



Oregon

Theodore R. Kubongski, 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

7/29/2009

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Grants Pass Plan Amendment
DLCD File Number 002-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, August 11, 2009

This amendment was submitted to DLCD for review prior to adoption. 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).

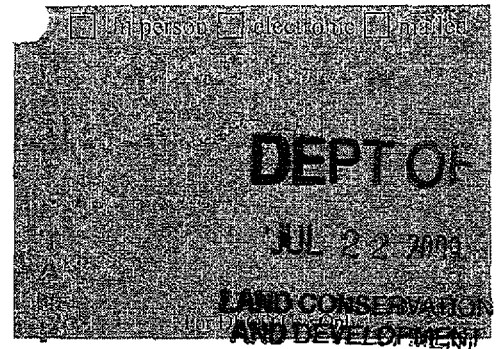
If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the 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 THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Lora Glover, City of Grants Pass
Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> YA

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 Grants Pass Local file number: 09-40200001

Date of Adoption: 7/1/09 - Oral Decision Date Mailed: 7/20/09

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date: 7/15/09 - Findings of Fact Signed

- 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".

Comprehensive plan map and zone change from R-3 to R-4; high density residential to high rise density residential. HR to HRR along Fairview Avenue; and from High Density Residential to General Commercial (R-3) to (GC) along Terry Lane.

Does the Adoption differ from proposal? Please select one Yes No

Plan Map Changed from: High Density Res

to: High Rise Density Residential &

Zone Map Changed from: R-3

to: General Commercial
R-4 & GC

Location: Fairview & Terry Lane

Acres Involved: 2.74

Specify Density: Previous: 17.4 du/acre

New: 34.8 du/acre & 17.4 du/acre

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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

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

DLCD file No. 002-09 (17404) [15629]

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

Oregon Dpt. of Transportation
Josephine County
City of Grants Pass

Local Contact: Lora Glover, Associate Planner Phone: (541)474-5366 Extension: 6427
Address: 101 NW A Street Fax Number: 541-476-9218
City: Grants Pass OR Zip: 97526 E-mail Address: lglover@grantspassoregon.gov

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 your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - **ATTENTION: PLAN AMENDMENT SPECIALIST**.

City of Grants Pass



July 20, 2009

Attention: Plan Amendment Specialist
Dept. of Land Conservation & Development
635 Capitol Street NE, Suite 150
Salem OR 97301-2540

Re: Main Place – CPMA & ZC
Legal: 36-05-15-32, TLs 2000, 2001, 2100, 2200 2201, 2300 & 2302
File No.: 09-40200001

Dear Sir/Madam:

Please find enclosed two copies of DLCD Notice of Adoption and Findings of Fact for the above-referenced matter. If you have any questions concerning this application, please do not hesitate to contact me directly.

Sincerely,

Lora Glover
Associate Planner
Ext. #6427

pc: Tax Lot File/CF

1062

ORDINANCE NO. 5493

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP FROM HIGH DENSITY RESIDENTIAL TO HIGH RISE DENSITY RESIDENTIAL AND GENERAL COMMERCIAL AND THE ZONING MAP FROM R-3 TO R-4 AND GC, AND ENTERING INTO DEVELOPMENT AGREEMENT #2009-01.

WHEREAS:

1. The Comprehensive Plan of the City of Grants Pass was adopted December 15, 1982. The Development Code of the City of Grants Pass was adopted August 17, 1983; and
2. The owners of the subject properties have requested the comprehensive plan map and zone map amendments, and Development Agreement.
3. In terms of physical conditions and characteristics, location and availability of services, the properties are appropriate for the proposed R-4 and GC zoning designations, subject to certain restrictions and conditions.
4. The applicable criteria listed in the Comprehensive Plan and the Development Code are met.
5. The applicable provisions of ORS 94.504 through 94.528, governing Development Agreement are met.

NOW, THEREFORE, THE CITY OF GRANTS PASS HEREBY ORDAINS:

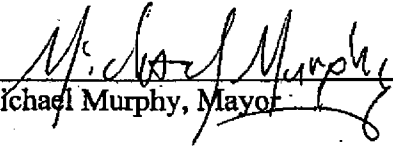
Section 1: The Comprehensive Plan Map is hereby amended to include the property identified by Assessor's Map and Tax Lot(s) as 36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2302. All of tax lots 2001, 2200, and 2300, and the northerly portions of tax lots 2000 & 2100 and adjacent rights-of-way, shown in Exhibit "A", to be entirely within the High Rise Density Residential Comprehensive Plan Map designation; and all of tax lots 2201 and 2302, along with the southerly portions of tax lots 2000 & 2100, and adjacent rights-of-way, shown in Exhibit "A", to be entirely within the General Commercial Comprehensive Plan Map designation; and

Section 2: The Zoning Map is hereby amended to include all of tax lots 2001, 2200, and 2300, and the northerly portions of tax lots 2000 & 2100 and adjacent rights-of-way, shown in Exhibit "B", to be entirely within the R-4 Zoning Map designation; and all of tax lots 2201 and 2302, along with the southerly portions of tax lots 2000 & 2100, and adjacent rights-of-way, to be in the GC Zoning Map designation as shown in Exhibit "B".

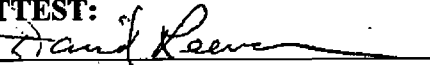
Section 3: The City hereby adopts Development Agreement #2009-01, attached as Exhibit "1", which stipulates conditions attached to the development of the property as rezoned to High Rise Density (R-4) and General Commercial (GC).

ADOPTED by the Council of the City of Grants Pass, Oregon, in regular session, this 15th day of July, 2009.

SUBMITTED to and APPROVED by the Mayor of the City of Grants Pass, Oregon, this 7th day of July, 2009.




Michael Murphy, Mayor

ATTEST:


Finance Director

Date Submitted to Mayor: 7-7-09

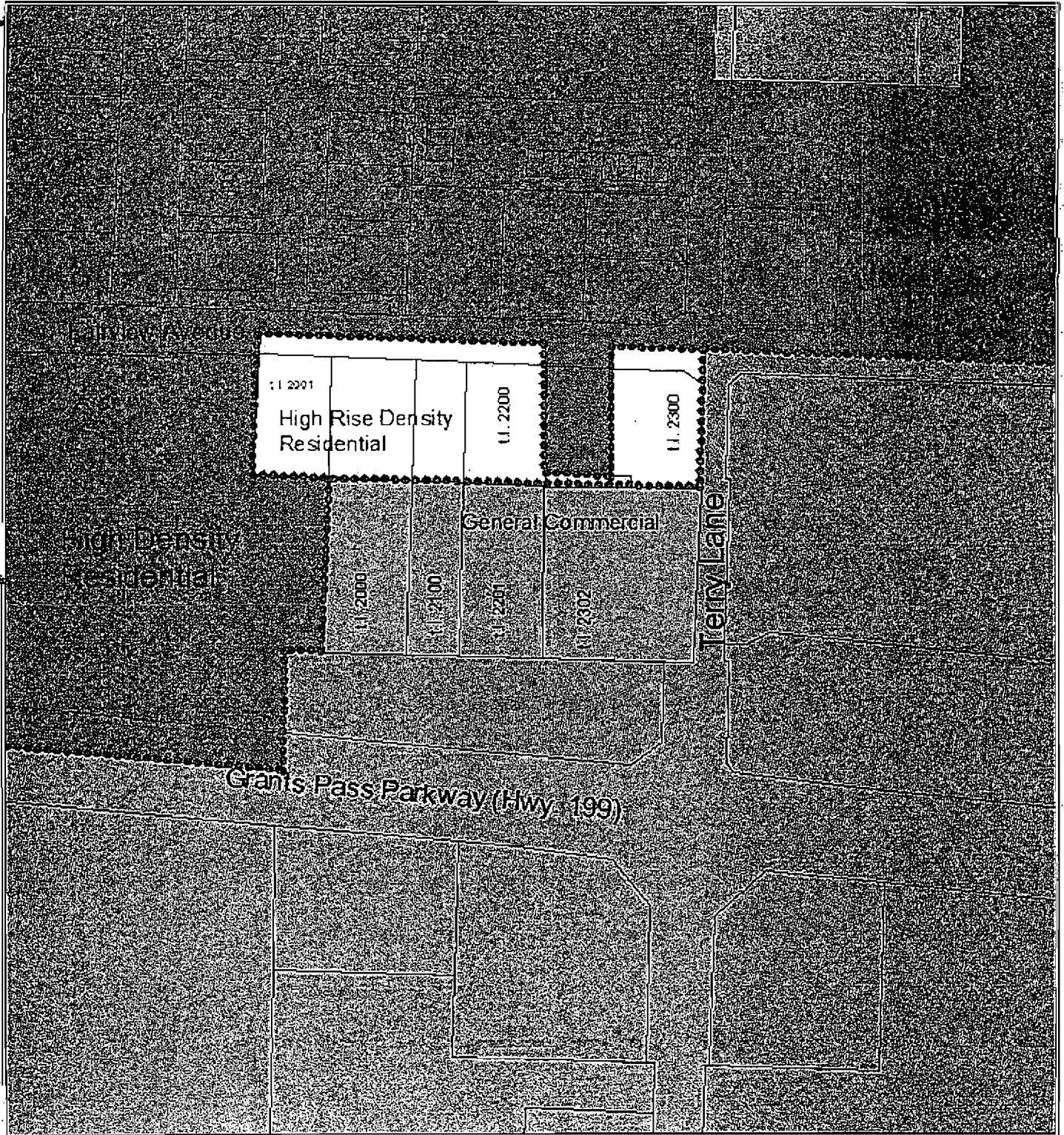
Approve as to Form, Douglas McGreary, Interim City Attorney 

Amended Comprehensive Plan Map Designation (High Rise Density Residential & General Commercial)

36-05-16-CB TL 2000,2001, 2100, 2200, 2201, 2300, & 2302



MANOR FOR QUALITY SERVICE



200

0

200 Feet



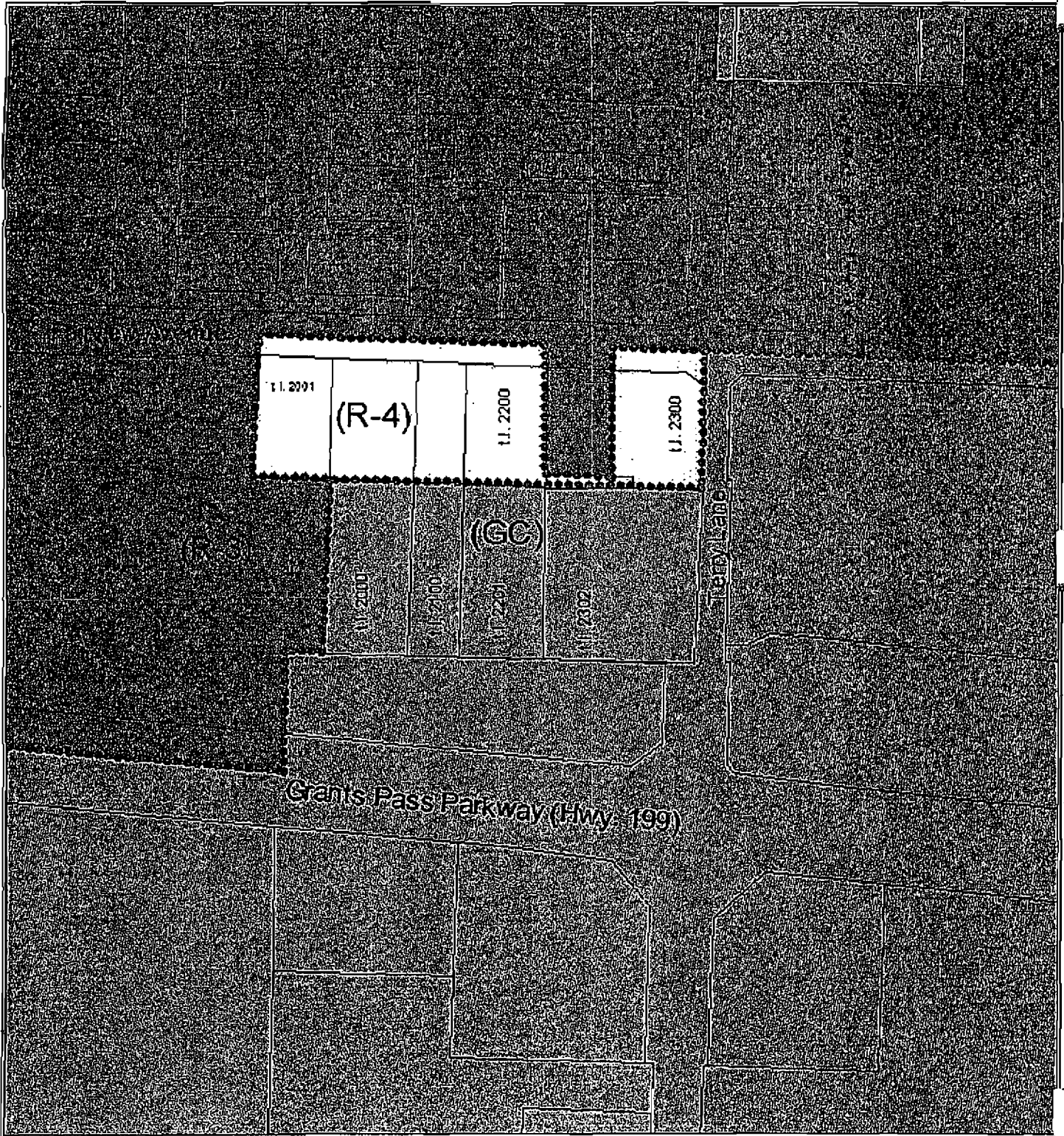
EXHIBIT A -to Ordinance

Amended Zoning Map Designation R-4 and GC

36-05-16-CB TL 2000, 2001, 2100, 2200, 2201, 2300, & 2302



Planning Department



200 0 200 Feet



EXHIBIT B -to Ordinance

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**MAIN PLACE
COMPREHENSIVE PLAN MAP AMENDMENT AND ZONING MAP AMENDMENT,
AND DEVELOPMENT AGREEMENT
FINDINGS OF FACT**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	09-40200001
Project Type:	Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement #2009-01
Owner:	Main Place Grants Pass, LLC (TLs 2000, 2100, 2200, 2201, 2300, & 2302) Marjorie D. Hill (TL 2001)
Applicant:	Geoff Farrer
Map & Tax Lot:	36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2302
Address:	1817, 1829, 1831, 1833 & 1849 NE Fairview Avenue 220 NE Terry Lane
Existing Comprehensive Plan Designation:	High Density Residential
Proposed Comprehensive Plan Designation:	High Rise Density Residential & General Commercial
Existing Zoning:	R-3
Proposed Zoning:	R-4 & GC
Planner Assigned:	Lora Glover
Application Received:	February 27, 2009
Application Complete:	February 27, 2009
Date of Staff Report:	May 4, 2009
Date of Planning Commission Hearing:	May 27, 2009, continued from May 13, 2009, and April 22, 2009
Date of Findings of Fact:	June 10, 2009
Date of City Council Staff Report:	June 5, 2009
Date of City Council Hearing:	July 1, 2009, continued from June 3, 2009, and June 17, 2009
Date of Findings of Fact:	July 15, 2009

I. PROPOSAL:

The request is for a Comprehensive Plan Map Amendment and Zoning Map Amendment from High Density Residential/HR (R-3) to High Rise Residential/HRR (R-4) and General Commercial (GC). The amendments are summarized as follows:

Approximate Area of Changes Comprehensive Plan Amendment Zoning Map Amendment

1.14 acres
1.60 acres

HR to HRR
HR to GC

R-3 to R-4
R-3 to GC

The application materials include a narrative, along with a concept map and a Traffic Impact Analysis, with Addendums (TIA). The applicant proposes to develop the property with a variety of mixed uses to include the following:

- 10,620 sq. ft. of professional office space;
- 19,848 sq. ft. of specialty retail area; and
- Ten (10) residential units.

The application also includes a proposed Development Agreement to address traffic mitigation and development of the site.

The TIA incorporates data and future mitigation measures that have been approved under the Home Depot plan map, zone map, development agreement and site plan approval. The intent of the Development Agreement is to coordinate the future development of this project with the mitigation measures to be installed by Home Depot; outline the additional mitigation measures that will be required for this development; and, establish the trip cap for the proposed uses listed above.

II. AUTHORITY AND CRITERIA:

Sections 13.5.5 and 13.8.3 of the Grants Pass Urban Area Comprehensive Plan provide that joint review by the City Council and Board of County Commissioners shall be required for amendment and revision to Comprehensive Plan findings, goals, policies, and land use maps of the Comprehensive Plan. However, the 1998 Intergovernmental Agreement modified that provision with the result that the City Council will make the decision, and the County will have automatic party status.

Section 13.8.3 of the Comprehensive Plan provides that notice shall be as provided in Section 2.060 of the *Development Code* for a Type IV procedure, with a recommendation from the Urban Area Planning Commission and a final decision by City Council. The text or map of the Comprehensive Plan may be recommended for amendment and amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met. The Zoning Map may be amended provided the Criteria in Section 4.033 of the *Development Code* are met.

The development agreement must meet the requirements of ORS 94.504 to 94.528.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

IV. PROCEDURE:

- A. An application for Comprehensive Plan Map and Zone Map Amendment was submitted and deemed completed on February 27, 2009. The application was processed in accordance with Section 2.060 of the Development Code.
- B. Notice of the proposed amendment and the April 22, 2009, public hearing was mailed to the Oregon Department of Land Conservation and Development on March 3, 2009, in accordance with ORS 197.610 and OAR Chapter 660, Division 18.
- C. Public notice of the April 22, 2009, public hearing was mailed on April 1, 2009, in accordance with Sections 2.053 and 2.063 of the Development Code.
- D. Public notice of the April 22, 2009, public hearing was published in the newspaper on April 15, 2009.
- E. Staff requested a continuance of the April 22, 2009, hearing until May 13, 2009.
- F. At the May 13, 2009, public hearing, a request to continue the matter by a person in opposition was granted until May 27, 2009.
- G. The Planning Commission made a recommendation in support of the request on May 27, 2009.
- H. The Planning Commission signed the Findings of Fact on June 10, 2009.
- I. Public notice of the June 3, 2009, public hearing was mailed on May 13, 2009, in accordance with Sections 2.053 and 2.063 of the Development Code.
- J. The June 3, 2009, public hearing was continued until June 17, 2009.
- K. The City Council continued the June 17, 2009, public hearing until July 1, 2009.
- L. The City Council held a public hearing to consider the request on July 1, 2009. A roll call vote was taken during the public hearing and the City Council voted to approve the request.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as Exhibit "A" and incorporated herein.

- B. The minutes of the public hearing held by the City Council on July 1, 2009, are attached as Exhibit "B" and incorporated herein.
- C. The PowerPoint Presentation given by staff at the July 1, 2009, public hearing is attached as Exhibit "C" and incorporated herein.
- D. The PowerPoint Presentation given by the applicant's representative at the July 1, 2009, public hearing is attached as Exhibit "D" and incorporated herein.

VI. FINDINGS OF FACT:

The City Council found that the request meets the criteria contained in Section 13.5.4 of the Comprehensive Community Development Plan Policies and the criteria contained in Section 4.033 of the Development Code based on the reasons stated in the findings below.

VII. GENERAL FINDINGS OF FACT:

Property Characteristics

1. **Comprehensive Plan Designation:** HR (High Density Residential)
2. **Zoning:** R-3
3. **Size:**
 - a. Tax Lot 2000: 0.70 acres
 - b. Tax Lot 2001: 0.25 acres
 - c. Tax Lot 2100: 0.49 acres
 - d. Tax Lot 2200: 0.18 acres
 - e. Tax Lot 2201: 0.31 acres
 - f. Tax Lot 2300: 0.20 acres
 - g. Tax Lot 2302: 0.61 acres
 - Total: 2.74 acres
4. **Access:** The parcels have frontage and access off Fairview Avenue and Terry Lane.
5. **Utilities:**
 - a. **Water:** 10 & 12-inch main in the Parkway right-of-way; 12-inch main in Fairview Avenue and Terry Lane right-of-ways.
 - b. **Sewer:** 8-inch mains in the right-of-way of Fairview and Terry Lane right-of-ways; and an 8-inch line running along the south property lines off Terry Lane.
 - c. **Storm:** 8 & 12-inch pipe in Fairview; 18-inch in Terry Lane; and 24-inch near south property lines off Terry Lane
6. **Topography:** The property is generally level.

- a. **Natural Hazards:** None identified.
- b. **Natural Resources:** None identified.

7. Land Use

- a. Existing:
 - TL 2000 – Single Family Residence
 - TL 2001 – Single Family Residence
 - TL 2100 – Single Family Residence
 - TL 2200 - Single Family Residence
 - TL 2201 – Vacant
 - TL 2300 - Single Family Residence
 - TL 2302 – Vacant
- b. Proposed: Mixed Use – Residential; General Office; Commercial (Specialty Retail)

8. Surrounding Land Use:

- a. North: Residential: single-family and multi-family.
- b. South: Vacant – General Commercial (Del Taco/Starbucks site)
- c. East: RV sales lot
- d. West: Parkway Christian Church complex.

Discussion

The subject properties have a plan designation of High Density Residential and zoning of R-3. The proposal would amend the plan designation to High Rise Density Residential and General Commercial with zoning designations of R-4 and GC. The zone boundary line is proposed to run east/west along the south property lines of Tls 2001, 2200 & 2300, leaving Tls 2000 & 2100 with a split zone and TL 2201 & 2302 entirely within the GC zoning district.

The City Council's decision was based upon the proposed "Development Agreement #2009-01" which would require the mixed-use development of the property as noted above, along with specific traffic mitigation measures as outlined in the agreement. The proposed development is only conceptual at this time and does not lock the Owner into any specific site plan, building size, or specific use. As part of the Traffic Impact Analysis dated August 4, 2008, the daily trips shall not exceed 1,194 for the entire development. High traffic generators and/or uses will only be considered upon additional traffic review and assessment by the City and that fall at or below the daily trips calculated for the proposed development.

Previous proposals were to rezone the entire tract to General Commercial. However, the applicant withdraw those applications due to issues and concerns related to preserving a residential character along Fairview Avenue and maintaining an acceptable performance level on the transportation system, specifically related to the Grants Pass Parkway. The application materials include a traffic impact analysis (including addendums) prepared by JRH Transportation Engineering. The TIA discusses the proposed amendments, along with impacts and recommended "trip cap" and mitigation measures. The TIA was subsequently reviewed by John Replinger, PE of Replinger &

Associates Transportation Engineering; and by the Oregon Department of Transportation.

The subject parcels are located within the Northeast Subarea (Fairfield-Foothill Neighborhood) as described in the Comprehensive Plan. Tax Lots 2000, 2001, 2100, 2200 and 2300 are each developed with a single-family residence and accessory buildings. Tax Lots 2201 and 2302 are vacant. The properties are located in a mixed development area and surround an existing duplex on TL 2301. The parcels to the north are zoned R-3 and are developed with multi and single family dwellings. A 5+ acre tract to the east is zoned GC and is development with an RV sales lot. The vacant parcel to the south is zoned GC, and was approved for a Del Taco and Starbucks restaurants. That application has been granted a second and final six (6) month extension pursuant to Section 3.077 of the Development Code. The new expiration date is November 30, 2009. The Del Taco/Starbucks parcel (TL 2400) abuts the Grants Pass Parkway, but will share an access off Terry Lane through this development. The property to the west is zoned R-3/R-4 and is developed with a large church complex.

Element 13 – Land Use Element of the Comprehensive Plan provides the following discussion for the subarea for the subject parcels:

The Northeast Subarea is described in Section 13.9.4 of the Comprehensive Plan as being that area located north of the Southern Pacific railroad tracks and east of 6th Street. The area is bordered by commercial development on the south and east. Public facilities have capacity for moderate residential density in the southern part of the subarea and the remaining area has low density facilities capacity.

The Northeast Subarea is further broken down into specific neighborhoods. The subject parcels are located within the "Fairview-Foothill Neighborhood", being that area from Foothill Blvd and "A" Street, south to the Redwood Spur and from Agness Avenue and the freeway west to Beacon Drive. Public facilities are adequate to support moderate to high density development. There are three major streets serving the neighborhood; a highway, an arterial and a collector. The western edge of the neighborhood adjoins the Grants Pass Shopping Center. The neighborhood is classified as being appropriate for moderate to high density development.

Element 13 provides the following broad category definitions for moderate and high residential development:

Moderate Density - This category of housing would provide areas suitable for common wall dwellings such as condominiums, duplexes, tri-plexes and other multi-family and single family dwellings.

High Density – This category would allow housing types primarily located around larger commercial centers, which would be suitable for garden apartments, higher density condominium developments, etc.

As Grants Pass continues to grow, transportation and connectivity become a constraining factor on economic development. We have seen this issue recently with the approved Home Depot site and the mitigation measures required for that development. Encouraging mixed use developments will help to alleviate some of the stress placed on the existing transportation facilities.

The demand for commercial land is driven by the expansion and relocation of existing businesses and new businesses locating in Grants Pass. As noted in the Economic Element of the Grants Pass & Urbanizing Area Comprehensive Plan, the employment growth projections indicate that the service sector will increase from a 21% share of employment base to 42%. Mixed use sites as proposed by the applicant's narrative will provide an opportunity of blending professional offices with residential units, creating a live-work environment, located close to eating establishments and retail services.

Compatibility is an important factor when reviewing a proposed comprehensive plan and zone map change which will expand commercial uses within a neighborhood. Future development of the site will require a residential face along the Fairview Avenue frontage and buffering around TL 2301, which is currently developed with a duplex. Note: The property owner of TL 2301 did not choose to participate in the request at the time this application was filed; however, the owner has recently expressed some interest in pursuing a subsequent Comprehensive Plan Map Amendment and Zone Map Amendment.

VIII. FINDINGS OF FACT ~ CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan map amendments, Comprehensive Plan Policy 13.5.4 requires that all of the following criteria be met:

CRITERION (a): Consistency with other findings, goals and policies in the Comprehensive Plan.

City Council Response: Satisfied. The proposal is consistent with the applicable Goals and Policies of the Comprehensive Plan for reasons summarized below.

Element 8. Economy

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide for a mixed use development, maintaining the economic viability of the area by providing for a variety of residential and commercial uses for the tract which will compliment the existing development in the area.

Element 9. Housing

The amendment will not be substantially beneficial or detrimental to the residential land inventory. Grants Pass has historically zoned more land for multi-family development than has actually been used for multi-family uses, especially in Moderate and High Density designations. The R-4 zone permits higher density and a few uses that are not permitted in the R-3 zone (specifically, professional offices). The GC zone permits the same density as the R-3, but provides for a wide range of commercial uses not available in the R-3 zone. The existing R-3 zone has a density factor of 17.4 dwelling units per acre ($17.4 * 2.74 = 47$ units). The proposed R-4/GC amendment would allow for a total of 66 units if the tract was to be residentially developed. (Note: Actual build out data indicates a density factor of 9.4 dwelling units per acre in the R-3 zone and 26.4 units per acre in the R-4 zone.) The intended mixed use of the property will limit the maximum residential development ability of the property. The proposed

improvements include ten residential units, 10,620 sq. ft. of professional office space and 19,848 sq. ft. of specialty retail area.

Element 10. Public Facilities and Services

Public facilities and services are available to serve the existing and proposed use as covered by the adopted utility plans and service policies.

Element 13. Land Use

The proposed amendment of approximately 1.60 acres of land from residential to commercial will not have a substantial impact on the planned land uses in this area. The policies for the Northeast subarea states that this area will continue to develop with high densities adjoining the commercial area near the "E" and "F" couplet and the Redwood Spur, though the specific policies for the Fairview-Foothill Neighborhood states that the area east of Terry Lane and along Fairview shall develop at high densities and the remaining area at moderate densities. As described above, medium density residential housing types include condominiums, duplexes and tri-plexes, with high density housing being located primarily around larger commercial centers. The amendments and proposed mixed use development meets this requirement by blending into the existing uses in the neighborhood while providing a transition into the commercial developments to the south and east. The subject tract is located north of the Grants Pass Parkway and east of the Grants Pass Shopping Center, within close proximity to the large commercial tracts located off the Parkway, to include the Wal-Mart and Fred Meyer centers.

CRITERION (b): A change in circumstances validated by and supported by the database or proposed changes to the database, which would necessitate a change in findings, goals and policies.

City Council Response: Satisfied. As discussed above, the site is located within the vicinity of a variety of mixed commercial uses, to include the Fred Meyer and Wal-Mart complexes, the Deardorff Corners shopping area to the south and the Grants Pass Shopping Center to the west. Element 13 of the Comprehensive Plan discusses the draw of higher density to increased commercial development, specifically for the Grants Pass Shopping Center and Redwood Spur area. The proposed amendment for the tract will change the database to allow a variety of mixed uses (i.e., professional offices on the R-4 area and commercial/retail uses in the GC area). The Comprehensive Plan Elements support the database change. The proposed amendment will amend the plan and zoning map from HR (R-3) to HRR (R-4) and GC/GC, and will not require the amending of findings, goals or policies.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

City Council Response: Satisfied. The proposal is consistent with seven (7) of the statewide planning goals described below:

Goal 1: Citizen Involvement

The proposal is reviewed and noticed according to the requirements for a Type IV-B procedure. Property owners within two hundred and fifty (250) feet were sent notice of the application. Public notice was posted for both the Planning Commission and City Council hearings in the *Daily Courier* (the local

newspaper), on the City of Grants Pass website, www.grantspassoregon.gov and on the first floor of the City Hall building. Such notification provided the public an opportunity to provide written or oral comments on the matter either before or at the hearings.

The City has an acknowledged Citizen Involvement Program adopted under Resolution 1748 that insures the public can actively engage in the planning process.

No comments were received from surrounding property owners during the notice period.

Conclusion: The City's procedures outlined in the *Comprehensive Plan and Development Code* pertaining to citizen involvement are being followed. The proposal is consistent with Goal 1 standards and requirements.

Goal 2: Land Use

The Grants Pass *Comprehensive Plan and Development Code* outline the planning process to consider a Comprehensive Plan Map Amendment and the Zoning Map Amendment. The process requires the application to be heard by both the Planning Commission and the City Council. The Planning Commission will review the proposal and provide a formal recommendation that will be considered by the City Council for final decision. Specific criteria have been adopted that relate to the proposal. The review bodies will evaluate the proposal against those criteria in order to make a decision.

Conclusion: The application is being reviewed through the City's land use process, making it consistent with the purpose of statewide Goal 2.

Goal 9: Economic Development

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide more flexibility in the development of the tract for mixed uses, to include residential dwelling units and professional office space located along Fairview Avenue, and commercial/retail uses directed towards the Parkway, accessing off of Terry Lane. The current zone of R-3 is similar to R-4, with the exception of a few additional uses allowed under the R-4 zone (i.e., group quarters, limited and professional offices etc). The General Commercial zone provides a wide range of uses available, further enhancing the economic diversity for the area.

Oregon Administrative Rule (OAR) Division 9, Economic Development (660-009-0000) requires that cities review and amend their comprehensive plans as necessary to comply with this division to provide economic opportunity analyses for the demand of land for industrial and other employment uses to the existing land supply.

Element 8 ~ Economy of the Grants Pass & Urbanizing Area Comprehensive Plan (GPUACP) states that the employment sectors with the largest job growth for Josephine County between 1980 and 2005 included retail trade, government and services (such as health care and social assistance), and accommodation

and food services. State forecasts indicate that these sectors will continue to lead the employment growth in Josephine County.

Based on the previous employment trends and projected forecasts referenced above, the proposed amendment is in compliance with OAR 660-009-0010 by providing additional land for "Other Employment Uses" which is defined as:

"... all non-industrial employment activities including the wide range of retail, wholesale, service, non-profit, business headquarters, administrative and governmental employment activities that are accommodated in retail, office and flexible building types. Other employment uses also include employment activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community ..."

Conclusion: The proposal provides diversification and further economic opportunities, thus meeting the standards and requirements of Goal 9.

Goal 10: Housing

The proposed amendment to change approximately 1.69 acres from residential to commercial (which allows for residential development to R-3 density) will not be substantially beneficial or detrimental to the residential land inventory of the City. Element 9 ~ Housing of the Comprehensive Plan states that the City of Grants Pass has historically zoned more land for multifamily development than has actually been used for multifamily residences. The projected need for housing is 75% single-family housing types and 25% multifamily types. The proposed mixed use reflected on the concept plan includes dwelling units with professional office space along the Fairview Avenue frontage.

Conclusion: The proposed zone change allows for a wider ranger of economic activities to happen on the properties, and still maintains the existing residential inventory.

Goal 11: Public Facilities and Services

The City has acknowledged master plans for urban services (including water, sewer and transportation) as part of the *Comprehensive Plan* and *Grants Pass Development Code*. Both water and sewer services are currently available to the subject properties and are adequate and available to serve further development of the properties.

In response to show compliance with the Master Transportation Plan and the Development Code, the applicant submitted a TIA prepared by JRH Transportation Engineering. A total of seven (7) intersections were studied in the TIA for the proposal:

- Grants Pass Parkway (Highway 199) at Agness Avenue
- Grants Pass Parkway at Terry Lane
- Grants Pass Parkway at Beacon Drive
- Grants Pass Parkway at F Street
- Grants Pass Parkway at M Street

- Terry Lane at Fairview Avenue
- Beacon at Fairview Avenue

Note: The subject analysis included the approved Home Depot development and Phase I of the Main Place development (the Del Taco/Starbucks restaurants).

In addition to the mitigation conditioned under the Development Agreement #2008-1 for Timber Products/Home Depot, the applicant has agreed to the trip cap on the property noted above, along with the installation of mitigation measures for two (2) of the studied intersections for this site (Parkway at Agness and Parkway at Terry). The coordination of mitigation improvements between the Home Depot site and future development of the Main Place site are outlined in the attached Development Agreement. Between the two projects, mitigation will be provided for the following intersections:

<u>Intersection to be Mitigated</u>	<u>Responsible Party</u>
"E" Street at Mill	Home Depot
"F" Street at Mill	Home Depot
"M" Street at Mill	Home Depot
"F" Street at Parkway	Home Depot
"M" Street at Parkway	Home Depot
Hwy 238 at Parkway	Home Depot
Agness at Parkway	Main Place
Terry at Parkway	Main Place

The improvements for the above intersections are not included in the list of capital improvement projects identified in the Master Transportation. Through the use of a development agreement for the proposed amendment, along with the implementation of the Development Agreement for the Home Depot (Timber Products) site, the mitigation measures described in the TIA will be installed making the proposal compliant with Goal 11.

Conclusion: The City has public facilities in place to adequately serve the property in regards to sewer and water and is consistent with Goal 11 related to those services. A detail of the transportation impacts is described under Goal 12.

Goal 12: Transportation

The City has an acknowledged Master Transportation Plan as part of the *Comprehensive Plan* and *Grants Pass Development Code*. The tract has frontage and existing access off of NE Fairview Avenue and NE Terry Lane, both classified as a collector. As reflected on the concept plan, future development of the site will be served by separate full movement accesses onto Terry Lane and Fairview Avenue.

The proposal is subject to the Transportation Planning Rule outlined in OAR 660-012-0060 and the *Grants Pass Development Code*. The applicant submitted a Traffic Impact Analysis (TIA), along with two (2) addendums, prepared by JRH Engineering as part of the application materials for the amendment. The scope of the study was determined by the Oregon Department of Transportation

(ODOT) and the City of Grants Pass. The intersections analyzed for the proposed amendment are listed above under Goal 11.

The Development Code's minimum Level of Service (LOS) standard is "D" for signalized intersections, and a volume-to-capacity (v/c) ratio not to be higher than 1.0 for the sum of critical movements. The analysis reflects that existing conditions at three of the intersections are already below the City's mobility standard.

Mitigation measures currently required under the Development Agreement for Home Depot will raise the Parkway & F Street and Parkway & M Street intersections up to standards. The intersection at the Parkway & Agness was not included in the TIA for Home Depot and is proposed to be mitigated to existing conditions with no further degradation seen as part of the zone change. As reflected in the chart below, the applicant's TIA indicates that the Parkway & F Street and the Parkway & M Street intersections will still meet standards with the Home Depot improvements and the Main Place development. The report indicates that the remaining four (4) studied intersections meet the City's performance standards.

Intersection	2008 Existing Conditions	2009 w/Home Depot	2009 w/Main Place	2024 with & without development
Parkway/Agness	LOS E; v/c 1.01	LOS E; v/c 1.03	LOS E; v/c 1.04	LOS F; v/c 1.10 LOS F; v/c 1.10
Parkway/F St.	LOS E; v/c 0.97	LOS D; v/c 0.95	LOS D; v/c 0.96	LOS E; v/c 1.03 LOS E; v/c 1.04
Parkway/M St.	LOS E; v/c 1.10	LOS D; v/c 0.94	LOS D; v/c 0.94	LOS F; v/c 1.20 LOS F; v/c 1.21

Note: The information for the above table was extrapolated from the applicant's TIA (Table 8, pg 38 of Exhibit 7; Table 3 & Table 5, pgs 14 & 15 of Exhibit 8).

Though all three of the intersections will not meet the minimum standards for the year 2024, the TIA reflects that these intersections would be below the minimum standards even without the Home Depot or Main Place developments. Even though these intersections are below the City's standard, the intersections are in compliance with the Transportation Planning Rule (TPR) in that the proposed zoning conditions do not exceed the existing zoning conditions, and there is no difference seen between the operational performance of the development scenarios using the existing and proposed zoning. Therefore, no mitigation measures are required for the intersections under the year 2024 conditions based on the TPR.

Development of the subject property will require that mitigation measures be installed for the three failing intersections during the PM peak hour. The improvement of the Parkway & Agness intersection will be completed as part of the proposed development agreement for the subject property. The intersections of Parkway & F Street and Parkway & M Street are currently scheduled to be

improved with the Home Depot site under Development Agreement #2008-1. However, if Development Agreement #2008-1 has not been implemented prior to the proposed development of the Main Place property, the applicant will be required to submit a revised TIA for review and approval as part of a site plan application, and conditions of approval may require the installation of improvements for the failing intersections as necessary to mitigate the development's impacts.

A recent decision made by the Land Use Board of Appeals of the State of Oregon (LUBA) under LUBA No. 2007-210, reviewed the City's requirement that applications comply with the minimum performance standards listed in Section 27.121 of the Development Code. LUBA determined in part that the applicant should be required to:

“... mitigate the impact of its proposed development on the affected intersection, even if that mitigation does not fully restore it to LOS D. . . where proposed development will worsen an already failing intersection, the general approach of requiring an applicant to eliminate the impacts of development on the intersection, by means of off-site improvements, limitations on the proposed use or similar means, seems more consistent with the applicable plan and land use regulations, than does the city's apparent view that the application must be denied if the intersection cannot be fully restored to LOS D.”

In this case, the intersection of the Parkway and Agness is below the LOS D standard, however based on the dicta from LUBA, the applicant is only responsible for upgrading the intersection based on its impact rather than fully restoring the intersection to meet the Code standard.

Upon review of the TIA by the City Engineer, the City's consultant (John Replinger) and the ODOT, the applicant was requested to provide additional information concerning mitigation measures for the intersections located at the Parkway/Terry Lane and the Parkway/Agness Avenue. Note: The intersection of the Parkway and Terry meets the LOS standard however has been discussed by the applicant and the ODOT to be modified to function more efficiently. The following mitigation measures for these two intersections (to be installed prior to the issuance of a Certificate of Occupancy) have since been approved by the ODOT and are supported by the City's consultant and the City Engineer:

- Parkway and Agness Avenue Intersection ~ Mitigation shall include the reconfiguration of the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements and a right turn overlap for the westbound approach.
- Parkway and Terry Lane Intersection ~ The applicant shall provide geometric changes and signal modifications to the intersection in order to facilitate concurrent northbound and southbound left turns.

Note: As reflected in the proposed development agreement, future development of the subject site shall be coordinated with the mitigation measures to be

installed under Development Agreement #2008-1 for the Home Depot site, or upon the approval of a revised TIA for the subject property.

Based upon the implementation of Development Agreement #2008-1 and the development agreement for the subject site, the proposed Comprehensive Plan Map Amendment and Zone Change Map Amendment will not cause a change in functional classification of the existing transportation facilities.

Conclusion: The City has transportation facilities that will be upgraded to adequately serve the property and is consistent with Goal 12 related to those services.

Goal 13: Energy Conservation

The subject properties currently have public utility and private utility services available adequate to serve the existing uses. Redevelopment of the properties shall try to implement energy conservation principles regardless of zoning designation.

Conclusion: The proposed amendment is consistent with Goal 13.

Overall Conclusion: Of the nineteen (19) statewide planning goals, the City finds the seven (7) goals analyzed above are applicable and are met by the proposal.

The remaining twelve (12) goals are as follows and are not found to be applicable to the application:

Goal 3 – Agriculture, Goal 4 – Forest, Goal 5 – Natural Resources, Scenic and Historic Areas, Goal 6 – Air, Water, and Land Resources Quality, Goal 7 – Areas subject to Natural Hazards, Goal 8 – Recreational Needs, Goal 14 – Urbanization, Goal 15 – Willamette River Greenway, Goal 16 – Estuarine Resources, Goal 17 – Coastal Shorelands, Goal 18 – Beaches and Dunes, and Goal 19 – Ocean Resources. These goals do not relate to the site under review. The site is not designated as agricultural or forest land. The property does not contain any natural resources or natural hazards. The property is not identified in the City's Comprehensive Plan as a future recreational area. The site is located in an urbanized area. Goals 15-19 do not relate to Grants Pass.

CRITERION (d): Citizen review and comment.

City Council Response: Satisfied. Public notice of the proposal was mailed to surrounding properties in accordance with the Comprehensive Plan and Development Code procedures. No comments or inquiries were received from property owners during the notice period.

CRITERION (e): Review and comment from affected governmental units and other agencies.

City Council Response: Satisfied. Affected governmental units and agencies were notified.

Notice of the proposal was mailed to the Department of Land Conservation and Development (DLCD) on March 3, 2009. No comments were received.

Notice of the proposal was mailed to Josephine County on March 3, 2009, in accordance with the 1998 Intergovernmental Agreement. No comments were received.

Notice was provided to the ODOT. Their comments are contained in the staff report as Exhibit 8.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

City Council Response: Satisfied. Water, sewer, storm, and streets are all present adjacent to the property and are available to serve the property. Some utilities are not present along the full length of both frontages. If extensions are required along the frontages, they can be addressed at the time of site plan review. In addition, based upon the discussion included above with reference to the proposed Development Agreement and outlined mitigation measures, the proposed amendment is in conformance with the Comprehensive Plan.

CRITERION (g): Additional information as required by the review body.

City Council Response: Satisfied. Any additional information requested by the review body will be provided.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan was originally adopted in error.

City Council Response: Not Applicable. There is no indication that the original boundaries were adopted in error.

For Zone Map Amendments, Section 4.033 of the City of Grants Pass Development Code requires that all of the following criteria be met:

CRITERION 1: The proposed use, if any is consistent with the proposed Zoning District.

City Council Response: Satisfied. If the proposed zone change is approved, the existing and intended uses would be consistent with the uses permitted in the R-4 and GC zones. As noted in the applicant's narrative, the proposal is to develop the tract with mixed uses, to include apartment units and professional office space along Fairview Avenue; and, commercial/retail services directed towards the Parkway to the south as reflected on the concept plan. The proposed uses are consistent with the proposed zoning districts.

CRITERION 2: The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.

City Council Response: Satisfied. The Comprehensive Plan designation was amended as proposed, the R-4/GC zoning districts and the HRR/GC comprehensive

plan map designations will correspond. As described above, and reflected on the zoning map, the property is located within a neighborhood containing a variety of zones mixed uses, to include multi-family units to the north zoned R-3 & R-4; a large church complex to the west with a split zone of R-3 & R-4; and various existing and approved commercial uses to the east and south in the GC zone. The extension of the R-4 and GC zones by the proposed amendment for the subject property is consistent with the surrounding plan designations, zoning, and the policy for this subarea and neighborhood.

CRITERION 3: A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impact upon the affected service area or without a change to adopted utility plans.

City Council Response: Satisfied. As noted above, with the proposed Development Agreement and traffic mitigation measures, the existing services will be adequate to accommodate increased density or uses that would result from the amendment.

CRITERION 4: A demonstration that the proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

City Council Response: Satisfied. The applicant has submitted a TIA prepared by JRH Engineers, in conjunction with the plan amendment application and the proposed concept map. The analysis was based on the following:

- The improvements to be installed under Development Agreement #2008-1 for the Home Depot site;
- The proposed concept plan for the subject site to include approximately 10,620 sq. ft of professional office space, 19,484 sq. ft of specialty retail and 10 apartment units; and
- The capping of trips based on the concept plan figures noted above.

Traffic impacts have been identified and the application proposes mitigation of two intersections ~ Parkway at Agness and Parkway at Terry, (only one which falls below standards ~ Parkway at Agness).

A development agreement is proposed to ensure the improvements are installed and which requires review, study and possible mitigation of the two additional intersections (Parkway at F Street and Parkway at M Street) if this development occurs before other planned improvements are in place as required under Development Agreement #2008-1 for the Home Depot site.

CRITERION 5: The natural features of the site are conducive to the proposed Zoning District.

City Council Response: Not Applicable. There are no unique or unusual physical features on the properties that have been noted.

CRITERION 6: The proposed zone is consistent with the requirements of all overlay districts that include the subject property.

City Council Response: Not Applicable. There are no overlay districts that include the subject property.

CRITERION 7: The timing of the zone change request is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.

City Council Response: Satisfied. Adequate urban services already serve the subject properties. The zone change is appropriate at these locations.

CRITERION 8: In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034.

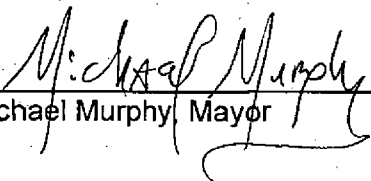
City Council Response: Not Applicable. The subject property is not located within an Urban Reserve District, and this criterion does not apply.

IX. DECISION AND SUMMARY:

The City Council **APPROVED** the Comprehensive Plan Map Amendment and Zoning Map Amendment from High Density Residential/HR (R-3) to High Rise Residential/HRR (R-4) and General Commercial (GC), as conditioned upon the attached Development Agreement #2009-01 being signed and recorded (which shall occur within thirty [30] days of the effective date of this Ordinance).

The vote was 7-0 with Councilors Cummings, Kangas, Renfro, Pell, Kangas, Berger and Warren in favor. Councilor Michelin was absent.

X. APPROVED BY THE CITY COUNCIL this 15th day of July, 2009.



Michael Murphy, Mayor

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**MAIN PLACE
COMPREHENSIVE PLAN MAP AMENDMENT AND ZONING MAP AMENDMENT,
AND DEVELOPMENT AGREEMENT
STAFF REPORT-CITY COUNCIL**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	09-40200001
Project Type:	Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement #2009-01
Owner:	Main Place Grants Pass, LLC (TLs 2000, 2100, 2200, 2201, 2300, & 2302) Marjorie D. Hill (TL 2001)
Applicant:	Geoff Farrer
Map & Tax Lot:	36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2302
Address:	1817, 1829, 1831, 1833 & 1849 NE Fairview Lane 220 NE Terry Lane
Existing Comprehensive Plan Designation:	High Density Residential
Proposed Comprehensive Plan Designation:	High Rise Density Residential & General Commercial
Existing Zoning:	R-3
Proposed Zoning:	R-4 & GC
Planner Assigned:	Lora Glover
Application Received:	February 27, 2009
Application Complete:	February 27, 2009
Date of Staff Report:	May 4, 2009
Date of Planning Commission Hearing:	May 27, 2009, continued from May 13, 2009, and April 22, 2009
Date of Findings of Fact:	June 10, 2009
Date of City Council Staff Report:	June 5, 2009
Date of City Council Hearing:	June 17, 2009, continued from June 3, 2009

I. PROPOSAL:

The request is for a Comprehensive Plan Map Amendment and Zoning Map Amendment from High Density Residential/HR (R-3) to High Rise Residential/HRR (R-4) and General Commercial (GC). The amendments are summarized as follows:

Exhibit A
To CC Findings of Fact

Approximate Area of Changes Comprehensive Plan Amendment Zoning Map Amendment

1.14 acres
1.60 acres

HR to HHR
HR to GC

R-3 to R-4
R-3 to GC

The application materials include a narrative, along with a concept map and a Traffic Impact Analysis, with Addendums (TIA). The applicant proposes to develop the property with a variety of mixed uses to include the following:

- 10,620 sq. ft. of professional office space;
- 19,848 sq. ft. of specialty retail area; and
- Ten (10) residential units.

The application also includes a proposed Development Agreement to address traffic mitigation and development of the site.

The TIA incorporates data and future mitigation measures that have been approved under the Home Depot plan map, zone map, development agreement and site plan approval. The intent of the Development Agreement is to coordinate the future development of this project with the mitigation measures to be installed by Home Depot; outline the additional mitigation measures that will be required for this development; and, establish the trip cap for the proposed uses listed above.

II. AUTHORITY AND CRITERIA:

Sections 13.5.5 and 13.8.3 of the Grants Pass Urban Area Comprehensive Plan provide that joint review by the City Council and Board of County Commissioners shall be required for amendment and revision to Comprehensive Plan findings, goals, policies, and land use maps of the Comprehensive Plan. However, the 1998 Intergovernmental Agreement modified that provision with the result that the City Council will make the decision, and the County will have automatic party status.

Section 13.8.3 of the Comprehensive Plan provides that notice shall be as provided in Section 2.060 of the *Development Code* for a Type IV procedure, with a recommendation from the Urban Area Planning Commission and a final decision by City Council. The text or map of the Comprehensive Plan may be recommended for amendment and amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met. The Zoning Map may be amended provided the Criteria in Section 4.033 of the *Development Code* are met.

The development agreement must meet the requirements of ORS 94.504 to 94.528.

III. APPEAL PROCEDURE:

The City Council's final decision may be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

IV. BACKGROUND AND DISCUSSION:

Detailed background and discussion is provided in the Planning Commission's Findings of Fact.

Note: The Planning Commission's recommendation was based upon a proposed "Development Agreement" which would require the mixed-use development of the property as noted above, along with specific traffic mitigation measures as outlined in the agreement. Based on the applicant's Traffic Impact Analysis dated August 4, 2008, the daily trips shall not exceed 1,194 for the entire development. In order to ensure the cap is not exceeded, various high trip uses (i.e., fast food restaurants with or without drive-through windows, convenience stores or banks with drive through-windows) would not be permitted. Other high traffic generators, except those mentioned previously, may only be considered for the site upon additional traffic review and assessment by the City and that fall at or below the daily trips calculated for the proposed development.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

Detailed background and discussion is provided in the Planning Commission's Findings of Fact and Minutes from the May 13, 2009, and May 27, 2009, public hearings.

VI. RECOMMENDATION:

The Urban Area Planning Commission finds the applicable criteria are satisfied and **RECOMMENDS APPROVAL** of the proposed comprehensive plan map and zone map amendments and development agreement to City Council.

VII. CITY COUNCIL ACTION:

A. Positive Action:

1. Approve the proposal as recommended.
2. Approve the proposal with revisions (list):

B. Negative Action: deny the request and adopt no amendment for the following reasons (list):

C. Postponement: Continue item

1. Indefinitely.
2. To a time certain.

VIII. INDEX TO EXHIBITS:

1. Planning Commission's Findings of Fact and the Attached Record:

Index to Exhibits:

A. UAPC Staff Report:

1. Vicinity
2. Aerial Photograph
3. Existing Zoning
4. Proposed Zoning
5. Applicant's written narrative (Note: The full report is incorporated herein by reference and available for review in the land use file).
6. Concept Plan
7. Executive Summary of the TIA prepared by JHR dated 4/11/08
8. TIA Addendum dated 8/4/08
9. TIA Addendum dated 2/24/09
(Note: The full report, along with addendums, is incorporated into this record by reference, and is available for review in the land use file.)
10. Proposed Development Agreement #2009-1
11. ORS 94.504 – 94.528
12. John Replinger's comments dated 4/7/09
13. ODOT's comments dated 4/10/09
14. Timber Products/Home Depot Development Agreement #2008-1
15. Memorandum from Rich Schaff, City Engineer, dtd 5/18/09
16. Memorandum from Douglas McGeary, City Attorney, dtd 5/13/09
17. Letter from Liberty Bank, dtd 5/13/09
18. E-mail from John Replinger
19. LUBA Decision, Case #2007-106
20. Letter from Michael Weishar

B. Minutes from 5/13/09 & 5/27/09 UAPC hearings

C. PowerPoint Presentations

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**MAIN PLACE
COMPREHENSIVE PLAN MAP AMENDMENT, ZONING MAP AMENDMENT,
AND DEVELOPMENT AGREEMENT
FINDINGS OF FACT - URBAN AREA PLANNING COMMISSION**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	09-40200001
Project Type:	Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement
Owner:	Main Place Grants Pass, LLC (TLs 2000, 2100, 2200, 2201, 2300, & 2302) Marjorie D. Hill (TL 2001)
Applicant:	Geoff Farrer
Map & Tax Lot:	36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2302
Address:	1817, 1829, 1831, 1833 & 1849 NE Fairview Lane 220 NE Terry Lane
Total Acreage:	2.74 acres
Existing Comprehensive Plan Designation:	High Density Residential
Proposed Comprehensive Plan Designation:	High Rise Residential & General Commercial
Existing Zoning:	R-3
Proposed Zoning:	R-4 & GC
Planner Assigned:	Lora Glover
Application Received:	February 27, 2009
Application Complete:	February 27, 2009
Date of Staff Report	May 19, 2009, revised from May 6, 2009
Date of Planning Commission Hearing:	May 27, 2009, continued from May 13, 2009, and April 22, 2009
Date Findings of Fact Signed:	June 10, 2009

I. PROPOSAL:

The request is for a Comprehensive Plan Map Amendment and Zoning Map Amendment from High Density Residential/HR (R-3) to High Rise Residential/HRR (R-4) and General Commercial (GC). The amendments are summarized as follows:

<u>Approximate Area of Changes</u>	<u>Comprehensive Plan Amendment</u>	<u>Zoning Map Amendment</u>
1.14 acres	HR to HRR	R-3 to R-4
1.60 acres	HR to GC	R-3 to GC

The application materials include a narrative, along with a concept map and a Traffic Impact Analysis, with Addendums (TIA). The applicant proposes to develop the property with a variety of mixed uses to include the following:

- 10,620 sq. ft. of professional office space;
- 19,848 sq. ft. of specialty retail area; and
- Ten (10) residential units.

The application also includes a proposed Development Agreement to address traffic mitigation and development of the site.

The TIA incorporates data and future mitigation measures that have been approved under the pending Home Depot site. The intent of the Development Agreement is to coordinate the future development of this project with the mitigation measures to be installed by Home Depot; outline the additional mitigation measures that will be required for this development; and, establish the trip cap for the proposed uses listed above.

II. AUTHORITY AND CRITERIA:

Sections 13.5.5 and 13.8.3 of the Grants Pass Urban Area Comprehensive Plan provide that joint review by the City Council and Board of County Commissioners shall be required for amendment and revision to Comprehensive Plan findings, goals, policies, and land use maps of the Comprehensive Plan. However, the 1998 Intergovernmental Agreement modified that provision with the result that the City Council will make the decision, and the County will have automatic party status.

Section 13.8.3 of the Comprehensive Plan provides that notice shall be as provided in Section 2.060 of the *Development Code* for a Type IV procedure, with a recommendation from the Urban Area Planning Commission and a final decision by City Council. The text or map of the Comprehensive Plan may be recommended for amendment and amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met. The Zoning Map may be amended provided the Criteria in Section 4.033 of the *Development Code* are met.

The development agreement must meet the requirements of ORS 94.504 to 94.528.

III. APPEAL PROCEDURE:

Section 10.060 provides the City Council's final decision to be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

IV. PROCEDURE:

- A. An application for Comprehensive Plan Map and Zone Map Amendment was submitted and deemed completed on February 27, 2009. The application was processed in accordance with Section 2.060 of the *Development Code*.
- B. Notice of the proposed amendment and the April 22, 2009, public hearing was mailed to the Oregon Department of Land Conservation and Development on

March 3, 2009, in accordance with ORS 197.610 and OAR Chapter 660, Division 18.

- C. Public notice of the April 22, 2009, public hearing was mailed on April 1, 2009, in accordance with Sections 2.053 and 2.063 of the Development Code.
- D. Public notice of the April 22, 2009, public hearing was published in the newspaper on April 15, 2009.
- E. Staff requested a continuance of the April 22, 2009, hearing until May 13, 2009.
- F. At the May 13, 2009, public hearing, a request to continue the matter by a person in opposition was granted until May 27, 2009.
- G. The Planning Commission made a recommendation in support of the request on May 27, 2009.

V. SUMMARY OF EVIDENCE:

- A. The basic facts and criteria regarding this application are contained in the staff report, which is attached as Exhibit "A" and incorporated herein.
- B. The minutes of the two public hearings held by the Urban Area Planning Commission on May 13, 2009, and May 27, 2009, are attached as Exhibit "B" and incorporated herein.
- C. The PowerPoint Presentations given by staff at the May 13, 2009, and May 27, 2009, public hearings are attached as Exhibit "C" and incorporated herein.

VI. FINDINGS:

The Urban Area Planning Commission found that the request meets the criteria contained in Section 13.5.4 of the Comprehensive Community Development Plan Policies and the criteria contained in Section 4.033 of the Development Code based on the reasons stated in the findings below. The vote was 4-0-1, with Commissioners Arthur, Fowler, Fitzgerald and Richardson in favor. Commissioners Berlant and Fedosky were absent; Commissioner Kellenbeck abstained. (Note: there is currently one vacancy on the commission.)

VII. GENERAL FINDINGS OF FACT ~ BACKGROUND AND DISCUSSION:

Property Characteristics

1. **Comprehensive Plan Designation:** HR (High Density Residential)
2. **Zoning:** R-3
3. **Size:**
 - a. Tax Lot 2000: 0.70 acres
 - b. Tax Lot 2001: 0.25 acres
 - c. Tax Lot 2100: 0.49 acres
 - d. Tax Lot 2200: 0.18 acres

- e. Tax Lot 2201: 0.31 acres
- f. Tax Lot 2300: 0.20 acres
- g. Tax Lot 2302: 0.61 acres
- Total: 2.74 acres

4. **Access:** The parcels have frontage and access off Fairview and Terry Lanes.

5. **Utilities:**

- a. **Water:** 10 & 12-inch main in the Parkway right-of-way;
12-inch main in Fairview Lane and Terry Lane right-of-ways.
- b. **Sewer:** 8-inch mains in the right-of-way of Fairview and Terry Lane right-of-ways; and an 8-inch line running along the south property lines off Terry Lane.
- c. **Storm:** 8 & 12-inch pipe in Fairview;
18-inch in Terry Lane; and
24-inch near south property lines off Terry Lane

6. **Topography:** The property is generally level.

- a. **Natural Hazards:** None identified.
- b. **Natural Resources:** None identified.

7. **Land Use**

- a. Existing:
 - TL 2000 – Single Family Residence
 - TL 2001 – Single Family Residence
 - TL 2100 – Single Family Residence
 - TL 2200 - Single Family Residence
 - TL 2201 – Vacant
 - TL 2300 - Single Family Residence
 - TL 2302 – Vacant
- b. Proposed: Mixed Use – Residential; General Office; Commercial (Specialty Retail)

8. **Surrounding Land Use:**

- a. North: Residential: single-family and multi-family.
- b. South: Vacant – General Commercial (Del Taco/Starbucks site)
- c. East: RV sales lot
- d. West: Parkway Christian Church complex.

