

# SITE PLAN & ARCHITECTURAL COMMISSION AGENDA JUNE 17, 2016



## Commission Members

Jeff Bender, Chair

Jim Quinn, Vice Chair

Jim Catt

Bill Chmelir

Tim D'Alessandro

Bob Neathamer

Marcy Pierce

Curtis Turner

Rick Whitlock

City Council Liaison - Dick Gordon

City Council Liaison Alt. - Eli Matthews

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

Beginning at 12:00 Noon

City of Medford

Council Chambers,

Third Floor, City Hall

411 W. 8th Street

Medford, OR 97501

(541) 774-2380



## Site Plan and Architectural Commission

# Agenda

### Public Hearing

June 17, 2016

12:00 noon

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

10. Roll Call.

20. Consent Calendar.

- 20.1 AC-16-029 E-16-030 Consideration of plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701). (Almond Street Rentals, LLC., Applicant; Oregon Architecture, Agent)

30. Minutes.

- 30.1 Consideration for approval of minutes from the June 3, 2016, meeting.

40. Oral and Written Requests and Communications.

50. Public Hearings – Old Business.

- 50.1 AC-15-115 E-16-042 Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd). (JDT Trucking, Applicant; CSA Planning LTD/Jay Harland, Agent)

Public Hearings – New Business.

- 50.2 AC-16-017 Plans for the construction of a 9,990 square foot building to be used as a children's recreational facility and adult athletic center on a parcel totaling 0.97 acres, located on the north side of Parsons Drive, approximately 385 feet east of Stowe Avenue, within the I-G/PD (General Industrial/Planned Development) zoning district. (Laura Ancheta, Applicant; Ken Brown Construction, Agent)

- 50.3 **AC-16-039** Consideration of plans for the development of a 5,287 square foot ambulatory surgery center on a 0.50 acre site located on the north side of Bennett Avenue, approximately 135 feet west of Crater Lake Avenue within the C-S/P (Service Commercial and Professional Office) zoning district (835 Bennett Avenue, map lots 371W19DC TL 3400 & 3401). (Crater Lake Surgery Center, LLC, Applicant; Boynton Williams & Associates/Jeff Ball, Agent)
60. **Written Communications.** None
70. **Unfinished Business.** None
80. **New Business.**
90. **Report from the Planning Department.**
100. **Messages and Papers from the Chair.**
110. **Propositions and Remarks from the Commission.**
120. **City Council Comments.**
130. **Adjournment.**

**BEFORE THE MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION**

**STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF SITE PLAN AND ARCHITECTURAL COMMISSION )  
FILE AC-16-029 APPLICATION FOR PROJECT REVIEW SUBMITTED ) **ORDER**  
BY ALMOND STREET RENTALS, LLC. )

AN ORDER granting approval of plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701).

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 a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701), with a public hearing a matter of record of the Site Plan and Architectural Commission on June 3, 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 Almond Street Rentals, LLC, stands approved subject to compliance with the conditions stated in the Commission Report dated June 3, 2016.

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

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

**FINAL ORDER      AC-16-029/E-16-030**

(b) That the criterion in Medford Land Development Code Section 10.290(1), which requires a finding that the proposed development is compatible with uses and development that exist on adjacent land, is not applicable to this application as regulated by ORS 197.307(4) and upon information contained in the Staff Report dated May 27, 2016, 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.

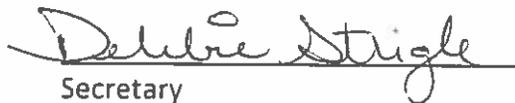
Accepted and approved this 17<sup>th</sup> day of June, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

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Site Plan and Architectural Commission Chair

ATTEST:

  
Secretary

BEFORE THE SITE PLAN AND ARCHITECTURAL COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF APPROVAL OF AN EXCEPTION FOR )  
 )  
ALMOND STREET RENTALS, LLC. [E-16-030] ) **ORDER**

ORDER granting approval of a request for the plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701).

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Medford Land Development Code, Sections 10.211 and 10.252; and
2. The Site Plan and Architectural Commission has duly held a public hearing on the request for consideration of plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701), with a public hearing a matter of record of the Site Plan and Architectural Commission on June 3, 2016.
3. At the public hearing on said exception, evidence and recommendations were received and presented by the Planning Department Staff; and
4. At the conclusion of said hearing, after consideration and discussion, the Site Plan and Architectural Commission, upon a motion duly seconded granted exception approval and directed staff to prepare a final order with all conditions and findings set forth for the granting of the exception approval.

THEREFORE LET IT BE HEREBY ORDERED that the exception of Almond Street Rentals, LLC, stands approved per the Commission Report dated June 3, 2016, and subject to compliance with all conditions contained therein.

AND LET IT FURTHER BE OF RECORD, that the action of the Site Plan and Architectural Commission in approving this request for exception approval is hereafter supported by the findings referenced in the Commission Report dated June 3, 2016.

BASED UPON THE ABOVE, the Site Plan and Architectural Commission determined that the exception is in conformity with the provisions of law and Section 10.253 criteria for an exception of the Land Development Code of the City of Medford.

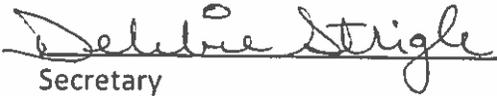
Accepted and approved this 17th day of June, 2016.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

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Site Plan and Architectural Commission Chair

ATTEST:

  
Secretary



# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## COMMISSION REPORT

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

PROJECT Almond Street Apartments  
 Applicant: Almond Rentals, LLC, Agent: Oregon Architecture

FILE NO. AC-16-029/E-16-030

DATE June 3, 2016

### BACKGROUND

#### Proposal

Consideration of plans for a 22,290 square foot multiple-family residential building composed of 108 dwelling units, along with two Exception requests for building height and setback relief, on a 1.23 acre site within the Service Commercial and Professional Office (C-S/P) zoning district. The subject site consists of four contiguous parcels located west of Almond Street, east of the I-5 viaduct, and approximately 300 feet south of East Main Street (Map lots 371W30BD TL 4400, 4401, 4601, and 4701).

#### Subject Site Characteristics

Zoning	C-S/P	Service Commercial and Professional Office
GLUP	SC / PS	Service Commercial / Parks and Schools
Overlay	C-B	Central Business (TL 4401 outside of C-B overlay)
Use	Five single-family homes	

#### Surrounding Site Characteristics

North	MFR-20	Multiple-Family Residential, 20 dwelling units per gross acre
	C-S/P	Townhouse
South	MFR-20	City of Medford public parking lot
West	N/A	I-5 viaduct/Bear Creek riparian corridor
East	MFR-20	Single-family homes

#### Related Projects

PA-15-159 Almond Street Apartments Pre-application

Corporate names

The Oregon Secretary of State website lists Dan Thomas as the Registered Agent and Member of Almond Rentals, LLC.

Applicable Criteria

MLDC Section: 10.290 – Site Plan & Architectural Review Criteria

*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.*

MLDC Section: 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.*
- (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.*

## ISSUES AND ANALYSIS

### ORS 197.307(4) – Needed Housing

The subject application is subject to Oregon Revised Statutes (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 (Exhibit W), 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.

### Background

The subject site is composed of four contiguous parcels totaling 1.23 gross acres, with each respective tax lot currently containing a single-family home under the ownership of Almond Rentals, LLC.

On March 7, 2016, the applicant submitted a SPAC application with full plans showing the proposed construction of a 22,290 square foot apartment building composed of 108 units consisting of one- and two-bedroom apartments, along with studio apartments. The building is proposed to be constructed with a four-story west wing of apartments along the westerly lot line abutting the I-5 viaduct, and two east flanking wings with two-story apartments. The existing four single family homes will be removed as part of the proposed development.

The proposed development also includes an Exception application requesting relief from the Code standards for building height and side and rear yard building setbacks.

### Zoning

All four subject tax lots are located within the C-S/P zoning district. Medford Land Development Code (MLDC) Section 10.326 identifies the C-S/P district as the following:

*The C-S/P district provides land for professional offices, hospitals, and limited service commercial uses. This district is intended to be customer-oriented, however, retail uses are limited. Development in this zone is expected to be suitable for locations adjacent to residential neighborhoods.*

Though the applicant is proposing a multi-family residential development, and the subject site is zoned commercial, pursuant to MLDC 10.837, dwelling units are permitted as a special use in all commercial districts except the Neighborhood Commercial (C-N) zone subject to the dwelling type standards established for housing within the MFR-30 district.

In addition to the underlying zoning classification, three of the four subject tax lots are within the Central Business (C-B) zoning overlay which imposes additional or different development regulations in the downtown area of the City. MLDC 10.358 identifies the Central Business overlay district as the following:

*The C-B district is representative of the core downtown business and retail area. The intent of the C-B district is to recognize the unique and historic character of the downtown area as an asset to the community and to provide standards and criteria necessary for its continued development and redevelopment as a vital part of this community.*

Tax lot 4401 located in the northeast portion of the subject site totaling 0.23 acres and containing a single family home, is the only tax lot within the subject site which is located outside of the C-B overlay. The only effect this anomaly has to the submitted site plan is the parking on this parcel is held by a different standard than the other three parcels that are within the C-B overlay. Other than parking, all four subject parcels are held by the same dwelling type and development standards of the MFR-30 district.

#### Fire Department Access

In their report, the Fire Department states that four fire hydrants will be required for the proposed development, along with the required access provisions. It is further stated in the report that a 20 foot wide fire lane will be required for both the south and west sides of the proposed building, which will require access agreements with the City of Medford, which owns the parking lot to the south, and the Oregon Department of Transportation (ODOT), which owns the property west of the subject site. In order to comply with the Fire Department's access easements, parking will have to be prohibited along the fire lanes. This provision would require the removal of existing parking spaces on the municipal parking lot to the south.

As of this writing, staff has not received any agreements between the applicant and the City of Medford or ODOT, and the submitted site plan does not delineate the 20 foot wide fire lane required by the Medford Fire Department. Staff has included conditions of approval requiring documentation of access agreements between the applicant and the City of Medford and between the applicant and ODOT for access rights allowing the development to meet Fire Code requirements. Further, staff has included a condition requiring a revised site plan be submitted which clearly delineates the 20 foot wide fire lanes required by the Medford Fire Department.

Vehicular access

Vehicular access to the proposed development will be primarily from Almond Street. The submitted site plan shows two adjacent driveways serving as a U-shaped design for vehicular ingress and egress. The proposed development can also be accessed from East Main Street and East 8<sup>th</sup> Street through the Senior Center parking lot.

Pedestrian access

Pedestrian access will be primarily from Almond Street which is currently served by a sidewalk. The submitted site plan also shows interior pedestrian walkways providing safe, direct, and convenient pedestrian access connecting the public sidewalk fronting Almond Street to the proposed building entrances consistent with MLDC Sections 10.772-10.775.

Parking

**PARKING CALCULATIONS**

	REQUIRED	SHOWN
Total parking spaces (auto)	115	115
Accessible spaces	5	5
Bike spaces	108	126
Loading berth	0	1

The proposed parking for the subject site includes underground parking as well as open air parking to be located in the center court area. The applicant is proposing a total of 115 automobile parking spaces, including five accessible spaces and six motorcycle spaces. Of the 115 proposed spaces, 81 are proposed to be located in an underground parking lot, while the other 34 are proposed to be located in the center court area. The submitted site plan also includes a loading berth area located in the southeast corner of the subject to the rear of the proposed building. The loading berth will need to be removed or relocated to accommodate the required fire lane on the west side of the structure.

In addition to parking spaces for automobiles, the applicant is proposing a total of 126 bicycle spaces at various areas of the proposed site, as well as at different levels of the building.

As illustrated in the Parking Calculations table above, the site plan meets and/or exceeds the applicable off-street parking requirements for the proposed development pursuant to MLDC 10.743- 10.751.

Landscaping

**LANDSCAPING CALCULATIONS**

	<b>REQUIRED</b>	<b>SHOWN</b>
Frontage - Trees	11	11
Frontage - Shrubs	66	66+
Parking Lot - Trees	4	5
Parking Lot - shrubs	8	8+

The applicant has submitted a Landscape Plan prepared by a State of Oregon registered landscape architect, Madera Design, Inc. (Exhibit E). The submitted plan proposes 8,790 square feet of total landscaped area, which includes the frontage along Almond Street, landscaping along both the northerly and southerly side lot lines, and landscaping along the northwest corner of the subject site serving as a buffer between the proposed building and the Medford Senior Center parking area in which it abuts. Pursuant to MLDC Section 10.746, the landscaping plan also includes internal parking lot area planter bays totaling 441 square feet.

As illustrated in the Landscaping Calculations table above, the submitted Landscaping Plan meets or exceeds the applicable landscaping requirements for the proposed development pursuant to MLDC 10.746 and 10.780.

Bufferyards

Bufferyards are required in order to provide aesthetic separation between incompatible uses, such as when residentially zoned lots share a lot line with a commercially zoned property.

Pursuant to MLDC 10.790(D), the proposed development will require Type A bufferyards along both the northerly and southerly lot lines which abut MFR zoned parcels. This would include the entire length of the southerly lot line, and westerly 167 feet of the northerly lot line, less the 100 foot parcel abutting the subject site to the northeast (TL 4300). That lot is also commercially zoned; a bufferyard is not required.

MLDC 10.790(E) identifies Type A bufferyards as a 10 foot width of plantings with a six foot concrete or masonry wall. The submitted site plans identifies a six foot masonry wall running along the northerly lot line, along with landscaped plantings running the length of both the southerly and northerly lot lines. The submitted site plan does not meet the full bufferyard requirements as outlined in MLDC 10.790, as the southerly lot line does not include the location of a six foot wall, and both the southerly and northerly landscaping buffer widths are substandard.

The Code provides "built in" relief for applicants who are proposing a site plan which either excludes a bufferyard, or the proposed bufferyard does not meet the full requirements as outlined in the Code. This relief is contingent on approval by the approving authority and does not require a formal Exception request.

In regards to discretionary adjustments to bufferyard requirements, MLDC 10.790(E)(6) states the following:

*Adjustments to bufferyards: The approving authority shall have the discretion to make adjustments to the bufferyard requirements if an unusual circumstance exists and a finding is made that adequate buffering will be provided to avoid significant adverse impacts to the livability or value of the adjoining properties. Adjustments shall not be made simply for the convenience of site design. Adjustments to the bufferyard requirements may include, but are not limited to, the following:*

*(a) Where a building wall with no openings below eight (8) feet abuts the bufferyard, the building wall may be counted in place of a required wall or fence.*

*(b) Where there is existing development on the site, such as paving or a building, which affects or precludes implementation of the bufferyard standard.*

*(c) Where a proposed project abuts existing development, and the adjacent uses are the same (i.e., apartment parking lot adjacent to commercial parking lot) or are sufficiently compatible that the full buffering, otherwise required, is not necessary and the uses are not expected to change significantly over time.*

*(d) Where a project abuts an irrigation canal, natural waterway, railroad right-of-way, or other such element.*

It is staff's view that the bufferyards as identified on the submitted site plan are adequate, and that the approval of discretionary adjustments can be granted without adverse impacts to the livability or value of the adjoining properties. MLDC Section

10.790(E)(6)(c) applies specifically to the southerly lot line which abuts a city-owned parking lot. In regards to the northerly lot line, while staff feels minimal buffering is appropriate, the existing uses are sufficiently compatible that full buffering is not necessary.

#### Concealments

Consistent with the requirements outlined in MLDC Sections 10.781 and 10.782, the submitted site plan shows the proposed location of both the Heating, Ventilation, Air Conditioning (HVAC) equipment and the proposed trash facilities to be fully screened.

#### Dedications and Public Improvements (Exhibit Q)

##### *Streets*

All four tax lots have direct frontage along Almond Street which is classified as a Standard Residential Street per MLDC Section 10.430. Almond Street is currently improved with pavement, curb, gutter, planter strip, sidewalk, and some street lights.

Pursuant to MLDC Section 10.430, a Standard Residential Street requires a minimum right-of-way width of 63 feet. Almond Street currently measures 50 feet in width. In accordance with MLDC 10.451, an additional right-of-way dedication of 6.5 feet is required and shown on the site plan.

In addition to the right-of-way dedication, the applicant delineates a 10 foot Public Utility Easement in the submitted site plan in accordance with MLDC 10.471.

##### *Sanitary Sewer*

The proposed development is within the Medford sewer service area. In their submitted staff report, Public Works states that there is an existing 8-inch diameter sanitary sewer main in Almond Street in which will allow the developer to provide an individual service lateral to the subject site.

There is also an existing sanitary sewer line running along the westerly end of the subject site under the jurisdiction of the Rogue Valley Sewer Services. The applicant is not proposing to utilize this sanitary line for the proposed development as confirmed in their submitted utility plans.

##### *Storm Drain & Water Quality*

There is not a public storm drain serving Almond Street or the adjacent area surrounding the subject site. As stated in the applicant's narrative and illustrated in the submitted Conceptual Stormwater Drainage and Quality/Detention Facility Plan, the

developer is proposing to drain to Bear Creek, which is located to the west of the proposed building. The applicant's submitted narrative states the following:

*Storm water quality and quantity for the open surface parking will be addressed through pervious pavement. Roof drainage will be detained on the roof and then collected at the back of the site and treated for water quality before it empties into Bear Creek. The expected outfall is directly into the Creek.*

In order for the development to include the construction of a storm drain pipe through the riparian corridor of Bear Creek, the applicant will have to coordinate with ODOT concerning access through the I-5 right-of-way. Additionally, approval for construction of storm drain facilities within the Bear Creek Riparian Corridor will require the approval of a Conditional Use Permit by the Planning Commission. A condition has been included.

#### Other Agency Review Comments

##### *Medford Water Commission (Exhibit R)*

The subject site is served by the Medford Water Commission in which the proposed development has access to an existing 4-inch water line in Almond Street, a 12-inch water line located in E Main Street, and a 4-inch water line in E 9<sup>th</sup> Street. However, as the existing the water lines are non-conforming, the applicant will be required to install a new 12-inch water main in Almond Street.

##### *ODOT (Exhibit U)*

ODOT has reviewed the site plan and determined that this application will not significantly affect state transportation facilities under the State Transportation Planning Rule.

At the time of this writing, staff has contacted ODOT concerning possible right-of-way issues with the proposed development for both fire lane access and the proposed drainage pipe, and is awaiting a response.

**Update:** Don Morehouse from ODOT spoke before the Commission. Mr. Morehouse stated that they had no specific setback standards and so had no conditions. When it comes to using ODOT right-of-way to meet a City parking access such as the fire lane or any type of landscaping, the applicant would not be able to use the ODOT right-of-way to meet those standards. He added it may be possible for the fire lane, but it's not a routine permit the applicant would acquire from ODOT.

*Public Works Survey Section (Exhibit V)*

It appears that tax lot 4401 was illegally created in 1993. As a condition of approval, staff recommends that the applicant either provide documentation proving tax lot 4401 was legally created, or legalize the lot pursuant to the Oregon Revised Statutes Chapter 92 (ORS 92).

Exception Analysis

	REQUIRED	SHOWN
Building height, west wing	35 feet maximum	54 feet
Side yard setback, east wings	13 feet minimum	7.5 feet
Side yard setback, west wing	23.5 feet minimum	12.5 feet
Rear yard setback, west wing	23.5 feet minimum	5 feet

*Building Height*

The applicant is requesting relief to exceed the maximum height allowed for the westerly section of the proposed apartment building. Pursuant to MLDC 10.837, dwelling units are permitted in all commercial districts subject to the dwelling type standards established for housing within the MFR-30 district. The development standards for the MFR-30 zoning district in MLDC 10.714 limit building height to 35 feet. The two-story east wings are proposed to be 33 feet and meet the requirement. However, west wing is proposed to reach a height of 54 feet, exceeding the maximum allowed by 19 feet.

One of the purposes of imposing height limits for buildings within a zoning ordinance is in the interest of promoting incremental development patterns by preventing new developments in which are incompatible with existing adjacent developments and which could potentially have an adverse effect on the surrounding area.

Oddly, the subject site abuts residentially zoned properties to the north and south which contain commercial type uses (Medford Senior Center and municipal parking lot), and abuts a commercially zoned parcel to its north in which is currently used as a residence containing a townhouse.

In the submitted Findings of Fact, the applicant points out that the design team intentionally kept the tallest mass of the building at least 150 feet from the residential uses along the east side of Almond Street to not cast afternoon shadows on the residential neighborhood. Further, the applicant argues that despite abutting a residentially zoned parcel to its south, the use of this parcel as a City-owned parking lot is highly unlikely to be converted to a residential use in the near future.

Though the proposed 54 foot west wing will be adjacent to the Medford Senior Center to the north, the Medford Senior Center fronts and is accessed via 8<sup>th</sup> Street and Main Street. The proposed building will not impair the motorists/pedestrian view of the center from these public streets.

For these reasons, compounded with the tremendous need for multi-family development within the City, it is staff's view that the granting of this Exception would be in harmony with the general purpose of the regulation, and would not adversely affect the character of the existing neighborhood.

#### *Side Yard Setback*

Pursuant to MLDC Section 10.714, the side yard setback for the proposed building is required to be a minimum of 13 feet for the east sections of the building proposed at 33 feet, and 23.5 feet for the four-story west wing of the proposed building. The proposed building has different setback requirements for the two east wings from the west wing; however, the proposed building as delineated on the submitted site plan does not meet the required side yard setback at any point. At the closest points, the building is proposed at and 7.5 for the two-story east wings and 12.5 feet for the west wing, necessitating substantial Code relief to be granted.

Staff agrees that unique and unusual circumstances do indeed apply to the subject site as the developer is proposing a residential development on commercially zoned property, and the existing uses on the abutting properties are not compatible with their zoning districts. Further, it is the view of staff that the granting of a side yard setback Exception for the southerly lot line would be in harmony with the general purpose of the regulation, and would not adversely affect the character of the existing neighborhood, as the use on the adjoining property is a City-owned parking lot and is unlikely to be redeveloped in the future.

Staff fails to see any unique or unusual circumstances that exist on the property which would preclude the applicant from meeting the northerly side yard setback requirement or that would impose an undue hardship on the property owner. Therefore, staff is unsupportive of the applicant's request, and recommends a condition of approval requiring the submittal of revised plans showing the required side yard setbacks along the northerly lot line prior to the issuance of a building permit.

**Decision:** The Commission found that there are unique and exceptional circumstances with the abutting parcel to the north which justify granting relief from the required side yard setback for the four-story west wing; however, the Commission concurred with staff's report that the northerly two-story wing did not meet the applicable criteria for the granting of an Exception.

A modified condition has been included consistent with the Commission's decision which requires a revised site plan showing the required side yard setback for the 2-story west wing along the northerly lot line prior to the issuance of a building permit.

*Rear Yard Setback*

Pursuant to MLDC Section 10.714, the rear yard setback for the proposed building is required to be 23.5 feet for the four-story west wing of the proposed building. The site plan shows varied distances for the required rear yard ranging from 11.5 feet to 5 feet. As shown, the site plan does not meet the required rear yard setback minimum at any point.

Staff agrees that unique and unusual circumstances do apply to the subject site in terms of the rear yard lot line. The subject property abuts the I-5 Viaduct/ODOT right-of-way to the rear of the property running along the westerly lot line, which is also used as additional parking for the Medford Senior Center. Additionally, the northerly section of the rear lot line of the subject property abuts another section of the Medford Senior Center parking lot. Given the existing uses on the abutting properties are unlikely to be redeveloped (in the case of the ODOT right-of-way/Bear Creek Riparian Corridor, extremely unlikely), it is the view of staff that the Exception can be granted in keeping in harmony with the general purpose of the regulation, and would not adversely affect the character of the existing neighborhood.

Committee Comments

No comments were received from a committee such as BPAC.

**FINDINGS OF FACT**

MLDC Section: 10.290 – Site Plan & Architectural Review Criteria

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

Downtown housing is identified as a needed housing type in the Housing Element of the Comprehensive Plan. This Criterion does not apply under 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.*

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. This criterion is satisfied.

MLDC Section: 10.253 - Criteria for an Exception

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.*

The Commission can find that the Exception requests can be granted in compliance with the criteria of the Code with the imposition of conditions of approval contained in Exhibit A.

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.*

Pursuant to MLDC 10.837, dwelling units are permitted as a special use in all commercial districts except the Neighborhood Commercial (C-N) zone subject to the dwelling type standards established for housing within the MFR-30 district. The criterion is satisfied.

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 Commission can find that the Exception requests can be granted in compliance with the criteria of the Code with the imposition of conditions of approval contained in Exhibit A.

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,*

The Commission can find that the Exception requests can be granted in compliance with the criteria of the Code with the imposition of conditions of approval contained in Exhibit A.

## FINDINGS AND CONCLUSIONS

Staff has reviewed the applicant's narrative, findings, and conclusions (Exhibit B) and recommends the Commission adopt the findings with the following modification(s):

- The criterion at MLDC 10.290(1) does not apply under ORS 197.307(4) as downtown housing is identified as a needed housing type in the Housing Element of the Comprehensive Plan.
- The applicant shall submit revised plans showing the proposed building meeting the required side yard setback for the 2-story west wing along the northerly lot line prior to the issuance of a building permit for the proposed development.
- The applicant shall submit revised plans in which a clear delineation of the required 20 foot wide lane fire lane for the southerly and westerly ends of the subject site is identified. Agreements with the abutting property owners (ODOT and the City) are required.

## ACTION TAKEN

Adopted findings with the proposed modifications as recommended by staff, approved the Exception for building height and setbacks along the westerly and southerly property lines, approved the Exception for the setback along northerly property line limited to the four-story wing and directed staff to prepare a Final Order for approval of AC-16-029/E-16-030 per the Commission report dated June 3, 2016, including Exhibits A-1 through W.

## EXHIBITS

- A-1 Conditions of Approval dated June 3, 2016.
- B Applicant's Narrative, Questionnaire, and Findings of Fact, received April 12, 2016.
- C-1 Site Plan, received June 1, 2016.
- D Aerial Site Plan, received May 19, 2016.
- E Landscape Plan, received May 19, 2016.
- F Setback and Utility Plans, received May 19, 2016.
- G Existing Conditions, received May 19, 2016.
- H Surveyed Site Plan, received April 12, 2016.
- I Phasing Plan, received May 19, 2016
- J Roof Plan, received May 19, 2016.
- K Materials Plan, received March 7, 2016.
- L Concept Elevations (1-4), received March 7, 2016.
- M Building Elevations (1-2), received March 7, 2016.
- N Floor Plans (1-3), received March 7, 2016.
- O Oregon Department of Aviation memo, dated May 3, 2016.
- P Rogue Valley Transportation District Memorandum, dated May 2, 2016.

- Q Medford Public Works Department Staff Report, received May 18, 2016.
- R Medford Water Commission Memorandum, dated May, 2016.
- S-1 Medford Fire Department Report dated June 1, 2016.
- T Building Department Memo, dated May 11, 2016.
- U Oregon Department of Transportation email, dated May 13, 2016.
- V Public Works Survey Section memo, dated April 27, 2016
- W Housing Element Section VI  
Vicinity Map

## **MEDFORD SITE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

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**Jeff Bender, Chair**

**SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:**

**JUNE 3, 2016**

**JUNE 17, 2016**

## EXHIBIT A-1

Almond Street Apartments  
AC-16-029 & E-16-030  
Conditions of Approval  
June 3, 2016

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### DISCRETIONARY CONDITIONS

1. Prior to the issuance of the first building permit, the applicant shall submit revised plans showing the following:
  - a. Adjust the building to provide the required side yard setback for the entire length of the northerly property line except for the four-story wing.
  - b. The required 20-foot wide lane fire lane for the southerly and westerly ends of the subject site consistent with the requirements of the Medford Fire Department (Exhibit S).
2. Prior to issuance of the first building permit for vertical construction, the applicant shall either provide the Planning Department with documentation demonstrating tax lot 4401 was legally created, or legalize the lot pursuant to the Oregon Revised Statutes – Chapter 92 (ORS 92) of the Oregon State Legislature.
3. Prior to issuance of the first building permit, the applicant shall provide the Planning Department with documentation demonstrating permission from the Oregon Department of Transportation (ODOT) for the following:
  - a. Installation of stormwater drainage facilities through ODOT right-of-way to Bear Creek.
  - b. Use of ODOT right-of-way for all or part of the required 20-foot fire lane along the west side of the site consistent with the Medford Fire Department Land Development Report (Exhibit S).
4. Prior to the issuance of the first building permit, the applicant shall provide the Planning Department a copy of a recorded agreement allowing the use of the abutting property to the south for the required 20-foot fire lane along the southerly property line consistent with the Medford Fire Department Land Development Report (Exhibit S).

### CODE CONDITIONS

5. Prior to issuance of the first building permit, the applicant shall consolidate tax lots 4400, 4401, 4601, and 4701 through the Medford Planning Department.
6. The applicant shall comply with all conditions stipulated by the Medford Water Commission (Exhibit R).

7. The applicant shall comply with all conditions stipulated by the Oregon Department of Aviation (Exhibit O).
8. The applicant shall comply with all conditions stipulated by Medford Public Works Department (Exhibit Q).
9. Prior to the issuance of any building permit and upon receipt of documentation confirming permission from ODOT to install stormwater facilities within the ODOT right-of-way, the applicant shall apply for and obtain a Conditional Use Permit to construct stormwater facilities within the Bear Creek Riparian Corridor pursuant to MLDC Section 10.925.





# Medford Fire Department

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

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JUN 01 2016  
PLANNING DEPT

## LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/10/2016

Applicant: Oregon Architecture, Inc., Applicant (Mark McKechnie, Agent)

File #: AC - 16 - 29

Associated File #'s: E - 16 - 30

### Site Name/Description:

Consideration of plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct, approximately 300 feet south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701); Oregon Architecture, Inc., Applicant (Mark McKechnie, Agent). Dustin Severs, 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: A total of four fire hydrants are required: One existing on Almond to be slightly relocated, one in the interior courtyard near the fire department connection, one on the City's adjoining property in a parking island near the SW corner of the building, and one on E. Main Street in front of the Medford Senior Center.

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 FIRE FLOW - OTHER THAN 1 & 2 FAMILY DWELLINGS

OFC

B105.2

The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

The current infrastructure will not meet the required fire flow.

#### Requirement AERIAL APPARATUS ACCESS

OFC

D105

The revised sheet A-102 submitted on 5/17/16 showing a 26' aerial fire lane meets aerial apparatus access requirements.

#### 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

CITY OF MEDFORD

EXHIBIT # 5-1



# 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: City of Medford Public Works

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/10/2016

Applicant: Oregon Architecture, Inc., Applicant (Mark McKechnie, Agent)

File #: AC - 16 - 29

Associated File #'s: E - 16 - 30

### Site Name/Description:

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 PRIVATE FIRE DEPARTMENT ACCESS PARKING RESTRICTION OFC 503.4

A minimum of 6' of pavement will be required (capable of supporting fire apparatus access loads) to be added to the travel lane on the west side of the structure to create a minimum 20' wide fire lane. Parking shall be posted as prohibited along the East side of this fire lane. Parking shall also be posted as prohibited along the South side of the property (North side of fire lane other than where the five existing parallel parking spots are). An access agreement is required to maintain the fire lanes from E. Main St. to Almond St. There is no change at this time to parking configuration in the existing parking lots.

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 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).

For privately owned properties, posting/marketing of fire lanes may be accomplished by any of the following 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 #2:

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



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## LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 05/11/2016

From: Greg Kleinberg

Report Prepared: 05/10/2016

Applicant: Oregon Architecture, Inc., Applicant (Mark McKechnie, Agent

File #: AC - 16 - 29

Associated File #'s: E - 16 - 30

### Site Name/Description:

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.

A brochure is available on our website or you can pick up one at our headquarters.

### Requirement FD APPARATUS ACCESS ROAD DESIGN

OFC 503.2.1

A minimum of 6' of pavement will be required (capable of supporting fire apparatus access loads) to be added to the travel lane on the west side of the structure to create a minimum 20' wide fire lane. The turning radius at the SW corner shall be a minimum 25'.

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 EMERGENCY RESPONDER RADIO COVERAGE

OFC 510.1.1

Emergency responder radio coverage must be provided in the following buildings and locations:

1. Any building with one or more basement or below-grade building levels.
2. Any underground building.
3. Any building more than five stories in height.
4. Any building 50,000 sq. ft. in size or larger.
5. Any building that, through performance testing, does not meet the requirement of Section 510.

**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.**



## Site Plan and Architectural Commission

# Minutes

From Public Hearing on June 3, 2016

The regular meeting of the Site Plan and Architectural Commission was called to order at 12:00: noon in the Council Chambers on the above date with the following members and staff in attendance:

### Commissioners Present

Jim Quinn, Acting Chair  
Jim Catt  
Bill Chmelir  
Tim D'Alessandro  
Bob Neathamer  
Marcy Pierce  
Curtis Turner  
Rick Whitlock

### Staff Present

Jim Huber, Planning Director  
Kelly Akin, Principal Planner  
Eric Mitton, Senior Assistant City Attorney  
Tracy Carter, Planner II  
Dustin Severs, Planner II  
Doug Burroughs, Public Works/Eng Development Services Manager  
Debbie Strigle, Recording Secretary

### Commissioners Absent

Jeff Bender, Chair, Excused Absence  
Dick Gordon, City Council Liaison

10. Roll Call.

20. Consent Calendar. None.

30. Minutes.

30.1 The minutes for the May 6, 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-15-115/E-16-042** Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd). (JDT Trucking, Applicant; CSA Planning LTD/Jay Harland, Agent).

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

Tracy Carter, Planner II, read the approval criteria, and gave a PowerPoint presentation of the May 27, 2016, Staff Report. Staff recommended approval.

Commissioner Whitlock wanted to know if staff agreed that the parcel to the north was passive agricultural land. Mr. Carter said it seemed to be, based on the agent's Findings.

Commissioner Whitlock asked if staff had an opinion about connection to other streets. Ms. Akin pointed out the right-of-way does connect to the east, and access is obtained to the west from Table Rock Road. She said there is no right-of-way as far as how they actually access the site but it does connect to the east.

Commissioner wanted to know what the Deferred Improvement Agreement (DIA), as proposed by the Public Works Department, actually accomplishes. Ms. Akin explained the DIA has two purposes: (1) a promise to construct the improvements the agreement pertains to, and (2) to provide some form of security.

Ms. Akin commented that staff does agree with the agent's passive agricultural impact assessment.

Doug Burroughs, Public Works Department, referred to the Public Works Department Staff Report, Section 2a. He said they are asking for frontage improvements of only the part the applicant is impacting with their project, which is approximately 220 feet. The applicant would be responsible for improving the north half.

Commissioner D'Alessandro wanted to know what the financial impact of a DIA might be to the applicant. Mr. Burroughs said the rough estimate could be in the range of \$30,000 to \$50,000.

Commissioner Whitlock asked if there is a Medford code provision requiring improvements to the privately maintained street used by the development for access. Eric Mitton, Senior Assistant City Attorney, said he would respond after looking into it.

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

a) Jay Harland, CSA Planning, 4497 Brownridge, Medford, spoke about the project, street improvements, the challenge to find the relevant code section under which the City could require improvements be made to the privately maintained street, and the DIA. Mr. Harland requested that either the record remain open for seven days or the Commission continue the public hearing to another meeting so they could work with staff and allow for any new evidence on the improvements and DIA issues.

Mr. Mitton responded to Commissioner Whitlock's question regarding a code provision requiring the improvements to the privately maintained street used by the development for access. Mr. Mitton referenced MLDC §10.421 and gave an explanation of how staff and the City Attorney's office interprets it.

Mr. Harland commented that the code is vague and not clearly written.

After more discussion on street improvements and the DIA, the Commission decided to continue the public hearing to the June 17, 2016, meeting.

The public hearing was closed.

Motion Continue this hearing to the June 17, 2016, meeting.

Moved by: Commissioner Whitlock

Seconded by: Commissioner D'Alessandro

Roll Call Vote: Motion passed, 8-0

50.2 AC-16-029/E-16-030 Consideration of plans for a 22,290 square foot, 108 dwelling unit multiple-family residential building and two Exception requests for building height and setback relief on approximately 1.23 acres extending between Almond Street and the I-5 viaduct approximately 300 feet

south of East Main Street, within the C-S/P (Service Commercial and Professional Office) zoning district. (Map lots 371W30BD TL 4400, 4401, 4601, and 4701). (Almond Rentals, LLC, Applicant; Oregon Architecture, Agent).

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

Dustin Severs, Planner II, gave a PowerPoint presentation of the May 27, 2016, Staff Report. He pointed out that a revised site plan and revised Medford Fire Department Report had been e-mailed out to each Commissioner prior to the meeting day. Hardcopies had also been placed at each Commissioner's seat on the dais the day of the meeting. Staff recommended approval.

Commissioner Whitlock wanted to know what development constraints might result from a denial of the northerly setback. Mr. Severs said Mr. McKechnie had indicated he could meet the required setback for the two-story building but a denial for the four-story building would be detrimental as far as meeting the requirement.

Commissioner Whitlock asked if the Commission should be looking at what the current use is or if they should they be looking at what the zoned use is. Mr. Severs answered he was not sure.

Commissioner Whitlock pointed out that the revised site plan still showed the loading berth in the 20 foot fire lane and wondered if the Fire Department still had a concern about that. Mr. Severs replied he would need to discuss that with the Fire Department as it did appear the loading berth was obstructing the lane.

Alternative accesses were discussed. The access off of Main Street would go through the Medford Senior Center, through the Oregon Department of Transportation (ODOT) right-of-way, and through the public parking lot to Almond Street. Mr. Severs stated he strongly believed it was not the intent of the applicant to use this access and was not critical to this project.

Commissioner Whitlock was curious to know why there are so many studio apartments within this complex. Mr. Severs deferred the question to the applicant's agent.

Mr. Mitton weighed in on the question regarding if the Commission should be looking at what the current use is or if they should be looking at what the zoned use is for neighboring properties. He referred to §10.290(1) and §10.253(1) saying that because this is a needed housing project, the Commission should be looking at zoned use and not current use.

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

a) Mark McKechnie, agent for the applicant, talked about the uses around the parcel being public entities and if any easements or grants would even be required. He also talked about their plan for storm drainage. In regards to the fire lane and loading berth, Mr. McKechnie stated he had a meeting with staff from the Fire Department, Building Department, and Planning Department and they had come to an agreement which the revised Fire Department Report did not reflect. He said he had gone back to Greg Kleinberg, Deputy Fire Chief, and said an agreement had been made that if a fire hydrant was installed at the entrance of the Senior Center on Main Street and another one in the parking lot to the south, that Mr. Kleinberg would be fine with a 20 foot driveway. He added he was also told that the loading berth was okay to leave in that area because it is a temporary use and is far enough away from I-5 there would be no issue with setup.

Mr. McKechnie spoke to the setback issue on the north side for the four-story building portion. He stated at their pre-application meeting a letter of support for the 10 foot setback exception request had been given by Planning staff. Mr. McKechnie read the letter dated December 30, 2015.

