



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

January 10, 2008



TO: Subscribers to Notice of Adopted Plan or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Medford Plan Amendment
DLCD File Number 018-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: January 29, 2008

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Carly Meske, City Of Medford

<paa>

FORM 2

DLCD

Notice of Adoption

THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **CITY OF MEDFORD**

Local file number: **ZC-07-146**

Date of Adoption: **12/27/2007**

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 11/29/2007

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

A change of zone from County EFU (Exclusive Farm Use) to City SFR-4 (Single Family Residential - 4 dwelling units per gross acre) and City SFR-10 (Single Family Residential - 10 dwelling units per gross acre) on two parcels totaling 17.09 acres, located on the north side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road. (Crystal Springs Development Group, Craig Stone & Associates, LTD., Agent). 371w27 1000 and 1202

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **EFU**

to: **SFR-4 & SFR-10**

Location: **NORTH SIDE OF BARNETT ROAD, 3,100FT EAST OF N. PHO**

Acres Involved: **17**

Specify Density: Previous: **1/GROSS ACRE**

New: **4 & 10/GROSS ACRE**

Applicable statewide planning goals:

1 **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

DLCD 018-07 (16506)

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **CARLY MESKE**

Phone: **(541) 774-2380** Extension:

Address: **200 S. IVY STREET, RM 240**

Fax Number: **541-774-2564**

City: **MEDFORD** Zip: **97501-**

E-mail Address:

CARLY.MESKE@CITYOFMEDFORD.ORG

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax



Planning Department

Continuous Improvement – Customer Service

City Hall – Lausmann Annex • Room 240 • 200 South Ivy Street • Medford, Oregon 97501

January 2, 2008

Crystal Springs Development Group
815 Alder Creek Rd
Medford, OR 97504

RE: FILE NO.: ZC-07-146

The Medford Planning Commission at its regular meeting of December 27, 2007, approved the Final Order containing Findings of Fact relating to the approval of the following request: Changing the zoning from County EFU (Exclusive Farm Use) to SFR-4 (Single Family Residential – 4 units per acre) and SFR-10 (Single Family Residential - 10 units per acre) on two parcels totaling 17.09 acres, located on the north side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road.

This request was granted as per the Planning Commission Report dated December 13, 2007.

The final date for filing an appeal is 21 days from the date of the decision. The written appeal and filing fee must be received by the City Recorder no later than 5:00 p.m. on January 17, 2008. Appeals must be filed in the form prescribed, and will be decided based upon Medford Code Sections 10.051-10.056 (copies available).

A handwritten signature in black ink, appearing to read "Robert O. Scott".

Robert O. Scott, AICP
Planning Director

kg

Enclosure: Staff Report/Final Order/Legal Description

cc: CSA Planning Ltd, 4497 Brownridge, Suite 101, Medford, OR 97504
Affected Agency
Interested Parties

BEFORE THE MEDFORD PLANNING COMMISSION

STATE OF OREGON, CITY OF MEDFORD

IN THE MATTER OF PLANNING COMMISSION FILE)
ZC-07-146 APPLICATION FOR A ZONE CHANGE SUBMITTED) **ORDER**
BY CRYSTAL SPRINGS DEVELOPMENT GROUP)

ORDER granting approval of a request for changing the zoning from County EFU (Exclusive Farm Use) to SFR-4 (Single Family Residential – 4 units per acre) and SFR-10 (Single Family Residential - 10 units per acre) on two parcels totaling 17.09 acres, located on the north side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zoning of real property described below from County EFU (Exclusive Farm Use) to SFR-4 (Single Family Residential – 4 units per acre) and SFR-10 (Single Family Residential - 10 units per acre) on two parcels totaling 17.09 acres, located on the north side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented hereby adopts the Planning Commission Report dated December 13, 2007, Applicant's Findings – Exhibit "A," and Legal Description – Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 27 Tax Lots 1000 & 1202 (portions of each)

is hereby changed from County EFU/S-E Overlay (Exclusive Farm Use/Southeast Overlay) to City SFR-4 (Single Family Residential – 4 units per acre and SFR-10 (Single Family Residential – 10 units per acre) zoning district.

Accepted and approved this 27th day of December, 2007.

CITY OF MEDFORD PLANNING COMMISSION



Planning Commission Chair

ATTEST:



Planning Department Representative



City of Medford

PLANNING COMMISSION REPORT

Date: December 13, 2007

Subject: Crystal Springs Development Zone Change (ZC-07-146)
Crystal Springs Development Group, LLC, Applicant (CSA Planning,
Agent)

Background

Proposal

Consideration of a request for a change of zone from County EFU (Exclusive Farm Use) to SFR-4 (Single Family Residential – 4 dwelling units per gross acre) and SFR-10 (Single Family Residential - 10 dwelling units per gross acre) on two parcels totaling 17.09 acres, located on the north side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road.

Subject Site Zoning, GLUP Designation and Existing Uses

Zoning District: SFR-4 and EFU. The subject parcel is currently split zoned. The subject zone change will rectify the inconsistency with §10.302

GLUP Map Designation: UR (Urban Residential)

SE Plan Designation: School, Park, and Small Lot

Current Use: Vacant

Surrounding Property Zoning and Uses

North: *Zone* SFR-4, Southeast Plan Area
Use Vacant

South: *Zone* County EFU, Southeast Plan Area
Use Residential

East: *Zone* SFR-10, Southeast Plan Area
Use Vacant

West: *Zone* MFR-20, Southeast Plan Area
Use Vacant

Related Projects

The subject site was annexed in 1998 as per two separate ordinances: #18 and #240.

Applicable Criteria

Zone Change, §10.227 (Exhibit C)

Corporate Names

As per the State of Oregon Business Registry, *Crystal Springs Development Group* is comprised of John R. Hassen, authorized representative; and Michael T. Mahar as registrant.

Issues/Analysis

Staff has reviewed the proposed zone change and partition and has found it to meet the approval criteria listed in the *Medford Land Development Code* Section 10.227, as well as other applicable standards.

Southeast Plan Area

The subject site is currently zoned SFR-4 and County EFU with Southeast Plan designations of *Schools*, *Parks*, and *Small Lot*. The applicant proposes rezoning that area within the *Schools* and *Parks* designations to SFR-4, and that area designated *Small Lot* to an SFR-10 zoning district. This proposal is consistent with the South East Plan sub-areas land use categories (Exhibit E).

Category "A" Facilities

Sanitary Services

According to the Engineering Division, Exhibit J, an analysis of existing downstream sanitary sewer system, was required to show capacity for this development. Such a study was completed, and demonstrates that there is downstream capacity in the collection system, provided the sewer for this site is connected to the 10-inch main in North Phoenix Road and Michael Park Drive. A condition is included requiring the applicant to comply with Exhibit J.

Water

The Medford Water Commission (K) system does have adequate capacity to serve this property. MWC metered water service does not exist to the subject site currently. MWC Memorandum (Exhibit K) contains items required at time of land development.

Traffic Impact Analysis

The Engineering Division has reviewed the request for a zone change, and has determined that the proposed zone change from County EFU to City SFR-4 on 15.07 acres and SFR-10 on 2.02 acres has the potential to generate up to 80 SFR dwelling units or generate 765 average daily trips (ADT). The net increase in ADT to the transportation system is 765 ADT. Based on this and §10.460-461, a traffic impact analysis (TIA) is required.

The TIA was prepared by RDK Engineering. Review of the TIA concludes that mitigations are required at the intersection of N. Phoenix Road and Barnett Road, including, but not limited to: installation of a second eastbound turn lane. Based on the TIA, Public Works recommends approval with the satisfaction of one of two conditions included in Exhibit J. A condition is included requiring the applicant to comply with the Engineering Division Memorandum, Exhibit J.

At the time of any site development the City of Medford will recommend any necessary improvements and/or dedications along this proposed zone change's frontage on Barnett Road.

Decision: Staff presented the Executive Summary from the Traffic Impact Analysis to the Planning Commission at the December 13, 2007, public hearing. It had inadvertently been omitted from the staff report. The Commission included the document as Exhibit "I-1".

Drainage

This site lies within the Larson Creek Drainage Basin. The City's current Drainage Master Plan indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin. As a zone change is not allowable without adequate storm drain facilities, the following criteria must be met prior to issuance of a development permit or a building permit: a) An engineer registered in the State of Oregon shall prepare a report which includes testing, plans and calculations necessary to demonstrate a controlled storm water release of no more than 0.25 C.F.S. per acre of development for the 10-year storm. The report shall be submitted to the City of Medford Engineering Division for review and approval. Such a condition is included.

*Category "B" Facilities*Fire

Medford Fire/Rescue has reviewed this zone change and include requirements applicable to construction (Exhibit L). Fire Department access to buildings, facilities, and dwellings and fire hydrants are required prior to construction.

No other issues were identified by staff.

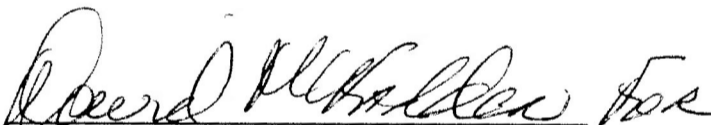
Action Taken

Direct staff to prepare a Final Order for approval of ZC-07-146 per the Planning Commission Report dated December 13, 2007, including Exhibits A-2 through L.

Exhibits

- A-2 Conditions of Approval dated December 13, 2007;
- B Approval Criteria dated December 5, 2007;
- C Zoning Map with site indicated, received June 27, 2007;
- D Comprehensive Plan Map with site indicated, received June 27, 2007;
- E Southeast Plan Map with site indicated, received June 27, 2007;
- F Topographic Map with site indicated, received June 27, 2007;
- G Assessors Map with site indicated, received June 27, 2007;
- H Applicant's *Findings of Fact*, received June 27, 2007;
- I-1 Traffic Impact Analysis Executive Summary, received June 27, 2007;
- J Engineering Division Memorandum received December 5, 2007;
- K Medford Water Commission Staff Memo received August 1, 2007;
- L Medford Fire/Rescue Land Development Report received August 1, 2007;
Vicinity Map.