Discussion

The subject properties have a plan designation of High Density Residential and zoning of R-3. The proposal would amend the plan designation to High Rise Density Residential and General Commercial with zoning designations of R-4 and GC. The zone boundary line is proposed to run east/west along the south property lines of Tls 2001, 2200 & 2300, leaving Tls 2000 & 2100 with a split zone and TL 2201 & 2302 entirely within the GC zoning district.

Previous proposals were to rezone the entire tract to General Commercial. However, the applicant withdraw those applications due to issues and concerns related to preserving a residential character along Fairview Lane and maintaining an acceptable performance level on the transportation system, specifically related to the Grants Pass Parkway. The application materials include a traffic impact analysis (including addendums) prepared by JRH Transportation Engineering. The TIA discusses the proposed amendments, along with impacts and recommended "trip cap" and mitigation measures. The TIA was subsequently reviewed by John Replinger, PE of Replinger & Associates Transportation Engineering; and by the Oregon Department of Transportation.

The subject parcels are located within the Northeast Subarea (Fairfield-Foothill Neighborhood) as described in the Comprehensive Plan. Tax Lots 2000, 2001, 2100, 2200 and 2300 are each developed with a single-family residence and accessory buildings. Tax Lots 2201 and 2302 are vacant. The properties are located in a mixed development area and surround an existing duplex on TL 2301. The parcels to the north are zoned R-3 and are developed with multi and single family dwellings. A 5+ acre tract to the east is zoned GC and is development with an RV sales lot. The vacant parcel to the south is zoned GC, and was approved for a Del Taco and Starbucks restaurants. That application has been granted its first six (6) month extension and has an expiration date of May 31, 2009. Section 3.077 of the Development Code provides for a second and final six (6) month extension, subject to the criteria listed under Section 3.077(2) of the Development Code. The Del Taco/Starbucks parcel (TL 2400) abuts the Grants Pass Parkway, but will share an access off Terry Lane through this development. The property to the west is zoned R-3/R-4 and is developed with a large church complex (see the aerial map attached as Exhibit 2).

Element 13 – Land Use Element of the Comprehensive Plan provides the following discussion for the subarea for the subject parcels:

The Northeast Subarea is described in Section 13.9.4 of the Comprehensive Plan as being that area located north of the Southern Pacific railroad tracks and east of 6th Street. The area is bordered by commercial development on the south and east. Public facilities have capacity for moderate residential density in the southern part of the subarea and the remaining area has low density facilities capacity.

The Northeast Subarea is further broken down into specific neighborhoods. The subject parcels are located within the "Fairview-Foothill Neighborhood", being that area from Foothill Blvd and "A" Street, south to the Redwood Spur and from Agness Avenue and the freeway west to Beacon Drive. Public facilities are adequate to support moderate to high density development. There are three major streets serving the neighborhood; a highway, an arterial and a collector. The western edge of the neighborhood adjoins the Grants Pass Shopping Center. The neighborhood is classified as being appropriate for moderate to high density development.

Element 13 provides the following broad category definitions for moderate and high residential development:

Moderate Density - This category of housing would provide areas suitable for common wall dwellings such as condominiums, duplexes, tri-plexes and other multi-family and single family dwellings.

High Density – This category would allow housing types primarily located around larger commercial centers, which would be suitable for garden apartments, higher density condominium developments, etc.

As Grants Pass continues to grow, transportation and connectivity become a constraining factor on economic development. We have seen this issue recently with the approved Home Depot site and the mitigation measures required for that development. Encouraging mixed use developments will help to alleviate some of the stress placed on the existing transportation facilities.

The demand for commercial land is driven by the expansion and relocation of existing businesses and new businesses locating in Grants Pass. As noted in the Economic Element of the Grants Pass & Urbanizing Area Comprehensive Plan, the employment growth projections indicate that the service sector will increase from a 21% share of employment base to 42%. Mixed use sites as proposed by the applicant's narrative will provide an opportunity of blending professional offices with residential units, creating a live-work environment, located close to eating establishments and retail services.

Compatibility is an important factor when reviewing a proposed comprehensive plan and zone map change which will expand commercial uses within a neighborhood. Future development of the site will require a residential face along the Fairview Lane frontage and buffering around TL 2301, which is currently developed with a duplex. Note: The property owner of TL 2301 did not choose to participate in the request at the time this application was filed; however, the owner has recently expressed some interest in pursuing a subsequent Comprehensive Plan Map Amendment and Zone Map Amendment.

VIII. FINDINGS OF FACT – CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan map amendments, Comprehensive Plan Policy 13.5.4 requires that all of the following criteria be met:

CRITERION (a): Consistency with other findings, goals and policies in the Comprehensive Plan.

Planning Commission Response: Satisfied. The proposal is consistent with the applicable Goals and Policies of the Comprehensive Plan for reasons summarized below.

Element 8. Economy

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide for a mixed use development, maintaining the economic viability of the area by providing for a variety of residential and commercial uses for the tract which will compliment the existing development in the area.

Element 9. Housing

The amendment will not be substantially beneficial or detrimental to the residential land inventory. Grants Pass has historically zoned more land for multi-family development than has actually been used for multi-family uses, especially in Moderate and High Density designations. The R-4 zone permits higher density and a few uses that are not permitted in the R-3 zone (specifically, professional offices). The GC zone permits the same density as the R-3, but

provides for a wide range of commercial uses not available in the R-3 zone. The existing R-3 zone has a density factor of 17.4 dwelling units per acre ($17.4 * 2.74 = 47$ units). The proposed R-4/GC amendment would allow for a total of 66 units if the tract was to be residentially developed. (Note: Actual build out data indicates a density factor of 9.4 dwelling units per acre in the R-3 zone and 26.4 units per acre in the R-4 zone.) The intended mixed use of the property will limit the maximum residential development ability of the property. The proposed improvements include ten residential units, 10,620 sq. ft. of professional office space and 19,848 sq. ft. of specialty retail area.

Element 10. Public Facilities and Services

Public facilities and services are available to serve the existing and proposed use as covered by the adopted utility plans and service policies.

Element 13. Land Use

The proposed amendment of approximately 1.60 acres of land from residential to commercial will not have a substantial impact on the planned land uses in this area. The policies for the Northeast subarea states that this area will continue to develop with high densities adjoining the commercial area near the "E" and "F" couplet and the Redwood Spur, though the specific policies for the Fairview-Foothill Neighborhood states that the area east of Terry Lane and along Fairview shall develop at high densities and the remaining area at moderate densities. As described above, medium density residential housing types include condominiums, duplexes and tri-plexes, with high density housing being located primarily around larger commercial centers. The amendments and proposed mixed use development meets this requirement by blending into the existing uses in the neighborhood while providing a transition into the commercial developments to the south and east. The subject tract is located north of the Grants Pass Parkway and east of the Grants Pass Shopping Center, within close proximity to the large commercial tracts located off the Parkway, to include the Wal-Mart and Fred Meyer centers.

CRITERION (b): A change in circumstances validated by and supported by the database or proposed changes to the database, which would necessitate a change in findings, goals and policies.

Planning Commission Response: Satisfied. As discussed above, the site is located within the vicinity of a variety of mixed commercial uses, to include the Fred Meyer and Wal-Mart complexes, the Deardorff Corners shopping area to the south and the Grants Pass Shopping Center to the west. Element 13 of the Comprehensive Plan discusses the draw of higher density to increased commercial development, specifically for the Grants Pass Shopping Center and Redwood Spur area. The proposed amendment for the tract will change the database to allow a variety of mixed uses (i.e., professional offices on the R-4 area and commercial/retail uses in the GC area). The Comprehensive Plan Elements support the database change. The proposed amendment will amend the plan and zoning map from HR (R-3) to HRR (R-4) and GC/GC (as reflected on Exhibit 4), and will not require the amending of findings, goals or policies.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

Planning Commission Response: Satisfied. The proposal is consistent with seven (7) of the statewide planning goals described below:

Goal 1: Citizen Involvement

The proposal is reviewed and noticed according to the requirements for a Type IV-B procedure. Property owners within two hundred and fifty (250) feet were sent notice of the application. Public notice is posted for both the Planning Commission and City Council hearings in the *Daily Courier* (the local newspaper), on the City of Grants Pass website, www.grantspassoregon.gov and on the first floor of the City Hall building. Such notification provides the public an opportunity to provide written or oral comments on the matter either before or at the hearings.

The City has an acknowledged Citizen Involvement Program adopted under Resolution 1748 that insures the public can actively engage in the planning process.

No comments were received from surrounding property owners during the notice period.

Conclusion: The City's procedures outlined in the *Comprehensive Plan and Development Code* pertaining to citizen involvement are being followed. The proposal is consistent with Goal 1 standards and requirements.

Goal 2: Land Use

The Grants Pass *Comprehensive Plan and Development Code* outline the planning process to consider a Comprehensive Plan Map Amendment and the Zoning Map Amendment. The process requires the application to be heard by both the Planning Commission and the City Council. The Planning Commission will review the proposal and provide a formal recommendation that will be considered by the City Council for final decision. Specific criteria have been adopted that relate to the proposal. The review bodies will evaluate the proposal against those criteria in order to make a decision.

Conclusion: The application is being reviewed through the City's land use process, making it consistent with the purpose of statewide Goal 2.

Goal 9: Economic Development

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide more flexibility in the development of the tract for mixed uses, to include residential dwelling units and professional office space located along Fairview Lane, and commercial/retail uses directed towards the Parkway, accessing off of Terry Lane. The current zone of R-3 is similar to R-4, with the exception of a few additional uses allowed under the R-4 zone (i.e., group quarters, limited and professional offices etc). The General Commercial zone provides a wide range of uses available, further enhancing the economic diversity for the area.

Oregon Administrative Rule (OAR) Division 9, Economic Development (660-009-0000) requires that cities review and amend their comprehensive plans as necessary to comply with this division to provide economic opportunity analyses

for the demand of land for industrial and other employment uses to the existing land supply.

Element 8 ~ Economy of the Grants Pass & Urbanizing Area Comprehensive Plan (GPUACP) states that the employment sectors with the largest job growth for Josephine County between 1980 and 2005 included retail trade, government and services (such as health care and social assistance), and accommodation and food services. State forecasts indicate that these sectors will continue to lead the employment growth in Josephine County.

Based on the previous employment trends and projected forecasts referenced above, the proposed amendment is in compliance with OAR 660-009-0010 by providing additional land for "Other Employment Uses" which is defined as:

". . . all non-industrial employment activities including the wide range of retail, wholesale, service, non-profit, business headquarters, administrative and governmental employment activities that are accommodated in retail, office and flexible building types. Other employment uses also include employment activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community . . ."

Conclusion: The proposal provides diversification and further economic opportunities, thus meeting the standards and requirements of Goal 9.

Goal 10: Housing

The proposed amendment to change approximately 1.69 acres from residential to commercial (which allows for residential development to R-3 density) will not be substantially beneficial or detrimental to the residential land inventory of the City. Element 9 ~ Housing of the Comprehensive Plan states that the City of Grants Pass has historically zoned more land for multifamily development than has actually been used for multifamily residences. The projected need for housing is 75% single-family housing types and 25% multifamily types. The proposed mixed use reflected on the concept plan includes dwelling units with professional office space along the Fairview Avenue frontage.

Conclusion: The proposed zone change allows for a wider range of economic activities to happen on the properties, and still maintains the existing residential inventory.

Goal 11: Public Facilities and Services

The City has acknowledged master plans for urban services (including water, sewer and transportation) as part of the *Comprehensive Plan* and *Grants Pass Development Code*. Both water and sewer services are currently available to the subject properties and are adequate and available to serve further development of the properties.

In response to show compliance with the Master Transportation Plan and the Development Code, the applicant submitted a TIA prepared by JRH

Transportation Engineering. A total of seven (7) intersections were studied in the TIA for the proposal:

- Grants Pass Parkway (Highway 199) at Agness Avenue
- Grants Pass Parkway at Terry Lane
- Grants Pass Parkway at Beacon Drive
- Grants Pass Parkway at F Street
- Grants Pass Parkway at M Street
- Terry Lane at Fairview Street
- Beacon at Fairview Street

Note: The subject analysis included the approved Home Depot development and Phase I of the Main Place development (the Del Taco/Starbucks restaurants).

Note: See attached Memorandum from Rich Schaff, City Engineer, and e-mail correspondence from John Replinger concerning the reasons the intersection of Terry Lane and D Street was not included within the scoping letter for the project.

In addition to the mitigation conditioned under the Development Agreement #2008-1 for Timber Products/Home Depot, the applicant has agreed to the trip cap on the property noted above, along with the installation of mitigation measures for two (2) of the studied intersections for this site (Parkway at Agness and Parkway at Terry). The coordination of mitigation improvements between the Home Depot site and future development of the Main Place site are outlined in the attached Development Agreement. Between the two projects, mitigation will be provided for the following intersections:

<u>Intersection to be Mitigated</u>	<u>Responsible Party</u>
"E" Street at Mill	Home Depot
"F" Street at Mill	Home Depot
"M" Street at Mill	Home Depot
"F" Street at Parkway	Home Depot
"M" Street at Parkway	Home Depot
Hwy 238 at Parkway	Home Depot
Agness at Parkway	Main Place
Terry at Parkway	Main Place

The improvements for the above intersections are not included in the list of capital improvement projects identified in the Master Transportation. Through the use of a development agreement for the proposed amendment, along with the implementation of the Development Agreement for the Home Depot (Timber Products) site, the mitigation measures described in the TIA will be installed making the proposal compliant with Goal 11.

Conclusion: The City has public facilities in place to adequately serve the property in regards to sewer and water and is consistent with Goal 11 related to those services. A detail of the transportation impacts is described under Goal 12.

Goal 12: Transportation

The City has an acknowledged Master Transportation Plan as part of the *Comprehensive Plan* and *Grants Pass Development Code*. The tract has frontage and existing access off of NE Fairview Lane and NE Terry Lane, both classified as a collector. As reflected on the concept plan, future development of the site will be served by separate full movement accesses onto Terry Lane and Fairview Lane.

The proposal is subject to the Transportation Planning Rule outlined in OAR 660-012-0060 and the Grants Pass Development Code. The applicant submitted a Traffic Impact Analysis (TIA), along with two (2) addendums, prepared by JRH Engineering as part of the application materials for the amendment. The scope of the study was determined by the Oregon Department of Transportation (ODOT) and the City of Grants Pass. The intersections analyzed for the proposed amendment are listed above under Goal 11.

The Development Code's minimum Level of Service (LOS) standard is "D" for signalized intersections, and a volume-to-capacity (v/c) ratio not to be higher than 1.0 for the sum of critical movements. The analysis reflects that existing conditions at three of the intersections are already below the City's mobility standard.

Mitigation measures currently required under the Development Agreement for Home Depot will raise the Parkway & F Street and Parkway & M Street intersections up to standards. The intersection at the Parkway & Agness was not included in the TIA for Home Depot and is proposed to be mitigated to existing conditions with no further degradation seen as part of the zone change. As reflected in the chart below, the applicant's TIA indicates that the Parkway & F Street and the Parkway & M Street intersections will still meet standards with the Home Depot improvements and the Main Place development. The report indicates that the remaining four (4) studied intersections meet the City's performance standards.

Intersection	2008 Existing Conditions	2009 w/Home Depot	2009 w/Main Place	2024 with & without development
Parkway/Agness	LOS E; v/c 1.01	LOS E; v/c 1.03	LOS E; v/c 1.04	LOS F; v/c 1.10 LOS F; v/c 1.10
Parkway/F St.	LOS E; v/c 0.97	LOS D; v/c 0.95	LOS D; v/c 0.96	LOS E; v/c 1.03 LOS E; v/c 1.04
Parkway/M St.	LOS E; v/c 1.10	LOS D; v/c 0.94	LOS D; v/c 0.94	LOS F; v/c 1.20 LOS F; v/c 1.21

Note: The information for the above table was extrapolated from the applicant's TIA (Table 8, pg 38 of Exhibit 7; Table 3 & Table 5, pgs 14 & 15 of Exhibit 8).

Though all three of the intersections will not meet the minimum standards for the year 2024, the TIA reflects that these intersections would be below the minimum standards even without the Home Depot or Main Place developments. Even though these intersections are below the City's standard, the intersections are in

compliance with the Transportation Planning Rule (TPR) in that the proposed zoning conditions do not exceed the existing zoning conditions, and there is no difference seen between the operational performance of the development scenarios using the existing and proposed zoning. Therefore, no mitigation measures are required for the intersections under the year 2024 conditions based on the TPR.

Development of the subject property will require that mitigation measures be installed for the three failing intersections during the PM peak hour. The improvement of the Parkway & Agness intersection will be completed as part of the proposed development agreement for the subject property. The intersections of Parkway & F Street and Parkway & M Street are currently scheduled to be improved with the Home Depot site under Development Agreement #2008-1. However, if Development Agreement #2008-1 has not been implemented prior to the proposed development of the Main Place property, the applicant will be required to submit a revised TIA for review and approval as part of a site plan application, and conditions of approval may require the installation of improvements for the failing intersections as necessary to mitigate the development's impacts.

A recent decision made by the Land Use Board of Appeals of the State of Oregon (LUBA) under Luba No. 2007-210, reviewed the City's requirement that applications comply with the minimum performance standards listed in Section 27.121 of the Development Code. LUBA determined in part that the applicant should be required to:

“. . . mitigate the impact of its proposed development on the affected intersection, even if that mitigation does not fully restore it to LOS D. . . where proposed development will worsen an already failing intersection, the general approach of requiring an applicant to eliminate the impacts of development on the intersection, by means of off-site improvements, limitations on the proposed use or similar means, seems more consistent with the applicable plan and land use regulations, than does the city's apparent view that the application must be denied if the intersection cannot be fully restored to LOS D.”

In this case, the intersection of the Parkway and Agness is below the LOS D standard, however based on the dicta from LUBA, the applicant is only responsible for upgrading the intersection based on its impact rather than fully restoring the intersection to meet the Code standard.

Upon review of the TIA by the City Engineer, the City's consultant (John Replinger) and the ODOT, the applicant was requested to provide additional information concerning mitigation measures for the intersections located at the Parkway/Terry Lane and the Parkway/Agness Avenue. Note: The intersection of the Parkway and Terry meets the LOS standard however has been discussed by the applicant and the ODOT to be modified to function more efficiently. The following mitigation measures for these two intersections (to be installed prior to the issuance of a Certificate of Occupancy) have since been approved by the ODOT and are supported by the City's consultant and the City Engineer:

- Parkway and Agness Avenue Intersection ~ Mitigation shall include the reconfiguration of the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements and a right turn overlap for the westbound approach.
- Parkway and Terry Lane Intersection ~ The applicant shall provide geometric changes and signal modifications to the intersection in order to facilitate concurrent northbound and southbound left turns.

Note: As reflected in the proposed development agreement, future development of the subject site shall be coordinated with the mitigation measures to be installed under Development Agreement #2008-1 for the Home Depot site, or upon the approval of a revised TIA for the subject property.

Based upon the implementation of Development Agreement #2008-1 and the development agreement for the subject site, the proposed Comprehensive Plan Map Amendment and Zone Change Map Amendment will not cause a change in functional classification of the existing transportation facilities.

Conclusion: The City has transportation facilities that will be upgraded to adequately serve the property and is consistent with Goal 12 related to those services.

Goal 13: Energy Conservation

The subject properties currently have public utility and private utility services available adequate to serve the existing uses. Redevelopment of the properties shall try to implement energy conservation principles regardless of zoning designation.

Conclusion: The proposed amendment is consistent with Goal 13.

Overall Conclusion: Of the nineteen (19) statewide planning goals, the City finds the seven (7) goals analyzed above are applicable and are met by the proposal.

The remaining twelve (12) goals are as follows and are not found to be applicable to the application:

Goal 3 – Agriculture, Goal 4 – Forest, Goal 5 – Natural Resources, Scenic and Historic Areas, Goal 6 – Air, Water, and Land Resources Quality, Goal 7 – Areas subject to Natural Hazards, Goal 8 – Recreational Needs, Goal 14 – Urbanization, Goal 15 – Willamette River Greenway, Goal 16 – Estuarine Resources, Goal 17 – Coastal Shorelands, Goal 18 – Beaches and Dunes, and Goal 19 – Ocean Resources. These goals do not relate to the site under review. The site is not designated as agricultural or forest land. The property does not contain any natural resources or natural hazards. The property is not identified in the City's Comprehensive Plan as a future recreational area. The site is located in an urbanized area. Goals 15-19 do not relate to Grants Pass.

CRITERION (d): Citizen review and comment.

Planning Commission Response: Satisfied. Public notice of the proposal was mailed to surrounding properties in accordance with the Comprehensive Plan and Development Code procedures. No comments or inquiries were received from property owners during the notice period.

CRITERION (e): Review and comment from affected governmental units and other agencies.

Planning Commission Response: Satisfied. Affected governmental units and agencies were notified.

Notice of the proposal was mailed to the Department of Land Conservation and Development (DLCD) on March 3, 2009. No comments were received.

Notice of the proposal was mailed to Josephine County on March 3, 2009, in accordance with the 1998 Intergovernmental Agreement. No comments were received.

Notice was provided to the ODOT. Their comments are contained in the staff report as Exhibit 8.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Planning Commission Response: Satisfied. Water, sewer, storm, and streets are all present adjacent to the property and are available to serve the property. Some utilities are not present along the full length of both frontages. If extensions are required along the frontages, they can be addressed at the time of site plan review. In addition, based upon the discussion included above with reference to the proposed Development Agreement and outlined mitigation measures, the proposed amendment is in conformance with the Comprehensive Plan.

CRITERION (g): Additional information as required by the review body.

Planning Commission Response: Satisfied. Any additional information requested by the review body will be provided.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan was originally adopted in error.

Planning Commission Response: Not Applicable. There is no indication that the original boundaries were adopted in error.

For Zone Map Amendments, Section 4.033 of the City of Grants Pass Development Code requires that all of the following criteria be met:

CRITERION 1: The proposed use, if any is consistent with the proposed Zoning District.

Planning Commission Response: Satisfied. If the proposed zone change is approved, the existing and intended uses would be consistent with the uses permitted in the R-4 and GC zones. As noted in the applicant's narrative, the proposal is to develop the tract with mixed uses, to include apartment units and professional office space along Fairview Lane; and, commercial/retail services directed towards the Parkway to the south as reflected on the concept plan. The proposed uses are consistent with the proposed zoning districts.

CRITERION 2: The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.

Planning Commission Response: Satisfied based on action taken on the proposed Comprehensive Plan Amendment. If the Comprehensive Plan designation is amended as proposed, the R-4/GC zoning districts and the HRR/GC comprehensive plan map designations would correspond. As described above, and reflected on the zoning map, the property is located within a neighborhood containing a variety of zones mixed uses, to include multi-family units to the north zoned R-3 & R-4; a large church complex to the west with a split zone of R-3 & R-4; and various existing and approved commercial uses to the east and south in the GC zone. The extension of the R-4 and GC zones by the proposed amendment for the subject property is consistent with the surrounding plan designations, zoning, and the policy for this subarea and neighborhood.

CRITERION 3: A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impact upon the affected service area or without a change to adopted utility plans.

Planning Commission Response: Satisfied. As noted above, with the proposed Development Agreement and traffic mitigation measures, the existing services will be adequate to accommodate increased density or uses that would result from the amendment.

CRITERION 4: A demonstration that the proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Planning Commission Response: Satisfied. The applicant has submitted a TIA prepared by JRH Engineers, in conjunction with the plan amendment application and the proposed concept map. The analysis was based on the following:

- The improvements to be installed under Development Agreement #2008-1 for the Home Depot site;
- The proposed concept plan for the subject site to include 10,620 sq. ft of professional office space, 19,484 sq. ft of specialty retail and 10 apartment units; and
- The capping of trips based on the concept plan figures noted above.

Traffic impacts have been identified and the application proposes mitigation of two intersections ~ Parkway at Agness and Parkway at Terry, (only one which falls below standards ~ Parkway at Agness).

A development agreement is proposed to ensure the improvements are installed and which requires review, study and possible mitigation of the two additional intersections (Parkway at F Street and Parkway at M Street) if this development occurs before other planned improvements are in place as required under Development Agreement #2008-1 for the Home Depot site.

CRITERION 5: The natural features of the site are conducive to the proposed Zoning District.

Planning Commission Response: Not Applicable. There are no unique or unusual physical features on the properties that have been noted.

CRITERION 6: The proposed zone is consistent with the requirements of all overlay districts that include the subject property.

Planning Commission Response: Not Applicable. There are no overlay districts that include the subject property.

CRITERION 7: The timing of the zone change request is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.

Planning Commission Response: Satisfied. Adequate urban services already serve the subject properties. The zone change is appropriate at these locations.

CRITERION 8: In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034.

Planning Commission Response: Not Applicable. The subject property is not located within an Urban Reserve District, and this criterion does not apply.

IX. RECOMMENDATION:

The Urban Area Planning Commission recommends that City Council **APPROVE** the proposed Comprehensive Plan map amendment and zoning map amendment from R-3/HR to R-4/HHR and R-3/HR to GC/GC, along with the proposed Development Agreement #2009-1.

X. APPROVED BY THE URBAN AREA PLANNING COMMISSION this 10th day of June, 2009.



Commissioner Gary Berlant, Chair

Note: This application is not subject to the 120 day requirement per ORS 227.178.

CITY OF GRANTS PASS COMMUNITY DEVELOPMENT DEPARTMENT

**MAIN PLACE
COMPREHENSIVE PLAN MAP AMENDMENT, ZONING MAP AMENDMENT,
AND DEVELOPMENT AGREEMENT
STAFF REPORT - URBAN AREA PLANNING COMMISSION**

Procedure Type:	Type IV: Planning Commission Recommendation and City Council Decision
Project Number:	09-40200001
Project Type:	Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement
Owner:	Main Place Grants Pass, LLC (TLs 2000, 2100, 2200, 2201, 2300, & 2302) Marjorie D. Hill (TL 2001)
Applicant:	Geoff Farrer
Map & Tax Lot:	36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2302
Address:	1817, 1829, 1831, 1833 & 1849 NE Fairview Lane 220 NE Terry Lane (see Exhibits 1 and 2)
Total Acreage:	2.74 acres
Existing Comprehensive Plan Designation:	High Density Residential (see Exhibit 3)
Proposed Comprehensive Plan Designation:	High Rise Residential & General Commercial (see Exhibit 4)
Existing Zoning:	R-3
Proposed Zoning:	R-4 & GC
Planner Assigned:	Lora Glover
Application Received:	February 27, 2009
Application Complete:	February 27, 2009
Date of Staff Report:	May 4, 2009
Date of Planning Commission Hearing:	May 13, 2009

I. PROPOSAL:

The request is for a Comprehensive Plan Map Amendment and Zoning Map Amendment from High Density Residential/HR (R-3) to High Rise Residential/HRR (R-4) and General Commercial (GC). The amendments are summarized as follows:

<u>Approximate Area of Changes</u>	<u>Comprehensive Plan Amendment</u>	<u>Zoning Map Amendment</u>
1.14 acres	HR to HHR	R-3 to R-4
1.60 acres	HR to GC	R-3 to GC

The application materials include a narrative (see *Exhibit 5*), along with a concept map (see *Exhibit 6*) and a Traffic Impact Analysis, with Addendums (TIA) (see *Exhibits 7, 8 & 9*). The applicant proposes to develop the property with a variety of mixed uses to include the following:

- 10,620 sq. ft. of professional office space;
- 19,848 sq. ft. of specialty retail area; and
- Ten (10) residential units.

The application also includes a proposed Development Agreement (see *Exhibit 10*) to address traffic mitigation and development of the site.

The TIA incorporates data and future mitigation measures that have been approved under the pending Home Depot site. The intent of the Development Agreement is to coordinate the future development of this project with the mitigation measures to be installed by Home Depot; outline the additional mitigation measures that will be required for this development; and, establish the trip cap for the proposed uses listed above.

II. AUTHORITY AND CRITERIA:

Sections 13.5.5 and 13.8.3 of the Grants Pass Urban Area Comprehensive Plan provide that joint review by the City Council and Board of County Commissioners shall be required for amendment and revision to Comprehensive Plan findings, goals, policies, and land use maps of the Comprehensive Plan. However, the 1998 Intergovernmental Agreement modified that provision with the result that the City Council will make the decision, and the County will have automatic party status.

Section 13.8.3 of the Comprehensive Plan provides that notice shall be as provided in Section 2.060 of the *Development Code* for a Type IV procedure, with a recommendation from the Urban Area Planning Commission and a final decision by City Council. The text or map of the Comprehensive Plan may be recommended for amendment and amended provided the criteria in Section 13.5.4 of the Comprehensive Plan are met. The Zoning Map may be amended provided the Criteria in Section 4.033 of the *Development Code* are met.

The development agreement must meet the requirements of ORS 94.504 to 94.528 (see *Exhibit 10*).

III. APPEAL PROCEDURE:

Section 10.060 provides the City Council's final decision to be appealed to the State Land Use Board of Appeals (LUBA) as provided in state statutes. A notice of intent to appeal must be filed with LUBA within 21 days of the Council's written decision.

IV. BACKGROUND AND DISCUSSION:

Property Characteristics

1. **Comprehensive Plan Designation:** HR (High Density Residential)
2. **Zoning:** R-3
3. **Size:**
 - a. Tax Lot 2000: 0.70 acres
 - b. Tax Lot 2001: 0.25 acres
 - c. Tax Lot 2100: 0.49 acres
 - d. Tax Lot 2200: 0.18 acres
 - e. Tax Lot 2201: 0.31 acres
 - f. Tax Lot 2300: 0.20 acres
 - g. Tax Lot 2302: 0.61 acresTotal: 2.74 acres
4. **Access:** The parcels have frontage and access off Fairview and Terry Lanes.
5. **Utilities:**
 - a. **Water:** 10 & 12-inch main in the Parkway right-of-way; 12-inch main in Fairview Lane and Terry Lane right-of-ways.
 - b. **Sewer:** 8-inch mains in the right-of-way of Fairview and Terry Lane right-of-ways; and an 8-inch line running along the south property lines off Terry Lane.
 - c. **Storm:** 8 & 12-inch pipe in Fairview; 18-inch in Terry Lane; and 24-inch near south property lines off Terry Lane
6. **Topography:** The property is generally level.
 - a. **Natural Hazards:** None identified.
 - b. **Natural Resources:** None identified.
7. **Land Use**
 - a. **Existing:**
 - TL 2000 – Single Family Residence
 - TL 2001 – Single Family Residence
 - TL 2100 – Single Family Residence
 - TL 2200 - Single Family Residence
 - TL 2201 – Vacant
 - TL 2300 - Single Family Residence
 - TL 2302 – Vacant
 - b. **Proposed:** Mixed Use – Residential; General Office; Commercial (Specialty Retail)

8. Surrounding Land Use:

- a. North: Residential: single-family and multi-family.
- b. South: Vacant – General Commercial (Del Taco/Starbucks site)
- c. East: RV sales lot
- d. West: Parkway Christian Church complex.

Discussion

The subject properties have a plan designation of High Density Residential and zoning of R-3. The proposal would amend the plan designation to High Rise Density Residential and General Commercial with zoning designations of R-4 and GC. The zone boundary line is proposed to run east/west along the south property lines of TLs 2001, 2200 & 2300, leaving TLs 2000 & 2100 with a split zone and TL 2201 & 2302 entirely within the GC zoning district.

Previous proposals were to rezone the entire tract to General Commercial. However, the applicant withdrew those applications due to issues and concerns related to preserving a residential character along Fairview Lane and maintaining an acceptable performance level on the transportation system, specifically related to the Grants Pass Parkway. The application materials include a traffic impact analysis (including addendums) prepared by JRH Transportation Engineering (see *Exhibits 7, 8 & 9*). The TIA discusses the proposed amendments, along with impacts and recommended “trip cap” and mitigation measures. The TIA was subsequently reviewed by John Replinger, PE of Replinger & Associates Transportation Engineering (see *Exhibit 12*); and by the Oregon Department of Transportation (see *Exhibit 13*).

The subject parcels are located within the Northeast Subarea (Fairfield-Foothill Neighborhood) as described in the Comprehensive Plan. Tax Lots 2000, 2001, 2100, 2200 and 2300 are each developed with a single-family residence and accessory buildings. Tax Lots 2201 and 2302 are vacant. The properties are located in a mixed development area and surround an existing duplex on TL 2301. The parcels to the north are zoned R-3 and are developed with multi and single family dwellings. A 5+ acre tract to the east is zoned GC and is development with an RV sales lot. The vacant parcel to the south is zoned GC, and was approved for a Del Taco and Starbucks restaurants. That application has been granted its first six (6) month extension and has an expiration date of May 31, 2009. Section 3.077 of the Development Code provides for a second and final six (6) month extension, subject to the criteria listed under Section 3.077(2) of the Development Code. The Del Taco/Starbucks parcel (TL 2400) abuts the Grants Pass Parkway, but will share an access off Terry Lane through this development. The property to the west is zoned R-3/R-4 and is developed with a large church complex (see the aerial map attached as Exhibit 2).

Element 13 – Land Use Element of the Comprehensive Plan provides the following discussion for the subarea for the subject parcels:

The Northeast Subarea is described in Section 13.9.4 of the Comprehensive Plan as being that area located north of the Southern Pacific railroad tracks and east of 6th Street. The area is bordered by commercial development on the south and east. Public facilities have capacity for moderate residential density in the southern part of the subarea and the remaining area has low density facilities capacity.

The Northeast Subarea is further broken down into specific neighborhoods. The subject parcels are located within the "Fairview-Foothill Neighborhood", being that area from Foothill Blvd and "A" Street, south to the Redwood Spur and from Agness Avenue and the freeway west to Beacon Drive. Public facilities are adequate to support moderate to high density development. There are three major streets serving the neighborhood; a highway, an arterial and a collector. The western edge of the neighborhood adjoins the Grants Pass Shopping Center. The neighborhood is classified as being appropriate for moderate to high density development.

Element 13 provides the following broad category definitions for moderate and high residential development:

Moderate Density - This category of housing would provide areas suitable for common wall dwellings such as condominiums, duplexes, tri-plexes and other multi-family and single family dwellings.

High Density – This category would allow housing types primarily located around larger commercial centers, which would be suitable for garden apartments, higher density condominium developments, etc.

As Grants Pass continues to grow, transportation and connectivity become a constraining factor on economic development. We have seen this issue recently with the approved Home Depot site and the mitigation measures required for that development. Encouraging mixed use developments will help to alleviate some of the stress placed on the existing transportation facilities.

The demand for commercial land is driven by the expansion and relocation of existing businesses and new businesses locating in Grants Pass. As noted in the Economic Element of the Grants Pass & Urbanizing Area Comprehensive Plan, the employment growth projections indicate that the service sector will increase from a 21% share of employment base to 42%. Mixed use sites as proposed by the applicant's narrative will provide an opportunity of blending professional offices with residential units, creating a live-work environment, located close to eating establishments and retail services.

Compatibility is an important factor when reviewing a proposed comprehensive plan and zone map change which will expand commercial uses within a neighborhood. Future development of the site will require a residential face along the Fairview Lane frontage and buffering around TL 2301, which is currently developed with a duplex. Note: The property owner of TL 2301 did not choose to participate in the request at the time this application was filed; however, the owner has recently expressed some interest in pursuing a subsequent Comprehensive Plan Map Amendment and Zone Map Amendment.

V. CONFORMANCE WITH APPLICABLE CRITERIA:

For comprehensive plan map amendments, Comprehensive Plan Policy 13.5.4 requires that all of the following criteria be met:

CRITERION (a): Consistency with other findings, goals and policies in the Comprehensive Plan.

Staff's Response: Satisfied. The proposal is consistent with the applicable Goals and Policies of the Comprehensive Plan for reasons summarized below.

Element 8. Economy

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide for a mixed use development, maintaining the economic viability of the area by providing for a variety of residential and commercial uses for the tract which will compliment the existing development in the area.

Element 9. Housing

The amendment will not be substantially beneficial or detrimental to the residential land inventory. Grants Pass has historically zoned more land for multi-family development than has actually been used for multi-family uses, especially in Moderate and High Density designations. The R-4 zone permits higher density and a few uses that are not permitted in the R-3 zone (specifically, professional offices). The GC zone permits the same density as the R-3, but provides for a wide range of commercial uses not available in the R-3 zone. The existing R-3 zone has a density factor of 17.4 dwelling units per acre ($17.4 * 2.74 = 47$ units). The proposed R-4/GC amendment would allow for a total of 66 units if the tract was to be residentially developed. (Note: Actual build out data indicates a density factor of 9.4 dwelling units per acre in the R-3 zone and 26.4 units per acre in the R-4 zone.) The intended mixed use of the property will limit the maximum residential development ability of the property. The proposed improvements include ten residential units, 10,620 sq. ft. of professional office space and 19,848 sq. ft. of specialty retail area.

Element 10. Public Facilities and Services

Public facilities and services are available to serve the existing and proposed use as covered by the adopted utility plans and service policies.

Element 13. Land Use

The proposed amendment of approximately 1.60 acres of land from residential to commercial will not have a substantial impact on the planned land uses in this area. The policies for the Northeast subarea states that this area will continue to develop with high densities adjoining the commercial area near the "E" and "F" couplet and the Redwood Spur, though the specific policies for the Fairview-Foothill Neighborhood states that the area east of Terry Lane and along Fairview shall develop at high densities and the remaining area at moderate densities. As described above, medium density residential housing types include condominiums, duplexes and tri-plexes, with high density housing being located primarily around larger commercial centers. The amendments and proposed mixed use development meets this requirement by blending into the existing uses in the neighborhood while providing a transition into the commercial developments to the south and east. The subject tract is located north of the Grants Pass Parkway and east of the Grants Pass Shopping Center, within close proximity to the large commercial tracts located off the Parkway, to include the Wal-Mart and Fred Meyer centers.

CRITERION (b): A change in circumstances validated by and supported by the database or proposed changes to the database, which would necessitate a change in findings, goals and policies.

Staff's Response: Satisfied. As discussed above, the site is located within the vicinity of a variety of mixed commercial uses, to include the Fred Meyer and Wal-Mart complexes, the Deardorff Corners shopping area to the south and the Grants Pass Shopping Center to the west. Element 13 of the Comprehensive Plan discusses the draw of higher density to increased commercial development, specifically for the Grants Pass Shopping Center and Redwood Spur area. The proposed amendment for the tract will change the database to allow a variety of mixed uses (i.e., professional offices on the R-4 area and commercial/retail uses in the GC area). The Comprehensive Plan Elements support the database change. The proposed amendment will amend the plan and zoning map from HR (R-3) to HRR (R-4) and GC/GC (as reflected on Exhibit 4), and will not require the amending of findings, goals or policies.

CRITERION (c): Applicable planning goals and guidelines of the State of Oregon.

Staff's Response: Satisfied. The proposal is consistent with seven (7) of the statewide planning goals described below:

Goal 1: Citizen Involvement

The proposal is reviewed and noticed according to the requirements for a Type IV-B procedure. Property owners within two hundred and fifty (250) feet were sent notice of the application. Public notice is posted for both the Planning Commission and City Council hearings in the *Daily Courier* (the local newspaper), on the City of Grants Pass website, www.grantspassoregon.gov and on the first floor of the City Hall building. Such notification provides the public an opportunity to provide written or oral comments on the matter either before or at the hearings.

The City has an acknowledged Citizen Involvement Program adopted under Resolution 1748 that insures the public can actively engage in the planning process.

No comments were received from surrounding property owners during the notice period.

Conclusion: The City's procedures outlined in the *Comprehensive Plan* and *Development Code* pertaining to citizen involvement are being followed. The proposal is consistent with Goal 1 standards and requirements.

Goal 2: Land Use

The Grants Pass *Comprehensive Plan* and *Development Code* outline the planning process to consider a Comprehensive Plan Map Amendment and the Zoning Map Amendment. The process requires the application to be heard by both the Planning Commission and the City Council. The Planning Commission will review the proposal and provide a formal recommendation that will be considered by the City Council for final decision. Specific criteria have been adopted that relate to the proposal. The review bodies will evaluate the proposal against those criteria in order to make a decision.

Conclusion: The application is being reviewed through the City's land use process, making it consistent with the purpose of statewide Goal 2.

Goal 9: Economic Development

The proposed amendment to change the subject parcels to HRR/R-4 and GC/GC will provide more flexibility in the development of the tract for mixed uses, to include residential dwelling units and professional office space located along Fairview Lane, and commercial/retail uses directed towards the Parkway, accessing off of Terry Lane. The current zone of R-3 is similar to R-4, with the exception of a few additional uses allowed under the R-4 zone (i.e., group quarters, limited and professional offices etc). The General Commercial zone provides a wide range of uses available, further enhancing the economic diversity for the area.

Oregon Administrative Rule (OAR) Division 9, Economic Development (660-009-0000) requires that cities review and amend their comprehensive plans as necessary to comply with this division to provide economic opportunity analyses for the demand of land for industrial and other employment uses to the existing land supply.

Element 8 ~ Economy of the Grants Pass & Urbanizing Area Comprehensive Plan (GPUACP) states that the employment sectors with the largest job growth for Josephine County between 1980 and 2005 included retail trade, government and services (such as health care and social assistance), and accommodation and food services. State forecasts indicate that these sectors will continue to lead the employment growth in Josephine County.

Based on the previous employment trends and projected forecasts referenced above, the proposed amendment is in compliance with OAR 660-009-0010 by providing additional land for "Other Employment Uses" which is defined as:

“... all non-industrial employment activities including the wide range of retail, wholesale, service, non-profit, business headquarters, administrative and governmental employment activities that are accommodated in retail, office and flexible building types. Other employment uses also include employment activities of an entity or organization that serves the medical, educational, social service, recreation and security needs of the community ...”

Conclusion: The proposal provides diversification and further economic opportunities, thus meeting the standards and requirements of Goal 9.

Goal 10: Housing

The proposed amendment to change approximately 1.69 acres from residential to commercial (which allows for residential development to R-3 density) will not be substantially beneficial or detrimental to the residential land inventory of the City. Element 9 ~ Housing of the Comprehensive Plan states that the City of Grants Pass has historically zoned more land for multifamily development than has actually been used for multifamily residences. The projected need for housing is 75% single-family housing types and 25% multifamily types. The

proposed mixed use reflected on the concept plan includes dwelling units with professional office space along the Fairview Avenue frontage.

Conclusion: The proposed zone change allows for a wider range of economic activities to happen on the properties, and still maintains the existing residential inventory.

Goal 11: Public Facilities and Services

The City has acknowledged master plans for urban services (including water, sewer and transportation) as part of the *Comprehensive Plan* and *Grants Pass Development Code*. Both water and sewer services are currently available to the subject properties and are adequate and available to serve further development of the properties.

In response to show compliance with the Master Transportation Plan and the Development Code, the applicant submitted a TIA prepared by JRH Transportation Engineering. A total of seven (7) intersections were studied in the TIA for the proposal:

- Grants Pass Parkway (Highway 199) at Agness Avenue
- Grants Pass Parkway at Terry Lane
- Grants Pass Parkway at Beacon Drive
- Grants Pass Parkway at F Street
- Grants Pass Parkway at M Street
- Terry Lane at Fairview Street
- Beacon at Fairview Street

Note: The subject analysis included the approved Home Depot development and Phase I of the Main Place development (the Del Taco/Starbucks restaurants).

In addition to the mitigation conditioned under the Development Agreement #2008-1 for Timber Products/Home Depot, the applicant has agreed to the trip cap on the property noted above, along with the installation of mitigation measures for two (2) of the studied intersections for this site (Parkway at Agness and Parkway at Terry). The coordination of mitigation improvements between the Home Depot site and future development of the Main Place site are outlined in the attached Development Agreement. Between the two projects, mitigation will be provided for the following intersections:

<u>Intersection to be Mitigated</u>	<u>Responsible Party</u>
"E" Street at Mill	Home Depot
"F" Street at Mill	Home Depot
"M" Street at Mill	Home Depot
"F" Street at Parkway	Home Depot
"M" Street at Parkway	Home Depot
Hwy 238 at Parkway	Home Depot
Agness at Parkway	Main Place
Terry at Parkway	Main Place

The improvements for the above intersections are not included in the list of capital improvement projects identified in the Master Transportation. Through the use of a development agreement for the proposed amendment, along with the implementation of the Development Agreement for the Home Depot (Timber Products) site, the mitigation measures described in the TIA will be installed making the proposal compliant with Goal 11.

Conclusion: The City has public facilities in place to adequately serve the property in regards to sewer and water and is consistent with Goal 11 related to those services. A detail of the transportation impacts is described under Goal 12.

Goal 12: Transportation

The City has an acknowledged Master Transportation Plan as part of the *Comprehensive Plan* and *Grants Pass Development Code*. The tract has frontage and existing access off of NE Fairview Lane and NE Terry Lane, both classified as a collector. As reflected on the concept plan, future development of the site will be served by separate full movement accesses onto Terry Lane and Fairview Lane.

The proposal is subject to the Transportation Planning Rule outlined in OAR 660-012-0060 and the Grants Pass Development Code. The applicant submitted a Traffic Impact Analysis (TIA), along with two (2) addendums, prepared by JRH Engineering as part of the application materials for the amendment (see **Exhibits 7, 8 & 9**). The scope of the study was determined by the Oregon Department of Transportation (ODOT) and the City of Grants Pass. The intersections analyzed for the proposed amendment are listed above under Goal 11.

The Development Code's minimum Level of Service (LOS) standard is "D" for signalized intersections, and a volume-to-capacity (v/c) ratio not to be higher than 1.0 for the sum of critical movements. The analysis reflects that existing conditions at three of the intersections are already below the City's mobility standard.

Mitigation measures currently required under the Development Agreement for Home Depot will raise the Parkway & F Street and Parkway & M Street intersections up to standards. The intersection at the Parkway & Agness was not included in the TIA for Home Depot and is proposed to be mitigated to existing conditions with no further degradation seen as part of the zone change. As reflected in the chart below, the applicant's TIA indicates that the Parkway & F Street and the Parkway & M Street intersections will still meet standards with the Home Depot improvements and the Main Place development. The report indicates that the remaining four (4) studied intersections meet the City's performance standards.

Intersection	2008 Existing Conditions	2009 w/Home Depot	2009 w/Main Place	2024 with & without development
Parkway/Agness	LOS E; v/c 1.01	LOS E; v/c 1.03	LOS E; v/c 1.04	LOS F; v/c 1.10 LOS F; v/c 1.10
Parkway/F St.	LOS E; v/c 0.97	LOS D; v/c 0.95	LOS D; v/c 0.96	LOS E; v/c 1.03 LOS E; v/c 1.04
Parkway/M St.	LOS E; v/c 1.10	LOS D; v/c 0.94	LOS D; v/c 0.94	LOS F; v/c 1.20 LOS F; v/c 1.21

Note: The information for the above table was extrapolated from the applicant's TIA (Table 8, pg 38 of Exhibit 7; Table 3 & Table 5, pgs 14 & 15 of Exhibit 8).

Though all three of the intersections will not meet the minimum standards for the year 2024, the TIA reflects that these intersections would be below the minimum standards even without the Home Depot or Main Place developments (see pg 15 of **Exhibit 8**). Even though these intersections are below the City's standard, the intersections are in compliance with the Transportation Planning Rule (TPR) in that the proposed zoning conditions do not exceed the existing zoning conditions, and there is no difference seen between the operational performance of the development scenarios using the existing and proposed zoning. Therefore, no mitigation measures are required for the intersections under the year 2024 conditions based on the TPR.

Development of the subject property will require that mitigation measures be installed for the three failing intersections during the PM peak hour. The improvement of the Parkway & Agness intersection will be completed as part of the proposed development agreement for the subject property. The intersections of Parkway & F Street and Parkway & M Street are currently scheduled to be improved with the Home Depot site under Development Agreement #2008-1 (see **Exhibit 14**). However, if Development Agreement #2008-1 has not been implemented prior to the proposed development of the Main Place property, the applicant will be required to submit a revised TIA for review and approval as part of a site plan application, and conditions of approval may require the installation of improvements for the failing intersections as necessary to mitigate the development's impacts.

A recent decision made by the Land Use Board of Appeals of the State of Oregon (LUBA) under Luba No. 2007-210, reviewed the City's requirement that applications comply with the minimum performance standards listed in Section 27.121 of the Development Code. LUBA determined in part that the applicant should be required to:

“ . . . mitigate the impact of its proposed development on the affected intersection, even if that mitigation does not fully restore it to LOS D. . . where proposed development will worsen an already failing intersection, the general approach of requiring an applicant to eliminate the impacts of development on the intersection, by means of off-site improvements, limitations on the proposed use or similar means, seems more consistent with the applicable plan and land use regulations, than does the city's apparent view that

and land use regulations, than does the city's apparent view that the application must be denied if the intersection cannot be fully restored to LOS D."

In this case, the intersection of the Parkway and Agness is below the LOS D standard, however based on the dicta from LUBA, the applicant is only responsible for upgrading the intersection based on its impact rather than fully restoring the intersection to meet the Code standard.

Upon review of the TIA by the City Engineer, the City's consultant (John Replinger) and the ODOT, the applicant was requested to provide additional information concerning mitigation measures for the intersections located at the Parkway/Terry Lane and the Parkway/Agness Avenue. Note: The intersection of the Parkway and Terry meets the LOS standard however has been discussed by the applicant and the ODOT to be modified to function more efficiently. The following mitigation measures for these two intersections (to be installed prior to the issuance of a Certificate of Occupancy) have since been approved by the ODOT (**Exhibit 13**) and are supported by the City's consultant (**Exhibit 12**) and the City Engineer:

- Parkway and Agness Avenue Intersection ~ Mitigation shall include the reconfiguration of the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements and a right turn overlap for the westbound approach.
- Parkway and Terry Lane Intersection ~ The applicant shall provide geometric changes and signal modifications to the intersection in order to facilitate concurrent northbound and southbound left turns.

Note: As reflected in the proposed development agreement, future development of the subject site shall be coordinated with the mitigation measures to be installed under Development Agreement #2008-1 for the Home Depot site, or upon the approval of a revised TIA for the subject property.

Based upon the implementation of Development Agreement #2008-1 and the development agreement for the subject site, the proposed Comprehensive Plan Map Amendment and Zone Change Map Amendment will not cause a change in functional classification of the existing transportation facilities.

Conclusion: The City has transportation facilities that will be upgraded to adequately serve the property and is consistent with Goal 12 related to those services.

Goal 13: Energy Conservation

The subject properties currently have public utility and private utility services available adequate to serve the existing uses. Redevelopment of the properties shall try to implement energy conservation principles regardless of zoning designation.

Conclusion: The proposed amendment is consistent with Goal 13.

Overall Conclusion: Of the nineteen (19) statewide planning goals, the City finds the seven (7) goals analyzed above are applicable and are met by the proposal.

The remaining twelve (12) goals are as follows and are not found to be applicable to the application:

Goal 3 – Agriculture, Goal 4 – Forest, Goal 5 – Natural Resources, Scenic and Historic Areas, Goal 6 – Air, Water, and Land Resources Quality, Goal 7 – Areas subject to Natural Hazards, Goal 8 – Recreational Needs, Goal 14 – Urbanization, Goal 15 – Willamette River Greenway, Goal 16 – Estuarine Resources, Goal 17 – Coastal Shorelands, Goal 18 – Beaches and Dunes, and Goal 19 – Ocean Resources. These goals do not relate to the site under review. The site is not designated as agricultural or forest land. The property does not contain any natural resources or natural hazards. The property is not identified in the City's Comprehensive Plan as a future recreational area. The site is located in an urbanized area. Goals 15-19 do not relate to Grants Pass.

CRITERION (d): Citizen review and comment.

Staff's Response: Satisfied. Public notice of the proposal was mailed to surrounding properties in accordance with the Comprehensive Plan and Development Code procedures. No comments or inquiries were received from property owners during the notice period.

CRITERION (e): Review and comment from affected governmental units and other agencies.

Staff's Response: Satisfied. Affected governmental units and agencies were notified.

Notice of the proposal was mailed to the Department of Land Conservation and Development (DLCD) on March 3, 2009. No comments were received.

Notice of the proposal was mailed to Josephine County on March 3, 2009, in accordance with the 1998 Intergovernmental Agreement. No comments were received.

Notice was provided to the ODOT. Their comments are contained in Exhibit 8.

CRITERION (f): A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Staff's Response: Satisfied. Water, sewer, storm, and streets are all present adjacent to the property and are available to serve the property. Some utilities are not present along the full length of both frontages. If extensions are required along the frontages, they can be addressed at the time of site plan review. In addition, based upon the discussion included above with reference to the proposed Development Agreement and outlined mitigation measures, the proposed amendment is in conformance with the Comprehensive Plan.

CRITERION (g): Additional information as required by the review body.

Staff's Response: Satisfied. Any additional information requested by the review body will be provided.

CRITERION (h): In lieu of item (b) above, demonstration that the Plan was originally adopted in error.

Staff's Response: Not Applicable. There is no indication that the original boundaries were adopted in error.

For Zone Map Amendments, Section 4.033 of the City of Grants Pass Development Code requires that all of the following criteria be met:

CRITERION 1: The proposed use, if any is consistent with the proposed Zoning District.

Staff's Response: Satisfied. If the proposed zone change is approved, the existing and intended uses would be consistent with the uses permitted in the R-4 and GC zones. As noted in the applicant's narrative, the proposal is to develop the tract with mixed uses, to include apartment units and professional office space along Fairview Lane; and, commercial/retail services directed towards the Parkway to the south as reflected on the concept plan. The proposed uses are consistent with the proposed zoning districts.

CRITERION 2: The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.

Staff's Response: Satisfied based on action taken on the proposed Comprehensive Plan Amendment. If the Comprehensive Plan designation is amended as proposed, the R-4/GC zoning districts and the HRR/GC comprehensive plan map designations would correspond. As described above, and reflected on the zoning map, the property is located within a neighborhood containing a variety of zones mixed uses, to include multi-family units to the north zoned R-3 & R-4; a large church complex to the west with a split zone of R-3 & R-4; and various existing and approved commercial uses to the east and south in the GC zone. The extension of the R-4 and GC zones by the proposed amendment for the subject property is consistent with the surrounding plan designations, zoning, and the policy for this subarea and neighborhood.

CRITERION 3: A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impact upon the affected service area or without a change to adopted utility plans.

Staff's Response: Satisfied. As noted above, with the proposed Development Agreement and traffic mitigation measures, the existing services will be adequate to accommodate increased density or uses that would result from the amendment.

CRITERION 4: A demonstration that the proposed amendment is consistent with the functions, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Staff's Response: Satisfied. The applicant has submitted a TIA prepared by JRH Engineers, in conjunction with the plan amendment application and the proposed concept map. The analysis was based on the following:

- The improvements to be installed under Development Agreement #2008-1 for the Home Depot site;
- The proposed concept plan for the subject site to include 10,620 sq. ft of professional office space, 19,484 sq. ft of specialty retail and 10 apartment units; and
- The capping of trips based on the concept plan figures noted above.

Traffic impacts have been identified and the application proposes mitigation of two intersections ~ Parkway at Agness and Parkway at Terry, (only one which falls below standards ~ Parkway at Agness).

A development agreement is proposed to ensure the improvements are installed and which requires review, study and possible mitigation of the two additional intersections (Parkway at F Street and Parkway at M Street) if this development occurs before other planned improvements are in place as required under Development Agreement #2008-1 for the Home Depot site.

CRITERION 5: The natural features of the site are conducive to the proposed Zoning District.

Staff's Response: Not Applicable. There are no unique or unusual physical features on the properties that have been noted.

CRITERION 6: The proposed zone is consistent with the requirements of all overlay districts that include the subject property.

Staff's Response: Not Applicable. There are no overlay districts that include the subject property.

CRITERION 7: The timing of the zone change request is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.

Staff's Response: Satisfied. Adequate urban services already serve the subject properties. The zone change is appropriate at these locations.

CRITERION 8: In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034.

Staff's Response: Not Applicable. The subject property is not located within an Urban Reserve District, and this criterion does not apply.

VI. RECOMMENDATION:

It is recommended that the Urban Area Planning Commission recommend that City Council **APPROVE** the proposed Comprehensive Plan map amendment and zoning map amendment from R-3/HR to R-4/HHR and R-3/HR to GC/GC, along with the proposed Development Agreement #2009-1.

VII. PLANNING COMMISSION ACTION:

- A. Positive Action: Recommend approval of the request:
 - 1. as submitted.
 - 2. as modified by the Planning Commission (list):

- B. Negative Action: Recommend denial of the request for the following reasons (list):

- C. Postponement: Continue item
 - 1. indefinitely.
 - 2. to a time certain.

NOTE: The application is not subject to the 120 day requirement per ORS 227.178.

VIII. INDEX TO EXHIBITS:

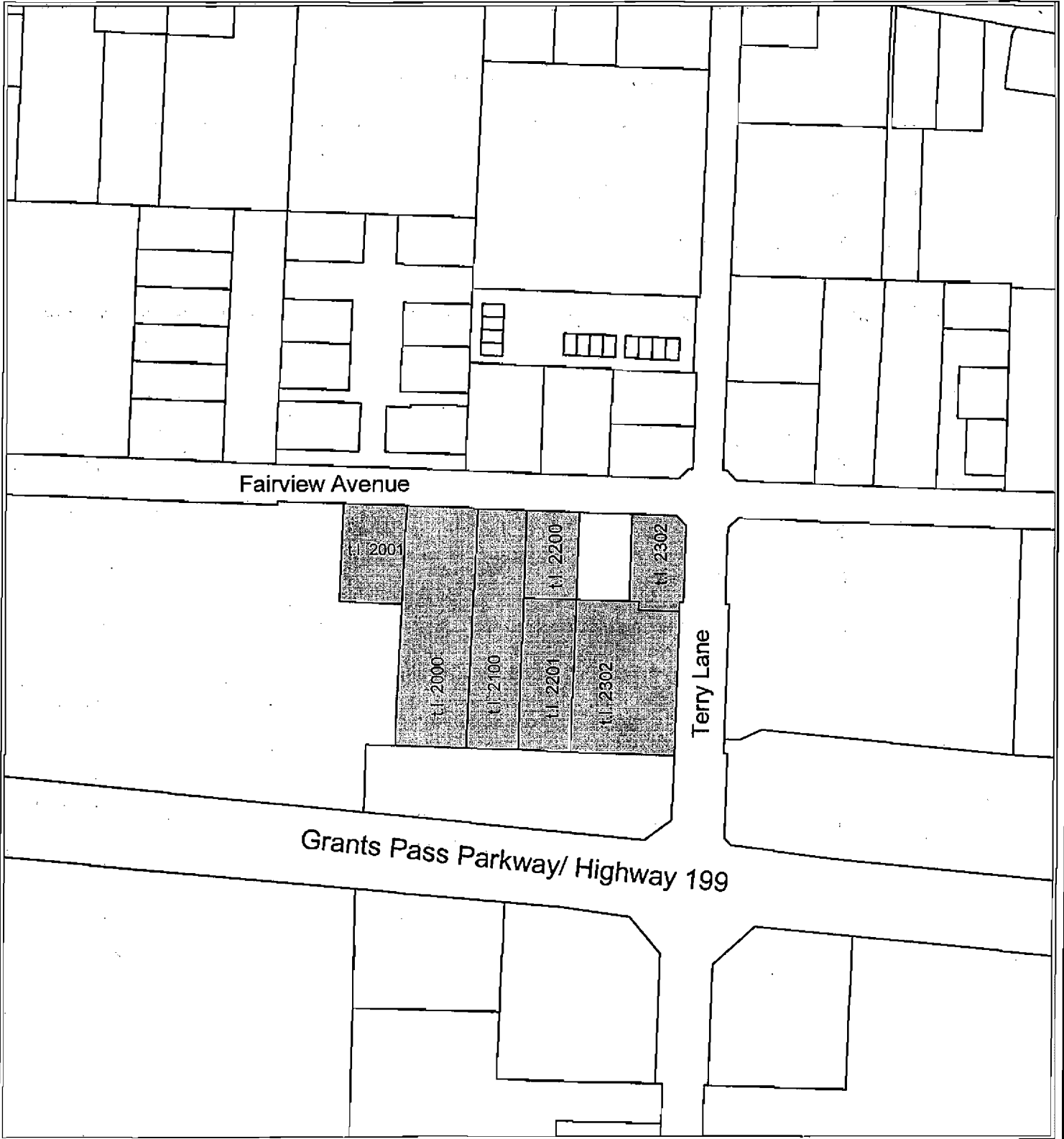
- 1. Vicinity
- 2. Aerial Photograph
- 3. Existing Zoning
- 4. Proposed Zoning
- 5. Applicant's written narrative (Note: The full report is incorporated herein by reference and available for review in the land use file).
- 6. Concept Plan
- 7. Executive Summary of the TIA prepared by JHR dated 4/11/08
- 8. TIA Addendum dated 8/4/08
- 9. TIA Addendum dated 2/24/09
(Note: The full report, along with addendums, is incorporated into this record by reference, and is available for review in the land use file.)
- 10. Proposed Development Agreement #2009-1
- 11. ORS 94.504 – 94.528
- 12. John Replinger's comments dated 4/7/09
- 13. ODOT's comments dated 4/10/09
- 14. Timber Products/Home Depot Development Agreement #2008-1.

