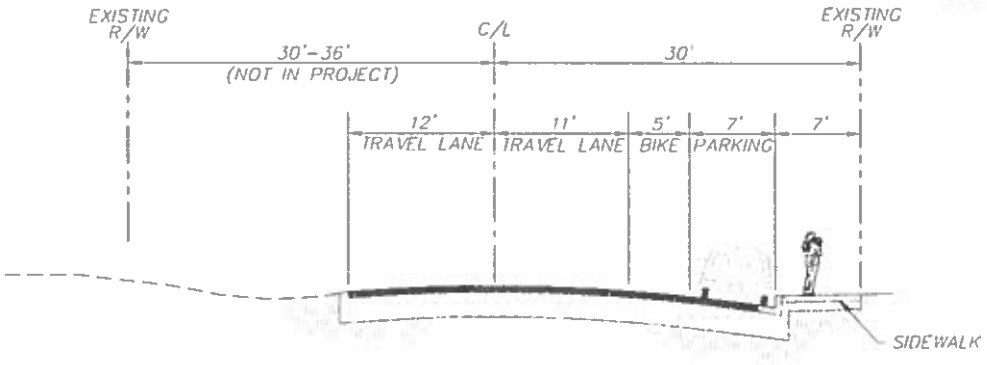
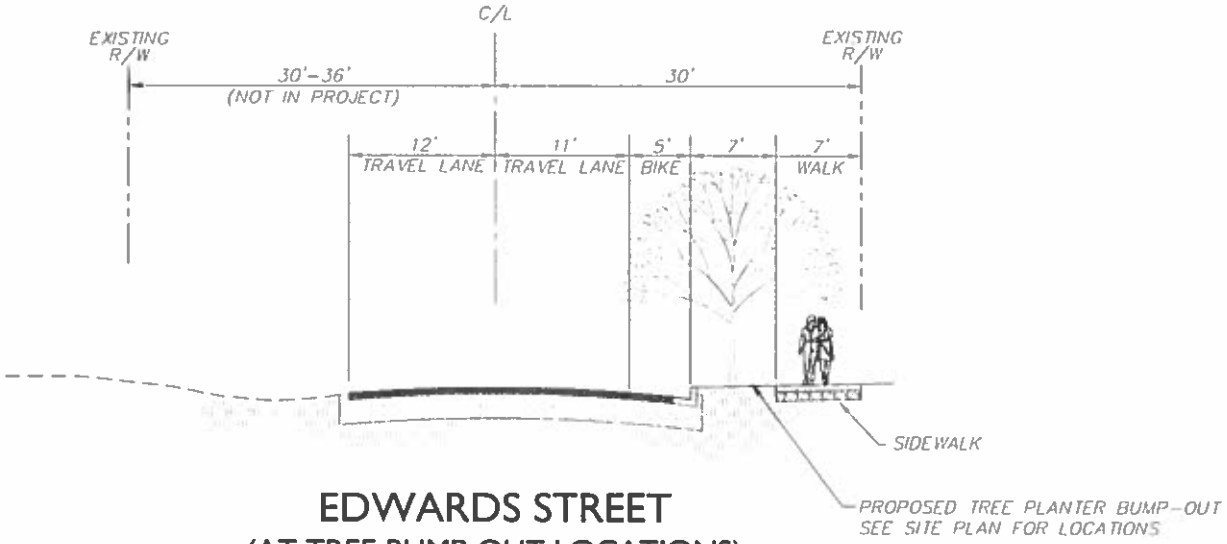
B



EDWARDS STREET



EDWARDS STREET
(AT TREE BUMP-OUT LOCATIONS)

EXHIBIT C0

CONSTRUCTION ENGINEERING CONSULTANTS, INC.
P.O. BOX 1724 • MEDFORD, OREGON 97501
PH. (541) 779-5260 FAX (541) 779-3139

DRAWN: MWK	DATE: 2/16	CONSTRUCTION ENGINEERING CONSULTANTS, INC.	SHEET 3 OF 3
CHECKED: MWK, AMB	DATE: 2/16	KIDS UNLIMITED	
APPROVED:	DATE	EDWARDS STREET PROPOSED STREET CROSS SECTION	
APPROVED:	DATE	DATE: 2/4/16	

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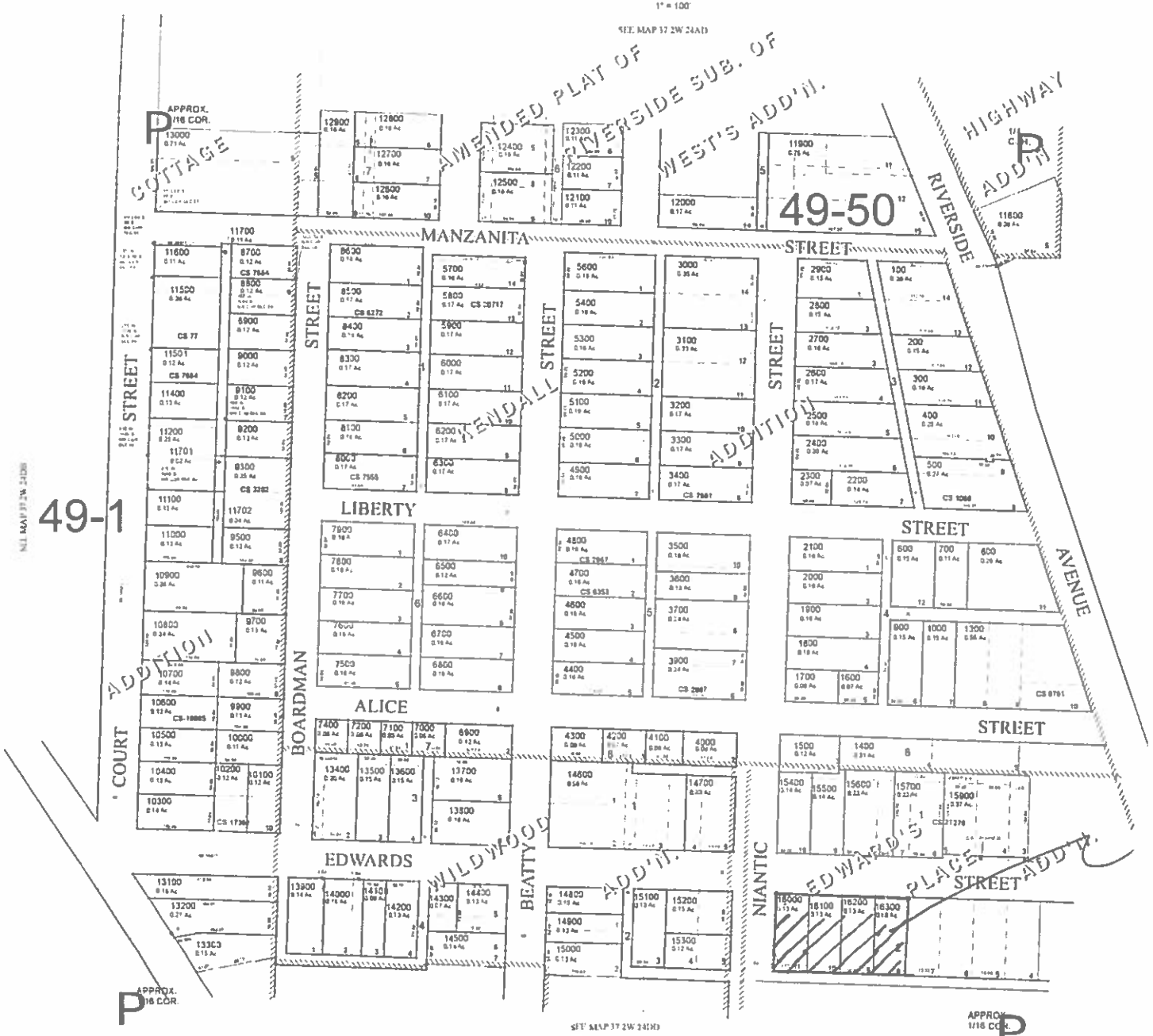
File # CUP-16-022/E-16-023

FOR ASSESSMENT AND TAXATION ONLY

N.E.1/4, S.E.1/4, SEC.24, T.37S., R.2W., W.M.
JACKSON COUNTY
1" = 100'

37 2W 24DA
MEDFORD



CANCELLED TAX LOT NUMBERS
11300
1200
1401 REMAPPED TO 372W19CB
15800 ADDED TO 15900
201 ADDED TO 1401
1600
7300
9400

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37 2W 24DA
MEDFORD
NEW MAP APRIL 09 2007
REV OCTOBER 14 2015

CITY OF MEDFORD
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File # CUP-16-022 / E-16-023