MEDFORD PLANNING COMMISSION


Norm Nelson, Chair

PLANNING COMMISSION AGENDA: AUGUST 23, 2007
SEPTEMBER 13, 2007
SEPTEMBER 27, 2007
OCTOBER 11, 2007
DECEMBER 13, 2007
DECEMBER 27, 2007

Notes

1. *Include reference to the file number of this proposed development in all subsequent submittals to City of Medford Departments.*



City of Medford

ZC-07-146
EXHIBIT A-2
Conditions of Approval
December 13, 2007

DISCRETIONARY CONDITIONS

1. The Planning Commission accepts the applicant's stipulations included in the Findings of Fact and Conclusions of Law (Exhibit H).

CODE REQUIREMENTS

2. Prior to issuance of a development permit or a building permit, the applicant shall:
 - a. Comply with the Memorandum from the Medford Engineering Division (Exhibit J) received December 5, 2007.

CITY OF MEDFORD
EXHIBIT # A-2
ZC-07-146



City of Medford

ZC-07-146

EXHIBIT B

Approval Criteria

December 5, 2007

10.227 Zone Change Criteria

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

- (1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, a demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
 - a. *****
 - b. For zone changes to SFR-6 or SFR-10 where the permitted density is proposed to increase, one of the following conditions must exist: (i) At least one parcel that abuts the subject property is zoned the same as the proposed zone, either SFR-6 or SFR-10 respectively; or (ii) The area to be rezoned is five (5) acres or larger; or (iii) The subject property, and any abutting parcel(s) that is(are) in the same General Land Use Plan Map designation and is(are) vacant, when combined, total at least five (5) acres.
 - c. ***
 - d. ***
 - e. ***
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element."
 - a. Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.

ZC-07-146
EXHIBIT B
Approval Criteria
December 5, 2007

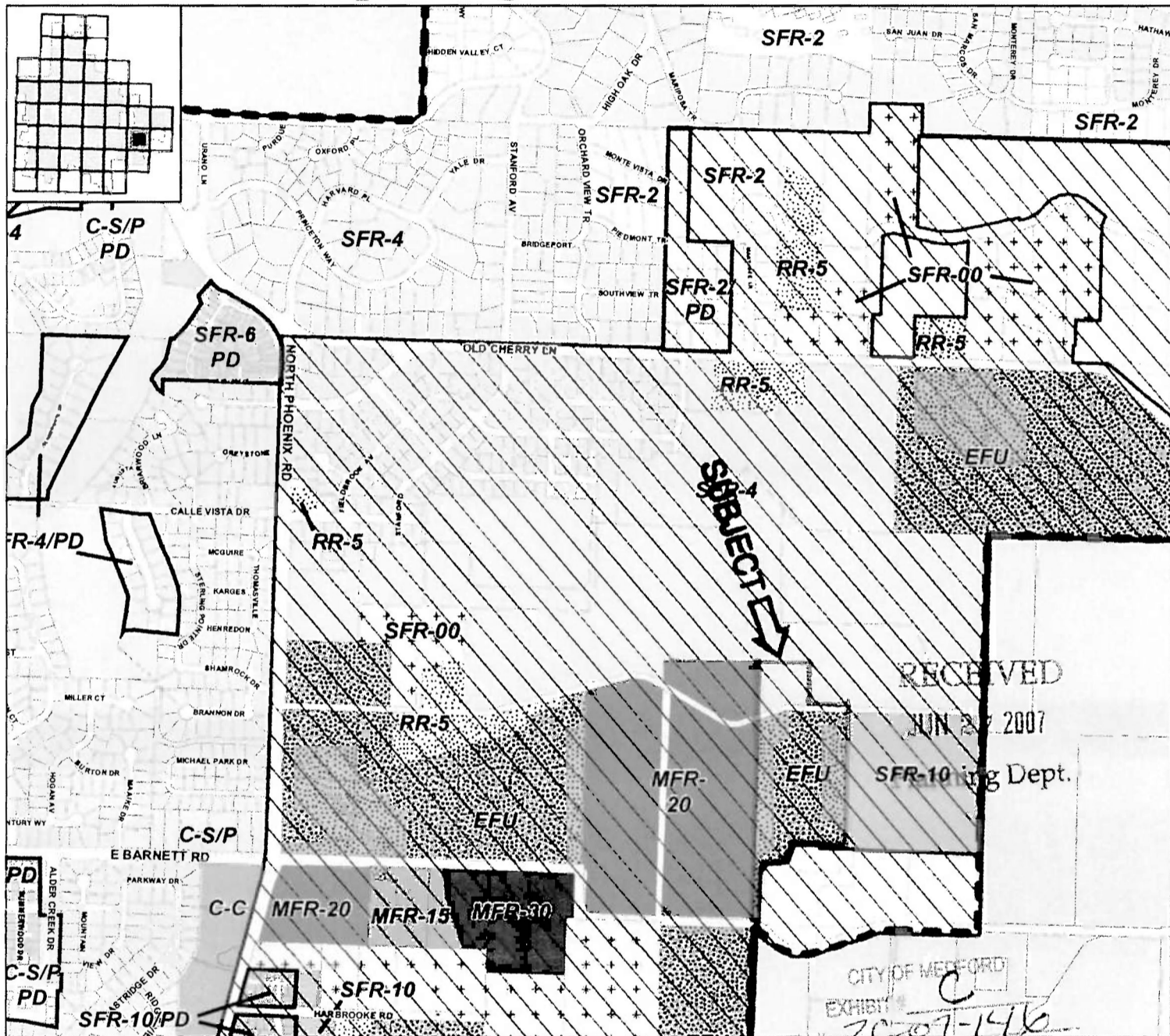
- b. Adequate streets and street capacity must be provided in one of the following ways:
- i. Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - ii. Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - iii. If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:
 1. the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 2. when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - iv. When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- c. In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction or covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

ZC-07-146
EXHIBIT B
Approval Criteria
December 5, 2007

- i. Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
- ii. Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
- iii. Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

CITY OF MEDFORD ZONING MAP

Township, Range and Section: 371W27



AA - Airport Approach	EA - Exclusive Agricultural	IO - Limited Industrial	Railroad	UGB
AR - Airport Radar	F - Freeway	LS - Limited Service	City Limits	Outside UGB
CB - Central Business District	H - Historic	PD - Planned Development		
SE - Southeast Plan				

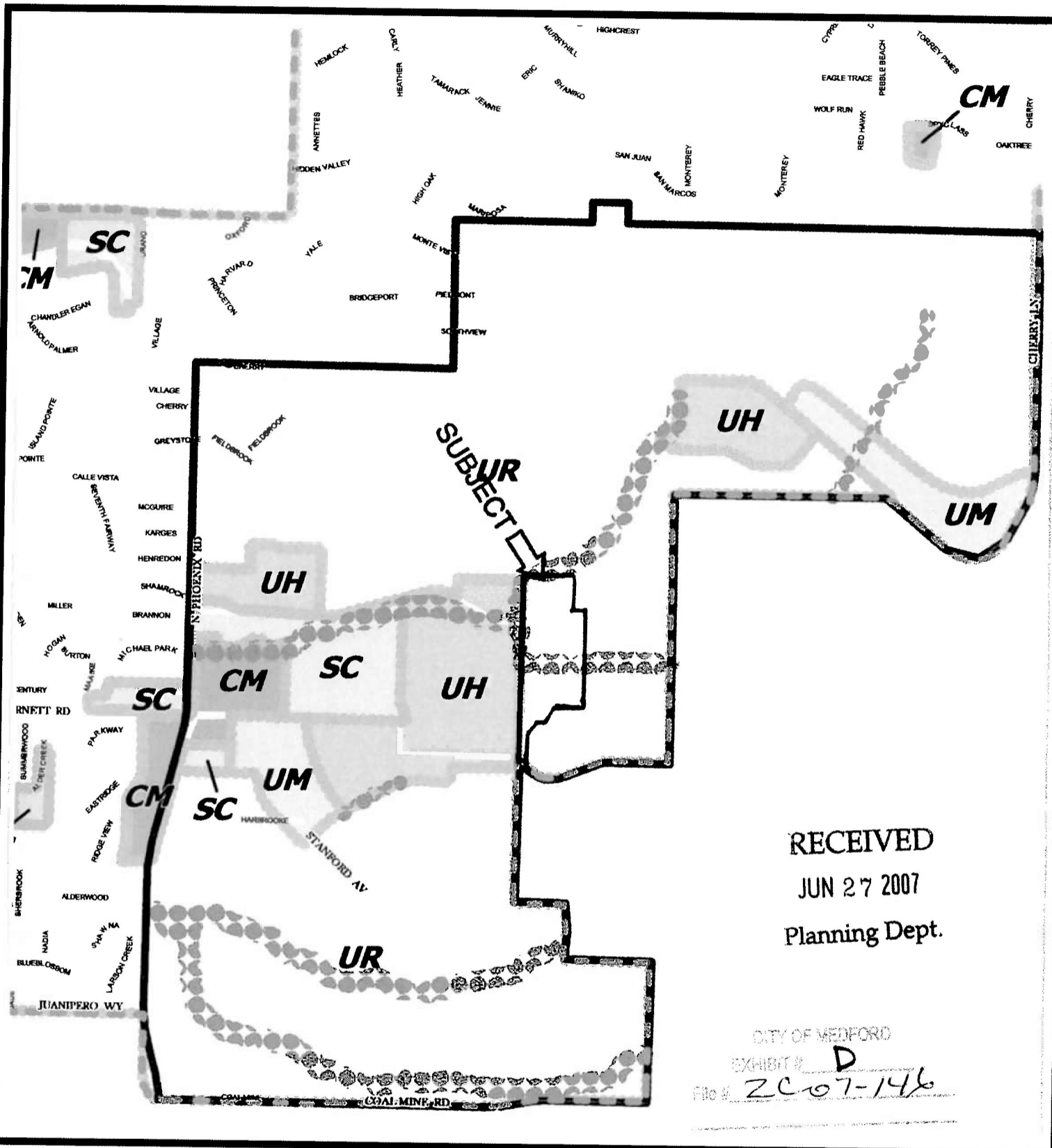
MEDFORD CITY ZONES

Residential	
Multi-Family - 30 Units/Acre (MFR-30)	Single Family - 6 Units/Acre (SFR-6)
Multi Family - 20 Units/Acre (MFR-20)	Single Family - 4 Units/Acre (SFR-4)
Multi-Family - 15 Units/Acre (MFR-15)	Single Family - 2 Units/Acre (SFR-2)
Single Family - 10 Units/Acre (SFR-10)	Single Family - 1 Unit/Lot (SFR-00)
Commercial	
Heavy (C-H)	Neighborhood (C-N)
Regional (C-R)	Service/Professional (C-S/P)
Community (C-C)	
Industrial	
Heavy (I-H)	General (I-G)
Light (I-L)	