Mr. McKechnie spoke to the height exception request and then asked for approval of the project.

Mr. McKechnie requested time for rebuttal.

Commissioner Catt wanted to know what materials would be used for the water detention on the rooftop. Mr. McKechnie answered they had not gotten to the details for that yet but he thought just a standard TPO (Thermoplastic Polyolefin) membrane type roof would do. He commented there might eventually be a roof garden.

Commissioner Catt expressed his concern about the traffic that would be on Almond Street and how that might affect the residential area across the street. Mr. McKechnie explained that it is walking distance to the downtown area and colleges and that public transit would be available.

Commissioner D'Alessandro said he felt this was an outstanding project and a very much needed housing development.

Acting Chair Quinn asked if there would be an elevator to the fourth floor. Mr. McKechnie answered yes, there would be one or two.

Commissioner Whitlock asked why there were so many studio apartments. Mr. McKechnie answered that it is market-driven.

Commissioner Whitlock was curious to know what would happen to the size or configuration of the four-story building if the Commission denied the exception request for the northerly setback. Mr. McKechnie replied that they would end up losing at least two units per floor, they would have to re-design the stairs, and there may be some impact on the parking. Commissioner Whitlock wanted to know if there would be any financial consequences. Mr. McKechnie stated he did not know at this time.

Commissioner Whitlock commented that the design of the project is a lot different than the other types of multi-family structures in the area. Mr. McKechnie said the idea was to have it look more high-tech and interesting. The design also accommodates balconies.

Commissioner Pearce remarked that she appreciated what was being accomplished with this project. She wondered if there were any concerns with renting based on sound since it is so close to I-5. Mr. McKechnie answered there are a lot of materials on the market that are made to mitigate sound and they are prepared to use those materials.

b) Don Morehouse, Oregon Department of Transportation (ODOT), stated he had spoken to an ODOT structural engineer regarding setbacks from a major bridge and was told there were no specific standards so there are no conditions. When it comes to using the ODOT right-of-way to meet a City parking access such as the fire lane or any type of landscaping, the applicant would not be able to use the ODOT right-of-way to meet those standards. He added he's not saying that a deal couldn't be made for the fire lane but it's not just a routine permit the applicant would acquire from ODOT.

c) Iraj Ostovar, Medford, has an office approximately 50 feet away from the project site. His concerns were that he does not see any harmony or compatibility with the existing neighborhood; he feels his office would be under the shadow of the proposed building; and he had parking and traffic concerns. He was afraid the proposed building could hurt his business.

Kelly Akin, Principal Planner, commented that the proposed parking does meet code requirements. She also noted that the loading berth would be the only thing that would trigger a cross-access easement.

d) Kathy Helmer, Medford, said she would like to see this project take place but wished the applicant could find some darker materials that would be more historic in nature and compatible with

the surrounding neighborhood. She felt this would help the building to look a little classier as well. Her other concern related to the traffic at the intersection of Almond Street and East Main Street.

Commissioner Whitlock clarified that the architecture of the building does not pertain to the criteria because this is a needed housing element. He said State law prevents the Commission from looking at discretionary factors such as design in the context of this development. He added that to a large extent this also applies to the traffic concern. He noted the development is complying with all of the objective standards, except the setbacks which have been discussed at this meeting.

e) Jody Perrin, current renter on the property, expressed her concerns regarding the historic aspect of some of the homes, the old trees, some which are over 100 years old, parking, and traffic.

Mr. McKechnie said they could look at more suitable colors for the building and spoke to the parking and traffic issues. He stated they would probably be talking more to Mr. Morehouse, ODOT, in the future. He said as near as they can figure the viaduct is pushing the east edge of ODOT’s right-of-way now so if there is any kind of ODOT expansion, it would probably go in the other direction. He indicated they would still have fire coverage in the unlikely event that ODOT takes the driveway away from the City.

The public hearing was closed.

Motion: Adopt the findings with the proposed modifications as recommended by staff and direct staff to prepare a Final Order for approval of AC-16-029 & E-16-030 per the staff report dated May 27, 2016, including Exhibits A through W, and including the following:

- 1) Approve the factual changes to the staff report brought up by Mr. Severs during his presentation regarding the public schools zoning and the current use of the houses on the subject property.
- 2) Approve the side-yard exception request for the northerly property line to the north of the west wing four-story building.

Moved by: Commissioner Whitlock

Seconded by: Commissioner D’Alessandro

Commissioner Whitlock asked if the Commissioners had any strong opinions on the side-yard exception request. He commented he liked the additional information provided by the applicant about the density requirement that would apply to that parcel to the north which would result in a two to three-story structure to accommodate the density. He said it seemed like if the use were to change and it were to turn into a multi-family residential then the compatibility might actually increase as it relates between those two parcels.

Commissioner D’Alessandro agreed with Commissioner Whitlock’s assessment.

Commissioner Neathammer noted the site would be overbuilt on a narrow street but he would reluctantly support the motion.

Roll Call Vote: Motion passed, 8-0

60. Written Communications.

60.1 **AC-14-093** Consideration of request for a one-year time extension of the approval of Fern Gardens Phase 3, a 48,446 square foot memory care facility on 2.57 acres located on the north side of Swing Lane, approximately 390 feet east of Table Rock Road within the MFR-20 (Multi-Family Residential – 20 units per gross acre) zoning district. (US-REDIC, Inc., Applicant; Ron Grimes Architects, Dave Evans, Agent).

Kelly Akin, Principal Planner, stated the applicant is requesting an extension and they are well within their time to request that extension.

Motion: Approve the one-year time extension to November 21, 2017, for AC-14-093.

Moved by: Commissioner Neathamer      Seconded by: Commissioner Pierce

Voice Vote: Motion passed, 8-0

70. Unfinished Business. None.

80. New Business. None.

90. Report from the Planning Department.

90.1 Ms. Akin stated there is business scheduled for the June 17 and July 1, 2016, meetings.

90.2 Ms. Akin reported there was no Planning business before City Council on June 2, 2016. She said on City Council's docket is the potential adoption of findings related to the Urban Growth Boundary Expansion.

90.3 Ms. Akin announced that Tracy Carter would be leaving the Planning Department and heading off to the City of Corvallis.

100. Messages and Papers from the Chair. None.

110. Propositions and Remarks from the Commission.

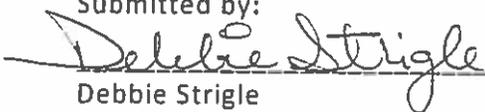
110.0 Commissioner Whitlock declared he would be absent from the June 17, 2016, meeting.

120. City Council Comments. None.

130. Adjournment

130.1 The meeting was adjourned at approximately 2:20 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: June 17, 2016



# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## REVISED STAFF REPORT

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

Project JDT Trucking, Applicant  
CSA Planning Ltd., Agent

File no. AC-15-115 / E-16-042

To Site Plan and Architectural Commission *for June 17, 2016 hearing*

From Tracy Carter, Planner II

Reviewer Kelly Akin, Principal Planner *[Signature]*

Date June 10, 2016

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### BACKGROUND

#### Proposal

Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated Exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Road).

#### Subject Site Characteristics

Zoning: I-G (General Industrial)  
 GLUP: GI (General Industrial)  
 Use: JDT Trucking Company

#### Surrounding Site Characteristics

North	EFU	County Zoning – Exclusive Farm Use
South	I-L	Various industrial uses
East	I-L	Large warehouse structures
	RR-2.5	County Zoning – Rural Residential, 1 unit per 2.5 acres
West	I-L	Various industrial uses (Rogue Valley Countertop, Northwest Mechanical)
	LI	County Zoning – Light Industrial

Applicable Criteria

**Medford Land Development Code §10.290, Site Plan and Architectural Review Criteria**

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 Section 10.253.

**Medford Land Development Code §10.253, Exception Criteria**

No exception, in the strict application of the provisions of this chapter, shall be granted by the approving authority (Planning Commission/Site Plan and Architectural Commission) 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 Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.
- (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.

#### Corporate Names

The application states that Wayne E. Davis is the owner of the property. The Oregon Secretary of State Business Registry lists James E. Davis as the Registered Agent.

#### ISSUES AND ANALYSIS

##### Public Hearing: June 3, 2016

*At the end of the testimony from the agent, the agent requested to leave the record open or to continue the hearing in order to provide additional material. The hearing was continued to the June 17, 2016 Site Plan and Architectural Commission meeting. As of the date of publication, no additional information has been submitted by the applicant or agent. No other revisions have been made to this report.*

#### Background

The subject site borders the city limit line and Urban Growth Boundary along its north property line, and was annexed into the City in 1998 by Ordinance Number 1998-236. Existing improvements include a 3,750 square foot metal building with a 1,350 square foot mezzanine and approximately 8,100 square feet of asphalt. The site is used by JDT Trucking for freight shipping and truck storage and maintenance.

#### Current Proposal

This proposal is for construction of a 50-foot by 75-foot metal industrial building. The new addition, totaling 3,750 square feet, will attach to the northern wall of the existing building.

#### *Site Plan*

The site plan shows the existing and new metal buildings located at the southwest corner of the property. Roughly 35,400 square feet of new asphalt is being proposed for vehicle maneuvering and access to the new repair bays. In addition, the existing parking area will receive new striping, and four new parking spaces will be added just north of the new metal building. The proposal also includes a new French drain near the north property line, a new trash enclosure, and new landscaping. Access points to the south are not proposed to change (Exhibit B).

Eleven vehicle parking spaces and three bicycle parking spaces are provided to serve this development. The Medford Land Development Code Section 10.743 requires 1.0 space per employee on the largest shift, plus 0.2 spaces per 1,000 square feet of gross floor area. Based on a total of 8,850 square feet of gross floor area, and 10 employees on the

largest shift, the minimum vehicle parking required is 12 spaces. The three proposed bicycle parking spaces meet the standards of Code and a condition has been included to provide a minimum of 12 vehicle parking spaces (Exhibit A).

The subject site, zoned General Industrial (I-G), abuts parcels zoned Light Industrial (I-L) to the east and west, and Exclusive Farm Use (EFU) to the north (County zoning). Some form of buffering is required along each of these borders. To the north, the applicant has identified the parcel zoned EFU as engaged in Passive Agriculture and agrees to follow the mitigation procedures outlined in MLDC Section 10.801(D)(3). Those mitigations include a new 6-foot chain link fence adjacent to the new development (from the northwest corner of the lot, approximately 220 feet east), a deed declaration and mitigation of irrigation runoff (Exhibit D). To the east and west, where the subject site abuts parcels zoned I-L, a Type A, 10-foot wide bufferyard with a 6-foot tall concrete or masonry wall is typically required. The Commission has authority in MLDC Section 10.790(E)(6)(c) to adjust required bufferyards in certain circumstances. The applicant has noted the uses for all three properties are long standing and involve similar activities including trucking, fabrication and warehousing. There are existing 6-foot chain link security fences to the east and west separating the properties. The applicant requests the Commission affirm the existing fencing sufficiently meets the adjusted bufferyard requirements.

#### *Elevations*

The applicant's narrative states that the proposed addition will match the color and material of the existing building. The existing building is a light tan, vertically-ribbed metal building with a light green roof. The walls of the new structure will be the same color and materials of the existing walls and the roof will be the same materials but the color will be charcoal gray. The roof of the existing building, which is light green, will be painted charcoal gray to match the new addition. Per the Elevations plan, the new structure will be taller than the existing, 29 feet in height versus 25 feet 2 inches. There will be two repair bay doors on the east façade and one on the north façade, and one new light fixture on the north façade (Exhibit C).

#### *Landscaping*

According to the applicant's Findings of Fact and Site Plan, existing landscaping consists of planter beds running along most of the length of the eastern and western faces of the existing building. The planter bed running along the western building face currently contains 4-foot high Photinia bushes. There is also a row of Hollywood Juniper trees between the subject property and the abutting property to the west. The planter bed along the eastern building face currently contains a mixture of low ornamental shrubs like Lavender and Raphiolepis. A note has been included that these shrubs will be adapted as needed when the parking striping along this frontage is put in. A new planter

bed will be added along the north face of the new building containing low growing shrubs like Lavender and Heavenly Bamboo (Exhibit B).

### Department and Agency Comments

#### *Street Dedications*

An Exception request to eliminate public right-of-way dedications and standard street improvements on future Judge Lane has been filed concurrently with the Site Plan and Architectural Review. If approved, dedications and public improvements will not be required for this development, but Public Works has requested that should this occur, the developer be required to enter into a Deferred Improvement Agreement (DIA) for the frontage improvements to future Judge Lane. However, if the Exception request does not get approved, standard street improvements will be required as described below (Exhibit I).

The Public Works Department Staff Report (Exhibit I) identifies future Judge Lane as a Commercial Street, which requires a total right-of-way width of 63 feet. The developer shall dedicate sufficient right-of-way for the half street width of a Commercial Street, which is 31.5 feet, along the entire frontage of this development. The developer shall also provide a 10-foot wide Public Utility Easement (PUE) adjacent to the street frontage of the entire development.

#### *Street Improvements*

The frontage of future Judge Lane shall be improved to Commercial Street standards pursuant to MLDC 10.429 along the frontage of this development, which from the southwest corner of the lot is approximately 220 feet to the east. Based on the plans submitted, two street lights will also be required (Exhibit I).

#### *Storm Drainage*

A comprehensive drainage plan will be required at the time building permits are applied for. Any area catch basins shall meet Department of Environmental Quality (DEQ) requirements (Exhibit I).

#### *Sanitary Sewer*

The site lies within the Rogue Valley Sewer Services area. The property is served by a connection to an 8-inch sewer main on the existing access road. If the proposed building addition includes the installation of plumbing fixtures, there will be sewer system development charges. Currently the sewer main serving this property is located within an easement dedicated for ingress and egress. Rogue Valley Sewer Services requests the

applicant dedicate a public sewer easement for protection of the existing sewer main. A condition of approval has been included requiring the developer to comply with the Rogue Valley Sewer Services letter, dated April 26, 2016 (Exhibit O).

#### *Water Facilities*

The Medford Water Commission (MWC) memorandum identifies neither off-site water line installation or on-site water facility construction is required for this development. Access to MWC water lines is available to this development via a 12-inch water line located in the local access roadway along the south property line of this parcel. Lastly, static water pressure is expected to be over 90 psi and will require the installation of a Pressure Reducing Valve (PRV). A condition of approval has been included requiring the applicant to comply with the memorandum from the Medford Water Commission, dated May 4, 2016 (Exhibit J).

#### *Oregon Department of Aviation*

The Oregon Department of Aviation requests the applicant file an FAA Form 7460-1, Notice of Proposed Construction or Alteration, to determine if the structure will pose a hazard to aviation safety. A condition of approval has been included requiring the applicant to comply with the Oregon Department of Aviation letter, dated May 3, 2016 (Exhibit P).

#### Exception Requests

The applicant has submitted for an Exception in conjunction with the Site Plan and Architectural Review. The request is to eliminate right-of-way dedications and standard street improvements along the frontage of this development. Currently, access to the subject site is obtained via an access easement to Table Rock Road to the west. Right-of-way has not been dedicated between the subject site and Table Rock Road. Judge Lane is partially dedicated and improved from the west end of the subject site to Peace Lane, a portion of roughly 500 feet of Judge Lane is completely unimproved. Approximately 2,000 feet to the east of the subject site, and outside the Urban Growth Boundary, Peace Lane appears to be paved all the way to Vilas Road to the south.

#### Committee Comments

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

No other issues were identified by staff.

## 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 the applicant's Findings of Fact (Exhibit D) provide sufficient evidence this development is compatible with uses and development that exist 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 provisions of the code if the Commission approves the Exception request to eliminate right-of-way dedications and standard street improvements, and the applicant satisfies the conditions of approval listed in Exhibit A. This criterion is satisfied.

### MLDC 10.253

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;*

The Commission can either agree or disagree with the applicant's findings regarding criterion 1. To summarize, the applicant concludes the granting of the Exception will be in harmony with the intent of the code, and will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources. In the applicant's findings, it's stated that public street requirements exist to assure access to private streets that are paved and have a curb and gutter, to prevent the generation of dust caused by dirt roads, reduce demarcation of the travel surface, and provide a means of water conveyance off the travel surface by a gutter, all of which are accomplished by the existing improvements. Furthermore, it is noted that street improvement standards are imposed to ensure proper street construction, and to ensure publicly maintained facilities are adequate for all land uses served in the immediate area and for connectivity to a wider area. The applicant states the existing street does not connect to any other streets, and that any connections would require

hundreds of feet of street improvements, and that currently any maintenance responsibility for the private street is the private owner's responsibility and not a burden upon the City. If the Commission agrees with the applicant's findings, then criterion 1 is satisfied.

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;*

The Commission can find that granting this Exception will allow for expansion of the existing trucking business and is an outright permitted use in the General Industrial zoning district per MLDC Section 10.337. This criterion is satisfied.

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 Commission can either agree or disagree with the applicant's findings regarding criterion 3. To summarize, the applicant concludes that there are several unique or unusual circumstances that apply to this site which do not typically apply elsewhere in the City. For example, any connectivity to the east to Judge Lane would require improvements outside the existing Urban Growth Boundary. Also, the applicant states that right-of-way would need to be acquired from fourteen other properties in order to create a City street. The applicant also points out that dedication for a commercial street would impact the existing parking and loading area in front of the existing building, and result in the loss of the entire fence on the south side of the property causing exceptional hardship on the owner. If the Commission agrees with the applicant's findings, then criterion 3 is satisfied.

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.*

The Commission can find that the proposal 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 the knowledge of the standards of this code. This criterion is satisfied.

**RECOMMENDED ACTION**

Direct staff to prepare a Final Order for approval of AC-15-115 & E-16-042 per the revised staff report dated June 10, 2016, including Exhibits A through R.

**EXHIBITS**

- A Conditions of Approval dated May 27, 2016
- B Site, Drainage, Utility and Landscape Plan received February 29, 2016
- C Elevations and Floor Plan received February 5, 2016
- D Applicant's Findings of Fact (SPAC) received February 5, 2016
- E Applicant's Findings of Fact (Exception) received March 29, 2016
- F Supplemental Findings of Fact received February 29, 2016
- G Applicant's Exhibits received February 5, 2016
- H Applicant's Exhibits received March 29, 2016
- I Public Works Staff Report received May 4, 2016
- J Medford Water Commission memo received May 4, 2016
- K Medford Fire Department Report received April 29, 2016
- L Medford Building Department memo received May 4, 2016
- M Jackson County Roads letter received April 25, 2016
- N Rogue River Valley Irrigation District Form received May 2, 2016
- O Rogue Valley Sewer Services letter received April 26, 2016
- P Oregon Department of Aviation letter received May 3, 2016
- Q Oregon Department of Transportation email received May 13, 2016
- R Parks and Recreation email received May 24, 2016  
Vicinity map

**SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:**

**JUNE 3, 2016  
JUNE 17, 2016**

## **EXHIBIT A**

JDT Trucking  
AC-15-115 / E-16-042  
Conditions of Approval  
May 27, 2016

### **CODE REQUIREMENTS**

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

1. Submit a revised site plan including the addition of one vehicle parking space, giving a total of 12 vehicle parking spaces and 3 bicycle parking spaces (Exhibit B);
2. Comply with the Public Works Staff Report dated May 4, 2016 (Exhibit I);
3. Comply with the Medford Water Commission memorandum dated May 4, 2016 (Exhibit J);
4. Comply with the Rogue Valley Sewer Services memo dated April 26, 2016 (Exhibit O);
5. Comply with the Oregon Department of Aviation memo dated May 3, 2016 (Exhibit P).

TAX LOT 400

TAX LOT 700

**PLANT LEGEND**

GROUND COVER	MINIMUM SIZE
SHRUBS	4" POTS
KINKIKINICK - <i>Arctostaphylos uva-ursi</i>	
PHOTINA - <i>Photinia 'Traseri'</i>	1 GAL
RAPHOLEPIS - <i>Raphanalis indica 'Indian Princess'</i>	1 GAL
HEAVENLY BAMBOO - <i>Bambusa domestica 'Gulf Stream'</i>	1 GAL
LAVENDER - <i>Lavandula angustifolia 'Munstead'</i>	1 GAL

NOTE: ALL LANDSCAPE AREAS TO BE 85% COVERED WITHIN 8 YEARS. ALL PLANTING & AUTOMATIC IRRIGATION TO BE INSTALLED PER CITY STANDARDS.

Page 46

(E) 4" CHAIN LINK SECURITY FENCING w/ RAZOR WIRE ABOVE

(E) 4" BARBED WIRE FENCE

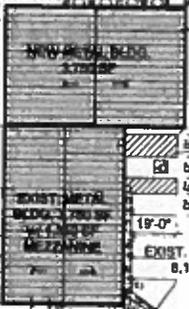
NEW 4" CHAIN LINK SECURITY FENCING w/ RAZOR WIRE ABOVE  
PERFORATED PVC PIPE FULL LENGTH OF DITCH

EXISTING UNPAVED TRUCK STORAGE YARD

NEW 1" SCH 40 PVC PIPE

NEW 50 GAL STORM WATER STORAGE TANK w/ PUMP

NEW TRAMP ENCLOSURE



(E) TREES

AX LOT 509

TAX LOT 802

TAX LOT 800

HYDRANT PROTECTED BY BOLLARDS

(E) 4" CHAIN LINK SECURITY FENCING w/ RAZOR WIRE ABOVE

(E) 12" WATER LINE

(E) 18" RVS SEWER LINE

EXISTING PRIVATE ACCESS ROAD

HYDRANT PROTECTED BY BOLLARDS

TAX LOT 803

TAX LOT 805

TAX LOT 804

TAX LOT 801

**BUILDING ADDITION**

**SITE / DRAINAGE / UTILITIES/ LANDSCAPE PLAN**

SCALE: 1:50

DATE: FEBRUARY 25, 2016

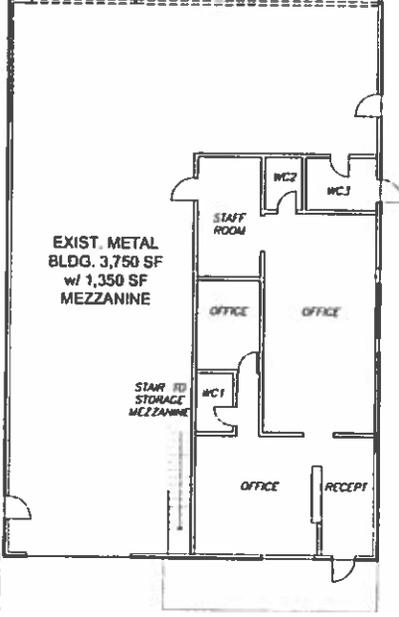
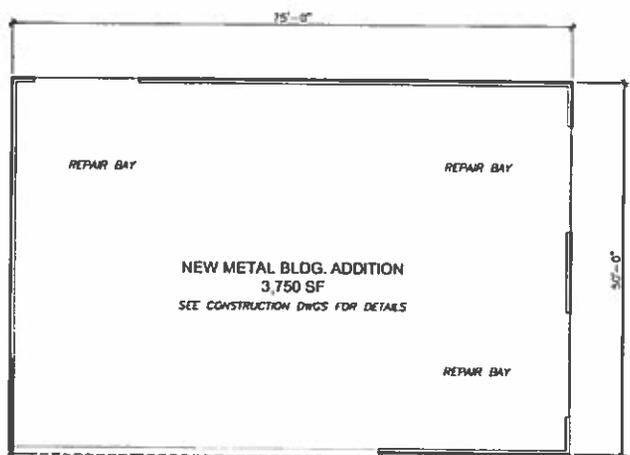
SITE REVIEW - JDT TRUCKING  
MAP # 2W-36A TAXLOT 802

5600 TABLE ROCK ROAD, CENTRAL POINT, OR

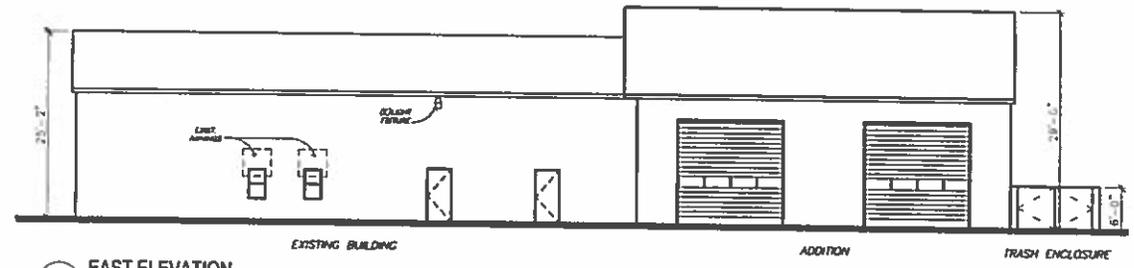
RECEIVED  
FEBRUARY 29 2016  
PLANNING DEPARTMENT

FILE # AC-15-1515/E-6-042  
CITY OF MEDFORD  
EXHIBIT B

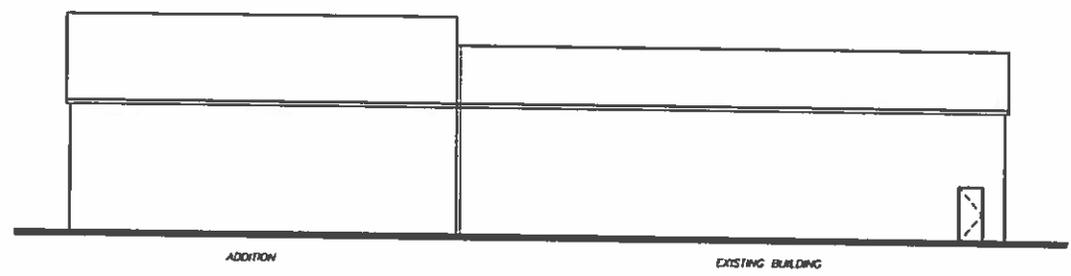
CITY OF MADRID  
EXHIBIT B  
ORD



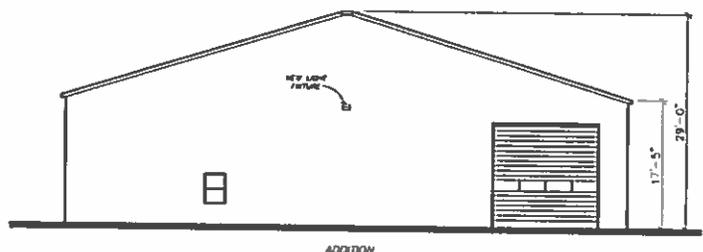
1 FLOOR PLAN  
1/16" = 1'-0"



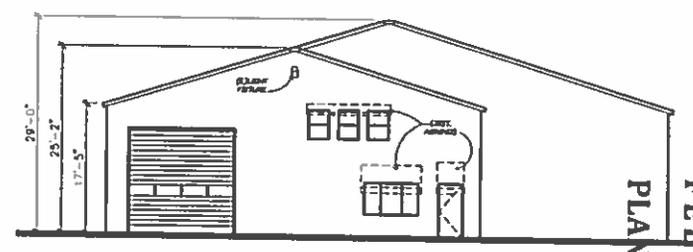
2 EAST ELEVATION  
1/16" = 1'-0"



3 WEST ELEVATION  
1/16" = 1'-0"



4 NORTH ELEVATION  
1/16" = 1'-0"



5 SOUTH ELEVATION  
1/16" = 1'-0"

**BUILDING ADDITION**

SITE REVIEW - JDT TRUCKING  
MAP 6-2W-36A TAXLOT 802

**FLOOR PLAN / ELEVATIONS**  
5600 TABLE ROCK ROAD, CENTRAL POINT, OR

SCALE: 1/16" = 1'-0"  
DATE: JANUARY 28, 2016

PLANNING DEPARTMENT  
FEBRUARY 2, 2016

RECEIVED

BEFORE THE SITE PLAN AND ARCHITECTURAL COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

IN THE MATTER OF SITE PLAN AND )  
ARCHITECTURAL REVIEW FOR A )  
BUILDING ADDITION ON TAX LOT 802 )  
ON ASSESSOR'S MAP36S 2W 36A OFF )  
OF TABLE ROCK ROAD WITHIN AN I-G )  
ZONING DISTRICT WITHIN THE )  
CORPORATE LIMITS OF THE CITY OF )  
MEDFORD, OREGON )

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW  
Applicant's Exhibit 2

Applicant: JDT Trucking )  
Owner: Wayne E. Davis )  
Agent of Record: CSA Planning, Ltd. )

I

SCOPE AND NATURE OF THE APPLICATION

Applicant JDT Trucking, has submitted an application for Site Plan and Architectural Review to entitle a 3,750 square foot addition to an existing metal industrial building.

II

EVIDENCE SUBMITTED WITH APPLICATION

The following evidence is submitted in support of the applications:

- Exhibit 1.** Signed and Completed Application Forms for *Site Plan and Architectural Review*. The applications are accompanied by authorization from Applicant JDT Trucking in the form of a Power of Attorney which permits CSA to function in all respects as Applicant's representative
- Exhibit 2.** The proposed findings of fact and conclusions of law (this document) which demonstrates how this application complies with the relevant substantive criteria of the City of Medford and State of Oregon
- Exhibit 3.** Current GLUP Map with Vicinity Map
- Exhibit 4.** Current City of Medford Zoning Map on Aerial depicting the subject property
- Exhibit 5.** Jackson County Assessor plat map 36-2W-36A which contains and depicts the subject property Tax Lot 802



**Site Plan and Architectural Review; Exceptions**

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

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- Exhibit 6.** Hydrological Map depicting subject property
- Exhibit 7.** Key Map and Photos of site and surrounding properties
- Exhibit 8.** Design Plans – SPAC Review Set includes sheets:
  - 1 Site/Drainage/Landscape Plan
  - 2 Floor Plan & Building Elevations
- Exhibit 9.** Light fixture cut sheets
- Exhibit 10.** Agricultural Impact Assessment
- Exhibit 11.** Legal Description of subject property
- Exhibit 12.** Stormwater Management Letter, dated January 4, 2016 from Tony Bakke, P.E. of Construction Engineering Consultants.

**III**

**APPLICABLE SUBSTANTIVE CRITERIA**

The criteria under which an application for *Site Plan and Architectural Review* must be considered are in MLDC 10.227 and in 10.253 with respect to *Exception* relief. The relevant approval criteria are recited verbatim below and again in Section V where each is addressed with the conclusions of law proposed by Applicant to be adopted by the City of Medford:

**MLDC 10.290 SITE PLAN AND ARCHITECTURAL REVIEW CRITERIA**

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 Section 10.253.

**ADDITIONAL CRITERIA**

**10.801 Agricultural Buffering in Non-Urban Reserve Areas**

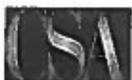
**A. Purpose.**

The provisions of this Section related to agricultural buffering implement a policy that was mutually adopted by the City and Jackson County as part of the Urban Growth Boundary Management Agreement as amended. Moreover, the purpose of these provisions is to minimize or mitigate:

- (1) Trespass upon and vandalism of agricultural land which is located in near proximity to urban development.
- (2) Potential adverse impacts on urban development associated with noise, dust, spray drift and surface waters.

**B. Applicability.**

The provisions of this Section apply to the development permit applications listed below in this subsection where land proposed for urban development is not in an urban reserve (see Regional Plan Element) and abuts and has a common lot line with other land which is zoned Exclusive Farm Use (EFU) or Exclusive Agriculture (EA). However, development which requires City approval for more than one of the below



## Site Plan and Architectural Review; Exceptions

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

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development permit applications for the same development shall be required to demonstrate compliance with the provisions of this Section only in the first such application.

- (4) Site Plan and Architectural Review or Historic Review where the action being sought will result in the construction of one or more buildings intended for human occupancy as dwellings or for business purposes.



IV

FINDINGS OF FACT

The City of Medford Site Plan and Architectural Commission (“SPAC” or “the Commission”) reach the following facts and find them to be true with respect to this matter:

1. **Property Location:** 5600 Table Rock Road. The subject property is situated approximately 1,650 feet to the east of Table Rock Road fronting on a private access road. The property is within the corporate limits of the City of Medford and its urban growth boundary. The property abuts the northern edge of the Medford city limits
2. **Ownership:** The subject property is owned in fee simple by Wayne E. and Rayvon M. Davis .
3. **Property Description:** The property is identified on the Jackson County Assessor’s Map as Township 36S Range 2W Section 36A, Tax Lot 802.
4. **Existing Land Use:** The property presently has a 3,750 square foot metal building with a 1,350 square foot mezzanine, that is used by JDT Trucking company. The remainder of the property is used for truck parking and maneuvering.
5. **Comprehensive Plan (GLUP) and Zoning:** The subject property’s GLUP map designation is *General Industrial*. See, Exhibit 3. The subject property is presently zoned I-G (Industrial-General). See, Exhibit 4.
6. **Surrounding Land Uses:** The aerial/zoning map, Exhibit 4, accurately depicts the pattern of land partitioning and development in the surrounding area which is primarily industrial uses. Surrounding buildings are primarily constructed of metal, concrete block and concrete. See, Exhibits 4, 5, and 7. The land uses which presently surround the property are:

**West:** Buildings to the west of the subject property along the north and south side of the access road all have industrial uses. Many of them are trucking & warehousing companies similar to the subject property use, as well as some construction related businesses such as Rogue Valley Countertop. Immediately adjacent to the west is Northwest Mechanical, a sheet metal fabricator.

**South:** Industrial uses are the predominant use to the south. Some individual mobile homes and legacy residential are present.

**East:** Large warehouse structures are adjacent to the east. The properties beyond the warehouses and the south end of the access road are vacant. Beyond the vacant properties is a small subdivision of large parcel residential, RR-2.5, properties that are located in the MD-1 Urban Reserve.

**North:** Bordering the property on the north are county EFU lands, most containing a single residence. No active farming activities are evident on the property north of the subject property.



**Site Plan and Architectural Review; Exceptions**

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

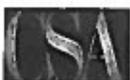
7. **Water Service:** The property is currently served by the Medford Water Commission's public water system provided by the City of Medford.
8. **Sanitary and Storm Sewer:** Sanitary sewer service is currently provided by Rogue Valley Sewer Service from an 8" line running down the private road. No storm sewer service is available, so the Applicants are proposing installation of a large french drain system to manage storm run-off on the property that will have details submitted with the construction plans. *See*, Exhibit 12.
9. **Irrigation:** Rogue River Valley Irrigation District's Coker Butte piped lateral runs north-south underground along the western property line. A five foot wide easement runs along this boundary for this purpose. The other half of the easement lays on the parcel to the west.
10. **Private utilities:** The property has natural gas service provided by Avista.
11. **Streets and Access:** The subject property takes access from a developed private access road that connects to Table Rock Road. In 1998 the parcel property owners at that time dedicated a 18 foot wide strip for road purposes along the southern boundary to Jackson County. This dedication was made to meet a condition of approval in connection with Jackson county files 86-2-V and 86-23-MP which imposed an "irrevocable offer to dedicate" on the parcel. The variance that was approved was for a reduction of the roadway standards. However, only one other parcel has followed through on that dedication and at this time, the dedicated strip serves no purpose and does not connect with any dedicated roadway. All access to the site and adjacent sites is by way of a legal easement on the private road that begins at Table Rock Road running east to end in a cul de sac on the property abutting the Subject Property along its eastern boundary.
12. **Proposed Project:** Applicant's proposal is to construct a 3,750 square foot, one-story metal building expansion of the existing metal building on site. In addition, the area to the north and east of the new building 35,400 square feet is to be paved to support truck maneuvering and access to the new repair bays.

**13. Commercial and Industrial Site Development Standards**

**Section 10.721** The following standards apply to commercial and industrial development.

*Table 1*

COMMERCIAL AND INDUSTRIAL DEVELOPMENT		
Standard	I-G	Parcel Compliance
MINIMUM & MAXIMUM AREA FOR ZONING DISTRICT (ACRES)	None	-
MINIMUM LOT AREA (SQ. FEET)	10,000 SF	Complies- 206,039 SF 4.73 acres
MAXIMUM COVERAGE FACTOR	90%	Complies- 3.6% coverage



**Site Plan and Architectural Review; Exceptions**

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

COMMERCIAL AND INDUSTRIAL DEVELOPMENT		
Standard	I-G	Parcel Compliance
MINIMUM LOT WIDTH	70 feet	Complies- 660'-0"
MINIMUM LOT DEPTH	100 feet	Complies- 312'-0"+/-
MINIMUM LOT FRONTAGE	70 feet	Complies- 660'-0"
MINIMUM FRONT & STREET SIDE YARD BUILDING SETBACK	10 feet, EXCEPT 20 feet for vehicular entrances to garages or carports	Building is located 32 feet from the southern property line abutting the private access road.
MINIMUM SIDE & REAR YARD BUILDING SET BACK	None, EXCEPT ½ foot for each foot in building height over 20 feet	Complies: East Side= 555'-0" West Side= 30'-0" Rear yard= 155'-0"
MAXIMUM BUILDING HEIGHT	85 feet, EXCEPT 35 feet if within 150 feet of a residential GLUP or Special Area Plan designation.	Complies. Building is to be 29 feet high.
MAXIMUM GROSS FLOOR AREA PER BUSINESS (SQ. FEET)	None	-
PERMITTED OUTDOOR USES	See Note 3	All uses that are not customarily conducted outdoors, are conducted within the building. No sight obscuring fencing is required.
<b>Note 3:</b> All uses, EXCEPT those customarily conducted outdoors, must be located behind a sight-obscuring fence		

**14. Building and site design:**

- a. **Building Siting:** The existing building is located at the southwest corner of the property. The addition will attach to the northern wall of the building. *See*, Exhibit 8.
- b. **Materials:** The existing building is a light tan, vertically-ribbed aluminum-zinc coated alloy-coated steel panels over a steel building frame as is typical for industrial buildings. The roof is a light green and of the same material as the wall sheathing. The proposed addition will be taller and will match the color and material of the existing building walls and the roof will be of the same materials, but will be charcoal gray. The existing roof will be painted to match the new panels.
- c. **Use:** The existing building includes warehouse and truck repair shop space plus offices, restrooms and meeting space on the first floor. In addition, the building contains a storage mezzanine above the office space. The new building is intended to be used to expand the shop space to service more vehicles.
- d. **Off-street Parking Supply Analysis:** The current site does not have any striped parking stalls, however informally there are currently 2 spaces in front and room for 6 spaces along the eastern wall of the existing building. *See*, Exhibit 8.



**Site Plan and Architectural Review; Exceptions**

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

For Industrial or Warehouse use, the City of Medford requires a minimum of:

1.0 space per employee on the largest shift, plus 0.2 space per 1,000 square feet of gross floor area

Per the calculations below, including the new building, 10 parking spaces, including one handicapped accessible space will be striped for use.

**Table 2**

E & R Distributing Parking Calculations				
Building / Floor	Net Square footage	SF/1,000 x .2	Employees	Total Spaces
Existing / First	3,750	.75	7	5.75
Existing / Mezzanine	1,350	.27	0	0
New / First	3,750	.75	3	2.25
<b>TOTALS</b>	<b>8,850</b>	<b>1.77</b>	<b>10</b>	<b>8 spaces</b>

Eleven spaces are proposed, including one handicapped accessible space. With fewer than 24 spaces, Section 10.746(3) Parking Area Planters does not apply.