Main Place/Hill CPMA & ZMA Location Map



36-05-16-CB TL 2000, 2001, 2100, 2200, 2201, 2300, & 2302

WHERE THE ROBBIE RIVER RONS



200 0 200 400 Feet

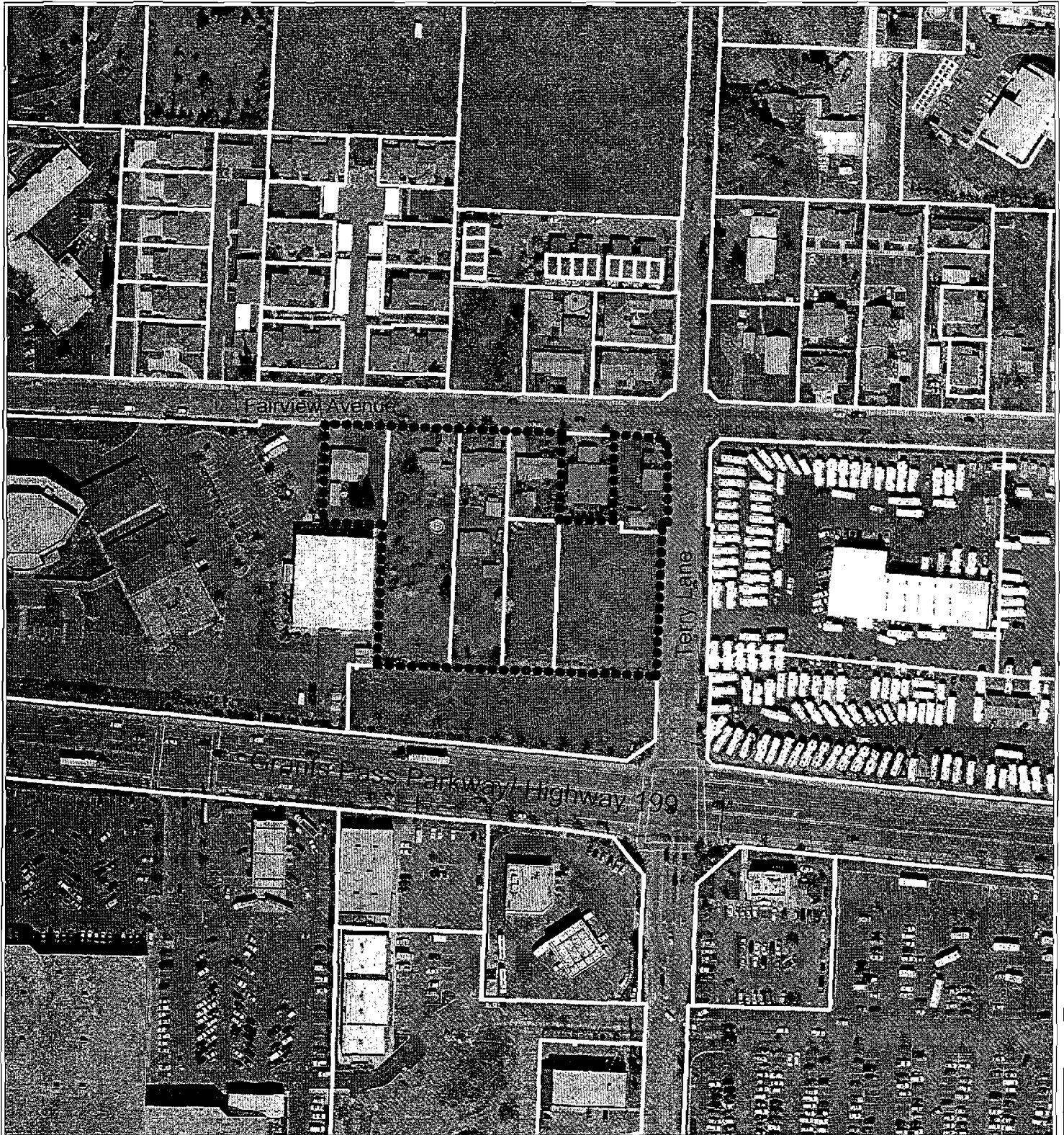


EXHIBIT 1

Main Place/Hill CPMA & ZMA Aerial Photo



36-05-16-CB TL 2000, 2001, 2100, 2200, 2201, 2300, & 2302



200 0 200 400 Feet



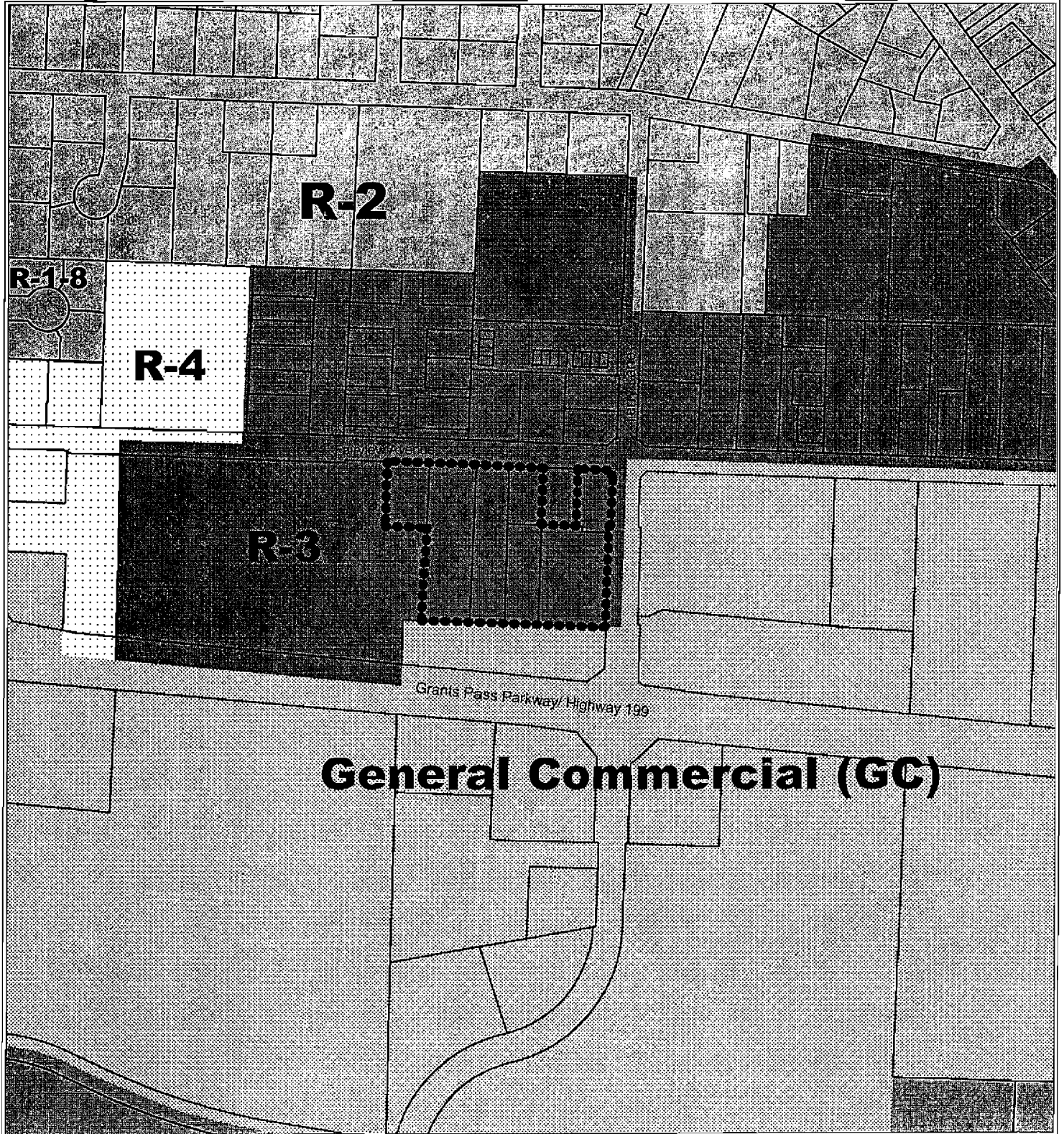
EXHIBIT 2

Main Place/Hill CPMA & ZMA Existing Zoning



36-05-16-CB TL 2000, 2001, 2100, 2200, 2201, 2300, & 2302

WHERE THE ROGUE RIVER RIMS



200 0 200 400 Feet

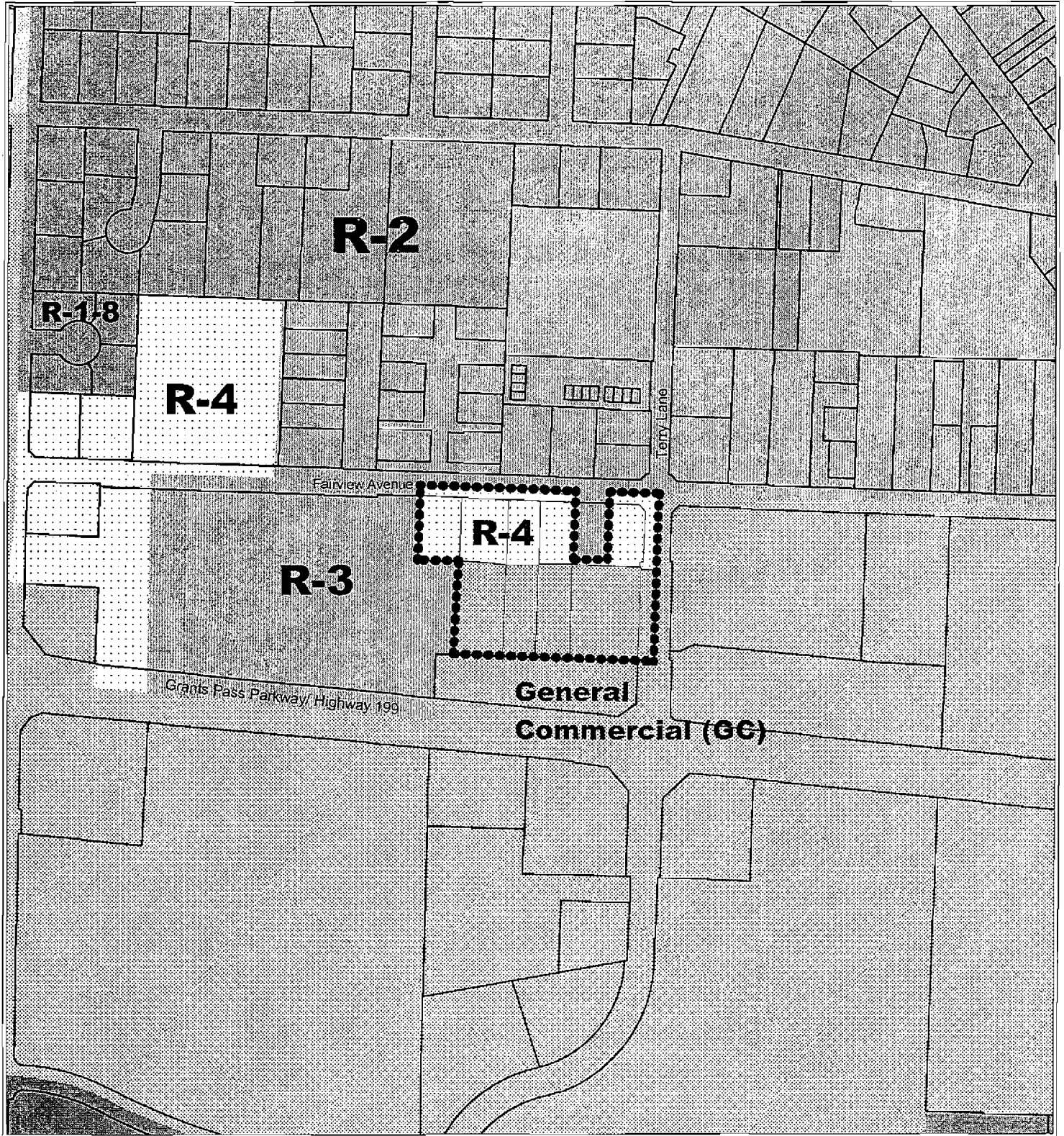


EXHIBIT 3

Main Place/Hill CPMA & ZMA Proposed Zoning



36-05-16-CB TL 2000, 2001, 2100, 2200, 2201, 2300, & 2302



200 0 200 400 Feet



EXHIBIT 4

Note: Applicant's complete submittal is available in the Planning Office for review.

Comprehensive Plan and Zone Change

Comprehensive Plan:

*High Density Residential to High-Rise Density Residential
High Density Residential to General Commercial District
Zone: R-3 to R-4 and R-3 to GC*

MAIN PLACE

Legal: 36-05-16-CB Tax Lot - A: 2001
Tax Lots-B: 2000, 2100, 2200, 2300, 2201, 2302
Present Zoning: R-3
New Zoning: Portions of R-4 & GC

Terry Lane and Fairview Avenue, Grants Pass

Owner -A: Marjorie D. Hill
1817 NE Fairview Avenue
Grants Pass, Oregon 97526

Owner-B: Main Place Grants Pass, LLC
Applicant: Geoff Farrer, P. O. Box 1300
Grants Pass, Oregon 97528

Engineer: Justin Gerlitz, P.E.
ZCS Engineering, Inc.
550 SW 6th Street, Suite C
Grants Pass, Oregon 97526
Tele: 541-479-3865

FEBRUARY 2009

Attorney: David Ingalls
717 Murphy Road
Medford, Oregon 97504
Tel: 541-779-8900

Consultant: Rick Riker
Planning and Research Services
560 Northeast F Street, PMB # 224
Grants Pass, Oregon 97526

RECEIVED
FEB 27 2009
Exhibit 5
CITY OF GRANTS PASS

Overview

Request: This is a request for both a comprehensive plan and zone change. The entire site is currently High Density Residential (Comprehensive Plan) with R-3 zoning. The proposal is for High-Rise Density Residential (HR) with R-4 zoning along Fairview Avenue, and General Commercial (GC) with GC zoning along Terry Lane.

History: The majority of the subject property off Terry Lane is vacant, with older residential dwellings sited along Fairview Avenue. The applicant has pursued a comprehensive plan and zone change to allow commercial development on the subject property for over five years. The applicant owns many apartment complexes, including one to the east on Fairview Avenue. There has been little motivation to add additional apartments to this site, since he has had numerous inquiries from different commercial businesses wishing to locate there. Various issues have come up that have made this an arduous path, while searching to find the appropriate solution.

There have been three main issues involved with this application:

- 1) the proposal for professional offices along Fairview Avenue, and access;
- 2) the proposal to introduce commercial use bordering the residential neighborhood, and
- 3) the potential for increased traffic flows generated by commercial uses.

This application has been through many reviews over several years. In the last attempt to get some resolution, ODOT sponsored a special forum that included consultants from Portland who recommended a mixed use between residential and commercial for the Fairview Avenue segment. The result is the current proposal in the form of the zone change from R-3 to R-4 along Fairview Avenue, and limiting the GC designation to that area that fronts on Terry Lane.

Difficulties with this development are caused by the significant acreage that is involved. The City of Grants Pass requires emergency access via two approaches and a loop system for city water. This means that the public water will go from Terry Lane to Fairview Avenue with a paved driveable surface, starting from the southeast portion of the property and looping to Fairview Avenue on the north. This has been addressed as reflected in the Conceptual Site Plan as a double lane driveway between the buildings that will serve as both utility access and emergency access.

Traffic impacts from new development have recently been a concern along the Grants Pass Parkway as new developments continue to come into the area. As part of this application we were required to study several signalized intersections along the Parkway to determine the existing

intersection capacity and if mitigation would be required for the impacts from our proposed development/zoning. Per City/ODOT requirements, we included the pipeline traffic from the proposed Home Depot development which was recently approved. In addition to this, we have "capped" the amount of trips in our traffic study to represent the uses intended for development at this site.

Of the intersections studied, only Agness Avenue/Parkway falls below the City's LOS standards in the year of opening. In the planning horizon year of 2024, the intersections of "F" Street/Parkway and "M" Street/Parkway also fall below the City's standards, but per the conditions of approval for the Home Depot development, these intersections will be mitigated back to an acceptable LOS, including the additional trips from our proposed development/zoning. Working closely with the City of Grants Pass and ODOT, we have come up with acceptable intersection mitigation at Terry Lane/Parkway and Agness/Parkway to mitigate the impacts from our proposed development. By making improvements to the existing signal phasing and existing medians, the intersections would operate with sequential northbound/southbound left turn lanes (with the addition of a right turn overlap at Agness), improving the volume/capacity ratio and delay from their current condition (Exhibits G & N).

Table of Contents

The following materials are enclosed:

- . Title Page
- . Overview
- . Request and History

- . Table of Contents
- . Application
- . Criteria

- . City Goals and Policies
- . State Goals and Policies

- . Criteria for a Comprehensive Plan
- . Criteria for a Zone Change
- . Definitions

EXHIBITS

- A. Application
- B. Zone Change Request Map

- C. Criteria
- D. Zoning Map

- E. Aerial Photos
- F. Traffic Study

- G. JRH Traffic Supplement
- H. Comprehensive Plan Information

- I. Conceptual Site Plan with Elevations
- J. Utilities Information

- K. Large Assessor's Map
- L. Land Use Map

- M. Master Transportation Map
- N. Terry Lane & Agness Avenue

- O. Other: Economic Element 8.40
- P. Photos
- Q. TGM Quick Response Report - Selections

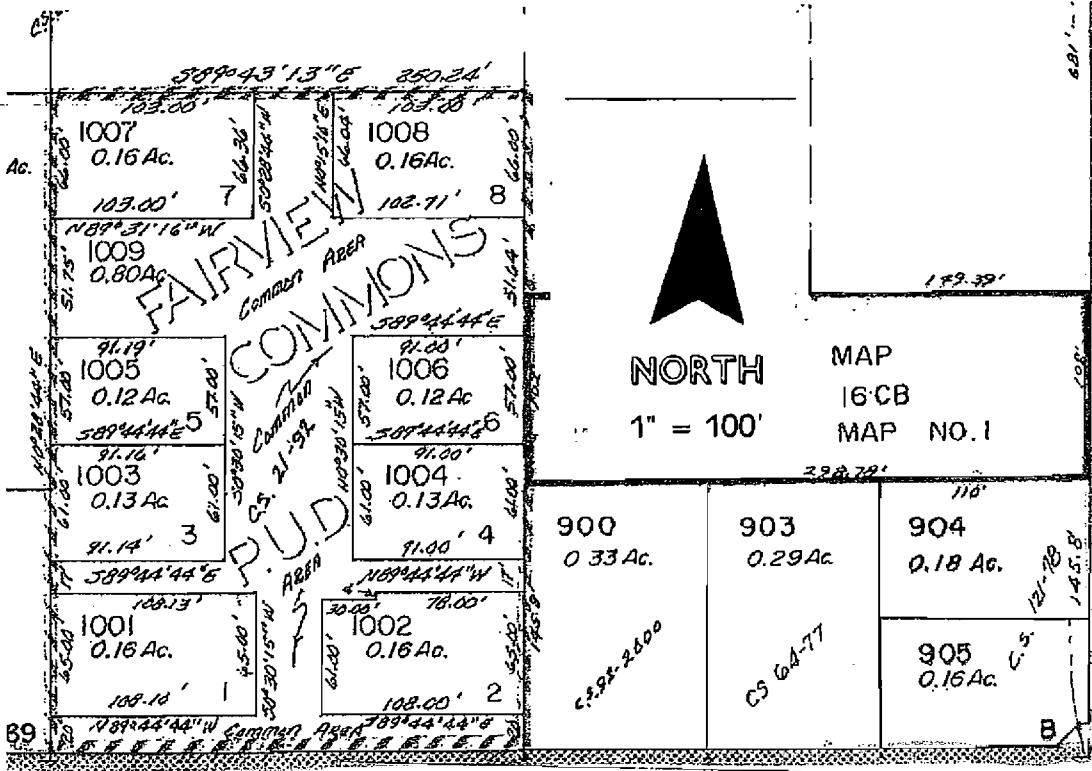
APPLICATION

EXHIBIT A

ZONE CHANGE REQUEST

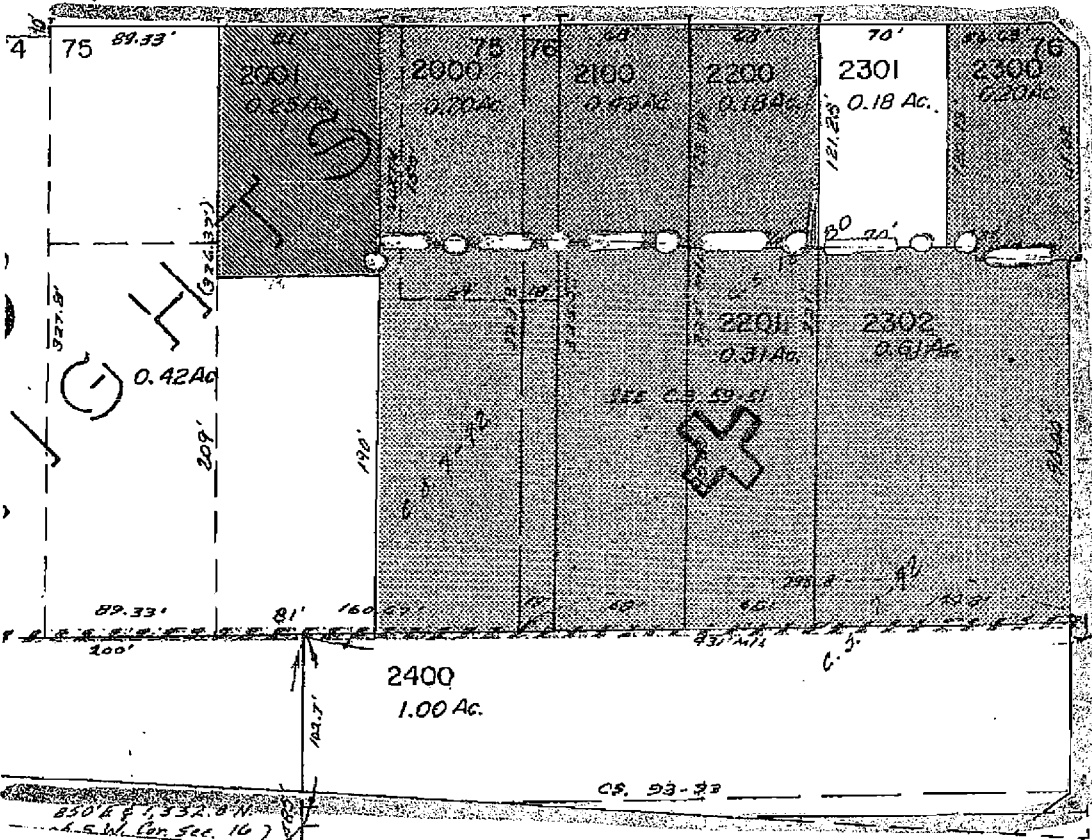
EXHIBIT B

REQUEST



TERRY LANE

FAIRVIEW AVENUE



R-3 to R-4

R-3 to GC

TERRY

GRANTS PASS PARKWAY

36 5 16 CB

CRITERIA

EXHIBIT C

CITY GOALS AND POLICIES:

GOAL # 2. CITIZEN INVOLVEMENT

TO DEVELOP A CITIZEN INVOLVEMENT PROGRAM THAT INSURES THE ONGOING INVOLVEMENT OF CITIZENS IN ALL PHASES OF THE LAND USE PLANNING PROCESS.

Policy 2.1: Reviewing Land Use actions.

Land Use actions shall be reviewed as provided in the Development Code, with the degree of public participation fitting the extent of impact of the proposed land use action, as provided in Policy 131.12 of the Plan. The Development Code shall include provisions for adequate, timely and informed review, including notices bearing complete and easily understood information needed by the general public to make an informed opinion.

Response: This application is being processed in accordance with the Development Code and the requirements set forth. The requirements include public notification and the opportunity for individuals to participate in the decision making process.

GOAL # 4: ENVIRONMENTAL RESOURCE QUALITY

TO MAINTAIN AND IMPROVE THE QUALITY OF THE AIR, WATER AND LAND RESOURCES OF THE AREA.

Policy 4.1 The City and County shall affect air quality by:

- (a) coordinating the maintenance of air quality with the State Clean Air Implementation Plan.

Response: The future uses would enhance the maintenance of the air quality in that there would be compliance with the existing rules and regulations. The new businesses and residences would be encouraged to use and employ energy conserving devices, such as natural gas heating, high efficiency air conditioning, on-demand hot water and fluorescent lighting, all of which would contribute to cleaner air quality.

- (b) cooperating with the State Department of Environmental Quality, the County Health Department, organizations and individuals for the ongoing monitoring of air pollutants in the UGB airshed.

Response: The proposed change from residential to commercial would meet the environmental requirements of the development code as well as complying with DEQ and County Health regulations involving the airshed. It has been noted that the air quality in downtown Grants Pass has improved with the construction of the Third Bridge, and the improvement of this site would include trees and other plantings which would be a positive contribution towards air quality. The new traffic study has shown that a trip cap will be imposed on the proposed development to lessen the impact and support air quality goals. Grants Pass has been compliant with the airshed requirements for many years.

- (c) continuing and augmenting the program of paving unpaved roadways within the UGB, including alleys.

Response: Complies. Terry Lane is a city maintained paved road, and the parking lot for the development will also be paved.

Policy 4.2 - The City and County shall:

- (a) evaluate the need for a local noise ordinance utilizing DEQ Noise Control Regulations and Model Noise Ordinance within 16 months of adoption of the Comprehensive Plan.
- (b) coordinate land use planning with the DEQ Noise Control Regulations, especially the regulations for industry and commerce.
- (c) locate noise sensitive land uses, such as residential away from noise sources wherever possible.
- (d) explore the requirement of noise abatement measures in residential developments that are located adjacent to noise sources such as highways, major streets, railroads, industrial and commercial areas.

Response: The existing use includes residential units along Fairview Lane, with the proposal to include a mixture of residential and commercial uses. The nearby neighborhoods are already impacted by road noise: to the South - the parkway with existing commercial uses such as the Arco Gas station; to the East: RV Sales which also fronts on the Parkway; to the North: residences which experience some noise from moderate traffic on Fairview and with the right conditions, noise from traffic on the Parkway. This noise level will be reduced for some of those residences with the development of the proposed site by one and two story buildings, which will act as a noise buffer to the Parkway. (See Aerial Photo Exhibit E.)

Policy 4.3 The City and County shall affect water quality by:

- (a) coordinating land use activities with the State Department of Environmental Quality River Basin Plan, the 208 Water Quality Plan and the National Pollutant Discharge Elimination System Permit requirements.
- (b) encouraging the development of land that minimizes the area of impervious surface and/or provides for storm-water retention.
- (c) maintaining all public parking lots and streets in as filter-free and chemical free condition as possible, and encouraging private owners to maintain parking lots and driveways in as litter-free and chemical-free condition as possible.
- (d) increasing the hydraulic capacity of the City's wastewater treatment plant.
- (e) identifying improperly abandoned groundwater wells in the UGB area, requiring that the wells be properly capped or sealed, and continuing to monitor the salt intrusion into wells in use.

Response: Site Plan review would address the need for any NPDES permit. An upgrade of the site could involve new storm drainage facilities that may include bio-swales and water quality filters for the parking lots. The change from the designations of residential R-3 to R-4 and residential R-3 to commercial GC would support this goal and policy. Currently, the storm run-off drains directly off-site, but the current regulations will require on-site detention of the storm water to pre-development volumes, and additional storm water pre-treatment measures will be used where possible.

Policy 4.4 The City and County shall affect land quality by:

- (a) coordinating the disposal of solid waste with the Josephine County Solid Waste Management Plan.
- (b) evaluating the long term needs for sludge disposal and considering alternatives to liquid land application.

Response: Either of the changes could include programs of recycling for paper, plastics, and other materials. The site will be served by the local Grants Pass sanitation service. The proposed uses would not be creating any sludge or hazardous liquids as the uses would involve professional offices and no manufacturing or similar commercial processes.

Policy 4.5 The City and County shall address the environment's carrying capacity by:

- (a) complying with applicable state and federal environmental protection standards.
- (b) so managing urban development and environmental protection that irreversible damage to the quality of the environment is avoided.

Response: Site Review would address any concerns of carrying capacity, and the resultant conditions would require compliance with state and federal protections insuring that the quality of the environment is protected.

GOAL # 8: ECONOMY

TO INVOLVE, EXPAND, DIVERSIFY AND STABILIZE THE ECONOMIC BASE OF THE COMMUNITY.

Policy # 8.1: The City and County shall endeavor to improve, expand, diversify and stabilize the economic base of the community:

- (a) by encouraging the location and development of environmentally sound economic activities within the Urban Growth Boundary which meet the occupational and employment needs of area residents, particularly the unemployed and under-employed.

Response: This proposal when viewed with a 20 year perspective, illustrates thoughtful planning. The current conditions include a slowing economy and any additional development could create opportunities for the "unemployed and under-employed". This site has remained vacant for many years, and with the residential construction industry in a lull, the opportunity for new residential and commercial buildings would help boost the economy with additional employment. The completed project recognizes a shift in the new world economy in that with the computer age, the workforce has changed. Home based businesses are increasing and this can also cause an increased demand for reasonably priced small offices for a business entrepreneur close to his home. The townhouses above the offices in the R-4 allow for this opportunity as well. Energy conservation is a focus for our nation, and the combination of mixed use in the R-4, and the diversity of businesses in the GC, allows the opportunity to walk to work or to shop. All of this promotes a smaller carbon footprint when related to emissions from vehicles, by having these businesses within walking distance to the surrounding residential development which includes many apartment buildings along Fairview Avenue and single family

residences on D Street and north. The efficiency of this layout helps make life more affordable as well, which directly affect the under-employed in a positive way.

- (b) by giving high priority to the extension of full urban services to designated industrial areas of the Urban Growth Boundary in the Capital Improvement Program.

Response: Not applicable. The change would not involve industrial uses, require additional urban service or be eligible for the Capital Improvement Program. The property is presently zoned residential which requires the services of public water, public storm drainage, public sewer, telephone, electricity and natural gas, and those services would be extended with either residential or commercial use.

- (c) by encouraging and providing support to non-profit economic development organizations and groups which seek to improve employment opportunities within the Urban Growth Boundary.

Response: The proposed changes open the opportunity for mixed use on the site, the majority of which is vacant. With the proposed use there would be additional financial activity in the area which brings the opportunity for charitable donations providing "support to non-profit . . . organizations." Locally, there are several businesses that offer employment by non-profits, such as The Second Chance Store of the Gospel Rescue Mission, the Salvation Army Store, the Home for Good Store, SPARC and Goodwill. Any growth of this immediate area including the subject property, provides additional "employment opportunities within the Urban Growth Boundary, " and would directly and indirectly "support the non-profit . . . organizations, " though employment and/or potential financial and/or merchandise contributions. It needs to be noted that many of the non-profits are the major recyclers in our area, with paper, plastic, clothing and general merchandise being their focus. Both businesses and individuals can be found to be engaged in recycling, and the addition of professional offices and other commercial businesses to this site can enhance the opportunity for support of the non-profit.

- (d) by insuring that an adequate quantity and quality of industrial land is available, properly zoned and serviced.

Response: Not applicable. There will be no impact on the industrial base.

- (e) by protecting existing and planned commercial and industrial areas from the intrusion of incompatible land uses through land use regulation.

Response: Due to the past usage there would be no intrusion into the existing commercial and industrial areas or the creation of an incompatible land use. Many of the uses found abutting the site or in the immediate neighborhood are other commercial uses and residential-commercial uses. West: The Parkway Christian worship center has a 1,000 plus membership with a 900 seat sanctuary, a large gym and other buildings that are typically found in a commercial zone. East and South: Siskiyou RV to the east and ARCO gas station with mini-mart to the south is already commercial, and the proposed Starbucks Coffee building and the proposed Del Taco on the south tax lot were recently approved commercial uses. Properties on the north side of Fairview include a mixture of single family residential, duplexes, apartments and a health care facility, of which the latter uses are all found to be allowed uses in commercial designations. There will be no potential for an intrusion with this zone change as there is no industrial land abutting this site. More commercial uses will compliment the existing commercial base, and when inserted as a mixed use, that also serves as a transition to the existing development. It needs to be noted that a buffer is also found with the commercial corridor along the Parkway that isolates the industrial lands located south of Northeast F Street. (See Exhibits E & I)

- (f) by providing for a timely, efficient, clear and objective development review process.

Response: The improvement of this site is timely, and the subject property has been involved with an intensive review process over the years. The process has involved extensive contact and meetings with the city to the point that ODOT arbitrated different concepts for the proposed use of the site, highlighting mixed residential and commercial. The change will require a site review to insure the proper improvement of the site in accordance with the current ordinance regulations. The objectives of the applicant have been clear from the initial contact, but the process of addressing all of the important concerns from the City of Grants Pass and ODOT involved many discussions to reach an agreeable objective. That process also involved DLCD and was a form of arbitration between all of the agencies and the applicant. The basic result was a plan that endorsed mixed use as a transition from the residential to the commercial, and the current plan confirms an efficient proposal. It is clear and timely that the new jobs created by the proposal will help further expand the economic base as well as provide long term employment in the local economy.

A clear and objective review process is well documented within this application and by a city document produced in November 5, 2007, called the "Economic Element Index." Particular areas need to be highlighted:

a) This proposal supports that document and the long range goals that are essential elements in a comprehensive plan that will extend for twenty years. It can be noted that a large portion of the workforce lives outside of the Grants Pass city limits. The proposal would allow people to live and work in the same area, and potentially live on-site in the R-4, thereby reducing traffic impacts and congestion. This would be supportive of the element Article 8.35.

b) It is a known fact that there is a shortage of commercial land in the urban growth boundary, with over 954 additional acres needed to address the needs from 2007 to 2027. The change of the south part from R-4 to GC, helps respond to the commercial shortage documented under element 8.42. It also allows for additional commercial land in the corridor along the Parkway and not some other remote location that incurs fragmentation instead of consolidation. The economic element of energy conservation can also play a factor as well.

c) With there being a limited amount of land available in areas of need, the mixed use of professional offices and residences in the form of townhouses which are permitted in the R-4, is ideal. This effectively increases the utilization of under-utilized land, as well as providing a transition into the commercial land further to the south. This approach would be supportive of element Article 8.53.

This submittal package and concept plan clearly demonstrate a clear and objective development. The concept plan would be confirmed by the site review process at a later date, and help insure support for both city and state goals in regards to economic development.

- (g) by applying for state and federal grants which can be used for extension of public facilities to industrial areas or direct financial assistance to new or expanding industries.

Response: Not applicable in regards to new grants. This is already within an advanced finance district, but the public facilities are existing so it appears no new grants would be appropriate.

GOAL 10. PUBLIC FACILITIES & SERVICES

TO PROVIDE NEEDED FACILITIES AND SERVICES FOR THE URBAN GROWTH BOUNDARY AREA IN A TIMELY, ORDERLY, EFFICIENT, ECONOMIC AND COORDINATED MANNER.

Response: The site is currently served with sewer, city water, storm drainage and paved urban streets. The current public facilities support the goal and polices with the use of the site for commercial purposes which is reflected with the current infra-structure:

- . The Master Transportation Plan (Exhibit M) shows this site to be served with Local Collector streets: Terry Lane and Fairview Avenue.
- . The Utilities Plan (Exhibit J) confirms that utilities are already in the abutting streets: storm drainage, sewer, and water.
- . New utilities which were recently installed for Starbucks and Del Taco for the GC to the south, also traverse the subject property and are available for the proposed development with existing stubs for new hookup to water, sewer, and storm drain.
- . The City Fire Marshall has supported the concept plan in that it may provide additional fire hydrants, and a connecting water line loop that will insure adequate water pressure, plus an additional through access to Fairview Avenue for emergency vehicles. As part of the original Phase I approval for Del Taco and Starbucks, a fire/water stub was required for the future Phase II that would allow for the loop system.

This proposal and concept truly represents coordinated development that is efficient, emphasized by the transition of the mixed uses and the close proximity of the commercial to the residential uses which are within walking distance. The Main Place concept locates commercial and residential in an orderly arrangement of mixed residential-business uses to meet the day to day needs of the neighborhood and the community.

GOAL 11. TRANSPORTATION

TO PROVIDE FOR THE TRANSPORTATION NEEDS OF THE COMMUNITY IN A SAFE AND ECONOMICAL MANNER.

Response: It is important to recognize traffic safety and the transportation needs of the community in any new development application, and the applicant has closely addressed this Goal as part of this proposal. This process has included an arduous task of dealing with the vehicular growth that has occurred along the Parkway throughout recent years. Not only has the applicant been required to study the impacts of a zone change on the adjacent streets/intersections, they have also had to include additional substandard intersections along the Parkway outside of the immediate project area. Of the intersections studied, only Agness Avenue/Parkway falls below the City's LOS standards in the year of

opening, but in the planning horizon year of 2024, the intersections of "F" Street/Parkway and "M" Street/Parkway also fall below the City's standards. As a result of the study and close coordination with the City and ODOT over the past couple of years to mitigate the affects of the proposed zoning/development, the applicant has come up with the following solutions to mitigate the affects of the proposed zoning/development and improve the existing traffic system:

- Although the Terry Lane/Parkway intersection does not fall below the minimum operational standards per the traffic study, the applicant has agreed to provide traffic mitigation to this intersection to offset the impacts from future development in lieu of providing additional mitigation elsewhere. This will be accomplished by modifying the existing signal phasing and medians at the Terry Lane/Parkway intersection to allow the northbound/southbound left turn lanes to operate concurrently. This will improve the volume/capacity ratio and delay over the current intersection operation with the inclusion of the new traffic generated from the anticipated zoning/development (Exhibit F, G & N).
- Modify the existing signal phasing and medians at the Agness Avenue/Parkway intersection to allow the northbound/southbound left turn lanes to operate concurrently, adding a right turn overlap to further increase operational efficiency. This will improve the volume/capacity ratio and delay over the current intersection operation with the inclusion of the new traffic generated from the anticipated zoning/development (Exhibit F, G & N).
- We have "capped" the amount of trips in our traffic study to more closely represent the uses intended for development at this site instead of applying the maximum possible amount of traffic for the new zone. This will ensure that future development will not increase traffic volumes beyond acceptable levels.
- Per City/ODOT requirements, we included the anticipated pipeline traffic from the proposed Home Depot development which was recently approved. In conjunction with this development and per the conditions of approval for the Home Depot, the intersections at "M" Street/Parkway and "F" Street/Parkway will be mitigated by Home Depot back to an acceptable LOS, including the additional trips from our proposed development/zoning.

GOAL # 13: LAND USE

TO PROVIDE A VISION OF THE FUTURE THROUGH MAPS AND POLICIES THAT SHALL GUIDE AND INFORM THE LAND USE DECISIONS OF THE PRESENT, IN SUCH A MANNER THAT:

- (a) identifies rural lands and separates these lands from urbanizable lands,

Response: Not applicable. The site is classified urban and no rural lands are near this site.

- (b) provides for an orderly economic and efficient transition from rural to urban land use,

Response: Not applicable. The site has long been designed urban.

- (c) does not exceed the carrying capacity of the area's air, land and water resource,

Response: The site is within an area that is noted for good quality air shed; public water is in adequate supply; and the concept plan shows coordinated and planned improvements to the site that would not exceed the carrying capacity of the land, but be less than the allowed density.

- (d) is responsive to the wishes of the citizens and property owners of the planning area, and

Response: This proposal has involved many people, neighbors and businesses, of which the majority support the concept. The church supports the concept, Marjorie Hill is participating, and the only opposition has been from Tax Lot 2301. While the owner of the duplex on Tax Lot 2301 has strongly opposed the commercial development of this site, she has also refused the offers by the applicant to relocate her residence to a different location or to purchase her lot and building for a reasonable price. Her main complaint has been addressing the noise that would be generated by commercial uses and the mixed use with R-4. She fails to recognize that the R-4 allows for a compatible transition between the residential and commercial; that R-4 includes professional offices which can be less impactful than residences, as they close at night and are therefore quiet; and that the GC zone allows for commercial buildings that will actually block the sound transmission from the Parkway to her residence; that the zone changes already include a residence as a permitted use, which underscores their ability to be compatible. (Schedule 12-2) The commission may wish to leave the door open for future upgrades for urban zoning to consider a change to R-4 for Tax Lot 2301. The subject application can be a compliment to the immediate neighborhood, and except for the one owner, there has been support in the neighborhood. The request is commendable in that it lends for a transition between the residential to the commercial, providing additional retail businesses and residential options.

- (e) provides adequate amounts of industrial, commercial and residential lands to meet growth needs over the planning period.

Response: The present comprehensive plan and zoning are currently being revised to meet the demand for the next 20 years. Commercial land appears to be in the most demand, especially due to the limited

amount available along the Parkway corridor. Sites adjacent to an intersection are highly desirable and this is one of the last remaining undeveloped sites with highway access in the area. The applicant has had many inquiries for this site with a GC designation. Therefore, the proposed zone changes would support the goal on transition issues, and such use would not exceed the carrying capacity of the site which supports Goal #13 on Land Use, verified with the Utilities Map, Aerial Photo, Zoning Map, and the Master Transportation Plan Exhibit. (Exhibits L, J, E, D and M)

STATE GOALS – A Summary

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Response: The hearings process and public notification insures the opportunity for the public to be heard.

GOAL 2: LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Response: The City's Code provides a "framework as a basis for all decisions and actions", and the application includes supportive facts for the request to enable and assure proper documentation for a decision and action.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Response: Not applicable.

GOAL 4: FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Response: Not applicable.

GOAL 5: NATURAL RESOURCES, SCENIC AND HISTORIC AREAS. AND OPEN SPACES.

To protect natural resources and conserve scenic and historic areas and open spaces.

Response: Not applicable. The subject property is not involved with any of the topics under Goal #5.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

Response: The proposal will not affect the current quality of air, water or land resources, and actually may enhance those qualities with the development of the subject site. The development will include paved surfaces compared to the dirt and open field that create dust, the addition of new trees where few trees exist, and the filtration of the storm water where there is currently no device for the entrapment of silts. Further enhancement can be insured as the daily traffic level will be limited by the allowed uses on the site, with a specific traffic cap for the proposal. This is also confirmed in the TIA that traffic volumes will be nearly identical to development under the current zoning designation, thereby helping to maintain the current air quality.

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

Response: Not applicable.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Response: Not applicable.

GOAL 9: ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Response: The change to R-4 will allow for small professional businesses to serve the immediate and surrounding residential neighborhood. With many more home-occupations, the need for small professional offices

becomes important as an element to serve the residential community. The GC section will provide some level of economic opportunity, and more closely match the character of the area along the Parkway for commercial uses. The opportunity for economic growth provides the opportunity for employment that actually enhances the health, welfare and prosperity of southern Oregon.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Response: The site will include new residential units in a mixed use with the commercial buildings along Fairview Avenue.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Response: No change in the public facilities would be required. The site is accessed by Terry Lane and Fairview Avenue, both city maintained streets. The schools are adequate. It is served by the City Police and City Fire Department.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

Response: The subject properties are located between existing state and city transportation facilities. The project area is bordered by Fairview Avenue on the North, Terry Lane on the east and Grants Pass Parkway on the south. All three roads are documented in the Grants Pass Area Master Transportation Plan, adopted in 1997.

No new public roads are necessary to serve the subject properties thereby limiting the applicability of Goal 12. However, it should be noted that the Oregon Department of Transportation has worked closely with the applicant to ensure compliance with existing codes and policies and to "minimize adverse social, economic and environmental impacts and costs" and "conserve energy," as referenced in the purpose statement of Goal 12. Please also refer to City Goal 11: Transportation for an explanation of proposed traffic mitigation and overall function of the transportation system.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

Response: The proposed zone change greatly increases energy conservation for a number of reasons.

First, the proposed change from residential to commercial will add additional area to an existing commercial node. Commercial nodes provide convenient access and are typically a transition between roads with very high traffic counts and quieter residential neighborhoods. The increased commercial area will allow for better design and site layout and will potentially reduce the number of stops a vehicle will have to make to obtain services.

Second, the proposed change from High Density Residential to High-Rise Density Residential represents the most energy efficient residential zoning. High-Rise Residential allows a mixed use of residences with professional offices. There are many reasons why this type of mixed use is beneficial to Grants Pass and represents energy conservation.

For example, a mixed-use building provides both office and living space to tenants, possibly eliminating commutes and thereby reducing vehicle trips during peak hours. It is also sometimes difficult to rent office space above ground level so buildings are typically constructed in "strip-mall" form: single-story with long length. By providing residences above office space, buildings can economically reduce footprint size as referenced in Goal 13 Implementation Guideline 1.b. Reduced footprint leads to less impervious service and more efficient use of resources such as building materials.

Third, this development will allow for reducing gasoline consumption, with the opportunity for nearby residents to walk to work, or walk to the commercial businesses for shopping or other commercial activities. Fewer cars and trucks on the road mean lower emissions. Also, newer buildings have better insulation, better lighting, and other techniques, which will support this energy conservation goal.

Goal 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

Response: Not applicable. The site is within the urban area.

GOAL 15: WILLAMETTE RIVER GREENWAY

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

Response: Not applicable.

GOAL 16: ESTUARINE RESOURCES

To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore

the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

Response: Not applicable.

GOAL 17: COASTAL SHORELANDS

To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and

To reduce the hazard to human life and property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

Response: Not applicable.

GOAL 18: BEACHES AND DUNES

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and

To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

Response: Not applicable.

GOAL 19: OCEAN RESOURCES

To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

Response: Not applicable.

COMPREHENSIVE PLAN:

Section 13.5.4 - Criteria for the Comprehensive Plan Amendment:

For amending the findings, goals, policies and Land Use Map of the Comprehensive Plan, the City Council and Board of county commissioners shall base their conclusions upon, and adopt findings in consideration of, all the following criteria:

- (a) Consistency with other findings, goals and policies in the Comprehensive Plan.

Response: As previously addressed, the application is consistent with the goals and policies.

- (b) A change in circumstances, validated by and supported by the data base or proposed changes to the data base, which would necessitate a change in findings, goals and policies.

Response: A change in circumstances has occurred for this site. The Grants Pass urban area has changed radically over the years with the demise of many industries involved with wood products. The housing needs in Grants Pass appear to be met while there is a shortage of available prime commercial land along the Parkway. The climate has changed from logging mills and wood products to retail sales with Fred Meyer, Wal-Mart and other large and small businesses. This need underscores the validity for the "proposed change to the data base." (See Aerial Photo Exhibit E) The construction of Parkway Christian Center directly to the west, with major structures including a gym, clearly demonstrate a 'change of circumstances'. That placement with the resultant density of use has effectively changed the parcel from R-3 to GC, and this significantly validates the zone change proposal. The Economic Index Article 8.42 notes different points that indicate substantial growth in this area in the future and a shortage of commercial land to accommodate that growth. (Exhibit O)

- (c) Applicable planning goals and guidelines of the State of Oregon.

Response: The State of Oregon guidelines were addressed with the approval of the comprehensive plan for the City of Grants Pass, and are reflected in the city's goals and policies.

- (d) Citizen review and Response.

Response: Citizen review is involved with the hearings and notification process set forth by the code. Citizens have the right to offer responses of support or opposition in person or in writing. The long, involved journey this application has taken has specifically included those responses and concerns, and has resulted in the current proposal of mixed residential-commercial uses.

- (e) Review and Responses from affected governmental units and other agencies.

Response: As part of the staff report and noticing procedures of the Development Code, pertinent agencies' responses have been and will be solicited. ODOT has been a major player with concerns about traffic and the proposed uses, and the resultant proposal reflects their input and the applicant's response to address their concerns and needs.

- (f) A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, park, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.

Response: This area is within the city limits and is already served with city water, city sewer, city storm drainage, paved streets, and Grant Pass police and fire protection. The proposed use would not require any additional urban services. The City of Grants Pass is in the process of building a new voter approved Police and Fire Station less than one mile away off the Parkway and Park Street, confirming adequate protection services.

- (g) Additional information as required by the review board.

Response: Staff or the review boards have the authority to request additional information and/or add other conditions if they are deemed necessary.

- (h) In lieu of item (b) above, demonstration that the Plan as original adopted was in error.

Response: Not applicable. See Item (b) above. This site was not adopted in error.

DEVELOPMENT CODE:

Section 4.033 - Criteria for Zoning Amendment.

The Zoning Map may be amended review bodies provided that all the following criteria are met:

- (1) The proposed use, if any, is consistent with the proposed Zoning District.

Response: The proposed uses include residential uses, which are permitted in the R-4 and the GC Zoning District. The R-4 also allows for professional offices, while the GC includes a wider range of commercial.

- (2) The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.

Response: Complies. As noted previously under the comprehensive plan criteria and the goals and policies, the requested change involves two changes: 1) R-3 High Density Residential to R-4 High-Rise Density Residential, and 2) R-3 to GC General Commercial. Both of these are consistent with the Comprehensive Plan definitions and purpose as note in Exhibit H.

- 3) A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impact upon the affected service area or without a change to adopted utility plans.

Response: This site is already served with City sewer, water, fire protection, storm drainage, and paved streets. As part of the first phase of development on the south side of the subject properties (Del Taco/Starbucks), storm drainage was piped across the properties, a water main was extended for future water and fire protection, and a sewer main stub was installed to service future development of these parcels. Required services for the future zoning will be similar to full development of the existing zoning and no major upgrade/replacement of the existing utilities will be required.
(Exhibit M and N)

- 4) A demonstration that the proposed amendment is consistent with the functions, capacities and performance standards of transportation facilities identified in the Master Transportation Plan.

Response: The zoning amendment will have minimal impacts to the existing transportation system as compared to full build out of the current zoning. As shown in the traffic study (Exhibit xxx) the study intersections will operate at almost identical levels with the development of both the existing and proposed zoning. As mentioned previously, a trip "cap" will further reduce future traffic impacts to the existing transportation system to ensure capacities fall within the ranges originally anticipated in the Master Transportation Plan. To reiterate the responses provided under City Goals and Policies Goal 11 (Transportation), as a result of the traffic study and close coordination with the City and ODOT over the past couple of years to mitigate the affects of the proposed zoning/development, the applicant has come up with the following solutions to mitigate the affects of the proposed zoning/development and improve the existing traffic system:

- Although the Terry Lane/Parkway intersection does not fall below the minimum operational standards per the traffic study, the applicant has agreed to provide traffic mitigation to this intersection to offset the impacts from future development in lieu of providing additional mitigation elsewhere. This will be accomplished by modifying the existing signal phasing and medians at the Terry Lane/Parkway intersection to allow the northbound/southbound left turn lanes to operate concurrently. This will improve the volume/capacity ratio and delay over the current intersection operation with the inclusion of the new traffic generated from the anticipated zoning/development (Exhibits F, G & N).
- Modify the existing signal phasing and medians at the Agness Avenue/Parkway intersection to allow the northbound/southbound left turn lanes to operate concurrently, adding a right turn overlap to further increase operational efficiency. This will improve the volume/capacity ratio and delay over the current intersection operation with the inclusion of the new

traffic generated from the anticipated zoning/development (Exhibits F, G & N).

- We have "capped" the amount of trips in our traffic study to more closely represent the uses intended for development at this site instead of applying the maximum possible amount of traffic for the new zone. This will ensure that future development will not increase traffic volumes beyond acceptable levels.
- Per City/ODOT requirements, we included the anticipated pipeline traffic from the proposed Home Depot development which was recently approved. In conjunction with this development and per the conditions of approval for the Home Depot, the intersections at "M" Street/Parkway and "F" Street/Parkway will be mitigated by Home Depot back to an acceptable LOS, including the additional trips from our proposed development/zoning.

- (5) The natural features of the site are conducive to the proposed Zoning District.

Response: There are no significant natural features on the subject site. The southern portion of the site consists of an open field with some trees, and the northern part - residences with lawns.

- (6) The proposed zone is consistent with the requirements of all overlay Districts that include the subject property.

Response: The site is outside of the 100 year flood area and not within a wetland area. The site is included within an existing advance finance district, while no other overlay districts have been noted in the discussions with the planning office or in the initial research.

- (7) The timing of the zone change request, is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.

Response: The site already has full urban services and represents a small island of undeveloped land amongst the residential and commercial neighborhood. There is an obvious limitation of available commercial property in this corridor along the Parkway. There is little demand for exclusive use of this site for residential purposes. The applicant has many businesses that have expressed a strong interest in locating on the southern portion of the property. This interest is further confirmed by the Economic Index and addressing the needs for more commercial land for the future. This has been discussed in detail under the economic goal. A tour up and down the Parkway finds limited availability of vacant sites with convenient access. This is confirmed with the Aerial Photo in Exhibit E.

- (8) In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034.

Response: Not applicable.

Article 12: Zoning Districts

Section 12.010 Purpose and Concept

Section 12.011 Purpose. The purpose of this Article is as follows:

- (1) To implement the policies and Land Use Map of the Comprehensive Plan;

Response: A Land Use Map (Exhibit L) is included that shows adjacent land uses, and along with the Zoning Map it confirms the policies of the Comprehensive Plan. Therefore, this proposal supports the Goals and Policies of the Comprehensive Plan and the intent of the land use. The change to commercial would allow commercial businesses to locate and operate here, which is in keeping with the commercial designation of the Comprehensive Plan.

- (2) To protect the right to use and enjoy real property;

Response: The purpose of all zoning is to protect the right to use and enjoy the property. The applicant has proposed to develop the property with a mixture of commercial and residential, of which both uses are a "right" under the current zone. The successful approval to achieve the proposed goal gives the applicant his right to "enjoy real property."

- (3) To protect the health, safety and welfare of the community;

Response: Any development must acknowledge the guidelines of the development code to "protect the health, safety and welfare of the community." The site will involve construction of buildings that will comply with health and safety issues, and their placement and use can contribute to the welfare of the community.

- (4) To serve as a basis for resolving land use conflict.

Response: One neighbor that lives in a duplex adjacent to these properties, and has stated concerns about the site being used for commercial purposes and how it could generate additional noise. The review of the Concept Plan demonstrates that that neighbor could actually enjoy additional privacy and lower noise levels with Building A shielding her duplex from vehicular noise on the Parkway and the commercial uses already approved for Phase I. Usually during the night when all else is quiet, the predominate noise generator will be traffic on the Parkway. The intermix of residential and commercial allows for the opportunity for the two uses to compliment each other,

while providing the Fairview neighborhood with a quieter nighttime noise level with the building buffers and additional landscaping.

Section 12.012 - Concept

- (1) "Zoning" is the grouping of a homogenous and mutually supporting family of land uses in one area, called a Zoning District, or Zone. Certain land uses obviously conflict with one another, such as a brick factory, for instance, located next to a residential subdivision, affecting the residents with its noise, dust, appearance and 24-hour work schedule. Prior to zoning, the conflict was resolved after the fact with desist and damage suits and inevitable heavy losses to the loser. Zoning became the classic tool for mitigating land use conflict in advance, allowing the purchaser to select property guaranteed to be suitable for his needs.

Response: This application involves a comprehensive plan change and a zone change for two segments.

1) Northern part:

Comp. Plan: High Density Residential to High-Rise Density Residential

Zoning: R-3 to R-4

2) Southern part:

Comp. Plan: High Density Residential to General Commercial

Zoning: R-3 to GC

The surrounding neighborhood is both residential to the north and commercial to the south, east and west. The zone change will introduce professional offices with the R-4 zone, and retail establishments with the GC. Both zones allow residential uses, and therefore the zone change supports the current goals and comprehensive plan as stated in this document.

- (2) Zoning as the primary tool of conflict resolution, however, led to the creation of long lists of allegedly homogenous land uses. Those uses "less homogenous" than others faced added procedures of review (such as the conditional use permit process). As the lists gradually changed over time, the distinction between basic land use categories became blurred, and conflict resolution turned zoning issues once again into courtroom battles.

Response: As stated in this package the duplex owner of Tax Lot 2301 has not favorably supported this request. She is concerned about noise from commercial uses. The application has highlighted the fact that commercial uses already exist to the south and east, with commercial-like activity to the west. If 'blurring' were to occur, it has already happened with the existing uses, and the perception that the southern portion is already commercially zoned. The establishment of the R-4 zone on the northern part, creates a transition as it allows professional offices while maintaining the integrity of the residential zone that allows residential uses.

- (3) Zoning in this Code is not intended as the primary tool for resolving land use conflict. Instead, zoning in this Code forms a basis for establishing generally homogenous land uses. Design and construction standards, together with the necessary review procedures, then function as the primary tools for resolving specific land use conflicts, both within a homogenous group of uses in a single zone and between groups of incompatible uses at the border of two different zones. Procedures of review may then focus on achieving design solutions and may be greatly simplified as a result.

Response: The comprehensive plan and zone change will not allow the placement of a conflicting use on the site, and this application is not about an existing conflict. It is interesting to note the current makeup of the neighborhood with the different mixed uses. There is the large church to the west, a health care facility to the northwest, apartments to the north and northeast and commercial to the south and east with fast food restaurants, a gas station and RV sales. The application seeks a solution to allow the applicant to design professional offices for the north part & retail businesses on the southern portion.

- (4) Zoning in this Code fulfills its purpose in the following manner:

- (a) Reflect Comprehensive Plan Policy. The thousands of acres in each Zoning District resulted from the patterns of historical development, careful analysis of lands needed for future growth and development, the need for protection and enhancement of the environment, and the cost and feasibility of extending necessary services. The Zoning Districts thus reflect the policies of the City Council on housing, economic development, environmental protection and service extension, based on this detailed analysis.

Response: The Aerial Photo (Exhibit K), shows the adjacent land use, and a Zoning Map shows the neighborhood zoning. The comparison of the commercial zoning as shown in Exhibit E with an actual windshield review, reveals very few vacant parcels along the Parkway. Allowing the change to the R-4 and GC designations would help address the shortage that has become evident over the past several years. While little new construction has taken place north of Fairview, many new businesses have opened south of the Parkway including Arby's restaurant and small retail shops south of the Schuck's Automotive store.

Major area-wide changes in, or additions to, the Zoning Districts should therefore return to the policies of the Comprehensive Plan and to the analyses of the data base upon which these policies are based. Major zone changes should be not entered into lightly, and should not be used as the sole basis for conflict resolution. (See Amendment Procedures, Article 4).

- (b) Protect Basic Property Rights. The Zoning Districts are defined by broad categories of land use. These categories establish the "basic ground rules" of land use and development, enabling owners of real property to know in advance what to expect from their neighbors, before investing in or developing property. In this Code, these broad categories of land use are given performance definitions, defining not only the categories of use, but also how the use is to function within the category. The list of specific uses is de-emphasized and is kept at an administrative level. Any given land use is expected

to function properly within the purpose of the zone when fully developed and active. (See Definitions, Article 30).