COUNTY ZONES IN MEDFORD

Residential		
Suburban - 1 Acre Minimum (SR-1)	Rural - 5 Acre Minimum (RR-5)	
Suburban - 2.5 Acre Minimum (SR-2.5)	Farm - 5 Acre Minimum (F-5)	
Commercial	Resource	Industrial
General (GC)	Exclusive Farm Use (EFU)	General (GI)
Neighborhood (NC)	Open Space Reserve (OSR)	Light (LI)
	Airport Development - Multi-Use (AD-MU)	

0 500 1,000 1,500
Feet

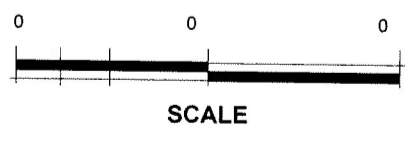
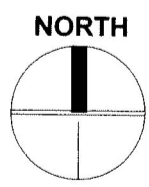


RECEIVED
 JUN 27 2007
 Planning Dept.

CITY OF MEDFORD
 EXHIBIT # **D**
 File # **2007-146**

Comprehensive Plan Map

Source: Medford Planning Department



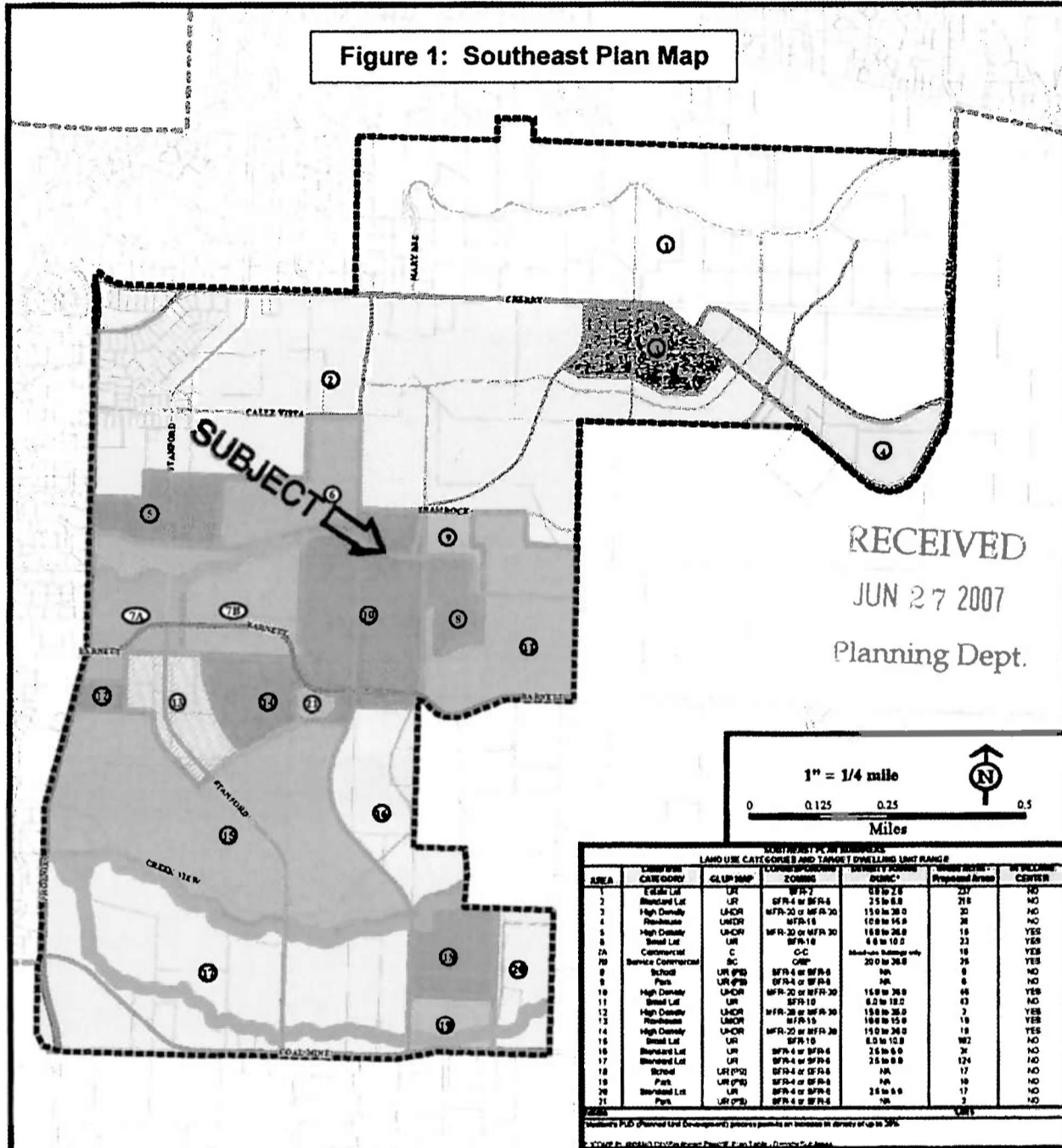
**Applicant: Crystal Springs
 Development Group**

June 19, 2007

Craig A. Stone & Associates, Ltd.
 Medford, Oregon

EXHIBIT 5

Figure 1: Southeast Plan Map



AREA	LAND USE CATEGORY	GLUP MAP	ZONING	MINIMUM DENSITY	PROPOSED DENSITY	IN FUTURE CENTER
1	Estate Lot	UR	UR-7	0.8 to 2.8	2.7	NO
2	Standard Lot	UR	UR-4 or UR-6	2.5 to 6.0	2.6	NO
3	High Density	UR	UR-20 or UR-20	15.0 to 20.0	20	NO
4	Row House	UR	UR-15	10.0 to 15.0	20	NO
5	High Density	UR	UR-20 or UR-20	15.0 to 20.0	15	YES
6	Small Lot	UR	UR-10	4.0 to 10.0	23	YES
7A	Commercial	C	C-C	Medium Density only	15	YES
7B	Service Commercial	SC	SC-1	20.0 to 30.0	25	YES
8	School	UR (PS)	UR-4 or UR-6	NA	8	NO
9	Park	UR (PS)	UR-4 or UR-6	NA	8	NO
10	High Density	UR	UR-20 or UR-20	15.0 to 20.0	45	YES
11	Small Lot	UR	UR-10	6.0 to 10.0	43	NO
12	High Density	UR	UR-20 or UR-20	15.0 to 20.0	7	YES
13	Row House	UR	UR-15	10.0 to 15.0	15	YES
14	High Density	UR	UR-20 or UR-20	15.0 to 20.0	19	YES
15	Small Lot	UR	UR-10	6.0 to 10.0	22	NO
16	Standard Lot	UR	UR-4 or UR-6	2.5 to 6.0	21	NO
17	Standard Lot	UR	UR-4 or UR-6	2.5 to 6.0	17A	NO
18	School	UR (PS)	UR-4 or UR-6	NA	17	NO
19	Park	UR (PS)	UR-4 or UR-6	NA	19	NO
20	Standard Lot	UR	UR-4 or UR-6	2.5 to 6.0	17	NO
21	Park	UR (PS)	UR-4 or UR-6	NA	7	NO

ADOPTED December 16, 2004
ORDINANCE #2004-258

No guarantee or warranty is expressed or implied in terms of data accuracy or legitimacy. This product is intended for use as public information and precise interpretations of the official record should be solicited from the Medford Planning Department.