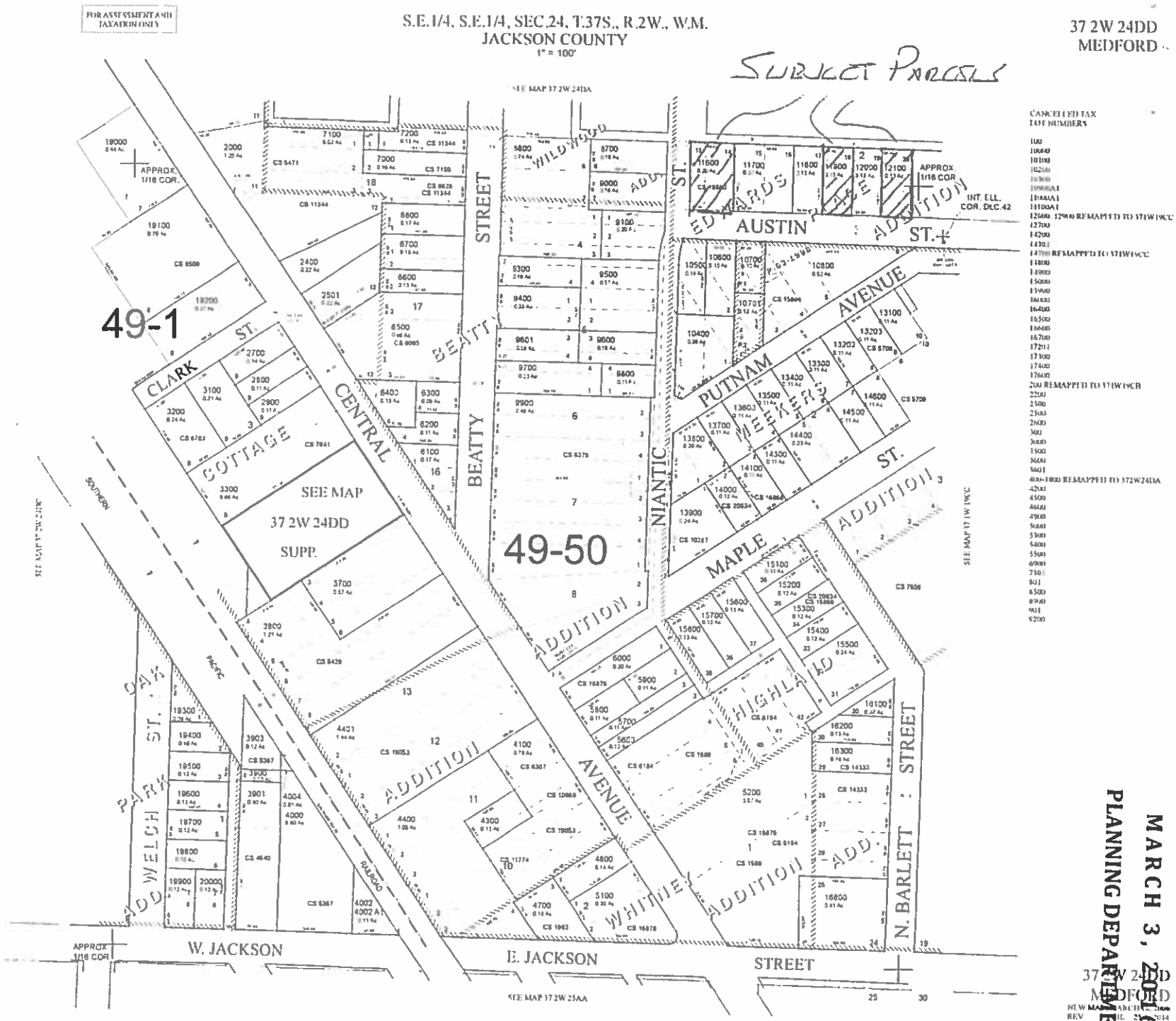

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EXHIBIT # "L"
File # CUP-16-022 / E-16-023
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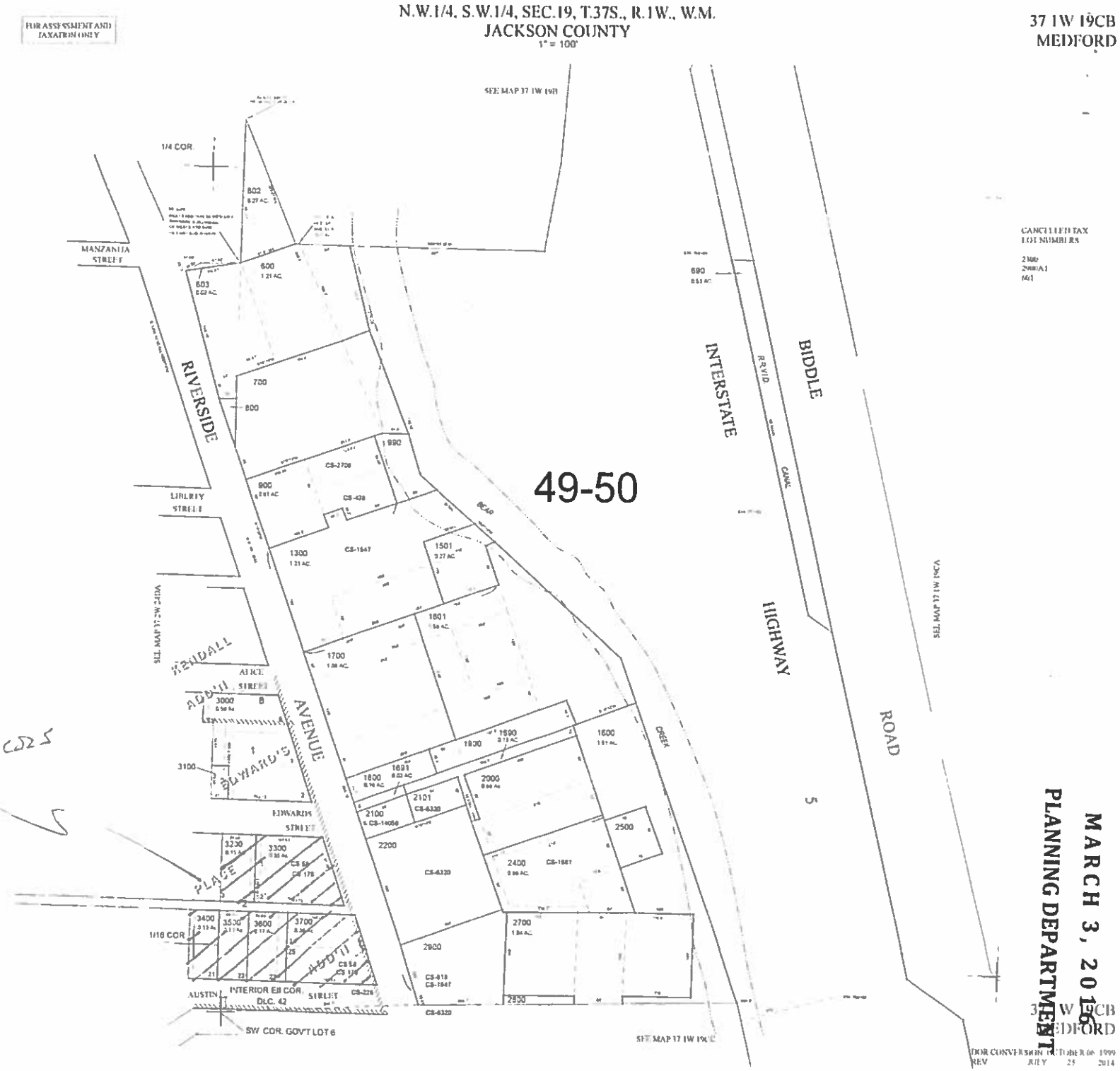

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EXHIBIT # 11
File # CUP-16-022 / E-16-023
2 of 2

3

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

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

IN THE MATTER OF AN APPLICATION FOR	)	
CONDITIONAL USE PERMIT OF PROPERTY	)	
IDENTIFIED AS T372W24DA TL 16000, 16100	)	**FINDINGS OF FACT**
16200, 16300 T372W24DD TL 11600, 11900, 12100	)	**AND**
372W24CB TL 3200, 3300, 3400, 3500, 3600, 3700	)	**CONCLUSIONS**
KIDS UNLIMITED APPLICANT	)	**OF LAW**
SCOTT SINNER CONSULTING, INC. AGENT	)	

I. BACKGROUND INFORMATION

Applicants:

Kids Unlimited of Oregon
Tom Cole, Executive Director
821 North Riverside Avenue
Medford, OR 97501

Chuck Martinez
Board President
222 NE Park Plaza Dr. Suite 116
Vancouver, WA 98684

Agent:

Scott Sinner Consulting, Inc.
4401 San Juan Dr. Suite G
Medford, OR 97504
541-772-1494
scottsinner@yahoo.com

Properties:

371W19CB TL 3200
.15 acres C-C Zoning

371W19CB TL 3300
.35 acres C-C Zoning

371W19CB TL 3400
.13 acres SFR-10 Zoning

CITY OF MEDFORD
EXHIBIT # "M"
File # CUP-16-022 / E-16-023

371W19CB TL 3500
.13 acres SFR-10 Zoning

371W19CB TL 3600
.17acres SFR-10 Zoning
371W19CB TL 3700
.36 acres C-C Zoning

371W24DA TL 16300
.66 acres C-C Zoning

371W24DA TL 16200
.13 acres MFR-20

371W24DA TL 16100
.13 acres MFR-20

371W24DA TL 16000
.13 acres MFR-20

371W24DD TL 11600
.20 acres MFR-20

371W24DD TL 11900
.13 acres SFR-10

371W24DD TL 12100
.13 acres SFR-10

Summary:

This application requests a Conditional Use Permit (CUP) for a Master Plan for the Kids Unlimited Academy (KUA), a public Charter School. The campus has properties within the SFR-10, MFR-20 and the C-C zoning districts. Each zoning district allows a school as a Conditional Use.

The Campus is bordered by North Riverside Avenue on the East, Niantic Street on the West, Edwards Street on the North and Austin Street on the South. A map is attached to identify the specific properties of the Master Plan subject to this application.

The Academy currently has an enrollment of 300 students and will add 50 students in each of the next three years reaching a total enrollment of 450 students in grades kindergarten through 8th.

The elements of this application are as follows and will be detailed in these Findings of Fact.

1. Conditional Use Permit
    a. Master Plan
    b. Campus
    c. Bufferyard
    d. Murals
    e. Modular Structures
    f. Parking
    g. Scheduling of Development
    h. Extinguish Existing Property Lines Under Buildings
    i. Alley
    j. Traffic Impacts
2. Exception
    a. Lot Coverage
    b. Right of Way (ROW) Reduction for Edwards
        i. Eliminate Public Utility Easement on Edwards.
        ii. Street Section for Edwards
        iii. Street Tree Plan
    c. Right of Way Reduction for Austin Street to the Current ROW Width
    d. Setback Exception for New Multipurpose Building

The existing development was established under prior land development ordinances and there are several preexisting nonconformities on the campus. The approval of this CUP application with the requested Exceptions will bring the Academy in compliance with the MLDC.

Approval Criteria

10.248 Conditional Use Permit Criteria

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

(1) The development proposal will cause no significant adverse impact on the

livability, value, or appropriate development of abutting property, or the surrounding area when compared to the impacts of permitted development that is not classified as conditional.

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

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

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

Findings of Fact

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

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

(2) The development proposal is in the public interest, and although the

development proposal may cause some adverse impacts, conditions have been imposed by the approving authority (Planning Commission) to produce a balance between the conflicting interests.

The approval criteria for a Conditional Use Permit (CUP) within the Medford Land Development Code (MLDC) states the Planning Commission must conclude the application is consistent with either 10.248 (1) or (2).

These Findings of Fact will demonstrate the application is submitted with 10.248(2). The approval of this Conditional Use Permit (CUP) may cause some adverse impacts and conditions may me imposed to produce a balance between conflicting interests.

The area of the Academy is comprised of 13 individual taxlots in three zoning districts, Community Commercial (C-C), Multifamily Residential 20 units per acre (MFR-20) and Single Family Residential-10 units per acre (SFR-10). MLDC section 10.337 identifies SIC Classification 821 Schools as a conditional use. MLDC section 10.314 (6.(C identifies Schools as a conditional use for both the MFR-20 and SFR-10 zoning districts.

Kids Unlimited has provided high quality youth and community development services to Southern Oregon families for 18 years. Having recognized the need for an educational option that would more fully meet the needs of children, from working families, who are struggling to meet state standards in the Medford School District, Kids Unlimited opened a new charter school in the Medford School District in the fall of 2013.

The Academy operates a 7:30 to 5:30 extended school day program and also provides an extended school year program in the summer. The program provides an opportunity for quality education and supervision for working families in this urban location in a blighted section of the City. At the current enrollment, the Academy currently prepares and provides over 1,000 meals daily serving breakfast, lunch, and dinner. At full enrollment of 450 students in three years the Academy is projected to serve 1,400 meals per day.

Many of these families live in the same neighborhood as the campus. The intent is to improve the neighborhood from the inside out, providing personal enrichment to the families with the services and physical improvement to the neighborhood with these facilities. This means upgrading existing facilities while providing new functional and attractive buildings and site improvements.

The subject property is infill development constrained by adjacent uses, development patterns and ownerships not affiliated with the applicant. The implantation of the master plan requires the approval of multiple exceptions relating to the 13 tax lots. The MLDC states Exceptions are intended to be used sparingly however the existing urban development patterns result in the exception process as the only method to implement the requested plan.

The approval of this CUP will provide opportunities for enhanced community facilities and programs in one of Medford's most challenged neighborhoods.

Master Plan

The Applicant proposes a Master Plan to identify the extent of improvements, uses and activities for the Academy. The Master Plan includes all properties currently under the ownership of the Kids Unlimited Organization. The existing building houses the main buildings of the campus. This building was developed under previous land use codes and any existing non-conforming improvements are preexisting conditions.

The existing building was constructed with zero set backs on the north elevation on Edwards Street and south elevation adjacent to the Alley. There are currently multiple tax lots under this building. The applicant stipulates to complete the necessary process to consolidate or extinguish lot lines under buildings, provided those parcels are within the same zoning district.

The Master Plan identifies an attached addition to the existing building. This addition is proposed to match the zero setbacks of the existing north and south elevations. The addition includes the enlargement of the existing kitchen and food preparation area, and a multipurpose area which will be used for meal and indoor recreation activities.

The western end of the addition will be developed with 10 classrooms, (5 classrooms on each of two floors). The addition will be developed on an area that is currently used for parking for the Academy.

The Applicant owns three taxlots, 16000, 16100, and 16200 which are currently developed with residential structures. The buildings will be demolished and a sports field will be developed for outdoor recreation activities.

Taxlots 3700, 3600, 3500 are currently used for parking and maneuvering areas. The Austin Street frontages of these lots are essentially a single very wide access. The master plan proposes the establishment of landscaped parking end caps to provide improved control of the internal circulation of the parking and drop off areas. Trees are proposed in the parking areas and street frontage.

The primary access for the Campus is from Austin Street. The existing public alley currently intersects North Riverside Avenue. The private parking areas do not take direct access from Riverside Avenue.

Taxlot 12100 and a portion of 3400 are proposed with a playground area. Taxlot 11900 is currently developed with a duplex dwelling built in the 1940s. This duplex will be demolished. A modular classroom is proposed for this parcel. The school has an immediate need for classrooms for the 2016-2017 school year.

Taxlot 11600 is currently vacant. The property will eventually be developed with a school health clinic.

The Master Plan includes a cohesive street frontage improvement to the Campus on all four street frontages. The Riverside Avenue frontage of taxlot 3700 will be improved with tree plantings. Tax lot 3300 is currently improved with an attractive landscape plan and no additional landscaping of the Riverside frontage is proposed.

Edwards Street is classified as a minor collector street in the Transportation System Plan (TSP). The standard right of way of a minor collector is a 72 foot section, 36 feet from the centerline. The existing buildings are on the existing property line 30 feet from the centerline. This application includes an exception request to reduce the south of center line right of way width to 30 feet for the entire segment between Riverside Avenue and Niantic Street.

The Applicant's design team has coordinated the attached Edwards Street Frontage Plan with Planning and Public Works Staff. The frontage plan proposes a wider sidewalk along the zero setback building frontages and the use of street tree bulbs to provide shading and still providing some on street parking and a bike lane.

Niantic Street is currently improved with a paved section, curb and gutter. The segment of Niantic fronting TL 11600 will require a dedication of 14.5 feet for right of way. The street section, curb and gutter are in place and the right of way will be used for planter strip and sidewalk to be developed when the School health office is developed.

The Niantic frontage on TL 16000 includes 10 feet of surplus of right of way. The applicant has discussed a possible vacation of right of way with Public Works Staff. Public Works stated another option may be a revocable right of way permit may be an option. This area, if it becomes available, would be utilized as a 10 foot extension of the outdoor recreation field.

