

SITE PLAN & ARCHITECTURAL
COMMISSION
AGENDA
AUGUST 2, 2019



MEDFORD
OREGON

Commission Members

Jim Quinn, Chair

Bill Chmelir, Vice Chair

Jeff Bender

Jim Catt

David Culbertson

Bob Neathamer

Marcy Pierce

Milo Smith

Rick Whitlock

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 & ARCHITECTURAL COMMISSION AGENDA



MEDFORD
OREGON

August 2, 2019

12:00 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

10. Roll Call

20. Consent Calendar / Written Communications (voice vote)

20.1 AC-19-047 Final Order for consideration of a proposal for the construction of a 4,456 square foot restaurant with drive-thru (McDonald's) and parking area located on a 1.07 acre project site in a shopping center on the north side of East Barnett Road approximately 560 feet east of South Riverside Avenue in the C-R (Regional Commercial) zoning district (371W30DC TL 5900).

30. Approval or Correction of the Minutes from the July 19, 2019 hearing.

40. Oral Requests and Communications from the Audience

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

50. Public Hearings

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

Continuance Request.

50.1 AC-19-056 Consideration of a proposed multi-phase development for Public Works Service Center on a 6.2 acre leased area located on the east side of Corona Avenue and at the terminus of Hilton Road zoned I-L (Light Industrial) (371W18A4200); Applicant, City of Medford; Agent, CSA Planning Ltd.; Planner, Liz Conner. **The applicant has requested this item be continued to the September 6, 2019, meeting.**

60. Written Communications

70. Unfinished Business

80. New Business

Meeting locations are generally accessible to persons with disabilities. To request interpreters for hearing impaired or other accommodations for persons with disabilities, please contact the ADA Coordinator at (541) 774-2074 or ada@cityofmedford.org at least three business days prior to the meeting to ensure availability. For TTY, dial 711 or (800) 735-1232.

- 90. Report from the Planning Department
- 100. Messages and Papers from the Chair
- 110. Propositions and Remarks from the Commission
- 120. 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-19-047 APPLICATION FOR PROJECT REVIEW SUBMITTED) ORDER
BY MCDONALD'S CORPORATION)

ORDER granting approval of a request of File No. AC-19-047, as follows:

Consideration of a proposal for the construction of a 4,456 square foot restaurant with drive-thru (McDonald's) and parking area located on a 1.07 acre project site in a shopping center on the north side of East Barnett Road approximately 560 feet east of South Riverside Avenue in the C-R (Regional Commercial) zoning district (371W30DC TL 5900).

WHEREAS:

1. The Site Plan and Architectural Commission has duly accepted the application filed in accordance with the Land Development Code, Section 10.200.
2. The Site Plan and Architectural Commission has duly held public hearings on the matter described above, with public hearings a matter of record of the Site Plan and Architectural Commission on June 7, and July 19, 2019.
3. At the public hearings on said application, evidence and recommendations were received and presented by the developer and Planning Department staff; and
4. At the conclusion of said public hearings, 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 McDonald's Corporation, stands approved subject to compliance with the conditions stated in the Commission Report dated July 19, 2019.

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 findings referenced in the Commission Report dated July 19, 2019.

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 10.200(E) of the Land Development Code.

Accepted and approved this 2nd day of August, 2019.

MEDFORD SITE PLAN AND ARCHITECTURAL COMMISSION

Site Plan and Architectural Commission Chair

ATTEST:


Secretary



COMMISSION REPORT

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

Project McDonald's Restaurant
Applicant: McDonald's Corporation; Agent: AKS Engineering and Forestry

File no. AC-19-047

Date July 19, 2019

BACKGROUND

Proposal

Consideration of a proposal for the construction of a 4,456 square foot restaurant with drive-thru (McDonald's) and parking area located on a 1.07 acre project site in a shopping center on the north side of East Barnett Road approximately 560 feet east of South Riverside Avenue in the C-R (Regional Commercial) zoning district (371W30DC TL 5900).

Vicinity Map



Subject Site Characteristics

Zoning	C-R	Regional Commercial
GLUP	CM	Commercial
Use	Winco Shopping Center	

Surrounding Site Characteristics

<i>North</i>	Zone:	C-R
	Use:	Winco Shopping Center
<i>South</i>	Zone:	C-R
	Use:	Hotel, Furniture re-sale
<i>East</i>	Zone:	C-R
	Use:	Jack in the Box Restaurant
<i>West</i>	Zone:	C-R
	Use:	Existing McDonald's Restaurant

Related Projects

AC-07-154	Liberty Bank
PA-18-082	Pre-Application

Applicable Criteria

SITE PLAN AND ARCHITECTURAL REVIEW APPROVAL CRITERIA FROM SECTION 10.200(E) OF THE *MEDFORD LAND DEVELOPMENT CODE*

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 Section 10.186.

Corporate Names

The Oregon Secretary of State Business Registered has the listed agent for PAPP Medford LLC, as C T Corporation System doing business at 780 Commercial Street SE Suite 100, Salem, Oregon 97301. The following Registered Agents were also found, but do not do business in the State of Oregon: National Registered Agents – New York, New York.

ISSUES AND ANALYSIS

Background

The subject site is located within the Winco Shopping Center and is currently developed with the approximately 4,000 square foot Liberty Bank building that was approved in 2007 (AC-07-154). The subject site is proposed as a lease area comprised of 1.08 acres. The proposal is to demolish the existing structure and construct a 4,456 square foot restaurant with drive thru to relocate the existing McDonald's located to the west.