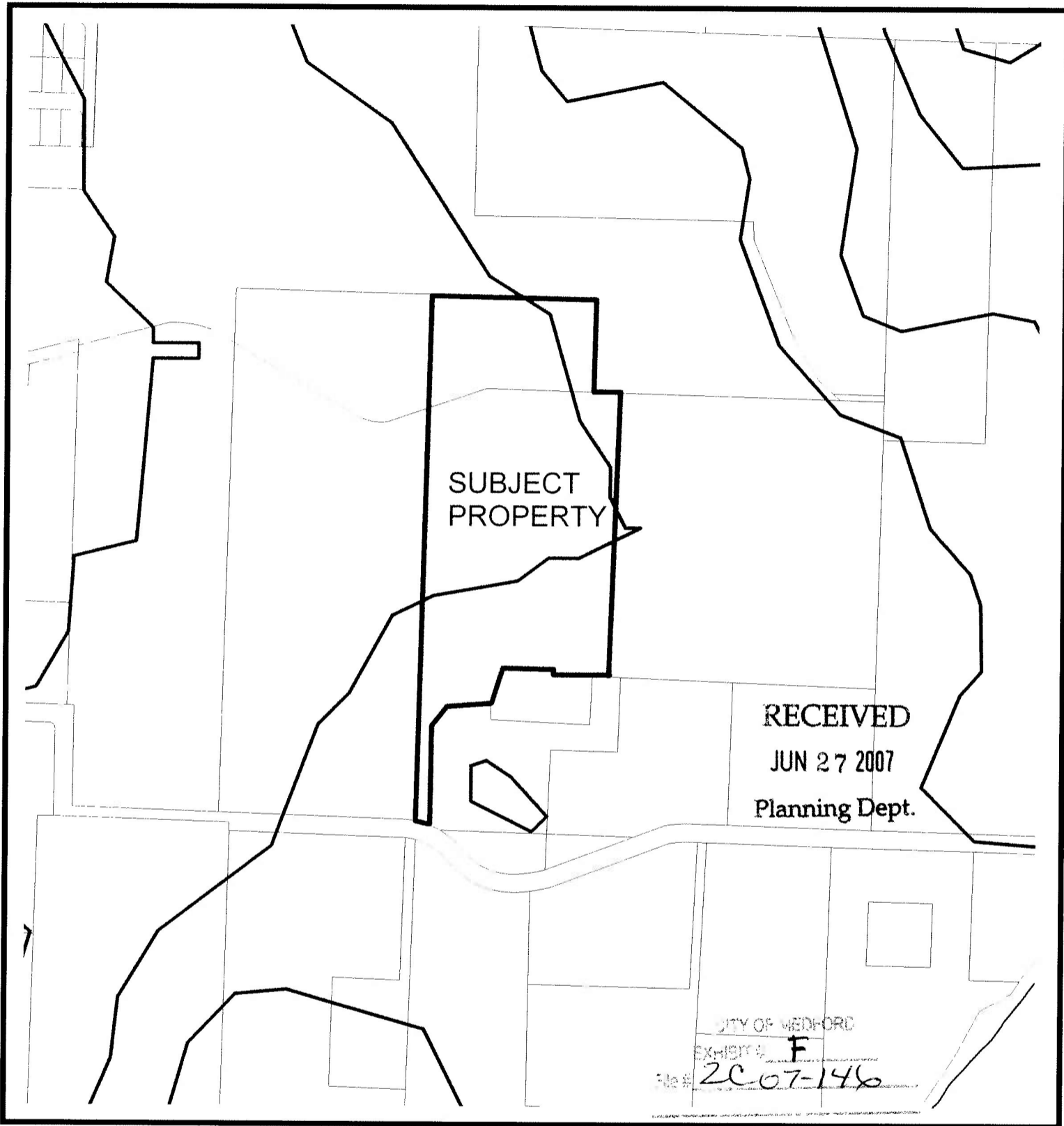
SOUTHEAST PLAN MAP






- UGB
- SE Plan Boundary
- /// Millage Center TOD
- - - Existing Taxlots
- Greenway
- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Commercial Street
- Standard Residential
- Estate Lot
- Standard Lot
- Small Lot
- Row House
- High Density
- Commercial
- Service Commercial
- Schools
- Parks



EXHIBIT E
ZC 07-146

EXHIBIT 6



-  Tax Lots
-  40 Foot Contours
-  Streams & Ditches
-  Streams
-  Ditches

Topographic Map


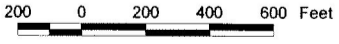
Source: Jackson County GIS Services

Applicants: Crystal Springs Development Co.

June 19, 2007

Craig A. Stone & Associates, Ltd.
Medford, Oregon

Exhibit 7

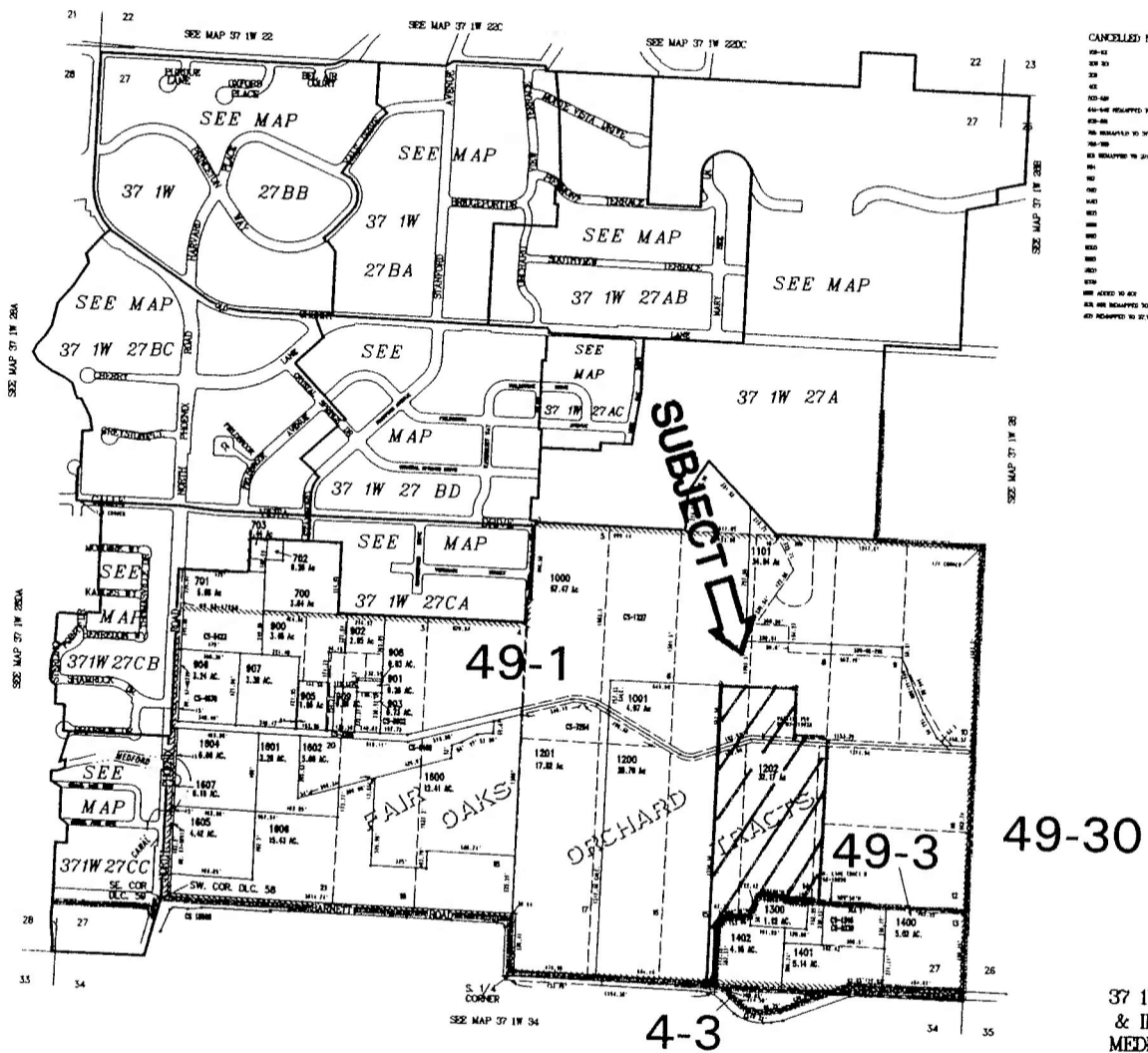



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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SEC. 27 T37S R1W W.M.
JACKSON COUNTY
T-400

37 1W
& INDI
MEDFOI



CREATED THURSDAY MAY 03 2007 2:10 PM BY HENKSLER

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EXHIBIT 3

BEFORE THE PLANNING COMMISSION

FOR THE CITY OF MEDFORD

JACKSON COUNTY, OREGON

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IN THE MATTER OF A CHANGE OF ZONING)
DESIGNATION COVERING APPROXIMATELY)
17.09 ACRES OF LAND FROM COUNTY)
EXCLUSIVE FARM USE (EFU) TO MEDFORD)
SINGLE-FAMILY RESIDENTIAL 4 (SFR-4))
and 10 (SFR-10) ON PROPERTY LOCATED)
NORTHERLY OF BARNETT ROAD AND)
SOUTHERLY OF SHAMROCK DRIVE)
AND EAST OF NORTH PHOENIX ROAD IN)
THE CITY OF MEDFORD, OREGON)
Applicant: Crystal Springs Development Group)

PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW
Applicants' Exhibit 1

I

NATURE AND SCOPE OF APPLICATION; BACKGROUND

Applicant, Crystal Springs Development Group, seeks to rezone land it owns in a manner consistent with the Medford Comprehensive Plan Map and Southeast Plan Map.¹ The findings of fact and conclusions of law herein, support the change of zoning from its present Jackson County, Exclusive Farm Use (EFU) to City of Medford, Single-Family Residential 4 (SFR-4) permitting 4 dwelling units per acre and Single-Family Residential 10 (SFR-10) permitting 10 dwelling units per acre.

The following background relates to the subject property and the general Southeast Medford Area in which it is located:

- In 1988, the City of Medford undertook studies to determine whether additional land should be included in the Urban Growth Boundary (UGB). The studies determined that additional land was needed and the City began a process, jointly with Jackson County, to amend the UGB.
- In 1990, the Jackson County Board of Commissioners and Medford City Council jointly approved the Medford UGB amendment. The amendment included the ±1,000-acre Southeast area. The amendment was acknowledged by LCDC and was not appealed.

CITY OF MEDFORD
EXHIBIT # H
File # 20-07-146

¹ Medford calls its comprehensive plan map the Generalized Land Use Plan ("GLUP") map and this term is used interchangeably with the comprehensive plan map or simply the "plan map."

- In 1992 the City undertook special planning studies to compare the future traffic impacts produced by different land use schemes for the area. The special study was funded by the State through its Transportation Growth Management (TGM) program.
- In 1994, based on the 1992 special study, the City undertook a second state-funded land use and transportation study designed to provide a more detailed framework plan for the Southeast area—a plan that would be more detailed than the City’s comprehensive plan, but not as detailed as actual development master plans. This study involved all interested property owners within the ±1,000-acre area, the Department of Land Conservation and Development (DLCD), the Oregon Department of Transportation (ODOT) and representatives from both the Phoenix-Talent and Medford school districts.

The proposed plan was a *neotraditional* development scheme that featured an integrated mixture of single and multiple family housing (spanning the full spectrum of local housing densities), parks, schools and supporting retail commercial, all of which are interconnected by greenways and streets designed to provide a high degree of interconnectivity and pedestrian accessibility.