Section 10.748 Bicycle Parking Standards requires 20% of the number of parking spaces be provided. 20% of 11 equals 2.2, rounding up, 3 spaces are provided.

- e. **Landscaping:** Keeping with the industrial nature of the property, landscaping has been kept to a minimum. A row of tall Hollywood Junipers are located along the western property line parallel to the building. Planter beds run most of the length of the eastern and western faces of the existing building. The western planting bed is currently planted with mature four foot high Photinia bushes. The eastern bed contains low ornamental shrubs and will be adapted as needed when the parking striping is put in. A third planter bed will be added along the north side of the new addition adjacent to the added parking spaces and will be planted with low growing shrubs as noted on the Site Plan, Exhibit 8. Planter beds have or will have an automatic irrigation system.
- f. **Fencing:** The existing property has 6 foot high chain link security fencing with razor wire extensions on three sides, east, south and west. On the north side there is an existing 4 foot barbed wire fence.
- g. **Signage:** Exterior signage is existing and there are no plans for any additional signage.
- h. **Exterior Lighting:** Existing lights are building mounted high sodium fixtures. A new light fixture will be added on the northern face of the new building. The proposed light is a full cut-off fixture to prevent light trespass onto other properties with a motion sensor. See cut sheet, Exhibit 9 for example of type of light proposed.

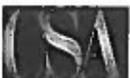


**15. Agricultural Buffering:** The subject property is located adjacent to land outside of the City Limits that is zoned EFU. Therefore, an Agricultural Impact Assessment has been prepared to ascertain what impacts this might have. *See*, Exhibit 10.

Per the report, the parcel to the north of the subject property, Tax Lot 700, does not appear to have any farming activities. Based on the impact assessment we conclude that the parcel to the north at most is engaged in Passive Agriculture. This being the case, we are proposing to follow the mitigation procedures under section (3) as quoted below:

- (3) Mitigation - Passive Agriculture. To minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses, the following measures shall be undertaken by the developer when urban development is proposed adjacent to land in passive agricultural use:
  - (a) Fencing. A wood fence, chain link fence, or masonry wall, not less than six (6) feet in height shall be installed at the property boundary where the development property adjoins and has a common property line with land zoned EFU or EA. In no case shall a fence or wall be required within a front yard area. The fence or wall used to buffer agricultural land shall comply with the regulations regarding fencing, Sections 10.731 through 10.735. Information shall be provided regarding the long-term maintenance responsibility for the fence or wall.
  - (b) Deed Declaration. The deed declaration required in subsection 10.801.D(2)(c) shall be required.
  - (c) Irrigation Runoff. Measures appropriate to the circumstances present shall be undertaken by the urban developer to mitigate adverse impacts which occur from periodic naturally occurring runoff and inadvertent agricultural irrigation runoff.

The Applicant can and will meet requirements for agricultural buffering as noted in the report.



V

**CONCLUSIONS OF LAW**

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The Commission reaches the following conclusions of law for each of the relevant substantive criteria with respect to the consolidated applications that involve this matter:

**SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION**

**Criterion 1**

**MLDC 10.290 SITE PLAN AND ARCHITECTURAL REVIEW CRITERIA**

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

**Conclusions of Law:** The Commission concludes that compatibility, as it is used in MLDC 10.290, requires an evaluation of the aesthetic design and site planning in the context of an allowed use under the zoning code. Consistent with this interpretation, the Commission concludes as follows with respect to the compatibility criterion:

Based upon findings of fact in Section IV and Applicant's plans in Exhibit 8 which illustrate the building, site planning and proposed landscaping, the proposed metal building addition is concluded to be compatible with uses and development on adjacent lands based upon the following:

- **Uses:** This use is an expansion of an existing use on the property. The proposed addition will be used for warehousing and truck repair activities that are consistent with the General Industrial zoning and with the many adjacent industrial uses on three sides of the property. The use can be compatible with the non-farm EFU lands to the north by adding the buffering requirements listed in the Agricultural Impact Assessment.
- **Design:** The addition is proposed to be of the same materials as the existing structure on site, with the same color wall panels. The new roof will be a charcoal gray and the existing panels will be painted to match.
- **Height:** The proposed building height of 29'-0" does not exceed the height allowed by the zone.
- **Landscaping:** The existing planters and trees are to be retained and a new planter added adjacent to the parking spaces. No other plantings are planned on site as this is an industrial area and an industrial use. The parking areas contain only 12 spaces and therefore interior parking landscaping is not required.

In summary, the Commission concludes that the proposed metal building addition is consistent with the existing uses and development on adjacent lands based upon the foregoing findings of fact and conclusions of law, the plans and designs in Exhibit 8 and



**Site Plan and Architectural Review; Exceptions**

Applicant: JDT Trucking

Project: Site Plan and Architectural Review

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conclusions presented in the application. Therefore, the Commission concludes that the Site Plan and Architectural Review application is consistent with Site Plan Review Criterion 1.

\*\*\*\*\*

**Criterion 2**

- (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 Section 10.253.

**Conclusions of Law:** Based upon the plans submitted in Exhibit 10 and the demonstration of compliance with applicable standards as described in the Section IV Findings, the Commission concludes that this project complies with applicable provisions of all city ordinances.

\*\*\*\*\*

**VII**

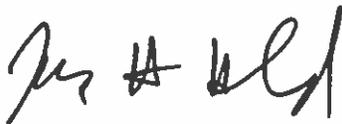
**ULTIMATE CONCLUSIONS**

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Based upon the foregoing findings of fact and conclusions of law, the Commission concludes that the subject application for Site Plan and Architectural Review has been substantiated under the requirements of the MLDC. Therefore, the Planning Commission on behalf of the City orders that these applications be, and the same hereby are, approved and made subject to the conditions imposed on the land use permit.

Respectfully submitted on behalf of applicant on **February 5th, 2016:**

CSA PLANNING, LTD.



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Jay Harland  
Consulting Planner



PLANNING DEPARTMENT  
BEFORE THE SITE PLAN AND ARCHITECTURAL COMMISSION

FOR THE CITY OF MEDFORD  
JACKSON COUNTY, OREGON

IN THE MATTER OF PRECAUTIONARY )  
EXCEPTION TO PUBLIC IMPROVEMENT )  
REQUIREMENTS FOR A SITE PLAN AND )  
ARCHITECTURAL REVIEW FOR A )  
BUILDING ADDITION ON TAX LOT 802 )  
ON ASSESSOR'S MAP36S 2W 36A OFF )  
OF TABLE ROCK ROAD WITHIN AN I-G )  
ZONING DISTRICT WITHIN THE )  
CORPORATE LIMITS OF THE CITY OF )  
MEDFORD, OREGON )  
 )  
Applicant: JDT Trucking )  
Owner: Wayne Davis )  
Agent: CSA Planning, Ltd. )

FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

*Applicant's Exhibit 2*

I

**SUMMARY AND SCOPE OF  
PRECAUTIONARY EXCEPTION  
AND SUPPLEMENTAL FINDINGS**

On August 12, 2015 the Applicant, JDT Trucking, filed a site plan and architectural review application for a 3,750 square foot steel industrial building as an expansion of the existing building, Planning File No. AC-15-115. The Application was deemed incomplete by Planning Staff on September 10, 2015. The Applicant engaged CSA Planning Ltd. to respond to the incompleteness items. On February 5, 2016, CSA Planning filed additional information in response to the incompleteness items. On February 23, 2016 CSA met with Medford Planning staff where certain additional application materials were requested and the same were furnished on February 25<sup>th</sup>. On March 8, 2016 CSA and the Applicant met with Medford Planning and Engineering Staff to discuss public improvement issues surrounding the adjacent public right-of-way. A complicated discussion occurred regarding these issues. During that meeting, Medford staff suggested the Applicant request an Exception as one option to address these issues. This Application includes a precautionary exception request. The Application is precautionary because the Applicant was challenged to find the applicable code standard under which improvements would be required in any event and thus offers the Exception application in the alternative should the City first find that an exception is required.

The filing of this Application is not intended and shall not, in any manner whatsoever, limit, nor be construed to limit, any additional legal remedies the Applicant may have with respect to street or right of way improvement exactions requested by the City of Medford.



II

**EVIDENCE SUBMITTED WITH APPLICATION**

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Applicant herewith submits the following evidence with its application for Land Division and Exception:

- Exhibit 1.** Signed and Completed Exception Application Forms with Authorization from the current property owners, Wayne E. Davis and Rayven M. Davis.
- Exhibit 2.** The proposed Findings of Fact and Conclusions of Law (this document) demonstrating how the land division application complies with the applicable substantive criteria of the MLDC
- Exhibit 3.** Jackson County Assessor plat map 36-2W-36A, which contains and depicts the subject property
- Exhibit 4.** Current GLUP Map with Vicinity Map
- Exhibit 5.** Current City of Medford Zoning Map on Aerial
- Exhibit 6.** Future Right-of-Way and Existing Improvements Diagram
- Exhibit 7.** Key Map and photos of surrounding properties.



II

**RELEVANT SUBSTANTIVE APPROVAL CRITERIA**

The criteria under which the application for Exception must be approved are in Section 10.253, of the Medford Land Development Code (MLDC). The approval criteria are recited verbatim below and again in Section V, where each are followed by the conclusions of law:

**City of Medford Approval Criteria**

**EXCEPTION**

**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.



IV

FINDINGS OF FACT

The City of Medford Site Plan and Architectural Commission (“SPAC” or “the Commission”) reach the following facts and find them to be true with respect to this matter:

- 1. Property Location:** 5600 Table Rock Road. The subject property is situated approximately 1,650 feet to the east of Table Rock Road fronting on a public right of way that contains a privately maintained access road. The property is within the corporate limits of the City of Medford and its urban growth boundary. The property abuts the northern edge of the Medford city limits and the UGB.
- 2. Ownership:** The subject property is owned in fee simple by Wayne E. and Rayven M. Davis .
- 3. Property Description:** The property is identified on the Jackson County Assessor’s Map as Township 36S Range 2W Section 36A, Tax Lot 802.
- 4. Existing Land Use:** The property presently has a 3,750 square foot metal building with a 1,350 square foot mezzanine, that is used by JDT Trucking company. The remainder of the property is used for truck parking and maneuvering.
- 5. Comprehensive Plan (GLUP) and Zoning:** The subject property’s GLUP map designation is *General Industrial*. See, Exhibit 4. The subject property is presently zoned I-G (Industrial-General). See, Exhibit 5.
- 6. Surrounding Land Uses:** The aerial/zoning map, Exhibit 5, accurately depicts the pattern of land partitioning and development in the surrounding area which is primarily industrial uses. Surrounding buildings are primarily constructed of metal, concrete block and concrete. See, Exhibits 4, 5, and 7. The land uses which presently surround the property are:

**West:** Buildings to the west of the subject property along the north and south side of the access road all have industrial uses. Many of them are trucking & warehousing companies similar to the subject property use, as well as some construction related businesses such as Rogue Valley Countertop. Immediately adjacent to the west is Northwest Mechanical, a sheet metal fabricator.

**South:** Industrial uses are the predominant use to the south. Some individual mobile homes and legacy residential are present.

**East:** Large warehouse structures are adjacent to the east. The properties beyond the warehouses and the south end of the access road are vacant. Beyond the vacant properties is a small subdivision of large parcel residential, RR-2.5, properties that are located in the MD-1 Urban Reserve.



**North:** Bordering the property on the north are county EFU lands, most containing a single residence. No active farming activities are evident on the property north of the subject property.

7. **Water Service:** The property is currently served by the Medford Water Commission's public water system provided by the City of Medford.
8. **Sanitary and Storm Sewer:** Sanitary sewer service is currently provided by Rogue Valley Sewer Service from an 8" line running down the private road. No storm sewer service is available, so the Applicants are proposing installation of a large engineered french drain system to manage storm run-off on the property that will have details submitted with the construction plans.
9. **Irrigation:** Rogue River Valley Irrigation District's Coker Butte piped lateral runs north-south underground along the western property line. A five foot wide easement runs along this boundary for this purpose. The other half of the easement lays on the parcel to the west.
10. **Private utilities:** The property has natural gas service provided by Avista and power from PacifiCorp.
11. **Proposed Project:** Applicant's proposal is to construct a 3,750 square foot, one-story metal building expansion of the existing metal building on site. In addition, the area to the north and east of the new building 35,400 square feet is to be paved to support truck maneuvering and access to the new repair bays.
12. **Streets and Access:** The subject property takes access from a developed private access road that connects to Table Rock Road. In 1998, the parcel property owners dedicated a 18 foot wide strip for road purposes along the southern boundary. This dedication was made to meet a condition of approval in connection with Jackson County Planning files 86-2-V and 86-23-MP which imposed an "irrevocable offer to dedicate" on the parcel. The private road is improved with a ~24-foot wide asphalt paved surface and concrete gutters with rolled curbs. The variance that was approved was for a reduction of the roadway standards. Only the subject parcel has followed through on that dedication and at this time, the dedicated strip serves no purpose and does not connect physically with any dedicated roadway. All access to the site and adjacent sites is by way of a legal easement on the private road that begins at Table Rock Road running east to end in a cul-de-sac on the property abutting the Subject Property along its eastern boundary.

The street is privately maintained. It is not maintained by the City. The asphalt surface is approximately 24-feet wide. There is a concrete rolled curb and gutter on each side of the street. While the dedicated right-of-way connects with the right-of-way on Judge Lane to the east, no physical road improvement exists for a distance of approximately 836 feet.

There are considerable physical development constrictions all along this private street that would impede future widening to a full City Standard Commercial Street with a 63-foot right-of-way, as follows:



1. A future commercial street would wipe out ~14 existing off-street parking spaces and require the demolition or relocation of a building on Tax Lot 501 (Timber Products Company). It would also wipe out an existing yard fence.
2. A future commercial street would wipe out the loading area and approximately 7 parking spaces on Tax Lot 509.
3. On the subject property, a future commercial street would impair the parking lot in front of the existing building and the loading area on the front of the building. It would also wipe out the existing yard fencing.
4. On the south side of the private street, there are 12 power poles adjacent to the paved surface that would need to be relocated or undergrounded.
5. An existing building on Tax Lot 504 would be wiped out.
6. Three existing parking spaces would be wiped out on Tax Lot 507.

One could assert that a City street can be established over time through incremental exactions as properties develop. In this instance, incremental exactions are unlikely to result in a City Street in this location, especially to the full City of Medford commercial street standard. The paved portion of the private street is approximately 2,158 feet in length. This translates to a combined 4,316 feet of frontage on the north and south sides of the private street. Out of that linear distance on both sides of the street, approximately 44% is fully developed and another 38% is non-vacant and devoted to an employment use (such as semi-truck parking). Only the remaining 18% is vacant. Even if all the land that is not fully developed ultimately redevelops, then ~44% of a future commercial street would need to be directly funded by a City financed improvement to meet the commercial street standard. This essentially requires 1,200 feet of City street to be constructed. The City has not identified the improvement of this private street to a City standard as a needed public improvement and the private street is not identified as a local street on Medford's Transportation System Plan. Moreover, the City of Medford does not have any established revenue stream that is devoted to local public street construction projects. These circumstances make it a remote possibility that the existing privately maintained street will become a City street improved to City standards within the next 20 years – barring a major and unforeseen public policy change with respect to City funding for local street improvements.

In addition to the percentage of the private street that is fully developed, creation of a public City Street that serves any connectivity function would require extension to Judge Lane or to Bierson Lane. Such connections would require construction of 720 feet or 657 feet of new road construction respectively. Approximately 300 feet of an extension of Judge Lane would be on land outside the UGB and on land not selected by the Council for inclusion in the pending UGB amendment.



V

**STREET EXACTION  
CODE ANALYSIS**

Prerequisite to taking an exception to a code requirement is the identification of the code section to which the exception is sought. When an exception concerns a public improvement being required as a condition of development approval, there is a heightened need to identify the relevant code standard because such conditions of approval are public exactions and are subject to limitation<sup>1</sup>. For the subject application, the Applicant has analyzed the MLDC and found those code sections most relevant to serve as a basis to require right-of-way dedications and public improvements within the right-of-way for the proposed project. The analysis in this Section V identifies such MLDC sections. Each MLDC section is followed by a subsequent code analysis that identifies the reasons the Applicant believes the code section is inadequate to justify an exaction of public improvements for the proposed private property development.

**10.421 General Development Design Standards and Criteria**

The developer shall design and improve all required public right-of-way elements, including streets, bicycle lanes, sidewalks, planter strips, street lights, alleys, storm drains, sanitary sewers, waterlines, accessways and public easements which are a part of the development, and those off-site public improvements necessary to serve the development consistent with the Comprehensive Plan or any specific plan thereof, and such other public improvements as required by this chapter in accord with the standards and criteria set forth herein and shall thereafter warrant the materials and workmanship of said improvements for a period of one (1) year from the date of completion. Such improvements as set forth herein shall be considered necessary for the general use of the property owner(s) of the development, the local neighborhood and the city's traffic and drainage needs including without limitation grading and surfacing of streets and accessways, installation of facilities to supply domestic water, construction of storm and sanitary drainage and treatment facilities, all other improvement work as hereafter set forth. All improvement work shall be at the sole cost and expense of the developer unless otherwise specifically provided herein.

**Code Analysis:** This section of the MLDC provides limited, if any, guidance on what public improvements are properly exacted from which types of developments in which circumstances. Rather, this code section is introductory to the entire public improvements section and simply states that "required" public improvements meet applicable standards when they are properly required by a development and that the cost of such public improvements be borne by the developer. The City must first establish what public improvements are required and then this code section is relevant to the imposition of such standards. In the present case, no public street improvements are "part of the development"; the development is proposed entirely on private property. We are aware of any comprehensive plan provision (or specific plan thereof) which contains requirements that are

<sup>1</sup> Limitation is prescribed by MLD 10.668. Limitation is also prescribed by U.S Supreme Court decisions in *Dolan* and *Nolan*; MLDC 10.668 was also adopted prior to the U.S. Supreme Court decision in *Koontz* which further limits a jurisdiction's ability to use a threat of denial or outright denial as a substitute for satisfying the nexus and proportionality tests required by *Dolan* and *Nolan*.



properly construed as criteria at the time of the development permits for purposes of requiring street improvements in this circumstance.

#### **10.425 Street Access and Dedication Requirements**

Prior to the issuance of a development permit, land shown on any development proposal and intended for vehicular use shall have access to a paved street. Land intended for vehicular and accessway use by the general public shall be offered for dedication.

**Code Analysis:** The facts show that the proposed development has access to a paved street. The land adjacent to the site has already been dedicated. However, the general public has no physical practical way to use this section of right-of-way because there is over 700' of unimproved right-of-way to the east and to the west no public right-of-way intended for vehicular and accessway use by the general public exists; all that exists to the west is a shared private street in an easement for the benefit of the businesses that front on the street.

#### **10.431 Street Improvement**

All new street improvements required as a condition of development shall be improved to the standards set forth in this chapter unless otherwise specified herein or excepted as per Section 10.251, Application for Exception. For purposes of this section, the term new street shall be defined as an unimproved street or existing street which does not have curb and gutter.

**Code Analysis:** This section does not, arguably, provide much guidance on when street improvement conditions are appropriate for the same reason as MLDC 10.421 above.

To the extent it is properly interpreted to provide guidance on where street improvements should be required, that guidance indicates such improvements are not required in the present circumstance. Current standards would only properly be required for "new streets". The existing street is not a new street. The street has a paved asphaltic section for the travel surface and a concrete gutter with rolled curb. The street meets the MLDC definition of a, "Street, Improved" and is not, therefore, a "new" street. Because it is not a "new" street is should be require improvement to current street standards.

#### **10.451 Additional Right-of-Way and Street Improvements**

Whenever an improved arterial or collector street are abutting or within a development and do not meet current City Standards, only additional right-of-way, as per Table IV-1 in Section 10.430B, shall be required as a condition to the issuance of a development permit, unless otherwise occupied by structures in which case only a partial dedication will be required.

**Code Analysis:** This code section is directed at arterial and collector streets and is silent on the requirements for local streets; the subject street is not identified as an existing or future arterial or collector street on the City's TSP functional classification map.

#### **10.481 Improvement Standards Adopted**

Except as otherwise set forth in this chapter the Standard Specifications for public works construction by Oregon Chapter, American Public Works Association, City of Medford standards, The Rogue Valley



Stormwater Quality Design Manual, and the Medford Water Commission Standards for Design and Constructing Water Facilities, all of which standards are hereby incorporated herein by reference, are hereby adopted as minimum design and improvement standards for all streets, sidewalks, driveways, storm drain facilities, street lighting, water facilities, and other development improvements in the city of Medford. In the event that there be any conflict between the standards and specifications set forth in said above referenced pamphlets and any of the standards of specifications specifically contained elsewhere in this code, the latter shall prevail.

**Code Analysis:** This section of the MLDC provides limited, if any, guidance on what public improvements are properly exacted from which types of developments in which circumstances. This section of the code only makes clear the design requirements for new public facilities when they are properly required of a development project.

#### **10.482 Public Improvement Plan Requirements**

A. Prior to the issuance of a development permit and prior to commencement of improvement work, plans and specifications for all public improvements shall be prepared by a professional engineer registered in the State of Oregon in accordance with the design and improvement standards of this Code, and shall be submitted to and reviewed by the City Engineer, except water system plans, which shall be submitted to and reviewed by the Medford Water Commission.

B. All public improvements shall be constructed and completed under the inspection of and with the approval of the City Engineer.

C. Without limiting the foregoing, and using City data, public improvement plans shall include typical cross sections and proposed finished grades of all streets, together with a profile showing the relationship between finished grade and existing ground elevations, and the lengths, sizes, grades, and type of all pipes, culverts, and other structures.

D. Public improvement plans and specifications shall contain performance data reviewed by the developer's engineer demonstrating compliance with all design requirements of this Code. City and Water Commission personnel who check and/or approve public improvement plans and specifications are authorized to accept such performance data at face value without independently verifying the accuracy thereof

**Code Analysis:** Similar to 10.481, this section of the MLDC provides limited, if any, guidance on what public improvements are properly exacted from which types of developments in which circumstances. This section of the code only makes clear the design, timing and process for new public facilities when they are properly required of a development project.



VI

**EXCEPTION  
CONCLUSIONS OF LAW**

For the reasons described in Section V above, the Applicant has been challenged to find the relevant code section under which the City may properly require improvements to the privately maintained street used by the development for access. Notwithstanding this challenge, the Applicant has filed this exception application in an abundance of caution should the Site Plan and Architectural Commission identify a relevant standard under which it believes public improvements to the privately maintained street might be imposed. Based upon the evidence enumerated in Section II and summarized in the Section IV Findings of Fact, the Planning Commission reaches the following Conclusions of Law with respect to this matter:

***City of Medford Approval Criteria***

**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 (Planning Commission/Site Plan and Architectural Commission) 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:

\*\*\*\*\*

**Exception Criterion 1**

(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 Planning Commission/Site Plan and Architectural Commission shall have the authority to impose conditions to assure that this criterion is met.

**Conclusions of Law:** As described in the above Section V, the City's public street requirements exist to assure access to private development occurs on streets that are paved and have a curb and gutter. The intent of the City's minimum regulations for street access is to prevent dust being generated from dirt roads, demarcate the travel surface and provide a means or water conveyance off the travel surface by a gutter. These purposes are all served by the existing improvement condition and the access the subject parcel currently enjoys.

The City's more specific street standards exist for a broader purpose. Street improvement standards are intended to assure publicly maintained facilities are adequate for all the land uses they serve both in the immediate area and for connectivity to a wider area. Structural sections are imposed to assure that new street construction is done in a manner that will



withstand the test of time and will not unduly burden the City with street maintenance expenses. In the subject circumstance, the existing street does not connect to any other streets and there are hundreds of feet of street improvements that would need to occur before it would (or could). Even in the unlikely event such a connection might occur, the maintenance responsibility for the private street is the private owners and not the City so no maintenance burden is borne by the City in any event.

Based upon the foregoing, the Site Plan and Architectural Commission concludes the requested exception will not be injurious to the general area or otherwise detrimental to the health, safety, and general welfare or adjacent natural resources.

\*\*\*\*\*

### **Exception Criterion 2**

(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.

**Conclusions of Law:** The Site Plan and Architectural Commission conclude that trucking and warehousing uses are outright permitted in the I-G zoning district and nothing in the proposed exception will permit the establishment of the use that is not otherwise allowed in the I-G zoning district.

\*\*\*\*\*

### **Exception Criterion 3**

(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.

**Conclusions of Law:** The Site Plan and Architectural Commission herewith incorporate and adopt the Findings of Fact in Section IV and conclude thereupon that there are several unique or unusual circumstances that apply to this site which do not typically apply elsewhere in the City, as follows:

1. A land use decision approved by Jackson County provided for a variance to allow the existing private street configuration. The property was located within the City's UGB at that time and the agreement for right-of-way and street configuration was approved without objection from the City of Medford. The property was later annexed to the City with its existing access condition.
2. Logical extension of the street to serve any connectivity function to the east would require improvements outside the existing UGB and outside the UGB boundary selected by the Council for the pending UGB amendment.



3. The subject property is near the eastern end of the private street and the City has no practical way to access the street for maintenance.
4. Right-of-way would need to be acquired from 14 other properties to create a City street; many of these properties are fully developed and incremental improvements through exactions to eventually establish a City street to commercial standards would likely take many years if not many decades.

The Site Plan and Architectural Commission further concludes that dedication of Right-of-Way for a full City standard commercial street would impact the parking and loading area in front of the existing building and wipe out the entire yard fence on the south side of the property causing exceptional hardship on the owner. Additionally, requiring improvements to construct a City street section that the City cannot physically access to maintain and provides no connectivity benefit represents a peculiar, exceptional and undue hardship on the owner.

\*\*\*\*\*

#### Exception Criterion 4

(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.

**Conclusions of Law:** Based upon the findings in Section IV above, SPAC concludes the existing private street condition was reviewed and approved by Jackson County and the need for the exception is suffered directly by the property in question.

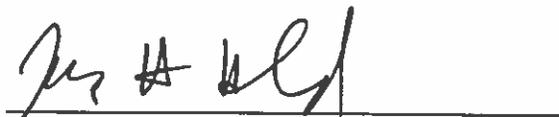
## VII

### ULTIMATE CONCLUSIONS

Based upon the evidence in Section II and the Findings of Fact in Section IV, the Planning Commission concludes that the case for an Exception to the MLDC is consistent with the relevant criteria in MLDC 10.253 as hereinabove enumerated and addressed.

Respectfully submitted on behalf of Applicant JDT Trucking:

CSA PLANNING, LTD.



Jay Harland  
Consulting Planner

Dated March 29, 2016





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FEB 29 2016

PLANNING DEPT.

# Memorandum

To: Kelly Akin, Principal Planner  
Tracey Carter, Planner I  
City of Medford  
Planning Department

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

Date: February 25, 2016

Re: AC-15-115 - Building Addition at 5560 Table Rock Road

I am writing to follow-up on your discussion of the project with Jay Harland on February 23rd, 2016. My understanding is that there are three issues that require additional information:

1. Buffer standards
2. Block length standards
3. Utility plan

The relevant approval standards regarding Issues 1 and 2 are discussed below. Please see the attached Site Plan depicting the utilities adjacent and onsite.

## 1. 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.

#### 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.

#### D. Tables of Bufferyard Standards.

The letter designations contained in these tables refer to the bufferyard standards contained in Subsection E, Bufferyard Standards.

Table 10.790-1. Bufferyard Standards-Zone to Zone

Subject Site Zoning	Zoning on Abutting Land										
	Vac	SFR	MFR	CS/P	C-N	C-C	C-R	C-H	I-L	I-G	I-H
I-G	2	B	B	B	B	A	A	A	A	-	-

- 1 A type-A bufferyard shall be provided at the time of development of the site.
- 2 Where the bufferyard will be a type A, based on the current zoning, the entire bufferyard shall be installed. Where the bufferyard will be a type B, based on the current zoning, only the 8-foot wall of the bufferyard shall be installed.
- 3 Only the 8-foot wall of the type-B bufferyard shall be installed.
- Signifies no buffering requirement.

**E. Bufferyard Standards.**

- (1) This Subsection provides the width of the bufferyard, type of wall required, and the required planting scheme to provide effective screening between adjacent properties having dissimilar land use. For an administratively approved bufferyard, the Standard Planting Scheme as required by 10.790 (E)(1)(a) shall be used unless the applicant wishes to submit a Site Plan and Architectural Review application to have the Commission consider modifying the requirement.
- (a) **Planting Scheme:** In addition to compliance with other landscaping provisions in this chapter, bufferyards shall include a variety of plant sizes and shapes and provide effective visual screening between the adjacent properties having dissimilar land uses. The bufferyard shall be planted with trees and shrubs of the appropriate size, shape and spacing to provide a continuous canopy between the top of the wall and a height of 20 feet within ten (10) years. A minimum of 60 percent of the trees used to provide visual screening shall be non-deciduous species. The planting plan shall take into account the nature of the impacts specific to the two sites, particularly building height and locations of windows and lighting.

**Table 10.790-3. Bufferyard Types**

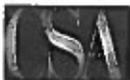
<b>Table 10.790-3. Bufferyard Types</b>		
<b>Type</b>	<b>Width</b>	<b>Wall</b>
A	10 feet	Six (6) foot concrete or masonry wall.

- (2) The wall shall typically be placed on the property line between the two uses; however, the approving authority may authorize its location anywhere within the bufferyard. Walls shall be constructed of a material and design that is sight-obstructing, compatible with adjacent uses, and accepted by the approving authority.
- (3) Any part of the bufferyard may be located on the adjoining property provided it is planted with a proportionate share of the required plants and, for any part located outside of the standard setback, a perpetual bufferyard easement is recorded by the property owner. The easement shall allow for the installation and perpetual maintenance of the bufferyard and restrict use of the area to only the bufferyard.
- (4) **Encroachments into bufferyards:** The bufferyard is intended to provide a minimum amount of space for the required plants to grow and for aesthetic separation between uses. Therefore, this area shall be reserved exclusively for such use. Encroachment of driveways, parking and maneuvering areas, sidewalks, patios, or structures (other than the required fence or wall) are prohibited in the bufferyard area.
- (5) **Bufferyard credits:** Existing plant materials within the bufferyard area may be counted toward the bufferyard requirement.
- (6) **Adjustments to bufferyards:** The approving authority shall have the discretion to make adjustments to the bufferyard requirements if an unusual circumstance exists and a finding is made that adequate buffering will be provided to avoid significant adverse impacts to the livability or value of the adjoining properties. Adjustments shall not be made simply for the convenience of site design. Adjustments to the bufferyard requirements may include, but are not limited to, the following:
  - (a) Where a building wall with no openings below eight (8) feet abuts the bufferyard, the building wall may be counted in place of a required wall or fence.
  - (b) Where there is existing development on the site, such as paving or a building, which affects or precludes implementation of the bufferyard standard.
  - (c) Where a proposed project abuts existing development, and the adjacent uses are the same (i.e., apartment parking lot adjacent to commercial parking lot) or are sufficiently compatible that the full buffering, otherwise required, is not necessary and the uses are not expected to change significantly over time.
  - (d) Where a project abuts an irrigation canal, natural waterway, railroad right-of-way, or other such element.

**Findings; Conclusions of Law:** Per Table 10.790-1 a bufferyard is required between the subject property which is zoned I-G and the properties to the east and west that are zoned I-L.

On the eastern boundary, the parking lot for the industrial shop/warehouses on the site abuts the truck parking area on the subject property. A six foot chain-link security fence separates the two properties. As both sides use the areas for parking and circulation, adding planting would reduce the area available for these activities and would provide little benefit to either side.

On the western boundary, the subject property's truck maneuvering area abuts a driveway for Northwest Specialty Fabrication's sheet metal shop and warehouse on the adjacent property. Like on the eastern boundary, the uses on each side of the boundary are quite similar. A six foot chain-link security fence separates the two properties. Some trees and bushes are existing between the subject property's building and the fence, providing a



visual buffer near the front of the property. However, the Rogue River Valley Irrigation District's Coker Butte piped lateral runs north-south underground, paralleling the western property line. A ten foot wide easement is centered on this boundary for access and maintenance. Half of the easement is on the subject property, the other half of the easement lays on the parcel to the west. Adding planting within the easement area is would impact the Irrigation District's ability to maintain the canal, and adding a wall would not be allowed.

On both borders an existing six foot chain-link security fence is in place which has been sufficient for separating the properties activities. All of the uses on the three properties are long standing and involve similar activities including trucking, fabrication, and warehousing. In addition, along the western boundary, no walls can be constructed due to the irrigation canal easement. The Applicant therefore requests an adjustment to the bufferyard standards per section (6)(c) on the east and west sides and that the Site Plan and Architectural Commission affirm that the existing six-foot chain-link fence is sufficient to meet the bufferyard requirement in these locations.

**2. BLOCK LENGTH STANDARDS**

**10.426 Street Circulation Design and Connectivity**

**B. Street Connectivity and Formation of Blocks Required.**

1. Block layouts shall substantially conform to adopted neighborhood circulation plans for the project area if applicable. Street arrangement and location may depart from the adopted plan if the project will result in a comparable level of overall connectivity. Projects that depart from the neighborhood circulation plan shall conform to planned higher order streets adopted in the City of Medford Transportation System Plan.
2. Proposed streets, alleys and accessways shall connect to other streets within a development and to existing and planned streets outside the development, when not precluded by factors in Section 10.426 C.2 below. When a development proposes a cul-de-sac, minimum access easement or flag lot to address such factors, the provisions of Section 10.450 apply.
3. Proposed streets or street extensions shall be located to provide direct access to existing or planned transit stops and other neighborhood activity centers such as schools, office parks, shopping areas, and parks.
4. Streets shall be constructed or extended in projections that maintain their function, provide accessibility, and continue an orderly pattern of streets and blocks.

**C. Maximum Block Length and Block Perimeter Length.**

1. Block lengths and block perimeter lengths shall not exceed the following dimensions as measured from centerline to centerline of through intersecting streets, except as provided in Subsections 10.426 C.2.

Table 10.426-1 MAXIMUM BLOCK LENGTH AND PERIMETER LENGTH		
Zone or District	Block Length	Block Perimeter Length
e. Regional Commercial and Industrial Zones	940'	3,760'

2. The approving authority may find that proposed blocks that exceed the maximum block and/or perimeter standards are acceptable when it is demonstrated by the findings that one or more of the constraints, conditions or uses listed below exists on, or adjacent to the site:
  - a. Topographic constraints, including presence of slopes of 10% or more located within the boundary of a block area that would be required by subsection 10,426 C.1.,
  - b. Environmental constraints including the presence of a wetland or other body of water,
  - c. The area needed for a proposed Large Industrial Site, as identified and defined in the Medford Comprehensive Plan Economic Element, requires a block larger than provided by section 10.426 C.1.e. above. In such circumstances, the maximum block length for such a Large Industrial Site shall not exceed 1,150 feet, or a maximum perimeter block length of 4,600 feet,
  - d. Proximity to state highways, interstate freeways, railroads, airports, significant unbuildable areas or similar barriers that make street extensions in one or more directions impractical,
  - e. The subject site is in SFR-2 zoning district,



- f. Future development on adjoining property or reserve acreage can feasibly satisfy the block or perimeter standards
  - g. The proposed use is a public or private school, college or other large institution,
  - h. The proposed use is a public or private convention center, community center or arena,
  - i. The proposed use is a public community service facility, essential public utility, a public or private park, or other outdoor recreational facility.
  - j. When strict compliance with other provisions of the Medford Land Development Code produce conflict with provisions in this section.
3. Block lengths are permitted to exceed the maximum by up to 20% where the maximum block or perimeter standards would require one or more additional street connections in order to comply with both the block length or perimeter standards while satisfying the street and block layout requirements of 10.426 A or B or D,
  4. When block perimeters exceed the standards in accordance with the 10.426 C.2. above, or due to City or State access management plans, the land division plat or site plan shall provide blocks divided by one or more public accessways, in conformance with Sections 10.464 through 10.466.

**Findings; Conclusions of Law:** The standard for block length per Table 10.426 above is 940 feet. Per Section 3 above, this length can be exceeded by up to 20%, which would equal 1,260 feet. The subject property is located approximately 1,600 feet from Table Rock Road. It is on the north side of an approximately 2,400 foot long existing private access road that terminates in a cul de sac. The properties along the private access road are all industrial and several of them, including the subject property, are large industrial sites that with frontages of 660 to 1,320 feet.

Per Section 2(f), there is potential to connect to the south to Bateman Road across existing vacant land. On the north, no such opportunities exist. The subject property and all of the properties along the north side of the private access road are bounded on the north by Medford's City Limits and Urban Growth boundary. The properties to the north are all county zoned EFU. The lots to the north are dominated by very large rural lots, ranging from 10 to 63 acres, with no existing streets to which a new north-south street or public accessway could connect.

The proposed site plan for the subject property does not preclude a potential accessway or road connection in the future, when and if the properties to the north are annexed and roads are constructed. A considerable amount of undeveloped land will remain that could be used for a road connection if this area is developed in the future.

Thereby, the Commission can conclude that while the block length along the private access road exceeds the maximum block length by more than 20%, requiring an accessway or road connection at this time is unwarranted as there is no road network that they can connect to and therefore would serve no purpose.

Attached please find the updated site plan showing existing utilities. Other than the proposed storm detention system, no other utilities are being extended. Please feel free to call me if there are any questions regarding these issues or if there are additional issues that still need addressing.

Regards,  
CSA Planning, Ltd.