At the first Site Plan & Architectural Commission hearing on June 7, 2019, the agent provided an Alternate Site Plan submitted into the record at Exhibit S as it met the standards of the code. The original site plan (Exhibit B) will remain in the record for any future requests for modifications, but is not recommended or included for approval. The Alternate Site Plan is similar to Exhibit B with the exception of the parking area to the western property boundary.

Site Plan (Exhibit S)

The proposed site fronts East Barnett Road. The site plan shows parking situated to the rear of the building and adjacent to the shopping center parking area. The drive thru consists of two order points that merge into one lane for pick up, then exits across the parking lot.

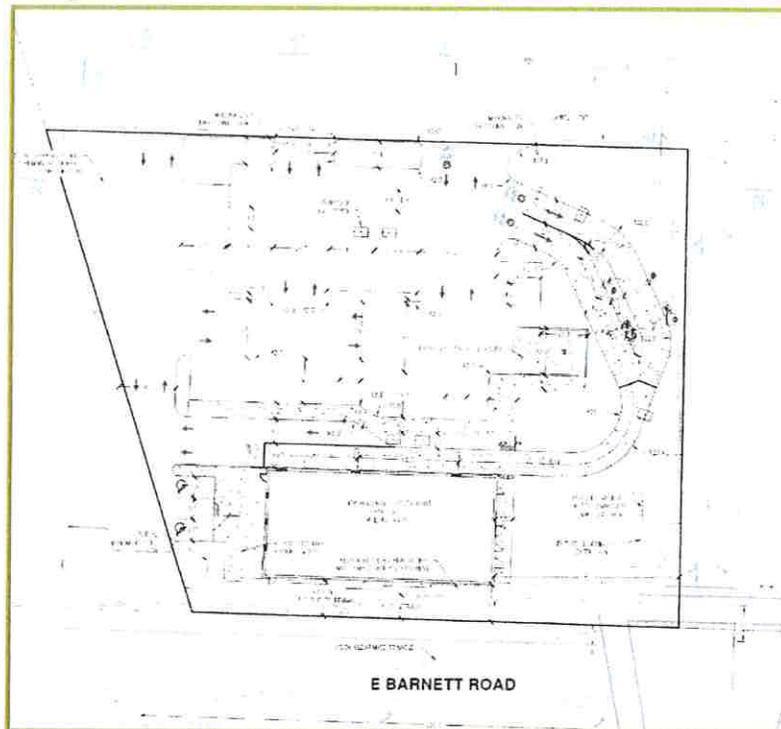


Figure 1: Alternate Site Plan

The site plan meets the site design standards in the MLDC Section 10.721 Commercial and Industrial Site Development Standards as shown in the table below.

Design Standards (MLDC 10.721)	Required	Proposed
Front Yard Setback	10 ft. min. - 20 ft. max.	15 ft. 4 in.
Side Yard	0	32 and 71 ft.
Rear Yard	0	Over 100 ft.
Lot Coverage	40% max.	10% approx.

Table 1: Design Standards

Ground Lease and Access

The subject site has direct access from the existing signal controlled driveway on the eastern property boundary. The proposal does not include any changes to the current access point. A secondary right in/right out is obtained through Tax Lot 200.

The original site plan (Exhibit B) indicated a pedestrian walkway running northwest along the westerly property boundary identified in red. While the sidewalk would have provided access to the Winco Shopping Center, the design cut off access to the existing developed parking area.

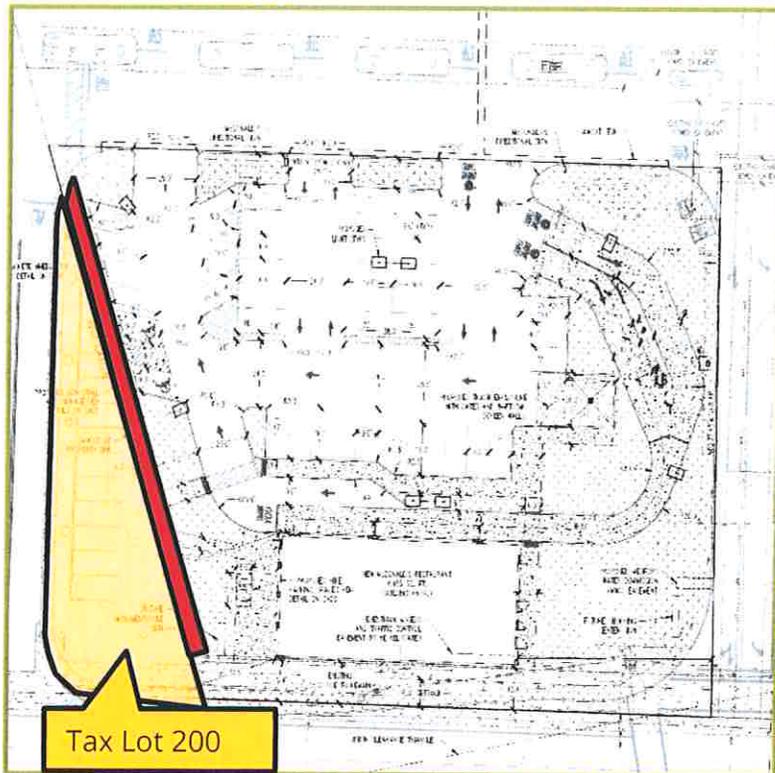


Figure 2: Original Site Plan

The Alternate Site Plan (Exhibit S) now incorporates the existing parking located on Tax Lot 200 and does not restrict access.