Response: Both the R-4 and GC zoning districts are broad in that they permit modifications in the regulations for different uses, while permitting the continuance of the residential character.

This application package actually represents two separate distinct portions and actions, with:

1) The northern part being a change of zoning from R-3 Residential to R-4 Residential along Fairview Avenue, that would allow the opportunity to mix in professional offices; and

2) the southern portion being a change of zoning from R-3 to GC, along Terry Lane, which would not only allow residential uses, but expand the opportunity to permit commercial businesses such as a restaurant and/or retail establishments.

The Concept Plan is shown to reflect a proposal by the applicant and the desire to exercise his property rights with a re-zone of:

Northern part: To develop the site with a mixture of professional offices on the bottom floor and apartments or condo's on the upper level.

Southern part: To introduce restaurants and retail establishments on the southern portion that is already sandwiched in between commercial uses. The full extent of the draft Concept Plan also illustrates the architecture of the buildings, with site elevations in Exhibit I.

A vibrant economy contributes not only to the city, but to those living and working in the area, to the State of Oregon and to the nation. For any developer to invest his time and capital, he needs to evaluate the site at hand, and assemble a proposal that is fiscally sound, and that could be construed as a property right. A proposal that creates uses that are not appropriate and feasible can contribute to the degradation of the area with vacant buildings and the loss of income and employment opportunities which brings less income to the city and its inhabitants. This application has demonstrated that the proposed combinations of comprehensive plan and zone changes are essential for viable development of this site.

Since the R-3 zoned site is effectively surrounded by commercial on the east and south, plus commercial-like uses on the west, with a direct view of the Grants Pass Parkway, it is perceived as already being commercially designated. The fact that it is zoned R-3 has contributed to the site remaining vacant over the years. The applicant has long felt that a zone change was appropriate to recognize the neighborhood and the need for more commercial land in the urban area, and consequently he has actively pursued this matter for more than five (5) years.

Part of the pursuit to obtain the comprehensive plan and zone changes included arbitration provided by ODOT and DLCD in a special program called TGM Quick Response. The team that was involved included property owners and representatives: Geoff

Farrer, Jim Armstrong, Rick Riker; City of Grant Pass: Matt Laird, Tom Schauer; ODOT: Dan Dorrell, David Pyles; Consultants from Portland; and DLCDC, Steve Oulman. (Exhibit Q) The on-site visit finds the property surrounded on three sides, south, east and west by commercial uses, with an emphasis on different residential types to the north. If one was unaware of the zoning on this site, while by driving on the Parkway, it would be easy to assume the site was zoned commercial. This is further documented with the Aerial Photo, Exhibit K, the neighborhood photos, Exhibit P, and the Zoning Map, Exhibit E. The Traffic Study, Exhibit F, shows that the neighborhood and the public facilities can accommodate the proposed uses. In view of these related, documented facts and responses to the criteria, it is evident that a negative response could be construed as a form of denying the owner his basic property right to develop commercial uses.

- (c) Conflict Resolution. The broad categories of land use and the Base Development Standards provided for each category form only the starting point for conflict resolution. This Code anticipates most conflict resolution to occur by meeting performance design and construction standards, or by meeting special conditions arising out of the review procedure. The design and construction standards are tailored for specific land uses, specific opportunities or constraints of the site, differing types of development and ownership, differing building types, specific buffering situations, environmental concerns, and requirements for service extension and utility installation. Conflict resolution issues that may have a design solution should not be resolved by zone changes or changes in definitions of land use. Instead, these conflict resolution issues should be referred to the performance standard sections of this Code.

Response: The Concept Plan proposes a compatible neighborhood use that would include professional offices along Fairview Avenue. The zone changes to R-4 and to GC would help minimize the potential for future conflicts through a specific design as illustrated in Exhibit I, and include a transition with the R-4 zoning.

Section 12.020 Zoning Districts

Section 12.021 Establishment of Zoning Districts

The location and boundaries of the Zoning Districts designated in this Article are hereby established as shown on the Zoning District Map of the Grants Pass Urban Growth Boundary area. The Zoning District Map may be referred to as the "Zoning Map" within this Code.

Response: A zoning map has been included with the formal application.

Section 12.022 Zoning Map

- (1) All lands within the Urban Growth Boundary shall be classified within a Zoning district, according to the policies of the Comprehensive Plan and the criteria of this Code. The Zoning District shall

be shown on a single map at a scale large enough that the zoning districts of individual properties may be identified.

- (2) The Director shall cause the Zoning Map to be on public display at all times during regular office hours.
- (3) Copies of the Zoning Map shall be available for public purchase.

Response: Exhibit D is the Zoning Map obtained from the City of Grants Pass that depicts the zoning on the subject site and the neighborhood.

Section 12.023 Zoning Map Amendment.

The Zoning Map may be amended according to the procedures and criteria provided in Section 4.030 of this Code.

Response: See Section 4.030.

Section 12.024 Zoning District Boundary Interpretation.

If uncertainty exists as to the boundaries of the Zoning Districts, the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways or alleys, streams, rivers, lakes or other bodies of water shall be construed to follow such center lines;
- (2) Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main track or tracks;
- (3) Boundaries indicated as following the contours of certain elevations or soils of a particular type shall be construed as following the actual height or soil contour as determined by accepted surveying practices;
- (4) Boundaries indicated as parallel to, or extensions of natural or manmade features indicated in Subsections (1) through (3) above shall be so construed;
- (5) Distances not specifically indicated shall be determined by the scale of the Zoning Map; and
- (6) Where a lot is divided by zone boundary other than as provided in Subsections (1) through (4) above, the entire lot may be placed in the Zoning District containing the majority of the land area of the lot by an action of the Director, provided that the boundary adjustment is for a distance of twenty feet or less. If an adjustment of more than twenty feet is required, the boundary adjustment shall be treated as a zone change as provided in Section 4.030.

Response: Not applicable. No zoning confusion exists on this site with the current designation and the lot layout.

Section 12.025 Land Use Classifications.

- (1) Use types. All land uses shall be classified into use types. The definition of each use type shall be performance oriented, describing a category of uses that have common functional, impact, compatibility or product characteristics. For land use type definitions, see Article 30.
- (2) List of Uses. Each specific land use shall be placed within the appropriate use type according to the definition of each use type category, based upon the functional, impact, compatibility and product characteristics of the specific land use. A list of land uses is arranged by use type category. The classification of a land use by the Director shall be determined and maintained by the Director, and is subject to appeal as provided in Section 10.030 of this Code.

Response: Both a residence and a commercial use are defined in the Code.

DEFINITIONS

Section: 12.124 - R-3 District

The purpose of the R-3 district is to encourage, accomodate, maintain and protect a suitable environment for residential living at high densities.

Response: The current residential area has a mixture of uses along Fairview with a health care facility, apartments, duplexes, rentals, and many older single family residences. This allows for up to 17.4 dwelling units per acre. The current site is under-utilized.

Section: 12.125 - R-4 District

The purpose of the R-4 district is to encourage, accommodate, maintain and protect a suitable environment for residential living at high-rise densities; and for professional uses that typically support the residential areas; such as professional offices; hospitals, clinic as and other suitable uses, but only in a manner designed to support and protect residential livability.

Response: The proposed R-4 segment along Fairview would allow for mixed use of that portion of the site with residential units on the second or third floors of the Units D & E, as shown in the Conceptual Site Plan and the Conceptual Elevation Exhibit. This zone allows up to 34.8 dwelling units with the High-Rise Density Comprehensive Plan. The proposal does probably not exceed 17 dwelling units per acre, mimicking the R-3 zone density. The inclusion of professional offices would effectively generate a mixed use that would enhance the residential character along Fairview while allowing the opportunity for the offices to serve the residential community and providing a natural transition to the commercial further to the south. The design of the buildings with residential facades toward Fairview Avenue would help protect and support the existing mixed commercial-residential neighborhood.

Section 12.222 - General Commercial District (GC).

The purpose of the General Commercial District is to provide for all commercial and professional uses, excepting those uses requiring on-site manufacture or assembly. Performance development standards are designed to protect adjacent uses and development from impact, and the market factors of supply, demand,

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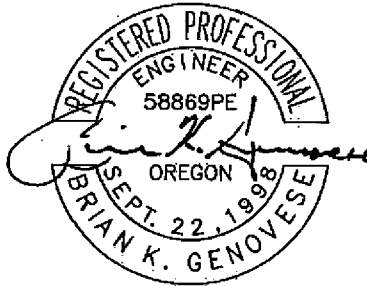
demand, location and cost are expected to provide commercial development in appropriate types, amounts and relationships.

Response: The Concept Map shows different buildings such as retail establishments, professional offices, restaurants, and other commercially related businesses. (Exhibit I) It is interesting to note that the commercial zone also allows residential use as a permitted use, recognizing the integration accommodates different purposes. The magnitude of the Parkway Christian Center is such that it effectively represents a commercial use and activity. While they have residential zoning, their large membership, oversized buildings and gymnasium, would have been normally been referred to a GC zone, especially if this complex attempted to locate in a residential neighborhood solely among single family residential homes.

TRAFFIC IMPACT ANALYSIS

MAIN PLACE DEVELOPMENT

GRANTS PASS, OREGON



RENEWAL 06/30/09

PROJECT MANAGER: KELLY SANDOW EIT
PROJECT PRINCIPAL: BRIAN GENOVESE PE, PTOE

PROJECT NO. 07-926

APRIL 11, 2008

RECEIVED

FEB 27 2009

CITY OF GRANTS PASS

JRH TRANSPORTATION ENGINEERING
4765 VILLAGE PLAZA LOOP, SUITE 201, EUGENE, OREGON 97401 541.687.1081 FAX 541.345.6599 JRH@JRHWEB.COM

Exhibit 7



EXECUTIVE SUMMARY

DESCRIPTION

This report outlines the transportation analysis performed for intersections and roadway networks impacted by Phase 2 the proposed Main Place development. The proposed development is located on tax lots 2000, 2001, 2200, 2300, 2201, and 2302 in Township 36, Range 05, Section 16 CB in Grants Pass, Oregon. The subject property, which totals approximately 2.75 acres, is located on the west side of Terry Lane between Highway 199 (Grants Pass Parkway) and Fairview Avenue. Access to the development will be provided by a full movement access from Terry Lane and a full movement access from Fairview Avenue. The developer is proposing the site be built as a Mixed-Use center containing General Office Buildings, Specialty Retail, and High Turn-Over Sit-Down Restaurant, with Residential as a second story over office space. The current zoning over the entire parcel is 2.75 acres of R-3 Residential. The developer is proposing a zone change over all the tax lots to align the applicable zoning with the proposed usage. The proposed zone change will consist of 1.69 acres of General Commercial and 1.01 acres of R-4 Residential, with the remaining property (0.05 acres) allocated to right-of-way. The project will be completed in a single phase, with completion anticipated in the year 2009.

STUDY AREA

As part of this study the following intersections were analyzed to determine existing traffic conditions (year 2008), the traffic conditions for the anticipated year of completion with and without the development in place (year 2009), and the future year traffic conditions for the year 2024:

- Grants Pass Parkway at Agnes Street
- Grants Pass Parkway at Terry Lane
- Grants Pass Parkway at Beacon Drive
- Grants Pass Parkway at F Street
- Grants Pass Parkway at M Street
- Terry Lane at Fairview Street
- Beacon at Fairview Street



RESULTS

An operational analysis was performed for the study area intersections for the year 2008 existing conditions and the years 2009 and 2024 with and without the development traffic. At studied intersections the development of the proposed zoning will not reduce the operation of any studied intersections to below the operation with the development of the existing zoning or to below the adopted mobility standard; therefore, no intersection mitigation is proposed.



TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
1.0 INTRODUCTION	6
2.0 EXISTING STREET NETWORK.....	9
3.0 INTERSECTION CRASH ANALYSIS.....	9
4.0 TRAFFIC COUNTS AND VOLUME ADJUSTMENT	12
4.1 INTERSECTION COUNTS.....	12
4.2 SEASONAL ADJUSTMENT	12
4.3 PIPELINE ADJUSTMENTS.....	13
4.4 ADJUSTED VOLUMES	13
4.4 PEAK HOUR FACTORS.....	13
5.0 FUTURE YEAR BASE TRAFFIC VOLUMES	14
6.0 TRAFFIC FROM PROPOSED DEVELOPMENT	21
6.1 TRIP GENERATION.....	21
6.2 TRIP DISTRIBUTION AND ASSIGNMENT	23
6.3 BUILD TRAFFIC VOLUMES.....	23
7.0 PERFORMANCE MEASURES.....	36
8.0 EXISTING PERFORMANCE ANALYSIS	37
8.1 OPERATIONAL ANALYSIS.....	37
9.0 YEAR OF OPENING - 2009 – INTERSECTION ANALYSIS.....	38
9.1 OPERATIONAL ANALYSIS.....	38
9.2 QUEUING ANALYSIS	40
10.0 YEAR 2024 – INTERSECTION ANALYSIS	42
10.1 OPERATIONAL ANALYSIS.....	42
10.2 QUEUING ANALYSIS	43
11.0 INTERSECTION MITIGATION	45
12.0 TPR FINDINGS.....	46
13.0 OREGON ADMINISTRATIVE RULING 660-012-0000	47
14.0 CONCLUSIONS AND RECOMMENDATIONS.....	48



LIST OF FIGURES

FIGURE 1: VICINITY MAP	8
FIGURE 2: EXISTING INTERSECTIONS LANE GEOMETRY AND CONTROL	11
FIGURE 3: 2008 EXISTING AM PEAK HOUR VOLUME.....	15
FIGURE 4: 2008 EXISTING PM PEAK HOUR VOLUMES	16
FIGURE 5: 2009 AM PEAK HOUR BACKGROUND VOLUMES	17
FIGURE 6: 2009 PM PEAK HOUR BACKGROUND VOLUMES.....	18
FIGURE 7: 2024 AM PEAK HOUR BACKGROUND VOLUMES	19
FIGURE 8: 2024 PM PEAK HOUR BACKGROUND VOLUMES.....	20
FIGURE 9: EXISTING ZONING DEVELOPMENT TRIPS-AM PEAK HOUR	24
FIGURE 10: EXISTING ZONING DEVELOPMENT TRIPS-PM PEAK HOUR	25
FIGURE 11: PROPOSED ZONING DEVELOPMENT TRIPS-AM PEAK HOUR	26
FIGURE 12: PROPOSED ZONING DEVELOPMENT TRIPS-PM PEAK HOUR	27
FIGURE 13: YEAR 2009 AM PEAK HOUR VOLUMES WITH EXISTING ZONING DEVELOPMENT TRIPS	28
FIGURE 14: YEAR 2009 PM PEAK HOUR VOLUMES WITH EXISTING ZONING DEVELOPMENT TRIPS	29
FIGURE 15: YEAR 2009 AM PEAK HOUR VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	30
FIGURE 16: YEAR 2009 PM PEAK HOUR VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	31
FIGURE 17: YEAR 2024 AM PEAK HOUR VOLUMES WITH EXISTING ZONING DEVELOPMENT TRIPS	32
FIGURE 18: YEAR 2024 PM PEAK HOUR VOLUMES WITH EXISTING ZONING DEVELOPMENT TRIPS	33
FIGURE 19: YEAR 2024 AM PEAK HOUR VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	34
FIGURE 20: YEAR 2024 PM PEAK HOUR VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	35

LIST OF TABLES

TABLE 1: STUDY AREA ROADWAY CHARACTERISTICS.....	9
TABLE 2: INTERSECTION CRASH RATES	10
TABLE 3: TRAFFIC COUNTS AT STUDY AREA INTERSECTIONS.....	12
TABLE 4: DEVELOPMENT POTENTIAL OF EXISTING ZONING	21
TABLE 5: DEVELOPMENT POTENTIAL OF PROPOSED ZONING	22
TABLE 6: HCM LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS	37
TABLE 7: HCM LEVEL OF SERVICE CRITERIA FOR UNSIGNALIZED INTERSECTIONS	37
TABLE 8: INTERSECTION OPERATIONAL ANALYSIS-YEAR 2008 CONDITIONS.....	38
TABLE 9: INTERSECTION OPERATIONAL ANALYSIS-YEAR 2009AM CONDITIONS	39
TABLE 10: INTERSECTION OPERATIONAL ANALYSIS-YEAR 2009 PM CONDITIONS	39
TABLE 11: INTERSECTION QUEUING ANALYSIS-YEAR 2009 CONDITIONS	40
TABLE 12: INTERSECTION OPERATIONAL ANALYSIS-YEAR 2024AM CONDITIONS	42
TABLE 13: INTERSECTION OPERATIONAL ANALYSIS-YEAR 2024 PM CONDITIONS	43
TABLE 14: INTERSECTION QUEUING ANALYSIS-YEAR 2024 CONDITIONS	44



LIST OF APPENDICES

APPENDIX A	SITE PLAN
APPENDIX B	SCOPES OF WORK
APPENDIX C	CRASH DATA
APPENDIX D	COUNT DATA
APPENDIX E	ADJUSTED TRAFFIC VOLUMES
APPENDIX F	FUTURE YEAR BACKGROUND TRAFFIC DEVELOPMENT
APPENDIX G	SYNCHRO OUTPUTS YEAR 2008 CONDITIONS
APPENDIX H	SYNCHRO OUTPUTS YEAR 2009 CONDITIONS
APPENDIX I	QUEUING OUTPUTS-YEAR 2009 CONDITIONS
APPENDIX J	SYNCHRO OUTPUTS YEAR 2024 CONDITIONS
APPENDIX K	QUEUING OUTPUTS-YEAR 2024 CONDITIONS



1.0 INTRODUCTION

This report outlines the transportation analysis performed for intersections and roadway networks impacted by Phase 2 of the proposed Main Place development. The proposed development is located on tax lots 2000, 2001, 2200, 2300, 2201, and 2302 in Township 36, Range 05, Section 16 CB in Grants Pass, Oregon. The subject property, which totals approximately 2.75 acres, is located on the west side of Terry Lane between Highway 199 (Grants Pass Parkway) and Fairview Avenue. Access to the development will be provided by a full movement access from Terry Lane and a full movement access from Fairview Avenue. The developer is proposing the site be built as a Mixed-Use center containing General Office Buildings, Specialty Retail, and High Turn-Over Sit-Down Restaurant, with Residential as a second story over office space. The current zoning over the entire parcel is 2.75 acres of R-3 Residential. The developer is proposing a zone change over all the tax lots to align the applicable zoning with the proposed usage. The proposed zone change will consist of 1.69 acres of General Commercial and 1.01 acres of R-4 Residential, with the remaining property (0.05 acres) allocated to right-of-way. The project will be completed in a single phase, with completion anticipated in the year 2009. Appendix A contains the development site plan.

Figure 1 provides the site location and vicinity map of the study area. The following intersections were studied as part of this analysis:

- Grants Pass Parkway at Agnes Street
- Grants Pass Parkway at Terry Lane
- Grants Pass Parkway at Beacon Drive
- Grants Pass Parkway at F Street
- Grants Pass Parkway at M Street
- Terry Lane at Fairview Street
- Beacon at Fairview Street

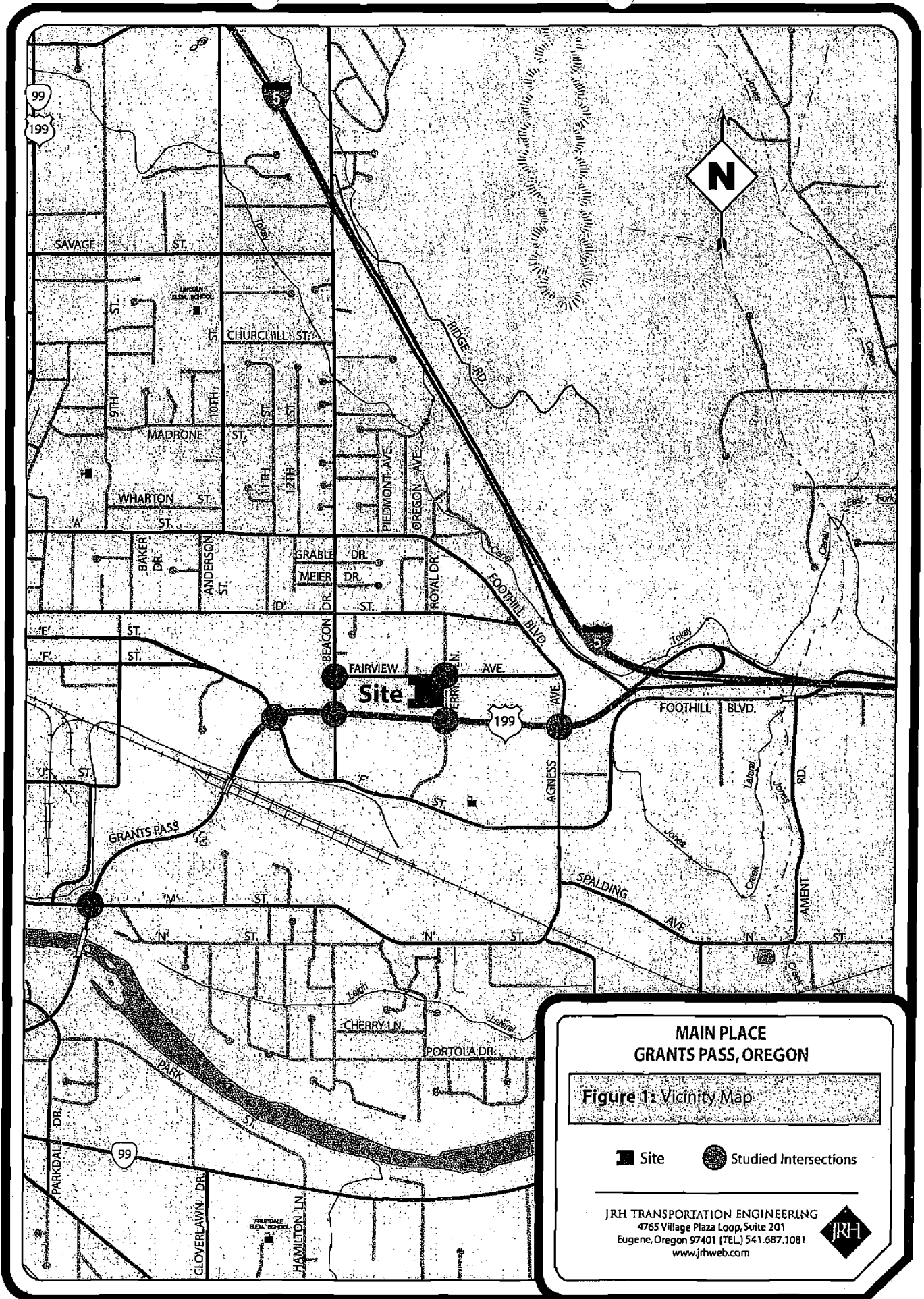
JRH proposed a scope of work for this project to the City of Grants Pass. The approved scope of work and additional analysis requirements made by the City of Grants Pass are included in Appendix B. In addition, the Oregon Department of Transportation provided a scope of work for the project (also included in Appendix B). As per the scopes of work, this report addresses the following items:

- Evaluation of existing traffic conditions and roadway facilities throughout the study area
- Inventory of roadway geometry throughout the study area
- Intersection safety analysis
- Estimates of automobile trips generated by the proposed development for the existing zoning potential and the proposed zoning potential
- Traffic impacts of the proposed development, based on level of service during the AM and PM peak hour for all intersections within the study area



- Comparison of traffic conditions from the development potential under the existing zoning with build-out of the proposed zoning

The studied intersections were analyzed to determine the existing traffic conditions (year 2008) and the traffic conditions for the anticipated year of completion with and without the development in place (year 2009). In order to comply with the Transportation Planning Rule (TPR) a future year analysis must be performed for the studied intersections when a zone change/land use action is being proposed. Policy 1F.2 of the Oregon Highway Plan states that a land use change must be analyzed over the end of the planning horizon adopted by local transportation system plan or a planning horizon of 15 years from the proposed date of opening, whichever is greater. The end of the planning horizon for the City of Grants Pass is the year 2015. As the year of opening of the project is 2009, the minimum requirement is a year 2024 analysis.



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Figure 1: Vicinity Map

-  Site
-  Studied Intersections

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2.0 EXISTING STREET NETWORK

Roadways analyzed within the study area include Grants Pass Parkway, Agness Street, Terry Lane, Beacon Drive, F Street, M Street, and Fairview Avenue. The characteristics of each of the study area roadways are provided in Table 1. The lane configurations and control schemes for all approaches to the study area intersections are provided in Figure 2.

Table 1: Study Area Roadway Characteristics

Roadway	Classification	Curb/Gutter/ Sidewalks Present	On-Street Parking	Bike Lanes/ Shoulders	Lanes per Direction
Grants Pass Parkway	Statewide Highway Principal Arterial	Yes	No	No	3
Agness Avenue	Arterial	Yes	No	Yes	1
Terry Lane	Collector	Yes	No	No	1
Beacon Drive	Collector	Yes	No	Yes	1
F Street	Arterial	Yes	No	Yes	1
M Street	Arterial	Yes	No	Yes	1
Fairview Avenue	Collector	Yes	Yes	No	1

3.0 INTERSECTION CRASH ANALYSIS

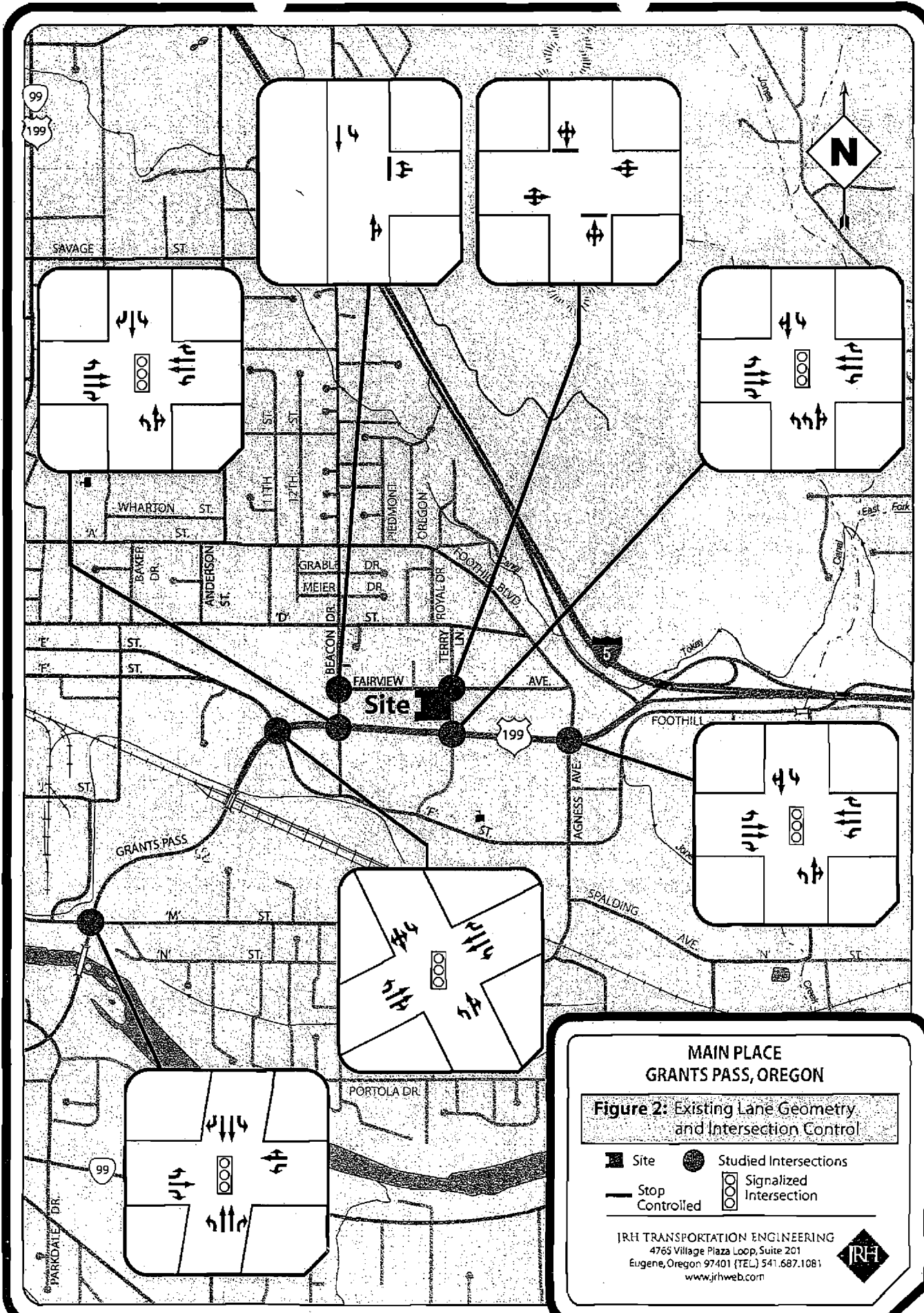
A crash analysis was performed for the studied intersections. Crash data was provided by the Oregon Department of Transportation (ODOT). The crash analysis examines crash data for the most recent three years to determine a crash rate in crashes per million vehicles entering the intersections and the types of crashes that occurred. In general, if an intersection crash rate is above the threshold of 1.0 crashes/million entering vehicles or there is a high percentage of a certain type of crash, the intersection should be investigated for further mitigation measures. Table 2 contains the resulting intersection crash rate. Intersection crash data is provided in Appendix C.



Table 2: Intersection Crash Rates





Intersection	Number of Crashes	Type of Crashes						ADT	Crash Rate (Crashes/Million Entering Vehicles)
		Head	Rear	Side	Turn	Other	Pedestrian		
Grants Pass Parkway at Appleton	9	0	0	0	0	0	0	10700	0.84
Grants Pass Parkway at Perryville	11	0	0	0	0	0	0	2890	0.38
Grants Pass Parkway at Stearns Drive	1	0	0	0	0	0	0	3141	0.32
Grants Pass Parkway at E. 3rd	10	0	0	0	0	0	0	3590	0.28
Grants Pass Parkway at Wilson	0	0	0	0	0	0	0	175	0.00
Grants Pass Parkway at Stearns	0	0	0	0	0	0	0	6710	0.00
Grants Pass Parkway at E. 2nd	0	0	0	0	0	0	0	2200	0.00

All intersection crash rates are below 1.0 crashes/million entering vehicles, and it appears there is no significant percentage of crashes that would warrant further study.



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Figure 2: Existing Lane Geometry and Intersection Control

-  Site
-  Studied Intersections
-  Stop Controlled
-  Signalized Intersection

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4.0 TRAFFIC COUNTS AND VOLUME ADJUSTMENT

4.1 INTERSECTION COUNTS

As part of the analysis, peak hour turning movement counts were collected at the intersections listed in Table 3. Intersection counts were obtained by TrafStats, ODOT, and Access Engineering.

Table 3: Traffic Counts at Study Area Intersections

Intersection	Jurisdiction	Control Type	Date of Count	Periods Counted
Grants Pass Parkway at Andrews Street	ODOT	Signalized	7/2007	6:00 AM - 8:00 PM
Grants Pass Parkway at Kentucky Lane	ODOT	Signalized	7/2007	6:00 AM - 8:00 PM
Grants Pass Parkway at Boardman Ave	ODOT	Signalized	7/2007	6:00 AM - 8:00 PM
Grants Pass Parkway at Stage	ODOT	Signalized	9/2005	6:00 AM - 8:00 PM
Grants Pass Parkway at Westgate	ODOT	Signalized	7/2007	6:00 AM - 8:00 PM 3:30 PM - 6:30 PM
Grants Pass at Main Street	City of Grants Pass	Stop Controlled	7/2008	6:30 AM - 9:30 AM 3:30 PM - 6:30 PM
Grants Pass at Westgate	City of Grants Pass	Stop Controlled	7/2008	6:30 AM - 9:30 AM 3:30 PM - 6:30 PM

The traffic volumes for each of the intersections during the AM peak period of 6:30 AM to 9:30 AM and the PM peak period of 3:30 PM to 6:30 PM were compared to determine a global peak among the study area intersections. The global peak periods were found to be from 8:00 AM to 9:00 AM and 4:30 PM to 5:30 PM. A majority of the traffic counts obtained were taken in the years 2007 and 2008, with the exception of one count taken in the year 2005 by ODOT. Traffic counts taken in the years 2005 and 2007 were adjusted to represent the year 2008 traffic conditions by following the methodology outlined in Section 5.0 of this TIA. The traffic count data is provided in Appendix D.

4.2 SEASONAL ADJUSTMENT

Traffic volumes fluctuate throughout the year, with the highest occurring during the peak driving months, as identified by the route characteristics. To account for the fluctuation, traffic counts taken during the off-peak season are adjusted to anticipated peak season volumes by using a Seasonal Adjustment Factor. The raw traffic counts were seasonally adjusted using the Seasonal Trend Table obtained from ODOT. The Commuter Trend and Summer Trends were considered the most appropriate for calculating the Seasonal Adjustment Factor. In calculating the Seasonal Adjustment Factor, the appropriate factor is chosen by cross-referencing the date that the count was taken with the appropriate seasonal trend. The quotient of these two factors, that is the Seasonal Factor for the Count Period divided by the Peak Period Seasonal Factor, is the Seasonal Adjustment Factor. The



commuter and summer seasonal adjustment factors were averaged to determine one rate per month of count. The corresponding Seasonal Adjustment Factor was applied to the counted peak hour traffic volumes. The seasonal adjustment methodology and calculations are included in Appendix E.

4.3 PIPELINE ADJUSTMENTS

At the request of the City of Grants Pass and ODOT, the approved Home Depot development traffic and Phase 1 of the Main Place development was added to the base traffic volumes for the years 2009 and 2024. The approved development trips for the Home Depot and the development trips for Phase 1 of Main Place are included in Appendix D. The Home Depot project proposed mitigation at the intersection of Highway 199 at F Street and Highway 199 at M Street to alleviate the Home Depot development impacts. JRH, with approval from the reviewing agencies, added the proposed intersection improvements as pipeline improvements in the year 2009 and 2024 analysis. The mitigation proposed by Home Depot is included in Appendix E.

4.4 ADJUSTED VOLUMES

The year 2008 seasonally adjusted traffic volumes were balanced between intersections where few or no accesses are present. Pipeline trips were added to the seasonally adjusted count data to produce the total background traffic. The year 2008 seasonally adjusted and balanced traffic volumes are illustrated in Figure 3 for the AM peak hour and Figure 4 for the PM peak hour. Appendix E shows the adjustment made to the count data to determine peak season volumes and the addition of the pipeline trips.

4.5 PEAK HOUR FACTORS

In general, traffic facilities are analyzed for peak hour traffic flow rates. Peak hour traffic flow rates are determined by dividing the traffic volumes in the peak hour by the peak hour factor. The peak hour factor is the peak hour traffic volume, divided by four times the peak 15-minute volume during that hour. The peak hour factor is always less than or equal to 1.00; therefore, dividing the peak hour volume by the peak hour factor results in a design volume equal or greater than the peak hour volumes.

For the year 2008 and 2009 analysis, the peak hour factors for each approach calculated from the count data are used in the intersection analysis. For the future year analysis, year 2024, the approach peak hour factors calculated from the count data are used for the intersections under the City of Grants Pass' jurisdiction. For intersections under ODOT's jurisdiction, the ODOT default parameters, found in Table 3.3.7 of the Development Guidelines and included with the ODOT Scope of Work, are used.



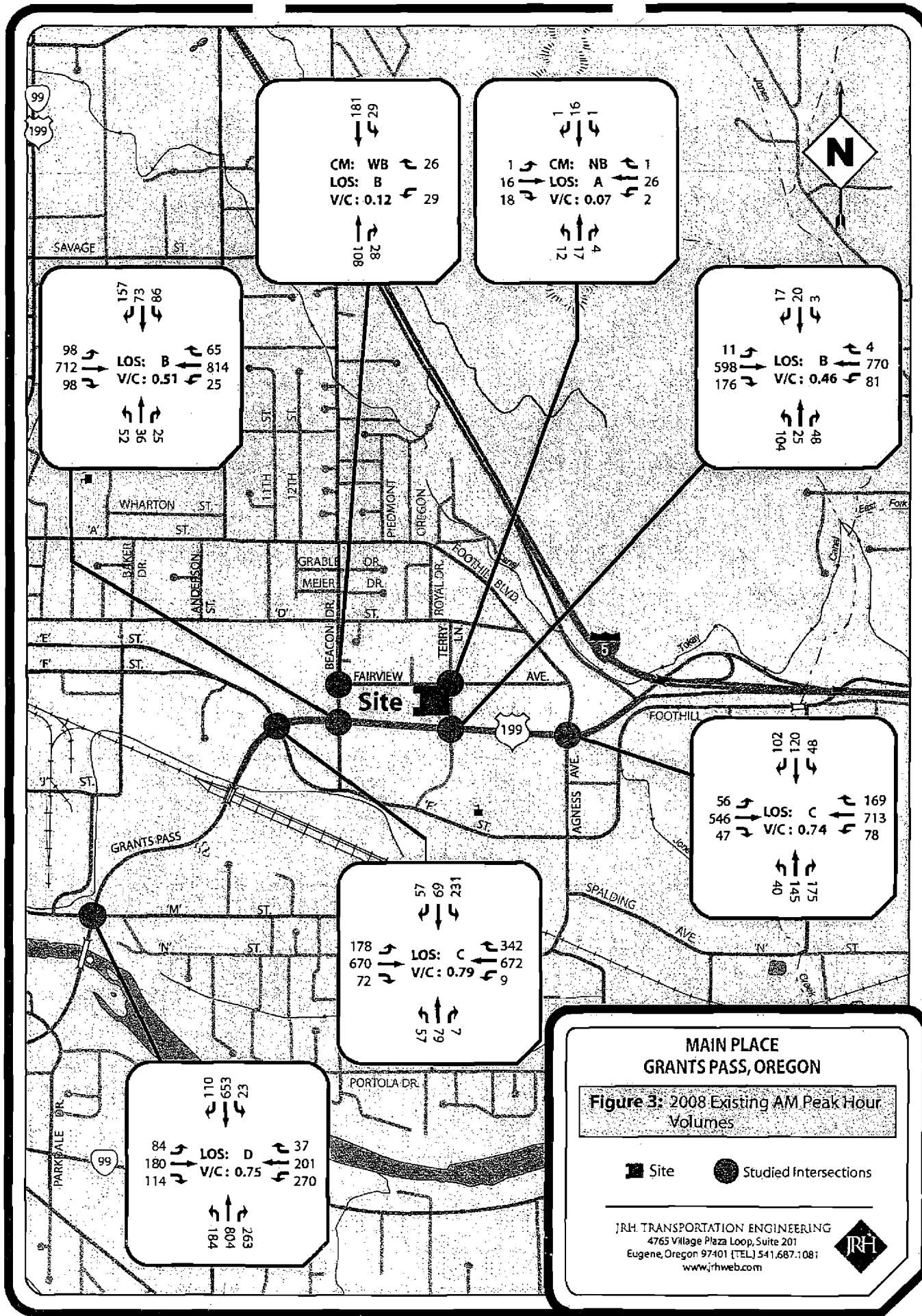
5.0 FUTURE YEAR BASE TRAFFIC VOLUMES

As the build year for the completion of the project is the year 2009 and the future year analysis is 2024, the year 2008 peak season traffic volumes need to be grown to reflect the future year traffic conditions. The following discusses the future year volume development.

To determine the future year traffic volumes, the Regional Transportation Model (EMME/2) provided by ODOT's Transportation Planning Analysis Unit (TPAU) was used to establish background traffic volumes. The EMME/2 model estimates traffic volumes on major roadways based on estimated population, employment figures, and housing data, among other factors. The model data contains approach inflow and outflow volumes for the PM peak hour. Future year 2009 and 2024 turning movement volumes were derived from the base year 2002 and future year 2025 approach inflow and outflow volumes shown in the model. The approach inflow and outflow volumes are post-processed, using an iterative procedure designed to calculate a set of intersection turning movements that match the post-processed approach inflow and outflow volumes. JRH Moves, a software program developed by JRH that automates the iterative procedures outlined in National Cooperative Research Project Report 255, was used to post-process traffic volumes. For this analysis, seasonally-adjusted traffic volume count data was used as the seed. JRH Moves starts with the seed and adjusts individual turning movement volumes up or down until the post-processed approach inflow and outflow volumes are satisfied.

The post-processed 2009 and the 2024 traffic volumes were balanced throughout the roadway networks where no accesses are present between studied intersections.

The year 2009 background traffic volumes are illustrated in Figure 5 for the AM peak hour and Figure 6 for the PM peak hour. The year 2024 background traffic volumes are illustrated in Figure 7 for the AM peak hour and Figure 8 for the PM peak hour. The traffic volume development is contained in Appendix F.



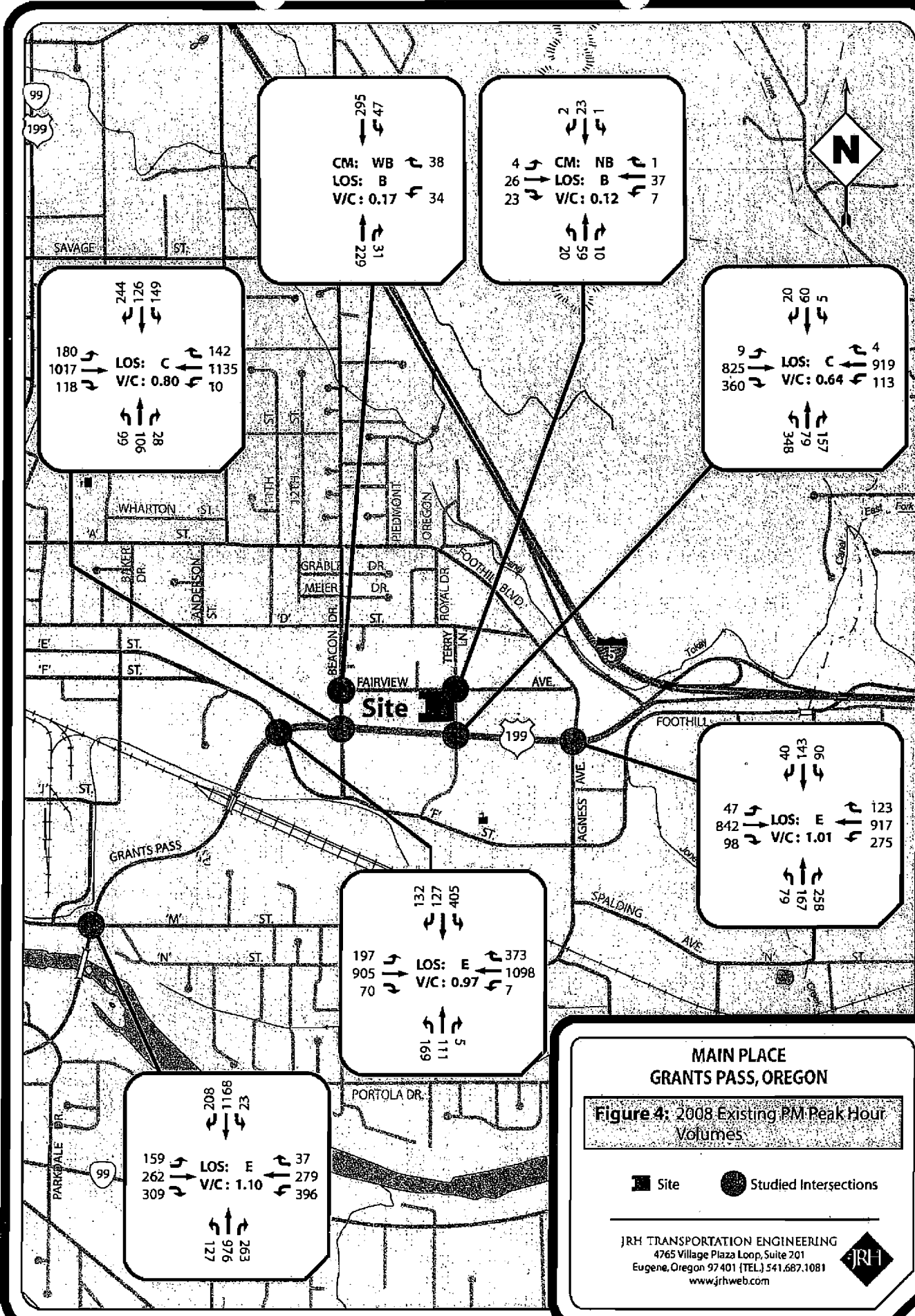
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**Figure 3: 2008 Existing AM Peak Hour
Volumes**

- Site
- Studied Intersections

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295
 47
 CM: WB 38
 LOS: B
 V/C: 0.17
 31
 229

2 23
 1
 4 CM: NB 1
 26 LOS: B 37
 23 V/C: 0.12
 10
 59
 20

244 126 149
 180 1017 118 LOS: C 142 1135 10
 V/C: 0.80
 66 90 82

02 09 5
 60
 9 825 360 LOS: C 4 919 113
 V/C: 0.64
 157
 79 348

40 143 96
 47 842 98 LOS: E 123 917 275
 V/C: 1.01
 258
 167 79

132 127 405
 197 905 70 LOS: E 373 1098 7
 V/C: 0.97
 111 169 5

208 1168 23
 159 262 309 LOS: E 37 279 396
 V/C: 1.10
 263
 976 127

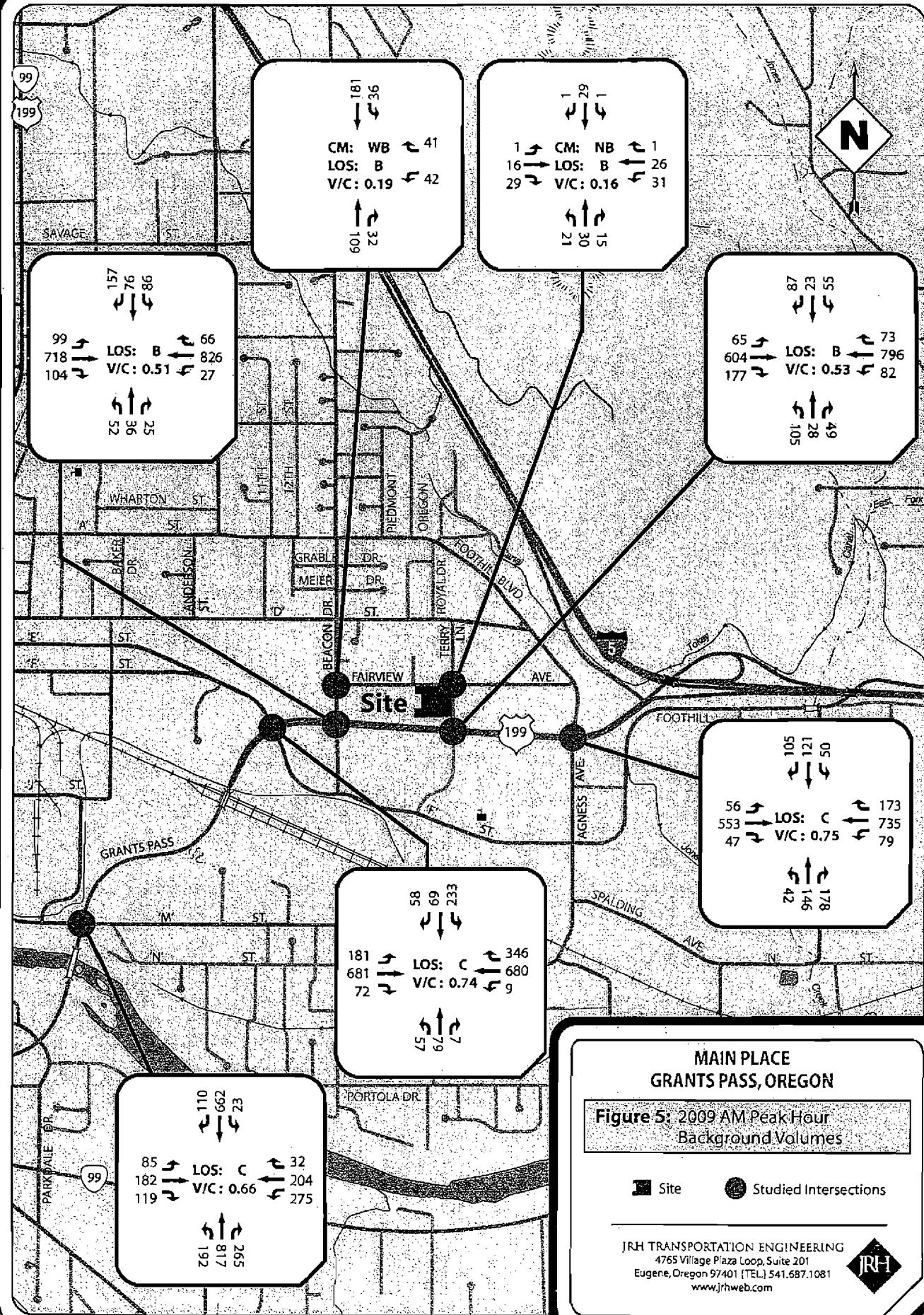
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**Figure 4: 2008 Existing PM Peak Hour
Volumes**

- Site
- Studied Intersections

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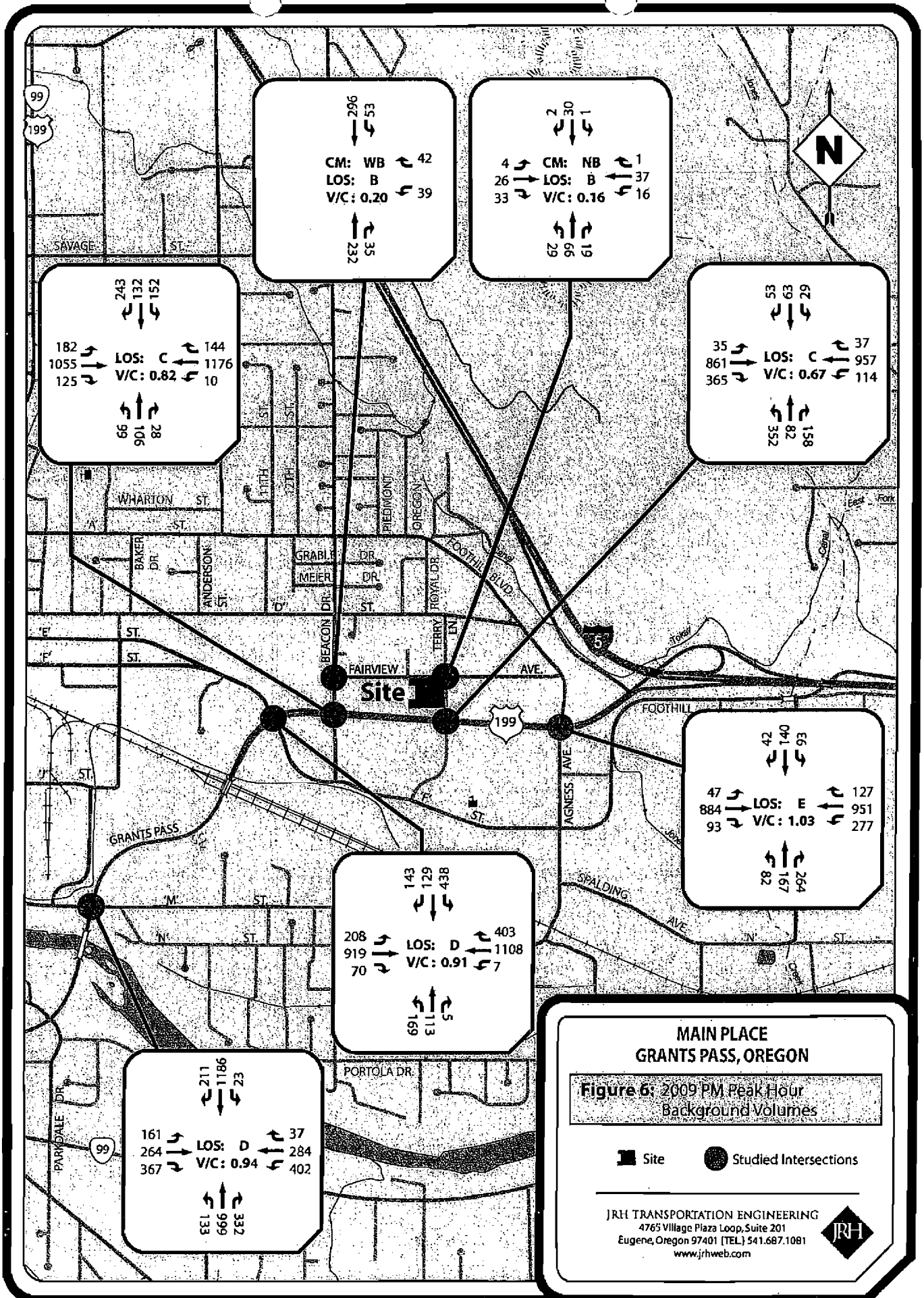
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Figure 5: 2009 AM Peak Hour
Background Volumes

- Site
- Studied Intersections

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296
 E5
 CM: WB 42
 LOS: B
 V/C: 0.20
 35
 232

1
 30
 2
 4
 26
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 CM: NB
 LOS: B
 V/C: 0.16
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 66
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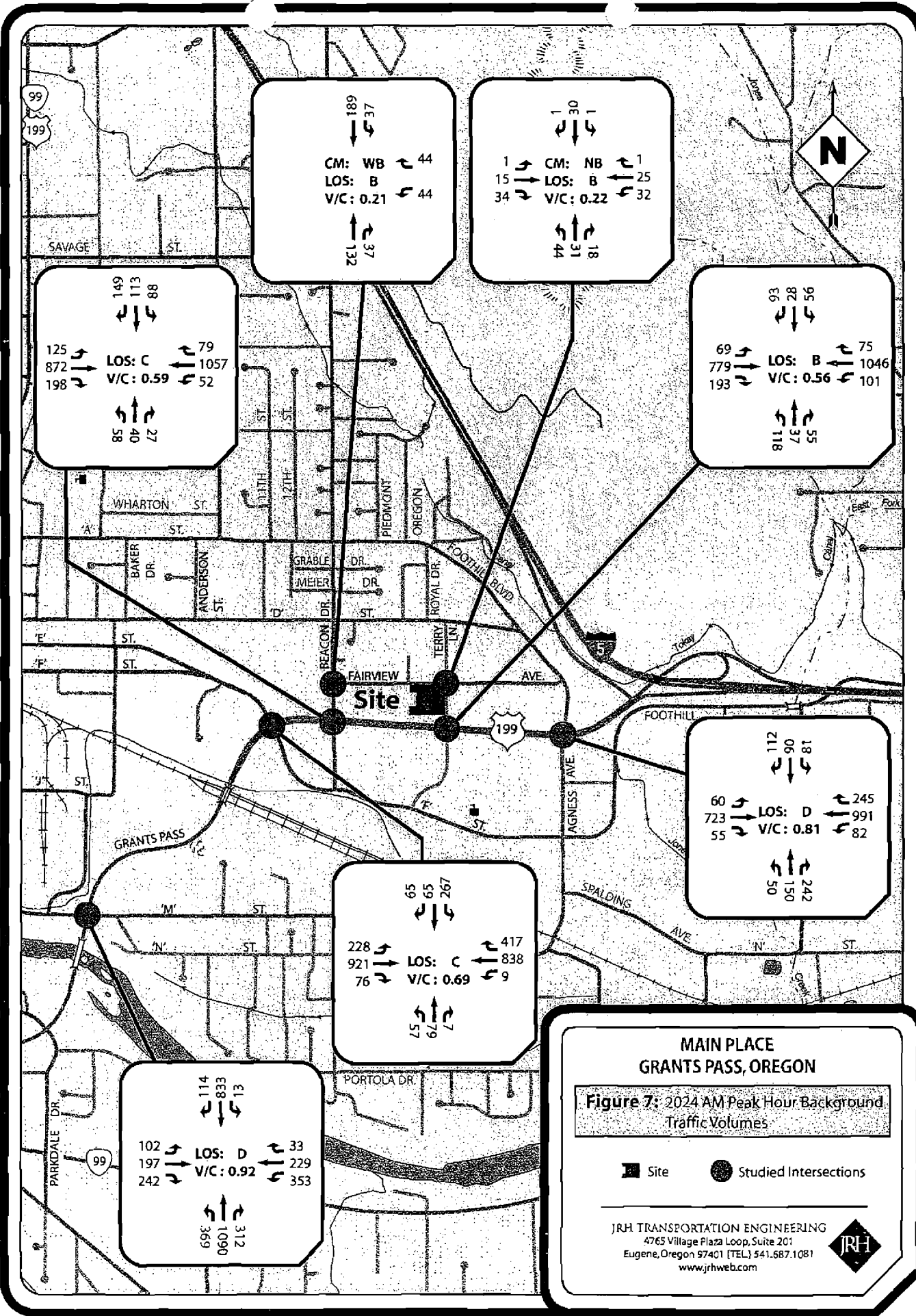
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 LOS: C
 V/C: 0.82
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 10
 99
 106
 28

62
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 65
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 861
 365
 LOS: C
 V/C: 0.67
 37
 957
 114
 158
 82
 352

143
 129
 83
 208
 919
 70
 LOS: D
 V/C: 0.91
 403
 1108
 7
 691
 113
 5

27
 66
 41
 47
 884
 93
 LOS: E
 V/C: 1.03
 127
 951
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 367
 LOS: D
 V/C: 0.94
 37
 284
 402
 332
 999
 133



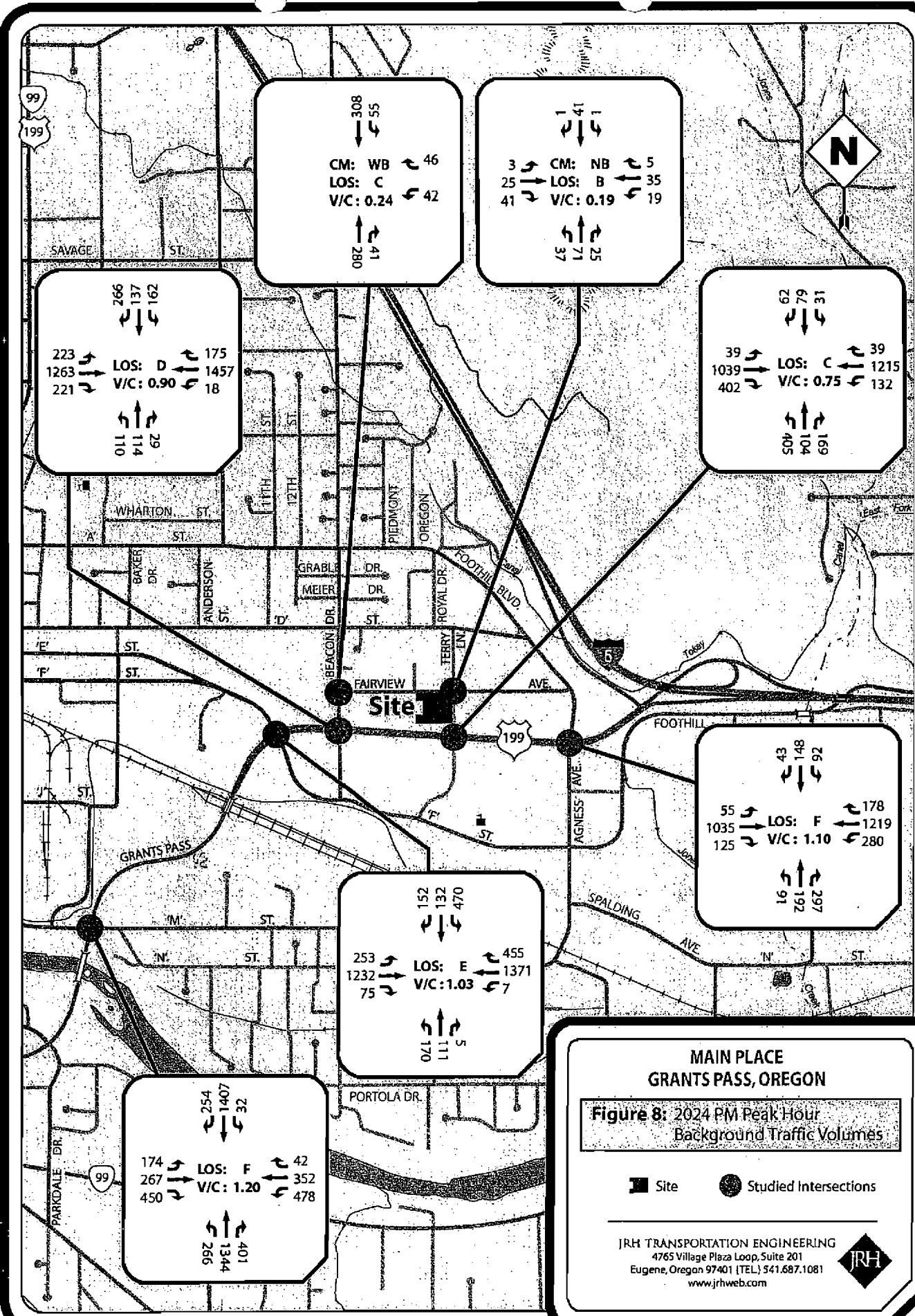
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Figure 7: 2024 AM Peak Hour Background Traffic Volumes

■ Site ● Studied Intersections

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**Figure 8: 2024 PM Peak Hour
Background Traffic Volumes**

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- Studied Intersections

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6.0 TRAFFIC FROM PROPOSED DEVELOPMENT

6.1 TRIP GENERATION

To determine the traffic impacts of a development on a roadway system, the number of vehicle movements resulting from the development must be estimated. These movements are referred to as “trips”. Trip generation is the estimated volume of trips resulting from the development.