Beverly Thruston, AIA  
Associate

Attached:

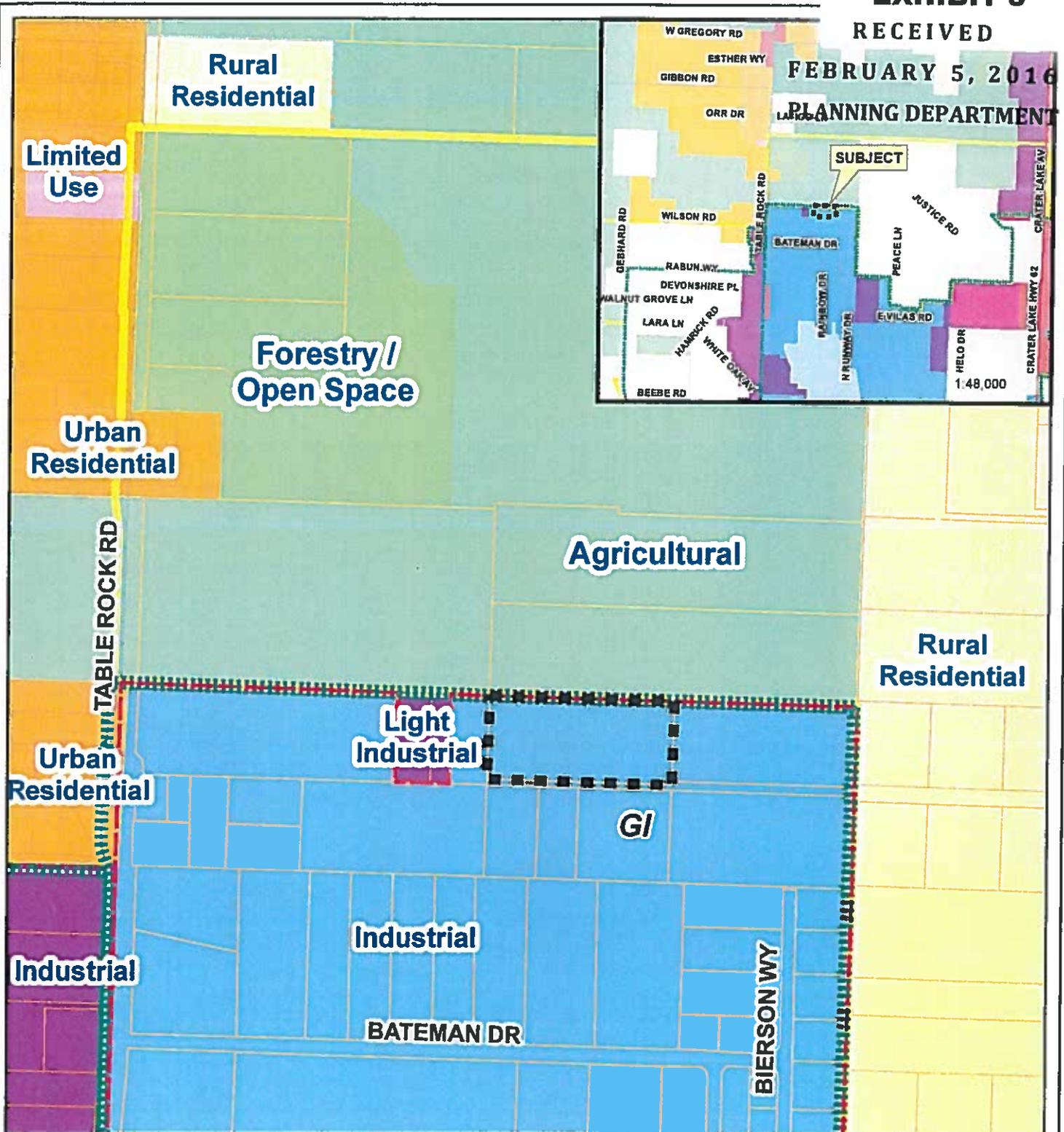
No.	Item
1 ea	Site/ Drainage/ Utility/ Landscape Plan, 8.5 x 11 and 11 x 17



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FEBRUARY 5, 2016

PLANNING DEPARTMENT



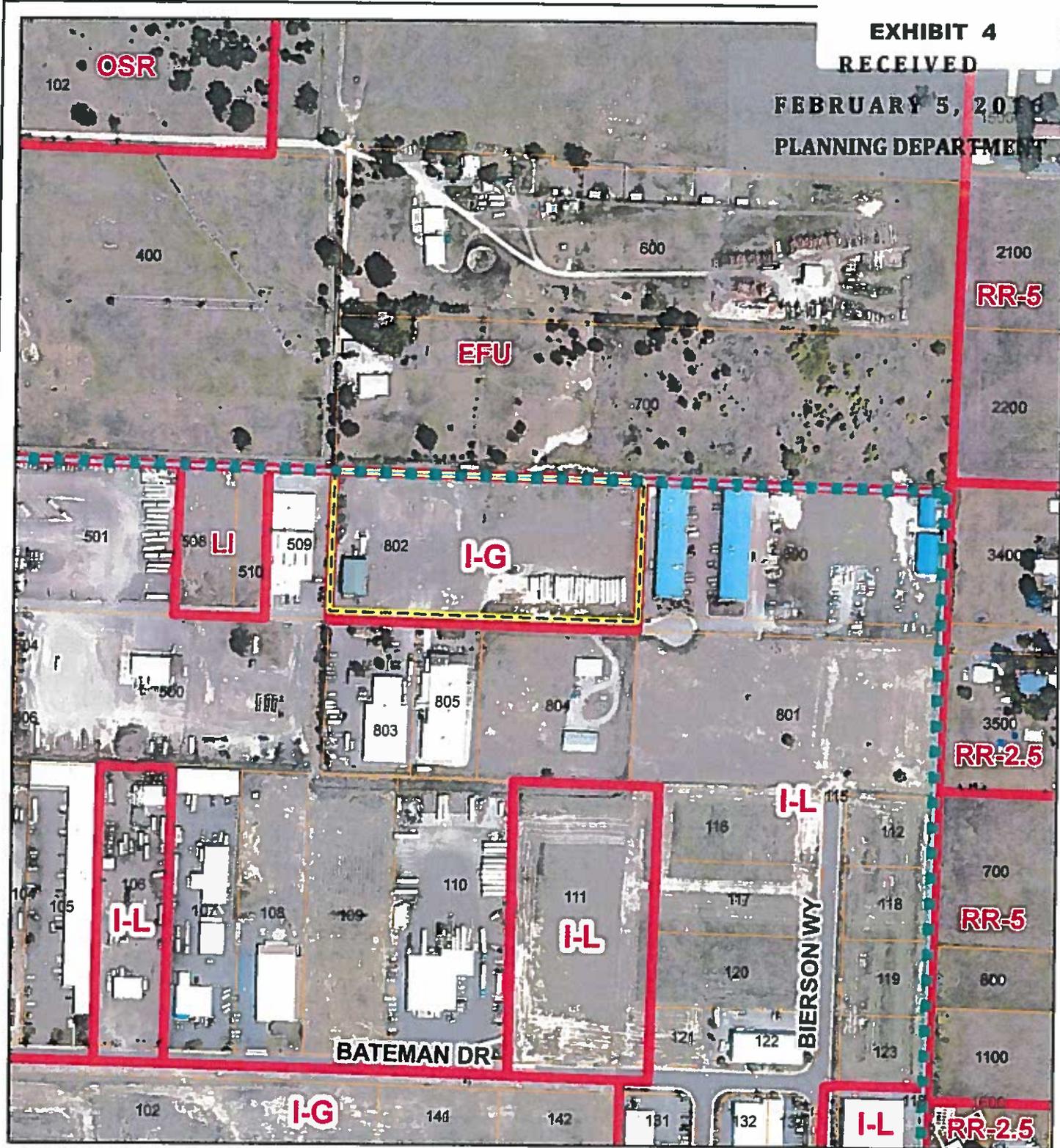
	Subject Lot	<b>County Comp Plan</b>
	City Limits	 Forestry / Open Space
	Urban Growth Boundary	 Agricultural
	Urban Reserves	 Industrial
	Tax Lots	 Limited Use
<b>Medford GLUP</b>		 Rural Residential
	GI	 Urban Residential

## General Land Use Plan (GLUP) Map

JDT Trucking  
 Site Plan and Architectural Review  
 36-2W-36A-802



**EXHIBIT 4**  
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**FEBRUARY 5, 2016**  
**PLANNING DEPARTMENT**



-  Urban Growth Boundary
-  Subject Lot
-  Zoning Outline
-  Tax Lots

2012 Aerial

## Zoning Map on Aerial

JDT Trucking  
 Site Plan and Architectural Review  
 36-2W-36A-802

  
 CSA Planning LTD

  
**CITY OF MEDFORD**  
**EXHIBIT #**  
**File # AC-15-115 / E-16-042**

  
 300 150 0 300 Feet

FOR ASSESSMENT AND TAXATION ONLY

N.E. 1/4, SEC. 36, T.36S., R.2W., W.M.  
JACKSON COUNTY  
1" = 200'

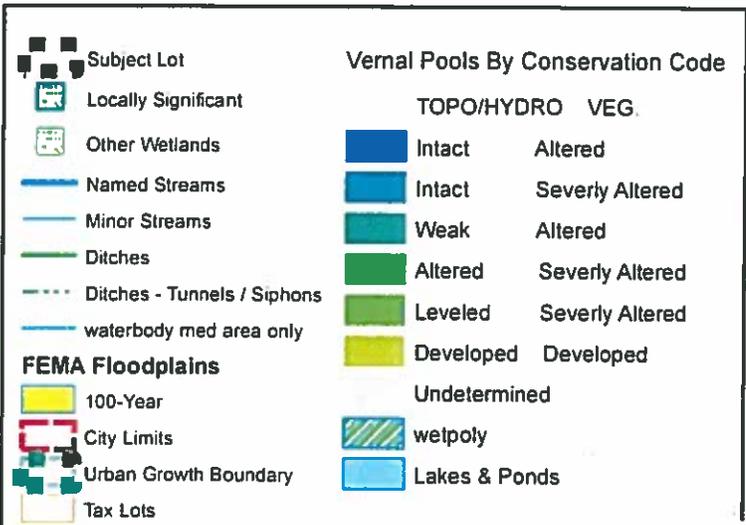
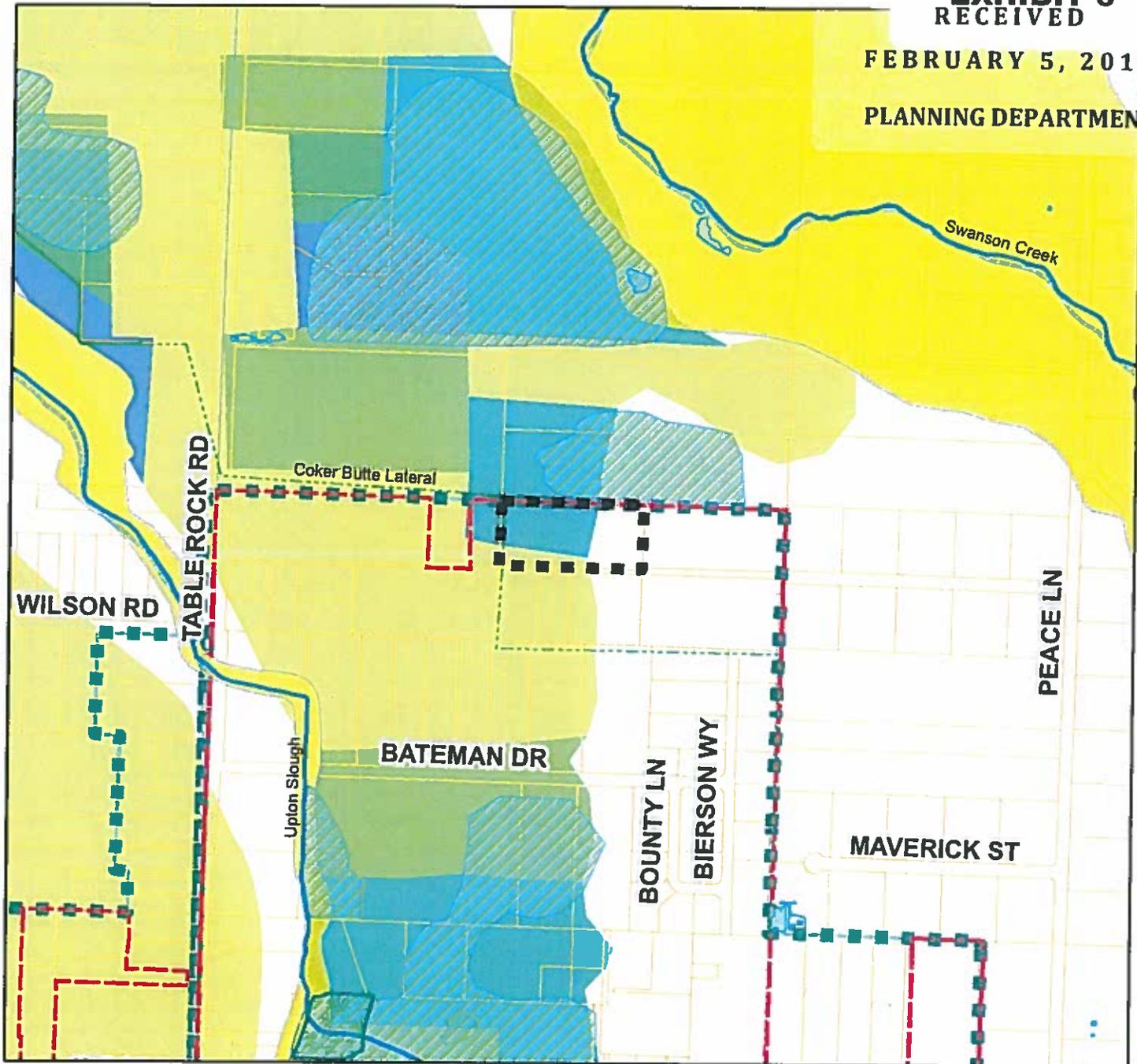
36 2W 36A  
MEDFORD

EXHIBIT 5

CANCELLED TAX  
LOT NUMBERS  
101



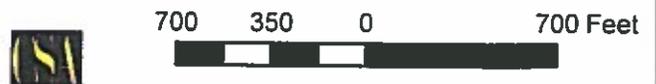
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FEBRUARY 5, 2016  
PLANNING DEPARTMENT  
36 2W 36A  
MEDFORD  
FOR CHIEF OF MEDFORD, 2000  
REV 11 FEBRUARY 15, 2008



# Hydrological Map



**JDT Trucking  
Site Plan and Architectural Review  
36-2W-36A-802**



01-26-2016

Source: Jackson GIS

**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-15-115 / E-16-042**



 Photo Location & Direction

 Subject Lot

 Tax Lots

2012 Aerial

# Photo Key Map

**JDT Trucking  
Site Plan and Architectural Review  
36-2W-36A-802**



CSA Planning LTD



150 75



**CITY OF MEDFORD  
EXHIBIT #**

**File # AC-15-11515-16-012**

31

FEBRUARY 5, 2016

PLANNING DEPARTMENT



1

Northwest corner of Subject Building, facing private road



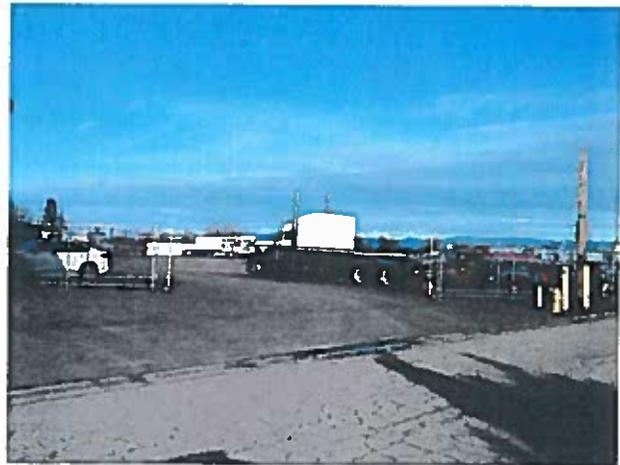
2

Southwest corner of Subject Building adjacent to entry gate



3

North (rear) facade of Subject Building



4

Main entry gate

**Legend**

2

Photo ID Number

**Site Photos**

*SITE PLAN and ARCHITECTURAL REVIEW*

*5560 Table Rock Road, Central Point, OR*

*JDT Trucking*

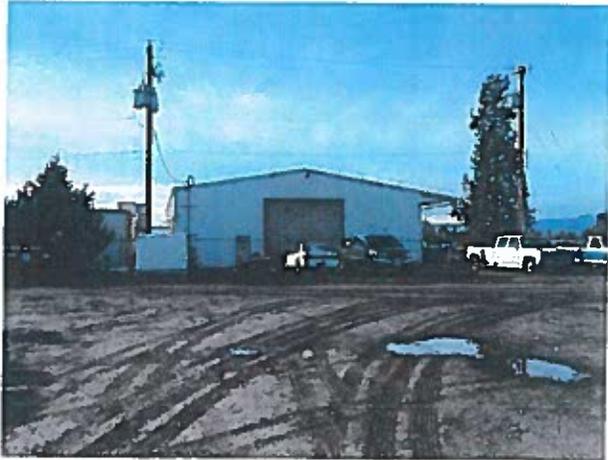


CSA

5

FEBRUARY 5, 2016

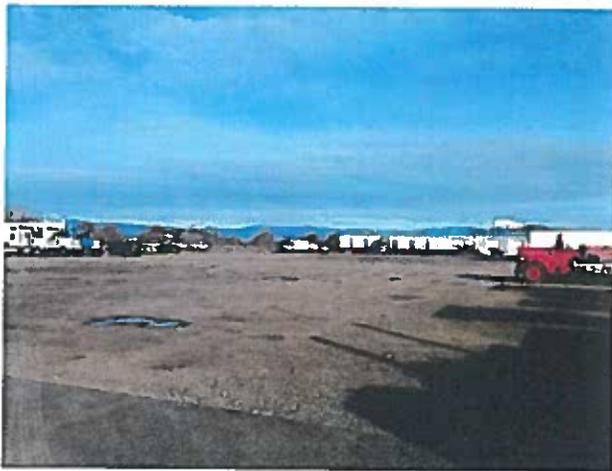
PLANNING DEPARTMENT



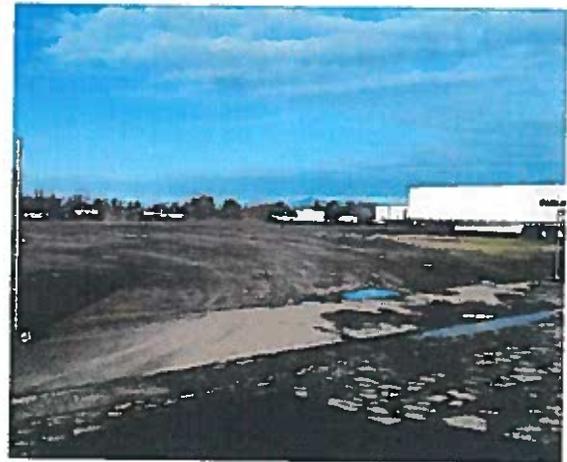
5 Looking West from rear yard toward building on adjacent Tax Lot 509



6 Looking North from Subject Building toward Tax Lot 700



7 Looking East across Truck Parking Area



8 East entry gate to Parking Area

**Legend**

2 Photo ID Number

**Site Photos**

*SITE PLAN and ARCHITECTURAL REVIEW*

*5560 Table Rock Road, Central Point, OR*

*JDT Trucking*

**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-15-115 / E-16-042**

February 4, 2016



CSA

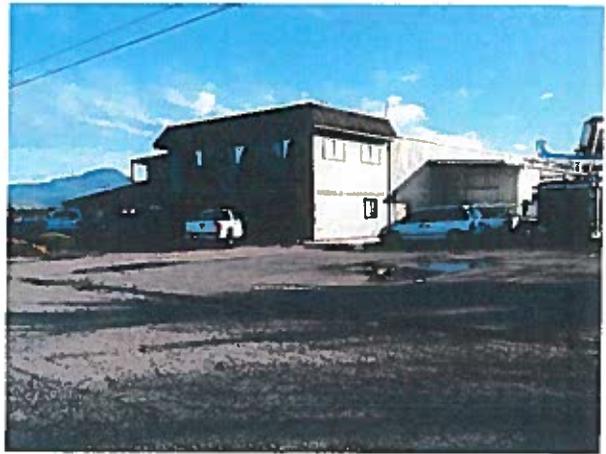
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FEBRUARY 5, 2016

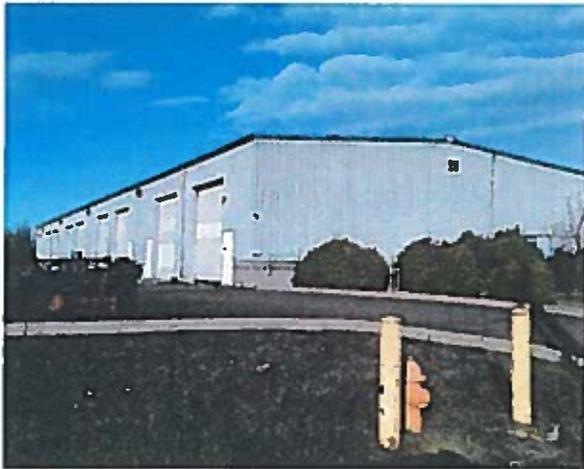
PLANNING DEPARTMENT



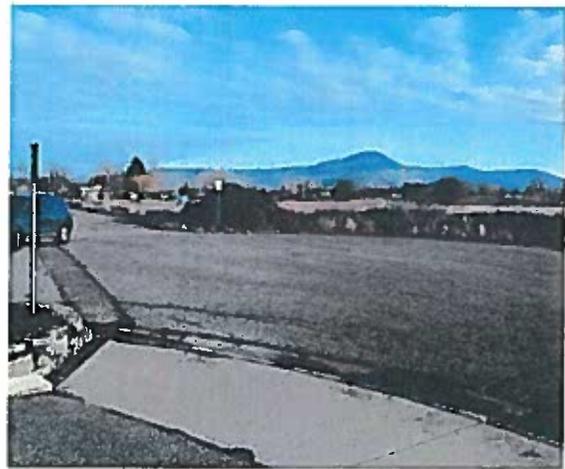
9 Adjacent buildings on Private Road, East of Subject property



10 Buildings to the South, across the Private Road



11 Storage Building at cul de sac end of Private Road



12 Looking Southeast across cul de sac end of Private Road

**Legend**

2 Photo ID Number

**Surrounding Area Photos**

*SITE PLAN and ARCHITECTURAL REVIEW*

*5560 Table Rock Road, Central Point, OR*

*JDT Trucking*

**CITY OF MEDFORD**  
**EXHIBIT #**  
**File # AC-15-115 / E-16-042**

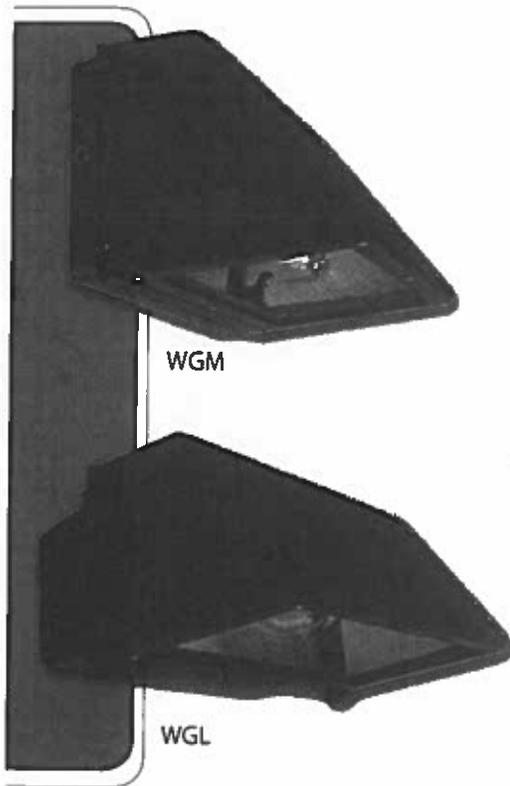
February 4, 2016



325

**NEW – WGM/WGL full cut-off wallpacks**

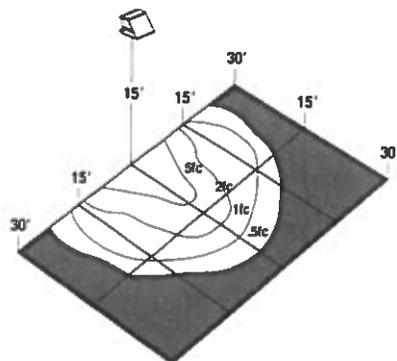
Hubbell Outdoor Lighting's new WGM/WGL are designed for entry and perimeter lighting with typical mounting heights of 10'-15' for the WGM and 15'-25' for the WGL. Use where full cut-off light control is required. Typical applications are commercial, office, warehouse and locations.



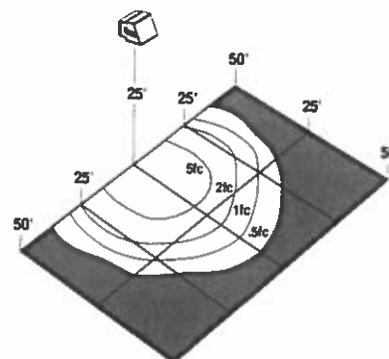
**Key Features & Benefits**

- Two sizes for proper architectural scale
  - WGM – 10-15 ft typical mounting heights
  - WGL – 15-25 ft typical mounting heights
- No uplight – Neighbor friendly
- Die-cast aluminum construction for durability, rigid mounting and excellent heat dissipation for long life
- Clear, tempered, impact resistant glass lens
- 1/2" hubs – top and side locations for surface conduit or photocontrol
- Energy efficient pulse start metal halide, HPS and CFL sources
- WGM-84F-MS42 motion sensor energy saver – illuminates one 42w lamp standard with motion sensor control of second lamp. 50% energy savings when activity is not present. Can be field wired to total sensor control if desired
- Dark Bronze powder coat finish protects housing and provides lasting appearance
- UL1598 listed for use in wet locations

WGM PHOTOMETRIC PERFORMANCE

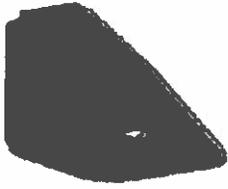


WGL PHOTOMETRIC PERFORMANCE



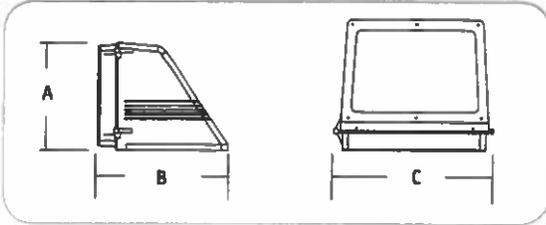
ORDERING INFORMATION ON REVERSE SIDE ▼

**ORDERING INFORMATION**



CATALOG NUMBER	WATTAGE/SOURCE	VOLTAGE	FINISH	LAMP	WEIGHT LBS. (KG)
<b>WGM – Medium Base or CFL</b>					
<b>WGM-100P</b>	100w PSMH	120, 208, 240, 277V	Bronze	ED17	18 (8.2)
<b>WGM-150P</b>	150w PSMH	120, 208, 240, 277V	Bronze	ED17	19 (8.6)
<b>WGM-150S</b>	150w HPS	120, 208, 240, 277V	Bronze	ED17	18 (8.2)
<b>WGM-84F</b>	2x42w CFL	120-277V	Bronze	3u-4 Pin	16 (7.3)
<b>WGM-84F-MS42<sup>1</sup></b>	2x42w CFL	120V	Bronze	3u-4 Pin	16 (7.3)

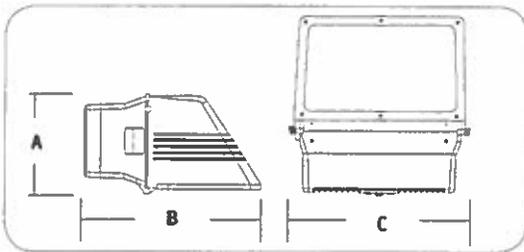
<sup>1</sup> CFL lamps are 3500K, sensor has adjustable time and sensitivity controls



A	B	C
9.25"	11.4"	14.2"
235 mm	290 mm	361 mm



CATALOG NUMBER	WATTAGE/SOURCE	VOLTAGE	FINISH	LAMP	WEIGHT LBS. (KG)
<b>WGM – Medium Base or CFL</b>					
<b>WGL-250P</b>	250w PSMH	120, 208, 240, 277V	Bronze	ED28	27 (12.3)
<b>WGL-320P</b>	320w PSMH	120, 208, 240, 277V	Bronze	ED28	28 (12.7)
<b>WGL-250S</b>	250w HPS	120, 208, 240, 277V	Bronze	ED18	32 (14.5)
<b>WGL-400S</b>	400w HPS	120, 208, 240, 277V	Bronze	ED18	32 (14.5)



A	B	C
9.84"	17.2"	18"
250 mm	438 mm	456 mm

**AGRICULTURAL IMPACT ASSESSMENT REPORT**

- January 16, 2016

5560 Table Rock Road, Central Point, OR

**FEBRUARY 5, 2016****PLANNING DEPARTMENT****C. Information Required: Agricultural Impact Assessment Report.**

As part of any land use or development application listed in Subsection 10.801.B where the agricultural buffering provisions in Subsections 10.801.A through E apply, an applicant for such application shall supply the Planning Department with the following information in a report entitled "Agricultural Impact Assessment Report":

- (1) An excerpt of a City of Medford and/or Jackson County zoning map showing the zoning of land adjacent and within two hundred (200) feet of the property proposed for urban development.

See attached map. Tax Lot 700 to the north of the subject property is zoned EFU.

- (2) A description of the type and nature of agricultural uses and farming practices, if any, which presently occur on adjacent lands zoned EFU or EA and sources of such information. The information thus required, if applicable, shall include:
- (a) Method of irrigation. An examination of Jackson County GIS groundwater rights data and historic aerial photographs indicate the property does not have irrigation rights.
  - (b) Type of agricultural product produced. The property does not appear to be producing any agricultural products. The aerial photographs and partial perimeter fencing indicate the property may be used for livestock rearing however none were witnessed on site and none are evident on historic aerial photographs. The property appears to primarily be used for rural residential purposes.
  - (c) Method of frost protection. Unknown
  - (d) Type of agricultural equipment customarily used on the property. Based on vegetative patterns evident on recent aerial photographs, it appears the westerly portion of the property, near the house, garden and outbuildings is mowed. Whether the property is mowed for purposes of grass hay or simply fire danger is unknown. Regardless, the typical method for mowing pasture is to use a tractor with a rotary style pto driven pull-behind mover. Given the small area, it is quite possible they used a lawn tractor.
- (3) Detailed information obtained from the Natural Resources Conservation Service (NCRS) concerning soils which occur on adjacent lands zoned EFU or EA, and whether the land has access to water for irrigation.
- Soils on the westerly one third and easterly one third of the property are 6B Agate Winlo Complex with a Class IV nonirrigated rating. The middle one third includes 33A Coker Clay, that also a Class IV nonirrigated rating.
- (4) Wind pattern information. Prevailing winds are from the west northwest.
- (5) A description of the measures proposed to comply with the requirements of Subsections 10.801.A through E.
- 1. Installation of a 6 foot chain link fence. Fence to be maintained by subject property owners.
  - 2. Filing of a deed declaration.
  - 3. Subject property is higher in elevation than EFU property, therefore if the EFU property were to ever become irrigated, no adverse run-off would be anticipated.
  - 4. Subject property run-off will be directed to new French drain.

- (6) The persons who prepared said report and all persons, agencies, and organizations contacted during preparation of the report. Michael Savage, CSA Planning.
- (7) All statements shall be documented, sources given as reference, and any other detailed information needed to substantiate conclusions should be provided in the appendices. None needed.

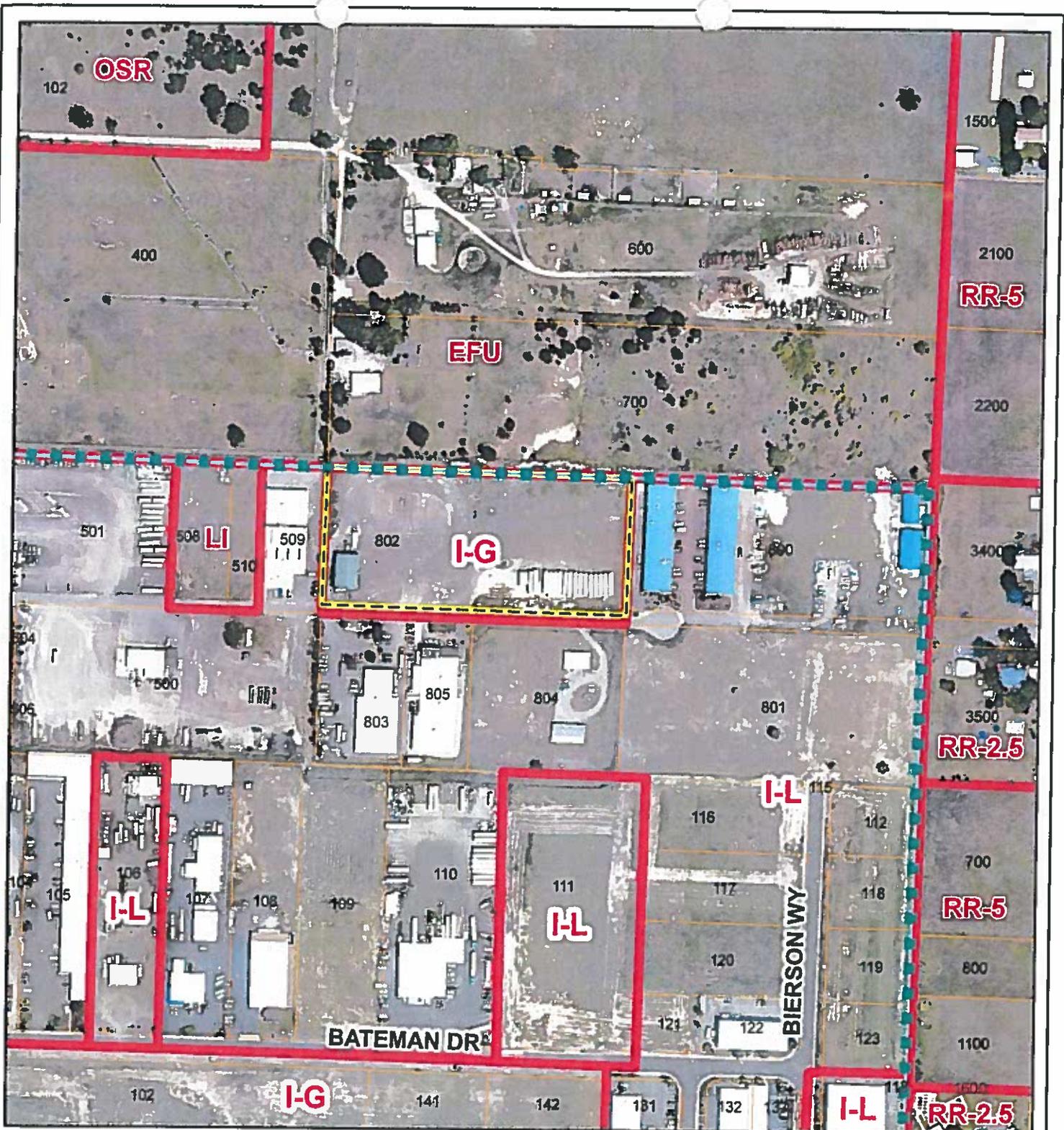
**D. Mitigation and Impact Management.**

- (1) **Agricultural Classification (Intensive or Passive).** For the purposes of this Section, agricultural land is hereby classified as either intensive or passive. Intensive agriculture is defined as farming which is under intensive day-to-day management, and includes fruit orchards and the intensive raising and harvesting of crops or, notwithstanding its current use, has soils of which a majority are class I through IV as determined by the NRCS, has irrigation water available and is outside of the Urban Growth Boundary. Passive agriculture is defined as farming that is not under intensive day-to-day management, and includes land used as pasture for the raising of livestock. The approving authority shall determine whether adjacent agricultural uses are intensive or passive based upon the specific circumstances of each case and the nature of agriculture which exists on the adjacent land zoned EFU or EA at the time the urban development application is filed and accepted by the City.

Based on our analysis of the adjacent EFU zoned lands, the property appears to be used primarily for rural residential purposes that are neither intensive nor passive agriculture. However, it is possible that the property is used for the raising of livestock and/or seasonal nonirrigated grass hay and is therefore considered passive agriculture under this provision.

- (3) **Mitigation - Passive Agriculture.** To minimize or mitigate the adverse potential impacts associated with the proximity of urban and agricultural land uses, the following measures shall be undertaken by the developer when urban development is proposed adjacent to land in passive agricultural use:
  - (a) **Fencing.** A wood fence, chain link fence, or masonry wall, not less than six (6) feet in height shall be installed at the property boundary where the development property adjoins and has a common property line with land zoned EFU or EA. In no case shall a fence or wall be required within a front yard area. The fence or wall used to buffer agricultural land shall comply with the regulations regarding fencing, Sections 10.731 through 10.735. Information shall be provided regarding the long-term maintenance responsibility for the fence or wall.
  - (b) **Deed Declaration.** The deed declaration required in subsection 10.801.D(2)(c) shall be required.
  - (c) **Irrigation Runoff.** Measures appropriate to the circumstances present shall be undertaken by the urban developer to mitigate adverse impacts which occur from periodic naturally occurring runoff and inadvertent agricultural irrigation runoff.

See, Item 5 herein above.