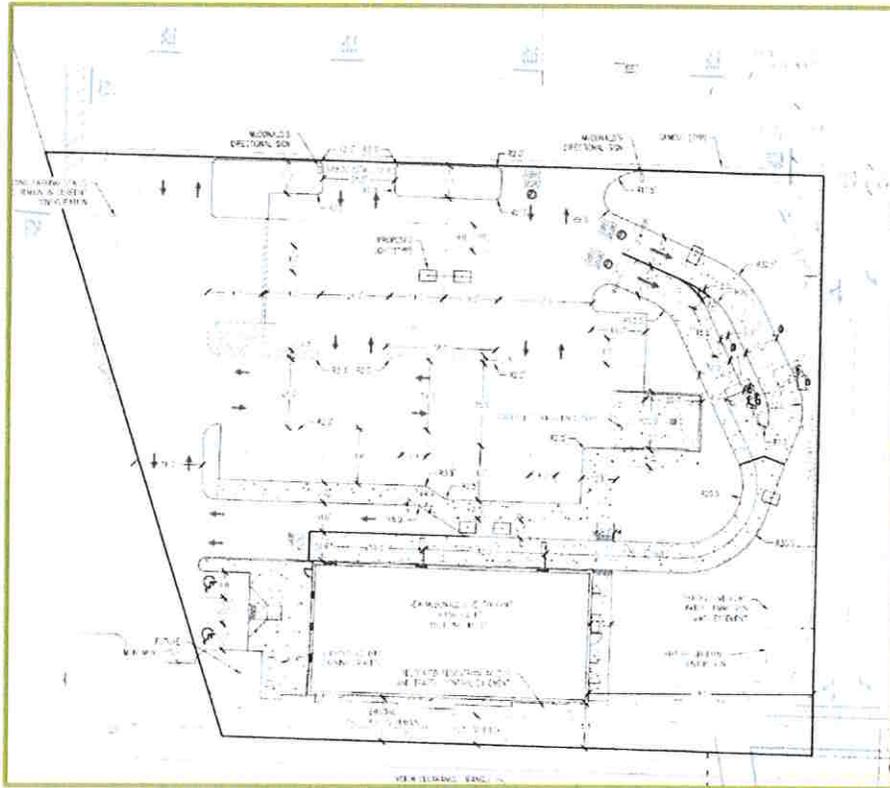


Figure 3: Alternate Site Plan

There is a recorded ground lease and easement between the subject property and Tax Lot 200, which is under separate ownership, that is set to expire within the next two years; however, at the time of this application it is in effect. (Exhibit L)

In accordance with MLDC 10.550(3)(3), the owner of the subject site shall grant a cross-access easement to Tax Lot 200. The cross-access easement is a condition of approval for the current development application and is not required to be reciprocated by the owner of Tax Lot 200 at this time. Once there is an application to develop Tax Lot 200, a cross-access easement will be required in accordance with Section 10.550(3)(3). The cross-access easement will effectively replace the existing ground lease for the purpose of access.

MLDC Section 10.550(3)(3) states, in part, that *any parcel or tract granted driveway access to an Arterial or Collector Street shall grant cross-access easements to all contiguous parcels or tracts that do not abut a street of a lower order. Site design must accommodate future use of such accesses.*

At the June 7, 2019 hearing there was discussion regarding what properties were to be granted cross access by the subject property. The Cross Access Map (Exhibit U) identifies 12 adjacent parcels that shall be granted cross access pursuant to MLDC 10.550(3)(3).