The number of trips expected to be generated by the proposed development is determined by using information contained in the ITE Trip Generation Manual, 7th Edition. The equations in the manual predict the number of trips generated based on the gross square feet of floor area. Separate trip generation analyses were performed for the AM and PM peak hours for the development.

Under the current zoning of R-3, the development site can be built out at 17.4 residential units per acre, as specified in the Grants Pass Development Code. The maximum trip generation of the development was determined for the maximum number of residential units that can be built under R-3 zoning. Table 4 illustrates the most feasible maximum development potential and, subsequently, the maximum trips generated by the development site under the existing zoning.

Table 4: Development Potential of Existing Zoning-Trip Generation

Land Use	ITE Code	Size (1000 sf)	Rate	Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
AM								
Apartment	220	48	$T=0.49(X)=2352$	2352	50%	50%	2352	2352
AM Total				2352				
PM								
Apartment	220	48	$T=0.55(X)=2640$	2640	65%	35%	2000	1150
PM Total				2640			2000	1150
Daily								
Apartment	220	48	$T=0.09(X)=450.36$	489	50%	50%	220	249
Daily Total				489			220	249

*T=Generated Trips and X=Development Land Area in 1000 square feet

With the zone change, the development site will be built to include approximately 10,620 square feet of general office space; 17,845 square feet for a specialty retail center; and ten second-floor apartment units. In support of a land use change, the maximum feasible development potential under proposed zoning is to be analyzed. Per the City of Grants Pass' Development Code the maximum developable units under the R-4 zoning is 34.8



units per acre with the allowed development of office space, with approval. Under the maximum developable potential for the proposed R-4 parcel, the developer could develop 35 multi-unit residences. The proposed use of ten apartment units and 10,620 square feet of office space will result in more development trips than the development of 35 multi-unit residences. The proposed use for this zoning captures the maximum potential. Under the City of Grants Pass' Development Code, the development of General Commercial zoning is required to provide the necessary setbacks, landscaping, and parking requirements. The proposed General Commercial zoning will encompass 1.69 acres of the development site. Based on the parking, landscaping, setback, and right-of-way requirements, the maximum building size that can be developed on this parcel is approximately 18,500 square feet. The traffic generated for the maximum building size is essentially the same as the traffic generated by the proposed use. The proposed use for this zoning captures the maximum potential. The trip generation for the site under the proposed zone change is included in Table 5.

Table 5: Development Potential of Proposed Zoning-Trip Generation

Land Use	ITE Code	Size (1000 sf)	Rate	Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
AM								
General Office	710	10,620	$T = 0.004(x) + 0.65$	41	38%	12%	27	14
Apartments	220	10	$T = 0.95(x) + 0.73$	9	20%	30%	2	7
Specialty Retail	812	17,845	N/A	N/A	N/A	N/A	N/A	N/A
Internal Trip Reduction			0%	1			3	
All Total				46			25	10
PM								
General Office	710	10,620	$T = 1.12(x) + 0.73$	91	47%	33%	15	76
Apartments	220	10	$T = 0.65(x) + 0.73$	23	35%	35%	16	8
Specialty Retail	812	17,845	$T = 2.4(x) + 21.48$	64	41%	56%	23	36
Internal Trip Reduction			0%	16			6	12
All Total				164			50	101
DM								
General Office	710	10,620	$T = 0.775(x) + 0.65$	267	50%	30%	113	119
Apartments	220	10	$T = 6.01(x) + 160.35$	210	50%	50%	105	105
Specialty Retail	812	17,845	$T = 4.82(x) + 21.48$	791	50%	50%	396	395
Internal Trip Reduction			0%	124			62	62
Daily Total				1144			577	567

The ITE Trip Generation Manual does not contain an AM rate/equation for Specialty Retail, as this land use typically has its peak hour generator during the off-peak hours.

The proposed zone change and subsequent development will generate approximately 9 more trips in the AM and 116 more trips in the PM when compared to the maximum potential of the site under the current zoning.

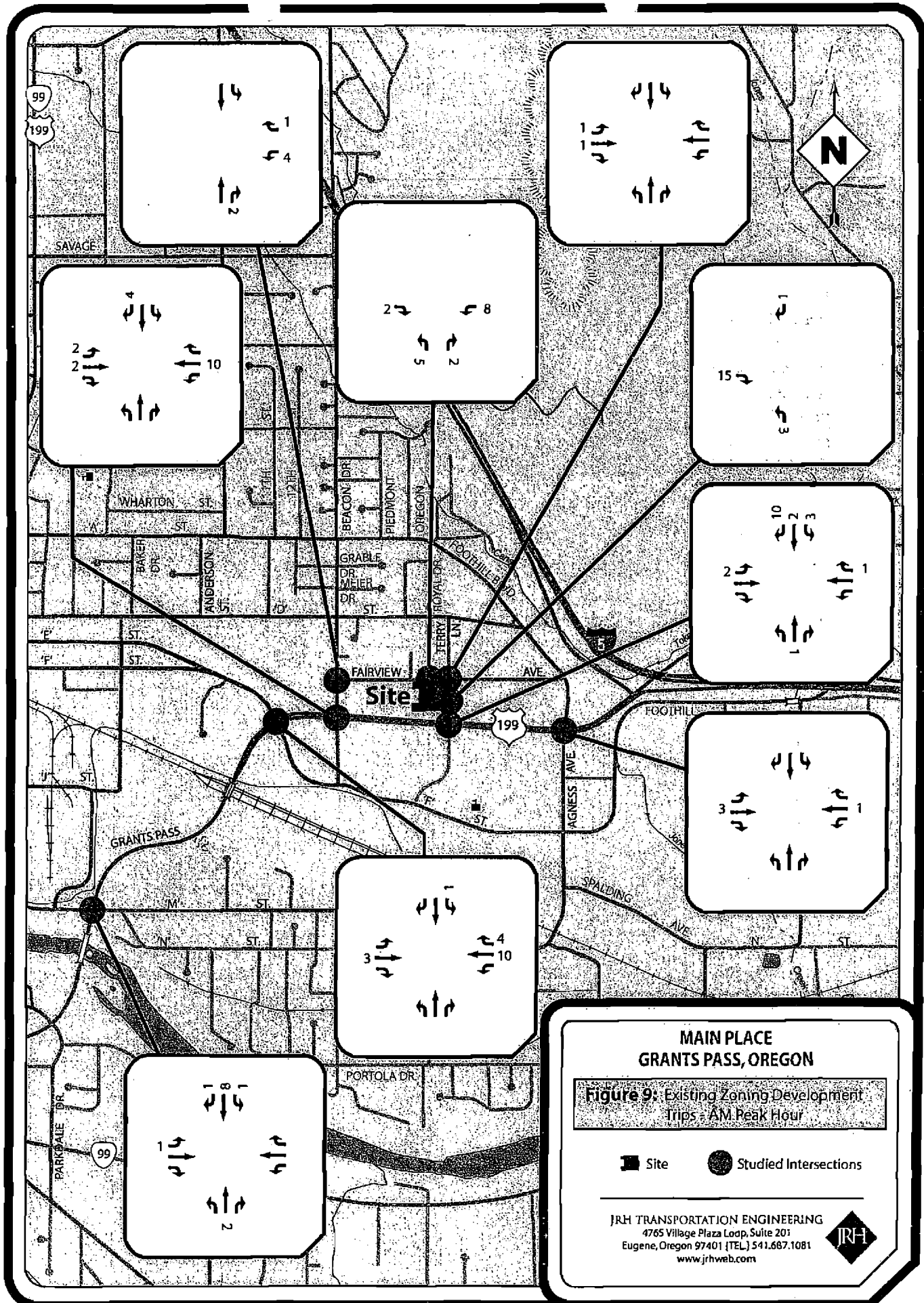
6.2 TRIP DISTRIBUTION AND ASSIGNMENT

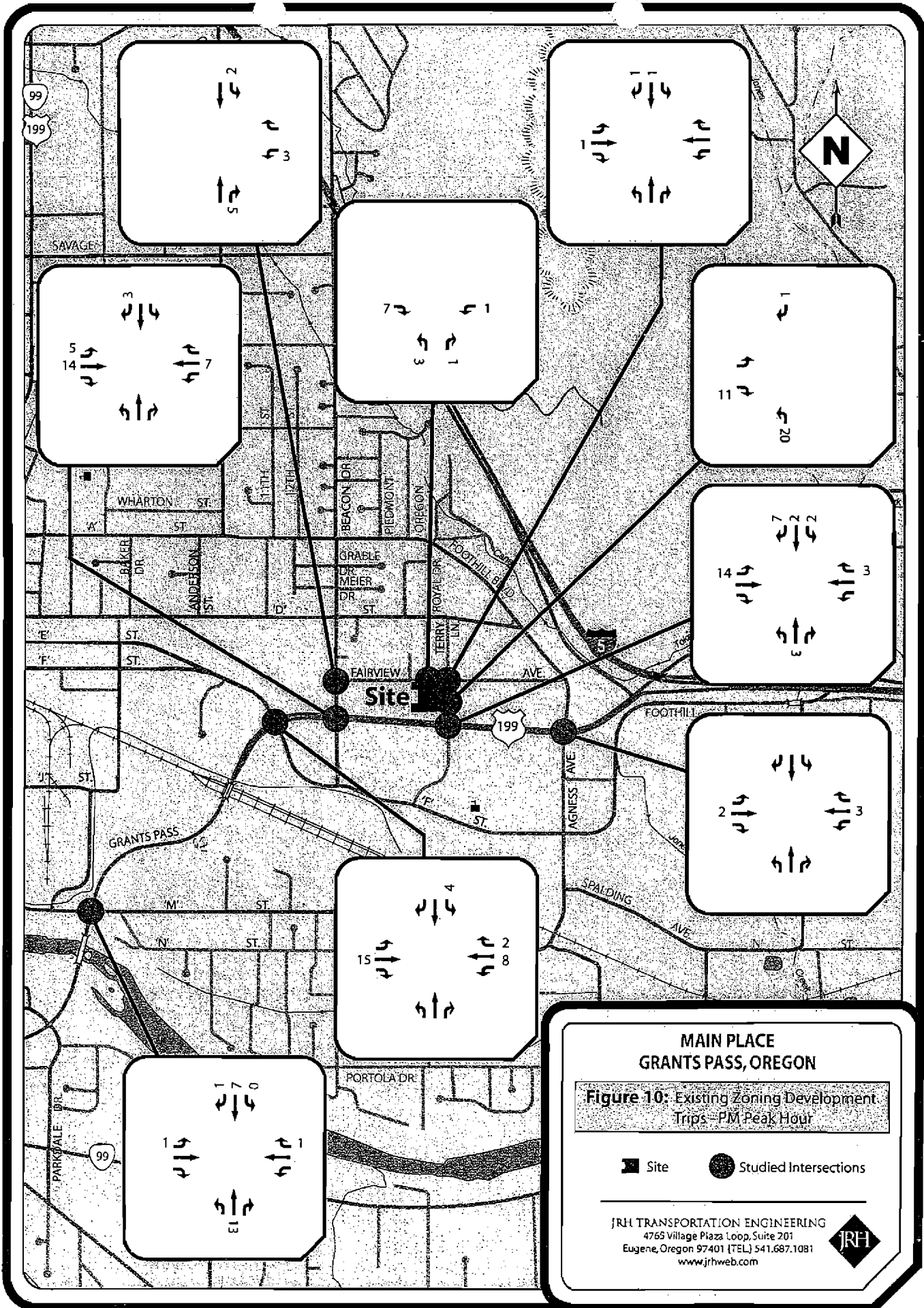
After determining the trip generation, the next step in the analysis requires distributing and assigning the trips to the existing traffic network. Trip distribution allocates the trips generated by development to generalized destinations. Trip assignment routes trips to these generalized destinations via the actual street network. The trip distribution for this project was based on the existing distribution pattern of the study area roadway network, where applicable. Figures 9 and 10 show the assigned vehicle trips generated by the potential of the existing zoning for the AM and PM peak period, respectively. Figures 11 and 12 show the assigned vehicle trips generated by the potential of the existing zoning for the AM and PM peak period, respectively.

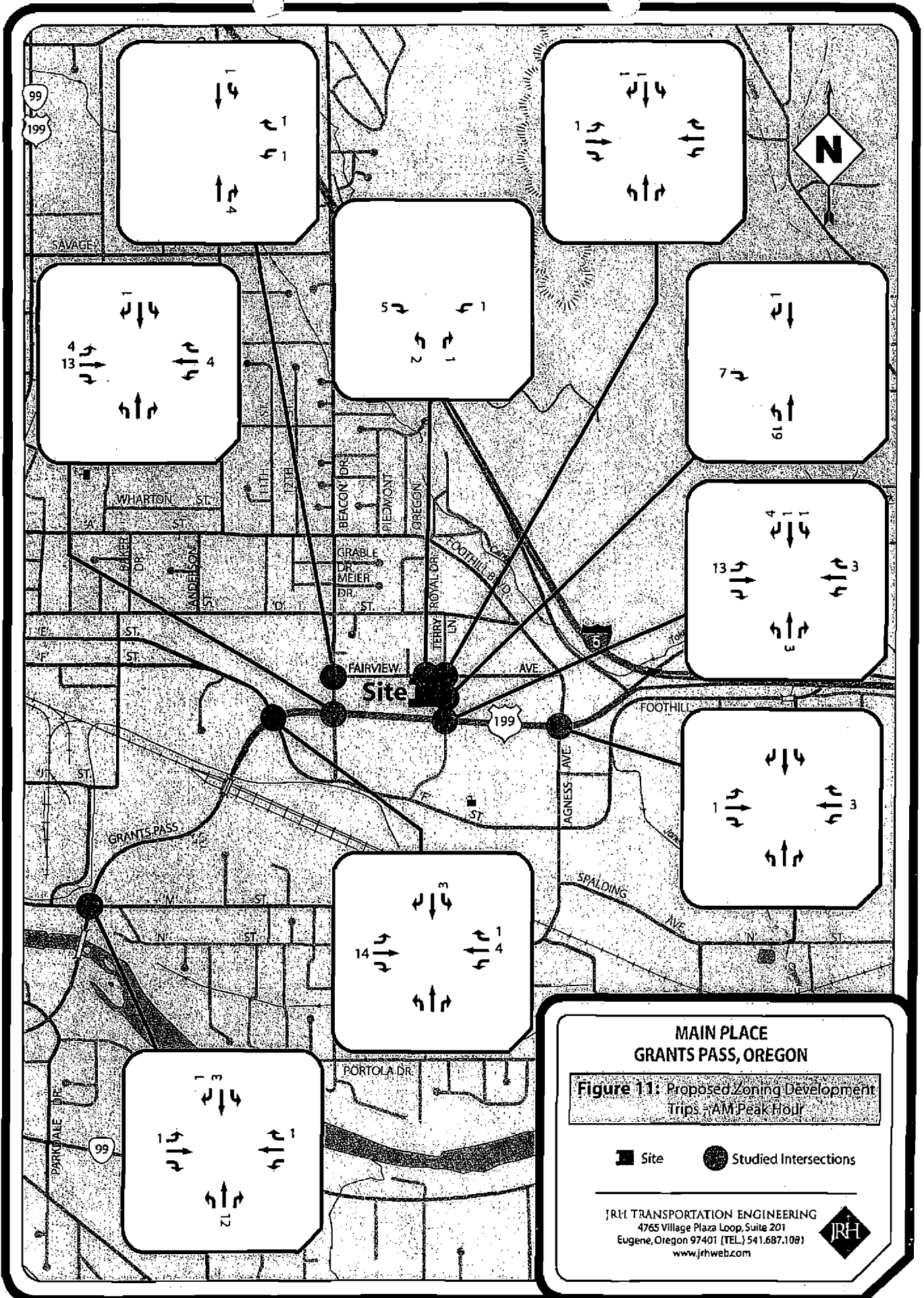
6.3 BUILD TRAFFIC VOLUMES

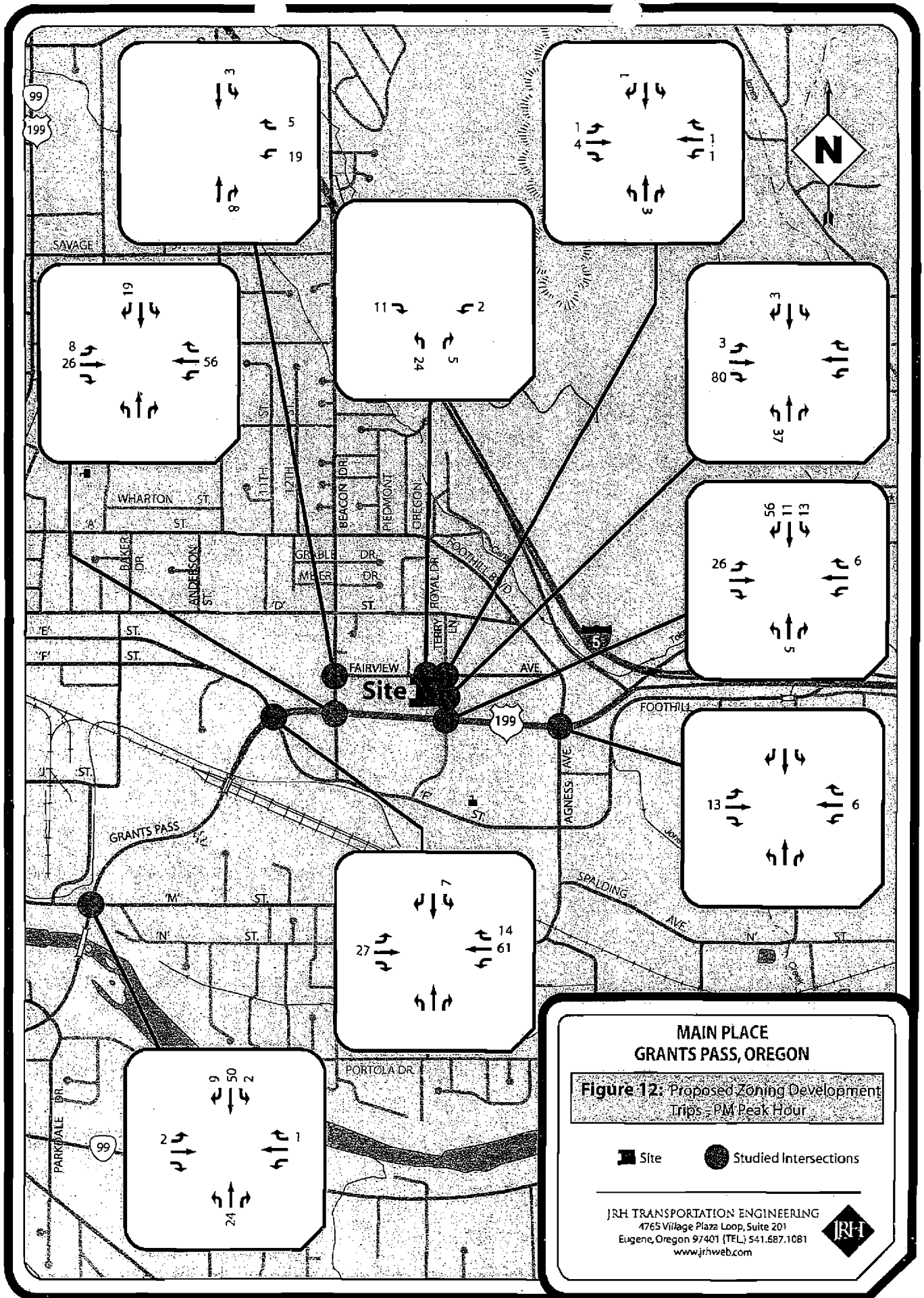
To determine the Build traffic volumes, the development trips assigned throughout the study area were added to the background traffic data. The build traffic volumes are illustrated in the following figures;

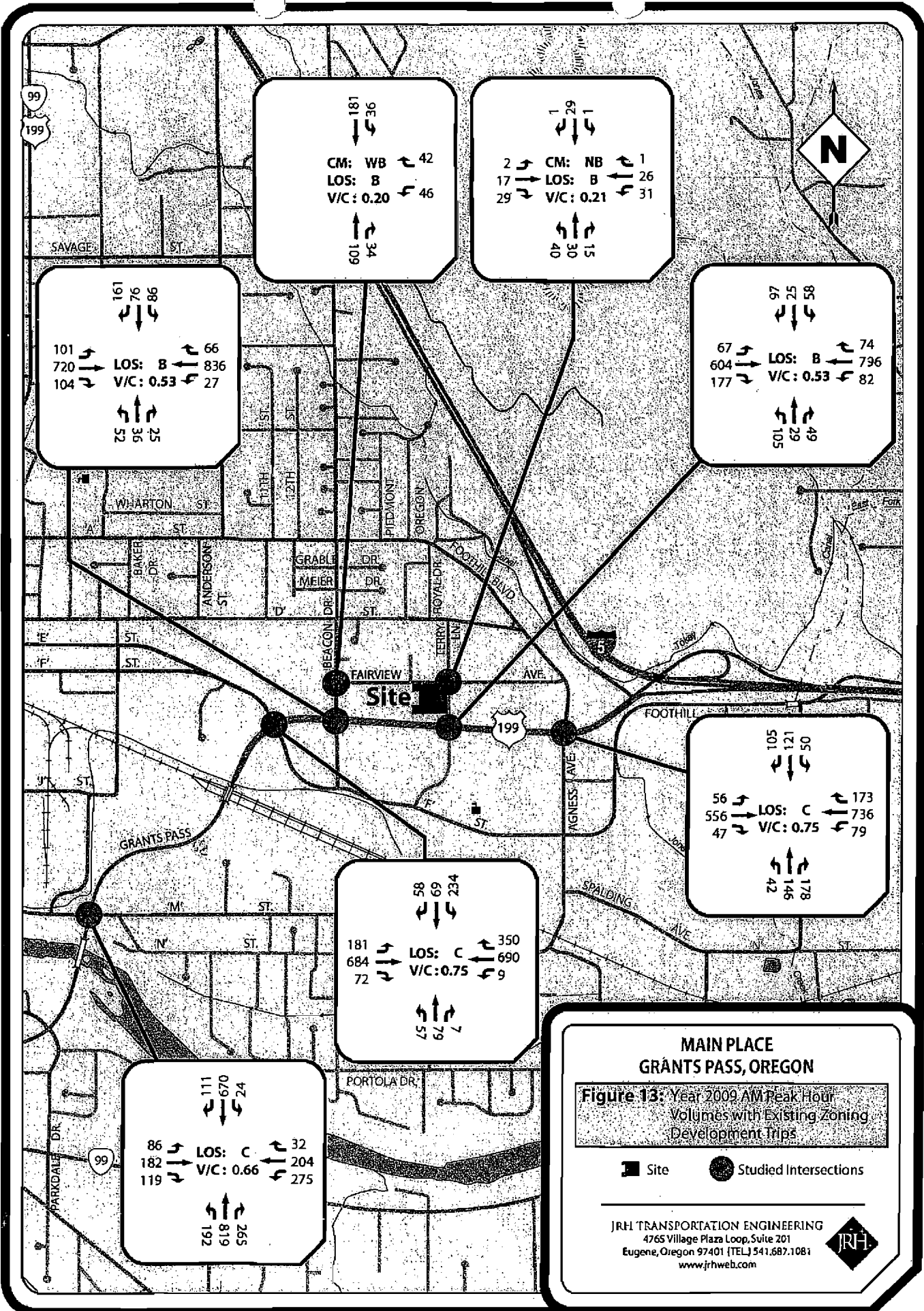
- 2009 AM with development traffic from Existing Zoning -Figure 13
- 2009 PM with development traffic from Existing Zoning-Figure 14
- 2009 AM with development traffic from Proposed Zoning -Figure 15
- 2009 PM with development traffic from Proposed Zoning- Figure 16
- 2024 AM with development traffic from Existing Zoning -Figure 17
- 2024 PM with development traffic from Existing Zoning-Figure 18
- 2024 AM with development traffic from Proposed Zoning -Figure 19
- 2024 PM with development traffic from Proposed Zoning- Figure 20











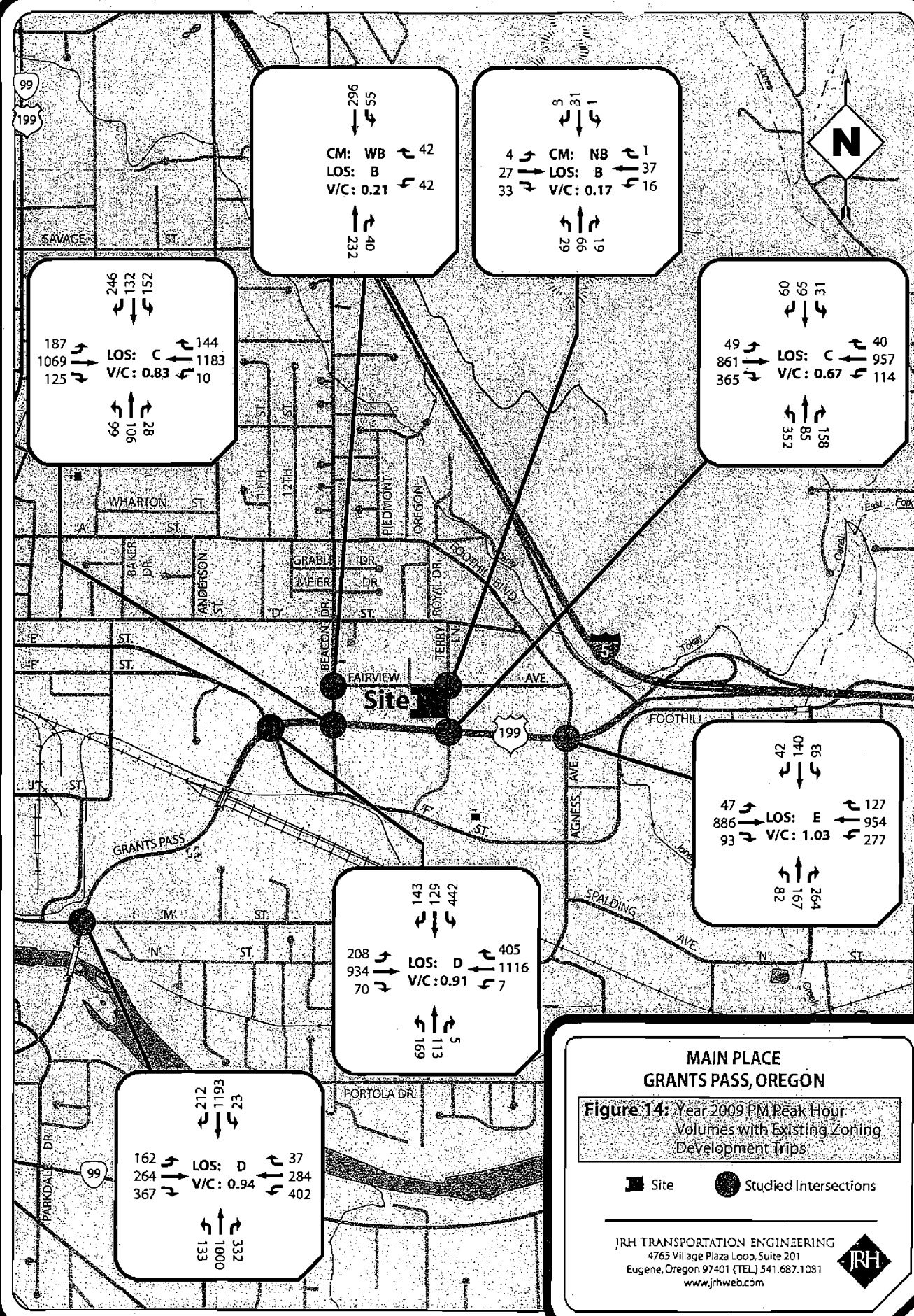
**MAIN PLACE
GRANTS PASS, OREGON**

**Figure 13: Year 2009 AM Peak Hour
Volumes with Existing Zoning
Development Trips**

■ Site ● Studied Intersections

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296
 55
 CM: WB 42
 LOS: B 42
 V/C: 0.21
 40
 232

1E
 1E
 1E
 4 CM: NB 1
 27 LOS: B 37
 33 V/C: 0.17 16
 19
 66
 29

246
 132
 152
 187
 1069 LOS: C 144
 125 V/C: 0.83 1183
 10
 66
 90
 28

1E
 09
 49
 861 LOS: C 40
 365 V/C: 0.67 957
 114
 158
 85
 352

42
 140
 93
 47 LOS: E 127
 886 V/C: 1.03 954
 93 277
 264
 167
 82

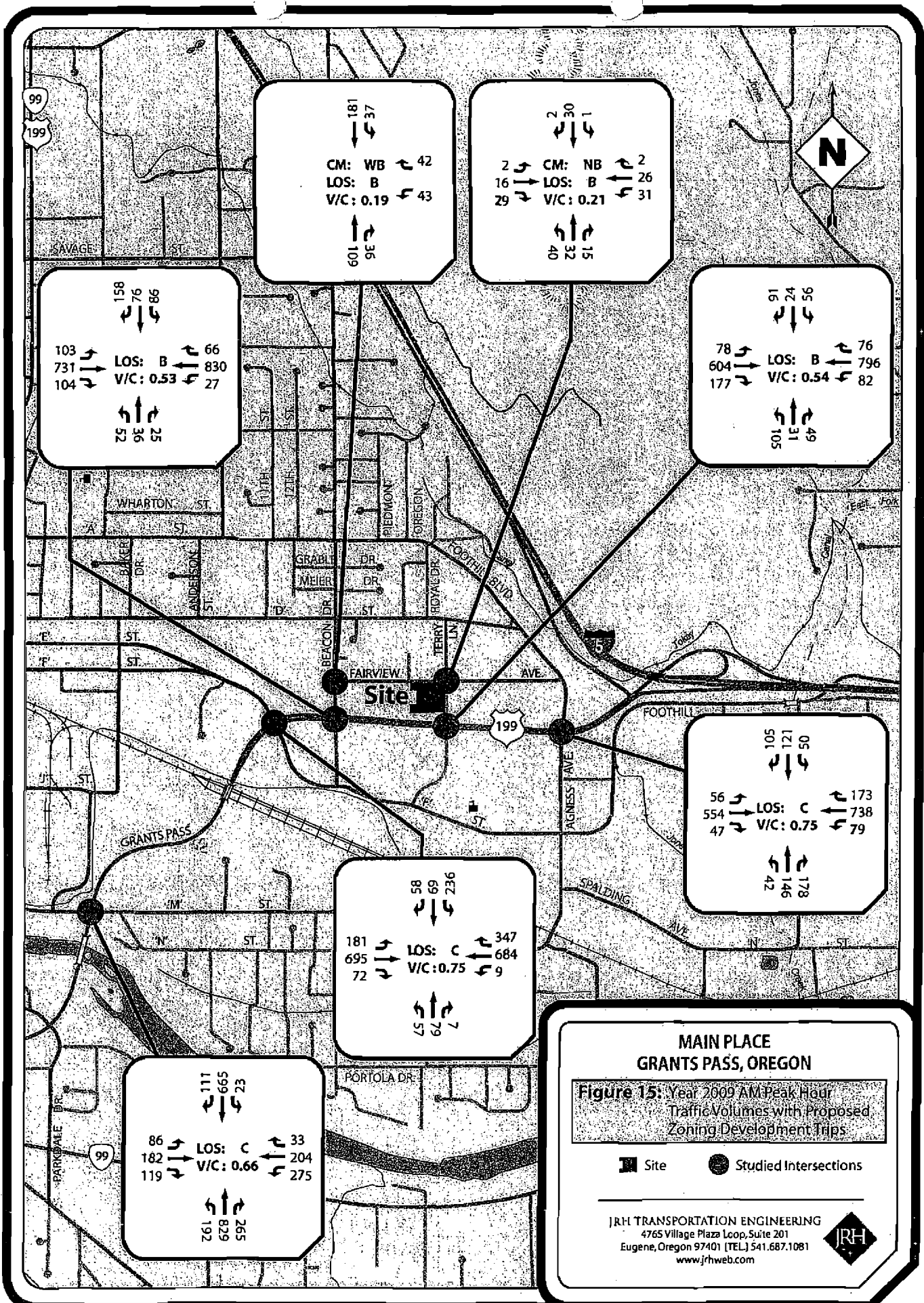
143
 128
 442
 208 LOS: D 405
 934 V/C: 0.91 1116
 70 7
 69
 113
 5

212
 1193
 23
 162 LOS: D 37
 264 V/C: 0.94 284
 367 402
 332
 1000
 133

MAIN PLACE
GRANTS PASS, OREGON
Figure 14: Year 2009 PM Peak Hour
 Volumes with Existing Zoning
 Development Trips

■ Site ● Studied Intersections

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**MAIN PLACE
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**Figure 15: Year 2009 AM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

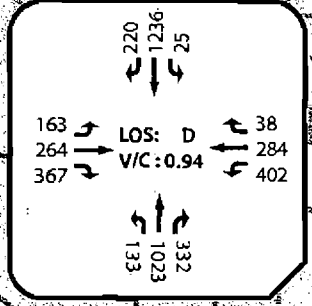
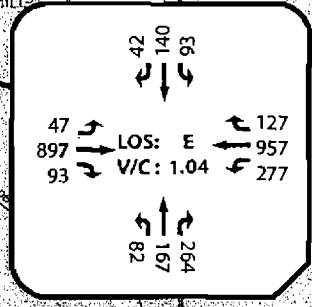
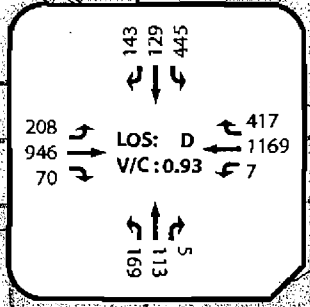
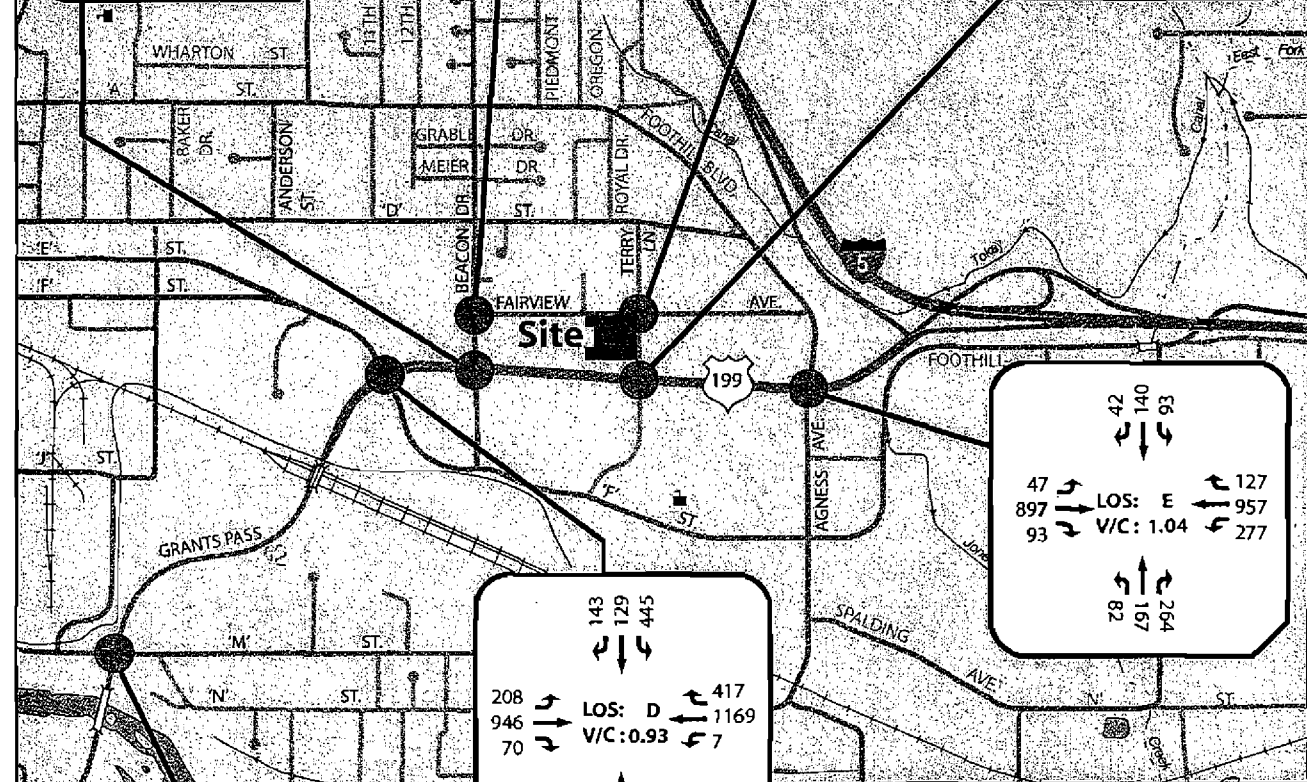
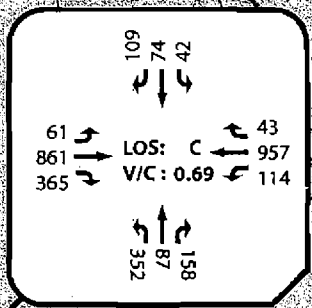
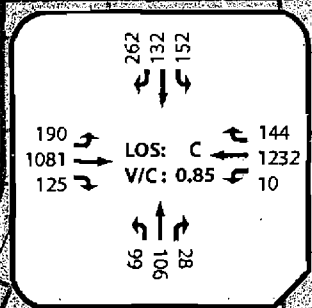
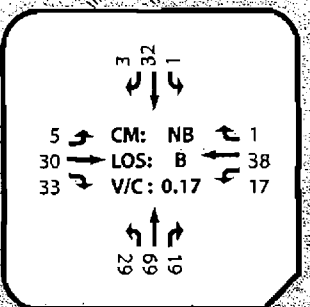
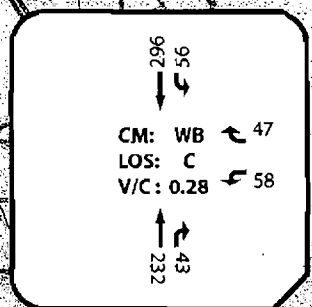
- Site
- Studied Intersections

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99
199

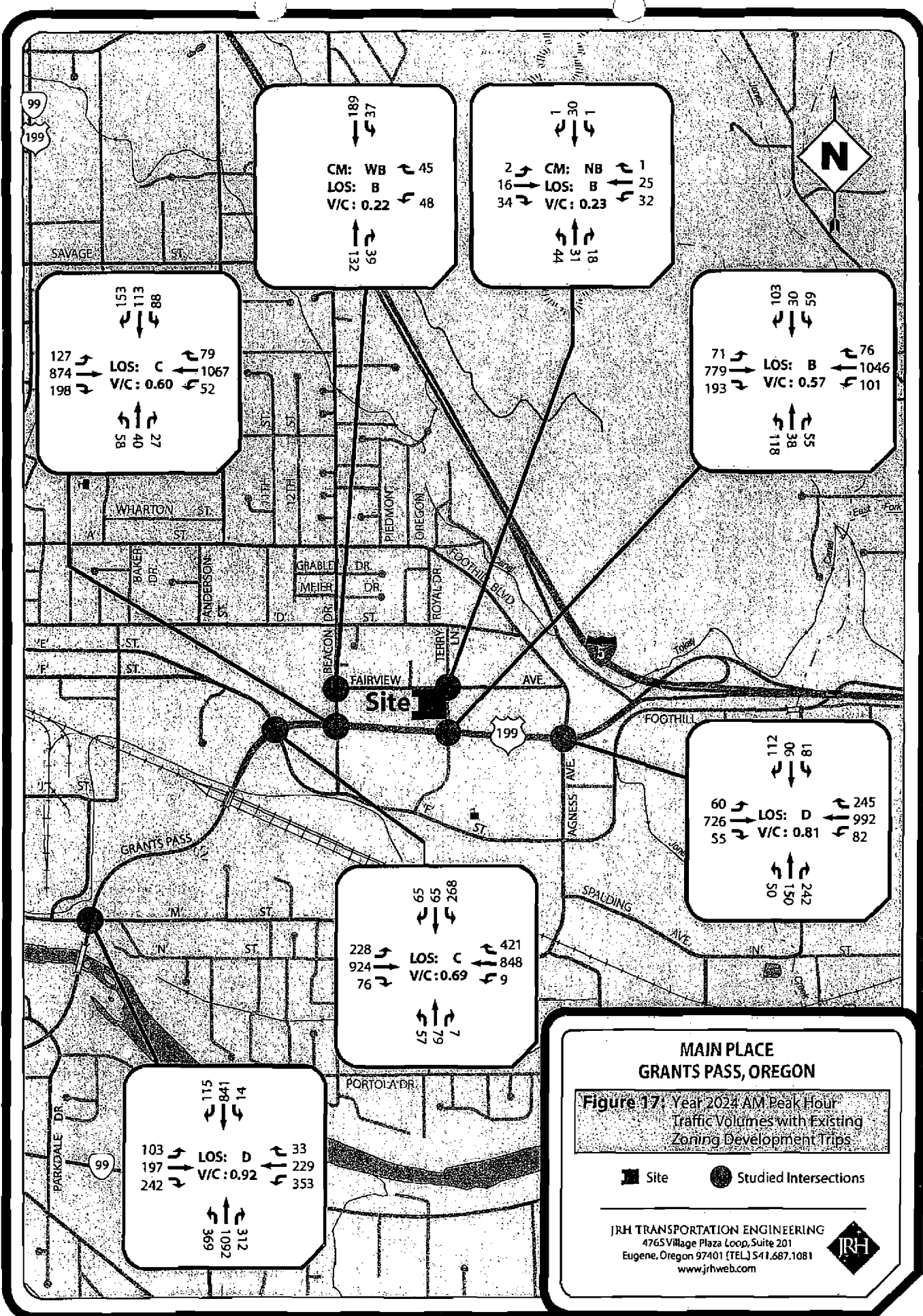


**MAIN PLACE
GRANTS PASS, OREGON**

Figure 16: Year 2009 PM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips

Site Studied Intersections

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LE
 681
 CM: WB 45
 LOS: B
 V/C: 0.22
 39
 132

1
 06
 CM: NB 1
 LOS: B 25
 V/C: 0.23
 18
 31
 44

88
 E11
 E1
 127
 874
 198
 LOS: C
 79
 1067
 52
 27
 40
 58

65
 0E
 E01
 71
 779
 193
 LOS: B
 76
 1046
 101
 35
 38
 118

18
 06
 211
 60
 726
 55
 LOS: D
 245
 992
 82
 242
 150
 50

892
 59
 59
 228
 924
 76
 LOS: C
 421
 848
 9
 7
 79
 57

41
 144
 111
 103
 197
 242
 LOS: D
 33
 229
 353
 312
 1092
 369

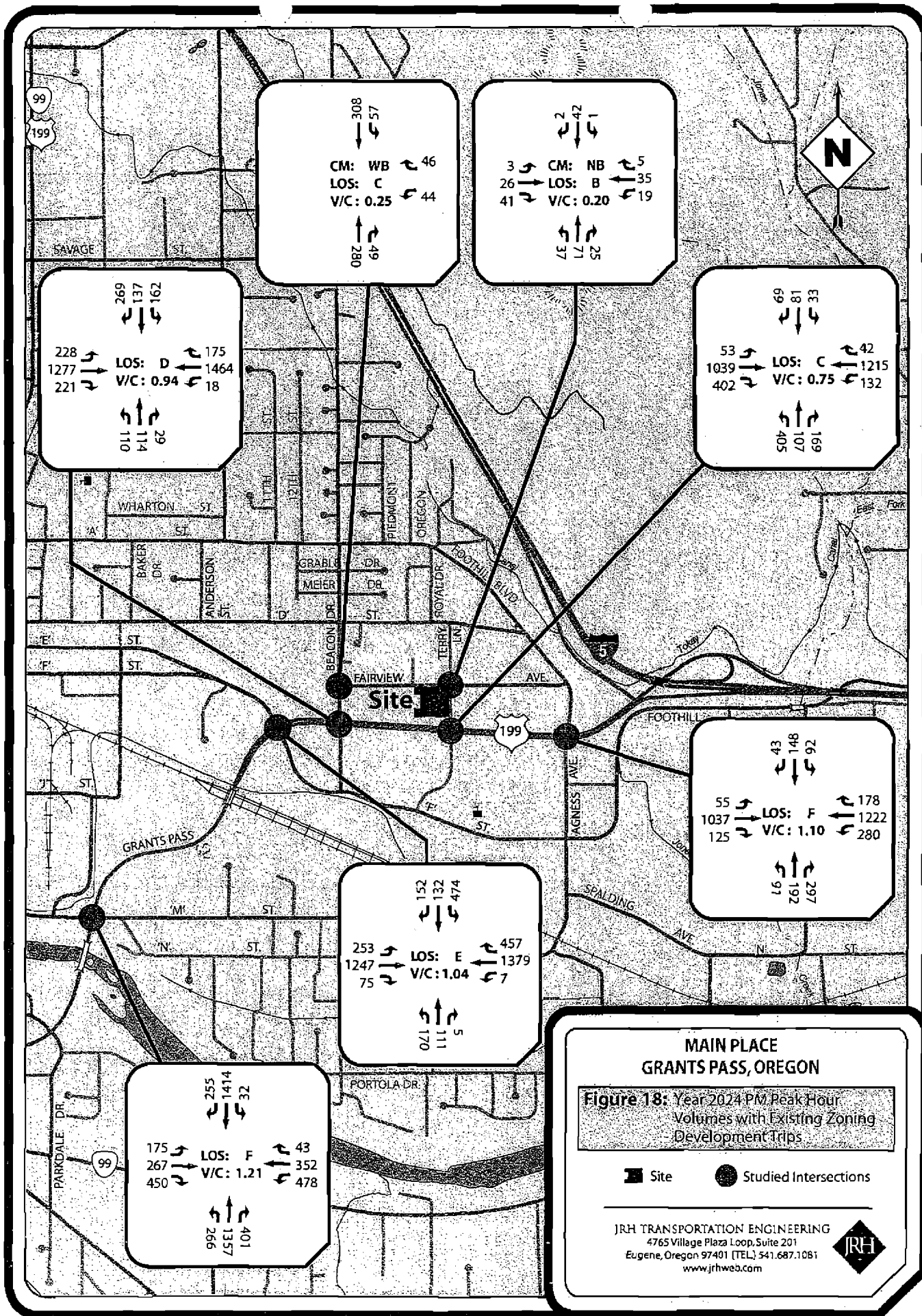
**MAIN PLACE
GRANTS PASS, OREGON**

**Figure 17: Year 2024 AM Peak Hour
Traffic Volumes with Existing
Zoning Development Trips**

Site
 Studied Intersections

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808
57

CM: WB 46
LOS: C
V/C: 0.25

49
280

24
2

3
26
41

CM: NB 5
LOS: B 35
V/C: 0.20

25
71
37

269
161
161

228
1277
221

LOS: D 175
V/C: 0.94 1464
18

29
114
110

69
18

53
1039
402

LOS: C 42
V/C: 0.75 1215
132

169
107
405

43
148
92

55
1037
125

LOS: F 178
V/C: 1.10 1222
280

297
192
97

52
32
44

253
1247
75

LOS: E 457
V/C: 1.04 1379
7

5
111
170

255
1414
32

175
267
450

LOS: F 43
V/C: 1.21 352
478

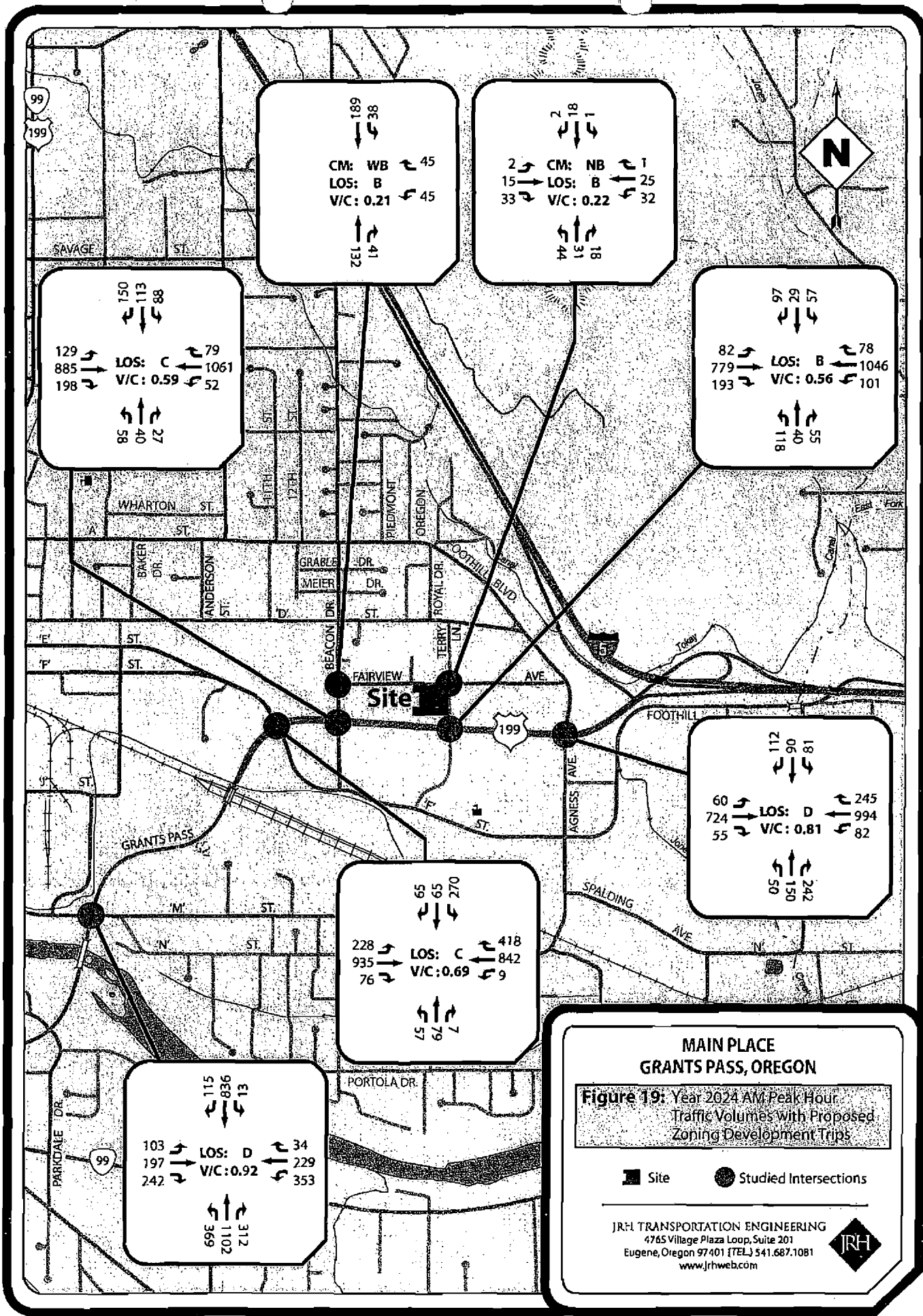
401
1357
266

**MAIN PLACE
GRANTS PASS, OREGON**

**Figure 18: Year 2024 PM Peak Hour
Volumes with Existing Zoning
Development Trips**

Site Studied Intersections

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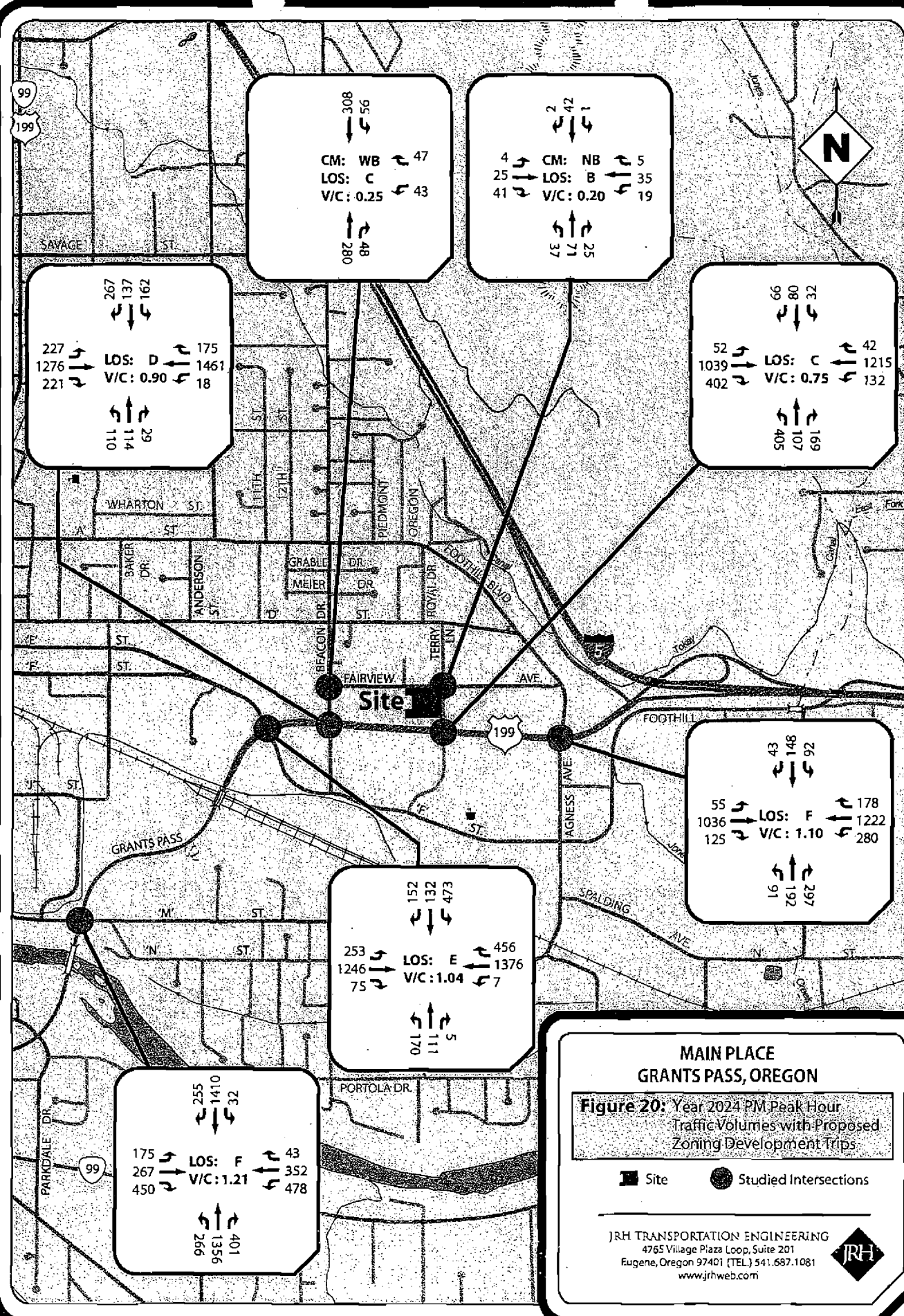
**MAIN PLACE
GRANTS PASS, OREGON**

**Figure 19: Year 2024 AM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

- Site
- Studied Intersections

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**MAIN PLACE
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**Figure 20: Year 2024 PM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

Site Studied Intersections

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7.0 PERFORMANCE MEASURES

Two different performance measures were investigated for intersections included in this analysis. These performance measures are level of service (LOS) and volume-to-capacity ratio (v/c). Level of service (LOS) is a concept developed to quantify the degree of comfort (including such elements as travel time, number of stops, total amount of stopped delay, and impediments caused by other vehicles) afforded to drivers as they travel through an intersection or along a roadway segment. It was developed to quantify the quality of service of transportation facilities. LOS is based on average delay, defined as the average total elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. Average delay is measured in seconds per vehicle per hour and then translated into a grade or "level of service" for each intersection. LOS ranges from A to F, with A indicating the most desirable condition and F indicating the most unsatisfactory condition. LOS is the mobility standard adopted by the City of Grants Pass

The second performance measure used in the analysis was the volume-to-capacity (v/c) ratio. The volume-to-capacity ratio describes the capability of an intersection to meet volume demand based upon the absolute maximum number of vehicles that can be served in an hour. Volume-to-capacity is the ODOT mobility standard for intersections under ODOT's jurisdiction.

Highway 199 is under ODOT jurisdiction; therefore, the v/c standard applies for intersections along Highway 199. The mobility standards as listed in the *Oregon Highway Plan* indicate that for a Statewide Highway designated as a Freight Route a v/c standard of 0.70 applies to all signalized intersections.

For unsignalized intersections under the City of Grants Pass' jurisdiction, all approaches must operate better than or equal to LOS D.

The future year analysis, year 2024, is required for TPR compliancy. The criterion for TPR findings is the v/c ratio and a "no impact" standard. The "no-impact" standard requires that the intersection v/c ratio for the build condition with the proposed land use change must not exceed the v/c ratio for the build conditions with the existing land use. At intersections where the v/c ratio is exceeded, mitigation is required to bring the standard back to the conditions before the land use change.

For this study, level of service analysis was completed according to the Highway Capacity Manual (HCM) method implemented in SYNCHRO Version 6. The LOS criteria, as defined by the Highway Capacity Manual, HCM 2000, for unsignalized intersections are provided in Table 6. The LOS criteria, as defined by the Highway Capacity Manual, HCM 2000, for signalized intersections are provided in Table 7.



Table 6: HCM Level of Service Criteria for Unsignalized Intersections

Level Of Service	Stopped Delay Per Vehicle (sec)
A	10.0
B	15.0 and 20.0
C	20.0 and 25.0
D	25.0 and 30.0
E	30.0 and 35.0
F	35.0

Table 7: HCM Level of Service Criteria for Signalized Intersections

Level of Service	Average Delay per Vehicle Per Hour (Seconds)
A	10
B	15 and 20
C	20 and 25
D	25 and 30
E	30 and 35
F	35

8.0 EXISTING PERFORMANCE ANALYSIS

8.1 OPERATIONAL ANALYSIS

Performance analysis calculations for the year 2008 existing peak hour traffic conditions were performed using the software program described previously. The performance for the studied intersections is provided in Table 8. The SYNCHRO outputs are provided in Appendix G.