2012 Aerial

-  Urban Growth Boundary
-  Subject Lot
-  Zoning Outline
-  Tax Lots

## Zoning Map on Aerial

**JDT Trucking  
Site Plan and Architectural Review  
36-2W-36A-802**



300 150 0 300 Feet

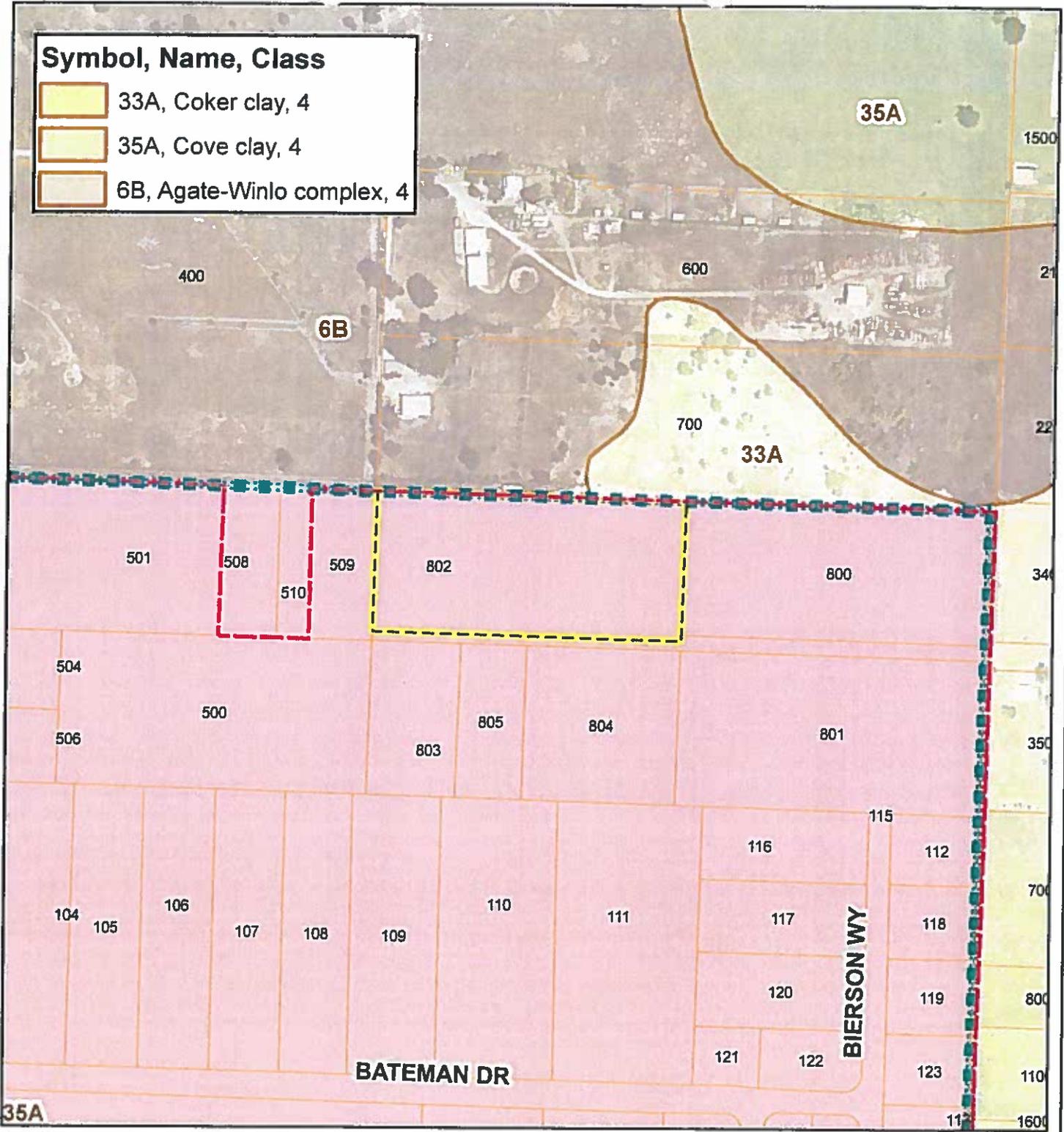




CSA Planning LTD

**Symbol, Name, Class**

-  33A, Coker clay, 4
-  35A, Cove clay, 4
-  6B, Agate-Winlo complex, 4



-  City Limits
-  Urban Growth Boundary
-  Subject Lot
-  Tax Lots

**NRCS Soils**

JDT Trucking  
 Site Plan and Architectural Review  
 36-2W-36A-802



2012 Aerial







LEGAL DESCRIPTION

RESECT FOR RE

EXHIBIT 11

RECEIVED  
 Jackson County Official Records 2013-022698  
 R-WD FEBRUARY 07/02/2013 02:53:26 PM 6  
 \$10.00 \$11.00 \$10.00 \$54.00  
 PLANNING DEPARTMENT  
 I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
 Christine Walker - County Clerk

After recording return to:  
 Wayne E. Davis and Rayven M. Davis  
 5575 Table Rock Road  
 Central Point, OR 97502

Until a change is requested all tax statements shall be sent to the following address:  
 Wayne E. Davis and Rayven M. Davis  
 5575 Table Rock Road  
 Central Point, OR 97502

Escrow No. AP0800773  
 Title No. 0800773  
 SWD r.020212

RECEIVED  
 AUG 11 2015  
 PLANNING DEPT.  
 RECEIVED  
 FEB 05 2016  
 PLANNING DEPT.

STATUTORY WARRANTY DEED

Plunk Transportation Inc.,

Grantor(s), hereby convey and warrant to

Wayne E. Davis and Rayven M. Davis, as tenants by the entirety,

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

The West Half of the North Half of the South Half of the Southeast Quarter of the Northeast Quarter of Section 36, Township 36 South, Range 2 West, of the Willamette Meridian in Jackson County, Oregon. EXCEPTING THEREFROM that portion deeded to the City of Medford, an Oregon Municipal Corporation, as set forth in instrument recorded as No. 98-26314 of the Official Records of Jackson County, Oregon.

For Informational purposes only, the following is included:  
 (Map No. 362W36A, Tax Lot 802, Account No. 1-064450-6, Code 6-35)

The true and actual consideration for this conveyance is PURSUANT TO AN IRC 1031 TAX DEFERRED EXCHANGE ON BEHALF OF GRANTOR/GRANTEE.

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

2013-2014 Real Property Taxes a lien not yet due and payable.

CITY OF MEDFORD  
 EXHIBIT # \_\_\_\_\_  
 File # AC-15-115 / E-16-042  
 CITY OF MEDFORD

EXHIBIT # \_\_\_\_\_  
 FILE # AC-15-115

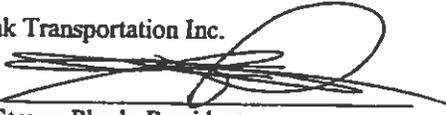
35

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

Dated this 1 day of July, 2013.

Plunk Transportation Inc.

BY:

  
Steven Plunk, President

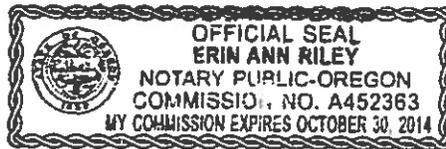
BY:

  
Brenda Plunk-Walters, Vice-President

STATE OF OREGON  
County of Jackson

This instrument was acknowledged before me on July 1, 2013, by Steven Plunk as President and Brenda Plunk-Walters as Vice-President of Plunk Transportation Inc..

  
Notary Public for Oregon  
My Commission Expires: 10-30-2014





**EXHIBIT 12**

**RECEIVED**

**FEBRUARY 29, 2016**

**PLANNING DEPARTMENT**

P.O. BOX 1724 • MEDFORD, OR 97501 • PH (541) 779-5268 • FAX (541) 779-3139

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January 4, 2016

CSA Planning  
4497 Brownridge Terrace, Ste. 101  
Medford, OR 97504

**Attn: Beverly Thruston**

**RE: JDT Trucking – Stormwater Management – #AC-15-115**

Dear Beverly:

The proposed improvement for the above mentioned project will include stormwater facilities (detention and water quality). All stormwater facilities will be designed to meet the current City of Medford stormwater design requirements. Detailed engineered design and hydraulic calculations will be provided with the construction plans.

If you have any questions, comments, or need additional information, please feel free to give me a call.

Sincerely,

Tony Bakke, P.E.  
Construction Engineering Consultants, Inc.

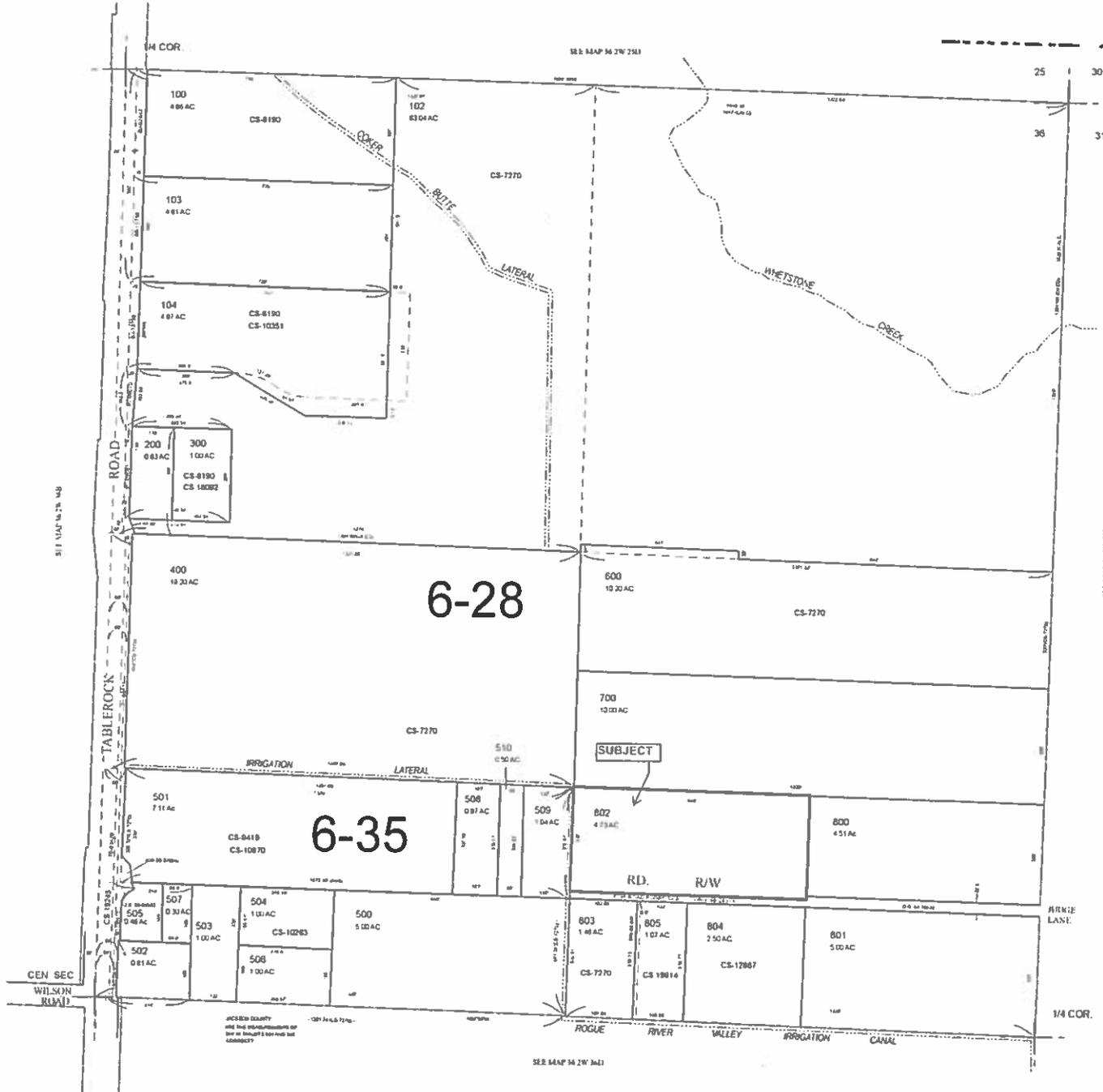
14 OR ASS. 5562 HT AND  
TAXATR W ONLY

N.E.1/4, SEC.36, T.36S., R.2W., W.M.  
JACKSON COUNTY  
1" = 200'

**EXHIBIT 3**

36 2W 36A  
MEDFORD

CANCELLED TAX  
LOT NUMBERS  
101

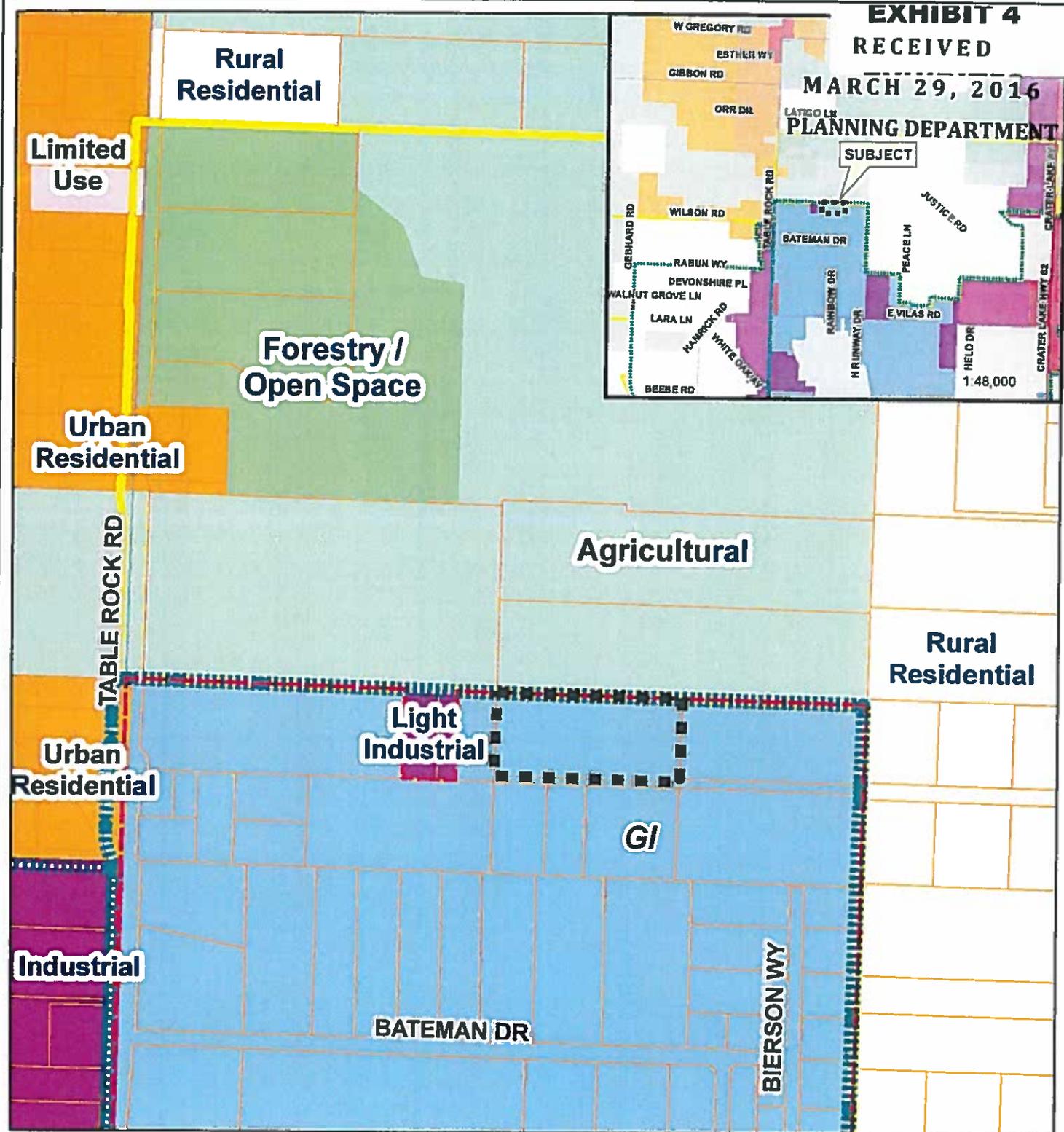


RECEIVED  
MARCH 29, 2015  
PLANNING DEPARTMENT  
36 2W 36A  
MEDFORD

FOR CONVERSION: MARCH 09, 2010  
REV FEBRUARY 15, 2008

SUBJECT

1:48,000



	Subject Lot		County Comp Plan
	City Limits		Forestry / Open Space
	Urban Growth Boundary		Agricultural
	Urban Reserves		Industrial
	Tax Lots		Limited Use
	Medford GLUP		Rural Residential
	GI		Urban Residential

**General Land Use Plan (GLUP) Map**

JDT Trucking  
Exception Application  
36-2W-36A-802

**CITY OF MEDFORD**  
EXHIBIT # 900642  
File # AC-15-115 / E-16-042

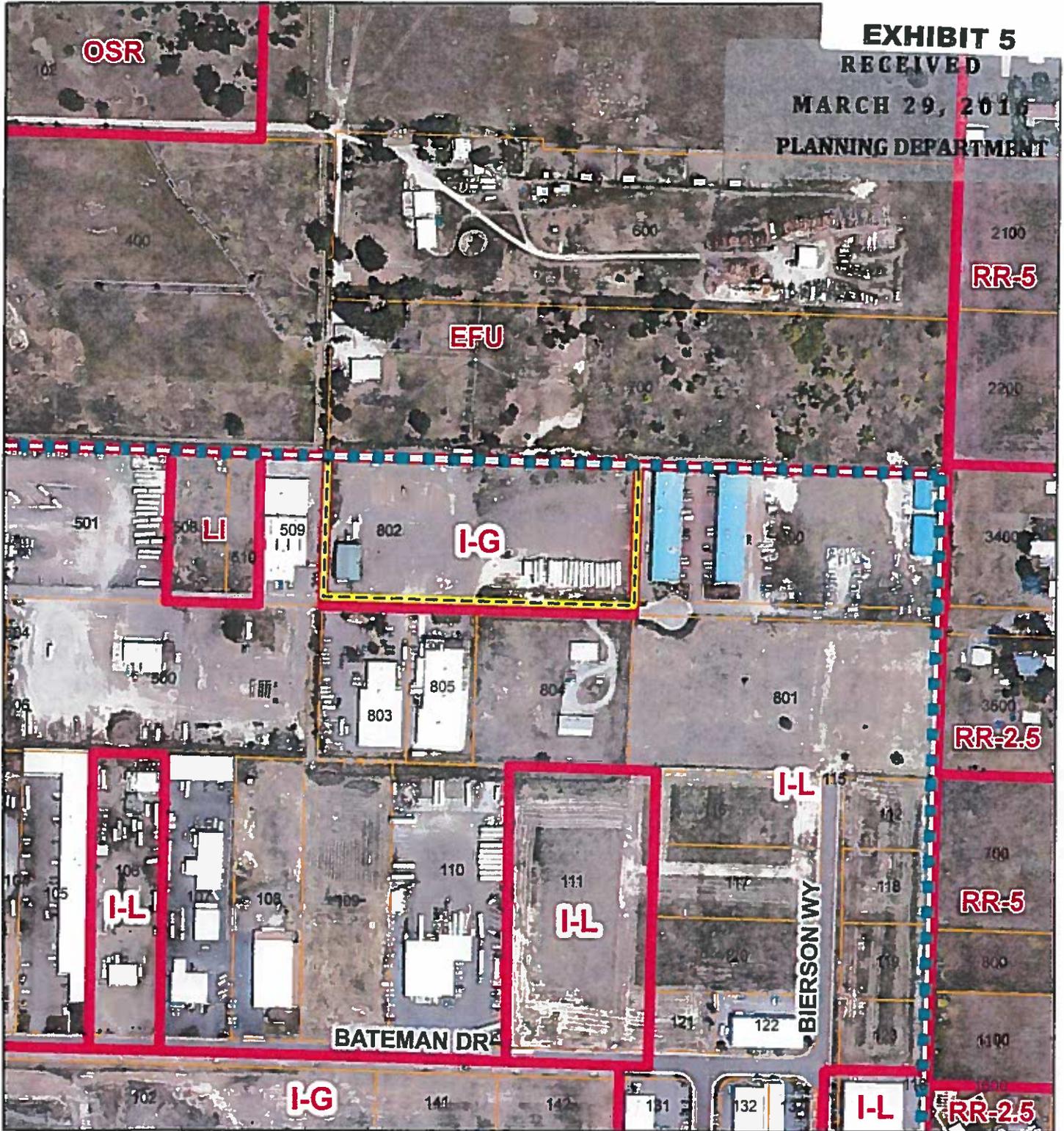
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**EXHIBIT 5**

RECEIVED

MARCH 29, 2016

PLANNING DEPARTMENT



 Urban Growth Boundary  
 Subject Lot  
 Zoning Outline  
 Tax Lots

2012 Aerial

# Zoning Map on Aerial

**JDT Trucking**  
**Exception Application**  
**36-2W-36A-802**



**CITY OF MEDFORD**  
**EXHIBIT # \_\_\_\_\_**  
**File # AG 15-115 / E 16-042**

300 150 300 Feet



**EXHIBIT 6**

Demolition or relocation of building. Existing yard fence & approx. 14 off-street parking spaces would be wiped out

Loading area and approx. seven parking spaces would be wiped out

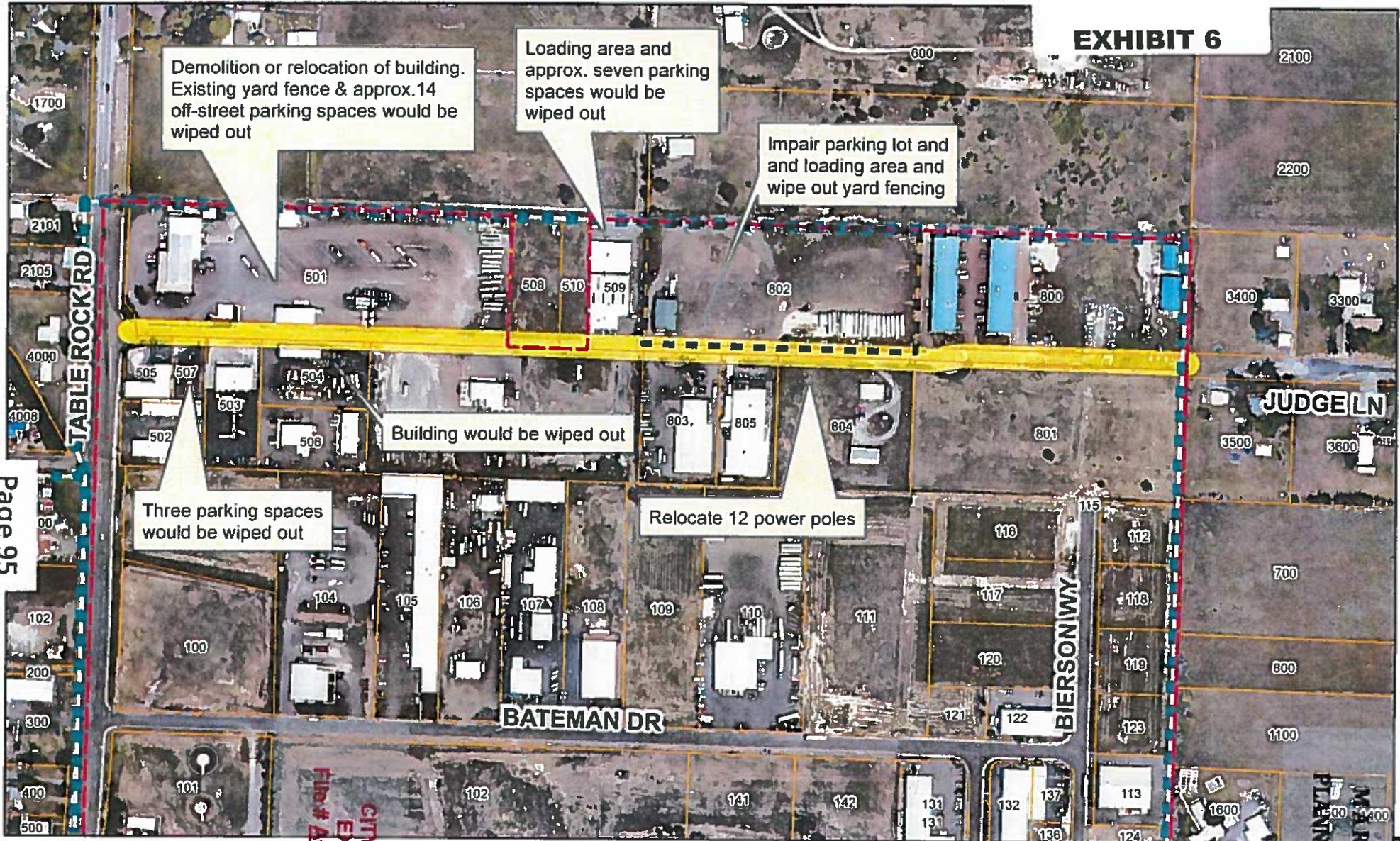
Impair parking lot and loading area and wipe out yard fencing

Building would be wiped out

Three parking spaces would be wiped out

Relocate 12 power poles

Page 95



-  Subject Lot
-  City Limits
-  Urban Growth Boundary
-  Tax Lots
-  63-foot right of way

CITY OF MEDFORD  
EXHIBIT #  
FILE # AC-15-115 / E-16-042

2012 Aerial

**Future Right-of-Way and Existing Improvements Diagram**

JDT Trucking  
Exception Application  
36-2W-36A-802



CSA Planning LTD

330 165 0 330 Feet



03-29-2016 Source JacksonCounty GIS, City of Medford GIS

RECEIVED  
MARCH 29, 2016  
PLANNING DEPARTMENT

**EXHIBIT 7**  
**RECEIVED**  
**MARCH 29, 2016**  
**PLANNING DEPARTMENT**



 Photo Location & Direction

 Subject Lot

 Tax Lots

2012 Aerial

# Photo Key Map

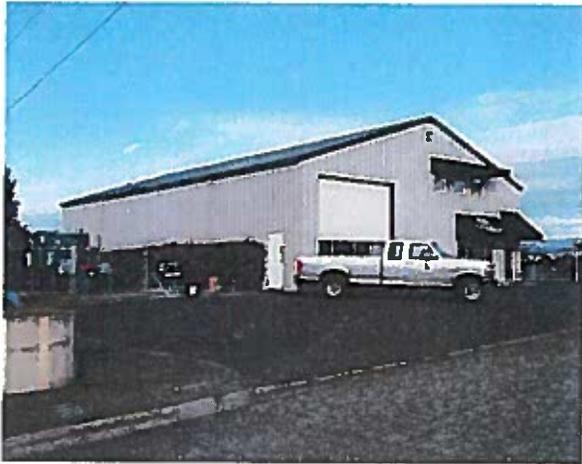
**JDT Trucking**  
**Exception Application**  
**36-2W-36A-802**



150 75  
**CITY OF MEDFORD**  
**EXHIBIT #**  
**File # AC-15-115 / E-158-042**

MARCH 29, 2016

PLANNING DEPARTMENT



1 Northwest corner of Subject Building, facing private road



2 Southwest corner of Subject Building adjacent to entry gate



3 North (rear) facade of Subject Building



4 Main entry gate

**Legend**

2 Photo ID Number

**Site Photos**

*EXCEPTION APPLICATION*

*5560 Table Rock Road, Central Point, OR*

*JDT Trucking*



CSA Planning | ttd

**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-15-1157 E-16-042**



5 Looking West from rear yard toward building on adjacent Tax Lot 509



6 Looking North from Subject Building toward Tax Lot 700



7 Looking East across Truck Parking Area



8 East entry gate to Parking Area

**Legend**

2 Photo ID Number

**Site Photos**

*EXCEPTION APPLICATION*

*5560 Table Rock Road, Central Point, OR*

*JDT Trucking*



CSA Planning Ltd

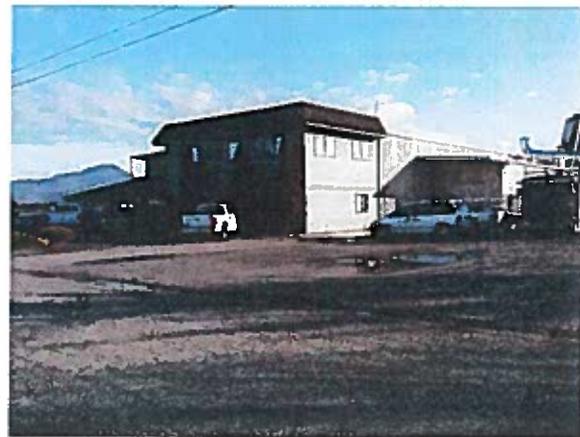
**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-15-115-Ed 0042**



9 Adjacent buildings on Private Road, East of Subject property



10 Buildings to the South, across the Private Road



11 Storage Building at cul de sac end of Private Road



12 Looking Southeast across cul de sac end of Private Road

**Legend**

2 Photo ID Number

**Surrounding Area Photos**

**EXCEPTION APPLICATION**

5560 Table Rock Road, Central Point, OR

JDT Trucking

**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-15-115 / E-16-042**

March 29, 2016



CSA Planning Ltd



Continuous Improvement Customer Service

**CITY OF MEDFORD**

RECEIVED  
MAY 04 2016  
PLANNING DEPT.

LD Date: 5/4/2016  
File Number: AC-15-115/E-16-042

**PUBLIC WORKS DEPARTMENT STAFF REPORT  
JDT Trucking**

**Project:** Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel.

**Location:** Located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd).

**Applicant:** JDT Trucking, Applicant (CSA Planning, Ltd., Agent). Tracy Carter, 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.

**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.

65

**A. STREETS**

**1. Dedications**

**The Applicant has requested an Exception for the elimination of public right-of-way dedications on future Judge Lane.** If approved as requested, then no dedications would be provided with this development. If the exception request is denied, the Developer shall dedicate the additional right-of-way as stated below.

Future **Judge Lane** 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 entire 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.**

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 along the Developments entire 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**

**The Applicant has requested an Exception for the elimination of the standard street improvements on future Judge Lane.** If approved as requested, then no public improvements would be provided with this Development and the private street will remain within the existing public right. Public Works requests that if the Exception is approved, that the Developer be required to enter into a Deferred Improvement Agreement (DIA) for the frontage improvements to future Judge Lane as stated below, reference MLDC Section 10.432.

Future **Judge Lane** shall be improved to Commercial Street standards along the frontage of the Development (westerly 220-feet of tax lot) in accordance with MLDC 10.429. The Developer shall responsible to improve the north half.

**b. Street Lights**

The Developer shall provide and install in compliance with MLDC Section 10.495.

Based on the preliminary plan submitted, the following number of street lights will be required:

- A. 2 – 100W HPS street lights, including a secondary power source (BMC) to feed them.

Numbers are subject to change if changes are made to the plans. All streetlights shall installed per City standards and be shown on the public improvement. 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 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 Street 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 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.

### **5. 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.

#### **Future Judge Lane**

The additional right-of-way on future Judge Lane will provide the needed width for public street improvements including planter strips and sidewalk. The 8-foot planter strip moves pedestrians a safe distance from the edge of the roadway. Future Judge Lane will be a primary route for pedestrians traveling to and from this development.

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. Developments are required to provide all internal local streets and half-street improvements to abutting streets, including associated right-of-way dedications, to ensure that new development and density intensification provides the current level of urban services and adequate street circulation is maintained.

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 and current code requirements.

## **B. SANITARY SEWERS**

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

## **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 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.

### **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**

Storm water quality and detention facilities shall be required in accordance with Medford Land Development Code 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. 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**

Any required 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. 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 (SDC)**

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

Prepared by: Doug Burroughs

## **SUMMARY CONDITIONS OF APPROVAL**

**JDT Trucking**

**AC-15-115/E-16-042**

### **A. Streets**

#### **1. Street Dedications to the Public:**

- **Future Judge Lane** – Dedicate additional public right-of-way for a 31.5' right-of-way half width.
- Dedicate 10-foot Public Utility Easements (PUE) along the frontage of future Judge Lane.

#### **2. Improvements:**

##### **a. Public Streets**

- Improve half (18') of the north side of future Judge Lane (westerly 220' of tax lot), complete with curbs, gutters and sidewalks.

##### **b. Lighting and Signing**

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

##### **c. Access and Circulation**

- Access shall be taken off of the future Judge Lane as indicated on proposed plans.

##### **d. Other**

- Provide pavement moratorium letters.
- Provide soils report.

### **B. Sanitary Sewer**

- The site is situated within the RVSS area.

### **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.



BOARD OF WATER COMMISSIONERS  
**Staff Memo**

RECEIVED  
MAY 04 2016  
PLANNING DEPT.

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** AC-15-115 & E-16-042  
**PARCEL ID:** 371W30AC TL 2500  
**PROJECT:** Consideration of plans for the construction of a 3,750 square foot addition to an existing metal E-16-042 industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd); JDT Trucking, Applicant (CSA Planning, Ltd., Agent). Tracy Carter, Planner.  
**DATE:** May 4, 2016

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

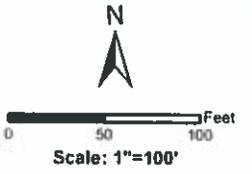
**CONDITIONS**

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 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>.
4. The existing 1-inch water meter is required to be protected in place from potential vehicular traffic and parking. Applicant shall coordinate with MWC engineering staff for review of water meter location and proposed protection measures.

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. Static water pressure is expected to be over 90 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does exist to this property. There is an existing 1-inch water meter that serves the existing on-site building. (See Condition 4 above)
5. Access to MWC water lines is available. There is a 12-inch water line located in the local access roadway along the south property line of this parcel.

110



**Water Facility Map  
for  
AC-15-115 &  
E-16-042**

**Legend**

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



This map is based on a 2018 Aerial Photograph. Medford Water Commission does not warrant the accuracy of the information shown on this map. It is the responsibility of the user to verify the information shown on this map. There is no warranty, expressed or implied.



# 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](mailto:www.fire@ci.medford.or.us)

RECEIVED  
APR 29 2016  
PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Tracy Carter

LD Meeting Date: 05/04/2016

From: Fire Marshal Kleinberg

Report Prepared: 04/29/2016

File #: AC - 15 - 115

Associated File #'s: E - 16 - 42

### Site Name/Description:

Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd); JDT Trucking, Applicant (CSA Planning, Ltd., Agent). Tracy Carter, Planner

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

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

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

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

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

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

# Memo



RECEIVED  
MAY 04 2016  
PLANNING DEPT.

**To:** Tracy Carter, Planning Department  
**From:** Mary Montague, Building Department  
**CC:** JDT Trucking; Jay  
**Date:** May 4, 2016  
**Re:** May 4, 2016, LDC Meeting: Item #1 – AC-15-115/E-16-042

**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](mailto:building@cityofmedford.org).*

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

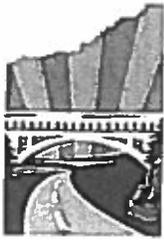
**General Comments:**

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

**Comments:**

5. Occupancy is S-1. Must comply with Section 406.8 and Table 307.1(1).
6. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.
7. Building shall be designed per 107..3.4.1.

CITY OF MEDFORD  
EXHIBIT # L  
File # AC-15-115 / E-16-042



# JACKSON COUNTY

Roads

Roads  
Engineering

Kevin Christiansen  
Construction Manager

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

www.jacksoncounty.org

RECEIVED  
APR 25 2016  
PLANNING DEPT.

April 25, 2016

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

RE: Development off Table Rock Road on a privately maintained access road  
Planning File: AC-15-115 / E-16-042

Dear Kelly:

Thank you for the opportunity to comment on the request for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements on a 4.73 acre parcel located on a privately maintained access road off Table Road within the I-G (Medford Light Industrial) zoning. Jackson County Roads has no comments.

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

Sincerely,

Kevin Christiansen  
Construction Manager

60



# CITY OF MEDFORD PLANNING DEPARTMENT

Lausmann Annex • Room 240 • 200 South Ivy Street • Medford, Oregon 97501  
Telephone (541) 774-2380 • FAX: (541)618-1708 • email: plnmed@cityofmedford.org

**RECEIVED**

**MAY 02 2016**

**PLANNING DEPT.**

Date: April 18, 2016

- Building Department
- City Attorney
- Engineering
- Engineering – Tina Garvin
- Fire Department
- Parks & Recreation
- Police Department
- Public Works Service Center
- Water Commission
- City Manager
- Tech. Services - Jennifer
- 
- 

- Avista Utilities
- Charter Communications
- Pacific Power & Light
- Qwest
- Rogue Disposal
- Rogue Valley Transit District
- US Post Office
- Federal Aviation Administration
- Jackson Co. Admin. Officer
- Jackson Co. Health Department
- Jackson Co. Planning
- Jackson Co. Roads
- Jackson Co. Surveyor

- Medford Irrigation District
- Medford School Dist. 549C
- ODOT
- Phoenix School District 4
- Rogue River Valley Irrigation
- RVSS
- R.V. International Airport
- Talent Irrigation District
- Urban Renewal (MURA)
- OR. Dept. of Aviation
- Central Point School Dist. 6
- 
- 

File No. AC-15-115/E-16-042

Agent Contact: jay@csaplanning.net

Planner:

Tracy. Carter@ci.medford.or.us

**Project Name:** JDT TRUCKING – Consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd).

Attached are documents for your review. Please investigate and submit to the Planning Department, within ten (10) working days, a written report setting forth any necessary conditions as required of your department/agency for approval of the above project.

If your proposed conditions of approval include the dedication of land for public use or the provision of public improvements, please submit written findings with supporting data or information that justify the requirements. Specifically, the findings must show that there is an essential connection between your requirements and a legitimate government purpose, and that there is a rough proportionality between the burden of the requirement on the developer and the impacts of the proposed development on public facilities and services. All requirements may be strictly scrutinized by the courts and must have legitimate authority so that they will not result in a taking of private property.

If no comments are received within the 10-day review period, it will be assumed that there are no comments.

A Land Development Committee meeting is scheduled for Wednesday, May 4, 2016, at 9:30 a.m. in Room 151, Lausmann Annex, 200 South Ivy Street, Medford.

62



City of Medford  
Planning Department

Vicinity  
Map

File Number:  
**AC 15-115**  
**E 16-042**



Project Name:

**JDT Trucking**

Map/Taxlot:

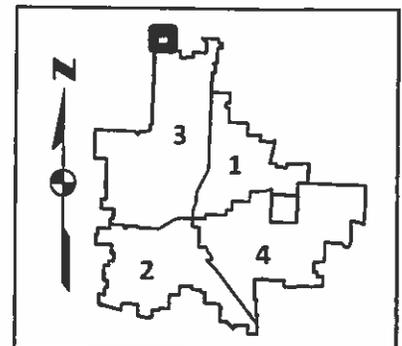
**362W36A TL 802**



04/04/2016

**Legend**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets
-  Urban Growth Boundary



ROGUE RIVER VALLEY IRRIGATION DISTRICT  
LAND USE AGENCY RESPONSE FORM

3139 Merriman Road  
Medford OR 97540  
Email: [rvid@rrvid.org](mailto:rvid@rrvid.org)

Phone: 541-773-6127  
Fax: 541-773-5420

NAME OF ENTITY REQUESTING RESPONSE: Planning Department  
ENTITY REFERENCE NUMBER: AC-15-115/E-16-042  
MEETING REVIEW DATE: Wednesday MAY 4, 2016

PROPERTY  
MAP DESCRIPTION: 362W36A 802 ADDRESS: 5600 TABLE ROCK RD.

NO COMMENT OF LAND USE ISSUE (IF NOT MARKED, CONTINUE BELOW)

NO COMMENT IF CHECKED COMMENTS ARE APPLICABLE

**A. WATER RIGHT ISSUES**

1. Water rights need to be sold to someone or transferred back to RRVID.

Number of Irrigated Acres: \_\_\_\_\_

2. Must have District approval for water rights to remain in place on Subject's property.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. EASEMENTS**

**DISTRICT EASEMENTS**

1. Easement needs to remain clear. No permanent structures or deep-rooted plants will be allowed within the easement limits.

Comments: \_\_\_\_\_

2. If facility is to be relocated or modified, specifications must meet the District's Standards and be agreeable to the District. A new written and recorded easements must be conveyed to the District.

Comments: \_\_\_\_\_

3. If a written and recorded easement does not exist for an existing facility, then one must be provided in favor of the District.

Comments: \_\_\_\_\_

**PRIVATE EASEMENTS**

1. Property may have private facilities (ditch or pipeline) that the District does not manage. Arrangements may need to be made to provide continued service through the subject property for down stream water users.

Comments: \_\_\_\_\_  
\_\_\_\_\_

**ENTITY REQUESTING RESPONSE:**

Planning Department

**ENTITY REFERENCE NUMBER:**

AC-15-115/E-16-042

NO COMMENT IF CHECKED COMMENTS ARE APPLICABLE

**C. FACILITIES** (including but not limited to pipelines, ditches, canals, control checks or boxes)

- 1. Upgrades to District facilities may be required to support any land use changes or developments, such as pipe installations or encasing existing pipe under roads or concrete.

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**D. DRAINAGE / STORM WATER**

The District relies on the Bureau of Reclamation's Storm Water Policy. No urban storm water or point source flows will be allowed into the District's facilities without going through the Bureau of Reclamation process. (Developments in historically agricultural areas need to be aware of agricultural run off water and take appropriate action to protect the development from upslope water.)