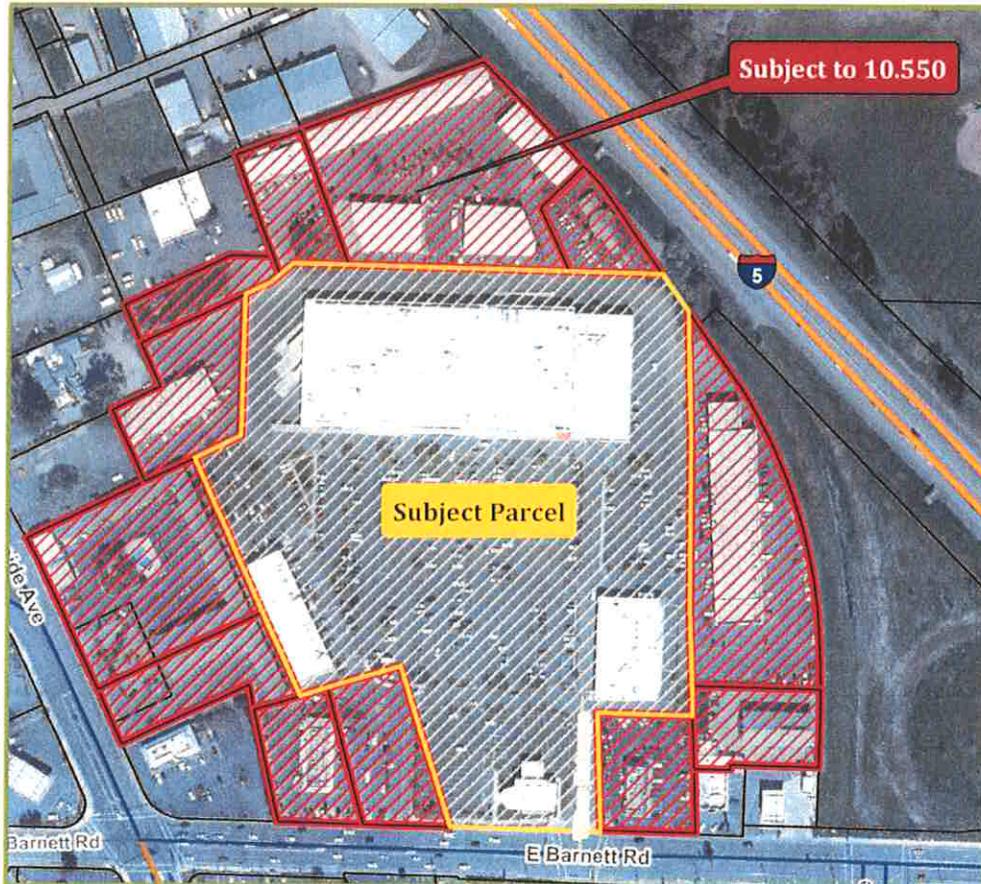


Figure 4: Adjacent Properties Exhibit U

An email provided by the subject properties owner's general counsel (Exhibit V), stated that the owner will comply with granting cross access to adjacent properties.

The Agent has provided a letter (Exhibit R) stating their intent to work with the abutting property owner on a potential purchase of this area. If a purchase is successful the subject property owner intends to remove the existing asphalt and associated parking facilities and replace it with landscaping that is appropriate for the area.

Staff had originally included a condition requiring that the applicant submit a revision to the site plan that does not restrict current and future use of the existing parking spaces located on the adjacent property, Tax Lot 200 to the west. This was completed by the Agent at the hearing as shown in Exhibit S.

Pedestrian Easement

An existing 15 foot pedestrian access easement runs along the Barnett Road frontage of the leased area as shown in the applicant's Boundary Map and Easement Exceptions (Exhibit G). The proposed building encroaches into a portion of the pedestrian easement that is not part of the paved area.

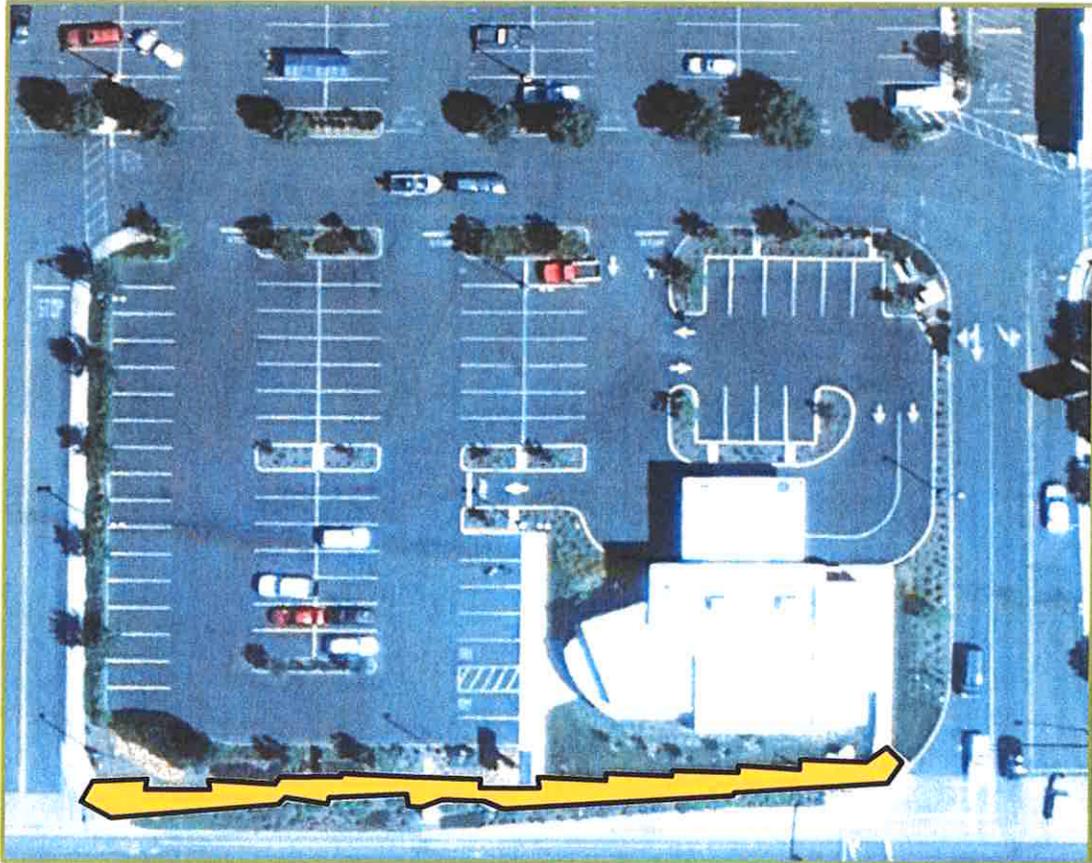


Figure 5: Sidewalk

The Public Works Report (Exhibit M), states that a dedication of a new pedestrian access and traffic control easement shall be completed prior to any work that will encroach into the existing easement or application to vacate before the City Council. A condition of approval has been included to comply with the Public Works Report.