- In 1996, the City adopted a Planned Unit Development (PUD) ordinance designed to facilitate implementation of the innovative concepts introduced by the Southeast Area Plan.
- In 1998, the City adopted a refined and more detailed version of the original Southeast Area Plan as part of its Comprehensive Plan and with it, additional implementing provisions were incorporated into the Medford Land Development Code (MLDC). During the foregoing 14-year planning period, property owners were asked to wait until the planning process was complete before petitioning the City to rezone their land and the owners, *including applicant*, voluntarily cooperated
- In 2004, the 1998 plan was refined with a new Neighborhood Plan and a Circulation Plan. This update also included modifications to the implementing regulations contained in the MLDC.

II

EVIDENCE SUBMITTED WITH APPLICATION

Applicant submitted the following evidence with this zone change application:

- Exhibit 1.** The proposed findings of fact and conclusions of law, demonstrating how the zone change proposal complies with the applicable substantive criteria of the City of Medford and State of Oregon
- Exhibit 2.** A completed zone change application form and powers of attorney duly executed by the owners of the subject properties

- Exhibit 3.** Jackson County Assessor plat map 37-1W-27 which contains and depicts the subject properties
- Exhibit 4.** Medford Zoning Map which depicts the subject property
- Exhibit 5.** Medford Comprehensive Plan Map which depicts the subject property
- Exhibit 6.** Southeast Medford Plan Map which depicts the subject property
- Exhibit 7.** Topographic Map of subject property
- Exhibit 8.** The current deeds of record for the subject property
- Exhibit 9.** Metes and Bounds Legal Description of the zone change area
- Exhibit 10.** Traffic Impact Study dated April 6, 2007, prepared by RDK Engineering

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The criteria under which a zone change application must be considered are in Section 10.227 of the Medford Land Development Code (MLDC) and in the Oregon Transportation Planning Rule (OAR Chapter 660, Division 12, Section 0060). The approval criteria are recited verbatim below:

City of Medford Approval Criteria

MLDC 10.227 ZONE CHANGE CRITERIA (Inapplicable Provisions Omitted)

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

- (1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, a demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
 - (a) For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:
 - (i) if at least 70 percent of the area proposed to be rezoned exceeds a slope of 15%,
 - (ii) if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed

Findings of Fact and Conclusions of Law
Zone Change Application
Crystal Springs Development Group: Applicant

under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element."

- (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
- (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
 - (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:
 - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,
 - (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
 - (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

[Amd. Ord. No. 7036, Dec. 5, 1991; Amd. Sec. 1, Ord. No. 1999-88, June 3, 1999; Amd. Sec. 1, Ord. No. 2003-27, Feb. 6, 2003.]

State of Oregon Approval Criteria

OREGON TRANSPORTATION PLANNING RULE **Oregon Administrative Rules Chapter 660, Division 12**

660-012-0060 Plan and Land Use Regulation Amendments

SECTION 660-012-0060 (1)

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:
- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or 2 comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

IV

FINDINGS OF FACT

The Planning Commission (Commission) reaches the following facts and finds them to be true with respect to this matter:

- 1. Property Description, Size, and Ownership:** The subject property consists of portions of Tax Lots 1000 and 1202 on Jackson County Assessor plat map 37-1W-27. The property has 17.09 acres and is owned in fee simple by Crystal Springs Development Group, an Oregon partnership involving brothers Michael and Louis Mahar.
- 2. Property Location:** The subject property is located north of Barnett Road, south of Shamrock Drive and east of North Phoenix Road in Areas 8, 9 and 11 as the same is depicted on Medford's Southeast Plan Map.
- 3. Urban Growth Boundary Inclusion; Annexation:** The subject property was included in the Medford UGB in October 1990 and was later annexed to the City.

4. **Southeast Plan; Comprehensive Plan; Zoning:** Following acknowledgment by the Oregon Land Conservation and Development Commission (LCDC) of the UGB amendment (which included the subject property) and corresponding provisions in the Medford Land Development Code, the subject property was designated *Urban Residential* on the (Generalized Land Use Plan) GLUP Map. The subject property is designated *School, Park and Small Lot* on Medford's Southeast Area Plan Map. The *School and Park* Southeast plan designations both have corresponding SFR-4 or SFR-6 zoning designations. Applicant seeks SFR-4 zoning on portions of the property which have a comprehensive plan map (GLUP) designation of School and Park, and SFR-10 on the portion that carries a Small Lot GLUP designation.
5. **Topography:** Based upon the Exhibit 7 topographic map, the property has relatively mild to moderate slopes which drain the property from east to west. The properties elevation change is from 1,700 to 1,660 feet.
6. **Existing Land Uses:** The subject property is presently undeveloped and unused.
7. **Surrounding Land Uses:** The zoning map accurately depicts the pattern of land partitioning and development in the surrounding area. *See*, Exhibit 4. Existing land uses which surround the property, are:
 - A. **North:** Land adjacent and north of the subject area is presently vacant and unused, is inside the Southeast Plan area and is Medford-zoned SFR-4.
 - B. **West:** Land adjacent and west of the subject property is Medford-zoned MFR 20, is within the Southeast Plan area and is presently vacant and unused.
 - C. **East:** Land adjacent and to the east of the subject area is Medford-zoned SFR-10, is within the Southeast Plan area and is presently vacant and unused.
 - D. **South:** Lands adjacent and south of the subject property are located within the Southeast Plan area and are Jackson County-zoned EFU. Both parcels are under the same ownership. One is developed with a single-family residence, the other is vacant and unused.
8. **Essential (Category "A") Public Facilities:** The comprehensive plan defines Category "A" public facilities as follows: (1) Sanitary sewage collection and treatment; (2) Storm Drainage; (3) Water Service; (4) Transportation Facilities. The Planning Commission reaches the following conclusions of fact with respect to each of the Category "A" public facilities:
 - A. **Sanitary Sewer Service (Collection):** The subject property can be served by an existing 8-inch sanitary sewer line located in the rights-of-way of North Phoenix Road. Representatives of the Medford Public Works Department have advised

Applicant's agent that the design of the sanitary sewer system (which can and will be extended to serve the subject property) is adequate in condition to accommodate residential development commensurate with housing densities of the Medford Comprehensive Plan and the Southeast Plan and its corresponding permissible zoning designations, including the proposed SFR-4 and SFR-10 zones. However, based upon Medford's public facility plan for sanitary sewer, entitled *City of Medford Sanitary Sewer Master Plan (2005)* by engineers Brown & Caldwell, there are sanitary sewer lines downstream of the subject property an appreciable distance which will need to be upgraded to accommodate future sewerage flows from the general Southeast Medford area. The City has yet to ascertain how to properly assess the cost of these line upgrades to benefited owners. However, Applicant has agreed to stipulate to contributing its fair share of needed improvements to insure adequate downstream future capacity. See, Section VI hereinbelow.

- B. **Sanitary Sewer Service (Treatment):** According to Jim Hill of the Medford Engineering Department, sewage wastewater collected and transported by the Bear Creek Interceptor is treated at the Medford Regional Water Reclamation Plant. Mr. Hill serves as the principal staff person in charge of operations at the regional plant, which is located near Bybee Bridge where Table Rock Road crosses the Rogue River. The plant serves the Bear Creek Valley Sanitary Authority (BCVSA) and the cities of Central Point, Jacksonville, Medford, Phoenix and Eagle Point. A portion of the service charges levied on customers is allocated to treatment costs. The Regional Rate Committee as established in the September 23, 1985 Regional Sewer Agreement is authorized to set treatment charges and rates for the regional system. The Regional Rate Committee reviews the charges and rate structures annually, and rate adjustments are made as necessary. Systems development charges are allocated to plant expansion. Monthly service charges levied on customers are allocated to treatment costs, equipment repair and replacement, and plant upgrades to meet changing regulations.

The Vern Thorpe Regional Water Reclamation Facility, more commonly known as the Medford Regional Water Reclamation Facility (RWRF), was built in 1970 by the City of Medford as a regional facility to treat sewage from the cities of Central Point, Jacksonville, Medford, Phoenix, Talent and rural areas of Jackson County served by Rogue Valley Sewer Service (RVSS). The original RWRF capacity was 10 million gallons per day (MGD) average dry weather flow

RWRF capacity was doubled between 1980 and 1990 through several incremental expansions. In 1992 the RWRF was permitted for a 20 MGD average dry weather flow, and 60 MGD wet weather flow. Subsequent to 1992 several more projects have been constructed to improve plant operating reliability, energy efficiency, and bio-solids handling capabilities, as well as increase the reliable wet weather flow handling capacity to 80 MGD.

The average daily influent flow for 2004 was 15.7 mgd, an increase from 13.2 mgd in 1988 and 14.1 mgd in 1994. Based upon population forecasting information received

from member agencies, RWRF consultant West Yost & Associates projected in its November, 2000 RWRF Facilities Plan that the ultimate population to be served by the regional plant is estimated to be 190,000.