Table 9: Intersection Operational Analysis-Year 2009 AM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Fairview at Beacon	LOS D	Westbound 0.15 E	Westbound 0.20 E	Westbound 0.10 B
Fairview at Terry	LOS D	Northbound 0.10 E	Northbound 0.20 B	Northbound 0.20 E
Signalized Intersection				
Highway 199 at Agnes	v/c 0.70	0.75 B	0.75 C	0.75 C
Highway 199 at Terry	v/c 0.70	0.58 B	0.58 B	0.52 B
Highway 199 at Beacon	v/c 0.70	0.54 B	0.68 B	0.51 B
Highway 199 at F Street	v/c 0.70	0.72 C	0.75 C	0.75 C
Highway 199 at M Street	v/c 0.70	0.56	0.65 C	0.66 C

* Performance results reported for critical movement

Table 10: Intersection Operational Analysis-Year 2009 PM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Fairview at Beacon	LOS D	Westbound 0.20 E	Westbound 0.24 E	Westbound 0.25 B
Fairview at Terry	LOS D	Northbound 0.16 E	Northbound 0.17 B	Northbound 0.17 B
Signalized Intersection				
Highway 199 at Agnes	v/c 0.70	1.06 E	1.04 E	1.04 E
Highway 199 at Terry	v/c 0.70	0.67 C	0.67 C	0.69 C
Highway 199 at Beacon	v/c 0.70	0.82 C	0.85 C	0.85 C
Highway 199 at F Street	v/c 0.70	0.91 D	0.93 D	0.93 D
Highway 199 at M Street	v/c 0.70	0.94 D	0.91 D	0.94 D

* Performance results reported for critical movement



As presented in Tables 9 and 10, the intersection of Highway 199 at Agnes Street, Highway 199 at Beacon Street, Highway 199 at F Street, and Highway 199 at M Street do not meet ODOT's mobility standard without development and with development. The addition of development traffic from the proposed zoning at the studied intersections which will meet mobility standard will not reduce the v/c or LOS to below mobility standards. In addition, at intersections projecting to not meet the mobility standard in the background (No-Build) condition, the addition of development trips from the proposed zoning will not reduce the operation to below the conditions with the existing zoning.

9.2 QUEUING ANALYSIS

A queue length analysis was performed for all intersections studied as part of this analysis. The queue length analysis was performed using the software program SimTraffic 6. The resulting average and 95th percentile queues for the 2009 AM and PM conditions with development of the proposed zoning are illustrated in Table 11. The SimTraffic outputs are included in Appendix I.

Table 11: Intersection Queuing-Year 2009 Conditions with Proposed Zoning Traffic Volumes

Intersection		2009 AM With Development Queue Length (Feet)		2009 PM With Development Queue Length (Feet)		Existing Available Storage (Feet)
		Average	95 th Percentile	Average	95 th Percentile	
Highway 199 at Beacon	WB LF	50	75	50	75	250
	SB LF	75	100	75	100	250
Highway 199 at M Street	EB LF	75	150	175	275	350
	EB RT	125	225	350	500	650
	EB TR	75	125	225	325	175
	WB LF	125	200	200	250	175
	WB TR	150	250	325	425	1000
	NB LF	150	250	85	300	200
	NB RT	200	350	400	625	1500
	NB TR	75	150	100	175	125
	SB LF	50	100	50	125	200
	SB RT	200	350	700	1100	1000
	SB TR	75	150	100	200	300
	Highway 199 at F Street	EB LF	150	250		300
EB RT		150	250	300	325	150
WB LF		150	250	300	325	150
WB TR		25		20		150
NB LF		125	150	325	72	50
NB RT					275	
NB TR		30	10		250	150
SB LF		75	125	175	450	500
SB RT		100	150	75	250	250
SB TR		75	150	200	325	500



Table 11 (Continued): Intersection Queuing-Year 2009 Conditions with Proposed Zoning Traffic Volumes

Intersection		2009 AM		2009 PM		Existing Available Storage (Feet)
		With Development	Queue Length (Feet)	With Development	Queue Length (Feet)	
Highway 99 (10/10) Lane	EB	75	100	75	100	50
	EBR	125	225	125	240	125
	EBL	30	100	125	240	125
	WB	75	100	100	75	75
	WBL	100	200	225	125	50
	WBR	25	25	50	50	25
	NB	75	100	150	175	150
	NBTR	50	100	250	500	180
	SB	50	50	25	25	25
	SBTR	50	75	100	125	25
Highway 99 (10/10) Lane	EB	75	100	75	100	50
	EBR	125	225	125	240	125
	EBL	30	100	125	240	125
	WB	75	100	100	75	75
	WBL	100	200	225	125	50
	WBR	25	25	50	50	25
	NB	75	100	150	175	150
	NBTR	50	100	250	500	180
	SB	50	50	25	25	25
	SBTR	50	75	100	125	25

NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, L = Left, R = Right, T = Through

As shown in Table 11, the average queuing conditions do not exceed the available storage with the addition of development traffic.



10.0 YEAR 2024-INTERSECTION ANALYSIS

Policy 1F.2 of the *Oregon Highway Plan* states that a land use change must be analyzed over the end of the planning horizon adopted by local transportation system plan or a planning horizon of 15 years from the proposed date of opening, whichever is greater. The end of the planning horizon for the City of Grants Pass is the year 2024. As the year of opening of the project is 2009, the minimum requirement is a year 2024 analysis.

10.1 OPERATIONAL ANALYSIS

Performance analysis calculations for peak hour traffic conditions were performed using the software program described previously for the anticipated year of completion, year 2024, with and without the proposed development. The analysis included the build-out condition with the development potential of the existing zoning as well as the build-out condition with the development of the proposed zoning. The performance for the studied intersections is provided in Table 12 for the AM and Table 13 for the PM. The SYNCHRO outputs are provided in Appendix J.

Table 12: Intersection Operational Analysis-Year 2024 AM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersection				
Highway 199 at Eason Drive	LOS D	0.24 E	0.22 B	0.24 B
Highway 199 at Hwy 101	LOS E	0.16 E	0.16 E	0.16 E
Signalized Intersection				
Highway 199 at Agnes	v/c 0.74	0.71 B	0.67 D	0.67 D
Highway 199 at Hwy 101	v/c 0.70	0.56 E	0.67 E	0.56 E
Highway 199 at Eason	v/c 0.73	0.59 E	0.67 E	0.59 E
Highway 199 at F Street	v/c 0.70	0.69 C	0.69 C	0.69 C
Highway 199 at G Street	v/c 0.74	0.92 D	0.92 D	0.92 D

* Performance results reported for critical movement



Table 13: Intersection Operational Analysis-Year 2024 PM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Fairview at Beacon	0.85 D	0.75 E	0.75 B	0.75 B
Fairview at Terry	0.85 D	0.75 E	0.75 B	0.75 B
Signalized Intersections				
Highway 199 at Agnes	0.75 C	0.75 C	0.75 C	0.75 C
Highway 199 at Terry	0.75 C	0.75 C	0.75 C	0.65 C
Highway 199 at Beacon	0.75 C	0.75 C	0.75 D	0.75 D
Highway 199 at F Street	0.75 C	0.75 E	0.75 E	0.75 E
Highway 199 at M Street	0.75 C	0.75 E	0.75 E	0.75 E

* Performance results reported for critical movement

As presented in Tables 12 and 13, the intersections of Highway 199 at Agnes Street, Highway 199 at Terry Street, Highway 199 at Beacon Street, Highway 199 at F Street, and Highway 199 at M Street do not meet ODOT’s mobility standard without development and with development. The addition of development traffic from the proposed zoning at the studied intersections that meet mobility standards will not reduce the v/c or LOS to below mobility standards. In addition, at intersections projecting to not meet the mobility standard in the background (No-Build) condition, the addition of development trips from the proposed zoning will not reduce the operation to below the conditions with the existing zoning.

10.2 QUEUING ANALYSIS

A queue length analysis was performed for all intersections studied as part of this analysis. The queue length analysis was performed using the software program SimTraffic 6. The resulting average and 95th percentile queues for the 2024 AM and PM conditions with development of the proposed zoning are illustrated in Table 14. The SimTraffic outputs are included in Appendix K.



Table 14: Intersection Queuing-Year 2024 Conditions with Proposed Zoning Traffic Volumes

Intersection		2024 AM With Development Queue Length (Feet)		2024 PM With Development Queue Length (Feet)		Existing Available Storage (Feet)
		Average	95 th Percentile	Average	95 th Percentile	
Highway 105/106	WBL	250	275	275	300	250
	EBL	250	275	275	300	250
Highway 106/107	NBL	50	75	50	75	250
	SBL	25	50	50	75	250
Highway 107/108	NBL	25	50	50	75	250
	NBT	100	125	100	125	250
	NBR	25	50	50	75	250
	WBL	25	50	25	50	250
	WBT	250	275	275	300	250
	WBR	25	50	25	50	250
	NBL	25	50	25	50	250
	NBT	100	125	100	125	250
	NBR	25	50	25	50	250
	SBL	25	50	25	50	250
	SBT	100	125	100	125	250
	SBR	25	50	25	50	250
Highway 108/109	NBL	50	75	75	100	250
	NBT	100	125	100	125	250
	NBR	25	50	25	50	250
	WBL	25	50	25	50	250
	WBT	250	275	275	300	250
	WBR	25	50	25	50	250
	NBL	50	75	75	100	250
	NBT	100	125	100	125	250
	NBR	25	50	25	50	250
	SBL	25	50	25	50	250
	SBT	100	125	100	125	250
	SBR	25	50	25	50	250
Highway 109/110	NBL	50	75	75	100	250
	NBT	100	125	100	125	250
	NBR	25	50	25	50	250
	WBL	25	50	25	50	250
	WBT	250	275	275	300	250
	WBR	25	50	25	50	250
	NBL	50	75	75	100	250
	NBT	100	125	100	125	250
	NBR	25	50	25	50	250
	SBL	25	50	25	50	250
	SBT	100	125	100	125	250
	SBR	25	50	25	50	250



Table 14 (Continued): Intersection Queuing-Year 2024 Conditions with Proposed Zoning

Intersection		2024 AM With Development Queue Length (Feet)		2024 PM With Development Queue Length (Feet)		Existing Available Storage (Feet)
		Average	95 th Percentile	Average	95 th Percentile	
		Highway 199 at M Street	EBL	75	156	
Highway 199 at Beacon	EBT	75	100	75	100	50
	EBR	75	100	75	100	50
	WBL	75	150	100	200	75
	WBT	200	125	125	75	100
	WBR	25	100	25	75	25
	NBL	25	50	50	75	50
	NBTR	50	100	50	100	50
	NBR	50	100	50	100	50
	SBTL	75	125	100	200	225
	SBR	75	125	100	200	225
Highway 199 at Main Place	EBL	75	156	75	125	56
	EBT	75	100	75	100	50
	EBR	75	100	75	100	50
	WBL	75	150	100	200	75
	WBT	200	125	125	75	100
	WBR	25	100	25	75	25
	NBL	25	50	50	75	50
	NBTR	50	100	50	100	50
	NBR	50	100	50	100	50
	SBTL	75	125	100	200	225
SBR	75	125	100	200	225	

NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, L = Left, R = Right, T = Through

As shown in Table 14, during the year 2024 the average queuing is anticipated to exceed the available storage for movements at the intersection of Highway 199 at M Street and Highway 199 at Beacon. At the intersection of Highway 199 at M Street, the average queuing is anticipated to exceed the available storage for the eastbound through and right-turn lanes and the westbound left-turn lane. The proposed Main Place development does not add traffic to the eastbound through and right-turn lanes or the westbound left-turn lanes. The exceedence of storage is then assumed to be independent of the development of this project. The queuing spill back at Highway 199 and Beacon Street is in the westbound direction between this intersection and the access to the shopping center to the south of Highway 199. Improved coordination for intersections along Highway 199 could reduce intersection spillback and improve the overall v/c and LOS for intersections along this corridor.



11.0 INTERSECTION MITIGATION

The intersection performance analysis concludes that the intersections of Highway 199 at Agnes Avenue, Highway 199 at Terry Lane, Highway 199 at Beacon Avenue, Highway 199 at F Street, and Highway 199 at M Street operate below ODOT's mobility standard of v/c 0.70, both with and without the proposed development in place for both analysis years, 2009 and 2024.

For intersections under ODOT's jurisdiction, if the v/c of the background traffic already exceeds the standard of the facility, then the v/c must be maintained or mitigated back to the conditions before development. In the event of a zone change, the intersection operation under the proposed zoning cannot exceed the operation under the existing zoning. If it does, mitigation is required at facilities where the development of the proposed zoning causes an intersection to operate at conditions worse than that of the facilities under the conditions with the development of the existing zoning.

At all the above-mentioned intersections, the development of the proposed zoning will not reduce the operation of any studied intersections to below the operation of the intersections with the development of the existing zoning; therefore, no mitigation is proposed for this development.

12.0 TPR FINDINGS

The purpose of the 2024 analysis is to establish consistency with the State of Oregon's facility adequacy test embodied in the Transportation Planning Rule found in OAR 660-012-0060 (TPR). Compliance with TPR requires transportation analysis sufficient to identify transportation facilities that will be significantly affected by the proposed zone change. Significant effects are identified where existing transportation facilities and planned transportation improvements are insufficient to accommodate the proposed zone changes. Significant effects for the purposes of this analysis are based upon trip generation derived from the maximum development potential of the existing zoning and the maximum development potential/master site development plan under the proposed zoning.

The Transportation Planning Rule (TPR) and the *Oregon Highway Plan* (OHP) require that the impacts be assessed over a particular planning horizon. For purposes of this analysis, a planning horizon of the City of Grants Pass' Transportation System Plan, year 2024, applies. Intersections included in this study were analyzed for the year 2024 to determine the impacts under the TPR requirements.

As stated previously, at the intersections identified as not meeting the ODOT mobility standard the development of the proposed zoning will not reduce the operation of any studied intersections to below the operation of the intersections with the development of the existing zoning. The TPR requirements are satisfied under the proposed zone change.



13.0 OREGON ADMINISTRATIVE RULING 660-012-0000

The following discusses the Oregon Administrative Ruling 660-012-0000, the Transportation Planning Rule, and the effect of the proposed development on the transportation facilities as it applies to the ruling.

660-012-0060

Plan and Land Use Regulation Amendments

(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);

The addition of development traffic on the adjacent roadways does not cause the change in functional classification of any of the transportation facilities.

(b) Change standards implementing a functional classification system; or

The standards implementing a functional classification system within the project study area are not changed by the proposed development.

(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;

The proposed development does not result in types or levels of travel or access that are inconsistent with the functional classification of the studied transportation facilities.

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

The addition of development traffic under the proposed zoning, and subsequent land use change, does not reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard.



(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.

The addition of development traffic under the proposed zoning, and subsequent land use change, will not further degrade the performance of intersections projected to perform below the minimum acceptable performance standard.

As shown, the requested redesignation of tax lots 2000, 2001, 2200, 2300, 2201, and 2302 does not result in a "significant effect" on the transportation facilities as defined in the TPR.

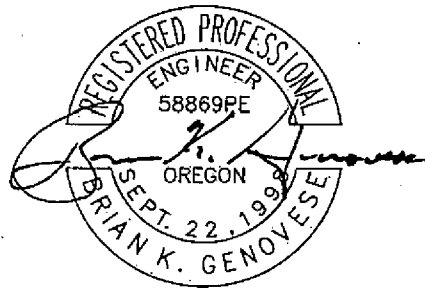
14.0 CONCLUSIONS AND RECOMMENDATIONS

An operational analysis was performed for the study area intersections for the year 2008 existing conditions and the years 2009 and 2024 with and without the development traffic. At studied intersections, the development of the proposed zoning will not reduce the operation of any studied intersections to below the operation with the development of the existing zoning or to below the adopted mobility standard; therefore, no intersection mitigation is proposed.

TRAFFIC IMPACT ANALYSIS

MAIN PLACE DEVELOPMENT ADDENDUM

GRANTS PASS, OREGON



RENEWAL 06/30/09

PROJECT MANAGER: KELLY SANDOW EIT
PROJECT PRINCIPAL: BRIAN GENOVESE PE, PTOE

PROJECT NO. 07-926

AUGUST 4, 2008

JRH TRANSPORTATION ENGINEERING
4765 VILLAGE PLAZA LOOP, SUITE 201, EUGENE, OREGON 97401 541.687.1081 FAX 541.345.6599 JRH@JRHWEB.COM

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CITY OF GRANTS PASS

Exhibit 8



EXECUTIVE SUMMARY

DESCRIPTION

A traffic analysis was performed by JRH Transportation Engineering for the Main Place development located west of Terry Lane between Fairview Avenue and Highway 199 in Grants Pass, Oregon. Upon review of the traffic impact analysis (TIA), the City of Grants Pass and the Oregon Department of Transportation (ODOT) have submitted comments regarding the development potential and the analysis that was performed. This report addresses revisions to the "Main Place Traffic Impact Analysis", dated April 11, 2008, as it addresses the comments received from the City of Grants Pass and ODOT and, subsequently, changes to the development size.



TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
1.0 INTRODUCTION	4
2.0 TRIP GENERATION AND DISTRIBUTION	4
3.0 PERFORMANCE ANALYSIS	8
4.0 QUEUING ANALYSIS	15
5.0 ODOT COMMENTS AND RESPONSE	18
6.0 CITY OF GRANTS PASS COMMENTS AND RESPONSE	21

LIST OF FIGURES

FIGURE 11A: PROPOSED ZONING DEVELOPMENT TRIPS-AM PEAK HOUR	6
FIGURE 12A: PROPOSED ZONING DEVELOPMENT TRIPS-PM PEAK HOUR	7
FIGURE 15A: YEAR 2009 AM PEAK HOUR TRAFFIC VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	9
FIGURE 16A: YEAR 2009 PM PEAK HOUR TRAFFIC VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	10
FIGURE 19A: YEAR 2024 AM PEAK HOUR TRAFFIC VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	11
FIGURE 20A: YEAR 2024 PM PEAK HOUR TRAFFIC VOLUMES WITH PROPOSED ZONING DEVELOPMENT TRIPS	12



LIST OF TABLES

TABLE 1: REVISED DEVELOPMENT POTENTIAL OF PROPOSED ZONING-TRIP GENERATION	5
TABLE 2: INTERSECTION OPERATIONAL ANALYSIS – YEAR 2009 AM PEAK HOUR CONDITIONS	13
TABLE 3: INTERSECTION OPERATIONAL ANALYSIS – YEAR 2009 PM PEAK HOUR CONDITIONS.....	14
TABLE 4: INTERSECTION OPERATIONAL ANALYSIS – YEAR 2024 AM PEAK HOUR CONDITIONS	14
TABLE 5: INTERSECTION OPERATIONAL ANALYSIS – YEAR 2024 PM PEAK HOUR CONDITIONS.....	15
TABLE 6: INTERSECTION QUEUING - YEAR 2024 CONDITIONS WITH PROPOSED ZONING	16
TABLE 7: REVISED INTERSECTION CRASH RATES	18

LIST OF APPENDICES

APPENDIX A	SYCNHRO OUTPUTS-YEAR 2009 ANALYSIS
APPENDIX B	SYNCHRO OUTPUTS-YEAR 2024 ANALYSIS
APPENDIX C	QUEUEING OUTPUTS-YEAR 2024 ANALYSIS
APPENDIX D	ODOT COMMENTS
APPENDIX E	CRASH DATA
APPENDIX F	CITY OF GRANTS PASS COMMENTS



1.0 INTRODUCTION

A traffic analysis was performed by JRH Transportation Engineering for the Main Place development located west of Terry Lane between Fairview Avenue and Highway 199 in Grants Pass, Oregon. Upon review of the traffic impact analysis (TIA,) the City of Grants Pass and ODOT have submitted comments regarding the development potential and the analysis that was performed. This report addresses revisions to the "Main Place Traffic Impact Analysis", dated April 11, 2008, as it addresses the comments received by the City of Grants Pass and ODOT and, subsequently, changes to the development size.

The TIA dated April 11, 2008 performed an analysis based on a proposed development size of 10,620 square feet of office, 17,848 square feet of specialty retail, and 10 apartment units. The developer is proposing a zone change from R-3 to 1.69 acres of General Commercial and 1.01 acres of R-4 Residential. The proposed uses included in the TIA do not illustrate the maximum development potential of the site. In lieu of performing an analysis of the maximum development potential, the applicant is proposing a trip cap for the 1.69 acres of General Commercial. The applicant is willing to stipulate to the land uses described above and a building square footage of 10,620 square feet of office, 19,848 square feet of specialty retail, and 10 apartment units.

The building square footage being proposed by the applicant under the trip cap includes 2,000 additional square feet of specialty retail not included in the original TIA. This addendum includes the revision to the intersection analysis, which includes traffic generated from the additional 2,000 square feet.

2.0 TRIP GENERATION AND DISTRIBUTION

The applicant is revising the site plan to include an additional 2,000 square feet of specialty retail, for a total of 19,848 square feet of specialty retail, 10,620 square feet of office, and 10 apartment units. The applicant will agree to a trip cap for this facility under the proposed land uses and building sizes listed above. Vehicle trips generated by the development were determined using the ITE Trip Generation Manual, 7th Edition.



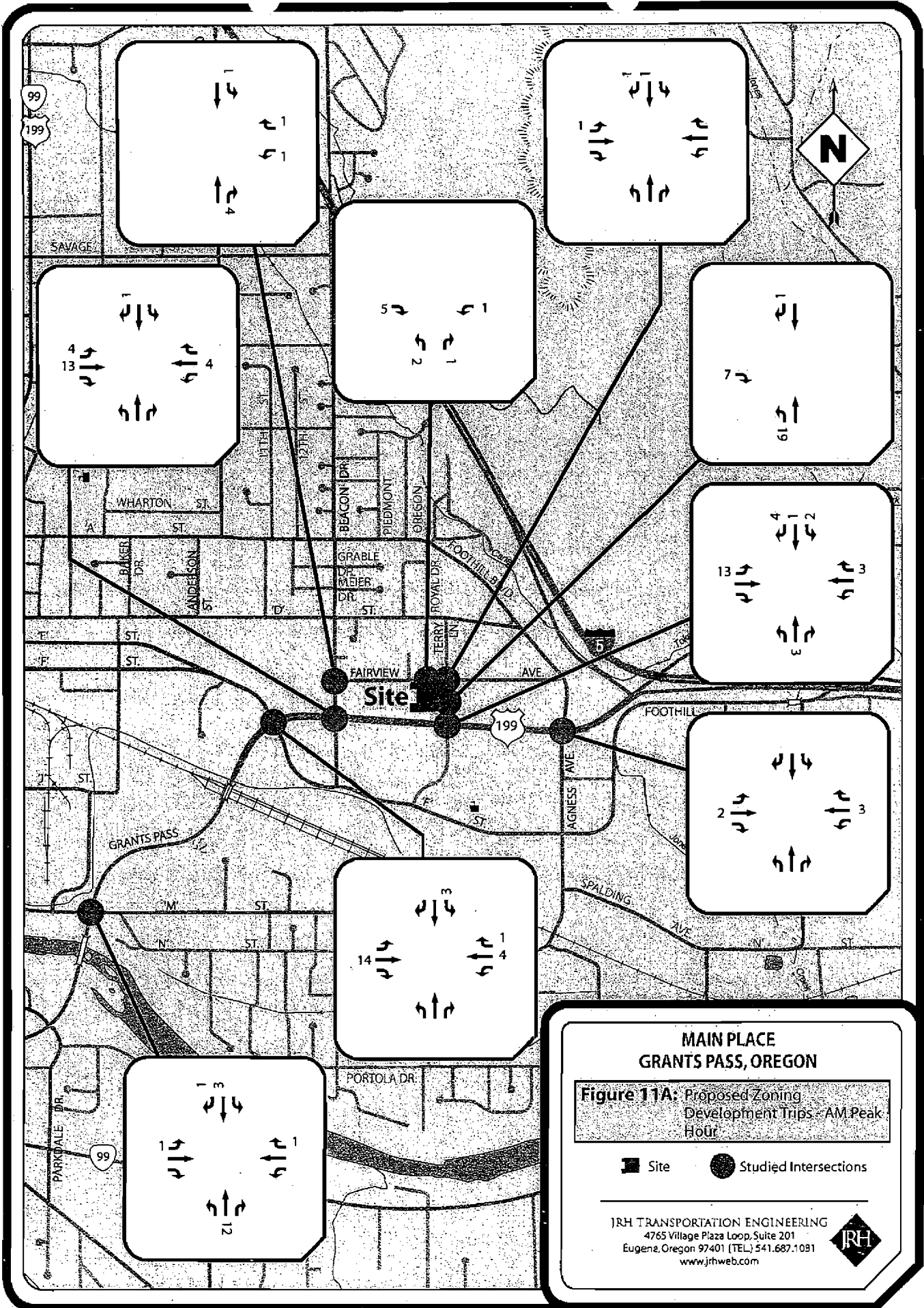
Table 1: Revised Development Potential of Proposed Zoning-Trip Generation

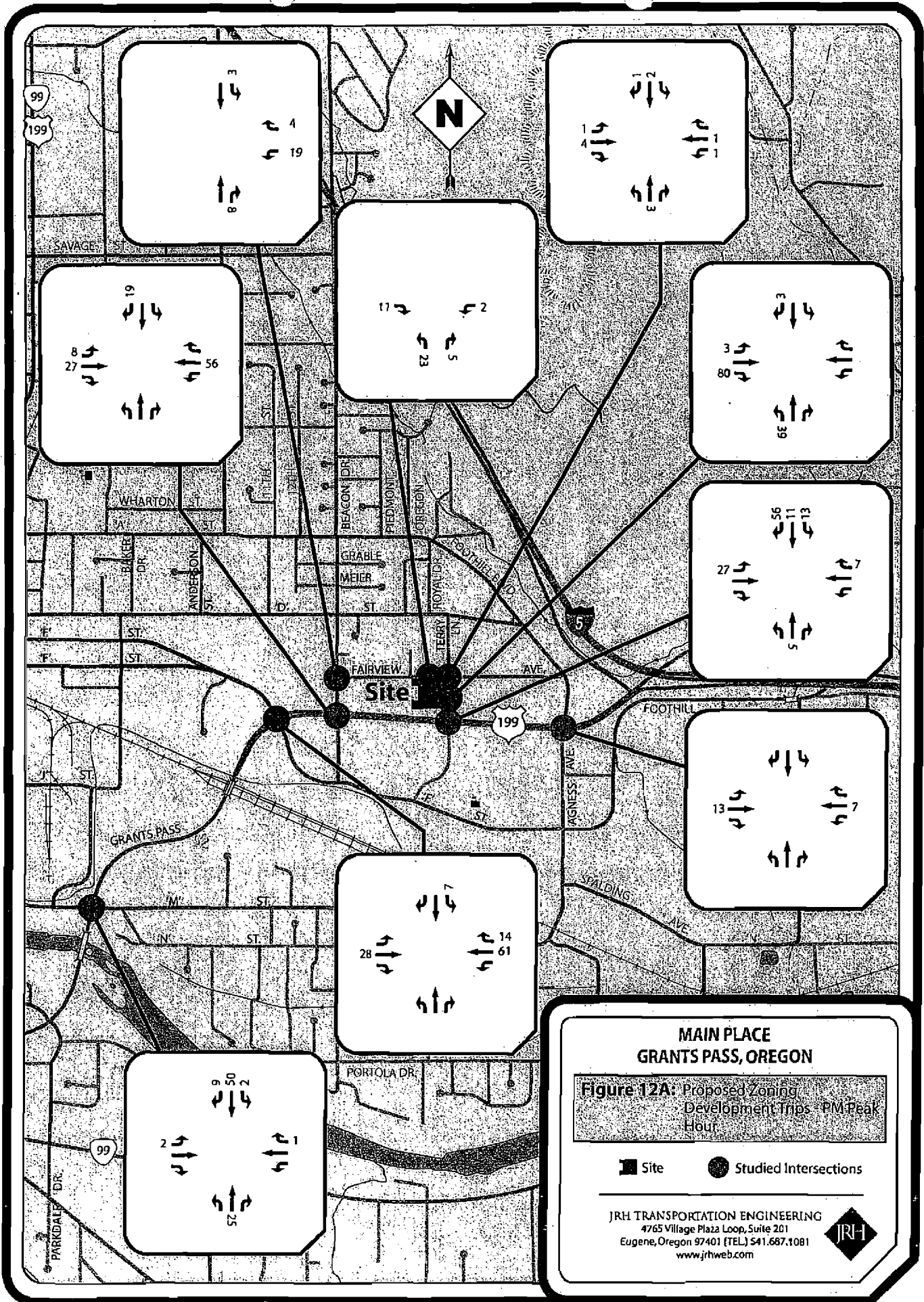
Land Use	ITE Code	Size (1000 sf)	Rate	Trips	Directional Distribution		Total Trips	
					IN	OUT	IN	OUT
AM								
General Office	0	10.32	10.7 = 0.80 (10.7/13.5)	3	50%	12%	2	1
Apartment	220	10	1 = 0.10 (1/10)	9	40%	30%	4	5
Specialty Retail	374	19.875	N/A	N/A	N/A	N/A	N/A	N/A
Internal Trip Reduction				4			0	0
AM Total				38			21	17
PM								
General Office	70	10.6	11 = 1.20 (11/9.81)	91	17%	36%	15	76
Apartments	220	10	1 = 0.55 (1/1.82)	29	60%	35%	15	8
Specialty Retail	374	19.875	1 = 2.10 (1/2.1)	69	44%	16%	30	39
Internal Trip Reduction				15			0	0
PM Total				165			60	105
Daily								
General Office	70	10.6	11 (1.07 (11/10.35))	237	50%	60%	118	119
Apartments	220	10	1 = 0.1 (1/1.50)	210	50%	60%	105	105
Specialty Retail	374	19.875	1 = 0.2 (1/5.0)	880	50%	60%	440	440
Internal Trip Reduction				162			66	66
Daily Total				1192			529	663

* Internal trip reduction based on a calculated value following ITE Methodology

The additional 2,000 square feet will generate an additional four trips.

The total AM and PM peak hour volumes were distributed throughout the study area following the same distribution pattern used in the April 2008 TIA. The trip distribution is illustrated in Figures 11a and 12a.



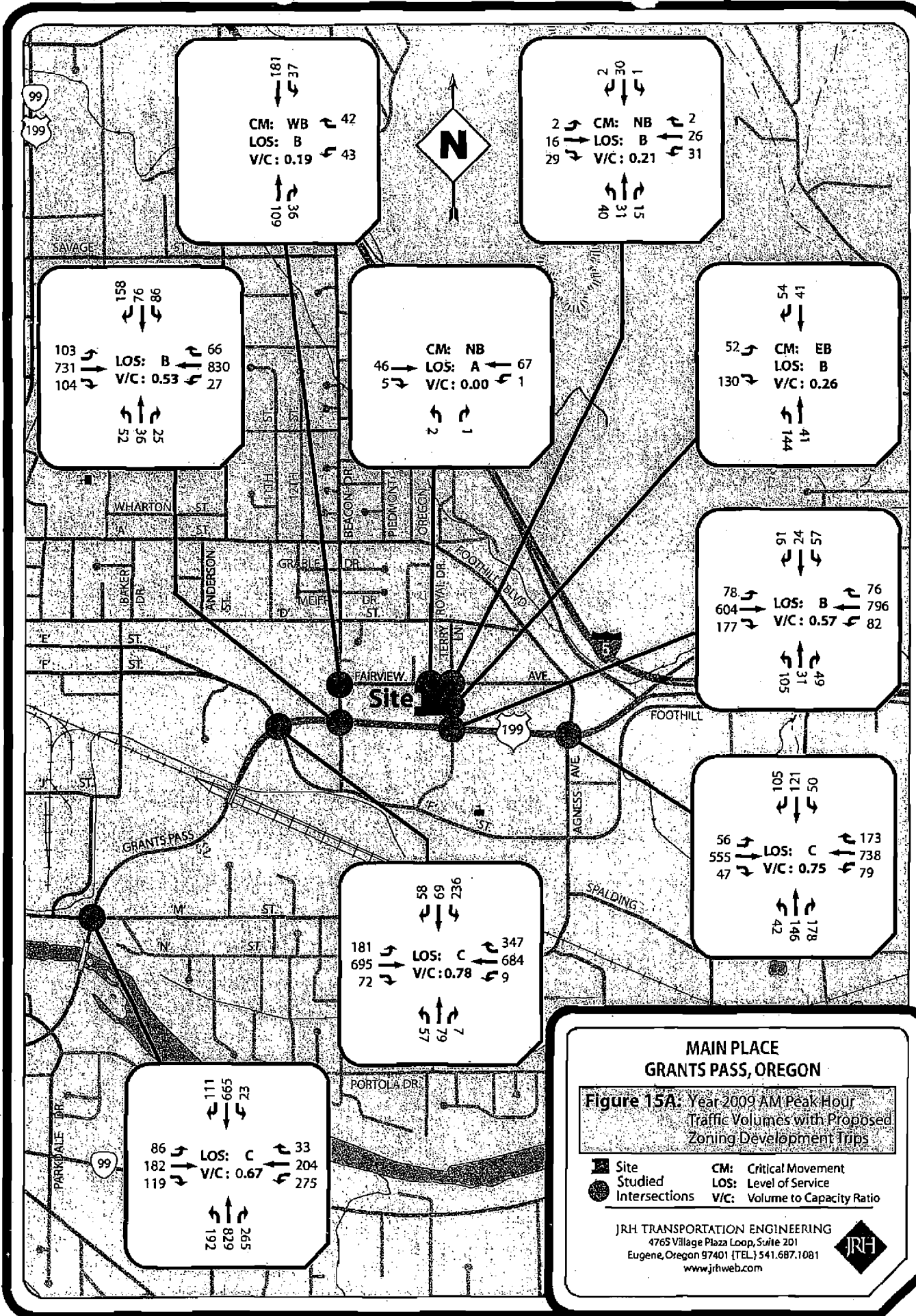




3.0 PERFORMANCE ANALYSIS

The development traffic was added to the year 2009 and year 2024 AM and PM peak hour volumes without the development in place. These were developed and illustrated in Figures 5, 6, 7 and 8 of the April 11, 2008 TIA. The resulting traffic represents the year 2009 and year 2024 PM peak conditions with the development in place. Figures 15a and 16a illustrate the 2009 PM peak hour volumes with the addition of development traffic. Figures 19a and 20a illustrate the 2024 PM peak hour volumes with the addition of development traffic.

A performance analysis was conducted for the AM and PM peak hour for the year 2009 and 2024 with the proposed development in place. The performance analysis was conducted using the software program SYNCHRO and the methodologies outlined in the April 11, 2008 TIA. Appendix A contains the SYNCHRO outputs for year 2009 PM peak hour analysis with the addition of development trips. Appendix B contains the SYNCHRO outputs for year 2024 PM peak hour analysis with the addition of development trips.



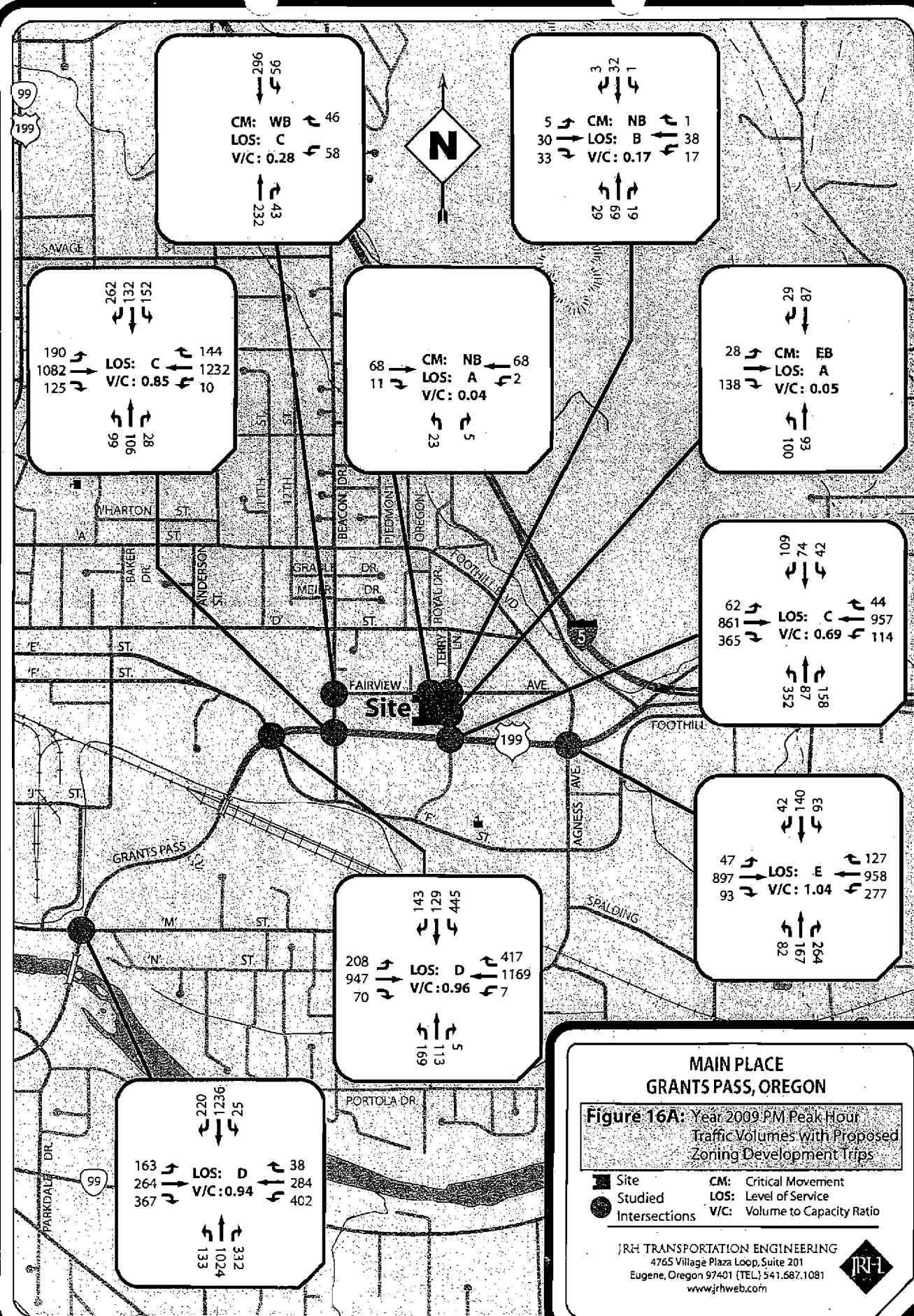
**MAIN PLACE
GRANTS PASS, OREGON**

**Figure 15A: Year 2009 AM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

- Site
- Studied Intersections
- CM:** Critical Movement
- LOS:** Level of Service
- V/C:** Volume to Capacity Ratio

JRH TRANSPORTATION ENGINEERING
4765 Village Plaza Loop, Suite 201
Eugene, Oregon 97401 (TEL) 541.687.1081
www.jrhweb.com





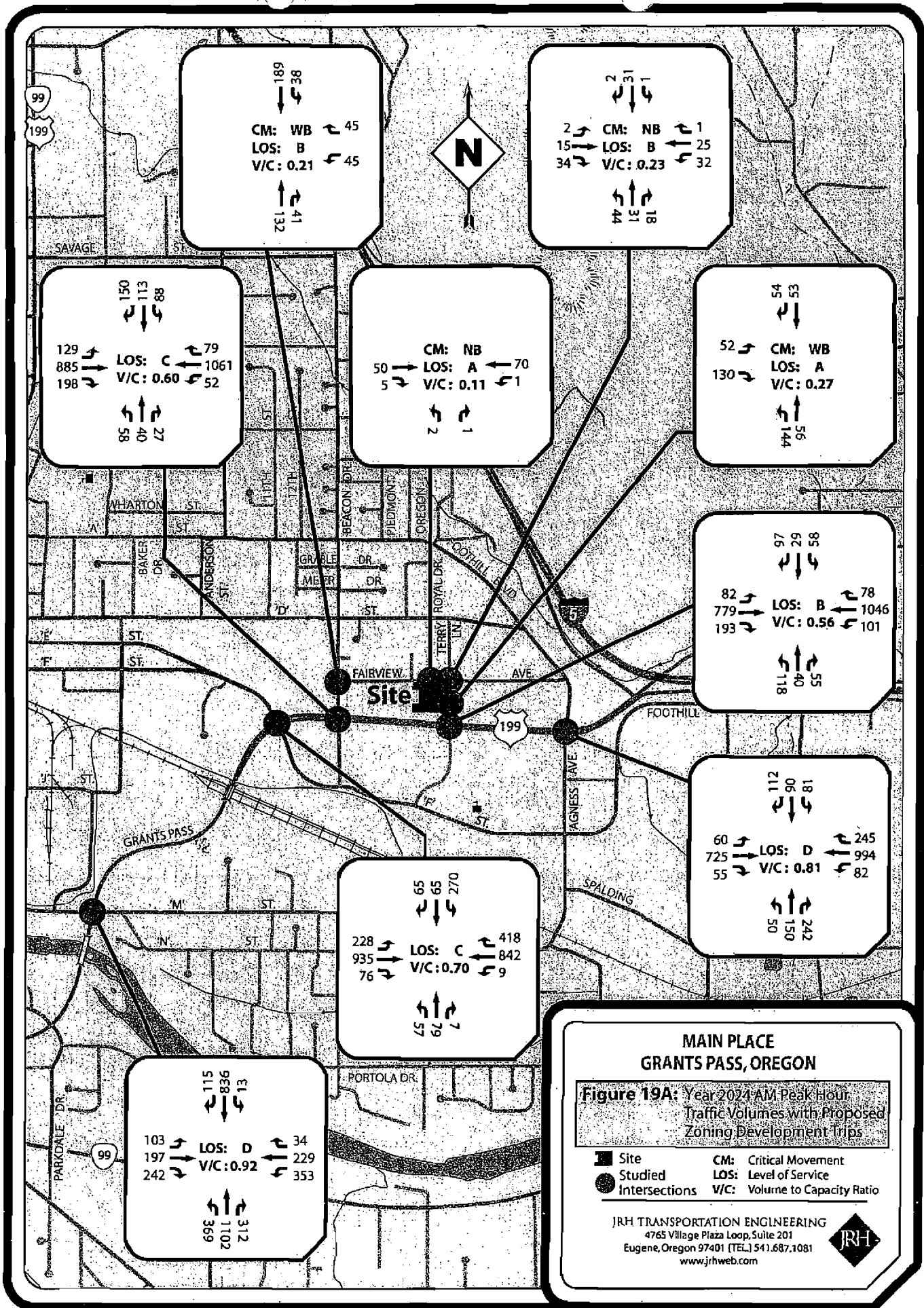
**MAIN PLACE
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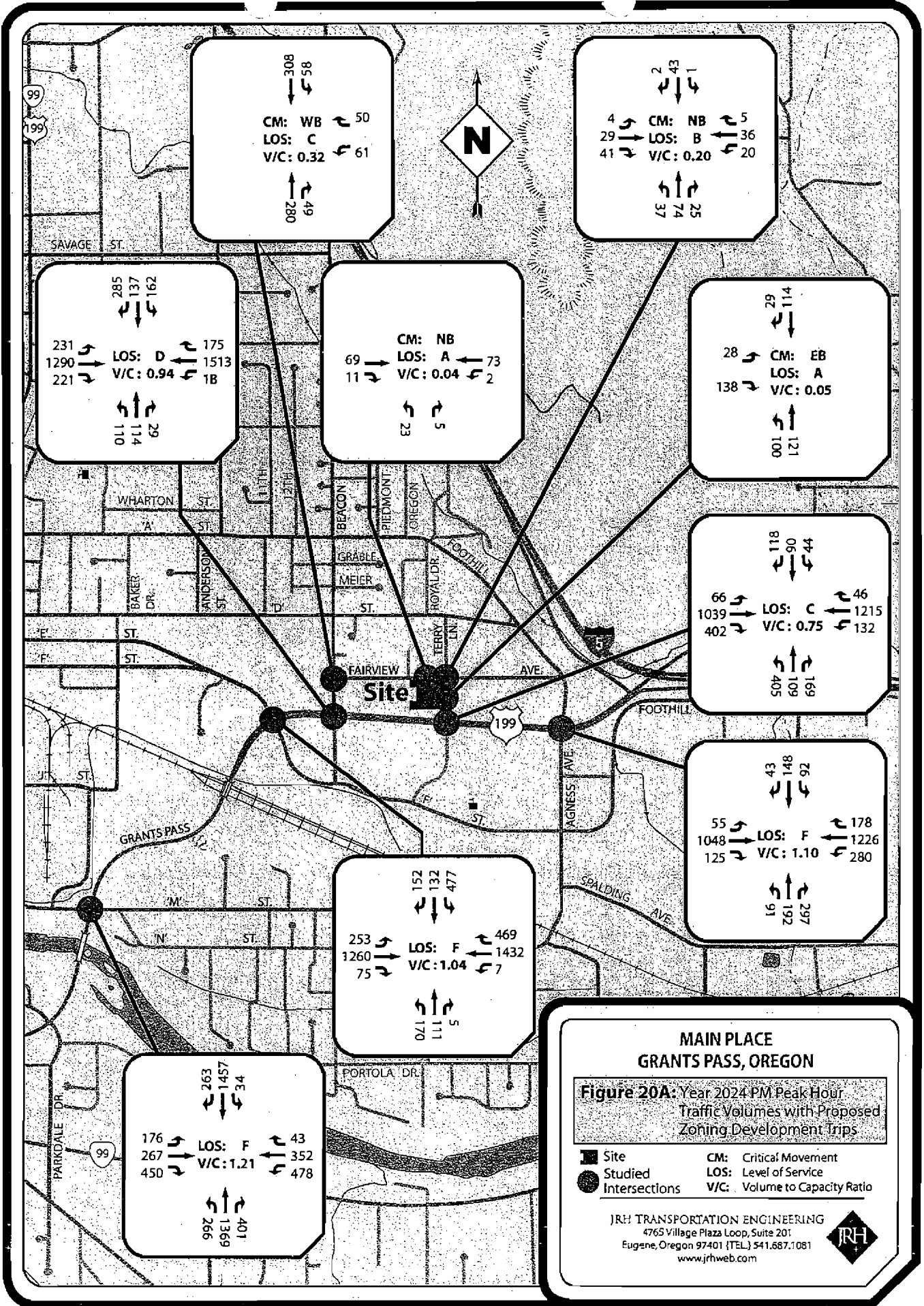
**Figure 16A: Year 2009 PM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

- Site Studied
- Intersections
- CM: Critical Movement
- LOS: Level of Service
- V/C: Volume to Capacity Ratio

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4765 Village Plaza Loop, Suite 201
Eugene, Oregon 97401 (TEL) 541.687.1081
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**MAIN PLACE
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**Figure 20A: Year 2024 PM Peak Hour
Traffic Volumes with Proposed
Zoning Development Trips**

- Site
- Studied Intersections
- CM: Critical Movement
- LOS: Level of Service
- V/C: Volume to Capacity Ratio

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4765 Village Plaza Loop, Suite 201
Eugene, Oregon 97401 (TEL.) 541.687.1081
www.jrhweb.com





The resulting intersection performance is shown in Tables 2 and 3 for the year 2009 analysis and in Tables 4 and 5 for the year 2024 analysis. The year 2009 and year 2024 AM and PM peak hour, without development and with development of the existing zoning intersection performance, is taken directly from Tables 9, 10, 12, and 13 of the April 11, 2008 TIA, with the exception of Highway 199 at F Street. The analysis includes the updated improvements at this intersection as part of the Home Depot development. The performance results listed for the intersections without development and with development of the existing zoning are included as a comparison to determine the impacts of the development on the existing roadway network.

Table 2: Intersection Operational Analysis-Year 2009 AM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Parkway at Bearson	LOS D	Westbound 0.19 E	Westbound 0.20 E	Westbound 0.19 E
Parkway at Bearson	LOS E	Northbound 0.15 E	Northbound 0.21 E	Northbound 0.15 E
Parkway Driveway at Bearson	LOS D	N/A	N/A	Eastbound 0.20 E
Parkway Driveway at Bearson	LOS F			Northbound 0.20 E
Signalized Intersections				
Highway 199 at Terry	v/c 0.70	0.75 C	0.75 C	0.75 C
Highway 199 at Terry	v/c 0.70	0.58 E	0.58 E	0.57 E
Highway 199 at Terry	v/c 0.70	0.51 E	0.51 E	0.51 E
Highway 199 at F Street	v/c 0.70	0.77 C	0.73 C	0.78 C
Highway 199 at M Street	v/c 0.70	0.36 C	0.36 C	0.36 C

* Performance results reported for critical movement



Table 3: Intersection Operational Analysis-Year 2009 PM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Fairview at Beacon	LOS D	Westbound 0.20 E	Westbound 0.21 B	Westbound 0.23 C
Fairview at Terry	LOS D	Northbound 0.14 E	Northbound 0.17 B	Northbound 0.18 B
Project Driveway at Terry	LOS D	n/a	n/a	Eastbound 0.65 A
Project Driveway at Fairview	LOS E	n/a	n/a	Northbound 0.67 A
Signalized Intersections				
Highway 199 at Agnes	v/c 0.70	0.69 E	0.64 E	0.64 E
Highway 199 at Terry	v/c 0.70	0.67 C	0.67 C	0.69 C
Highway 199 at Beacon	v/c 0.70	0.82 C	0.85 C	0.85 C
Highway 199 at F Street	v/c 0.70	0.95 D	0.96 D	0.96 D
Highway 199 at M Street	v/c 0.70	0.94 D	0.94 D	0.94 D

* Performance results reported for critical movement

Table 4: Intersection Operational Analysis-Year 2024 AM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Fairview at Beacon Drive	LOS D	Westbound 0.21 B	Westbound 0.22 B	Westbound 0.21 B
Fairview at Terry Lane	LOS D	Northbound 0.22 B	Northbound 0.22 B	Northbound 0.23 B
Project Driveway at Terry	LOS D	n/a	n/a	Eastbound 0.27 A
Project Driveway at Fairview	LOS D	n/a	n/a	Northbound 0.54 A
Signalized Intersections				
Highway 199 at Agnes	v/c 0.70	0.81 D	0.81 D	0.81 D
Highway 199 at Terry	v/c 0.70	0.56 B	0.57 B	0.56 B
Highway 199 at Beacon	v/c 0.70	0.59 C	0.60 B	0.60 C
Highway 199 at F Street	v/c 0.70	0.69 C	0.69 C	0.70 C
Highway 199 at M Street	v/c 0.70	0.92 D	0.92 D	0.92 D

* Performance results reported for critical movement



Table 5: Intersection Operational Analysis-Year 2024 PM Peak Hour Conditions

Intersection	Mobility Standard	Without Development	With Development of Existing Zoning	With Development of Proposed Zoning
		v/c LOS	v/c LOS	v/c LOS
Unsignalized Intersections				
Parkview at Bearcat	LOS D	Westbound 0.24 E	Westbound 0.25 E	Westbound 0.32 E
Parkview at Gray	LOS D	Northbound 0.24 E	Northbound 0.26 E	Northbound 0.35 E
Project Driveway at Gray	LOS D	N/A	N/A	Eastbound 0.05 A
Project Driveway at Gray	LOS D	N/A	N/A	Northbound 0.02 A
Signalized Intersections				
Highway 199 at 1st	v/c 0.70	1.00 F	1.00 F	1.00 F
Highway 199 at 1st	v/c 0.70	0.75 C	0.75 C	0.75 C
Highway 199 at Bearcat	v/c 0.70	1.00 F	1.00 F	0.91 D
Highway 199 at F Street	v/c 0.70	1.03 E	1.04 E	1.04 E
Highway 199 at 2nd	v/c 0.70	1.20 F	1.21 F	1.21 F

* Performance results reported for critical movement

As shown in Tables 2, 3, 4, and 5, the addition of development trips does not reduce the performance of any of the studied intersections below the operations of conditions under build-out under the existing zoning.

4.0 QUEUING ANALYSIS

A queue length analysis was performed for all intersections studied as part of this analysis. The queue length analysis was performed using the software program SimTraffic 6. The resulting average and 95th percentile queues for the 2024 AM and PM conditions with development of the proposed zoning are illustrated in Table 6. The SimTraffic outputs are included in Appendix C.



Table 6: Intersection Queuing-Year 2024 Conditions with Proposed Zoning

Intersection		2024 AM With Development Queue Length (Feet)		2024 PM With Development Queue Length (Feet)		Existing Available Storage (Feet)
		Average	95 th Percentile	Average	95 th Percentile	
Highway 99 @ 1st St	WB-LF	38	75	71	138	250
	SB-LF	25	50	26	50	250
Highway 99 @ 2nd St	NB-LF	50	75	50	75	500
	SB-LF	25	75	50	75	250
Highway 99 @ 3rd St	EB	25	75	175	75	250
	WB	25	75	175	75	250
	SB	25	75	175	75	250
	WB-LF	20	75	20	75	250
	NB-LF	20	75	20	75	250
	WB-LF	20	75	20	75	250
	NB-LF	20	75	20	75	250
	WB-LF	20	75	20	75	250
	NB-LF	20	75	20	75	250
	WB-LF	20	75	20	75	250
	NB-LF	20	75	20	75	250
	WB-LF	20	75	20	75	250
Highway 99 @ 4th Street	EB	150	350	150	375	225
	WB	150	350	200	450	1000
	EB-TR	175	350	250	450	1000
	WB-LF	25	75	25	57	175
	WB-TR	200	375	575	700	575
	NB-TR	100	225	175	275	225
	WB-TR	50	75	150	225	150
	NB-TR	75	150	350	900	500
	SB-LF	100	175	200	300	250
	SB-LF	125	175	250	350	500
	SB-LF	125	50	75	150	250
	Highway 99 @ Bear Stee	EB-LF	75	150	175	275
WB-LF		25	75	75	275	250
EB-TR		25	75	50	50	250
WB-LF		30	25	25	25	25
WB-TR		125	300	105	250	350
WB-LF		50	75	50	250	250
WB-LF		50	100	150	150	100
NB-LF		50	100	275	325	125
SB-LF		75	125	150	225	200
SB-LF		75	125	150	225	200
SB-LF		75	125	175	275	225



Table 6 (Continued): Intersection Queuing-Year 2024 Conditions with Proposed Zoning

Intersection		2024 AM With Development Queue Length (Feet)		2024 PM With Development Queue Length (Feet)		Existing Available Storage (Feet)
		Average	95 th Percentile	Average	95 th Percentile	
Highway 199 at M Street	EB	76	150	77	150	150
	EBT	150	275	275	325	350
	EBR	50	125	150	200	125
	WB	150	150	125	200	175
	WBTL	200	200	125	250	300
	WBTR	25	100	25	75	75
	NB	125	125	125	175	160
	NBTR	50	100	50	50	150
	SB	50	100	50	125	125
	SBTR	25	100	150	200	300
Highway 199 at Adams	EB	50	100	50	100	100
	EBT	275	325	325	375	400
	EBR	50	100	50	100	100
	WB	150	150	125	200	175
	WBTL	200	200	125	250	300
	WBTR	25	100	25	75	75
	NB	125	125	125	175	160
	NBTR	50	100	50	50	150
	SB	50	100	50	125	125
	SBTR	25	100	150	200	300
13500 Driveway at Highway 199	NB	25	50	25	50	50
	SBTR	25	25	50	25	25
13500 Driveway at Highway 199	NB	25	50	25	50	50
	SBTR	25	25	50	25	25

NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, L = Left, R = Right, T = Through

As shown in Table 6, during the year 2024 the average queuing is anticipated to exceed the available storage for movements at the intersection of Highway 199 at M Street and Highway 199 at Beacon. At the intersection of Highway 199 at M Street the average queuing is anticipated to exceed the available storage for the eastbound through and right-turn lanes and the westbound left-turn lane. The proposed Main Place development does not add traffic to the eastbound through and right-turn lanes or the westbound left-turn lanes. The exceedence of storage is then assumed to be independent of the development of this project. There is queue spillback at Highway 199 and Beacon Street in the westbound direction between this intersection and the access to the shopping center to the south of Highway 199. Improved coordination for intersections along Highway 199 could reduce spillback and improve the overall v/c and LOS for intersections along this corridor.



5.0 ODOT COMMENTS AND RESPONSE

The following outlined the comments received from ODOT in a letter dated July 10, 2008 upon their review of the Main Place TIA and the response to the comments by JRH. The comment list is included in Appendix D.

Comment 1:

Crash Data. Looking at the crash data it appears that you are lacking a number of accidents at all state intersections.

Response:

JRH Requested intersection crash data from the Oregon Department of Transportation's Crash Analysis and Reporting Unit for all of the studied intersections. The crash analysis included in the April 11, 2008 TIA in Section 3.0 and Table 2 included all of the crashes contained within the reports received by JRH Transportation Engineering. William Fitzgerald of ODOT has sent new crash data for the intersections which include segments of Highway 199 to either side of each of the intersections. JRH has revised the crash analysis to include the new data sent by William Fitzgerald. The revised crash data is included in Table 7 below and the analysis and crash data are included in Appendix E.

Table 7: Revised Intersection Crash Rates

Intersection	Number of Crashes	Type of Crashes						ADT	Crash Rate (Crashes/ Million Entering Vehicles)
		Head	Rear	Side	Turn	Other	Pedestrian		
Gran's Pass Parkway at Ferry Lane	18	0	0	0	0	0	11	28990	0.57
Gran's Pass Parkway at Beaco	0	0	0	0	0	0	0	35990	0.00
Gran's Pass Parkway at Ferry Lane	18	0	0	0	0	0	11	28990	0.57
Gran's Pass Parkway at Beaco	0	0	0	0	0	0	0	35990	0.00
Gran's Pass Parkway at Ferry Lane	18	0	0	0	0	0	11	28990	0.57
Gran's Pass Parkway at Beaco	0	0	0	0	0	0	0	35990	0.00
Gran's Pass Parkway at Ferry Lane	18	0	0	0	0	0	11	28990	0.57
Gran's Pass Parkway at Beaco	0	0	0	0	0	0	0	35990	0.00



As illustrated in Table 7, all of the intersections operate below 1.0 crashes per million entering vehicles.

Comment 2:

On page 21 you use the total possible dwelling units as 48 but, if you calculate 17.4 du per acre and use 2.75 acres you come up with 47.85 dwelling units. Rounding down to 47 would be appropriate in this situation as 48 dwelling units would be over the maximum allowable and you would need a variance or a PUD.

Response:

The trip generation for 48 dwelling units is 27 AM peak hour trips and 44 PM peak hour trips. The trip generation for 47 dwelling units is 27 trips in the AM peak hour, 44 trips in the PM peak hour. The revision to 47 dwelling units does not affect the trip generation rate and, subsequently, the analysis based on this trip rate.

Comment 3:

The number of right turns coming from Terry Lane is inaccurate. Figure 16 you show 109 right turns in your figure 20 you show 66 right turns. It also shows a decrease in left turns and only a marginal increase in through movements. Please verify.

Response:

After examination of the data of Figure 16 it was determined that there was an error in reporting the traffic volumes on the Figures. Figure 16a, included in this report, illustrates the correct traffic volumes used in the analysis for this addendum.