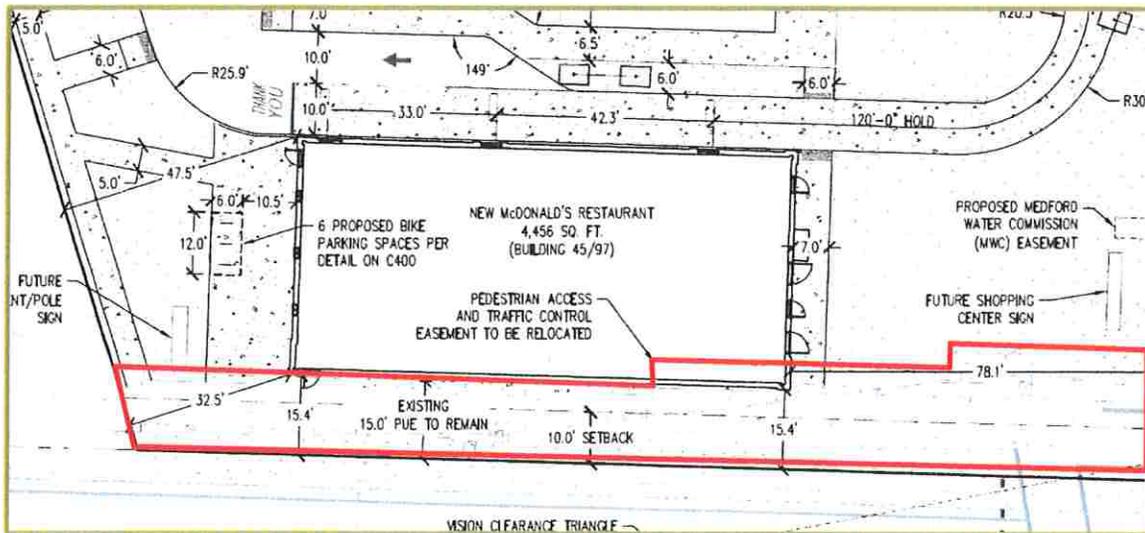


Figure 6: Pedestrian Easement

Major Transit Stop

There is a Major Transit Stop located on E Barnett Road within 600 feet of the proposed structure. Because of the proximity to the stop, the proposal is subject to MLDC 10.808.

MLDC Section 10.808 requires that main building entrances be provided on the façade of a building nearest to and facing a street with a designated transit route. The site plan (Exhibit B) and Architectural Plans (Exhibit F) indicate that this requirement has been met.

The same section requires that all buildings shall be set back no more than 20 feet from the designated transit route. The site plan (Exhibit B) indicates that this requirement is satisfied.

Concealment

The proposed trash enclosure will be an eight foot concrete masonry unit wall with gates. All heating, ventilation and air conditioning (HVAC) equipment will be roof mounted and concealed with the parapets.

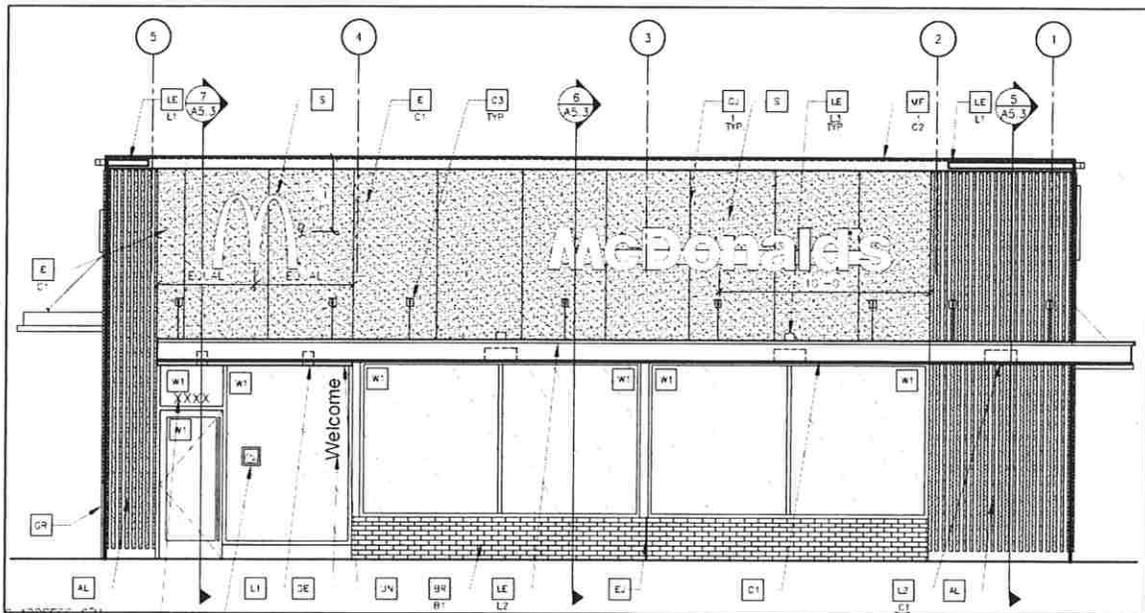


Figure 7: Front Elevation

Architecture

The applicant states that the new McDonald's restaurant will use company design standards which include mixed, complementary and contemporary exterior materials like metal panel and brick, blazing, metal sun shades and efficient site lighting for safety. Building protrusions and differing materials will help create visually interesting articulation. Glazing will break up large facades and provide a visual link between the building interior and adjacent public right-of-way.

Parking

The applicant's findings (Exhibit K), state that the proposed restaurant will provide 42 new parking spaces and share 12 additional spaces with the Winco shopping center. The total 54 spaces is the minimum required for this proposal. The new restaurant is within a leased area and not on a separate unit of land; therefore, a cross access for parking is not required. The table below shows compliance with MLDC Section 10.743-10.751.