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**GENERAL COMMENTS:**

- 1. No interruptions to irrigation water deliveries will be allowed.
- 2. R.R.V.I.D. is a Federal Project and some facilities and/or easement issues may need Bureau of Reclamation approval.
- 3. The developer/sub-divider will take all appropriate actions to ensure the reliability and protection of original function of the District's facilities.

As required by ORS 92.090(6) the entity must receive a certification form the District before approval of the final plat.



Brian Hampson  
Rogue River Valley Irrigation  
3139 Merriman Road  
Medford OR 97501

Date Signed: 4-28-16



# 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

RECEIVED

APR 26 2016

PLANNING DEPT

April 26, 2016

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

**Re: AC-15-115/E-16-042, JDT Trucking, Tax Lot 802, Map 36 2W 36A**

ATTN: Tracy,

The subject property is currently served by a connection to the 8 inch sewer main on the existing access road. The proposed building addition will not require a permit from RVSS, however there will be development fees owed if there are new plumbing fixtures installed in the new building.

The sewer main was constructed around 1978 and appears to have been constructed within an easement dedicated for ingress and egress, but not necessarily utilities. If the exception to public right of way dedications is approved, RVSS requests that a utility easement protecting the existing public sewer main be dedicated instead.

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

1. Applicant must pay sewer system development charges to RVSS for all new plumbing fixtures prior to the start of construction.
2. Applicant must dedicate a public sewer easement to RVSS protecting the existing public sewer main.

Feel free to contact me with any questions.

Sincerely,

*Carl Tappert*

Carl Tappert, PE  
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNG\ARCH COMM\2015\AC-15-115\_JDT  
TRUCKING.DOC



# Oregon

Kate Brown, Governor



RECEIVED  
MAY 03 2016  
PLANNING DEPT.

3040 25th Street, SE  
Salem, OR 97302-1125  
Phone: (503) 378-4880  
Toll Free: (800) 874-0102  
FAX: (503) 373-1688

May 3, 2016

Tracy Carter  
Planner – Planning Development  
City of Medford  
Lausmann Annex Room 240  
200 South Ivy Street  
Medford, OR 97501

Re: File No. AC-15-115/E-16-042: Building Expansion

Dear Tracy:

The Oregon Department of Aviation (ODA) appreciates the opportunity to review and comment in the application process for the proposed addition to an existing building located in Medford (Map Lot: 36SW36A TL 802)

The Oregon Department of Aviation would like to make the following comments and possible conditions of approval are added to the final land use decision, if the development is approved.

- Prior to issuance of a building permit the applicant must file and receive a determination from the Oregon Department of Aviation as required by OAR 738-070-0060 on FAA Form 7460-1 Notice of Proposed Construction or Alteration to determine if the structure will pose a hazard to aviation safety. A subsequent submittal may be required by the FAA due to its location to the Rogue Valley Int'l Airport.
- The height of the new structure should not penetrate FAA Part 77 Imaginary Surfaces, as determined by ODA and the FAA.
- Shields on any external lights should be designed as to not interfere with aircraft or airport operations.
- Marking Lights, per FAA design, may be needed to identify to structures.
- Coordination with the Rogue Valley Int'l Airport and their Air Traffic Control tower may be needed to issue a NOTAM during the construction.

ODA appreciates the opportunity to comment on this application. The Department requests to be identified as a party of record for standing and be notified of the decision once it becomes available.

If you have any questions or need further information or clarification on the comments, please feel free to contact me at 503-378-2529 or [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us).

Sincerely,

Jeff Caines, AICP  
Aviation Planner  
Oregon Department of Aviation

CITY OF MEDFORD  
EXHIBIT # P  
File # AC-15-115 / E-16-042

**Tracy R. Carter**

---

**From:** MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>  
**Sent:** Friday, May 13, 2016 4:33 PM  
**To:** Tracy R. Carter  
**Subject:** AC-15-115/ E-16-042

**RECEIVED**  
MAY 13 2016  
PLANNING DEPT.

Tracy,

Thank you for sending agency notice of a consideration of plans for the construction of a 3,750 square foot addition to an existing metal industrial building and associated exception request to eliminate public right-of-way dedications and standard street improvements, situated on a 4.73 acre parcel located on a privately maintained access road that is approximately 970 feet north, then 1,350 feet east of the intersection of Bateman Drive and Table Rock Road (362W36A TL 802, 5600 Table Rock Rd). We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

**Don Morehouse**  
**Senior Transportation Planner**  
**ODOT Region 3, District 8 (Rogue Valley Tech Center)**  
**Ph: (541) 774-6399**  
**Fax: (541) 774-6349**  
**Donald.Morehouse@odot.state.or.us**

**Tracy R. Carter**

---

**From:** Timothy D. Stevens  
**Sent:** Tuesday, May 24, 2016 12:39 PM  
**To:** Tracy R. Carter  
**Subject:** AC-15-115

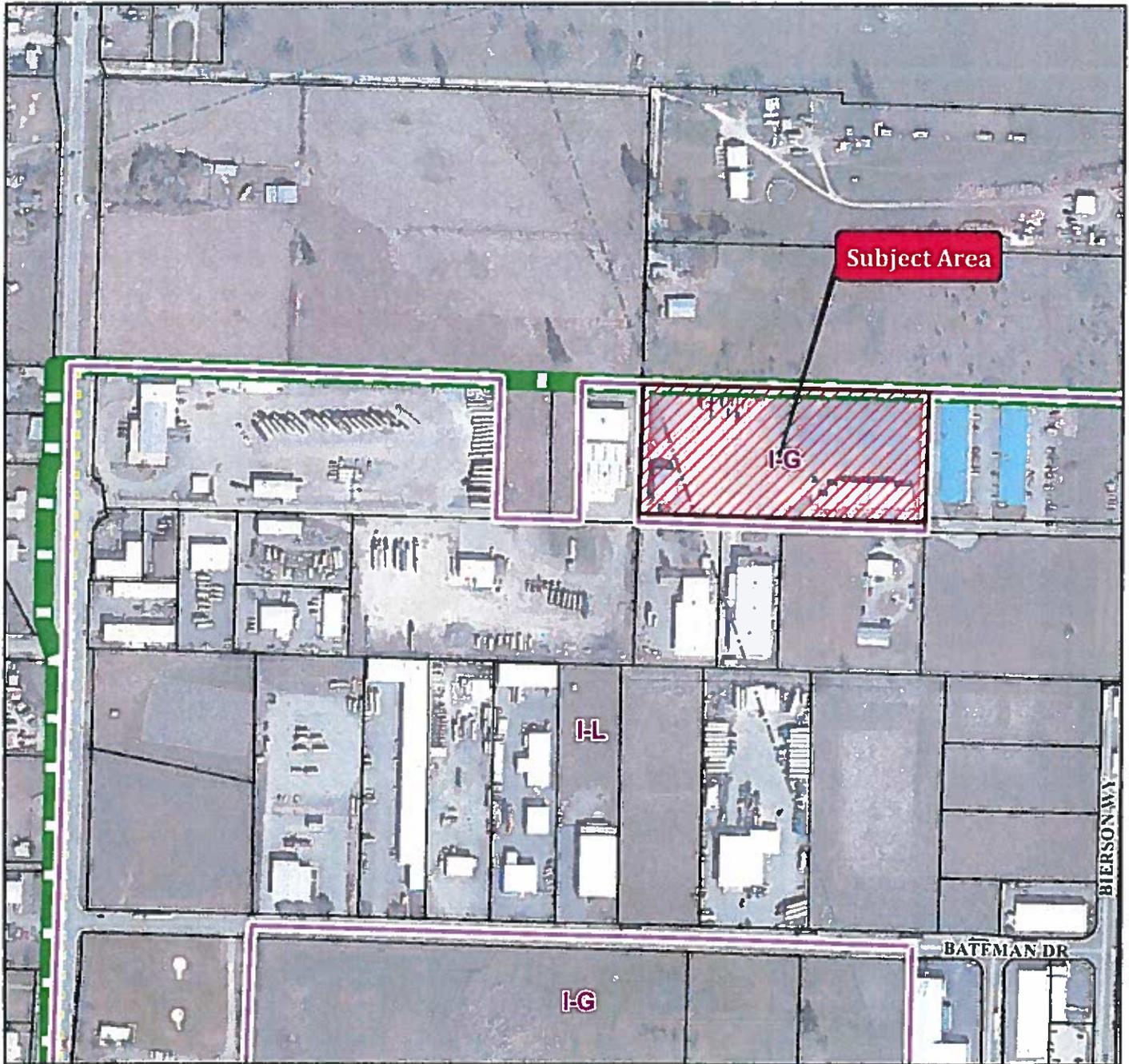
**RECEIVED**  
MAY 24 2016  
PLANNING DEPT.

Tracy,

Landscape review is not applicable to AC-15-115 for the purposes of SPAC review.

Tim Stevens  
City of Medford  
Park Maintenance Superintendent  
P: (541) 774-2689





Project Name:  
**JDT Trucking**

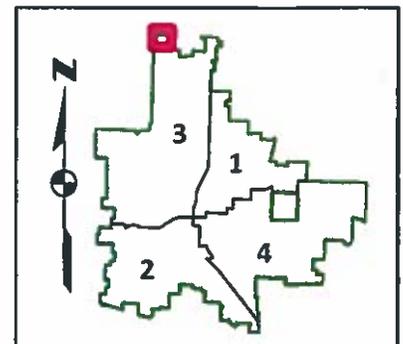
Map/Taxlot:  
**362W36A TL 802**



04/04/2016

**Legend**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets
-  Urban Growth Boundary





**STAFF REPORT**

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

Project Boingos  
Applicant: Laura Ancheta; Agent: Ken Brown Construction

File no. AC-16-017

To Site Plan and Architectural Commission *for June 17, 2016 hearing*

From Sarah Sousa, Planner IV

Reviewer Kelly Akin, Principal Planner *ka*

Date June 10, 2016

---

**BACKGROUND**

Proposal

Plans for the construction of a 9,990 square foot building to be used as a children’s recreational facility and adult athletic center on a parcel totaling 0.97 acres, located on the north side of Parsons Drive, approximately 385 feet east of Stowe Avenue, within the I-G/PD (General Industrial/Planned Development) zoning district.

Subject Site Characteristics

Zoning: I-G  
GLUP: HI (Heavy Industrial)  
Use: Vacant Lot

Surrounding Site Characteristics

North

Zoning: I-G  
Use: Furniture Storage Warehouse

South

Zoning: I-G  
Use: Wholesale Building Materials Distributor

East

Zoning: I-G  
Use: Multi-Tenant Office Building

West

Zoning: I-G

Use: Manufacturing 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
- (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.

**ISSUES AND ANALYSIS**

Project Summary / Uses

The applicant is proposing to construct a 9,990 square foot building on the subject site for a children's recreational facility and an adult athletic center. The main use of the building will be for children's events. There is also an area of the building dedicated to an adult fitness facility. Both uses are classified under Standard Industrial Classification Miscellaneous Amusement, Recreational Services (SIC 7999) and are listed as permitted in the General Industrial zoning district.

Site Layout

The site is located on Parsons Drive within Northwest Medford Light Industrial Park. The site plan shows the building oriented towards the street with an open exercise yard to the rear (Exhibit B). Parking is shown along the eastern property line and next to the building entrance, with a drive aisle in between. A walkway extends from the public sidewalk and extends along the front of the building for pedestrian travel.

Street Dedications and Improvements

As described above, the site abuts Parson Drive. The Public Works Report states that no additional right-of-way is necessary, but that a 5-foot wide sidewalk will be required to be installed along the frontage of the site.

### Architecture

The building is proposed as a steel building with metal siding. The elevations show the top portion of the building with a blue color, including a blue metal roof, and a gray color for the lower section (Exhibit D). The main entrance of the building faces the eastern parking area and includes a wood post and beam structure with a metal roof to highlight the entry.

The building's simple design is similar to the architecture of the surrounding area. Across Parsons Drive to the south as well as the building adjacent to the north, are similarly styled metal buildings. The applicant submitted photographs of the site and of surrounding properties, which help to demonstrate architectural compatibility (Exhibit P).

### Parking

Medford Land Development Code Section 10.743-1 requires a minimum of one vehicular parking space per 4.4 patrons at maximum occupancy for recreational uses. Based upon this calculation, a total of 32 spaces are required, the same number shown on the plan. In addition, the applicant submitted a description of the use and a parking analysis with a pre-application prior to this submittal for Site Plan & Architectural Commission review (Exhibit Q). It provides a discussion about the parking based upon another facility the applicant operates.

### Bicycle Parking

The bicycle parking standards of Medford Land Development Code Section 10.747-748 require the bicycle parking to be provided at twenty percent of the number of spaces provided for automobiles. This project requires a total of six bicycle parking spaces. A total of eight spaces are proposed, which satisfies this requirement.

A condition has been included requiring the applicant to submit a detail of the bike rack to be consistent with the Commission's preference of a staple or inverted U design prior to issuance of the building permit.

### Landscape Plan

A variety of landscaping is proposed for the project along the street frontage, within the parking area, and around the outdoor play area. Medford Land Development Code Section 10.780(G)(5) limits the amount of high water use landscape elements in industrial projects to 20 percent. The landscape plan shows 19.85 percent of high water plantings (lawn) for the outdoor play area.

The applicant has submitted additional information regarding the use of the outdoor play area, including the possibility of changing it from decomposed granite and grass to

fake turf (Exhibit R). A revised landscape plan will be submitted for the Commission to consider prior to the hearing.

All required frontage and parking lot landscaping has been met and the Parks Department recommends approval of the plan (Exhibit M).

### Concealments

A trash enclosure is proposed at the northern end of the project site. The Medford Land Development Code requires specific materials for trash enclosures. As this information has not been provided, a condition has been included requiring a detail of the enclosure demonstrating compliance, prior to issuance of the building permit.

Medford Land Development Code Section 10.782 requires heating and air equipment concealed from view. Mechanical units are shown on the building elevations to be roof-mounted and "screened." How the units will be screen is unclear. A condition has been included requiring a method of screening to be submitted at the time of building permit review that is Code compliant.

### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's findings (Exhibit F) 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 June 10, 2016, including Exhibits A-R.

### **EXHIBITS**

- A Conditions of Approval dated June 10, 2016
- B Site Plan received April 21, 2016
- C Landscape Plan received April 21, 2016
- D Building Elevations received February 25, 2016
- E Floor Plan received April 21, 2016
- F Applicant's Questionnaire (Findings) received February 25, 2016
- G Applicant's Code Compliance Checklist received February 25, 2016
- H Public Works Department Report received May 25, 2016
- I Medford Fire Department Report received May 25, 2016
- J Medford Building Department Memo received May 25, 2016
- K Medford Water Commission Memo received May 25, 2016
- L Rogue Valley Sewer Services Letter received May 18, 2016
- M Medford Parks and Recreation Department Memo received May 23, 2016

- N Oregon Department of Aviation email received May 20, 2016
- O Lighting Specifications received April 21, 2016
- P Photographs of Site and Surrounding Area received February 25, 2016
- Q Narrative from pre-application submittal
- R Narrative regarding the play area received June 6, 2016  
Vicinity map

**SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:**

**JUNE 17, 2016**

**EXHIBIT A**

Boingos  
AC-16-017  
Conditions of Approval  
June 10, 2016

**DISCRETIONARY CONDITIONS**

1. Prior to issuance of the first building permit, the applicant shall provide a bike rack detail consistent with an inverted U or staple rack design.

**CODE REQUIREMENTS**

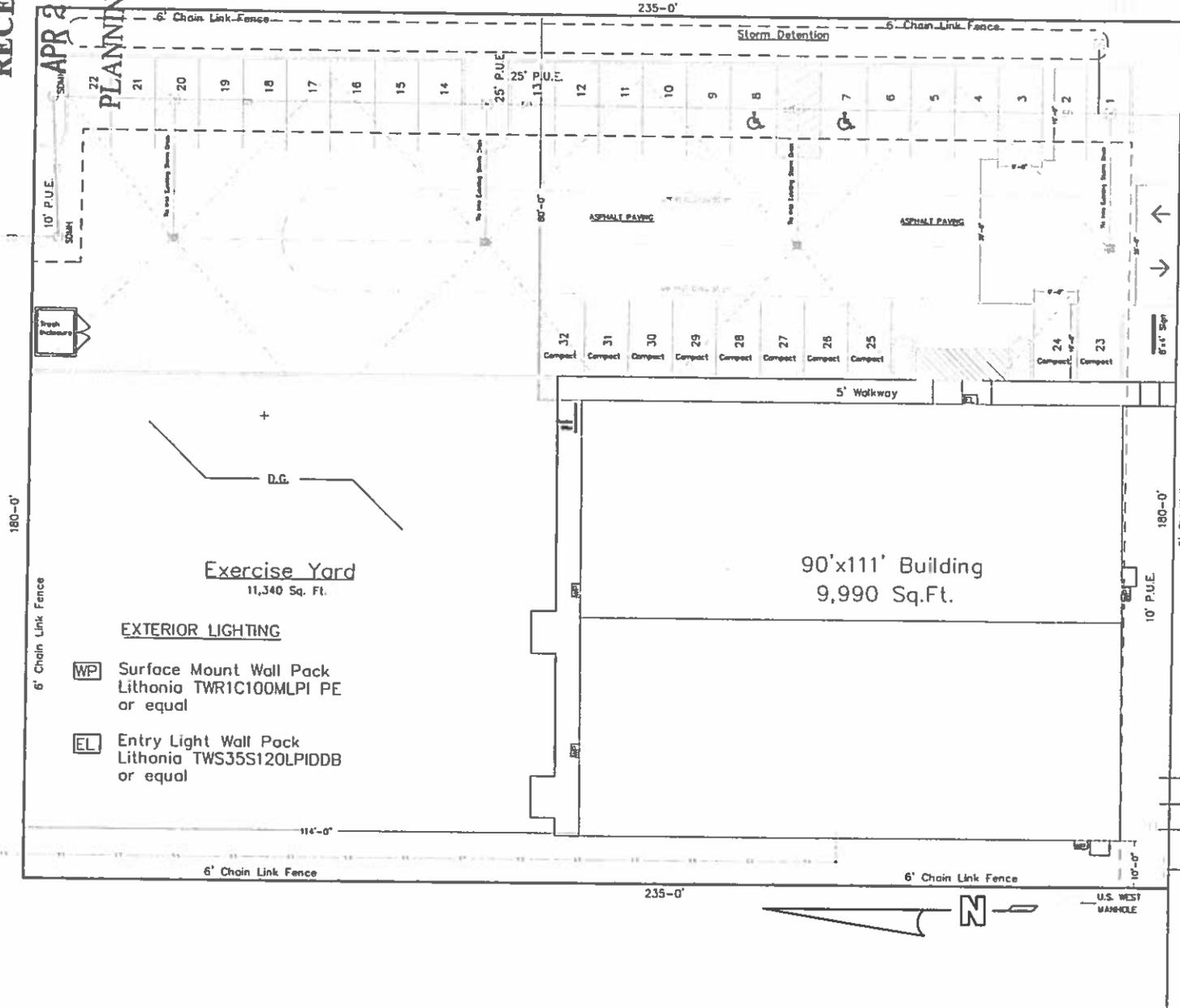
Prior to issuance of the first building permit, the applicant shall:

2. Submit a mechanical equipment screening detail consistent with Medford Land Development Code Section 10.782;
3. Submit a detail of the trash enclosure that is in compliance with the requirements listed in Medford Land Development Code Section 10.782;
4. Submit an Irrigation Plan, per Medford Land Development Code Section 10.780(F);
5. Comply with the Public Works Department Report received May 25, 2016 (Exhibit H);
6. Comply with the Medford Water Commission Memo received May 25, 2016 (Exhibit K);
7. Comply with the Rogue Valley Sewer Services letter received May 18, 2016 (Exhibit L).

RECEIVED

APR 21 2016

PLANNING DEPT.



PROJECT ADDRESS	Bejace 596 Parsons Drive Ken Brown Construction
CONSTRUCTION TYPE	B-B
BUILDING HEIGHT	21'-2"
AREA	Tot Lot 42,300 Sq Ft. Building 12,000 Sq Ft.
PARKING	28 Spaces Total 8 Compact
ZONE	I-G
OCCUPANCY GROUP	A-2

37 2W 23A  
Lot 5900  
0.97 Ac.

596 Parsons Drive

- FIBER OPTIC BOX
- ELECTRIC METER
- TELEPHONE BOX
- TELEPHONE VAULT

CONTRACTOR: Ken Bro P.O. Box (541) 85  
OWNER: Laura / 596 Med

*Custom CAD Graphics*  
949 East Vilas Road  
Central Point, Oregon 97502

**PROJECT:** New Metal Building  
596 Parsons Drive  
Medford, Oregon

**DESIGN:** CUSTOM  
**SHEET NAME:** SITE PLAN

**DATE:** 3-15-2016  
**SCALE:** 1" = 20'

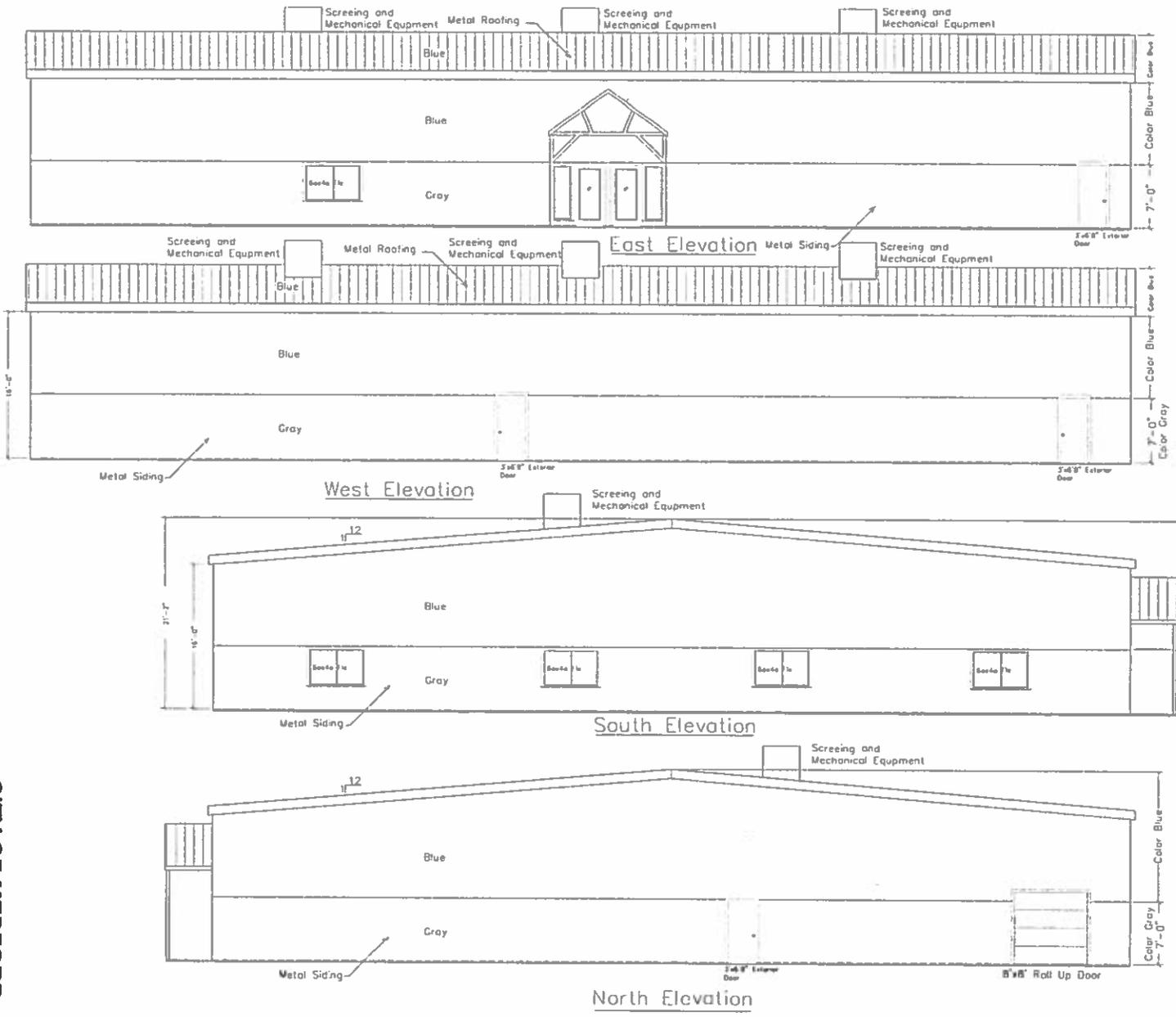
**1 OF 1**

CONTRACTOR: Ken Bro P.O. Box (541) 85  
OWNER: Laura / 596 Med

**CITY OF MEDFORD**  
**EXHIBIT # B**  
**File # AC-16-017**



CITY OF MEDFORD  
 EXHIBIT # D  
 File # AC-16-017



PLANNING DEPT.

FEB 25 2016

RECEIVED

PROJECT:	CONTRACTOR:	LICENSE #	DATE (REVISED)
New Metal Building	Ken Brown Construction	# 102440	
596 Parsons Drive Medford, Oregon	P.O. Box 858 Glad Hill, Oregon 97525 (541) 855-1846 Fax (541) 855-8641		
DESIGN: CUSTOM	OWNER:		
SHEET NAME:	Laura Ancheta		
	596 Parsons Drive Medford, Oregon 97501		
	CustomCADGraphics		
	949 East Viles Road Central Point, Oregon 97502		
	Cell: 541-691-5217		
Date: 1-11-2016			
Scale: 3/32" = 1'-0"			
4 OF 4			

SENIOR





**RECEIVED**

**FEB 25 2016**

**PLANNING DEPT.  
February 24, 2016**

**City of Medford**

**Ref: Boingo's – PA-15-157**

**Subject: Type 1 Review**

Submittals for approval on a 12,000 square foot children's & adult fun, and athletic training center.

**A. Overview**

Boingo's is proposing to acquire the land known as tax lot 5900 37-2W-23A for the purpose of building a new 12,000 square foot facility. These improvements will be in alignment with City of Medford zoning requirements & as noted within the current P.U.D scope. The current site address is 596 Parsons drive & has all City services readily available to build the 12,000 square foot new structure. This proposed 12,000 square foot facility will house a combination of 4,176 square feet of party room areas 2,616 square feet of lobby area, 3,800 square feet of gymnasium area, 1,408 square fee of support office – kitchen & restrooms.

**Property Details: I.G Zoning**

Map tax lot 37-2W-23A TL 5900 596 Parsons Drive undeveloped land .97 acres owner Laura Ancheta.

**Abutting Properties Details**

This property sits at the T intersection within the original platted PUD – 80 – 10 of Disk Drive & Parsons half way between Stowe Avenue & Sage Rd.





**Property West:**

Hanna Products Cooperation A masonry structure 8,000 square feet & manufacturing with steel roof great condition well maintained.

**Property North:**

1. Human Bean Coffee stand drive through
2. Ashley Furniture 20,000 square foot steel building & loading dock warehouse fully occupied & in excellent condition.

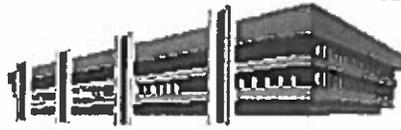
**Property East:**

K-9 Topcoat 18,000 square foot steel building warehouse & office space fully occupied & in excellent condition.

**Property South:**

1. West Parr lumber company 10,000 square foot steel building warehouse & office space outside storage of products fully occupied & in excellent condition.
2. East a taste of honey & other leasable office spaces within a 12,000 square foot office complex serving the service industry. Construction is tilt up concrete & storefront set up as multiple suites. This facility is in excellent condition & well maintained & fully occupied.





The new Boingo's facility is designed to except multiple uses in congruence with all the adjacent properties. The fully clear span high ceiling steel structure is similar in size & height with the color choices & banding & signage in complete alignment. The high 7' color band variation will distinguish this as a highly aesthetic look & feel & in conjunction with grand steel entry from the East will make for a great destination showcasing a solid foothold in the community & general area. This directional entry is well suited for the Tee intersections visibility for access & entry safety. The new Boingo's facility will maintain a full sidewalk frontage on Parsons & new curb cut approach to the sites South East corner as well as cross connection to site sidewalk access points. The proposed new facility has a full outdoor exercise area: Bicycle rack, plenty of parking, safety zone drop of area & screened trash enclosure. The East Side storm water Easement will be the connection point for all site storm water & also serve as the majority of parking area proposed a 6 foot chain link fencing is proposed on 3 sides the North, East & West for the safety of the children. This new facility has been placed with set backs on all 4 sides making allowance for landscaping & noise buffing in the future & alterations possible. All lighting proposed in down lighting shielded & mounted directly on the building. The new signage is proposed as a pedestal mounted 32 square feet double sided unit embedded in the landscape complete with down lighting just west of the new driveway approach. The current street light & storm water inlet will not be required to be relocated due to the revised driveway approach position. The above referenced project & notes conform to City standards & requirements for this property.



**SITE PLAN AND ARCHITECTURAL COMMISSION APPLICATION**

**Section II – Code Compliance: Criterion No. 2**

**PROJECT SITE**

	PROPOSED	REQUIRED
• Zoning District	16	16
• Overlay District(s)	16 planned	16 planned
• Proposed Use	Party Facility	
• Project Site Acreage	.97	.97
• Site Acreage (+ right-of-way)	.97	.97
• Proposed Density (10.708)	29%	60%
• # Dwelling Units	1	1
• # Employees	5	5

**STRUCTURES**

	EXISTING	PROPOSED
• # Structures	0	1
• Structure Square footage (10.710-720)	0	12,000

**SITE DESIGN STANDARDS**

	PROPOSED	REQUIRED
• Front Yard Setback (10.710-720)	10'	10'
• Side Yard Setback (10.710-720)	10'	0'
• Side Yard Setback (10.710-720)	70'	0'
• Rear Yard Setback (10.710-720)	105'	0'
• Lot Coverage (10.710-720)	12,000	25,200

**PARKING**

	PROPOSED	REQUIRED
• Regular Vehicular spaces (10.743)	26	20
• Disable Person Vehicular Spaces (10.743)	2	1
• Carpool/Vanpool Spaces (10.743)	0	0
• Total Spaces (10.743)	28	21
• Bicycle Spaces (10.743)	8	4
• Loading Berths (10.742)	0	0

10

SITE PLAN AND ARCHITECTURAL COMMISSION APPLICATION

**LANDSCAPING**

	PROPOSED	REQUIRED
• Total % Landscape Coverage	2775	2500
• Frontage Landscaping (10.797)		
• Street:	Pasons Drive	
• Feet:	140 LF	140
• # Trees:	4	4
• # Shrubs:	40	40
• Street:		
• Feet:		
• # Trees:		
• # Shrubs:		
• Bufferyard Landscaping (10.790)		
• Type:		
• Distance (ft):	235	23
• # Canopy Trees:	12	12
• # Understory Trees:		
• # Shrubs:	36	36
• Fence/Wall:	chain link	
• Parking Area Planter Bays (10.746)		
• Type:		
• Distance:	235	235
• # Bays:		
• Area:		
• # Trees:	12	12
• # Shrubs:	24	24
• Irrigation		
• Type:		
• Location:		

**STRUCTURE**

	PROPOSED
• Materials	Steel
• Colors	Gray/Blue

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



Continuous Improvement Customer Service

**CITY OF MEDFORD**

**RECEIVED**

**MAY 25 2016**

**PLANNING DEPT.**

LD Date: 5/25/2016  
File Number: AC-16-017  
(Reference: PA-15-157)

**PUBLIC WORKS DEPARTMENT STAFF REPORT**  
**Boingo's**

**Project:** Plans for the construction of a 9,990 square foot building to be used as a children's recreational facility and adult athletic center on a parcel totaling 0.97 acres.

**Location:** Located on the north side of Parsons Drive, approximately 385 feet east of Stowe Avenue, within the I-G/PD (General Industrial/Planned Development) zoning district.

**Applicant:** Laura Ancheta, Applicant (Ken Brown Construction, 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.
- 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.
- Completion of all public improvements, if applicable.

**A. STREETS**

**1. Dedications**

**Parsons Drive** is classified as a Commercial Street, and in accordance with Medford Land Development Code (MLDC) Section 10.429, it requires a total right-of-way width of 63-feet. However, MLDC standards during the development of the Northwest Medford Light Industrial Park (P678D) only required 50 feet of right-of-way width. **Therefore, no additional right-of-way is required.**

There is currently a 10-foot PUE along the frontage of Parsons Drive as that was originally dedicated with the final plat for Northwest Medford Light Industrial Park, Unit 2 (Vol/Page: 16/110).

**2. Public Improvements**

**a. Public Streets**

Standard street section improvements have been completed on **Parsons Drive**, including pavement, curb and gutter, street lights and partial sidewalk per the Northwest Medford Light Industrial Park standards. However, **additional 5-foot wide sidewalk improvements adjacent to the curb will be required along the frontage to match the existing sidewalks on Parsons Drive.**

**b. Street Lights and Signing**

**No additional street lights are required.**

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 no pavement cutting moratorium currently in effect along this frontage.

**d. Access to Public Street System**

Driveway access to the proposed development site shall comply with MLDC 10.550. The driveway approach can utilize either a standard curb cut or have 20-foot curb radii, concrete valley gutters and ADA ramps at the throat of each driveway.

**B. SANITARY SEWERS**

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

## **C. STORM DRAINAGE**

### **1. 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.

**Please note that there is an existing 30-inch diameter public stormdrain pipe in a 25-foot easement along the east property line of this site.**

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).

### **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**

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. 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**

If required, 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 governing 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 (SDC)**

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

Prepared by: Jodi Cope/Doug Burroughs

## **A. Streets**

### **1. Street Dedications to the Public:**

- **Parsons Drive** – No street dedications are required for this development.
- 10-foot Public Utility Easement has been dedicated.

### **2. Improvements:**

#### **Public Streets**

- No public improvements are required along Parsons Drive, aside from 5-foot wide sidewalk improvements adjacent to the curb.

#### **Lighting and Signing**

- No additional street lights are required.

#### **Access and Circulation**

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

#### **Other**

- There is no pavement moratorium currently in effect on Parsons Drive.

## **B. Sanitary Sewer:**

- The site is situated within the RVSS area.

## **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.



# 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

MAY 25 2016

PLANNING DEPT.

## LAND DEVELOPMENT REPORT - PLANNING

To: Sarah Sousa

LD Meeting Date: 05/25/2016

From: Fire Marshal Kleinberg

Report Prepared: 05/19/2016

File #: AC - 16 - 17

### Site Name/Description:

Plans for the construction of a 9,990 square foot building to be used as a children's recreational facility and adult athletic center on a parcel totaling 0.97 acres, located on the north side of Parsons Drive, approximately 385 feet east of Stowe Avenue, within the I-G/PD (General Industrial/Planned Development) zoning district; Laura Ancheta, Applicant (Ken Brown Construction, Agent). Sarah Sousa, Planner

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

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 #   I    
File # AC-16-017



RECEIVED  
MAY 25 2016  
PLANNING DEPT.

# Memo

**To:** Sarah Sousa, Planning Department  
**From:** Chad Wiltrout, Building Department (541) 774-2363  
**CC:** Applicant (Ken Brown Construction, Agent).  
**Date:** May 24, 2016  
**Re:** May 25, 2016 1 LDC AC-16-017

---

***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](mailto:building@cityofmedford.org).***

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

**General Comments:**

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

**Comments:**

5. Plans shall be prepared by a Oregon licensed design professional who is in responsible charge of the project. Building appurtenances shall also be designed.
6. Provide a geotechnical design for soils in accordance with 1803 OSSC.
7. Provide a code analysis with the type of construction, type of occupancy, allowable areas, separated/non-separated use, sprinkled/non-sprinkled, means of egress plan, occupancy risk category etc...
8. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.
9. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.
10. Provide calculations for figuring bathroom fixture requirements per tables 1004.1.2 and 2902.1 OSSC



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford  
**FROM:** Rodney Grehn P.E., Water Commission Staff Engineer  
**SUBJECT:** AC-16-017  
**PARCEL ID:** 372W23A TL 5900  
**PROJECT:** Plans for the construction of a 9,990 square foot building to be used as a children's recreational facility and adult athletic center on a parcel totaling 0.97 acres, located on the north side of Parsons Drive, approximately 385 feet east of Stowe Avenue, within the I-G/PD (General Industrial/Planned Development) zoning district; Laura Ancheta, Applicant (Ken Brown Construction, Agent). Sarah Sousa, Planner.  
**DATE:** May 25, 2016

**RECEIVED**  
**MAY 25 2016**  
**PLANNING DEPT.**

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

**CONDITIONS**

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. Installation of a new water meter is required. Applicant or applicants' civil engineer shall coordinate with MWC engineering department for acceptable location for water meter, and associated installation costs.
4. If a fire sprinkler system is required for this project, the applicant or applicant's civil engineer shall coordinate with MWC engineering department. A Civil Engineer licensed in the state of Oregon shall prepare/submit an engineered plan and profile of the proposed fire service lateral and vault, and possible fire hydrant to MWC engineering department for review and approval.
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. 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 (Fire Service Vault). Easement shall be submitted to MWC for review and recordation prior to construction.

*Continued to next page*

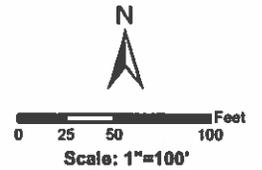
**CITY OF MEDFORD**  
**EXHIBIT #**     K      
**File #**     AC-16-017



*Continued from previous page*

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. Static water pressure is expected to be over 100 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".
4. MWC-metered water service does not exist to this property. (See Condition 3 above)
5. Access to MWC water lines is available. There is an 8-inch water line along the north side of Parsons Drive.



**Water Facility Map  
for  
AC-16-017**

**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



Map prepared by a staff member of the Medford Water Commission. The Commission is not responsible for any errors or omissions. The Commission is not responsible for any damages or injuries resulting from the use of this map. Medford Water Commission, 1000 S. Main Street, Medford, Oregon 97504. Phone: 531-555-5555. Fax: 531-555-5556. Website: www.mwf.com



RECEIVED

MAY 18 2016

# ROGUE VALLEY SEWER SERVICES

PLANNING DEPT.

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

May 18, 2016

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

**Re: AC-16-017, Ancheta Building (Tax lot 5900, Map 372W23A), REF: PA 15-157,  
Bojac's Birthday Party**

ATTN: Sarah,

The subject property is within the Rogue Valley Sewer Services service area. There is an 8 inch sewer main along the northerly property line with a 4 inch lateral extended into the property. The permit to connect to this service will be issued by the City of Medford, however, there will be system development fees owed to Rogue Valley Sewer Services.

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

1. Applicant must pay sewer system development charges to Rogue Valley Sewer Service prior to issuance of a building permit.