The Austin Street frontage from Riverside Avenue to the west boundary of TL 3600 does not have curb and gutter and 25 feet to the surveyed center line. The existing condition of the property is little definition for the entrance to the parking area. The Master Plan proposes parking lot end caps for street trees and definition to the existing parking facilities.

The TL 3500 to the Niantic / Austin intersection is currently improved with a paved street, and curb and gutter. The applicant has submitted an exception to maintain the existing ROW without further dedications. Currently, KU has 3 properties in the segment and proposed the planned frontage improvements at the time each tax lot is developed.

Campus

This CUP seeks to establish the parcels included in the application as a campus and the impacts of the campus are evaluated in that context.

The properties are within several zoning districts and have developed over years with various uses under expired development codes.
The recognition of a campus and the uses associated with the operation of the school impacts internal setbacks and buffer requirements between the properties in this application. The applicant intends to consolidate property lines that are currently under existing buildings however consolidations cannot be approved across zoning districts and General Land Use Plan Map designations.

Additionally, all zoning districts in the campus have a 40% maximum lot coverage standard in the MLDC. Several of the existing tax lots have 100% lot coverage and could not be brought into conformance with the current MLDC without considering all the parcels in the entirety as a campus.

The existing development, before any anticipated right of way dedications is at 38% lot coverage. After dedications, the proposed master plan will have 42% lot coverage. This application also requests and exception for 45% lot coverage. The approval of the exception for lot coverage for the Campus will permit the proposed Master Plan development at 42% lot coverage and provide for future expansion of approximately 1,800 square feet of future building lot coverage.

Approving the 45% lot coverage with this application would facilitate future development to be submitted for the City process with just a revision of the CUP and would not require an additional exception application at that time.

Bufferyards

10.790 Bufferyards

A. Purpose.
Bufferyards are utilized in order to minimize potential conflicts caused by in types and intensity of uses on adjacent properties. Factors to be mitigated include nuisances, such as visual impacts of buildings or parking areas, glare, views from upper story windows, dirt, litter, noise and signs.

B. Location.
Bufferyards shall be located along property lines which define the boundary between one zoning district and another, or along the boundary between a zoning district and a General Land Use Plan Map (GLUP) designation where there is not yet city zoning. The specific location of the bufferyard, relative to the

property line, is governed by Subsections C-E. Bufferyards are not required along any portion of a public right-of-way or private street.
[Amd. Sec. 8, Ord. No. 7776, Dec. 1, 1994.]

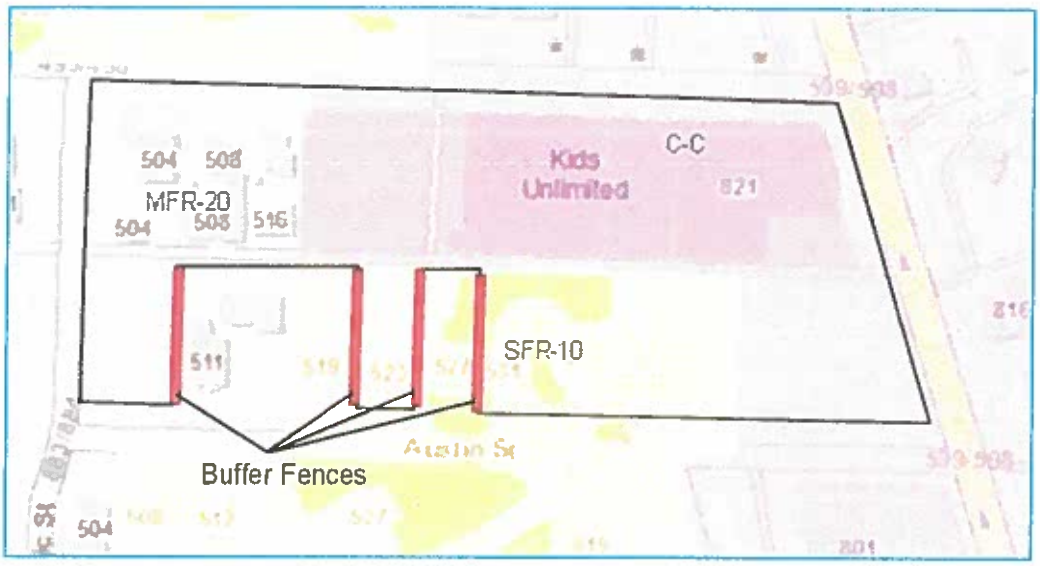
C. Determination of Bufferyard Requirements.
(1) To determine the type of bufferyard required between two adjacent lots, the following procedure shall be followed:
(a) Identify the zoning district within which the subject lot with its proposed use is located.
(b) Identify the zoning district(s) or, absent city zoning, the GLUP designation(s) within which the abutting lot(s) are located.
(c) Determine the bufferyard required along each boundary, or segment thereof, of the subject lot by referring to Subsection D, Tables of Bufferyard Standards, which specify the bufferyard types required between zones or GLUP designations.
(d) A standard bufferyard shall be provided in addition to any agricultural buffering required by Section 10.801.

(2) Responsibility for bufferyard installation. In the case of two abutting vacant lots, the first lot to develop shall provide the buffer required by Subsection D, Tables of Bufferyard Standards. The second use to develop shall, at the time it develops, provide all additional material/land necessary to provide the total bufferyard required of Subsection D, Tables of Bufferyard Standards.
[Amd. Sec. 9, Ord. No. 7776, Dec. 1, 1994.]

The Campus is within the MFR-20, the C-C and the SFR-10 zoning districts. The photo below identifies the campus with the black border and each respective zoning district. The properties within the border are all subject of this CUP application and the same ownership and buffering is not warranted.

Public rights of way, including the public alley surround and bisect the campus and buffering is not warranted across any rights of way.

Three of the properties fronting on Austin Street are not included in the Campus and CUP. Referring to the image below, 511, 519 and 527 Austin Street are not owned by KU. 511 Austin is a single family detached dwelling in an MFR zone built in 1910, 519 is an apartment building in an SFR zone built in 1966. 527 Austin is a conforming single family detached in a SFR zone.



The Master Plan proposes the demolition of 523, 531, and 533 Austin. 523 is proposed to have a 1 story modular with two class rooms, 531 will demolished and the current KU playground will be relocated and 533 will be demolished and the parking lot will be expanded.

509 Austin is currently vacant and is proposed to house the school clinic to serve the students. The improvement of this parcel will require a 14.5 foot dedication of right of way.

The Code does not require bufferyards in the same zoning district however the CUP is proposing a conditional use, which could require a bufferyard. This application proposes new sight obscuring fences with the development of the specific parcels indicated on the Master Plan. The buffer fences are proposed between the Austin Street properties only as discussed above.

The lots owned by KU will all be developed as lots with a 50' width. Providing any buffer, other than a sight obscuring wooden fence would severely limit any viable development on these narrow lots. Additionally, the uses on these parcels are directly associated with the operation of the charter school during the regular school hours resulting in minimum impact to the neighbors after hours.

Murals

The application submittals include elevations on the existing building with panels identified for murals to be created by KU staff or students. The image below depicts the current elevation and representative mural art.

The conceptual image below identifies the conceptual location of the murals and the enhancement to the Edwards Street Elevation of the existing building. The elevation below depicts 10 mural panels approximately 12 feet tall and 16 feet wide.

The approval of the CUP will grant the ability to locate murals on this elevation. Each mural would be reviewed by Staff through a sign permit application process.

This Edwards Street frontage will be further enhanced with the proposed streetscape which includes 7 foot wide sidewalks and street tree bulbs with new street trees for shade and pedestrian scale enhancement.

Edwards Street is classified as a minor collector street with a 72 foot right of way, and 36 feet for a half street section. The existing building was developed with a zero setback and the distance to center line is 30 feet.

An Exception request is included in the application to specify a 30 foot half street section that includes a 7 foot sidewalk, 7 foot on street parking with street tree bulbs segmenting the on street parking, a 5 foot bike lane and the 11' travel lane. Approving the exception will approve the non-standard street section.

Modular Structures

The CUP application includes a submission to build the proposed multipurpose addition. At the time of submission, the timeline for entitling the project and constructing and completing the building for the beginning of 2016-2017 school year is unlikely. To accommodate the opening, a modular building containing two classrooms is depicted on the master plan on taxlot 11900.

A modular is also depicted on TL 11600 to be used as a school health clinic. The Health Clinic is for the student and facility use and will not be a standalone health care facility. Additional parking as depicted on the Master Plan is proposed to be developed with the health clinic. The additional parking will be for added staff and also additional ADA parking near the facility.

The architectural plans for the modular clinic and classrooms are attached. The exterior elevations are as proposed and both buildings will have this compatible residential scale theme.

At the time of submission of this application, there may be some programmatic modifications to the interior floor plans that may affect the exact locations of the windows of each building, and flexibility is requested.

Parking

The Master Plan proposes a revision and expansion of the existing parking areas. Per the MLDC, The minimum parking requirements for a K-8 school are 1 space per teacher or staff person plus 1 space per 2.4 classrooms. The maximum parking allowed is1 space per teacher or staff person plus 1 space per 1.8 classrooms.

Per the MLDO, The minimum parking required is 63 spaces and the maximum is 68 spaces. 75 spaces are provided on the master plan and the additional 7 spaces will accommodate unanticipated staffing needs for accessory activities and potential food preparation staff to increase the meals served from 1,000 meals per day to 1,350 meals per day.

The proposed plan will add planter strips, street trees, sidewalks, parking lot end caps and improved circulation for both bus and passenger car pick up and drop off areas, promoting student safety. This application proposed to use the existing right of way width for Austin Street without dedication.

Scheduling of Development

KU is actively planning on the development of the campus. Development is dependent on demand for services, fund raising, and ability to acquire additional properties. The

discussion below identifies current needs and the scope of individual development projects on the campus. The projects are not necessarily presented in order and projects may be implemented on an as needed basis.

KU is currently serving kindergarten through 5th grade, 50 students per grade for 300 students for the 2015-2016 academic year. The Academy will add 1 grade per year to serve 6th, 7th and 8th grade for a total enrollment of 450 students.

Multipurpose Addition / Remodel

Upon approval, KU will commence development of the approximately 18,000 square foot multipurpose addition / remodel project to expand capacity for meal preparation, cafeteria seating, indoor recreation activities and 10 new classrooms.

Improvements directly associated with this element are:

a. Improvements to the Edwards Street right of way fronting taxlots 16300, 3200, and 3300.
b. The parking improvements indicated on the Master Plan for taxlots 3700, 3600, and 3500
c. Install sidewalks and define parking lot access for affected taxlots.
d. Improvements to the Edwards Street elevation of the existing building
e. Development of mural panels

Modular Structures

To meet the demand of the 2016-2017 academic year, a modular classroom consisting of two classrooms is proposed for development immediately upon approval of this application. The modular is proposed for TL 11900.

Improvements directly associated with this element are:

a. Demolish existing duplex
b. Site improvements for modular classroom
c. Install sidewalk on tax lot frontage of Austin Street
d. Install parking on tax lot as per the Master Plan

Playground

KU has developed an outside playground on taxlot 3400. Future plans may reconfigure playground elements.

Improvements directly associated with this element are:
a. Install sidewalks on taxlot frontage of Austin Street.

School Health Clinic

KU is reviewing the feasibility of establishing a health clinic for the campus. The clinic is shown on the Master Plan on TL 11600. At the time of submission of this application the clinic is conceptual. A modular of similar design and size as the modular classroom for TL 11900 is currently considered for the current planning purposes of approximate location and lot coverage impact.

This application would seek approval of the clinic in the configuration submitted. In the event the clinic is modified, the applicant would submit construction documents for administrative review to determine if the construction documents are consistent with the approved master plan.

Improvements directly associated with this element are:

a. Dedicate required right of way for Niantic Street
b. Complete right of way sidewalk and landscaping on TL 11600
c. Complete parking area on the tax lot as indicated on the Master Plan

Outdoor Athletic Field

Taxlots 16000, 16100, and 16200 are currently developed with duplex dwelling units. These units will be demolished with the development of the proposed outdoor athletic field.

Currently, the Niantic Street right of way is developed with an improved paved street section and curb and gutter. There is approximately 24 feet of right of way between from back of curb to the property line of TL 16000.

The applicant spoke to Public Works Staff regarding the disposition of the additional right of way and if a vacation of right of way could be supported. The origin of the acquisition of the right of way is unclear, and Staff suggested the possibility of a revocable right of way permit could be a method of KU using this area for inclusion of the area of the athletic field.

The Master Plan does not include the area of the right of way discussed above. In the event this area was made available for KU use, the area is proposed to be included in the area of the Master Plan without a revision of the CUP.

Improvements directly associated with this element are:

a. Improvements to the Edwards Street right of way for the frontage of taxlots 16000, 16100, and 16200.

b. Install sidewalk on lot frontage of Niantic Street

Extinguish Property Lines

The existing development is currently built over the existing property lines of Tax lots 3200, 3300 and 16300. Property lines will be either adjusted through a property line adjustment or lots will be extinguished through an administrative action.