MLDC 10.743-10.751	Required	Shown
Total Spaces	54 min. - 63 max.	54 (12 shared)
Accessible Spaces	2	2
Bicycle Spaces	5 (per min. 54 spaces)	0

Table 2: Parking Requirements

Landscaping

The provided landscape plan (Exhibit E) shows a diverse selection of trees, shrubs, and grasses.

Parking area planters are required when there are 24 or more parking spaces. The proposal has a total of 54 spaces with 12 being shared. Parking area planters are required for the new 42 spaces. The landscape plan submitted is in accordance with the MLDC Section 10.746 as shown by the table below.

C-R	Required for 42 spaces	Proposed
Area	875 sq. ft.	1695 sq. ft.
Trees	6	10
Shrubs	11	29 +

Table 3: Parking Area Landscaping

Discussion

There was discussion regarding the landscape plan (Exhibit E) identified landscaping in accordance with the original site plan. Commissioner Whitlock included in the motion to require a revised landscape plan to be submitted in accordance with MLDC Section 10.797.

Surveyor Comments (Exhibit P)

The City Surveyor submitted comments regarding the land divisions that were done not in accordance with local and state laws. Prior to issuance of a building permit for vertical construction, the developer shall provide evidence that the parcel was lawfully created. A condition of approval (Exhibit A-1) has been included.

Committee Comments

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

No other issues identified by staff.

FINDINGS AND CONCLUSIONS

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

ACTION TAKEN

Adopted the findings as recommended by staff and directed staff to prepare the final order for approval of AC-19-047 per the Commission report dated July 19, 2019, including Exhibits A-1 through V.

EXHIBITS

- A-1 Conditions of Approval, dated July 19, 2019
- B. Preliminary Site and Dimensional Plan submitted March 13, 2019
 - a. Site details
- C. Preliminary Grading Plan received March 13, 2019
- D. Preliminary Utility Plan received March 13, 2019
- E. Preliminary Landscape Plan received March 13, 2019
- F. Architectural Plans received March 13, 2019
 - a. Floor plan
 - b. Roof plan
 - c. Elevations
 - d. Plans & Sections
 - e. Lighting plan
- G. Alta/NSPS Survey received March 13, 2019
- H. Demolition plan received March 13, 2019
- I. Assessor Map received March 13, 2019
- J. Major Transit Stops Figure 22 map adopted December 6, 2018
- K. Applicants findings and conclusions received March 13, 2019
- L. Ground Lease and Easement Agreement recorded January 1970
- M. Public Works Department report dated April 24, 2019
- N. Medford Fire Department report dated April 24, 2019
- O. Medford Building Department memo dated April 17, 2019
- P. City Surveyor comments dated April 18, 2019
- Q. Medford Water Commission memo dated April 24, 2019
- R. Letter from Agent regarding Tax Lot 200 received May 30, 2019
- S. Alternate Site Plan received June 7, 2019
- T. Aerial Photo of Meg LLC parcel ownership received June 7, 2019
- U. Cross Access Easement Map received June 19, 2019
- V. Email from Argonaut Investments received June 26, 2019
Vicinity map

SITE PLAN AND ARCHITECTURAL COMMISSION

Jim Quinn, Chair

SITE PLAN & ARCHITECTURAL COMMISSION AGENDA:

**JUNE 7, 2019
JULY 19, 2019
AUGUST 2, 2019**

EXHIBIT A-1
McDonald's Restaurant
AC-19-047
Conditions of Approval
July 19, 2019

CODE REQUIRED CONDITIONS

Prior to the issuance of a building permit for vertical construction, the applicant shall:

1. Comply with all requirements of the Public Works Staff Report (Exhibit M).
2. Comply with all requirements of the Medford Fire Department Staff Report (Exhibit N).
3. Comply with City Surveyor comments to submit evidence that the subject parcel was lawfully established (Exhibit P).
4. Comply with all conditions stipulated by the Medford Water Commission (Exhibit Q).
5. **Submit a revised landscape plan in accordance with MLDC 10.797 to be consistent with the alternate site plan (Exhibit S) reconfiguration.**

SITE PLAN & ARCHITECTURAL COMMISSION MINUTES



MEDFORD
OREGON

July 19, 2019

12:00 P.M.

Medford City Hall, Council Chambers
411 West 8th Street, Medford, Oregon

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

Commissioners Present

Bill Chmelir, Acting Chair
David Culbertson
Bob Neathamer
Marcy Pierce
Milo Smith
Rick Whitlock

Staff Present

Kelly Evans, Assistant Planning Director
Katie Zerkel, Senior Assistant City Attorney
Doug Burroughs, Public Works/Engineering
Liz Conner, Planner II
Debbie Strigle, Recording Secretary

Commissioners Absent

Jim Quinn, Chair, excused
Jeff Bender, excused
Jim Catt, excused

10. **Roll Call**

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

30. **Approval or Correction of the Minutes from the June 21, 2109, hearing**

30.1 There being no additions or corrections, the minutes for the June 21, 2019, meeting, were approved as submitted.

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

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

50. **Public Hearings**

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Katie Zerkel, Senior Assistant City Attorney, read the rules governing the public hearings.

Old Business

50.1 **AC-19-047** Consideration of a proposal for the construction of a 4,456 square foot restaurant with drive-thru (McDonald's) and parking area located on a 1.07 acre project site in a shopping center on the north side of East Barnett Road approximately 560 feet east of South Riverside Avenue in the C-R (Regional Commercial) zoning district (371W30DC TL 5900). Applicant: McDonald's Corporation; Agent: AKS Engineering and Forestry; Planner: Liz Conner

Acting Chair Chmelir asked for any potential conflicts of interest, ex-parte communications, or site visits. Commissioner Whitlock disclosed that he had made a site visit.