Sincerely,

Carl Tappert P.E.  
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNG\ARCH COMM\2016\AC-16-017\_ANCHETA.DOC

CITY OF MEDFORD  
EXHIBIT #   L    
File #   AC-16-017

# MEDFORD PARKS & RECREATION

HEALTHY LIVES. HAPPY PEOPLE. STRONG COMMUNITY.



CITY OF MEDFORD  
Interoffice Memo

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MAY 23 2016

PLANNING DEPT.

TO: Planning Department  
FROM: Tim Stevens- Park Maintenance Superintendent  
SUBJECT: LANDSCAPE REVIEW OF FILE AC-16-017, LAURA ANCHETA  
DATE: May 23, 2016

I have reviewed the applicant's 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.



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CITY OF MEDFORD  
EXHIBIT # M  
File # AC-16-017

**Sarah K. Sousa**

---

**From:** CAINES Jeff <Jeff.CAINES@aviation.state.or.us>  
**Sent:** Friday, May 20, 2016 3:56 PM  
**To:** Sarah K. Sousa  
**Subject:** File #: AC-16-017 Boingo's - ODA Comments

Sarah:

I have reviewed the proposed building for a recreational center (File # AC-16-017) located on Parsons Drive. The site is located in the Conical Surface for the Rogue Valley International Airport (MFR). As a result the site is considered a Compatible Land Use as identified in Table 3-4 in ODA's Land Use Compatibility Guidebook.

Furthermore due to the distance from the airport, no FAA form 7460-1 will be required to be submitted.

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

Jeff

**Jeff Caines, AICP**  
Oregon Department of Aviation  
Aviation Planner / SCIP Coordinator  
3040 25th St. SE | Salem, OR 97302  
Office: 503.378.2529  
Cell / Text: 503.507.6965  
Email: [Jeff.Caines@aviation.state.or.us](mailto:Jeff.Caines@aviation.state.or.us)

\*\*\*\*\*CONFIDENTIALITY NOTICE\*\*\*\*\*

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

## FEATURES & SPECIFICATIONS

**INTENDED USE** — For entrances, stairwells, corridors and other pedestrian areas.

**CONSTRUCTION** — Rear housing is rugged, corrosion-resistant, die-cast aluminum. Front cover is one-piece UV-resistant injection molded polycarbonate, internally painted. Captive external hardware is specially treated for corrosion resistance and includes slotted hex-head and tamperproof fasteners.

**Finish:** Dark Bronze (DDB) corrosion resistant polyester powder.

**OPTICS** — One-piece die-formed reflector is diffused aluminum. Refractor is clear UV stabilized polycarbonate. Front cover is sealed and gasketed to inhibit the entrance of outside contaminants.

**ELECTRICAL** — Ballast: Metal halide: high reactance, high power factor. HPS: 35S, 50S, 70S, 120V are reactor, normal power factor. 100S 120V is reactor, high power factor. High reactance, high power factor (XHP) optional for 50S, 70S and 100S, 120V. 208, 240, 277, 347 and TB are standard XHP. Ballasts are 100% factory tested. UL listed 660W, 600V and 4kV pulse rated.

All components are heat-sunked directly to the cast housing for maximum heat dissipation.

**Socket:** Porcelain, horizontally oriented medium-base socket with copper alloy, nickel-plated screw shell and center contact.

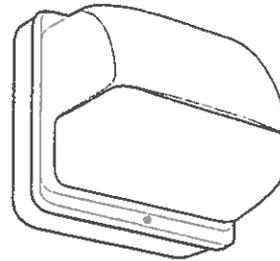
**INSTALLATION** — Mount to any vertical surface or to a 4" round square outlet box. Back access through gasketed slot. Top wiring access through 1/2" threaded conduit entry. (Through-wiring requires use of a conduit tee). Photocells are field-installable.

**LISTINGS** — UL listed for wet locations. IP65 rated. UL Listed to US and Canadian safety standards (see Options). NOM Certified.

**WARRANTY** — 1-year limited warranty. Complete warranty terms located at [www.acuitybrands.com/CustomerResources/Termsandconditions.aspx](http://www.acuitybrands.com/CustomerResources/Termsandconditions.aspx)

Note: Specifications subject to change without notice.

Catalog Number	RECEIVED
Notes	APR 21 2016
Type	PLANNING DEPT.



Mini Wall Packs

# TWA

METAL HALIDE: 50-100W  
HIGH PRESSURE SODIUM: 35-100W

### Specifications

Height: 10 (25.4)

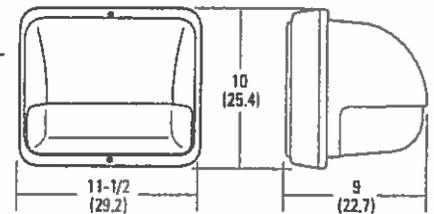
Width: 11-1/2 (29.2)

Depth: 8-15/16 (22.7)

\*Weight: 10 lbs. (4.53 kg)

All dimensions are inches (centimeters) unless otherwise indicated.

\* Weight as configured in example below



### ORDERING INFORMATION

For shortest lead times, configure product using **standard options (shown in bold)**.

**Example: TWA 50M 120 LPI**

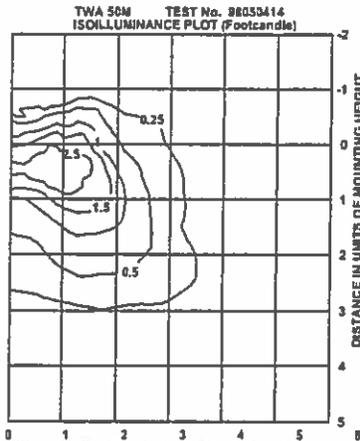
TWA									
Series	Wattage	Voltage	Ballast		Options		Finish		Lamp <sup>6</sup>
TWA	Metal halide	<b>120</b>	<b>(blank)</b>	<b>Magnetic</b>	<b>Shipped installed in fixture</b>		<b>(blank)</b>	<b>Dark bronze</b>	<b>LPI</b> <b>Lamp included</b>
	<b>50M</b>	208 <sup>1</sup>	XHP	High reactance, high power factor <sup>3</sup>	SF	Single fuse (120, 277, 347V)	DNA	Natural aluminum	<b>L/LP</b> <b>Less lamp</b>
	<b>70M</b>	240 <sup>2</sup>			DF	Double fuse (208, 240V)	DBL	Black	
	<b>100M</b>	277			EC	Emergency circuit <sup>4</sup>	DMB	Medium bronze	
	High pressure sodium	<b>347</b>	CWI	Constant wattage isolated	QRS	Quartz restrike system <sup>7</sup>	DWH	White	
		TB <sup>8</sup>			CSA	<b>Listed and labeled to comply with Canadian Standards</b>	DSS	Sandstone	
	35S <sup>5</sup>	230/50HZ <sup>4</sup>			NOM	NOM Certified <sup>4</sup>	CRT	Non-stick protective coating <sup>9</sup>	
	50S				PE	Photocell <sup>6</sup>	<b>Super Durable Finishes</b>		
	70S				<b>Shipped separately<sup>8</sup></b>		DDBXD	Dark bronze	
	100S				WG	Wire guard	DBLXD	Black	
							DNAXD	Natural aluminum	
							DWHXD	White	
							DDBTXD	Textured dark bronze	
							DBLTXD	Textured black	
							DNATXD	Textured natural aluminum	
							DWHGXD	Textured white	

### Notes

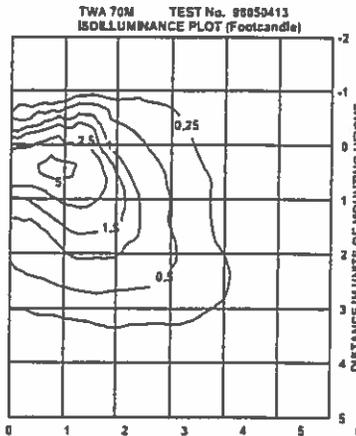
- 120V only.
- Must specify CWI in Canada.
- Optional multi-tap ballast (120, 208, 240, 277V) In Canada (120, 277, 347V) ships as 120/347
- Consult factory for available wattages.
- Optional for 120V HPS only (n/a 35S).
- Maximum allowable wattage lamp included.
- Not available with TB.
- May be optional or an alternative to TWA/WG/11
- Finish as
- Must be

**CITY OF MEDFORD**  
EXHIBIT # 0  
File # AC-16-017

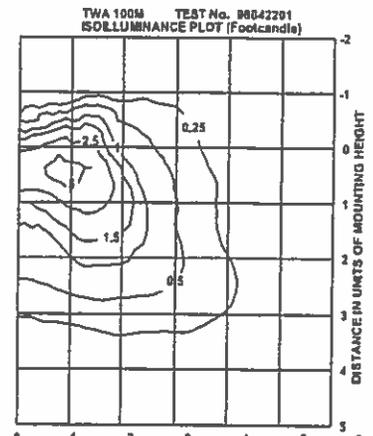
# TWA Metal Halide, High Pressure Sodium Wall Mounted



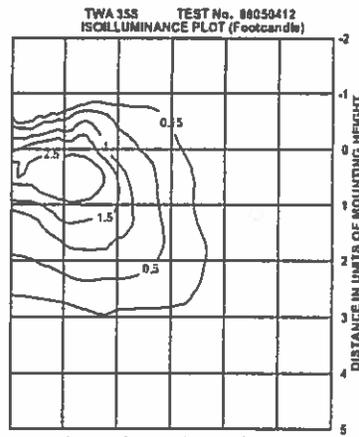
50W metal halide lamp, horizontal lamp orientation.  
Footcandle values based on 8' mounting height, 3500 rated lumens.  
Luminaire efficiency: 56.0%



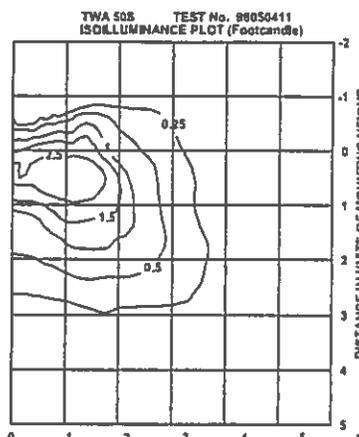
70W metal halide lamp, horizontal lamp orientation.  
Footcandle values based on 8' mounting height, 5200 rated lumens.  
Luminaire efficiency: 55.1%



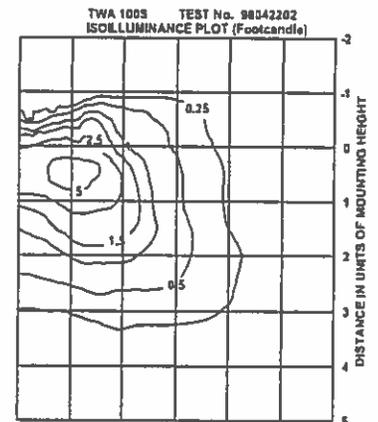
100W metal halide lamp, horizontal lamp orientation.  
Footcandle values based on 10' mounting height, 8500 rated lumens.  
Luminaire efficiency: 56.0%



35W high pressure sodium lamp, horizontal lamp orientation.  
Footcandle values based on 8' mounting height, 2250 rated lumens.  
Luminaire efficiency: 54.0%



50W high pressure sodium lamp, horizontal lamp orientation.  
Footcandle values based on 8' mounting height, 4000 rated lumens.  
Luminaire efficiency: 54.0%



100W high pressure sodium lamp, horizontal lamp orientation.  
Footcandle values based on 10' mounting height, 9500 rated lumens.  
Luminaire efficiency: 54.0%

## Mounting Height Correction Factor

(Multiply the fc level by the correction factor)

8'		10'	
6 ft. =	1.78	8 ft. =	1.56
10 ft. =	0.64	12 ft. =	0.69
12 ft. =	0.45	14 ft. =	0.51

$$\left( \frac{\text{Existing Mounting Height}}{\text{New Mounting Height}} \right)^2 = \text{Correction Factor}$$

### Notes

- 1 Photometric data for other distributions can be accessed at [www.lithonia.com](http://www.lithonia.com).
- 2 Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory data and actual field measurements. Dimensions and specifications on this sheet based on the most current available data and are subject to change without notice.
- 3 For electrical characteristics, consult outdoor technical data specification sheets on [www.lithonia.com](http://www.lithonia.com).
- 4 Actual performance may differ as a result of end-user environment and application.



TWA-M-S

Google Maps 655 Parsons Dr

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FEB 25 2016

PLANNING DEPT.



Image capture: Mar 2012 © 2016 Google

Medford, Oregon

Street View - Mar 2012

Proposed  
site

CITY OF MEDFORD  
EXHIBIT # P  
File # AC-16-017

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**FEB 25 2016**

**PLANNING DEPT.**

Google Maps 616 Parsons Dr



Image capture: Mar 2012 © 2016 Google

Medford, Oregon

Street View - Mar 2012

**EAST**

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FEB 25 2016

PLANNING DEPT.

Google Maps 669 Parsons Dr



Image capture: Mar 2012 © 2016 Google

Medford, Oregon

Street View - Mar 2012

west

RECEIVED

FEB 25 2016

PLANNING DEPT.

Google Maps 651 Parsons Dr



Image capture: Mar 2012 © 2016 Google

Medford, Oregon

Street View - Mar 2012

South East

RECEIVED

FEB 25 2016

PLANNING DEPT.

Google Maps 651 Parsons Dr



Image capture: Mar 2012 © 2016 Google

Medford, Oregon

Street View - Mar 2012

South West



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**FEB 25 2016**  
**PLANNING DEPT.**

*North*

# BOJAC'S BIRTHDAY PARTY FACILITY PROJECT NARRATIVE

November 13, 2015

RECEIVED

NOV 13 2015

PLANNING DEPT.

## JAC'S BATTLEFIELD & BOINGO'S BOUNCE HOUSE

Jac's Arena will be large empty warehouse. The arena will be filled with a padded floor.

Jac's Arena will use cardboard boxes as obstacles for shooting darts. We plan to hold private birthday parties for children and their friends and families. The parties will last 2 hours and consist of 12-16 kids and adults (should they choose to stay). At the close of their party they will move to the Party Room to eat their cake and pizza. At this time, a new party would rotate into the Arena and begin their party. If there is a time that a party is not booked, we will allow for the public to use the OPEN time for kids to come in and shoot darts with their families.

In the Boingo's Arena, there will be some soft play structures and bounce houses for children to have birthday parties. These parties will be for children 1-8 and will be private parties limited to 20 kids and adults. No other patrons will be allowed in the Arena during that time.

Eating will take place predominantly in the Party Rooms as we will provide pizza for the both party groups. We plan to have a rotating schedule of parties coming in and out of the facility. We plan to have a new party scheduled ever 2 hours.

## PARKING

Based on 8 years of experience with this type of facility, the typical hours for the majority of our business will be Friday night, Saturday and Sunday. We will allow for a party during the week in the evening but again, based on experience, this is very few and far between that parents have time for a party in the middle of the week. This works very well in the Industrial type area we are locating in as most of the business for these places is on the week days. Parking has never been a problem as a majority of our 20 kids come in sibling groups AND kids do not drive. So for a party of 20 that equates to 10 cars AT THE MOST. But most of the time it's more like 6-8 cars as families are usually larger than 1 child. We expect the (18) parking spaces shown on our site plan to be more than enough for the proposed uses.

During the week, on the JAC's side, we plan to have 2-3 nights a week from 5pm-8pm that we are open to the public to come in and shoot darts. We are closed Monday and Tuesday

During the week on the Boingo's side, we will be open for Open Play for preschoolers from 10-12 3 days a week. See the attached Schedule.

For summer, we propose to have 3 days a week that we open for at least 3 hours a day in order for people to come in and participate in Dart Battles.

## SNACK BAR

There will be one pizza oven and a refrigerator, freezer, ice machine and sink. No other cooking facilities will be installed. We use the kitchen to prepare pizza for the birthday parties. With parties being our focus, our food sales outside of the parties make up less than 5% of our income. Our menu will be the same as Boingo's and include small finger foods, chips, nachos, pizza, fries and drinks.

CITY OF MEDFORD  
EXHIBIT # Q  
File # AC-16-017

Boingo's will have a large indoor arena for private birthday party events with 20 kids and up to 20 adults. There will be times when using the outdoors is preferable as the weather can be beautiful up in Medford, Oregon. We are giving a nerf gun option for parties or a "bubble soccer" option. The bubble soccer option is when a patron wears a very large bubble on their body and they attempt to play soccer while wearing said bubble. When people book Bubble Parties we would like to use the outdoor areas instead of the indoor arena on nice days.

Because of this, we are asking that we be allowed to have a large grass area outside of our facility instead of bushes and plants. We will meet whatever standards the city has for us with regard to water usage. We are currently looking at pricing for making the whole things FAKE GRASS TURF which will require no water at all. It will be beautiful and green. If we are allowed to do this, we need to minimize the trees and bushes in the vicinity as it is not safe for people wearing large bubbles to be running around with trees in their path or concrete sidewalks. Although adding trees and bushes into their path would make for more entertainment, we would prefer to keep things as safe as possible. ☺

We will present a new landscaping plan showing what we would like to do and ask respectfully that the city consider allowing us to do mostly grass in our back yard area.



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JUN 06 2016

PLANNING DEPT.

CITY OF MEDFORD  
EXHIBIT #   R    
File # AC-16-017

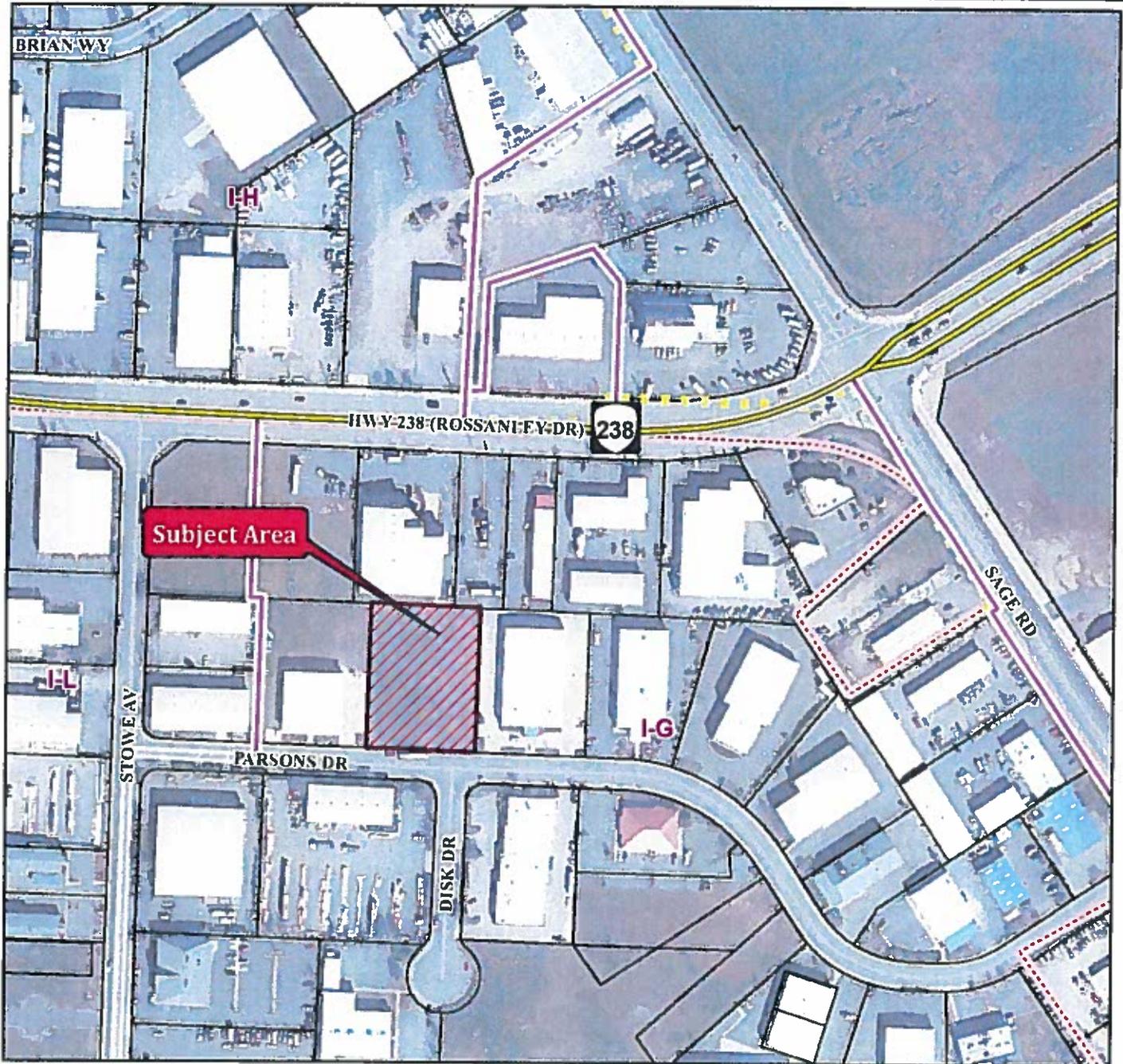


# City of Medford Planning Department

Vicinity  
Map

File Number:

## AC 16-017

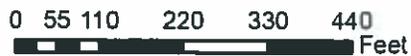


Project Name:

### Boingo's

Map/Taxlot:

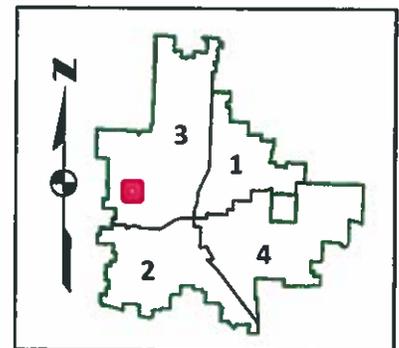
### 372W23A TL 5900



03/01/2016

### Legend

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets
-  PUD





# Planning Department

*Working with the community to shape a vibrant and exceptional city*

## STAFF REPORT

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

PROJECT Crater Lake Surgery Center.  
 Applicant: Crater Lakes Surgery Center, LLC. Agent(s): Jeff Ball

FILE NO. AC-16-039

TO Site Plan and Architectural Commission *for June 17, 2016 hearing*

FROM Dustin Severs, Planner II

REVIEWER Kelly Akin, Principal Planner *[Signature]*

DATE June 10, 2016

### BACKGROUND

#### Proposal

Consideration of plans for the development of a 5,287 Square foot Ambulatory Surgery Center on a 0.50 acre site located within the C-S/P (Service Commercial and Professional Office) zoning district at 835 Bennett Avenue (Map lots 371W19DC TL 3400 & 3401).

#### Subject Site Characteristics

Zoning C-S/P Service Commercial and Professional Office

GLUP SC Service Commercial

Use 2,700 square foot building, formerly the location of Logan Chiropractic Center

#### Surrounding Site Characteristics

North C-C Community Commercial  
Safeway store

South C-S/P Single and multi-family residential uses

East C-S/P Pain Specialist of Southern Oregon

West C-S/P Multi-tenant commercial building

### Related Projects

None

### Corporate Names

The Oregon Secretary of State website lists Jennifer Nichols, Joseph Savino, and George Johnston as the Registered Agents and Members of Crater lake Surgery Center, LLC. The subject tax lots, including the adjacent property to the west, are owned by Eclipse holding, LLC which the Oregon Secretary of State website identifies Joseph Savino and George Johnston as being the registered owner and members.

### Applicable Criteria

MLDC Section: 10.290 – Site Plan & Architectural Review Criteria

*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.*

## **ISSUES AND ANALYSIS**

### Background

The subject site is composed of two contiguous tax lots totaling 0.50 acres, and currently contains a vacant 2,700 square foot building proposed to be removed as part of the development. The applicant is requesting to develop the subject site as the future location of Crater lake Surgery Center, which will be a 5,287 square foot ambulatory surgery center (ASC).

ASC's are health care facilities which focus strictly on providing outpatient services, including same-day surgical care. Per the Medford Land Development Code (MLDC) Section 10.337, hospitals, which provide inpatient beds and continuous nursing services, are allowed as a conditional use in the C-S/P zoning district and require the Planning Commission approval of a Conditional Use Permit (CUP). However, ASC's are distinguished from hospitals and other inpatient-based medical facilities in that they provide care strictly as an outpatient experience. This important distinction precludes ASC's from requiring a CUP, and allows their development as a permitted use in the C-S/P zoning district.

### Right-of-Way Dedication

Per MLDC Section 10.451, the dedication of additional public right-of-way is required when the existing right-of-way does not comply with minimum width requirements as identified in the MLDC. The subject site fronts Bennett Avenue, which is classified as a Commercial Street per MLDC Section 10.429, requiring a minimum right-of-way width of 63 feet. As identified on the submitted site plan, Bennett Avenue currently measures at a width of approximately 60 feet. Per the Public Works Department Staff Report (Exhibit K), a 1.5 foot dedication is required to comply with the half-width right-of-way, which is 31.5 feet.

Initially, the applicant filed an Exception application requesting relief from the 1.5 foot public right-of-way dedication requirement. However, the Exception request was later withdrawn by the applicant.

In the letter issued by the applicant's consultant Scott Sinner Consulting (Exhibit J), Mr. Sinner contends that a right-of-way dedication is inapplicable as Bennett Avenue is a fully improved street. Mr. Sinner points out that, based on his interpretation of the MLDC, right-of-way dedications apply exclusively to unimproved streets, while the section of Bennett Avenue fronting the subject property has had all street improvements completed with all Category A facilities.

While staff finds Mr. Sinner's points well taken and concedes that the Code is not explicit in its language, staff disagrees with his interpretation. Based on staff's evaluation of the Code, established precedent for applying the Code in regards to dedication, along with discussions with the City Attorney's office, staff affirms that a right-of-way dedication is indeed applicable to the subject site.

### Vehicular Access

Vehicular access to the subject site is proposed to be provided by two existing driveways, with the westerly access being shared with the adjacent property also owned by the applicant and currently used as Pain Specialists of Southern Oregon.

As a condition of approval, the applicant will be required to record an access easement agreement between the two adjoining properties sharing the westerly driveway, and provide such documentation to staff prior to the issuance of a building permit for the proposed development.

### Pedestrian access

The submitted site plan shows proposed pedestrian walkways including connections to both the street and adjacent medical office consistent with MLDC Section 10.772-775.

Parking

**Parking Requirements**

	<b>REQUIRED</b>	<b>SHOWN</b>
<b>Total Spaces</b>	24 spaces – Minimum 30 spaces – Maximum	28 spaces
<b>Accessible Spaces</b>	2 spaces	2 spaces
<b>Bicycle Spaces</b>	3	1
<b>Loading Berths</b>	Not Required	0

As illustrated in the above Parking Requirements table above, it can be found that the submitted site plan meets and exceeds the parking requirements as outlined in MLDC 10.741-10-751. However, the applicant is requesting relief from meeting the required three bicycle parking spaces.

In their submitted findings, the applicant cites MLDC Section 10.751 which states, in part, "The approving authority may allow exceptions to the bicycle parking standards in connection with temporary use or uses that do not generate the need for bicyclists parking..." The applicant states that this facility does not generate the need for bicycle parking as it is unlikely that any patrons coming to the facility would be able to ride to the facility and would be discouraged from doing so by the medical staff. One bike parking space is proposed to be located inside for employees.

Staff disagrees with the applicant's assessment. The Commission may consider that bicycle parking and storage is provided not only parking for employees and patients, but for all visitors to a location.

Staff fails to see any unusual circumstances involved in this particular use which would entitle the applicant to be granted relief from meeting the full bicycle parking requirements as outlined in MLDC Section 10.748. Therefore, staff has included a condition requiring that the applicant submit a new site plan which identifies three bicycle spaces as required by MLDC Section 10.748.

Landscaping

**Landscaping Requirements**

	<b>REQUIRED</b>	<b>SHOWN</b>
<b>TREES, FRONTAGE</b>	3	3
<b>SHRUBS, FRONTAGE</b>	17	47
<b>TREES, PARKING</b>	3	3
<b>SHRUBS, PARKING</b>	7	7+
<b>LANDSCAPED AREA, PARKING</b>	580 S.F.	1573 S.F.

As illustrated in the above Landscaping Requirements box, it can be found that the submitted Landscape Plan provided by the Oregon state registered landscape architect (Madera Design, Inc.) on behalf of the applicant meets and exceeds the landscaping requirements as outlined in MLDC 10.746 & 10.797.

Building elevations

As stated in the completed Compatibility section of the Applicant's Questionnaire (Exhibit I), and illustrated in the submitted conceptual elevation drawings (Exhibits G 1-7), the building is proposed to consist of finishes of mostly stucco with vertical and horizontal reveals. A combination of ceramic tile will complement adjacent buildings original siding. The building is also being proposed with large walls broken up into different shades of gray with reveals for the purpose of enhancing all horizontal and vertical lines between elements. Large windows will allow visibility and natural light into the public places.

Concealments

The submitted site plan shows a trash receptacle located to the rear of the proposed building to the southwest of the subject site, and identifies the trash receptacle as being within a full enclosure with access doors, consistent with MLDC Section 10.781.

The submitted roof plan (Exhibit F) identifies four HVAC units located on the front section of the proposed building's roof and delineates parapet walls surrounding the HVAC roof top units with notations stating that the parapet walls will hide the roof top units, consistent with MLDC Section 10.782.

Public Improvements

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

### Committee Comments

No comments were received from a committee such as BPAC.

### **FINDINGS AND CONCLUSIONS**

Staff has reviewed the applicant's narrative, findings, and conclusions (Exhibit I) and recommends the Commission adopt the findings with the following modification(s):

1. Prior to the issuance of the first building permit, the applicant shall submit revised plans showing the following:
  - a. The delineation of the required 1.5 foot Right-of-Way.
  - b. The required three bicycle parking spaces identified consistent with the standards outlined in MLDC Section 10.748.

### **RECOMMENDED ACTION**

Adopt the findings with the proposed modifications as recommended by staff and direct staff to prepare a Final Order for approval of AC-16-039 per the staff report dated June 10, 2016, including Exhibits A through N.

### **EXHIBITS**

- A Conditions of Approval dated June 10, 2016.
- B Site Plan, received April 29, 2016.
- C Landscape Plan received March 24, 2016.
- D Floor Plans received March 24, 2016.
- E Roof Plans received March 24, 2016.
- F Building Elevations received March 24, 2016.
- G Building Elevation Drawings (1-7) received March 24, 2016.
- H Plat Map received March 24, 2016.
- I Applicant's Narrative, Questionnaire, and Findings of Fact, received April 12, 2016.
- J Scott Sinner Consulting Letter received April 19, 2016.
- K Public Works Staff Report received May 25, 2016.
- L Medford Water Commission Staff Memo received 25, 2016.
- M Medford Building Department received on May 25, 2016.
- N Medford Fire Department received May 25, 2016.  
Vicinity Map

**SITE PLAN AND ARCHITECTURAL COMMISSION AGENDA:**

**JUNE 17, 2016**

**EXHIBIT A**

Crater Lake Surgery Center

AC-16-039

Conditions of Approval

June 10, 2016

---

**DISCRETIONARY CONDITIONS**

1. Prior to the issuance of the first building permit, the applicant shall submit revised plans showing the following:
  - a. The delineation of the required 1.5 foot Right-of-Way.
  - b. The required three bicycle parking spaces identified consistent with the standards outlined in MLDC Section 10.748.

**CODE CONDITIONS**

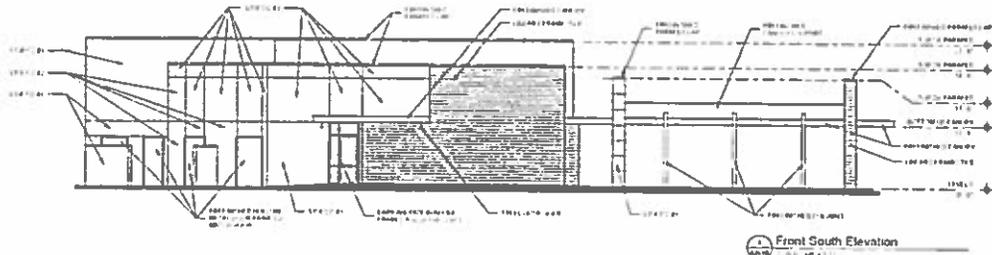
2. The applicant shall record an access easement agreement between the two adjoining properties sharing the westerly driveway, and provide proof of such documentation to staff prior to the issuance of a building permit for the proposed development.
3. The applicant shall comply with all conditions stipulated by Medford Public Works Department (Exhibit K).
4. The applicant shall comply with all conditions stipulated by the Medford Water Commission (Exhibit L).



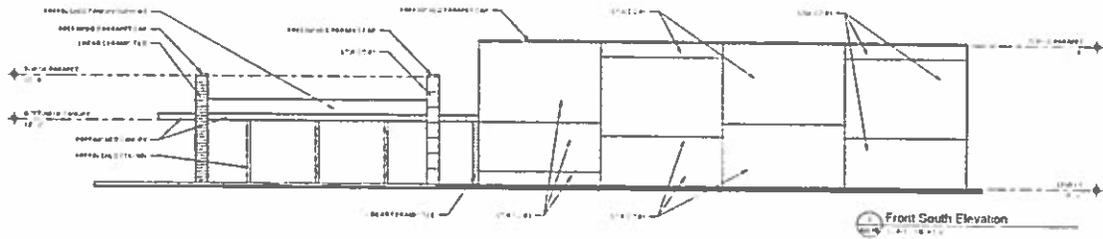




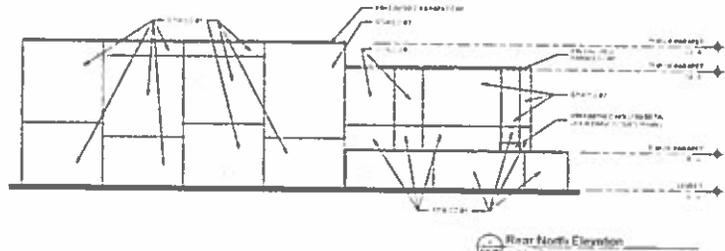




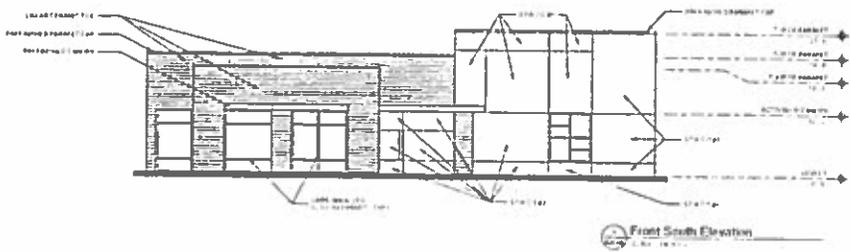
Front South Elevation



Front South Elevation



Rear North Elevation



Front South Elevation

EXTERIOR FINISH SCHEDULE	
NO.	DESCRIPTION
1	BRICK
2	GLAZED TERRAZZO
3	GLAZED TERRAZZO
4	GLAZED TERRAZZO
5	GLAZED TERRAZZO
6	GLAZED TERRAZZO
7	GLAZED TERRAZZO
8	GLAZED TERRAZZO
9	GLAZED TERRAZZO
10	GLAZED TERRAZZO



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- New Construction  
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ARCHITECTS

NO.	DATE	DESCRIPTION
1	03.15.16	
2		
3		
4		
5		
6		
7		
8		
9		
10		

D15008  
**A201B**

PLANNING (DP)

MAR 24 2016

STYER

CITY OF MEDFORD  
EXHIBIT # **C**  
File # **AC-16-039**



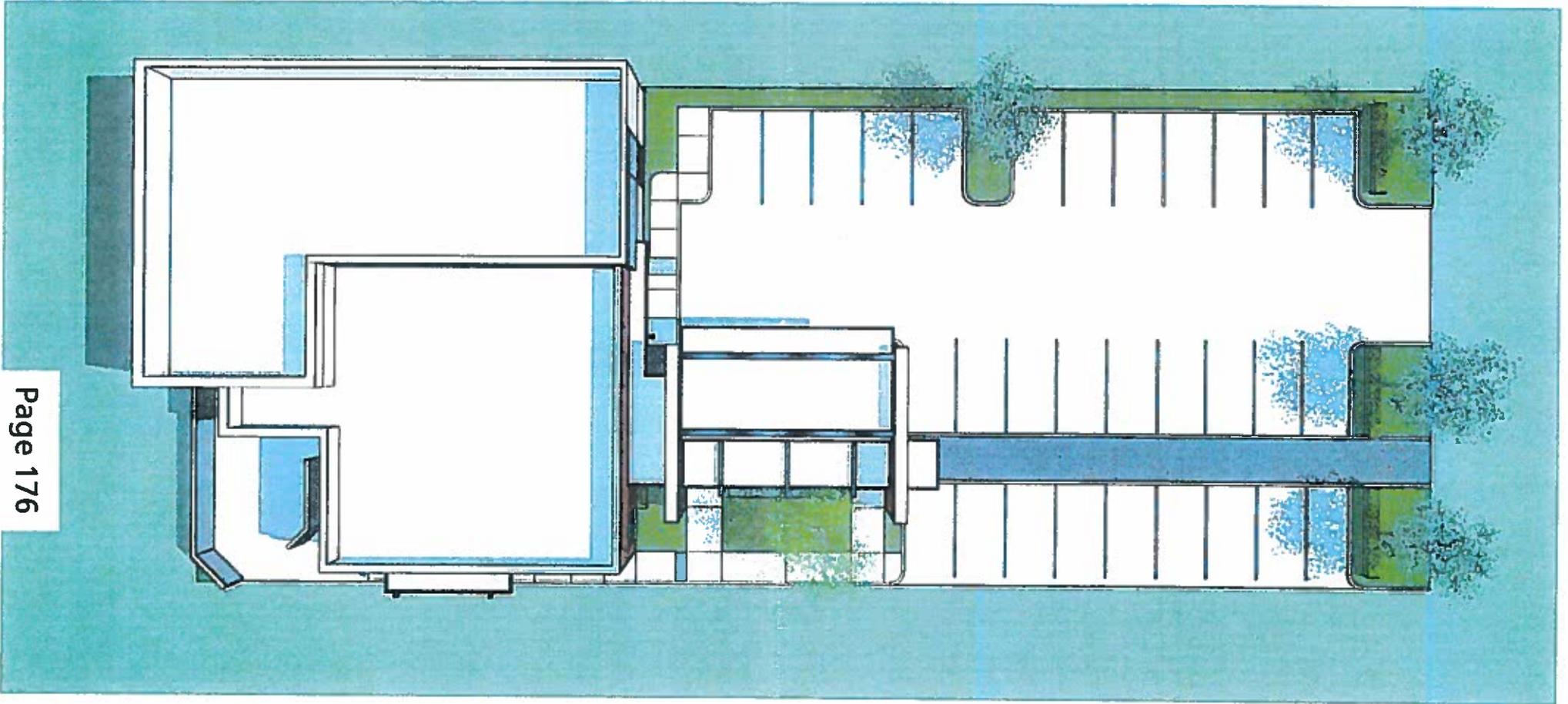
Page 174

CITY OF MEDFORD  
EXHIBIT # 5-1  
File # AC-16-039

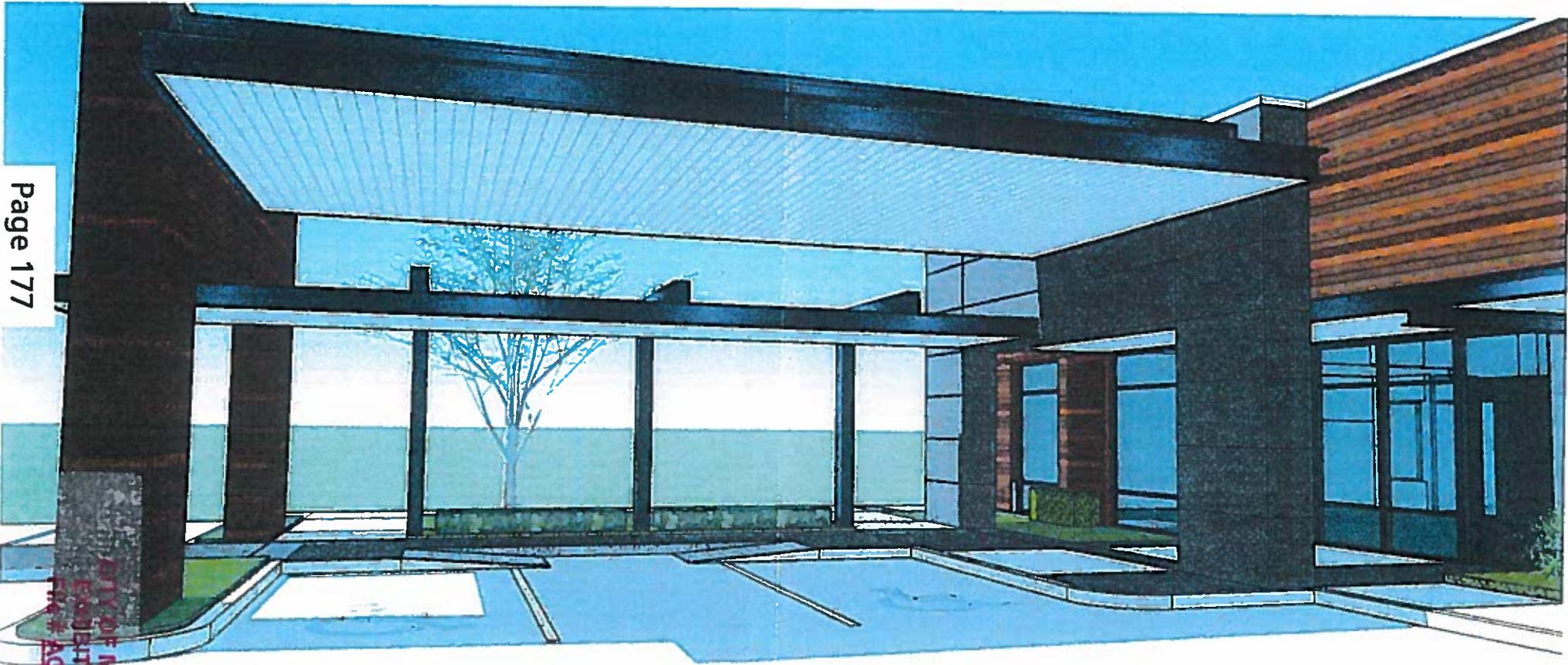
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File # AC-16-039 / E-16-040