Comment 4:

There is no increase of V/C on Terry Lane when looking at existing zoning compared to proposed zoning as demonstrated in figures 18 and 20. Please verify

Response:

The proposed zoning is anticipated to add approximately 119 vehicle trips to the intersection of Highway 199 at Terry Lane, with 80 of the trips southbound on Terry Lane. The movements/lane groups on southbound approach of Terry Lane at Highway 199 are operating less than 75 percent of capacity. The increase in traffic on this approach does not significantly affect the overall intersection v/c. Under both conditions the intersection timing was optimized, allocating green time to the more critical movements and improving the overall v/c of the intersection.

Comment 5:

Your signal timing does not match my ODOT Timing files. Please revise to correct timing and resubmit synchro outputs and synchro files.

Response:

JRH did not receive signal timing data sheets from ODOT prior to the submittal of the TIA. The signal timing parameters used in the studied intersections followed the guidelines outlined in the Analysis Procedures Manual for timing conditions when signal



timing sheets are not available. ODOT has recently provided JRH with signal timing sheets detailing the current operation parameters for the studied intersections. JRH has updated the year 2009 and year 2024 signal timing parameters in the Synchro models. The Synchro outputs are included in Appendices A and B.

Comment 6:

Loop detectors are not ODOT standards, please correct.

Response:

JRH has updated the year 2009 and year 2024 signal timing parameters in the Synchro models to include the correct loop detector spacing. The Synchro outputs are included in Appendices A and B.

Comment 7:

Specialty retail is not the reasonable worst case scenario for the 1.69 acres of General Commercial. Please complete a reasonable worst case scenario for the general commercial acreage.

Response:

In lieu of performing an analysis of the maximum development potential, the applicant is proposing a trip cap for the 1.69 acres of General Commercial. The applicant is willing to stipulate to the land use and building square footage that is being proposed in this analysis. The applicant is willing to stipulate to the land uses and a building square footage of 10,620 square feet of office, 19,848 square feet of specialty retail, and 10 apartment units.

The building square footage being proposed by the applicant under the trip cap includes 2,000 additional square feet of specialty retail not included in the original TIA. This addendum includes the revision to the intersection analysis which includes traffic generated from the additional 2,000 square feet. Please see Sections 2, 3, and 4 of this report for the results of the analysis with the additional 2,000 square feet.

Comment 8:

The signal at Fred Myers does not need to be included in the TIA, ODOT will verify Spillback internally.

6.0 CITY OF GRANTS PASS COMMENTS AND RESPONSE

Upon review of the Main Place TIA dated April 11, 2008 the City of Grants Pass has requested in a letter dated June 5, 2008 that the following information be included in the analysis:

- Traffic operations at the site driveways
- Sight distance at any new site driveways
- Queuing at site driveways (inbound and outbound)
- Evaluation of potential interference between queues at the site driveways and the nearest analyzed intersections (especially Terry Lane driveway and the intersections of Grants Pass Parkway and Terry Lane)

The letter is provided in Appendix F.

Item #1 Traffic operations at the site driveways:

JRH has included a performance analysis of the site driveways within Table 2, 3, 4 and 5. As illustrated within the tables, the driveways are anticipated to operate better than the LOS D (City of Grants Pass's mobility standard) in the years 2009 and 2024 with the proposed development in place.

Item #2 Sight distance at any new site driveways:

The proposed development will take access from Terry Lane and from Fairview Avenue. Terry Lane from Fairview Avenue to Highway 199 and Fairview Avenue from Terry Lane to Beacon Drive do not contain any vertical or horizontal curvature which would obstruct a driver at the project driveways.

Items #3 and #4 Queuing at site driveways (inbound and outbound); Evaluation of potential interference between queues at the site driveways and the nearest analyzed intersections (especially Terry Lane driveway and the intersections of Grants Pass Parkway and Terry Lane):

Queuing at the site driveways is included in Table 6. The queuing analysis illustrates that the driveways will not create spillback issues for Terry Lane between Highway 199 and the driveways.

JRH

February 24, 2009

Justin Gerlitz, PE
Director of Civil Engineering
ZCS Engineering, Inc.
550 SW 6th Street, Suite C
Grants Pass, OR 97526

RE: Main Place Development- Off-Site Improvements

Dear Justin:

As per your request, I have evaluated the intersection of Highway 199 at Agness Avenue to determine if an alternate mitigation would suffice in lieu of the previously discussed addition of a northbound right-turn lane to mitigate the impacts of the Main Place development. In addition, this letter provides intersection operation for Highway 199 at Terry Lane under the proposed mitigation.

Highway 199 at Agness Avenue

The intersection of Highway 199 at Agness Avenue is projected to operate at LOS E with an average delay of 76.2 seconds and a V/C of 1.05 for the year 2009 no-build conditions. In addition, the intersection is projected to operate at LOS F with a 99.0 second average delay and a V/C of 1.12 for the year 2024 no-build conditions. The intersection is projected to not meet the mobility standard of LOS D or V/C 0.70 in the no-build condition.

With the addition of development traffic, the intersection of Highway 199 at Agness Avenue is projected to operate at LOS E with a 78.2 second average delay and a 1.05 V/C. During the year 2024, the addition of development traffic at Highway 199 at Agness results in an intersection operation of LOS F with a 100.8 second average delay and a 1.12 V/C.

The developer is required to mitigate the development impacts at Highway 199 at Agness Avenue. This means that the developer needs to provide mitigation that will improve conditions at the intersection to meet or operate better than the no-build conditions.

The exiting lane geometry for the northbound approach at Highway 199 at Agness Avenue requires the signal to operate under split phasing for the northbound and

VOICE 541.687.1081

FAX 541.345.6599

4765 VILLAGE PLAZA LOOP SUITE 201 EUGENE

RECEIVED
EXHIBIT 9
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CITY OF GRANTS PASS

southbound approaches. The existing northbound geometry consists of a left turn lane, and a left-thru-right turn lane. An option to improve the intersection performance is to reconfigure the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements. By allowing concurrent left turn phasing, more green time can be allocated to the Highway 199 approaches improving the overall intersection operation. In addition to the concurrent left turn phasing, a right turn overlap for the westbound approach can be provided to improve the overall performance of the intersection.

With the improvements listed above, the intersection is projected to operate at LOS E with a 55.0 second average delay and a V/C of 1.01 for the year 2009 and is projected to operate at LOS E with a 74.7 second average delay and a V/C 1.05 for the year 2024. The intersection results are summarized in Table 1. The Synchro outputs are included as an attachment.

Table 1: Highway 199 at Agness Intersection Operation

Analysis Period	Intersection Operation		
	LOS	Delay	V/C
2009 No Build	E	76.2	1.05
2009 Build	E	78.2	1.05
2009 Build with Mitigation	E	55.0	1.01
2024 No Build	F	99.0	1.12
2024 Build	F	100.8	1.12
2024 Build with Mitigation	E	74.7	1.05

In order to facilitate concurrent left turns for the northbound and southbound approaches, the northbound approach will have to be modified from its current geometry of left turn lane and a left-thru-right lane to a left turn lane and a thru-right lane. The lane designation changes can be facilitated within the existing geometry. The traffic volume counted for the northbound left turn is 84 during the PM peak hour and 42 vehicles during the AM peak hour. The traffic volumes would suggest that dual left turn lanes are not necessary for this movement to operate effectively. In addition, the northbound thru and right turn volumes during the PM peak hour are 167 and 264, respectively. Redesignating the outside lane to a through right will remove any left turning vehicles from using up some of the capacity of the lane and therefore improving the operation.

An AutoTurn run suggests that the proposed improvements could facilitate simultaneous left turn movements by WB-67s without additional geometric modifications. The AutoTurn output is included as an attachment.

Highway 199 at Terry Lane

The intersection of Highway 199 at Terry Lane is projected to operate at LOS C and a V/C of 0.71 for the year 2009 PM peak hour with the addition of development traffic.

The intersection operation at the year of opening of the development requires mitigation in order to meet the mobility standards of LOS D and a 0.70 V/C.

During the year 2024, the intersection is projected to operate at LOS C and V/C of 0.75 for the no-build condition and LOS C and V/C of 0.81 with the addition of development traffic.

In an agreement with ODOT, in order to improve the intersection performance of Highway 199 at Terry Lane, the developer will provide geometric changes to the intersection in order to facilitate concurrent northbound and southbound left turns.

With concurrent left turn phasing, the intersection is projected to operate at a LOS C and V/C 0.69 for the year 2009 and a LOS C and V/C 0.75 for the year 2024. The intersection results are summarized in Table 2. The Synchro outputs are included as an attachment.


Table 2: Highway 199 at Terry Lane Intersection Operation

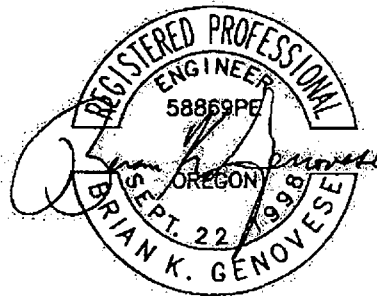
Analysis Period	Intersection Operation	
	LOS	V/C
2009 No-Build	C	0.67
2009 Build	C	0.71
2009 Build with Mitigation	C	0.69
2024 No-Build	C	0.75
2024 Build	C	0.81
2024 Build with Mitigation	C	0.75

The existing lane geometry of Highway 199 at Terry Lane consists of dual northbound left turn lanes and a single southbound left turn lane. There is currently not enough room to facilitate the movement of large vehicles to run simultaneously left turns. In order to facilitate concurrent left turns for the northbound and southbound approaches an AutoTurn run suggests that the eastbound stop bar for the eastbound left turn and the center median would need to be pulled back to approximately 25 feet west of the existing crosswalk. The proposed improvements could facilitate simultaneous left turn movements by motor homes without additional geometric modifications. The AutoTurn output is included as an attachment.

If you have any additional questions or comments, please feel free to contact me.

Sincerely,


Kelly Sandow, EIT



RENEWAL 06/30/09

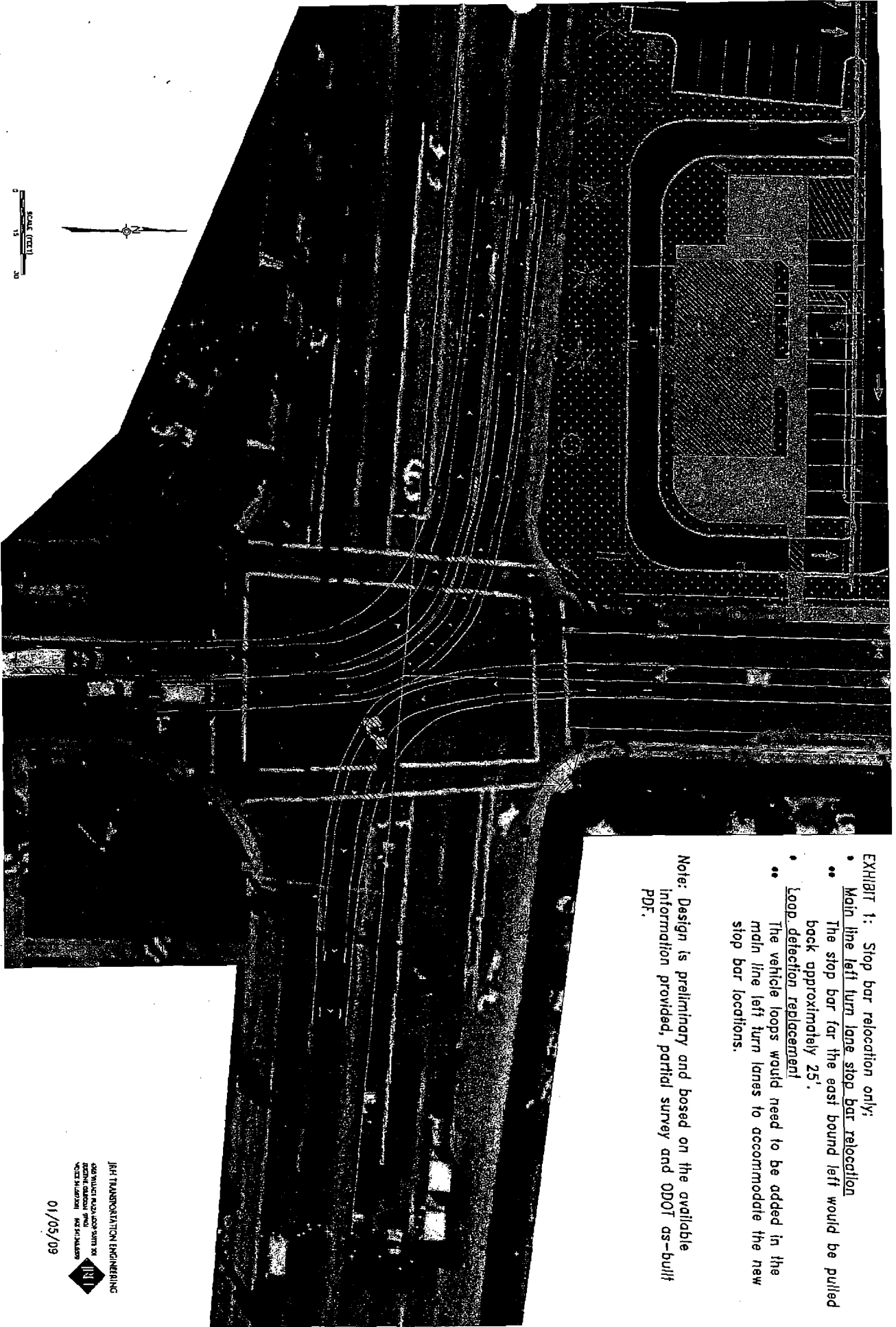
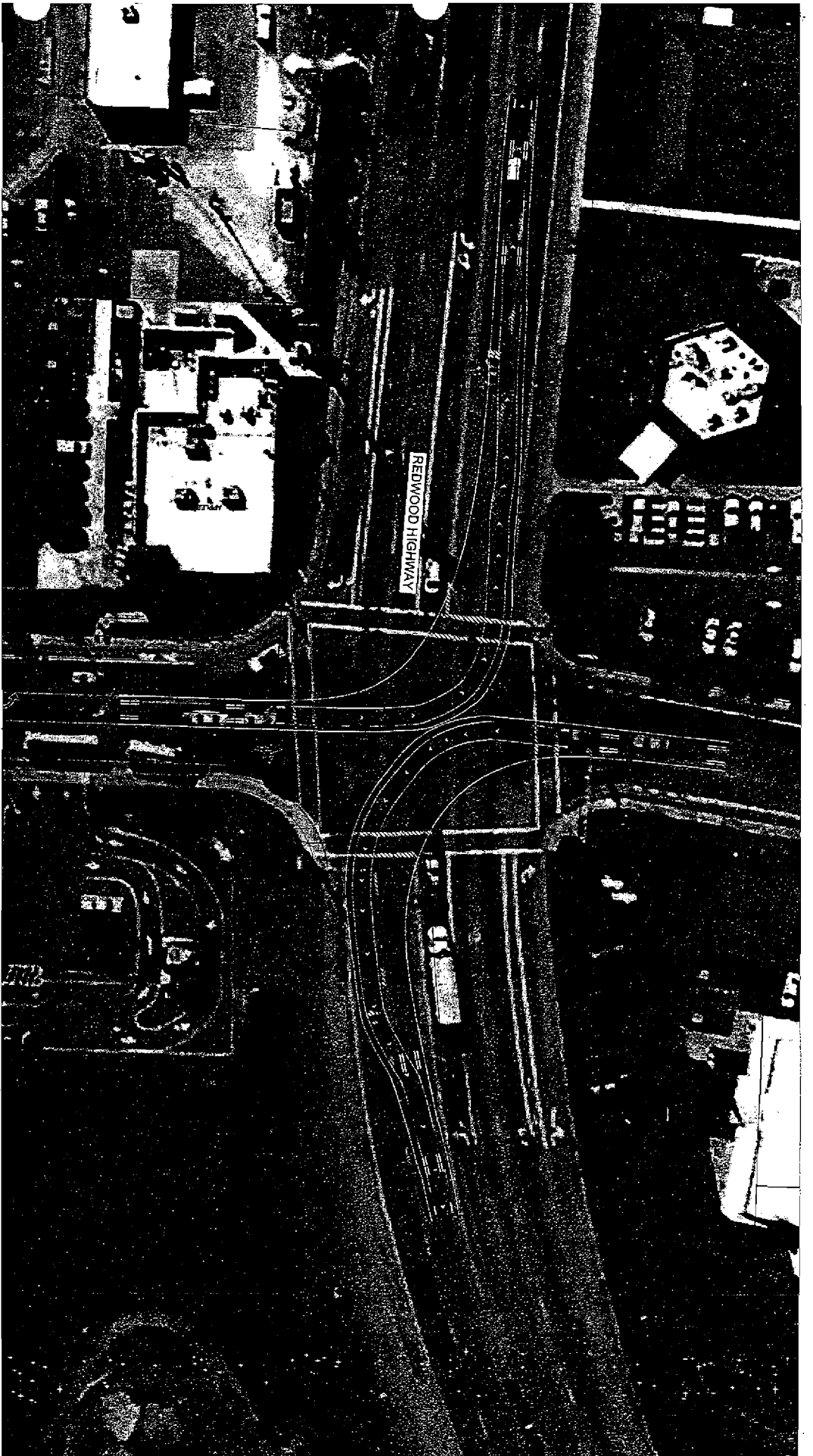


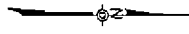
EXHIBIT 1: Stop bar relocation only;

- Main line left turn lane stop bar relocation
- The stop bar for the east bound left would be pulled back approximately 25'.
- Loop detection replacement
- The vehicle loops would need to be added in the main line left turn lanes to accommodate the new stop bar locations.

Note: Design is preliminary and based on the available information provided, partial survey and ODOT as-built PDF.



SCALE (FEET)
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HIGHWAY 199 AT AGNESS
OUTPUTS

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

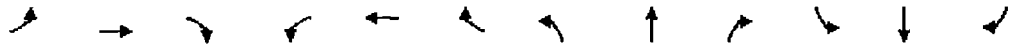
2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕
Peak Flow (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Storage Length (ft)	175		200	150		150	125		0	100	0
Storage Lanes									0		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (ft)	50	50	50	50	50	50	50	50	50	50	50
Trailing Detector (ft)	0	0	0	0	0	0	0	0	0	0	0
Trailing Speed (mi/h)	15	15	15	15	15	15	15	15	15	15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00	1.00	1.00
Fit Protected	0.950		0.950		0.950		0.950		0.950		0.950
Satd Flow (vph)	1710	1620	1530	1698	1638	1566	1593	1566	0	1710	1710
Fit Permitted	0.950		0.950		0.950		0.950		0.950		0.950
Satd Flow (vph)	1710	1620	1530	1698	1638	1566	1593	1566	0	1710	1710
Right Turn on Red			Yes			Yes			Yes		Yes
Satd Flow (vph)	1710	1620	1530	1698	1638	1566	1593	1566	0	1710	1710
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Length (mi)											
Link Distance (ft)		1293			530			583			851
Volume (vph)	47	884	93	277	951	127	82	167	264	93	140
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%
Lane Group Flow (vph)	50	940	99	301	1034	138	94	495	0	124	243
Protected Phases	5	2		1	6			8	8		4
Detector Phases	5	2	2	1	6	6	8	8		4	4
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	26.0	31.0	31.0		31.0	31.0
Total Split (%)	7.5%	29.2%	29.2%	16.7%	38.3%	38.3%	28.3%	28.3%	0.0%	25.8%	25.8%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag					
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0
Walk Time (s)		5.0	5.0		5.0	5.0	5.0	5.0		5.0	5.0
Pedestrian Calls (#/hr)		0	0		0	0	0	0		0	0
Actuated g/C Ratio	0.04	0.28	0.28	0.14	0.39	0.39	0.27	0.27		0.18	0.18
Control Delay	94.5	78.7	13.2	213.3	37.3	12.3	35.5	107.8		45.3	58.9
Total Delay	94.5	78.7	13.2	213.3	37.3	12.3	35.5	107.8		45.3	58.9

Lanes, Volumes, Timings
 7: Highway 199 & Agness Ave

2/24/2009



Approach Delay	73.4		70.9		96.3		54.3			
Queue Length 50th (ft)	37	~387	14	~285	356	26	56	~395	81	162
Queue Length 95th (ft)	109	~758	58	~491	298	67	~226	110	162	162
Internal Link Dist (ft)	1213		450		503		771			
Base Capacity (vph)	75	913	473	227	1307	646	424	450	385	400
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.67	1.03	0.21	1.33	0.79	0.21	0.22	1.10	0.32	0.61

Area Type: Other

Actuated Cycle Length: 113

Control Type: Actuated-Uncoordinated

Intersection Signal Delay: 74.2

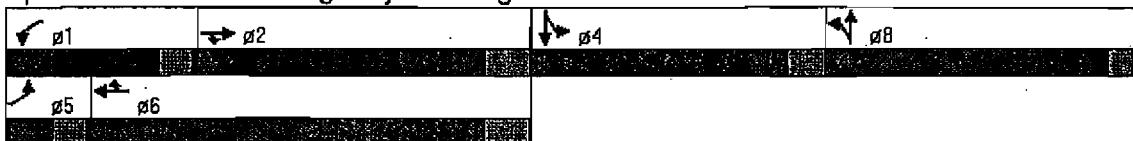
Intersection LOS: E

Analysis Period (min) 15

Queue shown is maximum after two cycles.

Queue shown is maximum after two cycles.

Splits and Phases: 7: Highway 199 & Agness Ave



HCM Signalized Intersection Capacity Analysis
 7: Highway 199 & Agness Ave

2/24/2009



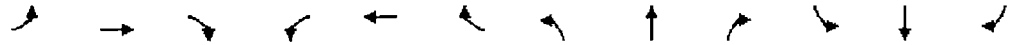
Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗		
Total Flow (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800		
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		
Effective Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	1.00	1.00		
Friction Factor	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91	1.00	0.97		
Protected	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	1.00	1.00		
Satd. Flow (prot)	1710	3320	1530	1598	3353	1530	1593	1516	1710	1738		
Permitted	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	1.00	1.00		
Satd. Flow (perm)	1710	3320	1530	1598	3353	1530	1593	1516	1710	1738		
Peak-hour factor, PHF	0.94	0.94	0.94	0.92	0.92	0.92	0.87	0.87	0.87	0.75	0.75	0.75
RTOR Reduction (vph)	0	0	53	0	0	50	0	46	0	0	10	0
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%	0%
Protected Phases	5	2		1	6		8	8		4	4	
Actuated Green, G (s)	3.9	30.9	30.9	16.0	43.0	43.0	30.1	30.1		19.8	19.8	
Actuated g/C Ratio	0.03	0.28	0.28	0.14	0.39	0.39	0.26	0.26		0.17	0.17	
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0	
v/s Ratio Prot	0.03	c0.28		c0.19	0.31		0.06	c0.30		0.07	c0.13	
v/c Ratio	0.85	1.01	0.11	1.34	0.80	0.15	0.22	1.12		0.42	0.77	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	119.5	72.8	30.5	227.8	34.5	22.8	33.0	123.1		42.8	56.4	
Approach Delay (s)		71.1			72.9			108.8			51.8	
HCM Volume to Capacity ratio	1.05											
Intersection Capacity Utilization	81.4%		ICU Level of Service				D					

c Critical Lane Group

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009

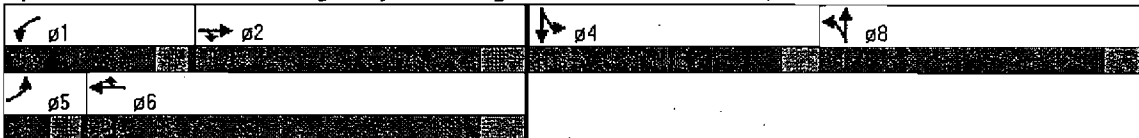
	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Configurations	↖	↖↖	↖	↖	↖↖	↖	↖	↖	↖	↖	↖	↖
Design Speed (mph)	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
Storage Length (ft)	175		200	150		150	125		0	100		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5	5	
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00	1.00	1.00	1.00
Flt Protected	0.950		0.950			0.950		0.950		0.950		
Flt Permitted	0.950		0.950			0.950		0.950		0.950		
Right Turn on Red			Yes		Yes			Yes		Yes		Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1293			530			583			851	
Volume (vph)	47	897	93	277	958	127	82	167	264	93	140	42
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%	0%
Lane Group Flow (vph)	50	954	99	301	1041	138	94	495	0	124	243	0
Protected Phases	5	2		1	6		8	8		4	4	
Detector Phases	5	2	2	1	6	6	8	8		4	4	
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	26.0	31.0	31.0		31.0	31.0	
Total Split (%)	7.5%	29.2%	29.2%	16.7%	38.3%	38.3%	28.3%	28.3%	0.0%	25.8%	25.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		3.5	3.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		10.0	10.0	
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None	
Flash Dont Walk (s)		19.0	19.0		16.0	16.0	22.0	22.0		22.0	22.0	
Act Effect Green (s)	5.0	31.1	31.1	16.0	44.0	44.0	30.1	30.1		20.1	20.1	
v/c Ratio	0.68	1.05	0.21	1.33	0.80	0.21	0.22	1.10		0.41	0.76	



Control Delay	35.0	33.9	13.7	44.8	77.0	21.5	35.7	108.9	15.0	57.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	35.0	33.9	13.7	44.8	77.0	21.5	35.7	108.9	15.0	57.8
LOS	F	F	B	F	D	B	D	F	D	E
Approach Delay	78.9		78.9		97.2		97.2		52.3	
Approach LOS	E		E		E		E		D	
Queue Length 30th (ft)	37	40	15	28	36	27	36	39	31	16
Queue Length 95th (ft)	#109	#576	60	#491	#519	77	107	#628	113	198
Turn Bay Length (ft)	175		200		150		150		100	
Base Capacity (vph)	910		228		103		443		249	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Signal Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Relative v/c Ratio	0.68	1.05	0.22	0.80	1.21	0.22	0.22	1.10	0.22	0.22

View Mode
 Cycle Length: 120
 Natural Cycle: 150
 Maximum v/c Ratio: 1.33
 Intersection Capacity Utilization 81.7% ICU Level of Service D
 ~ Volume exceeds capacity, queue is theoretically infinite.
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 7: Highway 199 & Agness Ave



HCM Signalized Intersection Capacity Analysis
 7: Highway 199 & Agness Ave

2/24/2009

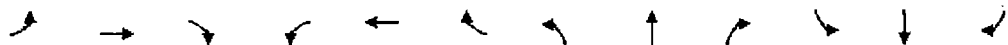


Lane Configurations	↖	↗	↘	↙	↕	↖	↗	↘	↙	↕	↖	↗
Legal Flow (Vehel)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	1.00	1.00	0.95	1.00	1.00	1.00	1.00	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91	1.00	1.00	0.97	1.00
Satd. Flow (prot)	1710	3320	1530	1598	3353	1530	1593	1516	1710	1738		
Satd. Flow (perm)	1710	3320	1530	1598	3353	1530	1593	1516	1710	1738		
Peak-hour factor, PHF	0.94	0.94	0.94	0.92	0.92	0.92	0.87	0.87	0.87	0.75	0.75	0.75
RTOR Reduction (vph)	0	0	52	0	0	50	0	46	0	0	10	0
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%	0%
Protected Phases	5	2		1	6		8	8		4	4	
Actuated Green, G (s)	3.9	30.9	30.9	16.0	43.0	43.0	30.1	30.1		20.1	20.1	
Actuated g/C Ratio	0.03	0.28	0.28	0.14	0.39	0.39	0.26	0.26		0.18	0.18	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		3.5	3.5	
v/s Ratio Prot	0.03	0.29		0.19	0.31		0.06	0.30		0.07	0.13	
v/c Ratio	0.86	1.03	0.11	1.34	0.81	0.15	0.22	1.12		0.41	0.76	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	124.8	78.0	30.8	230.5	35.5	23.1	33.1	124.3		42.8	55.7	
Approach Delay (s)		75.9			74.0			109.7			51.4	
HCM Volume to Capacity ratio	1.05											
Intersection Capacity Utilization	81.7%			ICU Level of Service			D					

c Critical Lane Group

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↵	↕	↗	↵	↕	↗	↵	↕	↗	↵	↕
Sat Flow (vph)	180	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Storage Length (ft)	175		200	150		150	125		0	100	0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5	5
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.950			0.950			0.950			0.950	
Flt Permitted	0.950			0.950			0.950			0.138	
Right Turn on Red			Yes			Yes			Yes		Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1293			530			583			851
Volume (vph)	47	897	93	277	958	127	82	167	264	93	140
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%
Lane Group Flow (vph)	50	954	99	301	1041	138	94	495	0	124	243
Protected Phases	5	2		1	6	7	3	8		7	4
Detector Phases	5	2	2	1	6	7	3	8		7	4
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	31.0	31.0	31.0		31.0	31.0
Total Split (%)	7.5%	29.2%	29.2%	17.5%	39.2%	25.8%	25.8%	27.5%	0.0%	25.8%	27.5%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	4.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lead	Lead	Lag		Lead	Lag
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	3.5	2.5	2.5		3.5	3.5
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		10.0	10.0
Recall Mode	None	Min	Min	None	Min	None	None	None		None	None
Flash Dont Walk (s)		19.0	19.0		16.0	22.0	22.0	22.0		22.0	22.0
Act Effct Green (s)	5.0	31.0	31.0	17.0	44.9	60.3	10.7	29.0		41.6	31.9
v/c Ratio	0.62	0.97	0.20	1.16	0.72	0.15	0.56	1.01		0.48	0.45

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009



Control Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LOS	F	E	B	F	C	A	E	E	C	C
Approach Delay										
Approach LOS		E			D			E		C
Queue Length 50th (ft)										
Queue Length 95th (ft)	#94	#488	54	#421	407	26	107	#513	72	172
Turn Bay Length (ft)	175		200	150		150	125		100	
Base Capacity										
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Natural Cycle	150	150	150	150	150	150	150	150	150	150

Cycle Length: 120

Natural Cycle: 150

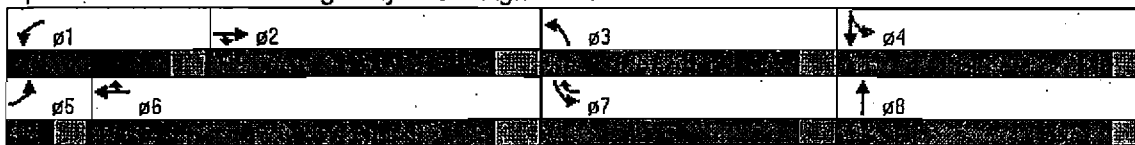
Maximum v/c Ratio: 1.16

Intersection Capacity Utilization 87.5% ICU Level of Service E

~ Volume exceeds capacity, queue is theoretically infinite.

95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 7: Highway 199 & Agness Ave



HCM Signalized Intersection Capacity Analysis
 7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗	
Peak Hour Volume	300	300	100	100	300	300	100	100	300	300	
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	
Satd. Flow (prot)	1710	3320	1530	1598	3353	1530	1676	1596	1710	1738	
Satd. Flow (perm)	1710	3320	1530	1598	3353	1530	1676	1596	226	1738	
Peak-hour factor, PHF	0.94	0.94	0.94	0.92	0.92	0.92	0.87	0.87	0.87	0.75	0.75
RTOR Reduction (vph)	0	0	50	0	0	65	0	45	0	0	8
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%
Protected Phases	5	2		1	6	7	3	8	7	4	
Actuated Green, G (s)	4.0	30.9	30.9	17.0	43.9	55.3	9.4	29.9	43.3	31.9	
Actuated g/C Ratio	0.04	0.30	0.30	0.16	0.42	0.53	0.09	0.28	0.41	0.30	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	3.5	2.5	2.5	3.5	3.5	
v/s Ratio Prot	0.03	c0.29		c0.19	0.31	0.01	c0.06	c0.28	c0.05	0.14	
v/c Ratio	0.78	0.96	0.11	1.18	0.73	0.08	0.64	1.00	0.49	0.45	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Delay (s)	94.4	55.7	27.1	156.8	28.2	12.3	54.3	81.4	25.6	30.8	
Approach Delay (s)		54.9			52.9			77.1		29.0	
HCM Average Control Delay (s)	50.0					52.9					
HCM Level of Service	E					E					
HCM Volume to Capacity ratio	1.01										
Analysis Period (min)	15										
Intersection Capacity Utilization	87.5%					ICU Level of Service					E

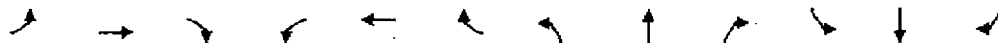
c Critical Lane Group

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕	↗
Design Flow (vph)	800	1300	800	800	1300	800	800	1300	1300	800	1300	1300
Storage Length (ft)	175		200	150		150	125		0	100		0
Storage Lanes	1		1	1		1	1		0	1		1
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5	5	
Link Speed (mph)	15		15	15		15	15		15	15	15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00	1.00	1.00	1.00
Fit Protected	0.950		0.950			0.950			0.950		0.950	
Fit Permitted	0.950		0.950			0.950			0.950		0.950	
Right Turn on Red			Yes			Yes			Yes			Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1293			530			583			851	
Volume (vph)	55	1035	125	280	1219	178	91	192	297	92	148	43
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%	0%
Lane Group Flow (vph)	58	1089	132	295	1283	187	101	543	0	102	212	0
Protected Phases	5	2		1	6		8	8		4	4	
Detector Phases	5	2	2	1	6	6	8	8		4	4	
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	26.0	31.0	31.0		31.0	31.0	
Total Split (%)	7.5%	30.8%	30.8%	14.2%	37.5%	37.5%	29.2%	29.2%	0.0%	25.8%	25.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		3.5	3.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		10.0	10.0	
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None	
Flash Dont Walk (s)		19.0	19.0		16.0	16.0	22.0	22.0		22.0	22.0	
Act Effct Green (s)	5.0	33.1	33.1	13.0	43.0	43.0	31.1	31.1		18.4	18.4	
v/c Ratio	0.76	1.11	0.26	1.59	0.99	0.29	0.23	1.16		0.36	0.72	



Control Delay	17.1	40.1	19.9	59.1	15.2	14.1	28.3	4.5	55.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	17.1	40.1	19.9	59.1	15.2	14.1	28.3	4.5	55.6
LOS	F	F	B	F	E	B	C	F	D
Approach Delay	31.6	19.9	19.9	19.9	19.9	19.9	19.9	19.9	32.0
Approach LOS	F	F	F	F	F	F	F	F	D
Queue Length 95th (ft)	#125	#664	77	#509	#732	114	116	#738	117
Turn Bay Length (ft)	175	200	150	150	150	125	100	100	100
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0

Cycle Length: 120

Natural Cycle: 150

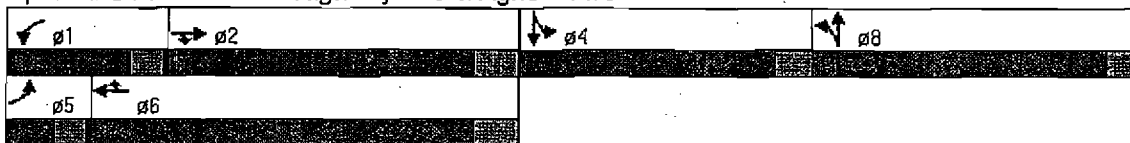
Maximum v/c Ratio: 1.59

Intersection Capacity Utilization 88.5% ICU Level of Service E

~ Volume exceeds capacity, queue is theoretically infinite.

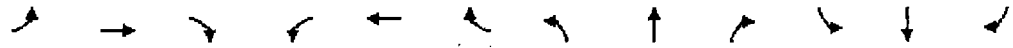
95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 7: Highway 199 & Agness Ave



HCM Signalized Intersection Capacity Analysis
 7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗
Design Flow (vph)	300	1300	1300	300	300	1300	1300	1300	300	1300
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Effective Factor	1.00	0.75	1.00	1.00	0.75	1.00	0.95	0.95	1.00	0.95
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91	1.00	0.97
Effective Satd. Flow (prot)	1710	3320	1530	1598	3353	1530	1593	1517	1710	1739
Effective Satd. Flow (perm)	1710	3320	1530	1598	3353	1530	1593	1517	1710	1739
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.90	0.90	0.90	0.90
RTOR Reduction (vph)	0	0	60	0	0	54	0	46	0	9
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%
Protected Phases	5	2		1	6		8	8	4	4
Actuated Green, G (s)	3.9	32.9	32.9	13.0	42.0	42.0	31.1	31.1	18.4	18.4
Actuated g/C Ratio	0.03	0.30	0.30	0.12	0.38	0.38	0.28	0.28	0.16	0.16
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5	3.5	3.5
v/s Ratio Prot	0.03	c0.33		c0.18	0.38		0.06	c0.33	0.06	c0.12
v/c Ratio	0.98	1.09	0.16	1.59	1.00	0.23	0.23	1.18	0.36	0.71
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Delay (s)	164.8	94.7	29.1	341.2	59.8	23.9	31.6	145.4	42.8	52.9
Approach Delay (s)		91.1		103.1		127.6		49.6		
HCM Volume to Capacity ratio	1.12		1.12		1.12		1.12		1.12	
Intersection Capacity Utilization	88.5%		88.5%		88.5%		88.5%		88.5%	
ICU Level of Service	E		E		E		E		E	

c Critical Lane Group

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕
Peak Flow (vph)	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
Storage Length (ft)	175		200	150		150	125		0	100	0
Storage Lanes	1		1	1		1	1		0	1	0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (ft)	5	160	0	5	160	0	5	5	5	5	5
Trailing Detector (ft)	5	160	0	5	160	0	5	5	5	5	5
Link Speed (mph)	15	15	15	15	15	15	15	15	15	15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00	1.00	1.00
Flt Protected	0.950		0.950		0.950		0.950		0.950		0.950
Flt Permitted	0.950		0.950		0.950		0.950		0.950		0.950
Right Turn on Red		Yes		Yes		Yes		Yes		Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1293		530		583		851			
Volume (vph)	55	1048	125	280	1226	178	91	192	297	92	148
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%
Lane Group Flow (vph)	58	1103	132	295	1291	187	101	543	0	102	212
Protected Phases	5	2		1	6		8	8		4	4
Detector Phases	5	2	2	1	6	6	8	8		4	4
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	26.0	31.0	31.0		31.0	31.0
Total Split (%)	7.5%	30.8%	30.8%	14.2%	37.5%	37.5%	29.2%	29.2%	0.0%	25.8%	25.8%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag					
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		3.5	3.5
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		10.0	10.0
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None
Flash Dont Walk (s)		19.0	19.0		16.0	16.0	22.0	22.0		22.0	22.0
Act Effct Green (s)	5.0	33.1	33.1	13.0	43.0	43.0	31.1	31.1		18.4	18.4
v/c Ratio	0.76	1.12	0.26	1.59	1.00	0.29	0.23	1.16		0.36	0.72

Lanes, Volumes, Timings
 7: Highway 199 & Agness Ave

2/24/2009



Control Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LOS	F	F	B	F	E	B	C	F	D	E
Approach Delay	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0	96.0
Approach LOS	F	F	F	F	F	F	F	F	F	F
Queue Length 95th (ft)	#125	#676	78	#509	#738	114	116	#738	117	219
Turn Bay Length (ft)	175		200	150		150	125		100	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

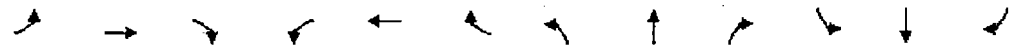
Cycle Length: 120
 Natural Cycle: 150
 Maximum v/c Ratio: 1.59
 Intersection Capacity Utilization 88.9% ICU Level of Service E
 ~ Volume exceeds capacity, queue is theoretically infinite.
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 7: Highway 199 & Agness Ave



HCM Signalized Intersection Capacity Analysis
 7: Highway 199 & Agness Ave

2/24/2009



Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗
Satd. Flow (prot)	1710	3320	1530	1598	3353	1530	1593	1517	1710	1739
Satd. Flow (perm)	1710	3320	1530	1598	3353	1530	1593	1517	1710	1739
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.90	0.90	0.90	0.90
RTOR Reduction (vph)	0	0	59	0	0	54	0	46	0	9
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%
Protected Phases	5	2		1	6		8	8	4	4
Actuated Green, G (s)	3.9	32.9	32.9	13.0	42.0	42.0	31.1	31.1	18.4	18.4
Actuated g/C Ratio	0.03	0.30	0.30	0.12	0.38	0.38	0.28	0.28	0.16	0.16
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5	3.5	3.5
v/s Ratio Prot	0.03	c0.33		c0.18	0.39		0.06	c0.33	0.06	c0.12
v/c Ratio	0.98	1.10	0.16	1.59	1.01	0.23	0.23	1.18	0.36	0.71
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Delay (s)	164.8	99.8	29.1	341.2	61.3	23.9	31.6	145.4	42.8	52.9
Approach Delay (s)		95.5			104.0			127.6		49.6
HCM Volume to Capacity ratio					1.12					
Intersection Capacity Utilization					88.9%					
ICU Level of Service										E

c Critical Lane Group

Lanes, Volumes, Timings
7: Highway 199 & Agness Ave

2/24/2009



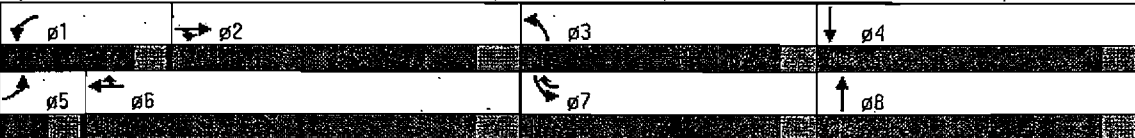
Lane Configurations	↵	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕	↗
Peak Flow (vph)	800	1800	1300	1800	1800	1300	1300	1300	1300	800	1300	1300
Storage Length (ft)	175		200	150		150	125		0	100		0
Exclusive Lanes												
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5	5	
Trailing Speed (mph)	15			15			15	15				
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.950		0.950			0.950			0.950		0.950	
Flt Permitted	0.950		0.950			0.950			0.950		0.950	
Right Turn on Red			Yes		Yes			Yes			Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1293		530		583		851				
Volume (vph)	55	1048	125	280	1226	178	91	192	297	92	148	43
Heavy Vehicles (%)	0%	3%	0%	7%	2%	0%	2%	0%	4%	0%	0%	0%
Lane Group Flow (vph)	58	1103	132	295	1291	187	101	543	0	102	212	0
Protected Phases	5	2		1	6	7	3	8		7	4	
Detector Phases	5	2	2	1	6	7	3	8		7	4	
Minimum Split (s)	9.0	29.0	29.0	9.0	26.0	31.0	31.0	31.0		31.0	31.0	
Total Split (%)	7.5%	30.8%	30.8%	15.0%	38.3%	25.8%	25.8%	28.3%	0.0%	25.8%	28.3%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	4.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lead	Lead	Lag		Lead	Lag	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	3.5	2.5	2.5		3.5	3.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		10.0	10.0	
Recall Mode	None	Min	Min	None	Min	None	None	None		None	None	
Flash Dont Walk (s)		19.0	19.0		16.0	22.0	22.0	22.0		22.0	22.0	
Act Effect Green (s)	5.0	33.0	33.0	14.0	43.9	59.8	11.1	30.0		11.9	33.1	
v/c Ratio	0.72	1.06	0.24	1.38	0.92	0.20	0.58	1.08		0.53	0.38	

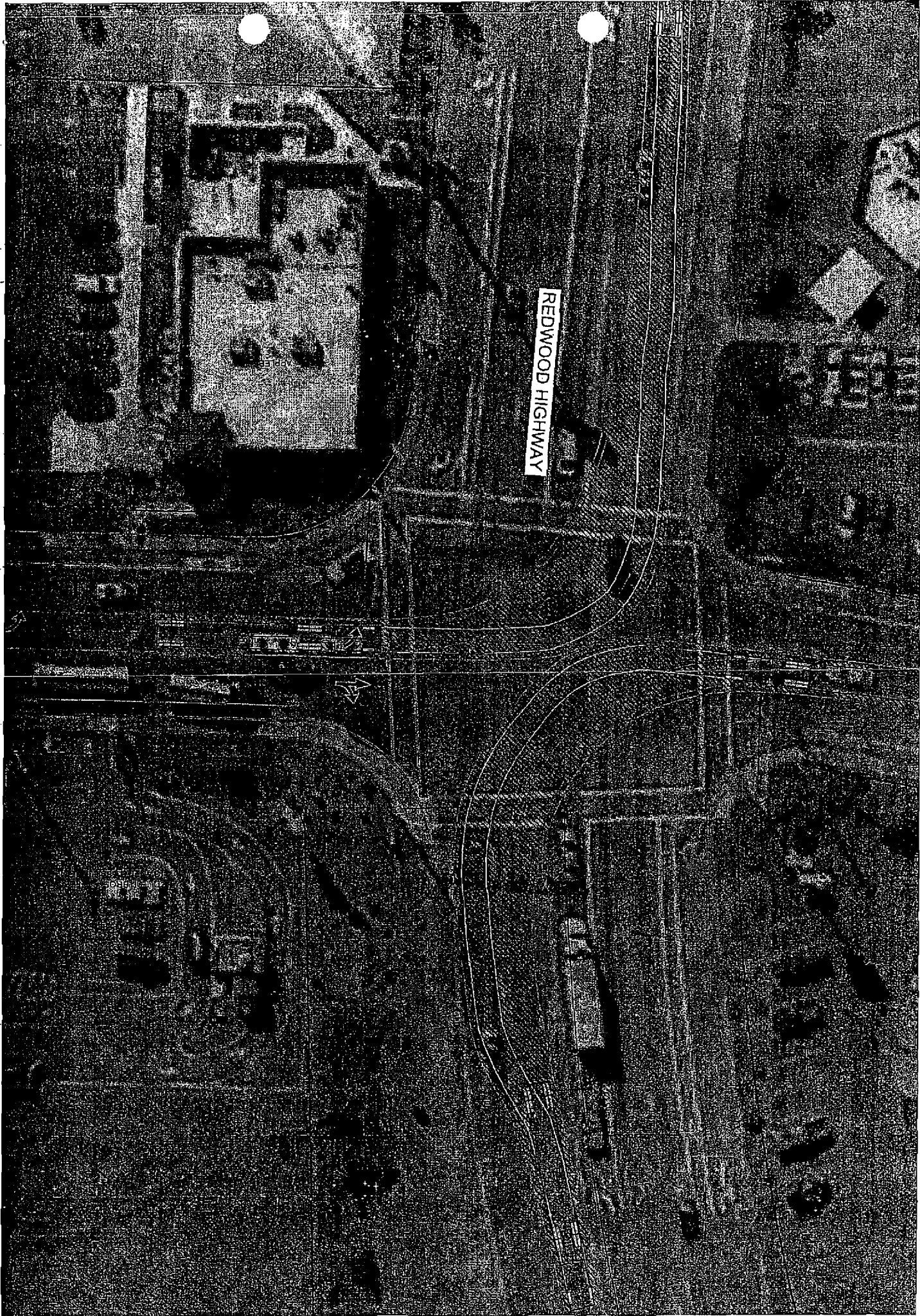


Control Delay	97.2	120	235.1	119	86	58.3	97.9	58	30.6	
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
Wt. Delay	95.2	120	235.1	119	86	58.3	97.9	58	30.6	
LOS	F	E	B	F	D	A	E	F	D	C
Approach Delay	136	170	170	170	170	170	170	170	170	
Approach LOS		E			E			F		D
Queue Length 95th (ft)	#115	#600	71	#454	#637	43	120	#626	119	187
Turn Bay Length (ft)	175		200	150		150	125		100	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

Cycle Length: 120
 Natural Cycle: 150
 Maximum v/c Ratio: 1.38
 Intersection Capacity Utilization 95.6% ICU Level of Service F
 ~ Volume exceeds capacity, queue is theoretically infinite.
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 7: Highway 199 & Agness Ave



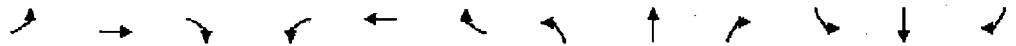


REDWOOD HIGHWAY

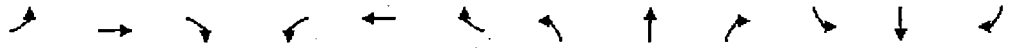
HIGHWAY 199 AT TERRY
OUTPUTS

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕	↗
Design Flow (vph)	1500	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Storage Length (ft)	150		120	150		70	100		0	125		0
Storage Lanes									0			0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (ft)	50	50	50	50	50	50	50	50	50	50	50	50
Trailing Detector (ft)	0	0	0	0	0	0	0	0	0	0	0	0
Timing Headway (s)	16	16	16	16	16	16	16	16	16	16	16	16
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.950		0.950		0.950		0.950		0.950		0.950	
Flt Permitted	0.950		0.950		0.950		0.950		0.950		0.950	
Right Turn on Red			Yes			Yes			Yes			Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247			1293			531			444	
Volume (vph)	35	861	365	114	957	37	352	82	158	29	63	53
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Lane Group Flow (vph)	38	936	397	127	1063	41	391	267	0	39	155	0
Protected Phases	5	2		1	6		8	8		4	4	
Detector Phases	5	2	2	1	6	6	8	8		4	4	
Minimum Split (s)	8.0	32.0	32.0	8.0	27.0	27.0	33.0	33.0		31.0	31.0	
Total Split (%)	6.7%	34.2%	34.2%	12.5%	40.0%	40.0%	27.5%	27.5%	0.0%	25.8%	25.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lead	Lead	Lag	Lag	Lag						
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0	
Walk Time (s)		7.0	7.0		7.0	7.0	5.0	5.0		5.0	5.0	
Pedestrian Calls (#/hr)		0	0		0	0	0	0		0	0	
Actuated g/C Ratio	0.06	0.39	0.39	0.13	0.47	0.47	0.21	0.21		0.14	0.14	
Control Delay	61.8	29.6	15.9	55.2	23.1	13.8	35.7	33.3		39.2	41.1	
Total Delay	61.8	29.6	15.9	55.2	23.1	13.8	35.7	33.3		39.2	41.1	



	E		C		S		E		C		S		D		B	
Approach Delay	26.5		26.1		34.7		40.7									
Queue Length 50th (ft)	23	242	81	73	249	9	110	106	21	68						
Queue Length 95th (ft)	23	242	81	73	249	9	110	106	21	68						
Internal Link Dist (ft)	1167		1213		451		364									
Base Capacity (vph)	95	1489	791	248	1753	806	1123	596	499	512						
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0						
Reduced v/c Ratio	0.40	0.63	0.50	0.51	0.61	0.05	0.35	0.45	0.08	0.30						

Area Type: Other

Actuated Cycle Length: 82.2

Control Type: Actuated-Uncoordinated

Intersection Signal Delay: 28.7

Intersection LOS: C

Analysis Period (min) 15

Queue shown is maximum after two cycles.

Splits and Phases: 6: Highway 199 & Terry Ln

→ Ø2	↖ Ø1	↗ Ø4	↖ Ø8
↖ Ø5	← Ø6		

HCM Signalized Intersection Capacity Analysis
 6: Highway 199 & Terry Ln

2/24/2009

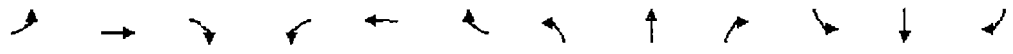


Lane Configurations	↖	↗	↘	↙	↕	↖	↗	↘	↙	↕	↖	↗
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Friction	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.90	1.00	0.95	1.00	0.93
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1611	1710	3353	1530	3317
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1611	1710	3353	1530	3317
Peak-hour factor, PHF	0.92	0.92	0.92	0.90	0.90	0.90	0.90	0.90	0.90	0.90	0.75	0.75
RTOR Reduction (vph)	0	0	126	0	0	7	0	61	0	0	0	29
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Protected Phases	5	2		1	6		8	8		4	4	
Actuated Green, G (s)	1.9	30.5	30.5	8.4	37.0	37.0	17.5	17.5		9.4	9.4	
Actuated g/C Ratio	0.02	0.38	0.38	0.10	0.46	0.46	0.21	0.21		0.11	0.11	
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0	
v/s Ratio Prot	0.02	0.28		0.07	0.32		0.12	0.13		0.02	0.08	
v/c Ratio	0.97	0.74	0.47	0.73	0.69	0.05	0.56	0.61		0.20	0.66	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	173.6	24.5	20.0	51.0	19.1	12.4	30.2	32.6		33.8	43.5	
Approach Delay (s)		27.3			22.2			31.1			41.6	
HCM Volume to Capacity ratio			0.67									
Intersection Capacity Utilization			63.3%									
ICU Level of Service												B

c Critical Lane Group

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖↗	↕	↖	↕	
Peak Flow (vph)	1800	1800	1800	1800	800	1800	1800	1200	1800	1800	1800
Storage Length (ft)	150		120	150		70	100		0	125	0
Storage Lanes											
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (ft)	5	160	0	5	160	0	5	5		5	5
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5	5
Link Speed (mph)	15		15	15		15	15		15	15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00
Flt Protected	0.950		0.950		0.950		0.950		0.950		0.950
Flt Permitted	0.950		0.950		0.950		0.950		0.950		0.950
Right Turn on Red		Yes		Yes		Yes		Yes		Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247		1293		531		218			
Volume (vph)	62	861	365	114	957	44	352	87	158	42	74
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%
Lane Group Flow (vph)	67	936	397	127	1063	49	391	273	0	56	244
Protected Phases	5	2		1	6		8	8		4	4
Detector Phases	5	2	2	1	6	6	8	8		4	4
Minimum Split (s)	8.0	32.0	32.0	8.0	27.0	27.0	33.0	33.0		31.0	31.0
Total Split (%)	8.3%	34.2%	34.2%	12.5%	38.3%	38.3%	27.5%	27.5%	0.0%	25.8%	25.8%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag					
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		5.0	5.0
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None
Flash Dont Walk (s)		20.0	20.0		15.0	15.0	24.0	24.0		22.0	22.0
Act Effct Green (s)	6.2	33.9	33.9	10.2	40.9	40.9	17.1	17.1		15.4	15.4
v/c Ratio	0.60	0.78	0.58	0.68	0.73	0.07	0.65	0.77		0.20	0.77

Lanes, Volumes, Timings
 6: Highway 199 & Terry Ln

2/24/2009



Control Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
LOS	E	C	B	E	C	B	D	D	D	D
Approach Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Approach LOS	C	C	C	C	C	C	D	D	D	D
Queue Length 95th (ft)	#136	#490	244	#205	#537	46	184	234	59	167
Turn Bay Length (ft)	150		120	150		70	100		125	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

Cycle Length: 120

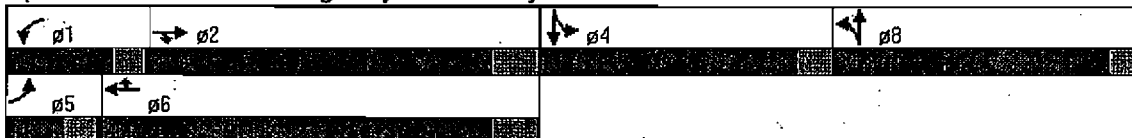
Natural Cycle: 105

Maximum v/c Ratio: 0.78

Intersection Capacity Utilization 66.9% ICU Level of Service C

95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 6: Highway 199 & Terry Ln



HCM Signalized Intersection Capacity Analysis
6: Highway 199 & Terry Ln

2/24/2009



Lane Configurations	←		→		←		→		←		→	
Peak Flow (vph)	900	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Effective Factor	1.00	0.91	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Friction	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.90	1.00	1.00	0.91	1.00
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1616	1710	1640		
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1616	1710	1640		
Peak-hour factor, PHF	0.92	0.92	0.92	0.90	0.90	0.90	0.90	0.90	0.90	0.75	0.75	0.75
RTOR Reduction (vph)	0	0	127	0	0	8	0	59	0	0	48	0
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Protected Phases	5	2		1	6		8	8		4	4	
Actuated Green, G (s)	4.5	34.1	34.1	10.2	39.8	39.8	17.1	17.1	15.4	15.4		
Actuated g/C Ratio	0.05	0.37	0.37	0.11	0.43	0.43	0.18	0.18	0.16	0.16		
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5	2.5	2.5		
v/s Ratio Prot	0.04	0.28		c0.07	c0.32		0.12	c0.13	0.03	c0.12		
v/c Ratio	0.82	0.75	0.48	0.68	0.73	0.06	0.65	0.73	0.20	0.73		
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Delay (s)	87.7	28.8	23.8	49.3	24.3	15.5	37.6	44.2	34.1	46.2		
Approach Delay (s)		30.2			26.5			40.3		43.9		
HCM Average Control Delay	31.9		31.9		31.9		31.9		31.9		31.9	
HCM Level of Service	C		C		C		C		C		C	
HCM Volume to Capacity ratio	0.71		0.71		0.71		0.71		0.71		0.71	
Intersection Capacity Utilization	66.9%		66.9%		66.9%		66.9%		66.9%		66.9%	
ICU Level of Service	C		C		C		C		C		C	

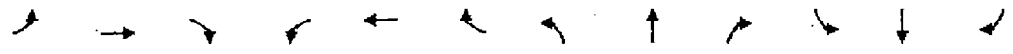
c Critical Lane Group

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



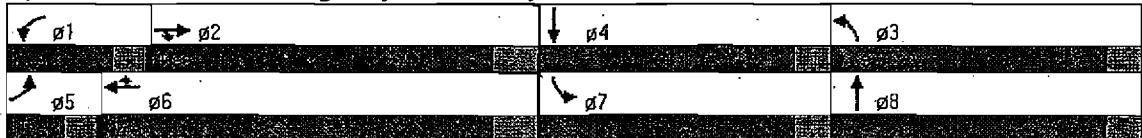
Lane Configurations	↖	↗	↘	↙	↖	↗	↘	↙	↖	↗	↘	↙
Peak Flow (vph)	1300	1000	1500	1300	300	1300	1300	1300	1300	1300	1300	1300
Storage Length (ft)	150		120	150		70	100		0	125		0
Overlap Lane												
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5		5
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.950			0.950			0.950			0.950		
Flt Permitted	0.950			0.950			0.950			0.950		
Right Turn on Red			Yes			Yes			Yes			Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247			1293			531			218	
Volume (vph)	62	861	365	114	957	44	352	87	158	42	74	109
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Lane Group Flow (vph)	67	936	397	127	1063	49	391	273	0	56	244	0
Protected Phases	5	2		1	6		3	8		7		4
Detector Phases	5	2	2	1	6	6	3	8		7		4
Minimum Split (s)	8.0	32.0	32.0	8.0	27.0	27.0	33.0	33.0		31.0		31.0
Total Split (%)	8.3%	34.2%	34.2%	12.5%	38.3%	38.3%	27.5%	27.5%	0.0%	25.8%	25.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0		4.0
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lag	Lag		Lead		Lead
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5		2.5
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		5.0		5.0
Recall Mode	None	Min	Min	None	Min	Min	None	None		None		None
Flash Dont Walk (s)		20.0	20.0		15.0	15.0		24.0				22.0
Act Effect Green (s)	6.2	33.7	33.7	10.1	40.6	40.6	15.2	27.3		8.0		15.1
v/c Ratio	0.59	0.76	0.58	0.67	0.71	0.07	0.70	0.51		0.39		0.76



Control Delay	6.2	31.9	6.2	6.1	3.3	17.2	4.3	2.8		
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	6.2	31.9	6.2	6.1	3.3	17.2	4.3	2.8		
LOS	E	C	B	E	C	B	D	C	D	D
Approach Delay	23.1		23.1		36.6		36.6		36.6	
Approach LOS	C		C		D		D		D	
Queue Length 95th (ft)	#126	#422	224	#189	456	42	184	195	66	158
Turn Bay Length (ft)	150		120	150		70	100		125	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

Cycle Length: 120
 Natural Cycle: 105
 Maximum v/c Ratio: 0.76
 Intersection Capacity Utilization 66.9% ICU Level of Service C
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 6: Highway 199 & Terry Ln