Tax lots cannot be extinguished, consolidated, or adjusted across zoning district boundaries. The applicant will coordinate this process with staff to resolve the non-conformity.

Alley

The alley between Edwards Street and Austin Street is a public alley. The alley is utilized in the interior circulation plan for the parking and the campus. KU owns 13 of 16 taxlots adjacent to the alley. At least one of the non KU parcels actively uses the alley for rear entry parking for the residents of the apartments.

As long as non KU owned parcels utilize the alley, there will be no attempt to vacate the alley for use exclusively by KU.

Traffic Impacts

To determine the traffic impacts of the Academy relative to the allowable uses of the properties at the allowable densities provided in the MLDC and uses of the zoning district, the following table identifies the potential of the properties.

The City of Medford utilizes a trip generator value of 1,500 Average Daily Trips (ADT) per acres of commercial land. The ITE Trip Generations 9th Edition provides the following:

Land Use 210	Single Family Detached Housing	9.52 ADT
Land Use 220	Apartments	6.65 ADT
Land Use 520	Elementary Schools	1.29 ADT / Student
Land Use 522	Junior High and Middle Schools	1.69 ADT / Student

The Tables below indicate the trip potential of the properties within the campus area and the traffic impacts of the Academy projected through full build out and maximum enrollment.

The Academy is chartered to have a maximum of 50 students per grade level. The current 2015 – 2016 enrollment is 300 students. For the 2016-2017 school year grades Kindergarten through 6th are provides for a total of 350 students. The academy will also

provide 7th grade in 2017-2018 and 8th grade in 2018-2019 which will be full enrollment of 450 students.

Traffic as Highest and Best Use of the Zoning District	Map	Taxlot	Acreage	Zone	Traffic Impact/ acre	Maximim Density/ Dwelling Units	ADT / DU	Total ADT
821 N Riverside	371W19CB	3200	0.15	C-C	1500			225
822 N Riverside	371W19CB	3300	0.35	C-C	1500			525
821 N Riverside	371W24DA	16300	0.66	C-C	1500			990
Riverside	371W19CB	3700	0.36	C-C	1500			540
531 Austin St	371W24DD	12100	0.13	C-C	1500			195
509 Austin St	371W24DD	11600	0.20	MFR-20		6	6.65	40
504 Edwards	371W24DA	16000	0.13	MFR-20		4	6.65	27
508 Edwards	371W24DA	16100	0.13	MFR-20		3	6.65	20
516 Edwards	371W24DA	16200	0.13	MFR-20		3	6.65	20
523 Austin St	371W24DD	11900	0.13	SFR-10		2	9.52	19
823 N Riverside	371W19CB	3400	0.13	SFR-10		2	9.52	19
537 Austin	371W19CB	3500	0.13	SFR-10		2	9.52	19
Austin	371W19CB	3600	0.17	SFR-10		2	9.52	19
Total Acreage			2.80		Total ADT			2,658

As indicated above, the ITE Trip Generations 9th Edition for Land Use 520 Elementary Schools is 1.29 ADT per student and Land Use 522 for Middle Schools, 1.69 per Student as tabulated below.

Traffic per Student			Students	ADT / student				Total ADT
Current enrollment	K-5		300	1.29				387
Full Enrollment 2019	K-6		350	1.29				452
Full Enrollment 2019	7th and 8th		100	1.69				169
Total								621

The Academy enrollment is available to residents of the Medford School District. Many students are residents of the immediate area, however the District provides bussing to the Academy with daily pick up and drop off at the school nearest to the student's home. 2/3 of the students use the bus for transportation to and from the Academy. The school day starts at 7:30 for all students and student pick up is staggered between 3:10 ending at 5:30.

The traffic impact of 621 ADT at full enrollment of 450 students is substantially less that potential of 2,658 ADT of the properties as recognized by the trip generations methodology of the ITE manual and the City of Medford.
The definition of the Austin Street frontage of the parking lot has been reconfigured by the design team to enhance the drop off and pick up function of the campus. Entrances, exits and drive isles of the parking lot have been designed to accommodate both passenger cars and the busses serving the campus.

Conclusions of Law

The Planning Commission can conclude the application is consistent with the Medford Land Development Code. The conditional use of the proposed Charter School is permitted in the zoning districts and the master plan proposes a balance between any conflicting uses.

Additional Criteria

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

(1) Preserve unique assets of interest to the community.

(2) Provide a public facility or public nonprofit service to the immediate area or community.

(3) Otherwise provide a use or improvement that is consistent with the overall needs of the community in a location that is reasonably suitable for its purpose.

The Medford Comprehensive Plan (Comp Plan) recognizes the need for public schools and classified public schools as Category B Facilities. The planning for School District Facilities is contained within the following Comp Plan excerpt:

PUBLIC SCHOOL DISTRICT FACILITIES PLANNING Long-Range Planning for Public School Facilities Long-range school facilities planning is an important and somewhat complex process requiring the cooperation and coordination of school districts, local governments and citizens. Long-range planning by the Medford and Phoenix-Talent School Districts is continuous. It is a different type of planning, however, from the long-range planning activities of local "general-purpose" governments, whose responsibility is to direct the location and intensity of community growth and development, and to perform functions of community and regional planning that fall within their jurisdictional and statutory authority. Conversely, school districts are "special-purpose" government entities, whose role is to coordinate with city and county agencies, and react appropriately to the

service demands generated by the growth and development policy decisions of general-purpose governments. State statutes, particularly ORS 195.110, define the City's role and responsibilities in the required facilities planning of large (defined by ORS 195.110 as having more than 2,500 students) school districts.

Findings of Fact

This application is required to be consistent with at least one of the criteria listed above. This application is consistent with subsection 2 and 3.

KU Academy is a nonprofit entity providing a service to the immediate area or community, consistent with Criterion 2. The improvements proposed with this application will provide a significant enhancement to this blighted section of Medford.

Many of these families attending the Academy live in the same neighborhood as the campus. The intent is to improve the neighborhood from the inside out, providing personal enrichment to the families with our services and physical improvement to the neighborhood with these facilities. This means upgrading existing facilities while providing new functional and attractive buildings and site improvements.

The property is an infill development constrained by adjacent uses, development patterns and ownerships not affiliated with the applicant. The approval of this CUP will provide opportunities for enhanced facilities and programs for this neighborhood.

Improving and expanding the facilities will allow the academy to increase enrollment from the current 300 students to 450 students at the proposed full build out.

The Academy is chartered to provide an educational program with extended hours and extended summer schedule to serve working families who have limitations to obtain qualified supervision or access to after school activities for their school age families.

The Academy serves approximately 1,000 meals daily. The meals are prepared on site and represent a vital nutritional requirement for the students. The full build out and enrollment of K-8 grades will increase the student enrollment to 450 students and meals to an average of 1,350 per day.

The development of KU is an intensive urban use. KU is an urban hub, providing education, meals and supervised activities for disadvantaged youth in the City. The program provides both an extended daily schedule and annual schedule to serve working families where qualified child care is always a problem. Intensifying the use of the campus as detailed in this application will provide a public service to the community.

Conclusions of Law

The Planning Commission can conclude Kids Unlimited is a nonprofit entity providing a needed use and services to the immediate area and community.

Exceptions

The implementation of the Master Plan associated with this CUP application requires the approval of multiple Exception requests granting relief from the strict application of the MLDC. The campus is comprised of 13 individual tax lots bounded with improved and unimproved streets all 4 sides of the Campus with a public alley bisecting the area of the campus.

This is infill development with buildings dating to 1910. The existing streets were developed and improved under prior standards and do not meet current standards.

The granting of the following exceptions will provide for the implementation of the proposed Master Plan to provide an improved level of service for the community.

1. Lot Coverage
2. Right of Way (ROW) Reduction for Edwards
    a. Eliminate Public Utility Easement on Edwards.
    b. Street Section for Edwards
    c. Street Tree Plan
3. Right of Way reduction for Austin Street to the current ROW width
4. Setback Exception for New Multipurpose Building

10.253 Criteria for an Exception

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority having jurisdiction over the plan authorization unless it finds that all of the following criteria and standards are satisfied. The power to authorize an exception from the terms of this code shall be sparingly exercised. Findings must indicate that:

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s)

for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Lot Coverage

The MLDC maximum lot coverage in each the C-C, MFR-20 and the SFR-10 zoning district is 40% lot coverage.

10.706 Maximum Coverage Calculation

The maximum lot coverage shall be determined by multiplying the lot area by the zoning district coverage factor (the percent of the lot area that may be covered by structures):

The primary KU building was constructed over property lines and with zero building setbacks on the public alley to the south and Edwards Street to the north. Tax lot 3200 is current developed at 100% lot coverage; tax lot 3300 is built to approximately 85% lot coverage.

The existing development on the campus, before any anticipated right of way dedications, is at 32% lot coverage. After right of way dedications and with the completion of the development of the proposed master plan, the lot coverage would be 42%.

This application includes an exception request for 45% lot coverage. The approval of the exception for lot coverage for the Campus will permit the proposed Master Plan development at 42% lot coverage and provide for future expansion of approximately 2,100 square feet of future building lot coverage.

The approval of the exception request for 45% lot coverage with this application would facilitate future development to be submitted for the City process with just a revision of the CUP and would not require an additional exception application at that time.

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural

resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met.

Findings of Fact

Granting the exception will have no detrimental impact to any adjacent natural resources, there are no adjacent natural resources. A school is a permitted as conditional use in the SFR-10, MFR-20 and the C-C zoning districts. Granting the Exception for Lot Coverage is in harmony with the intent of the regulations imposed by the code, just a little denser.

Increasing the lot coverage of the Campus in this urban setting will allow the KU to increase the utilization of the facilities to better serve the community. The school was established in an area of intense urban development which constrains the ability to obtain additional properties while serving this inner city location.

The current facilities are near maximum capacity to provide the level of service. The Charter for the school limits classroom size to 25 students. The Charter limiting the class size to 25 students is intended to provide an enriched educational experience for the students. The scheduled expansion to include grades 6, 7 and 8 require additional classrooms and facilities as proposed with the multipurpose kitchen and classroom addition.

The Modulars proposed with the master plan will provide for the immediate demand of two more class rooms and the accessory use of an onsite health center. Granting the exception request for lot coverage will improve the safety of the campus by allowing the proposed student enrollment to be served entirely within the area between Austin, Edwards, Niantic Streets and Riverside Avenue without the need for students to cross public streets in the course of the school day.

Conclusions of Law

The Planning Commission can conclude the granting of the exception is in harmony with the general purpose and intent of the regulations of the Code and it is not injurious to the general area or detrimental to the health safety and welfare, or adjacent natural resources.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

Findings of Fact

Granting the exception request for lot coverage will not permit a use which is not permitted in the zoning districts. A school is permitted as a Conditional Use for the C-C, MFR-20 and SFR-10 zoning district which comprise the campus.

The approval of the accompanying Conditional Use Permit application will provide the necessary review and approval of the proposed use of the facilities as a school. The approval of the exception request will allow for the development of the proposed facilities within the requested 45% lot coverage.

Conclusions of Law

The Planning Commission can conclude the granting of the exception will not permit a use that is not permitted in the zoning district.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

Findings of Fact

The area of the campus is comprised of properties in three zoning districts and has extensive existing development. The campus is bordered by public streets and the requested exception will allow for the intensification and use of the properties as a school.

The unusual circumstances involved with the request are KU is establishing a school in the middle of substantial existing development. This is infill development constrained by the availability of additional contiguous property. The location of the campus in this blighted section of the City will provide urban renewal and place the services where the services are most needed.

Without the requested exception for lot coverage KU would not be able to develop the campus as submitted in the master plan and KU will not be able to provide the services, at the proposed 450 student capacity. The hardship would be incurred not only by KU, but by the students that would not be able to attend this specialized charter school serving this significantly disadvantaged population of the City.

Conclusions of Law

The Planning Commission can conclude the need for this exception is unique to this infill development and necessary to establish the conditional use as a school providing the proposed level of service.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Findings of Fact

This application for a Conditional Use Permit and Exception request will establish a Master Plan for the Kids Unlimited Academy. The existing properties have non-confirming elements, including lot coverage up to 100%. These conditions were preexisting non-conforming conditions.

The CUP and Exception applications have been submitted to bring the properties into compliance with the MLDC, with full knowledge of the standards and were not the result of an illegal act.

Conclusions of Law

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code.