- C. Water Distribution Lines:** Water for the subject area will be received from the Medford Water Commission's Stanford and Barnett Reservoirs. Distribution will be through an existing 16-inch line within the right-of-way of North Phoenix Road. As development occurs, a 16-inch line in Barnett Road will be extended and used to loop water service to properties within the Southeast Plan area. Representatives of the Medford Water Utility have advised representatives of the applicant that the size and design of the water system serving the property is adequate in condition and capacity to accommodate residential development commensurate with housing densities of the Medford Comprehensive Plan and the Southeast Plan and its corresponding permissible zoning designations.
- D. Water Supply:** According to Laura Hodnet of the Medford Water Commission (MWC), the MWC water system presently serves a population of $\pm 120,000$. The present maximum daily use is almost 60 million gallons per day (MGD). The present source and distribution system has an existing capacity of 71 MGD. There is an additional water source capability of over 91 MGD. The adequacy of existing facilities (outlined below), based on current estimates, can support a population of approximately 185,000. Peak demands reach 50 million gallons per day (MGD) during the summer months. The present source and distribution system has an existing capacity of 71.4 MGD. There is an additional water source capability of 15 MGD available.
- E. Storm Drainage:** The subject property slopes gently to moderately and drains the property from east to west. Storm waters emanating on the subject property, after development, will be directed to underground storm drains that will ultimately discharge into Larson Creek. All storm drainage improvements are required to be consistent with the Medford Storm Drainage Master Plan, which has been adopted by reference and incorporated into the Medford Comprehensive Plan. Representatives of the Medford Public Works Department have advised the applicant's agent that, with the imposition of special development conditions to meter storm water discharge to the existing rate, the size and design of the storm drainage system is adequate in condition and capacity to accommodate residential development commensurate with housing densities of the Medford Comprehensive Plan and the Southeast Plan and its corresponding permissible zoning designations.
- F. Streets and Traffic:** The Planning Commission reaches the following findings of fact with respect to streets and traffic
1. The standard reference used by Medford and most other cities to estimate traffic in connection with different types of potential land uses is a volume called, *Trip Generation* (Institute of Transportation Engineers, 7th edition). According to

Trip Generation, single family detached housing—ITE Category 210—produce traffic at the rate of 9.57 average daily vehicle trips (ADT) per dwelling. The property has a total of 17.09 acres. Under the present Urban Residential GLUP and Southeast Plan Map designation and the sought SFR-4 and SFR-10 zones, the 17.09-acre property could be developed with up to 80 housing units— $(15.07 \times 4 \approx 60 + 2.02 \times 10 \approx 20)$. At 9.57 ADT per dwelling, the property could produce 798 ADT ($80 \times 9.57 \approx 797.60$).

2. Medford has consistently interpreted the term “peak hour traffic” to equal ten percent of total average daily traffic, and, similarly, peak hour street capacity is equal to ten percent of the total average daily street capacity. According to the Exhibit 10 Traffic Impact Analysis, there will be approximately 81 p.m. peak hour vehicle trips with 51 trips entering and 30 exiting the site.
 3. Access to the subject property will be from Barnett Road, Shamrock Drive and through street connections from Calle Vista, Cherry Lane, and North Phoenix Road. According to Medford’s Southeast Circulation Plan Map, North Phoenix Road is a Major Arterial Street, Barnett Road is as a Minor Arterial Street, Cherry Lane and Calle Vista are Major Collector Streets and Shamrock Drive is a Minor Collector Street. Upon development, all streets within and adjoining the subject property will be built to City of Medford standards in accordance with the comprehensive plan and MLDC.
 4. The traffic impact analysis performed by RDK Engineering (Exhibit 10) concludes that all impacted intersections will operate at acceptable levels in year 2008 at build out conditions, with the exception of Golf View Drive at Barnett Road and North Phoenix Road at Barnett Road. Signalization of Golf View Drive is planned and funded in Medford’s two year road improvement budget. North Phoenix Road will require protective-permissive left turn phasing northbound and southbound for this intersection to operate at acceptable level of service in year 2008 with the project completed and in service.
 5. The traffic study concluded that the proposed zone change can be accommodated on the existing street system to City of Medford standards in year 2008 with the above mentioned improvements in place when the project is completed and in service.
9. **Police and Fire Protection:** The property is served by the Medford Police Department. The Medford Fire Department provides fire protection. Direct emergency fire response to the property would be from Fire Station 6, located at Barnett Road near its intersection with North Phoenix Road. Emergency response time will be approximately two minutes.
10. **Schools:** The property is served by Hoover Elementary, Hedrick Middle and North Medford High schools in Medford School District 549C.

11. Background; Land Use Planning History of the Subject Property: Applicant has testified and Planning Commission herewith incorporates and adopts as fact, the explanation of the subject property's background in Section I hereinabove.

V

CONCLUSIONS OF LAW

The Planning Commission reaches the following conclusions of law with respect to this matter:

MLDC 10.227 ZONE CHANGE CRITERIA (Inapplicable Provisions Omitted)

The approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

Criterion 1

- (1) The proposed zone is consistent with the Oregon Transportation Planning Rule (OAR 660) and the General Land Use Plan Map designation. (When the City of Medford's Transportation System Plan (TSP) is adopted, a demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.
 - (a) For zone changes to SFR-2, the zoning shall be approved under either of the following circumstances:
 - (i) if at least 70 percent of the area proposed to be rezoned exceeds a slope of 15%,
 - (ii) if other environmental constraints, such as soils, geology, wetlands, and flooding, restrict the capacity of the land to support higher densities.

Conclusions of Law (Criterion 1): Subsection 1 of the applicable zone change criteria is threefold: 1) consistency with the Oregon Transportation Planning Rule, 2) consistency with the General Land Use Plan Map, and 3) compliance with additional locational criteria for a specific zone. The Planning Commission addresses these sub-criteria as follows:

Consistency with the Oregon Transportation Planning Rule

The following provisions of the Oregon Transportation Planning Rule (OAR 660-012-0060) operate as approval criteria for zone changes:

OAR 660-012-0060 Plan and Land Use Regulation Amendments

OAR 660-012-0060

- (1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

Findings of Fact and Conclusions of Law
Zone Change Application
Crystal Springs Development Group: Applicant

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - (b) Change standards implementing a functional classification system; or
 - (c) As measured at the end of the planning period identified in the adopted transportation system plan:
 - (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or 2 comprehensive plan; or
 - (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
- (2) Where a local government determines that there would be a significant effect, compliance with section (1) shall be accomplished through one or a combination of the following:
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
 - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division. Such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement or service will be provided by the end of the planning period.
 - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes
 - (d) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
 - (e) Providing other measures as a condition of development or through a development agreement or similar funding method, including transportation system management measures, demand management or minor transportation improvements. Local governments shall as part of the amendment specify when measures or improvements provided pursuant to this subsection will be provided.
- (3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:
- (a) The facility is already performing below the minimum acceptable performance standard identified in the TSP or comprehensive plan on the date the amendment application is submitted;
 - (b) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;
 - (c) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.,
 - (d) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

Findings of Fact and Conclusions of Law
Zone Change Application
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- (e) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (d) of this section.
- (4) Determinations under sections (1) – (3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.
 - (a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.
 - (b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:
 - (A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.
 - (B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.
 - (C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.
 - (D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.
 - (c) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

Discussion; Conclusions of Law: Pursuant to above OAR 660-12-0060(1) a plan or land use regulation amendment (which includes zone changes) will be deemed to significantly affect a transportation facility if it would: 1) Change the functional classification of an existing or planned transportation facility, 2) change the standards which implement a functional classification system, or 3) as measured at the end of Medford's Transportation System Plan planning period, either by (A) allowing land uses or development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, (B) reducing the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan, or (C) worsening the performance of

an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

The Planning Commission concludes that Medford's Transportation System Plan and the MLDC has been acknowledged by the State of Oregon.² The Commission also concludes that according to MLDC 10.461, development with the potential to generate less than 250 average daily vehicle trips (ADT) or less than 25 peak hour vehicle trips, is considered to be "not substantial." Based upon the findings of fact in Section IV, the Commission further concludes that this zone change (and its resulting maximum permissible development) will produce 798 ADT or 80 peak hour vehicle trips. Medford considers these impacts to be substantial but the impacts are not significant because this zone change will *not*:

1. Change the functional classification of any existing or planned transportation facility. The street upon which this property will take access is a Standard Residential Street and no change to this classification is neither proposed nor required in order to approve this zone change.
2. Change any standard which implements any local or state functional [street] classification system.
3. Allow land uses or development which are inconsistent with the Standard Residential Street classification.
4. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. The Commission reaches this conclusion based upon the MLDC standard which establishes that development that produces less than 250 ADT or 25 peak hour trips is not substantial; the Commission concludes that if the traffic produced under Medford's acknowledged TSP and MLDC is not substantial, neither is it significant under OAR 660-12-0060.³

Therefore, the Commission concludes that this zone change is consistent with OAR 660-12-0060 because this zone change will not significantly affect an existing or planned transportation facility. It is therefore unnecessary for the Commission to address the provisions of OAR 660-12-0060 (2) through (4).

² Portions of the Transportation System Plan are unacknowledged but these deal with matters related to required numbers of off-street parking and other issues unrelated to 660-12-0060.

³ While Table 5 in the Exhibit 10 Traffic Impact Analysis shows that the intersection of Golf View Drive and Barnett Road presently operates at Level of Service "F," Exhibit 10 also shows that a traffic signal at that intersection will improve its Level of Service to "B." Exhibit 10 further states at p. 10 that "installation of a traffic signal [for the Golf View/Barnett intersection] is planned and funded in the City's two year budget." Exhibit 10 also shows that with development from the subject property, the intersection of Barnett and North Phoenix Roads will fall to Level of Service "E" but can be mitigated with the installation of protective-permissive left turn phasing for north and southbound intersection movements, an improvement of small cost to which Applicant has agreed to stipulate.

Consistency with General Land Use Plan (GLUP) Map

Based upon the findings of fact in Section IV and the evidence enumerated in Section II, the Commission concludes that the proposed zone change is consistent with the GLUP map because the proposed SFR-4 and SFR-10 zones are consistent with the *Urban Residential* GLUP plan designation. The SFR-4 and SFR-10 zone change is also consistent with the Southeast Medford Plan Map because the SFR-4 zone is consistent with the School and Park land use category and the SFR-10 is consistent with the Small Lot land use category (as specifically noted on the Southeast Medford Plan Map). Therefore, the Commission concludes that this zone change is consistent with the GLUP Map and with the Southeast Medford Plan Map.

Overall Conclusions of Law for Criterion 1: Based upon the foregoing findings of fact and conclusions of law, the Planning Commission concludes that this zone change is consistent with the threefold criteria in Criterion 1 for approval of a change of zoning designation from County EFU to City SFR-4 and SFR-20.

Criterion 2

- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element."
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or
 - (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:
 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a

Findings of Fact and Conclusions of Law
Zone Change Application
Crystal Springs Development Group: Applicant

professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.