Page 175



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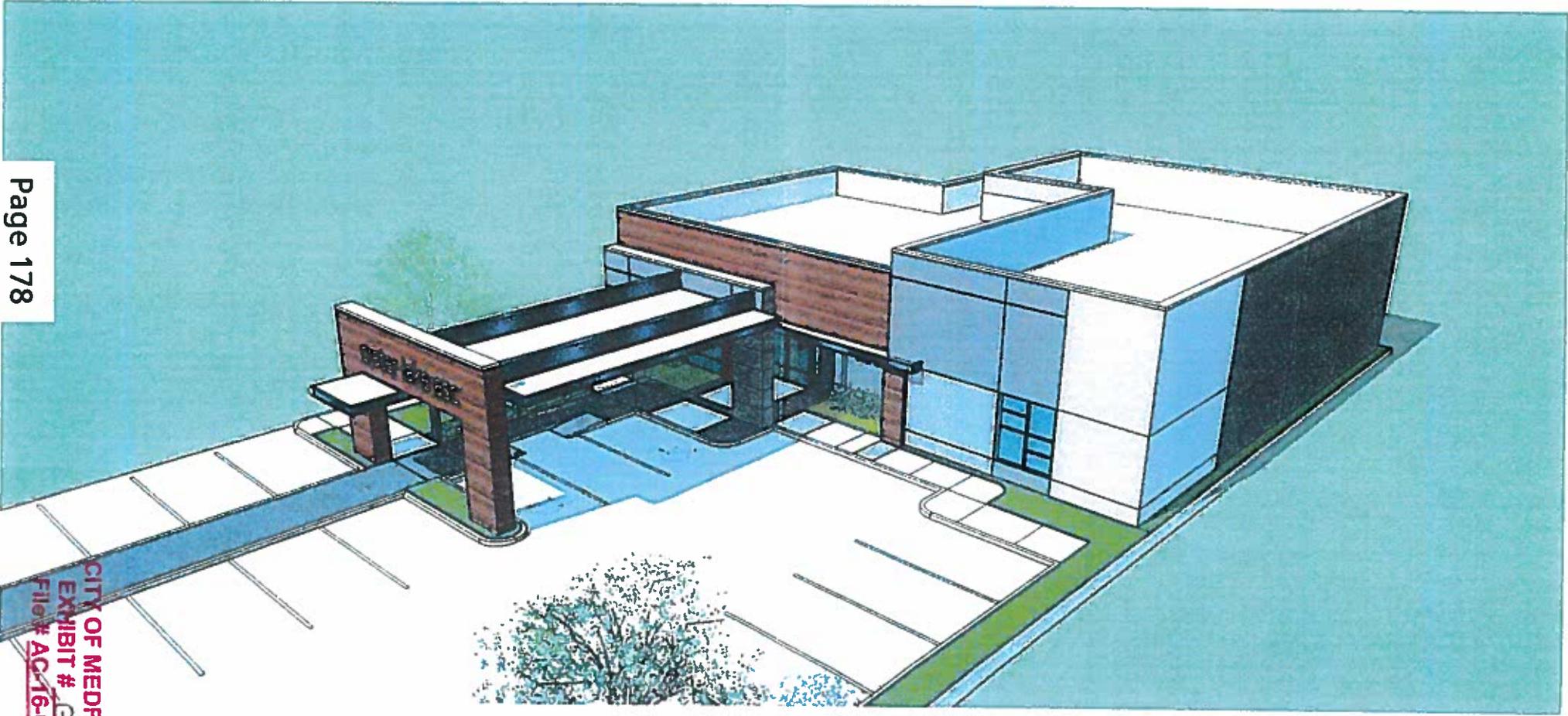
Page 177

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EXHIBIT # G-4  
File # AC-16-039

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EXHIBIT #  
File # AC-16-039 / E-16-040

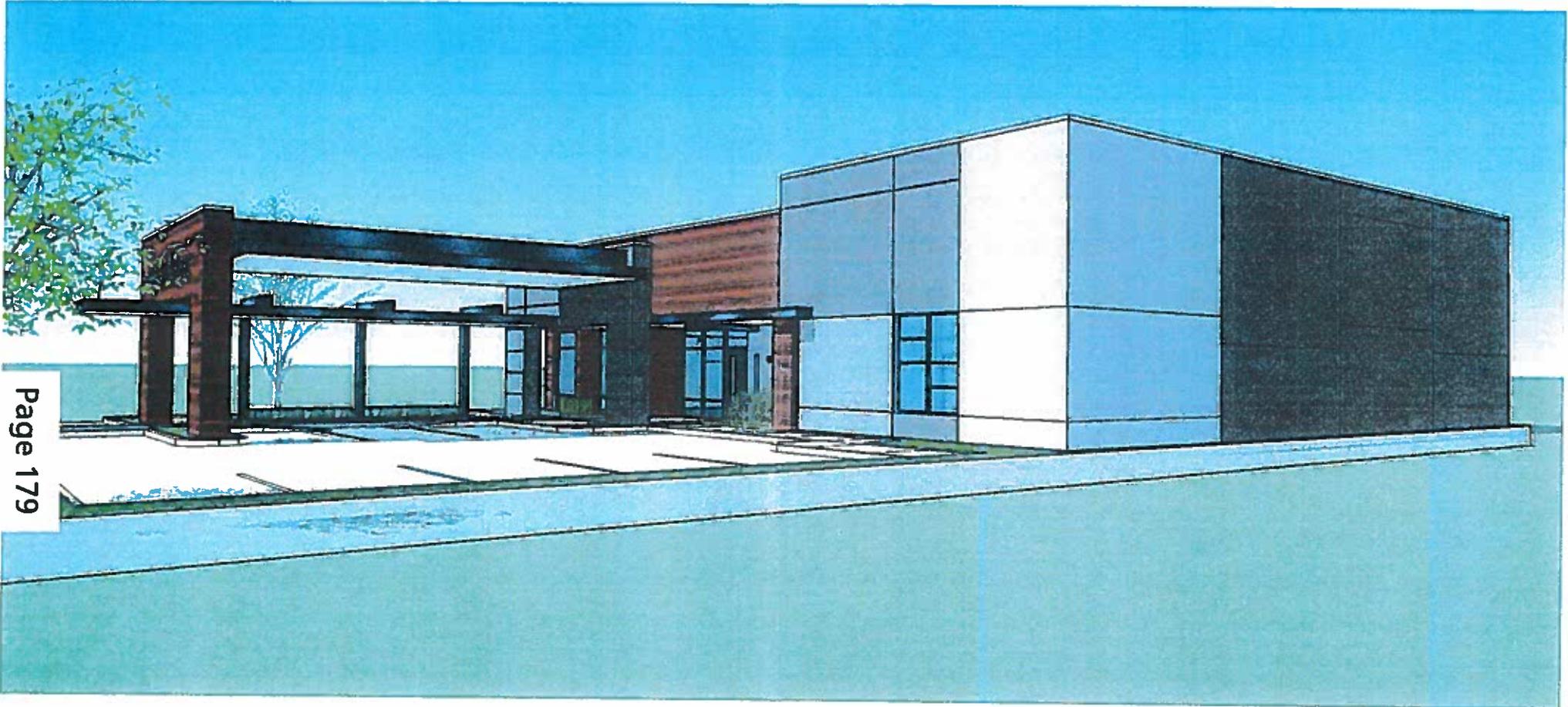
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Page 178



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EXHIBIT # G-5  
File # AC-16-039

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EXHIBIT # \_\_\_\_\_  
File # AC-16-039 / E-16-040



Page 179

CITY OF MEDFORD  
EXHIBIT # G-6  
File # AC-16-039

CITY OF MEDFORD  
EXHIBIT # \_\_\_\_\_  
File # AC-16-039 / E-16-040







April 28, 2016

Enrique Avina  
Boynton Williams & Associates  
3010 LBJ Freeway, Suite 110  
Dallas, TX 75234

RECEIVED  
APR 29 2016  
PLANNING DEPT

Re: Crater Lake Surgery Center (AC-16-039, E-16-40)  
Project #D16008  
Project address: 835 Bennett Ave. Medford, Oregon 97504

Planning Department:

Section I Narrative:

Boynton Williams & Associates are developing a 5,287 Sq. Ft. new Ambulatory Surgery Center with connectivity to community materials and color palette integration. The building's envelope will consist of horizontal ceramic wall tiles on the south and west elevations and stucco finish with vertical and horizontal reveals on the north, south, east, and west elevations. The site will have pedestrian sidewalks from public sidewalks and two covered patient loading areas for loading and unloading patients. The large covered area will be integrated into the buildings architectural design concept with four large columns supporting overlapping canopies. See color renderings provided for your use and reference.

Section 2 – Compatibility: Criterion No.1

- A. The existing uses and developing adjacent to the site are residential business buildings that are one and two stories tall. Architectural features include exposed structure elements with horizontal and vertical wood siding. The exterior finishes consist of white, grays, and light blue colors and ages seems to be from 60's to 90's era.
- B. The building finishes will consist of mostly stucco with vertical and horizontal reveals. The combination of ceramic tile will complement adjacent buildings original siding.

Boynton Williams & Associates  
3010 LBJ Freeway| Suite 110  
Dallas, TX 75234  
P 972.661.5461  
F 972.661.5449

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29

CITY OF MEDFORD  
EXHIBIT # 1  
File # AC-16-039

- C. Large walls will be broken up into different shades of gray with reveals to enhance all horizontal and vertical lines between elements. Large windows will allow visibility and natural light into the public spaces.
- D. The buildings footprint is set back from Bennett Ave. to allow landscaping and better parking circulation for patients being dropped off and picked up. The covered patient loading area is designed to welcome pedestrians into the space with wide sidewalks that connect to the public sidewalks.
- E. Pedestrian facilities and amenities are in front of the covered patient loading structure that allow outdoor open space and circulation.
- F. Vehicle parking and access is being provided in conformance with 10.741 through 10.746. Pedestrian connections to both the street and adjacent medical office are being provided.
- G. No existing trees on site.
- H. Storm water runoff will be treated via filter inserts in the catch basins then detained in surface ponds on the parking lot before being pumped to the gutter in Bennett Ave.
- I. The proposed landscaping design will enhance the building surroundings by allowing balance within the parking lot, giving it a more curb appeal and less of a large parking lot.
- J. Exterior lighting will be wall sconce lighting on the building exterior rear and side walls. The wall sconce fixtures will be directional and will not produce glare by not allowing light to stray from the intended purpose. Site Lighting will be provided with night time friendly super optical control consistent with the goals of USGBC LEED and meet Green Globes product criteria for light pollution reduction. Lighting will be consistent with the standards of sections 10.764
- K. Proposed signage will be on the south elevation for clear visibility from public sidewalks and parking lot. Signage will consist of illuminated letters and will integrate with building façade design.
- L. The new trash enclosure CMU wall will match existing CMU wall height 5'-4" and match building wall finishes. This will allow for an attractive component to the site.
- M. Noise generated by future occupants will be normal parking lot conversations before departure. The noise levels will be consistent with the standards of section 10.752-10.761
- N. The overall design allows for a hospitable approach for walk up pedestrians and adjacent developments with connecting sidewalks. The use of materials with ceramic tiles and stucco walls with horizontal and vertical reveals mimic adjacent

**Boynton Williams & Associates**

3010 LBJ Freeway | Suite 110  
Dallas, TX 75234  
P 972.661.5461  
F 972.661.5449

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developments by the use of bold lines similar to wood siding and trim.

- O. We are requesting an exception application for the right-of-way. See separate application for your use and reference.

Section 10.751 of the MLDC states, "*that the approving authority may allow exceptions to the bicycle parking standards in connection with temporary uses or uses that do not generate the need for bicyclists parking*"

The proposed project is an ambulatory surgery center for the express purpose of operating on people. It is not a doctor's office where office visits, consultations or checkups are performed. It is highly unlikely that any patrons coming here would be able to ride a bike in and they would certainly be prohibited from riding a bike out. As such, it is our position that *this facility does not generate the need for bicyclist parking* except for the potential 7 employees that would work there. We therefore, propose to provide one bike parking space for the employees which would be located inside the building in rooms 110 or 111.

- P. We don't have any petitions for relief of landscaping standards.

Sincerely,

Enrique Avina  
Project Manager

**Boynton Williams & Associates**

3010 LBJ Freeway| Suite 110  
Dallas, TX 75234  
P 972.661.5461  
F 972.661.5449

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Page 3

**SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION**

**Section II – Code Compliance: Criterion No. 2**

<b>PROJECT SITE</b>		
	<b>PROPOSED</b>	<b>REQUIRED</b>
• Zoning District	C - S/P	C - S/P
• Overlay District(s)	N/A	N/A
• Proposed Use	Surgery Center	C - S/P
• Project Site Acreage	0.24	0.24
• Site Acreage (+ right-of-way)	0.24	0.24
• Proposed Density (10.708)	N/A	N/A
• # Dwelling Units	1	1
• # Employees	7	7

<b>STRUCTURES</b>		
	<b>EXISTING</b>	<b>PROPOSED</b>
• # Structures	1 Demo	1
• Structure Square Footage (10.710-10.721)	1,200	5,287

<b>SITE DESIGN STANDARDS</b>		
	<b>PROPOSED</b>	<b>REQUIRED</b>
• Front Yard Setback (10.710-721)	10'-0"	10'-0"
• Side Yard Setback (10.710-721)	WEST SIDE 7'-0"	0'-0"
• Side Yard Setback (10.710-721)	EAST SIDE 2'-0"	0'-0"
• Rear Yard Setback (10.710-721)	2'-0"	0'-0"
• Lot Coverage (10.710-721)	24% BUILDING PAD	MAX 40%

<b>PARKING</b>		
	<b>PROPOSED</b>	<b>REQUIRED</b>
• Regular Vehicular Spaces (10.743)	23	MIN: 25 MAX:30
• Disable Person Vehicular Spaces (10.746[8])	2	2
• Carpool/Vanpool Spaces (10.809)	3	3
• Total Spaces (10.743)	28	MIN: 25 MAX:30
• Bicycle Spaces (10.748)	1 INSIDE EMPLOYEE ONLY	3
• Loading Berths (10.742)	N/A	N/A

**SITE PLAN AND ARCHITECTURAL REVIEW APPLICATION**

**LANDSCAPING**

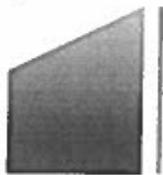
	PROPOSED	REQUIRED
• Total Landscape Area (square feet)	2589	N/A
• Total Landscape Area in High Water Use Landscaping (square feet)	0	N/A
• Total Landscape Area in High Water Use Landscaping (percentage)	0	N/A
• Total % Landscape Coverage	13%	N/A
• Required Organic Content (cu.yd.)	8 CU YD.	8 CU YD.
• Frontage Landscaping (10.797)		
• Street:	Bennett Ave.	
• Feet:	54'	
• # Trees:	3	3
• # Shrubs:	14	14
• Street:		
• Feet:		
• # Trees:		
• # Shrubs:		
• Bufferyard Landscaping (10.790)		
• Type:	n/a	n/a
• Distance (ft):	n/a	n/a
• # Canopy Trees:	n/a	n/a
• # Shrubs:	n/a	n/a
• Fence/Wall:	n/a	n/a
• Parking Area Planter Bays (10.746)		
• Type:	Planter Islands & Parking Strip	
• # Bays:	7	
• Area:	1573 Sq. Ft.	625 Sq. Ft.
• # Trees:	5	4
• # Shrubs:	111	10

**STRUCTURE**

PROPOSED

• Materials	EXTERIOR STUCCO,CERAMIC TILE, AND METAL CANOPY
• Colors	LIGHT, MEDIUM, AND DARK GRAYS STUCCO WITH CEDAR WOOD COLOR CERAMIC TILE

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.



# Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

April 19, 2016

Kelly Akin  
Medford Planning Department  
200 South Ivy  
Medford, OR 97504

RE: AC-16-039, E-16-040

Kelly,

I would like to clarify the need for an exception to reduce the right of way dedication requirement for the referenced applications. The Crater Lake Surgery Center has made application to construct a new facility at 835 Bennett Street. The applicant has submitted an exception request to reduce the right of way dedication and improvement requirements under E-16-040. This application was deemed incomplete for the lack of adequate findings for the Exception request.

Bennet Street is fully improved at the subject property, in fact the entire segment is improved from Crater Lake Avenue to the Medford Center. These improvements include all Category A facilities including storm and sanitary sewer, water, and streets. The existing right of way is 60 feet. The street includes a paved section, curb, gutter, planter strip and sidewalk on both sides of the street and for the entire segment.

MLDC section 10.431 states:

*10.431 Street Improvement*

*All new street improvements required as a condition of development shall be improved to the standards set forth in this chapter unless otherwise specified herein or excepted as per Section 10.251, Application for Exception. For purposes of this section, the term new street shall be defined as an unimproved street or existing street which does not have curb and gutter.*

This segment of Bennet is fully improved with a paved section and curb and gutter. Since only new street improvements, at the current MLDC standards, are required as a condition of development and this application is an existing improved street, none of current standards are applicable to this application.

MLDC Section 10.425 states:

*10.425 Street Access and Dedication Requirements*

*Prior to the issuance of a development permit, land shown on any development proposal and intended for vehicular use shall have access to a paved street. Land intended for vehicular and accessway use by the general public shall be offered for dedication.*

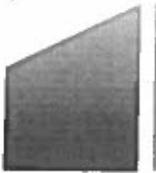


4401 San Juan Drive, Suite G  
Medford, Oregon 97504

Phone and Fax 541-772-1494  
Cell 541-601-0917  
Email scottsinner@yahoo.com

CITY OF MEDFORD  
EXHIBIT # J  
File # AC-16-039

25



# Scott Sinner Consulting, Inc.

Land Use Planning, Conservation Consulting

The subject property currently has access to a paved street, and as identified above, the existing street is improved and is considered an existing street and not a new street; the current standards do not apply to this application. Since the standards do not apply, there is no support for additional dedication of right of way for a street improvement that is not required.

### 10.421 General Development Design Standards and Criteria

The developer shall design and improve all required public right-of-way elements, including streets, bicycle lanes, sidewalks, planter strips, street lights, alleys, storm drains, sanitary sewers, waterlines, accessways and public easements which are a part of the development, and those off-site public improvements necessary to serve the development consistent with the Comprehensive Plan or any specific plan thereof, and such other public improvements as required by this chapter in accord with the standards and criteria set forth herein and shall thereafter warrant the materials and workmanship of said improvements for a period of one (1) year from the date of completion. Such improvements as set forth herein shall be considered necessary for the general use of the property owner(s) of the development, the local neighborhood and the city's traffic and drainage needs including without limitation grading and surfacing of streets and accessways, installation of facilities to supply domestic water, construction of storm and sanitary drainage and treatment facilities, all other improvement work as hereafter set forth. All improvement work shall be at the sole cost and expense of the developer unless otherwise specifically provided herein.

The subject property is currently developed with all the improvements indicated in 10.421. 10.431 identifies the applicable standards and provides the definition for new streets. The subject property is served by an existing street, and the existing improvements meet all facility requirements required by the Code. The new street standards are not applicable and the existing improvements meet all access requirements without a need for an additional dedication of right of way for improvements that are not required by the MLDC or the Comprehensive Plan.

I would recommend the applicant withdraws the exception application and request a refund of the application fee.

Please feel free to call if you have any questions.

Regards,

Scott Sinner, President  
Scott Sinner Consulting, Inc.



4401 San Juan Drive, Suite G  
Medford, Oregon 97504

Phone and Fax 541-772-1494  
Cell 541-601-0917  
Email [scottsinner@yahoo.com](mailto:scottsinner@yahoo.com)



Continuous Improvement Customer Service

## CITY OF MEDFORD

LD Date: 5/25/2016  
File Number: AC-16-039

### PUBLIC WORKS DEPARTMENT STAFF REPORT Crater Lake Surgery Center, LLC.

- Project:** Consideration of plans for the development of a 5,287 square foot ambulatory surgery center on a 0.50 acre site.
- Location:** Located on the north side of Bennett Avenue, approximately 135 feet west of Crater Lake Avenue, within the C-S/P (Service Commercial and Professional Office) zoning district (835 Bennett Avenue, map lots 371W19DC TL 3400 & 3401).
- Applicant:** Crater Lake Surgery Center, LLC., Applicant (Jeff Ball, Agent). Dustin Severs, 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.

## **A. STREETS**

### **1. Dedications**

**Bennett Avenue** 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.**

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 Bennett Avenue 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**

**Bennett Avenue** 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. If the Developer elects to reconstruct all or portions of the improvements along this developments frontage, then it shall be improved to City of Medford standards for a Commercial Street (MLDC 10.429).

#### **b. Street Lights and Signing**

The Developer shall enter into a Deferred Improvement Agreement for the future installation of a single street light in accordance with MLDC 10.495(1)d.

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 no pavement cutting moratorium currently in effect along this frontage.

### **3. Access and Circulation**

Driveway access to the proposed development site shall comply with MLDC 10.550. The driveway approach can utilize either a standard curb cut or have 20 foot curb radii, concrete valley gutters and ADA ramps at the throat of each driveway.

#### **B. SANITARY SEWERS**

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

The Applicant has proposed use of filter inserts to treat stormwater runoff. Catch basin inserts are no longer an approved treatment method; please refer to the Rogue Valley Stormwater Quality Design Manual for approved methods and/or devices.

##### **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.

## **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**

If required, 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 governing 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 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

# SUMMARY CONDITIONS OF APPROVAL

Crater Lake Surgery Center, LLC.

AC-16-039

## A. Streets

### 1. Street Dedications to the Public:

- **Bennett Avenue** – 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 Bennett Avenue.

### 2. Improvements:

#### Public Streets

- No public improvements are required along Bennett Avenue.

#### Lighting and Signing

- Enter into a Deferred Improvement Agreement for street light.

#### Access and Circulation

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

#### Other

- There is no pavement moratorium currently in effect on Bennett Avenue.

## 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.



BOARD OF WATER COMMISSIONERS

**Staff Memo**

**TO:** Planning Department, City of Medford

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

**SUBJECT:** AC-16-039

**PARCEL ID:** 371W19DC TL's 3400 & 3401

**PROJECT:** Consideration of plans for the development of a 5,287 square foot ambulatory surgery center on a 0.50 acre site located on the north side of Bennett Avenue, approximately 135 feet west of Crater Lake Avenue, within the C-S/P (Service Commercial and Professional Office) zoning district (835 Bennett Avenue, map lots 371W19DC TL 3400 & 3401); Crater Lake Surgery Center, LLC., Applicant (Jeff Ball, Agent). Dustin Severs, Planner.

**DATE:** May 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. The existing water meter can remain to serve proposed building as long as the current water meter location does not conflict with any proposed driveway improvements or street widening improvements. If conflict exists then the water meter in conflict is required to be abandoned and a new water meter installed outside of proposed improvements.
4. Installation of an Oregon Health Authority approved backflow device is required for all commercial, industrial, municipal, and multi-family developments. New backflow devices shall be tested by an Oregon certified backflow assembly tester. See MWC website for list of certified testers at the following web link <http://www.medfordwater.org/Page.asp?NavID=35>.

**COMMENTS**

1. Off-site water line installation is not required.
2. On-site water facility construction is not required.
3. Static water pressure is expected to be over 100 psi. See attached document from the City of Medford Building Department on "Policy on Installation of Pressure Reducing Valves".

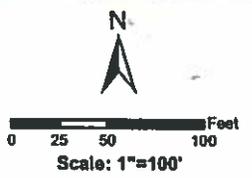
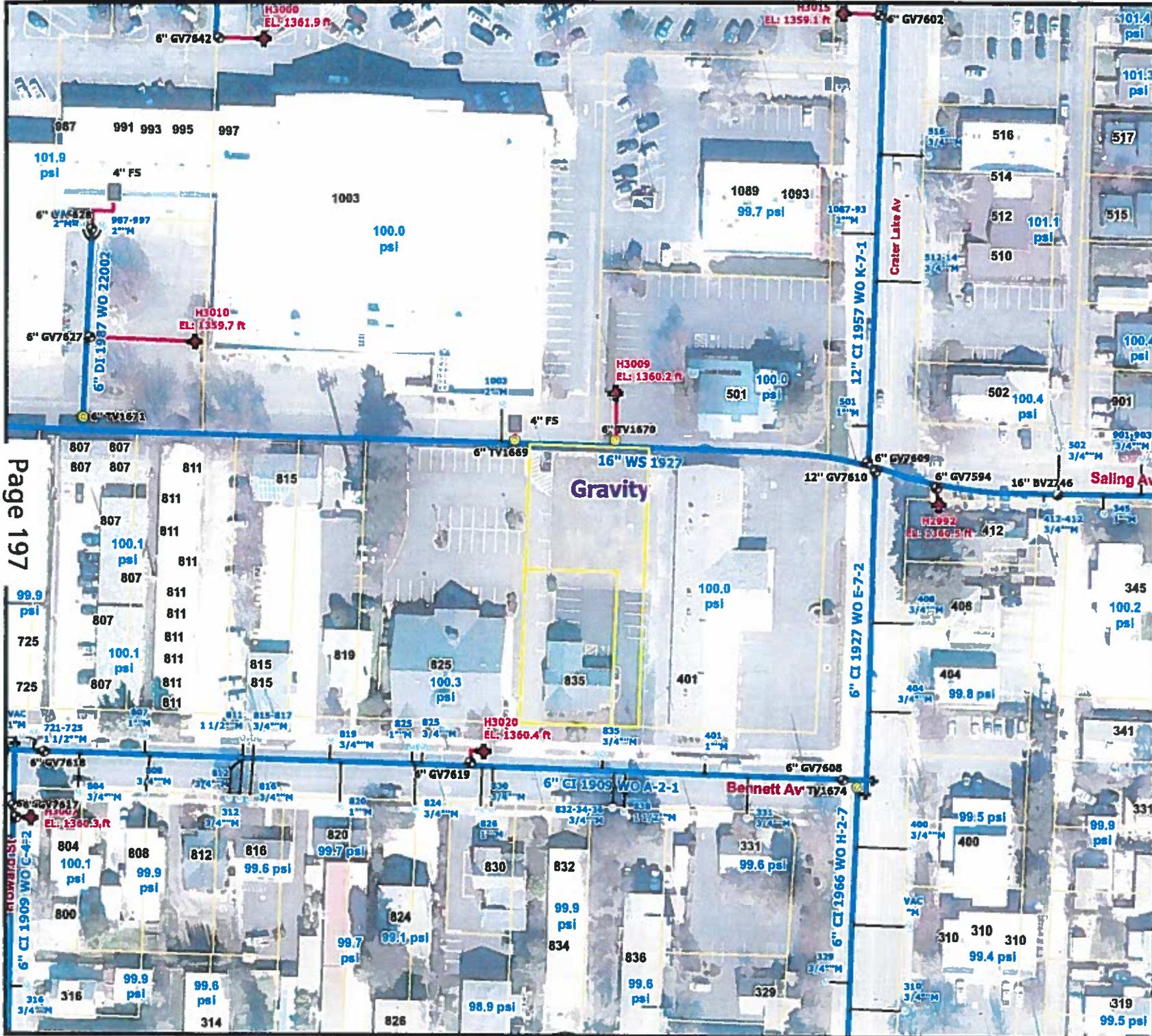
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**CITY OF MEDFORD**  
**EXHIBIT # L**  
**File # AC-16-039**



*Continued from previous page*

4. MWC-metered water service does not exist to this property. There is an existing ¾ -inch water meter located along Bennett Avenue that serves the business at 835 Bennet Avenue. (See Condition 3 above)
5. Access to MWC water lines is available. There is a 6-inch water line in Bennett Avenue and a 16-inch water line immediately north of TL 3400. This 16-inch water line is located in a 15-foot wide easement per Deed Record for Jackson County, Vol. 164 Pg. 592.



**Water Facility Map for AC-16-039 & E-16-040**

**Legend**

- Air Valve
- Sample Station
- Fire Service
- Hydrant
- Reducer
- Blow Off
- Plug-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



Page 197

This map is based on a light aerial photograph. The actual map is a vector graphic. The map is not to scale. The map is a representation of the water utility system. The map is not a legal document. The map is not a warranty. The map is not a guarantee. The map is not a promise. The map is not a contract. The map is not a binding agreement. The map is not a representation of the water utility system. The map is not a legal document. The map is not a warranty. The map is not a guarantee. The map is not a promise. The map is not a contract. The map is not a binding agreement.



# Memo

**To:** Dustin Severs, Planner, Planning Department  
**From:** Chad Wiltrout, Building Department (541) 774-2363  
**CC:** Crater Lake Surgery Center, LLC., Applicant (Jeff Ball, Agent). Dustin Severs, Planner.  
**Date:** May 24, 2016  
**Re:** May 25, 2016 LDC AC-16-039

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**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](mailto:building@cityofmedford.org).*

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

**General Comments:**

1. For list of applicable Building Codes, please visit the City of Medford website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Design Criteria" on left side of screen and select the appropriate design criteria.
2. All plans are to be submitted electronically. Information on the website: [www.ci.medford.or.us](http://www.ci.medford.or.us) Click on "City Departments" at top of screen; click on "Building"; click on "Electronic Plan Review (ePlans)" for information.
3. A site excavation and grading permit will be required if more than 50 cubic yards is disturbed.
4. A separate demolition permit will be required for demolition of any structures not shown on the plot plan.

**Comments:**

5. Plans shall be prepared by a Oregon licensed design professional who is in responsible charge of the project. Building appurtenances shall also be designed.
6. Provide a geotechnical design for soils in accordance with 1803 OSSC.
7. Provide a code analysis with the type of construction, type of occupancy, allowable areas, separated/non-separated use, sprinkled/non-sprinkled, means of egress plan, occupancy risk category etc...
8. Proposed construction in proximity to property lines shall comply with table 602 and code section 705 of the Oregon Structural Specialty Code.

CITY OF MEDFORD  
EXHIBIT # M  
File # AC-16-039

- 9. ADA parking spaces shall be required in accordance with code section 1106 of the Oregon Structural Specialty Code.
- 10. Provide calculations for figuring bathroom fixture requirements per tables 1004.1.2 and 2902.1 OSSC



# 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](mailto:www.fire@ci.medford.or.us)

**RECEIVED**

**MAY 25 2016**

PLANNING DEPT

## LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 05/25/2016

From: Fire Marshal Kleinberg

Report Prepared: 05/19/2016

File #: AC - 16 - 39

### Site Name/Description:

Consideration of plans for the development of a 5,287 square foot ambulatory surgery center on a 0.50 acre site located on the north side of Bennett Avenue, approximately 135 feet west of Crater Lake Avenue, within the C-S/P (Service Commercial and Professional Office) zoning district (835 Bennett Avenue, map lots 371W19DC TL 3400 & 3401); Crater Lake Surgery Center, LLC., Applicant (Jeff Ball, Agent). Dustin Severs, Planner

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

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

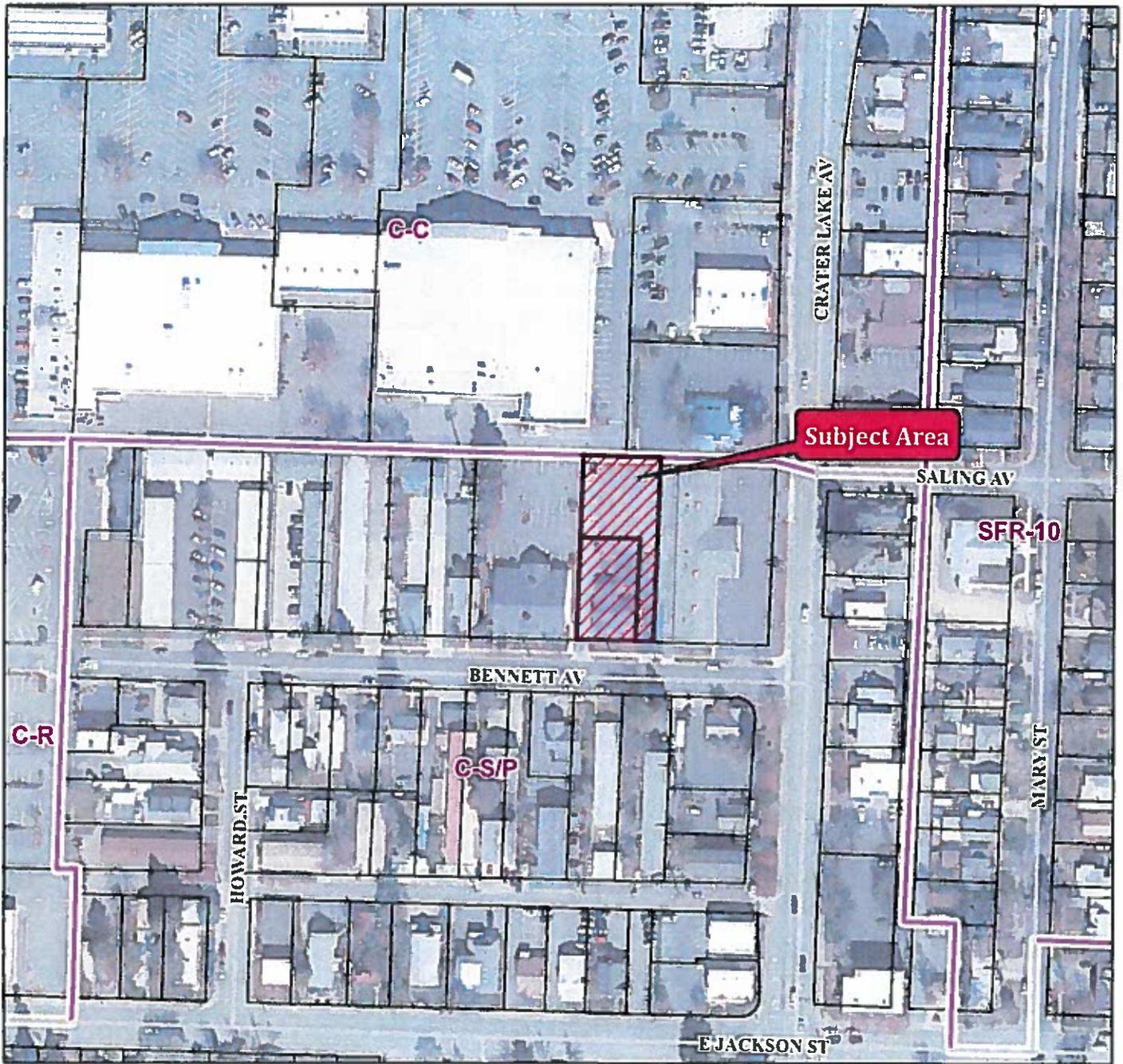
Fire apparatus access roads are required to be installed prior to the time of construction. The approved water supply for fire protection (hydrants) is required to be installed prior to construction when combustible material arrives at the site.

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

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

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

CITY OF MEDFORD  
EXHIBIT # N  
File # AC-16-039



Project Name:

**Crater Lake Surgery Center**

Map/Taxlot:

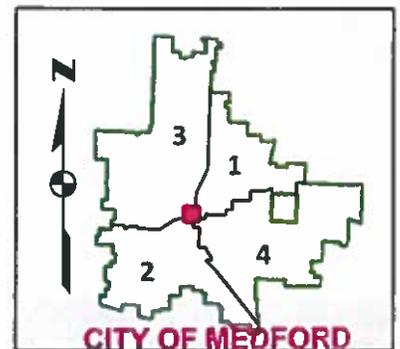
**371W19DC TL 3400 & 3401**



5/24/2016

**Legend**

-  Subject Area
-  Medford Zoning
-  Tax Lots
-  Streets



**CITY OF MEDFORD**

**EXHIBIT #**

**File # AC-16-039**