Liz Conner, Planner II, gave a PowerPoint presentation of the July 12, 2019, Staff Report. Staff recommended approval.

Commissioner Whitlock wondered if there was any document in the record establishing the right to the 12 shared parking spaces. Ms. Conner answered she did not know what the lease agreement specified as far as the parking spaces but the agreement is for both parking and access.

Ms. Zerkel pointed out that the staff report says the ground lease and easement between the subject property and the tax lot with the parking spaces had been recorded. The document may not be in the record but it has been recorded with the county.

Commissioner Whitlock explained his question is he wanted to know where the documentation or agreement is that establishes access to the additional spaces. He felt maybe it was a question for the applicant and not staff.

Commissioner Whitlock wanted to know if there was a revised landscape plan. If there is one, he wanted to know where it was, and if not, should the Commission be requiring one as a condition of approval. Ms. Conner replied that a condition of approval could be made that says the landscape plan needs to meet the code requirements for frontage landscaping and any internal parking landscaping area.

Commissioner Whitlock expressed his surprise and concern at not having something from the property owner directly evidencing their willingness to sign the form the City is going to insist on being signed for the cross-access easements.

For clarification purposes, Commissioner Culbertson commented that he thought there were at least two parcels that abut the larger one that physically can't gain access. He wondered if that was taken into consideration. Ms. Conner answered that the City does require it to be granted but not to be developed as far as creating the actual physical access point. If the two parcels develop into something different than what they are currently, then at that point the City would get the reciprocated cross-access and then develop accordingly.

Ms. Zerkel asked if the property owner is Argonaut Investments. Ms. Conner replied no, they are the general counsel for PAPP.

Commissioner Whitlock commented it wasn't clear in the record who that legal counsel was representing and was what prompted his question regarding the authorization from the property owner regarding those cross-access agreements.

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

a) Zach Pelz, agent for the applicant, 3700 River Road N, Kaiser, Oregon, said they had requested a continuance from the June 7th meeting to get consent from the property owner to enter into the cross-access easement for all the abutting properties. Since that time, the property owner reached out to their legal counsel and did provide consent into the record that they are willing to provide access to all the abutting properties.

Mr. Pelz clarified that the 12 parking spaces would be a component of the lease agreement with McDonald's and PAPF. That lease agreement is not included in the record but the applicant can provide that to the City. He stated they wanted to go on record that the 12 parking spaces is part of the lease agreement.

Commissioner Whitlock asked Mr. Pelz if they would be providing a revised landscape plan. Mr. Pelz answered they would be happy to provide a revised landscape plan.

Commissioner Whitlock wanted to know how Argonaut Investments is related to the owner of the underlying fee simple on the property. Mr. Pelz replied it's his understanding that Argonaut Investments directly represents the current owner and Robert Brown is authorized to consent on the behalf of the property owner.

Commissioner Culbertson asked if the landscaping would be incorporated into the easement or lease with the neighboring parcel if the requirement is to improve landscaping on that neighboring parcel. Mr. Pelz stated that the parcel is not part of the applicant's site so they will make sure the revised landscaping only occurs on the applicant's site.

Commissioner Whitlock inquired if there was a code requirement for improvements to offsite shared spaces in regards to landscaping. Ms. Conner replied that the City could not require them to provide landscaping farther west onto tax lot 200.

Acting Chair Chmelir asked if the applicant has the intention of improving the landscaping to make it consistent. Mr. Pelz confirmed that it is the intent of the applicant to do that but they had not spoken with the abutting property owner of tax lot 200 yet. It is the applicant's desire to not only improve the landscaping but also the parking area.

Commissioner Whitlock wanted to know if the cross-access easement to the west of the subject property is the one that's expiring next month. Mr. Pelz clarified that it is not a cross-access easement but is a general lease agreement that is included in the record. The agreement speaks to a general benefit to the applicant's property for the purpose of parking and circulation. The agreement expires in 2021. Mr. Pelz noted that there is no cross-access easement on the abutting property.

Mr. Pelz reserved time for rebuttal.

b) Robert Boggess, 2 W. Barnett Street, general counsel and real estate manager for Naumes Incorporated, owners of tax lot 200, spoke regarding the lease agreement. He stated that as part of that lease there is a joint easement that allows the Winco and McDonald's patrons to use that. The parcel next to it is also leased to Winco. When the lease ends the easement will also end. Mr. Boggess noted that the principals of Argonaut, Naumes, and the owners of the existing McDonald's had a phone conversation this week about a potential sale or lease.

The public hearing was closed.

Motion: Adopt the findings as recommended by staff and direct staff to prepare the final order for approval of AC-19-047 per the Revised Staff Report dated July 12, 2019, including Exhibits A through V, and adding the following:

- Applicant to submit a revised landscape plan to meet the code requirements reflecting changes to and consistent with the revised site plan

Moved by: Commissioner Whitlock Seconded by: Commissioner Neathamer

Commissioner Culbertson asked if tax lot 200 was sold to another party, would that other party have the right to build a wall or new walkway down their property line.

Commissioner Whitlock stated he thought that might require some legal analysis of the documents.