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

Discussion; Conclusions of Law: The zone change criteria for determining the adequacy of Category "A" public facilities, consistent with the Public Facilities Element are in MLDC 10.227(2). The Planning Commission reaches the following conclusions of law with respect to each of the Category "A" infrastructure components:

Wastewater Collection and Treatment: Based upon the findings of fact in Section IV, the Planning Commission concludes that wastewater collection and treatment facilities are sufficient to serve potential development consistent with the proposed SFR-4 and SFR-10 zoning districts and to accommodate projected peak flows for that specific gravity flow service area as determined by the city engineer, and that these facilities are available to adequately serve the property. Applicant has agreed to stipulate that it will contribute its reasonable and proportional share of the cost to upgrade downstream sanitary sewer lines which have been identified as deficient in the city's recently updated sanitary sewer master plan document entitled, *City of Medford Sanitary Sewer Master Plan (2005)* by engineers Brown & Caldwell.

Storm Drainage System: Based upon the findings of fact in Section IV, the Planning Commission concludes that the storm drainage system is sufficient, with detention to restrict flows to pre-development conditions, to serve the proposed potential development consistent with the proposed SFR-4 and SFR-20 zoning districts and to accommodate projected peak flows for that specific service area as determined by the *Comprehensive Medford Area Drainage Master Plan (1996)*, and that these facilities are available to adequately serve the property.

Water System: Based upon the findings of fact in Section IV, the Planning Commission concludes that the water system is sufficient to provide the subject property with a permanent water supply having adequate water pressure and volume for projected residential fire control needs consistent with the GLUP designation as determined by the water utility manager, and that these facilities are available to adequately serve the property under the proposed SFR-4 and SFR-10 zones.

Streets and Transportation: Based upon the findings of fact in Section IV, the Planning Commission concludes that impacts to the capacity of the municipal transportation system will not be substantial and that streets which provide access to the subject property will meet appropriate City standards. However, while Table 5 in the Exhibit 10 Traffic Impact Analysis shows that the intersection of Golf View Drive and Barnett Road presently operates at Level of Service "F," Exhibit 10 also shows that a traffic signal at that intersection will improve its Level of Service to "B." Exhibit 10 further states at p. 10 that "installation of a traffic signal [for the Golf View/Barnett intersection] is planned and funded in the City's two year budget." Exhibit 10 also shows that with development from the subject property, the intersection of Barnett and North Phoenix Roads will fall to Level of Service "E" but can be mitigated with the installation of protective-permissive left turn phasing for north and southbound intersection movements, an improvement of small cost to which Applicant has agreed to stipulate.⁴

VI

APPLICANT STIPULATIONS

Applicant herewith agrees to stipulate to the following matters to which it will adhere if the same are made conditions attached to the approval of this zone change application:

1. Provided that the City of Medford enacts a comprehensive method to assess costs, Applicant will contribute its reasonable and proportional share of the cost to upgrade downstream sanitary sewer lines which have been identified as deficient in the city's recently updated sanitary sewer master plan document entitled, *City of Medford Sanitary Sewer Master Plan (2005)* by engineers Brown & Caldwell.
2. Applicant will provide at its sole expense, protective-permissive left turn phasing for north and southbound at the intersection of Barnett Road and North Phoenix Road.
3. Applicant will improve to appropriate city standards, any new streets needed to serve residential lots as the same may be later approved by the City.

⁴ Protective-permissive left turn phasing is a traffic engineering term that refers to a dedicated left turn arrow that is solid green when protecting a left-turn movement and which turns to flashing yellow when the movement is permissive (but not protected). Applicant traffic engineer, Robert Kortt estimates the cost of providing the said protective-permissive left turn phasing will be approximately \$1,000, an improvement Applicant has agreed to provide.


VII

ULTIMATE CONCLUSIONS

Based upon the preceding findings of fact and conclusions of law, the Planning Commission ultimately concludes that, the case for a zone change from existing County EFU to City of Medford SFR-4 and SFR-10 is consistent with all of the relevant substantive approval criteria in MLDC 10.227 because: 1) the zone change has been found to be compliant with relevant provisions of the Oregon Transportation Planning Rule (OAR 660-012-0060), 2) the proposed change is consistent with the comprehensive plan (GLUP) map and the Southeast Plan Map, and 3) that Category "A" urban services and facilities are available to adequately serve the property in ways required by the comprehensive plan and MLDC.

Respectfully submitted on behalf of applicant Crystal Springs Development Group:

CRAIG A. STONE & ASSOCIATES, LTD.



Craig Stone
Consulting Urban Planner

Dated: June 27, 2007

I. EXECUTIVE SUMMARY

Study Summary

A Traffic Impact Study (TIS) has been prepared for a proposed zone change from Jackson Co. zoning EFU to City of Medford SFR-4 & SFR-10 on 17.09 acres located east of N. Phoenix Road between Shamrock Drive and Barnett Road. The parcel is located within the area designated as the "Southeast Medford Plan." The Southeast Plan was approved by the Medford City Council on April 2, 1998. The approval was in the form of amendments to the City's Comprehensive Plan and Land Development Code.

The site of the proposed zone change is located on a portion of Township 37 Range 1W Section 27, tax lots 1000 & 1202. A zone change to SFR-4 on 15.07 acres and SFR-10 on 2.02 acres is being proposed. The maximum number of single family residential (SFR) dwelling units permitted within the proposed densities is 80 SFR dwelling units. Eighty SFR dwelling units are estimated to generate 81 P.M. peak hour trips with 51 entering and 30 exiting.

Access to the site will be provided from Barnett Road, Shamrock Drive, and through street connections from Calle Vista, Cherry Lane, and North Phoenix Road. The traffic impact analysis outlines the impacts of new trips on the existing street system. The report takes into account additional "Background" and "Pipeline Traffic" that is expected to be present in the build-out year 2008.

Peak hour impacts were analyzed for three scenarios:

- Year 2007 combined P.M. peak hour level of service at arterial and collector street intersections in the study area. The combined traffic impact of existing, background, and projected P.M. peak hour traffic.
- Year 2008, No Build. The combined traffic impact of existing, background, and pipeline P.M. peak hour traffic volumes at arterial and collector street intersections in the study area in the year 2008.
- Year 2008, Build (with project). The combined traffic impact of existing, background, pipeline, and site generated P.M. peak hour traffic at arterial and collector street intersections in the study area in the year 2008.

Consistency with Comprehensive Plan

The proposed 17.09 acre site is in compliance with the Medford Comprehensive Plan pursuant to Medford Land Development Code 10.227(1) and Goal No. 3, Policy 1 of the Public Facilities Element. Streets that serve the subject property will accommodate projected P.M. peak traffic volumes within acceptable levels of service with the recommended improvements in place.

Conclusions

The findings of the traffic impact study show that study area intersections operate at acceptable levels of service under existing year 2007, year 2008 no build, and year 2008 build conditions with the exception of two intersections.

The unsignalized intersection of Golf View Drive and Barnett Road operates at a level of service "F" during the P.M. peak hour under existing, combined year 2007 conditions. Signalization improvements are planned and funded in the City's two year budget. Once signalized, the intersection will operate at an acceptable level of service through the project build year.

The intersection of Barnett Road and North Phoenix Road operates at an acceptable level of service under existing year 2007 and year 2008 no build conditions but drops to a level of service "E" under year 2008 build conditions. Protective-permissive left turn phasing is required northbound and southbound for the intersection to operate at an acceptable level of service in year 2008 with the project completed and in service.

The traffic impact study concludes that the proposed zone change can be accommodated on the existing street system to City of Medford standards in the year 2008 with protected-permissive phasing added to the northbound and southbound left turn movements at the intersection of Barnett Road & North Phoenix Road.

Phoenix Road and Barnett Road. Trip distributions from the proposed residential development will not be accurate if the Albertsons Shopping Center is not considered. This issue was discussed with the City of Medford Transportation Manager, Alex Georgevitch, and concluded to be acceptable.

- 5) ***There is only one hour count data at the intersections of N. Phoenix Rd / Albertson Driveway, Barnett Rd / Albertsons' Driveway. The minimum requirement is 2-hour count. Please provide the additional data.***

The counts performed at the North Phoenix Road and Barnett Road Albertsons driveways were performed during the same P.M. peak hour that was identified at the Barnett Road & North Phoenix Road intersection count. Using the same peak hour for these driveways is required to determine what percentage of traffic during the peak hour of the street system is attracted to the commercial center. The counts were only used for determining traffic splits and were not used to determine driveway operations since facility adequacy standards do not apply to driveways. This issue was discussed with the City of Medford Transportation Manager, Alex Georgevitch, and concluded to be acceptable.

- 6) ***There is no pipeline trip information in the appendix. Please include the pipeline trip information in the study.***

Pipeline trips have been attached to this addendum.

- 7) ***Please include the intersection of Collector St. and E. Barnett Rd as a study intersection.***

The North-South Collector Street & Barnett Road intersection has been included in this addendum. Please refer to the tables following this response section and the attachments for further information.

- 8) ***The study states the commercial area parcel in this development may reduce the external trips in the future (Page 7). But there is no commercial designation in this development. Otherwise, the trip generation needs to be modified. Please revise the last paragraph on page 7.***

The last paragraph on page 7 of the report was referring to designated commercial area parcels of the "Plan" or rather the "Southeast Plan." The explanation was not made in reference to the parcel that is part of this zone change application. The intent of the paragraph was to explain that once commercial parcels develop as part of the Southeast Plan some external trips will become internal trips and remain in the area rather than going outside the area. I hope this adequately explains the last paragraph on page 7 of the report.

- 9) ***The study proposes the northbound / southbound protected-permissive left turn phasing at the intersection of Barnett / N. Phoenix Rd. With the given speed and volume on N. Phoenix Rd, north / south bound protected / permissive left turn phasing is not practicable. Please provide a viable mitigation option.***

This addendum considers higher growth rates and additional pipeline traffic. The end result is that the intersection of North Phoenix Road & Barnett Road cannot operate within the acceptable standards any longer with signal timing phasing changes. The changes require widening of the intersection for it to operate at a level of service "D" or better. This addendum concludes that

EXHIBIT # I 2/2

File # EC-07-146

two study area intersections are shown to exceed level of service "D" under existing, combined year 2007 traffic conditions (which includes pipeline trips). These two intersections include the unsignalized intersection of Golf View & Barnett Road and the signalized intersection of North Phoenix Road & Barnett Road. Signalization improvements are planned and funded in the City's two year budget for the intersection of Golf View & Barnett Road. Once signalized, the intersection will operate at an acceptable level of service through the project build year.