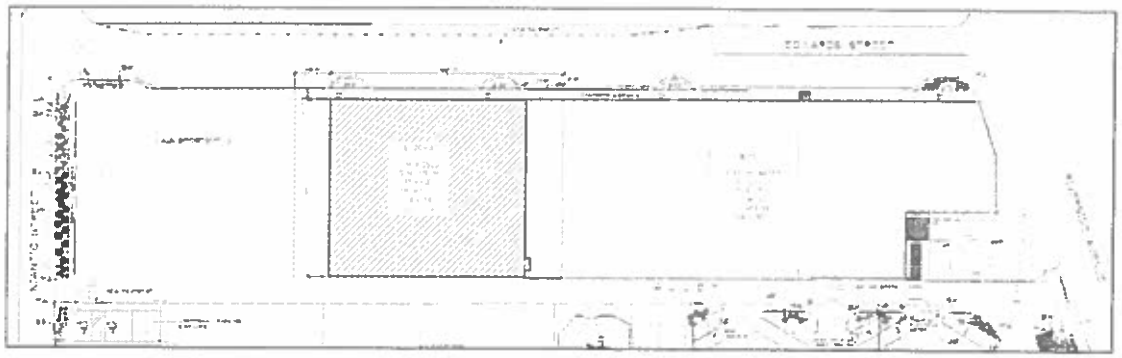
Right of Way Reduction for Edwards

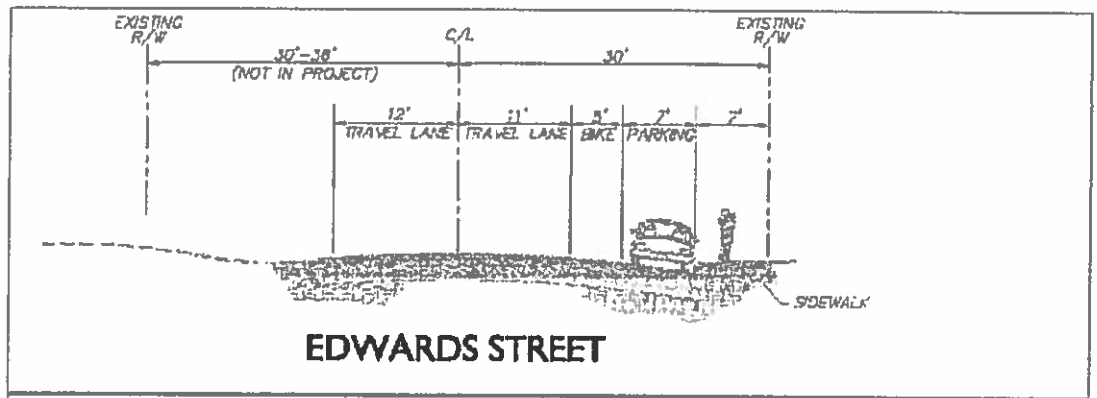
a. Right of Way (ROW) Reduction for Edwards
    i. Street Section for Edwards
    ii. Street Tree Plan
    iii. Eliminate Public Utility Easement on Edwards.

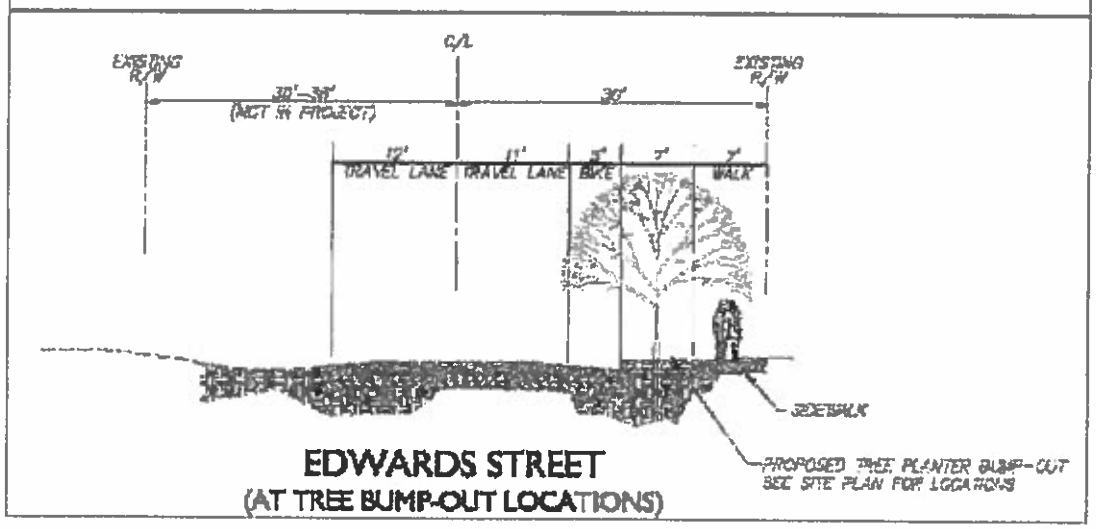
Edwards Street is classified as a minor collector in the adopted Medford Transportation System Plan (TSP). A minor collector has a right of way width of 72 feet, and a half street profile of 36 feet that includes a 5 foot sidewalk, an 8' planter strip, 7 foot parking, 5 foot bike lane and an 11 foot travel lane.

The existing KU building is built to a zero setback and has a 30 foot right of way to the center line of Edwards Street. The existing development prevents the dedication of right of way to permit a 36 foot minor collector street improvement.

This exception request proposes a reduction of right of way width to 30 feet and the use of the proposed Edwards Street Streetscape.







This plan reduces the overall width of the south of centerline right of way from 36 feet to 30 feet from Riverside Avenue to Niantic Street. The street profile provides a 7 foot sidewalk and a 7 foot area that accommodates on street parking and provides intermittent bump out for street tree planters. The section also provides a full 5 foot bike land and 11 foot travel lane.

The diagram above proposes a street tree plan to improve the pedestrian scale of the right of way with trees and maintain on street parking. This approval of the exception request would reduce the total right of way width and also eliminate a Public Utility Easement (PUE) on this segment of Edwards.

Where the existing building was developed to a zero setback there was no place for a PUE. The applicant opened a dialog with Alex Georgevitch, the City Engineer, regarding the elimination of the PUE and Alex stated in order to consider Public Works support, the applicant would need to contact the primary utilities, Pacific Power, Century Link, Charter Communication, and Avista Utilities, and seek their approval. The public utilities agreed and the letters are attached with this application.

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

Findings of Fact

Granting the exception will have no detrimental impact to any adjacent natural resources, there are no adjacent natural resources.

Currently, Edwards Street has a zero setback from the existing building. The granting the requested exception would also approve a non-standard street section that has been designed to improve safety and general welfare of the public in this area. The sidewalk has been increased from 5 feet to 7 feet and the planter strip and parking lanes have merged to allow on street parking and provide street trees for shade and streetscape interest in a reduced right of way.

The attached Utility Exhibit indicates the current utilities in place and are currently located in the public right of way. Eliminating the public utility easement on the Edwards Street front and would not be an impact. The attached letters from Pacific Power,

Century Link, Charter Communications and Avista Utilities indicate the Utilities support the request.

Conclusions of Law

The Planning Commission can conclude the granting of the exception is in harmony with the general purpose and intent of the regulations of the Code and it is not injurious to the general area or detrimental to the health safety and welfare, or adjacent natural resources.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

Findings of Fact

Granting the exception request for the reduction of the right of way width, the approval of the streetscape and the elimination of the Public Utility Easement coverage will not permit a use which is not permitted in the zoning districts.

The proposed use of a school is permitted as a Conditional Use for the C-C, MFR-20 and SFR-10 zoning district which comprise the campus.

The approval of the accompanying Conditional Use Permit application will provide the necessary review and approval of the proposed use of the facilities as a school.

Conclusions of Law

The Planning Commission can conclude the granting of the exception will not permit a use that is not permitted in the zoning district.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

Findings of Fact

The unique circumstances which apply to this infill development site are the existing development was developed under prior standards with the existing building constructed to a zero setback to the property line and the public right of way. Additionally, there is no Public Utility Easement on this segment of Edwards Street and the street is developed, the applicant is not creating a new street.

The primary utilities for gas, power, phone and cable are typically the utilities located in a Public Utility Easement. In this circumstance, all utilities are currently available in the public right of way.

Edwards Street was classified as a minor collector after the development of the street and the KU buildings. The standards for the collector street do not fit within the available right of way creating a non-conforming condition.

The standard for the current minor collector street could not be imposed without the demolition of the existing building, which would be an undue hardship. The approval of this exception request will allow for a consistent streetscape for the entire segment of Edwards from Riverside Avenue to Niantic Street.

Conclusions of Law

The Planning Commission can conclude the need for this exception is unique to this infill development and imposing the strict application of the code would create an undue financial hardship.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Findings of Fact

This application for a Conditional Use Permit and Exception request will establish a Master Plan for the Kids Unlimited Academy. The existing properties have non-confirming elements, including street right of way widths and requirements for a Public Utility Easement. These conditions were preexisting non-conforming conditions.

The CUP and Exception applications have been submitted to bring the properties into compliance with the MLDC, with full knowledge of the standards and were not the result of an illegal act.

Conclusions of Law

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code.

Right of Way Reduction for Austin Street to the Current ROW width

The current right of way width of Austin Street between Riverside Avenue and Niantic Street is 50 feet, 25 feet on each side of the centerline. Austin Street is an existing improved street with a paved section and storm water facilities.

The segment of Austin between Putnam and Niantic is an improved street with a paved section and curb and gutter. The approval of this exception request will reduce the north half of the right of way from 27.5 feet to the existing 25 feet. The width of the planter strip would be reduced by 2.5 feet.

As indicated in the Master Plan Schedule section of these findings, with the development of the KU properties fronting Austin in this segment, sidewalks and frontage landscaping will be installed per plan.

The segment of Austin Street north of the center line between Putnam Street and Riverside Avenue is the existing KU Parking Area. The access to the existing parking area is currently unrestricted and undefined, essentially a 280 foot driveway approach.

The Master Plan and Landscape Plan submitted with this application indicate the establishment of parking lot controls. The drive isles will be improved and sidewalks will be installed with the specified street trees and landscaping. This landscape plan is developed for a 25 foot north side right of way.

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

Findings of Fact

Granting the exception will have no detrimental impact to any adjacent natural resources, there are no adjacent natural resources.

The approval of the right of way reduction is in harmony with the general purpose and intent of the standards for public improvements. The plan will utilize an existing paved section and existing curb and gutter. The standard for a minor residential street includes a 28' paved section. The current paved section is 34 feet.

The Master Plan will provide sidewalks and landscaping to improve, or establish, pedestrian facilities on this segment of Austin Street. The reduction of the right of way will not be detrimental to safety and general welfare for all in the area and utilize the

existing improvements, currently in the public right of way and the right of way will be consistent for this segment of Austin Street.

Conclusions of Law

The Planning Commission can conclude the granting of the exception is in harmony with the general purpose and intent of the regulations of the Code and it is not injurious to the general area or detrimental to the health safety and welfare, or adjacent natural resources.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

Findings of Fact

Granting the exception request for the reduction of the right of way width, the approval of the streetscape contained in the Master Plan and Landscape Plan will not permit a use which is not permitted in the zoning districts.

The proposed use of a school is permitted as a Conditional Use for the C-C, MFR-20 and SFR-10 zoning district which comprise the campus. The reduction of 2-1/2 feet of right of way will not create any non-permitted uses.

Conclusions of Law

The Planning Commission can conclude the granting of the exception will not permit a use that is not permitted in the zoning district.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

The unusual circumstances of this exception request is the existing right of way has is currently improved with a paved section and curb and gutter. The standards for streets in the MLDO apply to new and unimproved streets. Austin Street was improved under previous standards for right of way width and public improvements in the public right of way.

The strict application of the Standard would require the dedication of an additional 2-1/2 feet of property and removal of 3 feet of pavement and curb and gutter and replacing the curb three feet closer to the centerline at considerable and peculiar hardship.

Conclusions of Law

The Planning Commission can conclude the need for this exception is unique to this infill development and imposing the strict application of the code would create an undue financial hardship.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Findings of Fact

This request for an exception to reduce the required right of way width for Austin Street, north of the centerline between Riverside Avenue and Niantic Street is not a result of an illegal act. The standards for development of the existing public improvements have changed since these improvements were installed.

The using the current standards for public improvements in this segment would result in a construction project to reduce the existing paved section, on the applicants frontages and not the frontages of the adjacent property owners resulting in a lack of continuity and misalignment of public facilities.

The costs of compliance with the current standards would be borne by the applicant however the negative results of differing standards for these public improvements would be an impact for all users of these facilities.

The CUP and Exception applications have been submitted with full knowledge of the standards and were not the result of an illegal act.

Conclusions of Law

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code.

Setback Exception for New Multipurpose Building

This application includes submittals for the review of an addition to the primary building of the campus. The proposed addition is a Multipurpose building housing 10 new

classrooms, a large indoor recreation area and a flex area to expand the seating area for serving meals. The addition project includes a significant renovation of the kitchen and meal preparation area of the campus.

With the current enrollment of 300 students from kindergarten through 5th grade, KU serves 1,000 meals per day. The facilities to produce three meals a day for the current student body are taxed and overcrowded. Adding 150 additional students requires additional facilities. At full enrollment, KU will be preparing and serving a projected 1,350 meals per day.