Ms. Zerkel explained that the easement runs with the land so if the land is sold that easement still remains in place until 2021. Until 2021 nobody could build a wall. If at that point the property is sold and the property owner wanted to submit a revised site plan they would have to reciprocate cross-access to the subject parcel. Ms. Zerkel said that if the property owner were to deny cross-access then this Commission should not approve the site plan because it would be violating City code which requires cross-access.

Commissioner Whitlock commented it sounded like there is no certain response that would guarantee that ongoing access beyond the expiration of the current lease.

Ms. Zerkel responded that it would be a little bit bigger of a situation because the access point that's on tax lot 200 is one of the two main entrances for the entire Winco complex. If the cross-access easement was denied, it would not only affect McDonald's, it would affect the whole Winco complex.

Commissioner Whitlock asked staff if there would be any ability of the City to require the construction of accessible disabled parking spaces if those should disappear for any reason. He wanted to know if there was a code requirement this Commission could use to require the parking spaces to be placed somewhere else. Ms. Conner replied that the parking section of the Medford Land Development Code does require a certain amount of ADA accessible parking spaces. There are provisions for those under the Building code that talk about the location of those parking spaces. The parking spaces could potentially be relocated and

stipulated by the applicant to agree to that, but it's not something that would restrict us here today to be able to relocate where the actual ADA spaces were.

Commissioner Culbertson commented that on the merits of the application along with the revised landscape plan it meets all the criteria and the motion should be carried. He added it was poor that it hadn't been thought out more with some of the different constraints with having an odd shaped lot and using part of it for this and part of it for that. This body is not to speculate what the future is going to be but what it is before them today.

Commissioner Neathamer pointed out that there is no demonstration of a lawfully created parcel. He said the testimony from the property owner's representative sounded like they just recently started negotiations on trying to create a solution to this. The applicant could have done a much better job in addressing the issue much sooner. Commissioner Neathamer stated he had reservations about approving the application but didn't see how they could deny it. He added there's no proof that any of these problems raised today will be solved.

Commissioner Whitlock said he echoed Commissioner Neathamer's comments. He said he was willing to vote in favor of the application based on staff's representations that there will be the possibility of requiring a revised location of those spaces if at some point they become inaccessible. Commissioner Whitlock agreed that it would have been nice if some forethought had been given to resolve some of these legal issues in advance of filing the application.

Roll Call Vote: Motion passed, 6-0

60. Written Communications None.

70. Unfinished Business None.

80. New Business None.

90. Report from the Planning Department

90.1 Ms. Evans said there is business scheduled for both the August 2 and August 16 meetings.

90.2 Ms. Evans reported that City Council had heard the appeal on the Circle K project. City Council overturned this Commission's decision and had added conditions. The final decision will be made on August 15, 2019.

90.3 Ms. Evans stated that City Council had approved the annexation for the right-of-way on Lozier Lane between Main and Stewart. At their next meeting, staff has code amendments for Cottage Housing and procedural changes to the historic commission's purview.

90.4 Ms. Evans gave an update on this Commission's letter to the Planning Commission regarding the request for changing the zoning for gas stations and car washes.

There was some discussion regarding the Circle K project. Commissioner Whitlock cautioned the Commission about this as the application could still be appealed to the Land Use Board of Appeals and could potentially be remanded back to City Council and this Commission.

Commissioner Whitlock asked if there were any scheduled study sessions coming up for this Commission. Ms. Evans said staff had been talking about having a joint work session with all three land use commissions to discuss how to make motions, the importance of findings, and how to create defensible findings so a decision doesn't get reversed. The session would be in September sometime.

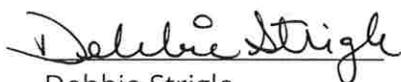
100. Messages and Papers from the Chair None.

110. Propositions and Remarks from the Commission

120. Adjournment

120.1 The meeting was adjourned at approximately 1:00 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

Jim Quinn
Site Plan and Architectural Commission Chair

Approved: August 2, 2019



STAFF REPORT – CONTINUANCE REQUEST

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

Project Corona Avenue Facility
Applicant: City of Medford; Agent: CSA Planning, Ltd.

File no. AC-19-056

To Site Plan & Architectural Commission *for 08/02/2019 hearing*

From Steffen Roennfeldt, Planner III

Reviewer Kelly Evans, Assistant Planning Director *u.*

Date July 26, 2019

BACKGROUND

Proposal

Consideration of a proposed multi-phase development for Public Works Service Center on 6.2 acre leased area located on the east side of Corona Avenue and at the terminus of Hilton Road zoned I-L (Light Industrial) (371W18A4200).

Request

The applicant has requested that the item be continued for a period of 30 days in order to work through additional details before the public hearing. The hearing will be scheduled for September 6, 2019.

EXHIBITS

A Continuanance request, received July 24, 2019

SITE PLAN AND ARCHITECTURAL REVIEW COMMISSION AUGUST 2, 2019

Continuance Request

To: Landmarks and Historic Preservation Commission
 Planning Commission
 Site Plan and Architectural Commission

RE: Project Name: Public Works Service Center - Corona Avenue

File No(s): AC-19-056

I am the applicant authorized agent for the above referenced project. Please continue the public hearing for the above referenced file to either:

the _____ meeting,
(hearing date)

or

for a period of 30 calendar days.

Reason for request: Applicant requests continuance to work through additional details before the hearing.

This request is made pursuant to ORS 227.178(5).

Thank you,



July 24, 2019

Signature

Date

Raul Woerner - CSA Planning, Ltd.

Print Name

CITY OF MEDFORD
EXHIBIT # A
File # AC-19-056