Improvements for the intersection of Barnett Road & North Phoenix Road are included in the planned Tier 1 improvements in the Medford Transportation Plan. This is a medium range project that will be five years or more before construction. No funding has been allocated. The proposed mitigation for this intersection includes widening to allow a dual eastbound left turn lane. Raw data from the year 2007 count of this intersection shows 479 P.M. peak hour trips in this movement and a dual left turn lane is required. The intersection is shown to operate at an acceptable level of service with the improvement. Please refer to the following tables and attachments for further information.

REVISED TABLE 3 - BACKGROUND GROWTH GROWTH RATES BY APPROACH - PM PEAK HOUR							
Approach	Yr. 2000 ADT Volume	Yr. 2006 ADT Volume	Growth Rate Percent/Yr.	Approach	Yr. 2000 ADT Volume	Yr. 2006 ADT Volume	Growth Rate Percent/Yr.
A Barnett Rd. & N. Phoenix Rd.				B Shamrock Dr. & N. Phoenix Rd.			
North	9100	13000	6.00%	North	9100	13000	6.00%
East	---	---	1.00%	East	----	----	----
South	7100	8000	2.00%	South	9100	13000	6.00%
West	8500	11500	5.00%	West	----	----	----
C Albertsons & N. Phoenix Rd.				D Larson Creek Center & N. Phoenix Rd.			
North	7100	8000	2.00%	North	7100	8000	2.00%
East	----	----	----	East	----	----	----
South	7100	8000	2.00%	South	7100	8000	2.00%
West	----	----	----	West	----	----	----
E Albertsons & Barnett Rd.				F Golf View Dr. & Barnett Rd.			
North	----	----	----	North	----	----	----
East	8500	11500	5.00%	East	8500	11500	5.00%
South	----	----	----	South	1700	2400	6.00%
West	8500	11500	5.00%	West	11400	12900	2.00%
G Murphy Rd. & Barnett Rd.				H Barnett Rd. & Project			
North	6700	6700	0.00%	North	----	----	----
East	11400	12900	2.00%	East	----	----	1.00%
South	4700	2500	-11.00%	South	----	----	----
West	17000	17400	0.39%	West	----	----	1.00%

CITY OF MEDFORD
INTER - OFFICE MEMORANDUM

TO: Planning Department

FROM: Engineering Division

SUBJECT: Zone Change Request, File No. ZC-07-146

DATE: December 5, 2007

RECEIVED

DEC 05 2007

PLANNING DEPT.

1. Sanitary Services:

A. Currently serviced by:

This site is within the City of Medford sanitary sewer service area. Prior to the zone change approval, the developer is required to perform an analysis of the existing downstream sanitary sewer system, to the sanitary sewer interceptor, to show that it has capacity for this development

This analysis has been completed and has demonstrated there is down stream capacity in the collection system, provided the sewer for this site is connected to the 10" main at N. Phoenix Road and Michael Park Drive.

2. Streets:

A. Current condition of nearest street:

Barnett Road, is designated a Minor Arterial Street, it has an oil-mat surface with no curbs and gutters along the frontage of this proposed zone change.

B. Who has maintenance responsibilities:

Barnett Road, along the frontage of this proposed zone change, is designated as a local access road and maintained by the residences that front the road.

C: Traffic analysis including potential impact of nearby and anticipated improvements required:

Land Development Code Section 10.461 governs traffic impact analyses (TIA) required to determine development impacts on the street system. The proposed zone change from County EFU (Exclusive Farm Use) to City SFR-4 (Single-Family Residential – 4 dwelling units per acre) on 15.07 acres and to City SFR-10 (Single-Family Residential – 10

units per acre) on 2.02 acres (total gross acres of 17.09 on portions of two lots) has the potential to develop up to 80 SFR dwelling units or generate 765 average daily trips (ADT). The net increase in ADT to the transportation system is 765 ADT. Based on this and code sections 10.460 and 10.461, a traffic impact analysis (TIA) will be required.

The traffic impact study was prepared by RDK Engineering. The study analyzed three scenarios: existing year 2007, year 2008 no build, and year 2008 build condition. The intersections of Golf View Dr. / Barnett Rd, and N. Phoenix Rd will operate under the accepted LOS standard (LOS D) under year 2008 build-out condition. City will install the traffic signal at the intersection of Golf View Dr. and Barnett Rd. With the signal in place, the intersection of Barnett Rd and Golf View Dr. will operate at LOS B. The engineer stated that the following mitigations required at the intersection of N. Phoenix Rd and Barnett Rd in the first addendum: widen Barnett Road and install a second eastbound left turn lane at the intersection.

Based on the traffic impact analysis, Public Works recommends the approval with either stipulation:

1. Developer shall widen Barnett Rd and install the second eastbound left turn lane before the development is built.

Or

2. The development shall not generate more than 255 ADT before Barnett Rd is widened at the intersection of Barnett Rd and N. Phoenix Rd and the second eastbound left turn lane is installed at this intersection.

At the time of any site development the City of Medford will recommend any necessary improvements and/or dedications along this proposed zone change's frontage on Barnett Road.

3. Drainage:

This site lies within the Larson Creek Drainage Basin. The City's current Drainage Master Plan indicates improvements are required in the downstream storm drainage system to meet current design standards for this basin. As a zone change is not allowable without adequate storm drain facilities, the following criteria must be met prior to issuance of a development permit or a building permit:

- a) An engineer registered in the State of Oregon shall prepare a report which includes testing, plans and calculations necessary to demonstrate a controlled storm water release of no more than 0.25 C.F.S. per acre of development for the 10-year storm. The report shall be submitted to the City of Medford Engineering Division for review and approval.



BOARD OF WATER COMMISSIONERS

Staff Memo

RECEIVED

AUG 01 2007

PLANNING DEPT.

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-07-146
PROJECT: Consideration of a request for a change of zone from County EFU (Exclusive Farm Use) to SFR-4 (Single-Family Residential – 4 dwelling units per acre) and SFR-10 (Single-Family Residential - 10 dwelling units per acre) on two parcels totaling 17.09 acres, located on the north and south side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road; Crystal Springs Development Group, Applicant (Craig Stone & Associates, Agent).
Carly Meske, Planner

PARCEL ID: 371W27 TL 1000 & 1202 (Portions of each)

DATE: July 30, 2007

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

COMMENTS

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 MWC system does have adequate capacity to serve this property.
4. This parcel is located in MWC pressure zone 2 (elevation 1650' to 1800').
5. Coordinate with MWC engineering department to develop master plan for this area.
6. Off-site water facility construction will be required at time of future land development review.
7. On-site water facility construction will be required at time of future land development review.
8. MWC-metered water service does not exist to this property.
9. Access to MWC water lines for connection is available. MWC pressure zone 2 water lines are located in Summer Field Estates.

CITY OF MEDFORD
EXHIBIT # K
File # ZC-07-146



City of Medford

200 S. Ivy Street, Room #257
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - APPLICANT

To: **Craig Stone & Associates, Agent**

Date: **08/01/2007**

From: **Patterson, John**

RECEIVED

Planner: **Carly Meske**

AUG 01 2007

File #: **ZC - 07 - 146**

PLANNING DEPT.

Site Name/Description:

Consideration of a request for a change of zone from County EFU (Exclusive Farm Use) to SFR-4 (Single-Family Residential - 4 dwelling units per acre) and SFR-10 (Single-Family Residential - 10 dwelling units per acre) on two parcels totaling 17.09 acres, located on the north and south side of Barnett Road, approximately 3,100 feet east of N. Phoenix Road; Crystal Springs Development Group, Applicant (Craig Stone & Associates, Agent). Carly Meske, Planner

DESCRIPTION OF CORRECTIONS		REFERENCE	
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Required	FD ACCESS TO BUILDINGS AND FACILITIES	OFC	503.1.1
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Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 (See Appendix D).

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

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

Required	FIRE HYDRANTS	OFC	508.5
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Fire hydrants with reflectors will be required for this project.

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).

Required	ADDL. FD ACCESS REQUIRED-1 & 2 FAMILY DWELLINGS	OFC	D107.1
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Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

CITY OF MEDFORD
EXHIBIT # **L**
File # **ZC-07-146**



City of Medford

200 S. Ivy Street, Room #257
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

LAND DEVELOPMENT REPORT - APPLICANT

To: Craig Stone & Associates, Agent

Date: 08/01/2007

From: Patterson, John

Planner: Carly Meske

File #: ZC - 07 - 146

Site Name/Description:

Exceptions:

1. Where there are 30 or more dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses (D104.3).

Fire apparatus access roads are required to be installed and made servicable prior to the time of construction. Water supply for fire protection is required to be installed and made serviceable prior to the time of vertical combustible construction.

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.

Vicinity Map

- UGB
- City Limits

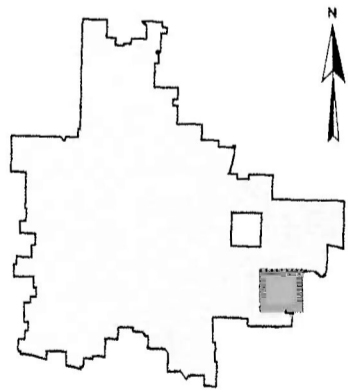
OVERLAY

- Airport Approach
- Airport Radar
- Central Business
- Exclusive Agricultural
- Freeway
- Historic Outline
- Limited Industrial
- Limited Service
- Planned Development
- Southeast

FILE NUMBER:
ZC-07-146

APPLICANT:
**Crystal Springs
Development Group**

Map: 371W27
TL's: 1000 & 1202
(Portions of each)



DATE: 6/29/2007