The constraints of this infill site, existing rights of way, and the need to maintain safe conditions by keeping the campus within the same block require KU to maximize the development potential of every property in the campus.

The existing building was constructed with zero setbacks to the public rights of way on Edwards Street on the north and the public alley on the south as permitted under previous land development standards. The approval of this request will allow for the addition and remodel to be developed to the same zero setbacks.

The west side of the building is proposed to be built to the property line of taxlots 16200 and 16300. These properties are in different zoning districts and also different General Land Use Plan (GLUP) Map designations. These properties are both owned by KU and are included in this CUP application to create a Campus Master Plan. The approval of this application would resolve the setback issue of this boundary.

Approving this exception request to build to the property line will allow a regulation length basketball court layout in the recreation space of the addition. The ability for the students of the Academy to practice and compete on a regulation court will enhance the ability for students to compete at High School and College level athletics.

The experience of practicing and competing on a regulation court will improve these inner city youths to access to scholarship opportunities for high education.

The Multipurpose building includes 10 new classrooms. The classrooms will be configured as 5 classrooms on each of two floors on the west side of the addition. The Charter for the Academy limits classroom size to 25 students maximum. The addition of these classrooms will accommodate the full enrollment of K-8th grades.

(1) The granting of the exception shall be in harmony with the general purpose and intent of the regulations imposed by this code for the zoning district in which the exception request is located, and shall not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural

resources. The approving authority shall have the authority to impose conditions to assure that this criterion is met. (Effective Dec. 1, 2013).

Granting the exception will have no detrimental impact to any adjacent natural resources, there are none.

The approval of the setback exception for the multipurpose addition will be in harmony the general purpose of the Code and compatible with the existing development of the Campus concept for the KU Academy.

The existing building is currently a zero setback for the new addition to the existing building from the public Right of Way. Granting this exception will provide a zero setback for the new building and match the existing condition. Currently, the Edwards right of way is developed with a public sidewalk in a damaged condition. The applicant proposed the replacement of the existing sidewalk adjacent to the existing building as well as installing new sidewalk for the proposed addition. The replacement of the sidewalk will rectify several grade issues on the entire length of the sidewalk, thus improving public safety in this segment of Edwards.

The school is a conditional use for the C-C zoning district. The applicant has submitted an application for a Conditional Use Permit as required for this use in this zoning district. Granting this exception will allow for the proposed building, a gym and multi-use classroom addition to be constructed flush with the exterior of the existing building on the site.

Also within the proposed building addition are classrooms, including areas for the associated programmatic uses, and expansion of the commercial kitchen facilities which provide up to 1,350 meals per day for students and other residents in the Liberty Park area. Without this program the closest meal program for students is Jackson School, a considerable distance for the local residents.

Conclusions of Law

The Planning Commission can conclude the granting of the exception is in harmony with the general purpose and intent of the regulations of the Code and it is not injurious to the general area or detrimental to the health safety and welfare, or adjacent natural resources.

(2) The granting of an exception will not permit the establishment of a use which is not permitted in the zoning district within which the exception is located.

Findings of Fact

Granting the exception request for the reduction building setbacks to allow a zero setback will not permit a use which is not permitted in the zoning districts.

The proposed use of a school is permitted as a Conditional Use for the C-C, MFR-20 and SFR-10 zoning district which comprise the campus. The reduction of the setbacks will not create any non-permitted uses.

Conclusions of Law

The Planning Commission can conclude the granting of the exception will not permit a use that is not permitted in the zoning district.

(3) There are unique or unusual circumstances which apply to this site which do not typically apply elsewhere in the City, and that the strict application of the standard(s) for which an exception is being requested would result in peculiar, exceptional, and undue hardship on the owner.

For 18 years, Kids Unlimited has provided high quality youth and community development services to Southern Oregon families. Having recognized the need for an educational option that would more fully meet the needs of children, from working families, who are struggling to meet state standards in the Medford School District, Kids Unlimited opened a new charter school in the Medford School District in the fall of 2013. Kids Unlimited Academy is an extended day, extended year program that combines best practice curriculum with a staff dedicated to fully meeting the educational needs of its students.

The facility is a Charter school, which is a unique use. The extended schedule, 7:30 to 5:30 increases the demands on all facilities and requires the applicant to maximize any available land for facilities. This Charter school has been approved by the public school district, and improved with both facilities and programs in an existing blighted neighborhood. The school serves grades k-5, provides meals and is an anchor in the neighborhood for a safe and supervised environment for many working and or disadvantaged families. Currently, the School accommodates 300 students and ultimately, 450 students.

Many of these families live in the same neighborhood as our campus. We intend to improve the neighborhood from the inside out, providing personal enrichment to the families with our services and physical improvement to the neighborhood with our facilities. This means upgrading existing facilities while providing new functional and attractive buildings and site improvements.

The property is an infill development constrained by adjacent uses, development patterns and ownerships not affiliated with the applicant. Granting an exception for the zero setbacks for the proposed addition will maximize the opportunities for providing

facilities and programs for this neighborhood. The granting of the exception will allow for a greater density and intensity of uses in a constrained campus.

Incorporating this space into the building addition allows us more efficient use of space, thereby saving construction cost and increasing available classroom courtside space. The result is that we will be able to meet our classroom needs with fewer buildings and more open space when considered in the context of our overall campus.

Another unusual circumstance associated with exception request is the existing building, approximately 300 feet, is currently developed with a zero setback. The Edwards ROW is on the north property line and a dedicated alley is on the south. Vacating the alley would allow for additional area for development, however several adjacent properties not in the control of the applicant uses the alley for access and granting a vacation request would be detrimental to their uses. An expansion of the facilities on the alley frontage is not feasible.

Conclusions of Law

The Planning Commission can conclude the need for this exception is unique to this infill development and imposing the strict application of the code would create an undue financial hardship.

(4) The need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code. It must result from the application of this chapter, and it must be suffered directly by the property in question. It is not sufficient proof in granting an exception to show that greater profit would result.

Findings of Fact

This request for an exception to reduce the setback requirement for the proposed building addition is not a result of an illegal act. The standards for development of the existing proposed construction have changed since the existing building was developed.

The using the current standards for setbacks would limit development of the addition and remodel to no more than 8 classrooms and the indoor recreation would either not have sufficient buffer areas surrounding the court to insure spectator and participant safety or the size of the court would be reduces and the students would not have access to regulation facilities.

The limits of space would have a direct impact on the Academy's ability to prepare and serve up to 1,350 meals daily for the students. The impact of the exception request is

not about increased profit, it's about providing an enriched educational, nutritional, and recreational experience to 450 disadvantaged students in a blighted section of the City.

The CUP and Exception applications have been submitted with full knowledge of the standards and were not the result of an illegal act.

Conclusions of Law

The Planning Commission can conclude the need for the exception is not the result of an illegal act nor can it be established on this basis by one who purchases the land or building with or without knowledge of the standards of this code.

Application Summary and Conclusion

This application for a Conditional Use Permit and accompanying Exceptions request will provide the necessary approvals to establish a Master Plan and Campus for the Kids Unlimited Academy, a public Charter School serving disadvantaged youths in a blighted area of the City of Medford.

The approval of these applications will provide a significant Urban Renewal project for the City and allow an enhanced educational experience for up to 450 students and their families.

This submittal includes the required applications, fees and documentation as identified in the Medford Land Development Ordinance Section 10.248 for Conditional Use Permits and 10.253 for Exceptions.

On behalf of the applicant, I respectfully request the approval of these applications.

Regards,

Scott Sinner

Scott Sinner Consulting, Inc.

MEDFORD
PARKS & RECREATION
HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.

To: Desmond McGeough, Planning Department

From: Pete Young, Park Planner and Project Manager

Subject: CUP 16-022, Kids Unlimited of Oregon

Date: April 20, 2016

We have reviewed the applicant's Street Tree plan and have one recommendation. The City Arborist recommends the dogwood shown on the corner of Austin Street and Riverside be replaced with a more sun tolerant species such as a pistachio, pear, or ash tree.

CITY OF MEDFORD
EXHIBIT # "N"
File # CUP-16-022 | E-16-023
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Continuous Improvement Customer Service

CITY OF MEDFORD

Revised Date: 4/28/2016
File Number: CUP-16-022/E-16-023

PUBLIC WORKS DEPARTMENT STAFF REPORT
Kids Unlimited of Oregon

Project: Consideration of a request for a Conditional Use Permit for the Kids Unlimited Public Charter School Master Campus Plan to allow for the expansion of existing facilities; including but not limited to 18,000 square foot multipurpose building, a two classroom modular building and outdoor athletic field. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of public right-of-way for Edwards Street and Austin Street.

Location: The subject site is located west of Riverside Avenue, South of Edward Street, East of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential -10 units per gross acre), MFR-20 (Multiple-Family Residential – 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres.

Applicant: Kids Unlimited of Oregon, Applicant (Scott Sinner Consulting, Inc., Agent). Desmond McGeough, Planner.

NOTE:

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.

PUBLIC WORKS DEPARTMENT
ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

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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 Riverside Avenue is classified as a Major Arterial Street. Prior to issuance of any permit for construction, the developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to accommodate a 5-foot wide sidewalk with a 10-foot wide planter strip, in accordance with Medford Land Development Code (MLDC), Section 10.428. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Edwards Street is classified as a Minor Collector Street within MLDC, Section 10.428. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 36-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.** The portion of right-of-way adjacent to the existing building is exempt from this requirement per MLDC 10.541.

The developer will receive S.S.D.C. (Street System Development Charge) credits for the public right-of-way dedication on North Riverside Avenue and Edwards Street, per the methodology established by the MLDC 3.815. **Should the developer elect to have the value of the land be determined by an appraisal, a letter to that effect must be submitted to the City Engineer within sixty (60) calendar days of the date of the Final Order of the Planning Commission. The City will then select an appraiser, and a cash deposit will be required as stated in Section 3.815.**

Niantic Street is classified as a Standard Residential Street within the MLDC, Section 10.430. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

Austin Street is classified as a Standard Residential and Commercial Street within the MLDC, Section 10.430 & 10.429. The developer shall dedicate for public right-of-way, sufficient width of land along the frontage of this development to comply with the half width of right-of-way, which is 31.5-feet. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

The **Public Alley** requires a total right-of-way width of 20-feet, in accordance with MLDC, Section 10.430(A). The developer shall dedicate for public right-of-way, sufficient width of land

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200 S. IVY STREET
MEDFORD, OREGON 97501
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TELEPHONE (541) 774-2100
FAX (541) 774-2552

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along the frontage of this development to comply with the total width of right-of-way. **The Developer's surveyor shall verify the amount of additional right-of-way required.**

In accordance with MLDC 10.471, **the property owner shall dedicate a 10 foot wide public utility easement** (PUE) adjacent to the proposed right-of-way line along this Developments entire frontage with the exception of the Public Alley.

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.

An **exception request** has been submitted, which includes a reduction of right-of-way for Edwards Street and Austin Street, as well as the elimination of the PUE requirement on Edwards Street which will eliminate the planter strip along the majority of the frontage of Edwards Street with the exception of three (3) "bump-outs" to accommodate some street trees. The right-of-way reduction on Austin Street will appear to allow a reduced planter strip. Elimination of the PUE will restrict the benefitting utility locations to be only within the public right-of-way. **If the exception request is denied the Developer shall dedicate the additional rights-of-way and PUEs as noted above.**

2. **Public Improvements**

   a. **Public Streets**

North Riverside Avenue is currently improved with pavement, curb, gutter, sidewalk and street lights. **No additional improvements are required.**

The Developer shall improve **Edwards Street** to Minor Collector Street standards in accordance with the MLDC, Section 10.428. The roadway improvements shall include 23-feet of paving from the centerline to the south curb face and a minimum of 12-feet wide north of centerline or to the existing edge of paving, whichever is greater. Improvements shall also include a 10-foot planter strip, 5-foot sidewalk and street lights along this development's frontage. The City will pay S.S.D.C. credits per MMC, Section 3.815.

Niantic Street is currently improved in partial conformance to Standard Residential Street standards. However, there is currently no sidewalk along this developments frontage. **The developer shall provide a 5-foot wide sidewalk located adjacent to the newly dedicated right-of-way** which also will provide for a planter strip along this developments frontage.

Austin Street is currently improved in partial conformance to Standard Residential Street standards, except for approximately the easterly 225-feet. However, there is currently no sidewalk along the rest of the developments frontage. **The developer shall provide a 5-foot wide sidewalk located adjacent to the newly dedicated right-of-way** which also will provide

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MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

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for a planter strip along the portion of this developments frontage that has existing curb and gutter. **The easterly portion of this developments frontage shall be improved in accordance with MLDC, Section 10.430.**

The Developer shall improve the **Public Alley**, to conform with MLDC, Section 10.430(A).

An **exception request** has been submitted, which includes a proposed alternate street section for Edwards Street which will eliminate the planter strip along the majority of the frontage with the exception of three (3) "bump-outs" to accommodate some street trees. It also includes an proposed alternate street section for Austin Street which would reduce the planter strip. **If the exception request is denied the Developer shall construct the public improvements as noted above per MLDC 10.428 and 10.430.**

b. Street Lights and Signing

The developer shall provide and install in compliance with Section 10.495 of the MMC. Based on the preliminary plan submitted, the following number of street lights will be required:

Street Lighting – Developer Provided and Installed

A. 3 – 250 watt HPS on Edwards Street
B. 3 – 150 watt HPS (2 on Niantic Street and 1 on Austin Street)
C. 1 – Base Mounted Cabinet (BMC)
   a) In addition, two PP&L luminaries and arms to be removed.

Numbers are subject to change if changes are made to the plans. All street lights shall be installed per City standards and be shown on the public improvement plans. Public Works will provide preliminary street light locations upon request.

The Developer shall pay for City installed signage required by the development. City installed signs include, but are not limited to, street name signs, stop signs, speed signs, school signs, dead end signs, and dead end barricades. Sign design and placement shall be per the Manual on Uniform Traffic Control Devices (MUTCD). All signs shall be shown on the public improvement plans and labeled as City installed.

c. Pavement Moratoriums

There is no pavement cutting moratorium currently in effect along this frontage.

The developer shall be responsible for notifying by certified letter all utility companies, as well as all current property owners of parcels which are adjacent to any public streets being constructed or paved as part of this project. The letter shall inform the utility companies and property owners of the City's street moratorium policy with respect to pavement cutting for future utility services. The utility companies and property owners shall be given the opportunity to install utility services within the right-of-way prior to paving and the subsequent moratorium. Notifications shall be mailed by the Developer at least 6 months before a street is resurfaced or rebuilt per Medford Municipal Code (MMC), Section 3.070. Copies of the certifications shall be

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submitted to the City Engineer with the submittal of the preliminary construction drawings.

3. Soils Report

The Developer's engineer shall obtain a soils report to determine if there is shrink-swell potential in the underlying soils in this development. If they are present, they shall be accounted for in the roadway and sidewalk design within this Development.

4. Access and Circulation

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

A. School officials shall work with Public Works Engineering and the Police Department to develop a School Route Plan. The School Route Plan shall be based on the guidance in Chapter 7 of the 2009 MUTCD and shall be prepared by a Professional Engineer registered in the State of Oregon. The School Route Plan shall include the following at minimum:
   a. A map showing streets, the school, existing traffic controls, established school walk routes, proposed school walk routes, established school crossings, and proposed school crossings to assist in the determination of the need for, and extents of, a potential School Speed Zone.

   b. A school traffic control plan to allow for the orderly review of school area traffic control needs, and the coordination of school/pedestrian safety education and engineering measures. Engineering measures alone do not always result in the intended change in student and road user behavior. The school traffic control plan shall include at minimum:

      i. School area traffic control devices, both permanent and temporary. School area traffic control devices include but are not limited to signage, striping, and flashing yellow lights.
      ii. Provisions to prevent drop off and pick-up queues from spilling out onto the public streets.
      iii. Proposed bus loading and parking areas, including parking restrictions that may be needed.

B. The School Route Plan shall be completed prior to building permits being issued so there is adequate time to engineer and incorporate any changes into final plans. All improvements identified in the School Route Plan shall be installed, at the expense of the applicant, prior to occupancy of the school.

5. Phasing

The Applicants Findings of Facts notes that this development will be developed in phases. Any public improvements needed to serve a particular phase or fronting a tax lot being developed shall be improved at the time each corresponding phase or tax lot is 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. All of the public improvements and

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dedications to Edwards Street shall be completed in conjunction with the construction of the Multipurpose Addition/Remodel phase of development. Public Alley improvements and dedications along the frontage of tax lots 12100, 3400, 3500, 3600 and 3700 shall be completed prior to or in conjunction with development of the Multipurpose Addition/Remodel or the Parking Lot Improvement phase of development, whichever occurs first. Any public improvements identified within the School Route Plan shall be constructed with the first phase of development.

6. MLDC Section 10.668 Analysis

Notwithstanding any other provisions of this Chapter 10, an applicant for a development permit shall not be required, as a condition of granting the application, to dedicate land for public use or provide public improvements unless: (1) the record shows that there is an essential nexus between the exaction and a legitimate government purpose, and that there is a rough proportionality between the burden of the exaction on the developer and the burden of the development on public facilities and services so that the exaction will not result in a taking of private property for public use, or (2) a mechanism exists and funds are available to fairly compensate the applicant for the excess burden of the exaction to the extent that it would be a taking.

1. Nexus to a legitimate government purpose.
The purposes for these dedications and improvements are found throughout the Medford Code, the Medford Transportation System Plan, and the Statewide Planning Rule, and are supported by sound public policy. Those purposes and policies include, but are not limited to: development of a balanced transportation system addressing all modes of travel, including motor vehicles, transit, bicycles, and pedestrians. It can be found that the listed right-of-way dedications and improvements have a nexus to these purposes and policies.

2. Rough proportionality between the required dedications and improvements, and the impacts of development.
No mathematical formula is required to support the rough proportionality analysis. Also, the City is allowed to consider the benefits to the development from the dedication and improvements when determining "rough proportionality."

As set forth below, the dedications and improvements recommended herein can be found to be roughly proportional to the impacts reasonably anticipated to be imposed by this development.

North Riverside Avenue, Edwards Street, Niantic Street, Austin Street and Public Alley:

The additional right-of-way and improvements will provide the needed width for on-street parking, bike lanes, planter strips and sidewalks. The planter strip moves pedestrians a safe distance from the edge of the roadway. These streets will be a primary route for pedestrians traveling to and from this development. North Riverside Avenue is a 30 mile per hour facility, which currently carries approximately 12,900 vehicles per day. Edwards Street is a 25 mile per hour facility, which currently carries approximately 1,400 vehicles per day. Niantic Street speed is not posted and no traffic counts are available. Austin Street speed is not posted and no traffic

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counts are available.

Local street right-of-way dedication and construction requirements identified by the Public Works Department and required by the City are the minimum required to protect the public interest and are necessary for additional or densification of development in the City without detracting from the common good enjoyed by existing properties.

Dedication of the Public Utility Easements (PUE) will benefit development by providing public utility services, which are out of the roadway and more readily available to each lot or building being served. The additional traffic of all modes of travel generated by this proposed development supports the dedication and improvements for all modes of travel and utilities. As indicated above, the area required to be dedicated for this development is necessary and roughly proportional to that required in similar developments to provide a transportation system that meets the needs for urban level services.

The City assesses System Development Charges (SDCs) to help pay for acquisition of right-of-way and construction of additional Arterial & Collector street capacity required as a result of new development. Because a mechanism exists in the form of SDC credit for right-of-way dedication and street improvements in accordance with Medford Municipal Code (MMC) 3.815 and other applicable parts of the Code, to fairly compensate the applicant, the conditions of MLDC, Section 10.668 are satisfied.

B. SANITARY SEWERS

The proposed development is situated within the Medford sewer service area. It is unclear where the existing or proposed sanitary sewer laterals are located. A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed sanitary sewer lateral for the proposed buildings. Separate tax lots requiring sewer service shall be served by an individual service lateral. All unused laterals adjacent and stubbed to the development shall be capped at the main. No additional sewer connections are indicated on the 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 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.

A Site/Utility Plan shall be submitted with the building permit application to show the location of the existing or proposed stormdrain lateral/s for the site.

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

2. **Grading**

A comprehensive grading plan showing the relationship between adjacent property and the proposed development will be submitted with the improvement plans for approval. Grading on this development shall not block drainage from an adjacent property or concentrate drainage onto an adjacent property without an easement. The Developer shall be responsible that the final grading of the development shall be in compliance with the approved grading plan.

3. **Detention and Water Quality**

Stromwater quality and detention facilities shall be required in accordance with MLDC Section 10.481 and 10.729. If a combined system is desired, then it will need to be privately maintained, located on private property and a Release of Liability will need to be signed and recorded. Alternatively, public detention facilities can be designed separate from private facilities.

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. **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. <u>General Conditions</u>

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

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

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

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

3. Construction and Inspection

The Developer or Developer's contractor shall obtain appropriate right-of-way permits from the 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. Pre-qualification is required of all contractors prior to application for any permit to work in the public right-of-way.

4. 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.

5. System Development Charges

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

Prepared by: Doug Burroughs

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ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

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SUMMARY CONDITIONS OF APPROVAL

Kids Unlimited of Oregon - CUP-16-022/E-16-023

A. Streets:

1. **Street Dedications to the Public:**
   - Dedicate additional public right-of-way on **North Riverside Avenue** for future 10' planter and 5' sidewalk. Unless conditioned otherwise through the exception.
   - Dedicate additional public right-of-way on **Edwards Street** for a 36' right-of-way half width. Unless conditioned otherwise through the exception.
   - Dedicate additional public right-of-way on **Niantic Street** for a 31.5' right-of-way half width. Unless conditioned otherwise through the exception.
   - Dedicate additional public right-of-way on **Austin Street** for a 31.5' right-of-way half width. Unless conditioned otherwise through the exception.
   - Dedicate additional public right-of-way on the **Public Alley** for a 20' right-of-way width.
   - Dedicate 10 foot Public Utility Easement (PUE) along all frontages. Unless conditioned otherwise through the exception.

2. **Improvements:**

   Public Streets
   - **North Riverside Avenue** – No additional improvements are required.
   - **Edwards Street** – Improve half plus 12-feet. Requires public improvement plan submittal. Unless conditioned otherwise through the exception.
   - **Niantic Street** – Provide sidewalk with planter strip.
   - **Austin Street** – Provide sidewalk with planter strip for existing curb & gutter section and half plus 12-feet for easterly section. Unless conditioned otherwise through the exception.
   - **Public Alley** – Provide 18' total pavement width.

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

   Other
   - Provide pavement moratorium letters.
   - Provide soil report.
   - Provide a School Route Plan.

B. Sanitary Sewer:
- Ensure or construct separate individual sanitary sewer connection.
- Cap remaining unused laterals at the main.

C. Storm Drainage:
- Provide a comprehensive grading and drainage plan.
- 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.

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ENGINEERING & DEVELOPMENT DIVISION
200 S. IVY STREET
MEDFORD, OREGON 97501
www.ci.medford.or.us
TELEPHONE (541) 774-2100
FAX (541) 774-2552

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BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford

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

SUBJECT: CUP-16-022 & E-16-023

PARCEL ID: 371W19CB TL 3200, 3300, 3400, 3500, 3600, 3700,
372W24DA TL 16000, 16100, 16200, 169300
372W24DD TL 11600, 11900, 12100

PROJECT: Consideration of a request for a Conditional Use Permit for the Kids Unlimited Public Charter School Master Campus Plan to allow for the expansion of existing facilities; including but not limited to 18,000 square foot multipurpose building, a two classroom modular building and outdoor athletic field. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of public right-of-way for Edwards Street and Austin Street. The subject site is located west of Riverside Avenue, South of Edward Street, East of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential -10 units per gross acre), MFR-20 (Multiple-Family Residential – 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres; Kids Unlimited of Oregon, Applicant (Scott Sinner Consulting, Inc., Agent). Desmond McGeough, Planner.

DATE: April 13, 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. The existing water meters that are currently serving the tax lots that are a part of this proposed re-development are required to be abandoned, unless otherwise arranged with MWC. Applicants' civil engineer shall coordinate with MWC Engineering Department staff for which water meters to be abandon.

4. 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 .

CITY OF MEDFORD
EXHIBIT # "P"
File # CUP-16-022 E-16-023
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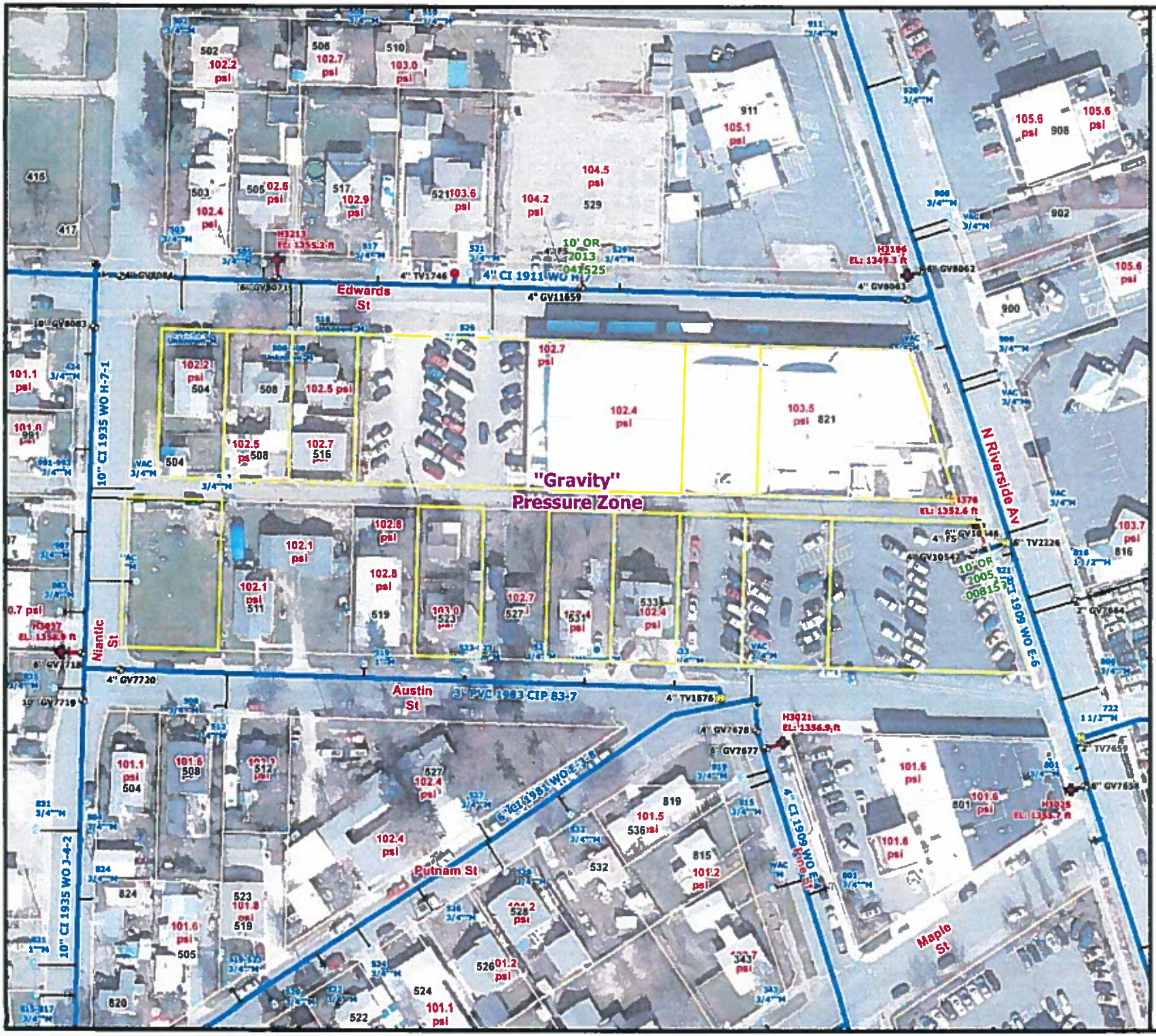
COMMENTS

1. Off-site water line installation may be required depending on Fire Department requirements.
2. On-site water facility construction is not required.
3. MWC-metered water service does exist to this property. (See Condition 3 above)
4. Static water pressure is expected to be approximately 102 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
5. Access to MWC water lines is available. There is an existing 4-inch water line in Edwards Street, a 3-inch water line in Austin Street between Niantic Avenue and Pine Street, and there is a 6-inch water line in N Riverside Avenue.



N

Feet
0 25 50 100

Scale: 1"=100'

Water Facility Map
for
CUP-16-022 &
E-16-023

Legend

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

Water Meters:

- Active Meter
- On Well
- Unknown
- Vacant

Water Valves:

- Butterfly Valve
- Gate Valve
- Tapping Valve

Water Mains:

- Active Main
- Abandoned Main
- Reservoir Drain Pipe
- Pressure Zone Line

Boundaries:

- Urban Growth Boundary
- City Limits
- Tax Lots

MWC Facilities:

- C Control Station
- P Pump Station
- R Reservoir

MEDFORD WATER COMMISSION

Medford Fire Department

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Phone: 774-2300; Fax: 541-774-2514;
www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough

LD Meeting Date: 04/13/2016

From: Greg Kleinberg

Report Prepared: 04/04/2016

Applicant: Kids Unlimited of Oregon, Applicant(Scott Sinner Consulting, Inc., Agent)

File #: CUP - 16 - 22

Associated File #'s: E - 16 - 23

Site Name/Description:

Consideration of a request for a Conditional Use Permit for the Kids Unlimited Public Charter School Master Campus Plan to allow for the expansion of existing facilities; including but not limited to 18,000 square foot multipurpose building, a two classroom modular building and outdoor athletic field. The Applicant has submitted an associated Exception Application requesting relief from street side setbacks, maximum lot coverage, and reduction of public right-of-way for Edwards Street and Austin Street. The subject site is located west of Riverside Avenue, South of Edward Street, East of Niantic Street and north of Austin Street. The campus is located in the SFR-10 (Single Family Residential -10 units per gross acre), MFR-20 (Multiple-Family Residential - 20 units per gross acre and C-C (Community Commercial) zoning districts and encompasses approximately 2.8 net acres; Kids Unlimited of Oregon, Applicant (Scott Sinner Consulting, Inc., Agent). 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: One fire hydrant will be required to be added midpoint between the two existing fire hydrants on Edwards Street.

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

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 FD ACCESS TO BUILDINGS AND FACILITIES — **OFC 503.1.1**

There is insufficent access at the South side of the proposed building expansion. If the public alley is increased to a minimum of 20' width and designed for fire apparatus loads, then there will be sufficent access to within 150' of all portions of the exterior walls.

CITY OF MEDFORD
EXHIBIT # Q
File # CUP-16-022 / E-16-023
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Medford Fire Department

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LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough | **LD Meeting Date: 04/13/2016**

From: Greg Kleinberg | **Report Prepared: 04/04/2016**

Applicant: Kids Unlimited of Oregon, Applicant(Scott Sinner Consulting, Inc., Agent)

File #: CUP - 16 - 22 | **Associated File #'s: E - 16 - 23**

Site Name/Description:

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 (See Appendix D).

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to modify Sections 503.1 and 503.2 where any of the following applies:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than two Group R-3 or Group U occupancies (OFC 503.1.1).

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).

Requirement AERIAL APPARATUS ACCESS **OFC** **D105**

Aerial fire apparatus access shall be provided along one entire side of the building on Edwards St. as per the requirements listed below.

Medford Fire Department

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www.medfordfirerescue.org

LAND DEVELOPMENT REPORT - PLANNING

To: Desmond McGeough **LD Meeting Date: 04/13/2016**

From: Greg Kleinberg **Report Prepared: 04/04/2016**

Applicant: Kids Unlimited of Oregon, Applicant(Scott Sinner Consulting, Inc., Agent)

File #: CUP - 16 - 22 **Associated File #'s: E - 16 - 23**

Site Name/Description:

SECTION D105-AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility
and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm) in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

Requirement "NO PARKING-FIRE LANE" SIGNS REQUIRED OFC 503.3

Parking shall be posted as prohibited along the public alley and as required for the aerial fire apparatus area on Edwards St.

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-FIRE LANE signs shall be spaced at minimum 50' intervals along the fire lane (minimum 75' intervals in residential areas) 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).

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.

A brochure is available on our website or you can pick up one at our headquarters.

"Q"

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.

"Q"
4 of 4

Memo

To: Desmond McGeough, Planner, Planning Department

From: Chad Wiltrout, Building Department (541) 774-2363

CC: Kids Unlimited of Oregon, Applicant (Scott Sinner Consulting, Inc., Agent).

Date: April 13, 2016

Re: April 13, 2016 LDC Meeting: CUP-16-022

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. The building and building appurtenances shall be designed by an Oregon licensed design professional in accordance with 107.1 and 107.3.4 OSSC.

7. A geotechnical engineer shall provide a design for soils at building locations pursuant to 1803 of the Oregon Structural Specialty Code.

8. A code analysis providing occupant load type of construction, type of occupancy, occupant load, notation of sprinkled or non-sprinkled, separated or non-separated use, etc., will be required.

CITY OF MEDFORD
EXHIBIT # 11
FILE # CUP-16-022 / E-16-025
lot 2

9. Building additions and the existing building they are attached to shall comply with the requirements of 3403 OSSC.

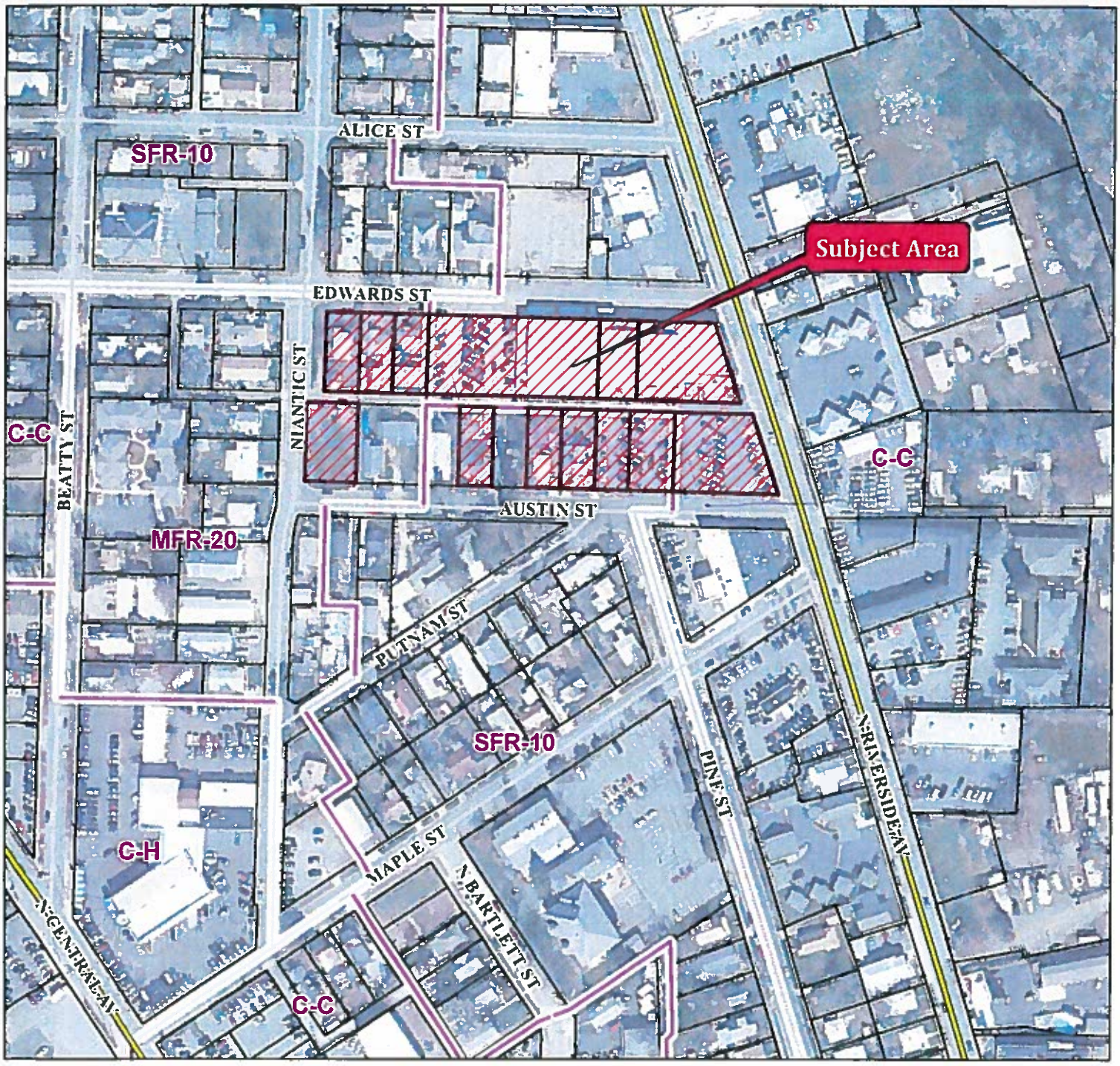
10. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.

City of Medford

Planning Department

Vicinity Map

File Number:
CUP 16-022
E 16-023



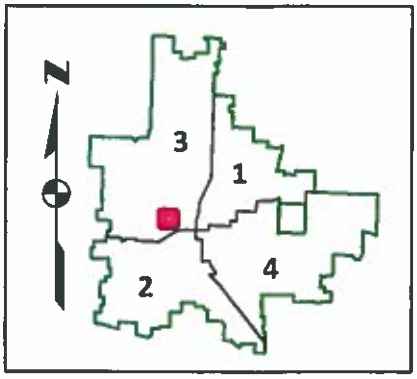
Project Name:

Kids Unlimited Academy

Map/Taxlot:
371W19CB TL 3200, 3300, 3400, 3500, 3600, 3700
372W24DA TL 16000, 16100, 16200, 16300
372W24DD TL 11600, 11900, 12100

0 50 100 200 300 400 Feet

03/07/2016

Legend

- Subject Area
- Medford Zoning
- Tax Lots
- Streets