HCM Signalized Intersection Capacity Analysis
 6: Highway 199 & Terry Ln

2/24/2009



Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗
Capacity (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Signal Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	1.00	0.95
Friction	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.90	1.00	0.91
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1616	1710	1640
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1616	1710	1640
Volume (vph)	327	327	363	327	327	327	327	327	327	327
Peak-hour factor, PHF	0.92	0.92	0.92	0.90	0.90	0.90	0.90	0.90	0.90	0.75
RTOR Reduction (vph)	0	0	127	0	0	8	0	51	0	0
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%
Protected Phases	5	2		1	6		3	8	7	4
Actuated Green, G (s)	4.5	34.0	34.0	10.1	39.6	39.6	17.3	27.3	5.1	15.1
Actuated g/C Ratio	0.05	0.37	0.37	0.11	0.43	0.43	0.19	0.29	0.05	0.16
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5	2.5	2.5
v/s Ratio Prot	0.04	0.28		c0.07	c0.32		c0.12	0.14	0.03	c0.12
v/c Ratio	0.82	0.75	0.48	0.69	0.73	0.06	0.64	0.47	0.60	0.74
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Delay (s)	87.6	28.7	23.7	49.5	24.3	15.5	37.1	27.7	52.1	47.4
Approach Delay (s)		30.1			26.5			33.2		48.3
HCM Average Control Delay		30.1			26.5			33.2		48.3
HCM Volume to Capacity ratio		0.69			0.69			0.69		0.69
Intersection Capacity Utilization		66.9%			66.9%			66.9%		66.9%
ICU Level of Service		C			C			C		C

c Critical Lane Group

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



Lane Configurations	↖	↕	↗	↖	↕	↗	↖	↕	↗	↖	↕	↗
Peak Flow (vph)	300	1300	300	300	300	1800	300	1800	300	1800	300	1800
Storage Length (ft)	150		120	150		70	100		0	125		0
Storage Lanes				1		1	2		0	1		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	75	20	175	75	20	175	75	20	75	20	75	20
Trailing Speed (mph)	15		15	15		15	15		15		15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Fit Protected	0.950		0.950		0.950		0.950		0.950		0.950	
Fit Permitted	0.950		0.950		0.950		0.950		0.950		0.950	
Right Turn on Red			Yes			Yes			Yes			Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247			1293			531			444	
Volume (vph)	39	1039	402	132	1215	39	405	104	169	31	79	62
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Lane Group Flow (vph)	41	1094	423	139	1279	41	450	304	0	36	166	0
Protected Phases	5	2		1	6		4	4		8	8	
Detector Phases	5	2	2	1	6	6	4	4		8	8	
Minimum Split (s)	12.0	32.0	32.0	8.0	27.0	27.0	31.0	31.0		31.0	31.0	
Total Split (%)	8.8%	41.2%	41.2%	13.2%	45.6%	45.6%	22.8%	22.8%	0.0%	22.8%	22.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		5.0	5.0	
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None	
Flash Dont Walk (s)		20.0	20.0		15.0	15.0	22.0	22.0		22.0	22.0	
Act Effct Green (s)	7.1	44.8	44.8	12.1	55.1	55.1	20.8	20.8		13.7	13.7	
v/c Ratio	0.38	0.80	0.58	0.73	0.75	0.05	0.71	0.86		0.17	0.71	

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

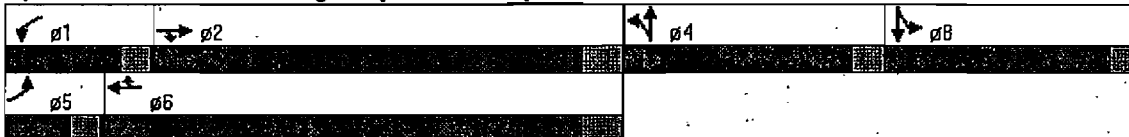
2/24/2009



Control Type	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Approach Delay										
LOS	E	C	B	E	C	B	D	E	D	E
Approach LOS		C			C			D		E
Queue Length 95th (ft)	74	532	272	#221	614	37	242	#353	56	172
Turn Bay Length (ft)	150		120	150		70	100		125	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

Cycle Length: 136
 Natural Cycle: 125
 Maximum v/c Ratio: 0.86
 Intersection Capacity Utilization 72.7% ICU Level of Service C
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 6: Highway 199 & Terry Ln



HCM Signalized Intersection Capacity Analysis
6: Highway 199 & Terry Ln

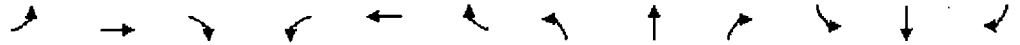
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	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Configurations	↖	↖↖	↖	↖	↖↖	↖	↖↖	↑	↖	↑		
Peak Flow (vph)	1300	1300	1300	1300	1300	1300	333	1300	1300	1300	1300	1300
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0	
Lane Util. factor	1.00	0.95	1.00	1.00	0.95	1.00	0.37	1.00		1.00	1.00	
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91		1.00	0.93	
Flt Protected	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00		0.95	1.00	
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1623		1710	1681	
Flt Permitted	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00		0.95	1.00	
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1623		1710	1681	
Volume (vph)	1300	1300	1300	1300	1300	1300	333	1300		1300	1300	
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.90	0.90		0.90	0.85	0.85
RTOR Reduction (vph)	0	0	104	0	0	5	0	44		0	0	23
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%		1%	0%	0%
Protected Phases	5	2			1	6		4		4		8
Actuated Green, G (s)	4.1	46.1	46.1	12.1	54.1	54.1	20.8	20.8		13.7	13.7	
Actuated g/C Ratio	0.04	0.43	0.43	0.11	0.50	0.50	0.19	0.19		0.12	0.12	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
v/s Ratio Prot	0.02	0.33		c0.08	c0.38		0.14	c0.16		0.02	c0.09	
v/c Ratio	0.64	0.77	0.49	0.74	0.76	0.05	0.72	0.84		0.17	0.68	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	69.8	29.7	23.9	60.3	24.4	14.0	45.3	61.3		43.2	54.0	
Approach Delay (s)		29.2			27.6			51.8			52.1	
HCM Level of Service	D		C		C		D		D		D	
HCM Volume to Capacity ratio	0.75											
Intersection Capacity Utilization	72.7%											
ICU Level of Service	C											

c Critical Lane Group

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

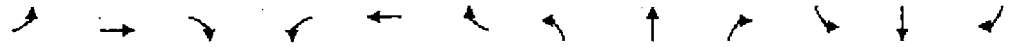
2/24/2009



Lane Configurations	↖	↗	↘	↙	↕	↖	↗	↘	↙	↕	↖	↗
Peak Flow (vph)	300	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Storage Length (ft)	150		120	150		70	100		0	125		0
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Trailing Detector (ft)	5	160	0	5	160	0	5	5		5		5
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Flt Protected	0.950		0.950			0.950		0.950		0.950		
Flt Permitted	0.950		0.950			0.950		0.950		0.950		
Right Turn on Red			Yes			Yes			Yes			Yes
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247			1293			531			218	
Volume (vph)	66	1039	402	132	1215	46	405	109	169	44	90	118
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Lane Group Flow (vph)	69	1094	423	139	1279	48	476	327	0	52	245	0
Protected Phases	5	2		1	6		4	4		8	8	
Detector Phases	5	2	2	1	6	6	4	4		8	8	
Minimum Split (s)	8.0	32.0	32.0	18.0	27.0	27.0	31.0	31.0		31.0	31.0	
Total Split (%)	8.0%	40.6%	40.6%	13.0%	45.7%	45.7%	23.9%	23.9%	0.0%	22.5%	22.5%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag						
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		5.0	5.0	
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None	
Flash Dont Walk (s)		20.0	20.0		15.0	15.0	22.0	22.0		22.0	22.0	
Act Effct Green (s)	7.0	46.7	46.7	12.5	55.5	55.5	23.8	23.8		18.6	18.6	
v/c Ratio	0.70	0.84	0.60	0.77	0.82	0.07	0.72	0.89		0.19	0.83	

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



Control Delay	21.6	9.5	13.0	6.5	13.0	6.5	6.5	6.5	6.5	6.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Approach Delay	21.6	9.5	13.0	6.5	13.0	6.5	6.5	6.5	6.5	6.5
LOS	F	D	C	F	D	B	D	E	D	E
Approach LOS	D		D		E		E		E	
Queue Length 95th (ft)	#152	575	296	#237	658	44	248	#364	74	249
Turn Bay Length (ft)	150		120	150		70	100		125	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0
Maximum v/c Ratio	0.89	0.77	0.56	0.67	0.71	0.90	0.69	0.76	0.74	0.65

Cycle Length: 138

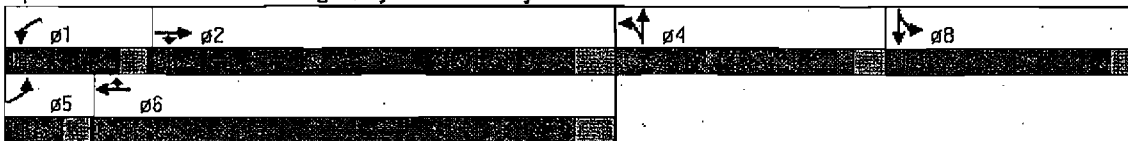
Natural Cycle: 125

Maximum v/c Ratio: 0.89

Intersection Capacity Utilization 77.5% ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 6: Highway 199 & Terry Ln



HCM Signalized Intersection Capacity Analysis
 6: Highway 199 & Terry Ln

2/24/2009



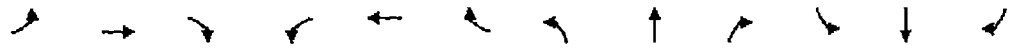
Lane Configurations	↖	↗	↘	↙	↖	↗	↘	↙	↖	↗	↘	↙
Design Flow (vph)	1500	1800	1800	1800	1500	1500	1500	1500	1500	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Capacity Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	1.00	1.00	1.00
Frt	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91	1.00	0.91	1.00	0.91
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1626	1710	3320	1515	1710
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1626	1710	3320	1515	1710
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.85	0.85	0.85	0.85	0.85	0.85
RTOR Reduction (vph)	0	0	106	0	0	6	0	41	0	0	36	0
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Protected Phases	5	2		1	6		4	4		8	8	
Actuated Green, G (s)	5.1	47.0	47.0	12.5	54.4	54.4	23.8	23.8		18.6	18.6	
Actuated g/C Ratio	0.04	0.40	0.40	0.11	0.47	0.47	0.20	0.20		0.16	0.16	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
v/s Ratio Prot	0.04	0.33		0.08	0.38		0.14	0.18		0.03	0.13	
v/c Ratio	0.95	0.82	0.52	0.77	0.82	0.06	0.72	0.88		0.19	0.81	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	142.6	36.1	28.3	69.5	31.4	17.5	47.9	69.2		43.9	64.8	
Approach Delay (s)		38.6			34.5			56.5			61.2	
HCM Volume to Capacity ratio					0.81							
Intersection Capacity Utilization					77.5%							
ICU Level of Service												D

c Critical Lane Group

	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Configurations	↑	↑↑	↑	↘	↑↑	↑	↑↑	↑	↑	↑	↑	↑
Peak Flow (vph)	1800	1300	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Storage Length (ft)	150		120	150		70	100			0	125	0
Storage Lanes												
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Leading Detector (ft)	75	320	245	75	320	75	75	75	75	75	75	75
Trailing Detector (ft)	5	160	0	5	160	0	5	5	5	5	5	5
Turning Speed (mph)	15	15	15	15	15	15	15	15	15	15	15	15
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Fit Protected	0.950		0.950		0.950		0.950		0.950		0.950	
Fit Permitted	0.950		0.950		0.950		0.950		0.950		0.950	
Right Turn on Red			Yes		Yes		Yes		Yes		Yes	
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Link Distance (ft)		1247			1293			531			218	
Volume (vph)	66	1039	402	132	1215	46	405	109	169	44	90	118
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Lane Group Flow (vph)	69	1094	423	139	1279	48	476	327	0	52	245	0
Protected Phases	5	2		1	6		7	4		3	8	
Detector Phases	5	2	2	1	6	6	7	4		3	8	
Minimum Split (s)	8.0	32.0	32.0	18.0	27.0	27.0	8.0	31.0		8.0	31.0	
Total Split (%)	8.3%	40.0%	40.0%	15.0%	46.7%	46.7%	19.2%	34.2%	0.0%	10.8%	25.8%	0.0%
Yellow Time (s)	3.5	5.0	5.0	3.5	5.0	5.0	4.0	4.0		4.0	4.0	
Lead/Lag	Lead	Lag	Lag	Lead	Lag	Lag	Lead	Lead		Lag	Lag	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
Time Before Reduce (s)	5.0	10.0	10.0	5.0	10.0	10.0	5.0	5.0		5.0	5.0	
Recall Mode	None	Min	Min	None	Min	Min	None	None		None	None	
Flash Dont Walk (s)		20.0	20.0		15.0	15.0		22.0			22.0	
Act Effect Green (s)	6.1	40.7	40.7	11.9	49.3	49.3	17.6	25.6		11.7	16.9	
v/c Ratio	0.70	0.84	0.59	0.71	0.80	0.07	0.84	0.72		0.28	0.79	

Lanes, Volumes, Timings
6: Highway 199 & Terry Ln

2/24/2009



Control Delay	87.8	97.7	172.3	66.1	101.1	124.3	56.7	110.0	30.0	51.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Control Delay	87.8	97.7	172.3	66.1	101.1	124.3	56.7	110.0	30.0	51.0
LOS	F	D	B	E	C	B	E	D	D	D
Approach Delay										
Approach LOS	C					C			D	
Queue Length 95th (ft)	#141	#546	249	#195	572	39	#257	261	74	206
Turn Bay Length (ft)	150		120	150		70	100		125	
Starvation Cap Reductn	0	0	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0	0	0

Cycle Length: 120
 Natural Cycle: 100
 Maximum v/c Ratio: 0.84
 Intersection Capacity Utilization 77.5% ICU Level of Service D
 # 95th percentile volume exceeds capacity, queue may be longer.

Splits and Phases: 6: Highway 199 & Terry Ln



HCM Signalized Intersection Capacity Analysis
 6: Highway 199 & Terry Ln

2/24/2009

	↖	→	↘	↙	←	↖	↘	↑	↗	↘	↓	↙
Lane Configurations	↖	↖↖	↖	↖	↖↖	↖	↖↖	↖	↖	↖	↖	↖
Design Flow (vph)	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300	1300
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Loss Ratio Factor	1.00	0.99	1.00	1.00	0.99	1.00	0.97	1.00	1.00	1.00	1.00	1.00
Friction	1.00	1.00	0.85	1.00	1.00	0.85	1.00	0.91	1.00	1.00	0.91	1.00
Flow Ratio	0.95	1.00	1.00	0.95	1.00	0.95	0.95	1.00	0.95	1.00	0.95	1.00
Satd. Flow (prot)	1710	3320	1515	1710	3353	1530	3317	1626	1710	1647	1710	1647
Satd. Flow (perm)	1710	3320	1515	1710	3353	1530	3317	1626	1710	1647	1710	1647
Volume (vph)	38	139	50	132	48	105	139	69	32	30	30	11
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.85	0.85	0.85	0.85	0.85	0.85
RTOR Reduction (vph)	0	0	122	0	0	7	0	51	0	0	42	0
Heavy Vehicles (%)	0%	3%	1%	0%	2%	0%	0%	0%	1%	0%	0%	0%
Protected Phases	5	2		1	6		7	4		3	8	
Actuated Green, G (s)	4.4	40.7	40.7	11.9	48.2	48.2	17.6	25.6		10.2	18.2	
Actuated g/C Ratio	0.04	0.40	0.40	0.11	0.47	0.47	0.17	0.24		0.10	0.17	
Vehicle Extension (s)	2.5	5.2	5.2	2.5	5.2	5.2	2.5	2.5		2.5	2.5	
v/s Ratio Prot	c0.04	0.33		c0.08	c0.38		c0.14	c0.17		0.03	c0.12	
v/c Ratio	0.97	0.83	0.50	0.72	0.82	0.06	0.86	0.70		0.32	0.71	
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1.00	1.00	
Delay (s)	147.0	34.0	25.5	56.8	28.2	15.5	55.1	41.3		45.1	48.9	
Approach Delay (s)		36.6			30.5			49.5			48.2	
HCM Volume to Capacity ratio			0.75									
Intersection Capacity Utilization		77.5%										
ICU Level of Service											D	

c Critical Lane Group



DEVELOPMENT AGREEMENT #2009-1

BETWEEN: City of Grants Pass, (“City”)
an Oregon municipal corporation

AND: Marjorie D. Hill, an individual; and Main Place Grants (“Owners”)
Pass LLC, a limited liability company; its successors,
assigns and any other person or entity authorized to
develop or apply for development approval on the
Property.

EFFECTIVE

DATE: *Insert Date*

RECITALS

A. Owners own approximately 2.74 acres of real property located in City, more specifically identified in the legal description attached to this Development Agreement (“this Agreement”) as *Exhibit A* (the “Property”) and as illustrated in *Exhibit B*. The Property has a comprehensive plan map designation of High Density Residential and is zoned R-3.

B. Owners have applied to City for approval of a comprehensive plan map and zoning designation amendment that would change the comprehensive plan map from High Density Residential to High-Rise Density Residential and General Commercial and the zoning map of the Property from R-3 to R-4 and GC for the Property (City file number 09-40200001) (the “Application”). Owners intended use of the Property is for approximately 10,620 square feet of general office, ten (10) residential units and 19,848 square feet of specialty retail (the “Proposed Development”). City staff has identified a requirement that Owner, as a condition of the Proposed Development, must construct certain public improvements (“Planned Improvements”), as described in *Exhibit C*, that improve certain transportation facilities to meet both the City’s mobility standard and the Oregon Department of Transportation’s mobility standards.

C. A statutory development agreement, pursuant to ORS 94.504 to 94.528, is the appropriate mechanism for City and Owner to enter into an agreement for the Application approval, limitation on uses on the 2.74 acres proposed to be zoned R-4 and General Commercial, and the construction of the needed public improvements. The applicant is relying on proposed mitigation measures minus #1 and #2 listed in Exhibit C, to be installed as part of the previously approved Timber Products/Home Depot Development Agreement #2008-01. Failure of the Timber Products/Home Depot improvements being installed, Owner is required to submit a revised Traffic Impact Analysis (including additional mitigation measures) for the Property and

proposed Development to address impacts on the intersections of (Grants Pass Parkway/Highway 199 and M Street) and the (Grants Pass Parkway/Highway 199 and F Street).

D. The City Council duly noticed and held a public hearing on this agreement on *Insert Date* at which time the City Council accepted public testimony on the proposed development agreement.

E. At the end of the public hearing, the City Council voted to approve the development agreement as adopted by City Ordinance No. *Insert Number*.

AGREEMENT

NOW, THEREFORE, based on the foregoing recitals, the City Council, for City and Owner, hereby agree to the following:

1. **Comprehensive Plan Map and Zoning Designation Amendment Application Approval (09-40200001)**: City hereby approves the Application presented by Owner as reflected in the Findings of Fact, Main Place Grants Pass LLC, Comprehensive Plan Map and Zoning Designation Amendment (09-40200001) attached to this Agreement as *Exhibit D* and incorporated herein by this reference ("Approval"), subject to the following conditions:

a. Development on the Property shall meet all applicable City standards at the time a development application is made, including commercial design standards.

b. If the development of the Property consists of the Proposed Development, improvements listed in *Exhibit C* shall be constructed and funded by the Owner. If any development of the Property consists of something other than the Proposed Development, the Owner shall construct and fund at a minimum the improvements #1 and #2 listed in *Exhibit C* and shall submit a revised Traffic Impact Analysis ("Revised TIA") addressing development of the entire Property. A Revised TIA and any related mitigation requirements shall be approved or rejected in accordance with the City's site review standards and procedures and shall demonstrate continuing consistency with the state Transportation Planning Rule as well as the City's Master Transportation Plan and implementing regulations, including levels of service. Nothing in this subsection shall be construed to limit the requirements pursuant to paragraph 1(g).

c. The applicant will agree to a trip cap on the property for the proposed uses and building sizes as listed under paragraph B above. Based on the applicant's Traffic Impact Analysis dated August 4, 2008, the daily trips shall not exceed 1,194 for the entire development. In order to ensure the cap is not exceeded, the following uses are not permitted on the site: fast food restaurants with or without drive-through windows, banks with drive through-windows, or convenience stores. Other high traffic generators, except those mentioned previously, may only be considered for the site upon additional traffic review and assessment by the City and that fall at or below the daily trips calculated for the proposed development.

d. Development on the parcels fronting Fairview Lane shall include residential uses. A deviation from the inclusion of residential uses shall be considered a substantial change from the proposed development and shall be reviewed and amended in accordance with Section 12 below.

e. Furthermore, should any portion of the Property be developed, all required improvements pursuant to (1)(b) above shall be constructed prior to the issuance of any certificates of occupancy.

f. Owner is relying on certain transportation facilities to be upgraded with the construction of a home improvement store located off of Mill Street. Owner's T.I.A. indicates that two intersections (F Street and Highway 199 (Grants Pass Parkway)) and (M Street and Highway 199 (Grants Pass Parkway)) will be affected by the proposed development. If said intersections are not upgraded prior to submittal of the site plan review for the Main Place development, Owner agrees to submit a revised traffic impact analysis and mitigation plan, with possible upgrades to said facilities based on the impacts of the development.

g. If the Proposed Development of the Property conforms to the proposal identified in Owner's TIA, and an application for a site plan or other development approval is submitted within two (2) years of the date of this Agreement, Owner shall not be required to make any additional improvements to the transportation system beyond those listed in *Exhibit C*. If an application for site plan or other development approval is not submitted within two (2) years of this agreement, the City has the right to require a new traffic impact study be submitted by the owner/developer of the property for the proposed development.

2. Agreement to be Adopted by Ordinance: This Agreement shall be incorporated and attached to the adopting ordinance that approves the Application for the Comprehensive Plan and Zone Map Amendments.

3. Effective Date, Term and Modification: This Agreement shall be effective upon signature by both parties and once the document is recorded with the Josephine County Clerk's Office. The Agreement shall be signed and recorded after the ordinance is effective, which is thirty (30) days after approval by the City Council. The City and Owner have thirty (30) days from the effective date of the ordinance to sign and record the document. The Agreement shall have a duration (term) of seven (7) years from the Effective Date. This Agreement may be modified or terminated sooner than seven (7) years only upon the written agreement signed by the authorized representatives of both parties (subject to provisions of Section 12 of this Agreement).

4. Right of Way Acquisition: No right of way acquisition or dedication of land for public purposes is currently proposed for this project. It is determined that acquiring additional property for right of way dedication for the required improvements, all land acquisition costs will be borne by the Owner.

5. Fees and Charges: Owner shall be responsible for payment of all fees and charges associated with development of the Property in accordance with City ordinances and resolutions, without modification by this Agreement. This Agreement does not restrict Owner's ability to recover costs where permitted by applicable laws of the City of Grants, Pass.

6. Schedule and Procedure for Compliance Review: The substantial of additional and use applications for further development of the Property shall be reviewed according to the City's code and applicable state requirements effective at the time the application(s) is/are submitted. The review of construction drawings and building plans shall be completed in a reasonable amount of time according to City procedures. Provided an application(s) is submitted for further development of the Property and the application(s) conforms to the City's code, a development permit shall be issued prior to the expiration of the Agreement for the Proposed Development.

7. Effect when Laws and Rules render compliance impossible. When changes in regional policy or federal or state laws or rules render compliance with the Agreement impossible, unlawful or inconsistent with such laws, rules or policy the following shall apply:

The City shall consider adoption of amendments to this Agreement or the Development Code consistent with said changes and if adopted by the City, the Parties shall sign amendments to this Agreement that acknowledge conformance to the same.

8. Assignment and Transfer: This Agreement shall be fully assignable. This Agreement shall be binding on any future owner/land developer of this property for the full term of the Agreement.

9. Remedies for Breach: Should either party breach this Agreement, remedies available under Oregon law for breach of contract are available to the parties, including damages and injunctive relief.

10. Controlling Law and Venue for Disputes: This Agreement shall be deemed to have been entered into in the State of Oregon and shall be construed and interpreted in accordance with the laws of Oregon. Any litigation or proceedings arising out of or connected with this Agreement shall be heard and decided in Oregon Circuit Court for the County of Josephine.

11. Waiver of Certain Claims: The Applicant knows and understands its rights under *Dolan v. City of Tigard*, 512 U.S. 374, 114 S. Ct. 2309 (1994), and by entering into this Agreement hereby waives any requirement that the City demonstrate that the off-site Public Improvements, as detailed in *Exhibit C*, are roughly proportional to the burden and demands placed upon public transportation facilities by the Proposed Development. The Applicant further waives any cause of action it may have pursuant to the Takings Clause of the Fifth Amendment to the U.S. Constitution or Article 1, Section 18 of the Oregon Constitution. This waiver includes but is not limited to any takings claim premised upon *Dolan* and cases interpreting the legal effect of *Dolan* arising out of the actions described herein and any claim asserting a regulatory taking.

12. **No Third Party Beneficiaries:** None of the duties and obligations of the parties to this Agreement shall in any way or in any manner be deemed to create any rights to any person or entity other than the parties hereto, and their successors and assigns, if any.

13. **Entire Agreement:** City and Owner acknowledge and agree that no promises or representations have been made which do not appear written herein and that this Agreement contains the entire agreement of the parties as to this Agreement.

14. **Severability Clause:** The parties to this Agreement agree that if any term, provision, covenant, condition or portion of this Agreement is held to be illegal, invalid, void, voidable or unenforceable, the remainder of the provisions shall remain in full force and effect as a separate contract and shall in no way be affected, impaired or invalidated.

15. **Amendment or Cancellation of Agreement; Enforceability:**

a. This Agreement may be amended or cancelled by mutual consent of the parties to the agreement or their successors in interest. The governing body shall amend or cancel a development agreement by adoption of an ordinance declaring cancellation of the agreement or setting forth the amendments to the agreement.

b. Until this Development Agreement is cancelled under this section, the terms of the Development Agreement are enforceable by any party to the Agreement.

[Signatures are on the following page(s).]

IN WITNESS WHEREOF, the parties have executed this Development Agreement in duplicate, intending that it be effective as of the date it is recorded.

Executed this _____ day of _____ 2009.

CITY:

City of Grants Pass

OWNER(S):

Main Place Grants Pass, LLC

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

STATE OF OREGON)
)ss
COUNTY OF JOSEPHINE)

STATE OF OREGON)
)ss
COUNTY OF _____)

Signed before me on the ____ day of

Signed before me on the ____ day of

By _____

By _____

IN WITNESS WHEREOF I hereto set my hand and seal on this same date,

IN WITNESS WHEREOF I hereto set my hand and seal on this same date,

Notary Public for Oregon
My Commission Expires _____

Notary Public for Oregon
My Commission Expires _____

OWNER(S):

Marjorie D. Hill

By: _____

Name: _____

Title: _____

STATE OF OREGON)

)ss

COUNTY OF _____)

Signed before me on the _____ day of

_____.

By _____

IN WITNESS WHEREOF I hereto set my
hand and seal on this same date,

Notary Public for Oregon

My Commission Expires _____

EXHIBIT A

Legal Description(s)

[INSERT DESCRIPTIONS OF PARCELS]

EXHIBIT B

Location Map

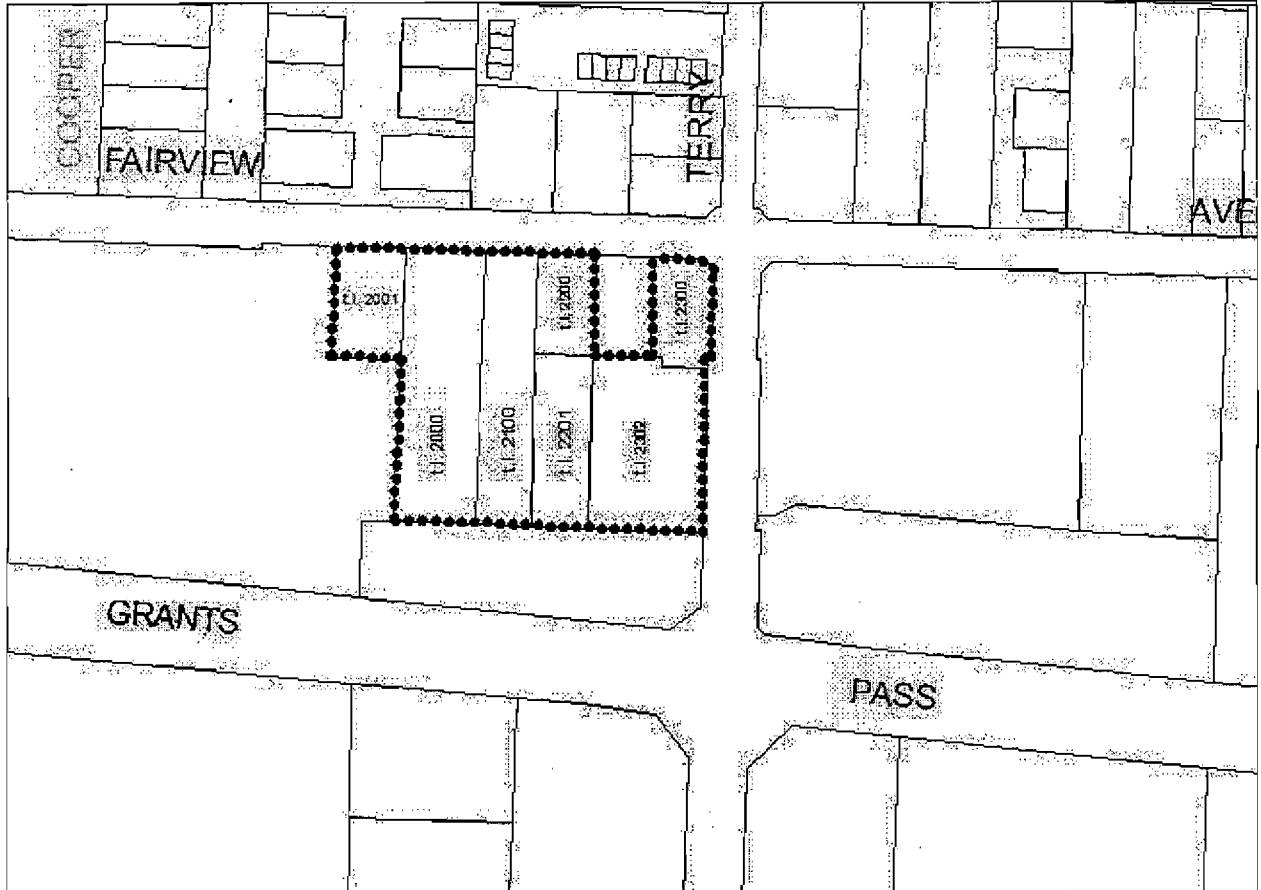


EXHIBIT C

Improvements

1. Agness Avenue and Highway 199 (Grants Pass Parkway) – Improve the intersection by reconfiguring the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements and a right turn overlap for the westbound approach.
2. Terry Lane and Highway 199 (Grants Pass Parkway) – Provide geometric changes to the intersection in order to facilitate concurrent northbound and southbound left turns.
3. If the Owner submits an application for development prior to completion of street improvements at (Grants Pass Parkway/Highway 199 and M Street) and (Grants Pass Parkway/Highway 199 and F Street) outlined in the Timber Products/Home Depot Development Agreement #2008-1, Owner agrees to submit a revised traffic impact analysis and mitigation plan, and will complete said improvements prior to Certificate of Occupancy of any buildings on the property.

Exhibit D

City Council Findings of Fact & Record

[See attached]

DEVELOPMENT AGREEMENTS

94.504 Development agreements; contents; duration; effect on affordable housing covenants. (1) A city or county may enter into a development agreement as provided in ORS 94.504 to 94.528 with any person having a legal or equitable interest in real property for the development of that property.

(2) A development agreement shall specify:

(a) The duration of the agreement;

(b) The permitted uses of the property;

(c) The density or intensity of use;

(d) The maximum height and size of proposed structures;

(e) Provisions for reservation or dedication of land for public purposes;

(f) A schedule of fees and charges;

(g) A schedule and procedure for compliance review;

(h) Responsibility for providing infrastructure and services;

(i) The effect on the agreement when changes in regional policy or federal or state law or rules render compliance with the agreement impossible, unlawful or inconsistent with such laws, rules or policy;

(j) Remedies available to the parties upon a breach of the agreement;

(k) The extent to which the agreement is assignable; and

(L) The effect on the applicability or implementation of the agreement when a city annexes all or part of the property subject to a development agreement.

(3) A development agreement shall set forth all future discretionary approvals required for the development specified in the agreement and shall specify the conditions, terms, restrictions and requirements for those discretionary approvals.

(4) A development agreement shall also provide that construction shall be commenced within a specified period of time and that the entire project or any phase of the project be completed by a specified time.

(5) A development agreement shall contain a provision that makes all city or county obligations to expend moneys under the development agreement contingent upon future appropriations as part of the local budget process. The development agreement shall further provide that nothing in the agreement requires a city or county to appropriate any such moneys.

(6) A development agreement must state the assumptions underlying the agreement that relate to the ability of the city or county to serve the development. The development agreement must also specify the procedures to be followed when there is a change in circumstances that affects compliance with the agreement.

(7) A development agreement is binding upon a city or county pursuant to its terms and for the duration specified in the agreement.

(8) The maximum duration of a development agreement entered into with:

(a) A city is 15 years; and

(b) A county is seven years.

(9) ORS 94.504 to 94.528 do not limit the authority of a city or county to take action pursuant to ORS 456.270 to 456.295. [1993 c.780 §1; 2005 c.315 §1; 2007 c.691 §7]

Note: 94.504 to 94.528 were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 94 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

94.505 [Repealed by 1971 c.478 §1]

94.508 Approval by governing body; findings; adoption. (1) A development agreement shall not be approved by the governing body of a city or county unless the governing body finds that the agreement is consistent with local regulations then in place for the city or county.

(2) The governing body of a city or county shall approve a development agreement or amend a development agreement by adoption of an ordinance declaring approval or setting forth the amendments to the agreement. Notwithstanding ORS 197.015 (10)(b), the approval or amendment of a development agreement is a land use decision under ORS chapter 197. [1993 c.780 §2; 2005 c.22 §74; 2007 c.354 §27]

Note: See note under 94.504.

94.510 [Repealed by 1971 c.478 §1]

94.513 Procedures on consideration and approval. (1) A city or county may, by ordinance, establish procedures and requirements for the consideration of development agreements upon application by, or on behalf of, the owner of property on which development is sought or another person having a legal or equitable interest in that property.

(2) Approval of a development agreement requires compliance with local regulations and the approval of the city or county governing body after notice and hearing. The notice of the hearing shall, in addition to any other requirements, state the time and place of the public hearing and contain a brief statement of the major terms of the proposed development agreement, including a description of the area within the city or county that will be affected by the proposed development agreement. [1993 c.780 §3]

Note: See note under 94.504.

94.515 [Repealed by 1971 c.478 §1]

94.518 Application of local government law and policies to agreement. Unless otherwise provided by the development agreement, the comprehensive plan, zoning ordinances and other rules and policies of the jurisdiction governing permitted uses of land, density and design applicable to the development of the property subject to a development agreement shall be the comprehensive plan and those ordinances, rules and policies of the jurisdiction in effect at the time of approval of the development agreement. [1993 c.780 §4]

Note: See note under 94.504.

94.520 [Repealed by 1971 c.478 §1]

94.522 Amendment or cancellation of agreement; enforceability. (1) A development agreement may be amended or canceled by mutual consent of the parties to the agreement or their successors in interest. The governing body of a city or county shall amend or cancel a development agreement by adoption of an ordinance declaring cancellation of the agreement or setting forth the amendments to the agreement.

(2) Until a development agreement is canceled under this section, the terms of the development agreement are enforceable by any party to the agreement. [1993 c.780 §5]

Note: See note under 94.504.

94.525 [Repealed by 1971 c.478 §1]

94.528 Recording. Not later than 10 days after the execution of a development agreement under ORS 94.504 to 94.528, the governing body of the city or county shall cause the development agreement to be presented for recording in the office of the county clerk of the county in which the property subject to the agreement is situated. In addition to other provisions required by ORS 94.504 to 94.528, the development agreement shall contain a legal description of the property subject to the agreement. [1993 c.780 §6]

Note: See note under 94.504.

94.530 [Repealed by 1971 c.478 §1]

REPLINGER & ASSOCIATES
TRANSPORTATION ENGINEERING

April 7, 2009

Ms. Carla Angeli Palidino
City of Grants Pass
101 Northwest A Street
Grants Pass, OR 97526

**SUBJECT: REVIEW OF TRANSPORTATION IMPACT ANALYSIS – MAIN PLACE
DEVELOPMENT – COMPREHENSIVE PLAN AND ZONE CHANGE**

Dear Ms. Palidino:

In response to your request, I have reviewed the Traffic Impact Analysis (TIA) prepared in support of the comprehensive plan and zone change for the Main Place development proposal. The TIA was prepared under the direction of Brian K. Genovese, PE of JRH Transportation Engineering. The TIA is dated April 11, 2008. An Addendum is dated August 4, 2008 and an additional supplemental letter is dated February 24, 2009.

The TIA was prepared in support of a zone change and a comprehensive plan amendment. The TIA describes a proposal to develop a mixed-use project rather than a multi-family apartment complex. The mixed-use development would consist of 10,620 square feet of office space, 10 apartments, and 19,845 square feet of specialty retail space.

Overall

I find the TIA addresses the city's requirements and provides an adequate basis to evaluate impacts of the proposed development. The analysis, however, does not show that the city's traffic operation standards specified in section 27.121 (2) of the Development Code will be achieved at all locations.

Comments

1. **Study Area.** The study addresses the appropriate intersections. It includes an analysis of seven intersections, five on Grants Pass Parkway and two city intersections on Fairview Avenue.
2. **Traffic Counts.** The traffic counts used in the analysis were mostly from 2007 and 2008. Seasonal adjustments were made and counts were adjusted to 2008 and balanced among the intersections. The TIA accounts for in-process development. Year 2024 volumes were based on previous analyses conducted for the Home Depot.
3. **Trip Generation.** The TIA uses appropriate rates for the specified uses from ITE *Trip Generation*. The AM peak, PM peak, and daily rates were provided. Reasonable reductions for internal trips were made to account for traffic that would have multiple origins or destinations

Exhibit 12

within this development. I think that the estimates of trips related to apartments under the proposed zoning scenario for the PM peak hour and for the total daily trips are too high. With a small number of units, I think the use of the equation causes the number of trips to be overestimated. Since the daily rate is not used in the operations analysis and because the values for the PM peak hour are not great, this is of no significance in the overall context of the analysis.

4. **Trip Distribution.** The trip distribution seems reasonable. The engineer used information from the traffic model for the region to help make the distribution.
5. **Traffic Growth.** The TIA includes the year 2024 traffic forecasts used in previous analyses. Significant background traffic growth is evident, especially along Grants Pass Parkway.
6. **Analysis.** Traffic volumes were calculated for the intersections described in #1, above. Intersection level of service (LOS) and delay calculations were provided to assess operations relative to the city's intersection LOS standard and to ODOT's mobility standard, which is based on the volume-to-capacity (v/c) ratio.

In analyzing the impact of the development, the TIA compared the maximum potential development under current zoning and the proposed mixed-use combination described above. ODOT objected that the maximum impact of the proposed zoning was not considered. The applicant has indicated a willingness to stipulate to a trip cap for the 1.69 acres of general commercial. (See Addendum, page 20.)

The analysis provides details on the intersection operations for the site driveways and for the seven intersections specified. Operations are presented for both AM and PM peak hours for 2009 and 2024. Table 3 in the Addendum indicates that the intersection of the Grants Pass Parkway and Agness Avenue will operate at LOS E during the PM peak hour under all year 2009 scenarios. All other intersections meet the city's standard. Four of the five intersections on the Grants Pass Parkway fail to meet ODOT's mobility standard, but there is no meaningful difference between the operational performance of the development scenarios using existing zoning and proposed zoning.

By 2024, the TIA predicts further deterioration in the performance of the intersections. This deterioration can be attributed to regional growth since the development is proposed to be completed in a single phase in 2009. Again, there is no significant difference between the development scenarios using existing zoning and proposed zoning.

Intersections under city jurisdiction and the site driveways are predicted to operate acceptably and meet the city's performance standard.

The key issue is that intersections of the Grants Pass Parkway are not predicted to meet the city's overall intersection operation standard of LOS D, at least during the PM peak hour. Strictly, interpreted, section 27.121 (2) of the Development Code may prohibit any development within the city that causes a traffic increase at the Grants Pass Parkway and Agness Avenue.

Certain locations are predicted to exceed the available queue storage by 2024, but these appear to be on the minor approaches. The engineer provides an adequate explanation indicating that traffic associated with this development does not use these approaches.

The engineer provided additional analysis of mitigation measures at the Grants Pass Parkway with Agness Avenue and with Terry Lane in the supplemental February 24 letter. I think the engineer's proposal to reconfigure the intersection and eliminate the existing split phasing is a logical solution. Ultimately, it is up to ODOT to judge the acceptability of these changes. If ODOT accepts it, I recommend that the city accept it, too.

7. **Crash Information.** The TIA and the Addendum provided information on crashes. The crash rate is modest at the worst locations. The types of crashes are typical for intersections with these volumes. I agree that no further analysis or mitigation is justified.
8. **Pedestrian and Bicycle Facilities.** The TIA provides a complete analysis of the characteristics of the streets including the presence of sidewalks and bike lanes.
9. **Site Plan and Access.** The development connects to existing public streets including Terry Lane and Fairview Avenue. The locations appear appropriate. The applicant concludes that storage is sufficient such that queuing at the Grants Pass Parkway and Terry Lane will not interfere with egress to and from the site.
10. **Sight Distance.** The applicant states that there are no topographic features that will cause any sight distance issues at the site driveways.
11. **Conclusions and Recommendations.** The engineer concludes that the proposed development has traffic impacts comparable to development under current zoning. I think that is an accurate conclusion.

Conclusion and Recommendations

As indicated above, the key question is whether section 27.121 (2) of the Development Code is satisfied.

If you have any questions or need any further information concerning this review, please contact me at replinger-associates@comcast.net.

Sincerely,


John Replinger, PE
Principal



Oregon

Theodore R. Kulongoski, Governor

Department of Transportation

Region 3 Planning

100 Antelope Road
White City, OR 97503
Phone 541-774-6399
Fax 541-774-6349

April 10, 2009

Gary Berlant, Chair
Grants Pass Urban Area Planning Commission (GPUAPC)
City of Grants Pass
101 NW "A" St.
Grants Pass, OR 97526

**Re: ODOT comments: Main Place Comprehensive Plan Map & Zone Map Amendments @
220 NE Terry Lane (City file no.: #09-40200001)**

Dear Chairman Berlant & Fellow Grants Pass Urban Area Planning Commissioners:

The Oregon Department of Transportation (ODOT) appreciates the opportunity to review and comment as an affected agency and service provider of transportation facilities on the proposed Main Place Comprehensive Plan Map and Zone Map Changes located at 220 NE Terry Lane. The project's pre-application materials and traffic impact study have been coordinated sufficiently with the Department for us to be able to support the proposed plan and zone map amendments, *with the city's adoption of conditions of approval*, to ensure adequate transportation system improvements consistent with the findings and recommendations of the applicant's traffic study. With conditions to provide the mitigation identified by the traffic study, the applicant's Statewide Planning Goal 12 (Transportation) and Transportation Planning Rule findings of fact and conclusions of law are supported by the Department. Please include this letter in the record for the Commission's public hearing of the proposed plan and land use regulation amendments scheduled for April 22, 2009.

We understand the applicant proposes a comprehensive plan map amendment from High Density Residential to High Rise Density Residential; and, a zone map amendment from R-3 (High Density Residential) to R-4 (High Rise Density Residential) for a portion of the subject property described as Map 36S-05W-16CB, Tax Lot 2001. We understand the applicant proposes comprehensive plan map amendments from High Density Residential to High Rise Density Residential, and High Density Residential to General Commercial; and zone map amendments from R-3 (high density residential) to R-4 (high rise density residential), and from R-3 to GC (General Commercial) for portions of the subject property described as Map 36S-05W-16CB, Tax Lots 2000, 2100, 2200, 2300, 2201 and 2302. We understand the general commercial plan and zone designations are proposed for tax lots along Terry Lane.

We have reviewed the applicant's April 11, 2008 traffic study (by JRH); the JRH TIS addendum dated August 4, 2008; the JRH "Main Place Development – Off-site Improvements" letter dated February 24, 2009; and, the applicant's complete plan and zone change application document received March 4, 2009. Consistent with the substantial evidence, findings and conclusions of these documents, we support the city's approving decision, with the following conditions of approval being adopted by the GPUAPC within the approving city ordinance.

Exhibit 13

ODOT RECOMMENDED CONDITIONS OF APPROVAL

The Oregon Department of Transportation recommends the Grants Pass Urban Area Planning Commission adopt the following conditions of approval, to ensure the applicant's provision of adequate transportation improvements which can be relied upon for consistency with the applicable city and state land use and development regulations:

- 1) The applicant shall provide intersection improvements consistent with the traffic study, to improve the US-199 / Agness Road intersection. Mitigation shall include the reconfiguration of the northbound approach to allow concurrent left turn phasing for the northbound and southbound movements. Final mitigation plans shall be coordinated with and approved by the city and the ODOT, prior to construction. Intersection improvements shall be in place prior to occupancy.
- 2) The applicant shall provide intersection improvements consistent with the traffic study, to improve the US-199 / Terry Lane intersection. The applicant shall provide geometric changes and signal modifications to the intersection in order to facilitate concurrent northbound and southbound left turns. Final mitigation plans shall be coordinated with and approved by the city and the ODOT, prior to construction. Intersection improvements shall be in place prior to occupancy.

As advisory comments, we request notice and review of future site development on the subject property. Our interests at that time will also include stormwater drainage and water quality review, in addition to review of the conditions recommended above.

The ODOT appreciates this opportunity to provide development review service on the proposed Main Place land use amendments. We request this letter be entered into the project #09-40200001 public hearing record. Please copy me on the Commission's recommendation and city's final decision, at such time these decisions are made by Grants Pass.

Please contact me if you have questions regarding this correspondence. Thank you.

Respectfully,



David J. Pyles,
Development Review Planner III

Cc: Lora Glover, City Planner, City of Grants Pass
Rich Schaff, City Engineer, City of Grants Pass
David Ingalls, Applicant's attorney
Rick Riker, Applicant's land use consultant
Justin Gerlitz, Applicant's civil engineer
Brian Genovese, Applicant's traffic engineer
ODOT Region 3



\$205.00

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05/15/2008 01:42:45 PM

DEE-AGR Cnt=1 Stn=4 RECEIPTS
\$190.00 \$11.00 \$4.00

DEVELOPMENT AGREEMENT #2008-1

BETWEEN: City of Grants Pass, ("City")
an Oregon municipal corporation

AND: Timber Products Co. Limited Partnership, ("Owner")
an Oregon limited partnership, its successors, assigns
and any other person or entity authorized to develop
or apply for development approval on the Property.

EFFECTIVE DATE: April 19, 2008

RECITALS

A. Owner owns approximately 15.5 acres of real property located in City, more specifically identified in the legal description attached to this Development Agreement ("this Agreement") as *Exhibit A* (the "Property") and as illustrated in *Exhibit B*. The Property has a comprehensive plan map designation of I-Industrial and is zoned I-Industrial.

B. Owner has applied to City for approval of a comprehensive plan map and zoning designation amendment that would change the comprehensive plan and zoning map of the Property from I-Industrial to BP-Business Park for the Property (City file number 07-40200002) (the "Application"). Owner's intended use of the Property is a home improvement store of approximately 132,000 square feet and up to 40,000 square feet of general retail use (the "Proposed Development"). City staff has identified a requirement that Owner, as a condition of the Proposed Development, must construct certain public improvements ("Planned Improvements"), as described in *Exhibit C*, that improve certain transportation facilities to meet both the City's mobility standard and the Oregon Department of Transportation's mobility standards.

C. City has agreed to consider an alternative method of calculating the City's system development charges ("SDCs") for the Proposed Development on the Property in consideration for Owner's agreement to construct the Planned Improvements, as described in *Exhibit C*.

D. A statutory development agreement, pursuant to ORS 94.504 to 94.528, is the appropriate mechanism for City and Owner to enter into an agreement for the Application approval, the construction of the needed public improvements, and to set forth the terms by which City will consider compensating Owner for the added costs of the Planned Improvements beyond what the

applicant believes is required to mitigate the Proposed Development's transportation impacts under the TPR by recalculating the SDCs to be charged Owner for the Proposed Development.

E. City's SDC ordinance did not contemplate the Proposed Development of the Property as described in Recital B and, therefore, the Planned Improvements were not included in City's most recent Transportation Systems Plan, the Grants Pass Urban Area Master Transportation Plan ("Master Transportation Plan"). One of City's SDC ordinances stated purpose is to impose an equitable share of the public costs of capital improvements upon development. The SDC ordinance specifically authorizes the City to make interpretations of the SDC ordinance. The SDC ordinance also indicates the City may alter the methodology for calculating SDCs for major, special or unique development under Section 3.10.050 (C) of the Municipal Code. Therefore, the City Council may consider the Proposed Development as a major, special and unique project that warrants the review of recalculating the SDCs to be imposed on the Proposed Development.

F. Owner's recent Transportation Impact Analysis ("TIA") demonstrates that the transportation improvements required of Owner will improve failing conditions at several intersections that currently do not meet City mobility standards to a greater extent than warranted by the Proposed Development's impacts to those intersections. Therefore, City Council will consider a reduction of SDCs otherwise payable in an amount equal to the cost of the following off-site transportation system improvements at the following intersections (the "Intersections"):

1. E Street and Mill Street.
2. F Street and Mill Street.
3. Jacksonville Highway and Grants Pass Parkway.

G. The City Council duly noticed and held a public hearing on this agreement on February 20, 2008, at which time the City Council accepted public testimony on the proposed development agreement.

H. At the end of the public hearing, the City Council voted to approve the development agreement as adopted by City Ordinance No. 5435.

DEVELOPMENT AGREEMENT

T/CD/Planning/Reports/2007/07-40200002_Timber Products
CPA and ZMA/Development Agreement/Timber Products DA_042108

01 Exhibit 3

AGREEMENT

NOW, THEREFORE, based on the foregoing recitals, the City Council, for City and Owner, hereby agree to the following:

1. Comprehensive Plan Map and Zoning Designation Amendment Application Approval (07-40200002): City hereby approves the Application presented by Owner as reflected in the Findings of Fact, Timber Products Company, Comprehensive Plan Map and Zoning Designation Amendment (07-40200002) attached to this Agreement as *Exhibit D* and incorporated herein by this reference ("Approval"), subject to the following conditions:

a. Development on the Property shall meet all applicable City standards at the time a development application is made, including commercial design standards.

b. If the development of the Property consists of the Proposed Development, improvements listed in *Exhibit C* shall be constructed and funded by the Owner. If any development of the Property consists of something other than the Proposed Development, the Owner shall construct and fund at a minimum the improvements #1 through #5 listed in *Exhibit C* and shall submit a revised Traffic Impact Analysis ("Revised TIA") addressing development of the entire Property. A Revised TIA and any related mitigation requirements shall be approved or rejected in accordance with the City's site review standards and procedures and shall demonstrate continuing consistency with the state Transportation Planning Rule as well as the City's Master Transportation Plan and implementing regulations, including levels of service. Nothing in this subsection shall be construed to limit the requirements pursuant to paragraph 1(e).

c. The following uses are not permitted on the site: fast food restaurants with or without drive-through windows, banks with drive through-windows, or convenience stores. Other high traffic generators, except those mentioned previously, may only be considered for the site upon additional traffic review and assessment by the City.

d. Furthermore, should any portion of the Property be developed, all required improvements pursuant to (1)(b) above shall be constructed prior to the issuance of any certificates of occupancy.

e. If the Proposed Development of the Property conforms to the proposal identified in Owner's TIA and an application for a site plan or other development approval is submitted within two (2) years of the date of this Agreement, Owner shall not be required to make any additional improvements to the transportation system beyond those listed in *Exhibit C*. If an application for site plan or other development approval is not submitted within two (2)

DEVELOPMENT AGREEMENT

T/CD/Planning/Reports/2007/07-40200002 Timber Products
CPA and ZMA/Development Agreement/Timber Products DA_042108

years of this agreement, the City has the right to require a new traffic impact study be submitted by the owner/developer of the property for the proposed development.

f. The height of the proposed structures and the permitted uses on the property shall be in accordance with those listed in the Grants Pass Development Code for the Business Park zone district except those uses restricted in this agreement.

2. **Access Control Line:** City agrees to make all reasonable efforts to either (a) remove, or cause to be removed, the access control line running adjacent to the Property along the western portion of Fire Mountain Way, (b) or provide Owner the legal right through some mechanism or process that allows Owner to directly access the Property from Fire Mountain Way in a manner that allows the development of the Property as described in the Application and the Owner's TIA. Owner shall not hold City liable for any damages in the event that this term is unable to be met by City. Should City not be able to remove, or cause to have removed the access control line, or should Owner be prohibited from accessing the Property from Fire Mountain Way for any reason, City shall remove the Property from the Fire Mountain Way Advanced Finance District, and under no circumstances shall the Owner be subject to any contributions to the Advanced Finance District. Should access to Fire Mountain Way be denied for any reason, Owner shall have the ability to bring an action in circuit court for equitable relief.

3. **Alternative Methodology for Calculating SDCs:** Pursuant to the Recital C above and Grants Pass Municipal Code ("GPMC") 3.10.050(C), City agrees to consider and review a proposal for an alternative method of calculating SDCs for the Proposed Development on the Property. This methodology includes reducing SDCs in a specific dollar amount, to be determined at the time of a development application for the increased costs associated with improving the Intersections beyond the requirements of the TPR. The estimated cost to Owner (as estimated by Owner at the time of this agreement) to improve the Intersections above what the Owner believes is required under the TPR is currently \$1,051,000. The estimated transportation SDCs to be assessed by City for the Proposed Development in the absence of this Agreement is likely to be over \$2 million.

4. **Right of Way Acquisition:** City agrees to use its best efforts, including the use of City's power of eminent domain through condemnation, to assist Owner in acquiring all necessary additional property to be used and dedicated as right-of-way for the Improvements #1 - #6 as listed in *Exhibit C* and any other improvements required by site plan review and/or land division which cannot be remedied by on-site modifications. Should City own necessary property to be acquired, City shall dedicate such property as right-of-way at no cost to Owner. All property acquired through City's power of eminent domain through condemnation shall be paid for by the Owner.

5. **Fees and Charges:** Owner shall be responsible for payment of all fees and charges associated with development of the Property in accordance with City ordinances and resolutions, without modification by this Agreement. This Agreement does not restrict Owner's ability to recover costs where permitted by applicable laws of the City of Grants Pass such as

SDC credits. City agrees that no other transportation-related dedications, transportation SDCs, transportation assessments and transportation improvement costs, other than what is set out in *Exhibit C* and as may be required by paragraph 1(e), will be imposed on or exacted against Owner on any subsequent site plan, construction plans and any other review applications for development of the Property, provided the Proposed Development conforms to the proposal identified in Owner's TIA. Nothing in this Agreement shall preclude City from granting Owner SDC credits based on the previous use of the Property. Nothing in this Agreement shall limit the City from accepting fees that relate to Senate Bill 1036 (2007), and nothing in this Agreement limits the City from imposing impact fees not related to those transportation-related fees specifically described above.

6. Schedule and Procedure for Compliance Review. The submittal of additional land use applications for further development of the Property shall be reviewed according to the City's code and applicable state requirements effective at the time the application(s) is submitted. The review of construction drawings and building plans shall be completed in a reasonable amount of time according to City procedures. Provided an application(s) is submitted for further development of the Property and the application(s) conforms to the City's code, a development permit shall be issued prior to the expiration of the Agreement for the Proposed Development.

7. Agreement to be Adopted by Ordinance: This Agreement shall be incorporated and attached to the adopting ordinance that approves the Application for the Comprehensive Plan and Zone Map Amendments.

8. Effective Date, Term and Modification: This Agreement shall be effective upon signature by both parties and once the document is recorded with the Josephine County Clerk's Office. The Agreement shall be signed and recorded after the ordinance is effective. The ordinance is effective thirty (30) days after approval from the City Council. The City and Owner have thirty (30) days from the effective date of the ordinance to sign and record the document. The Agreement shall have a duration (term) of fifteen (15) years from the Effective Date. This Agreement may be modified or terminated sooner than fifteen (15) years only upon the written agreement signed by the authorized representatives of both parties (subject to provisions of Section 17 of this Agreement).

9. Effect when Laws and Rules render compliance impossible. When changes in regional policy or federal or state laws or rules render compliance with the Agreement impossible, unlawful or inconsistent with such laws, rules or policy the following shall apply:

The City shall consider adoption of amendments to this Agreement or the Development Code consistent with said changes and if adopted by the City, the Parties shall sign amendments to this Agreement that acknowledge conformance to the same.

10. Assignment and Transfer: This Agreement shall be fully assignable. This Agreement shall be binding on any future owner/land developer of this property for the full term of the Agreement.

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11. **Remedies for Breach:** Should either party breach this Agreement, remedies available under Oregon law for breach of contract are available to the parties, including damages and injunctive relief.

12. **Controlling Law and Venue for Disputes:** This Agreement shall be deemed to have been entered into in the State of Oregon and shall be construed and interpreted in accordance with the laws of Oregon. Any litigation or proceedings arising out of or connected with this Agreement shall be heard and decided in Oregon Circuit Court for the County of Josephine.

13. **Waiver of Certain Claims:** The Applicant knows and understands its rights under *Dolan v. City of Tigard*, 512 U.S. 374, 114 S. Ct. 2309 (1994), and by entering into this Agreement hereby waives any requirement that the City demonstrate that the off-site Public Improvements, as detailed in Items #1 through #6 in *Exhibit C*, are roughly proportional to the burden and demands placed upon public transportation facilities by the Proposed Development. The Applicant further waives any cause of action it may have pursuant to the Takings Clause of the Fifth Amendment to the U.S. Constitution or Article 1, Section 18 of the Oregon Constitution. This waiver includes but is not limited to any takings claim premised upon *Dolan* and cases interpreting the legal effect of *Dolan* arising out of the actions described herein and any claim asserting a regulatory taking. For any development other than the Proposed Development, this waiver applies to Items #1 through #5 in *Exhibit C*. Owner waives any right it may have under ORS 197.796 with respect to the conditions set forth in the Grants Pass Urban Area Planning Commission Findings of Fact, dated January 23, 2008 and this Agreement as proposed. Should the City approve the Application and this Agreement with modifications, Owner reserves its rights to appeal any such added or modified condition of approval pursuant to ORS 197.796. Owner further agrees not to challenge the City's mobility standards as they may apply to any other development of the Property which is subject to this Agreement.

14. **No Third Party Beneficiaries:** None of the duties and obligations of the parties to this Agreement shall in any way or in any manner be deemed to create any rights to any person or entity other than the parties hereto, and their successors and assigns, if any.

15. **Entire Agreement:** City and Owner acknowledge and agree that no promises or representations have been made which do not appear written herein and that this Agreement contains the entire agreement of the parties as to this Agreement.

16. **Severability Clause:** The parties to this Agreement agree that if any term, provision, covenant, condition or portion of this Agreement is held to be illegal, invalid, void, voidable or unenforceable, the remainder of the provisions shall remain in full force and effect as a separate contract and shall in no way be affected, impaired or invalidated.

DEVELOPMENT AGREEMENT

T/CD/Planning/Reports/2007/07-40200002_Timber Products
CPA and ZMA/Development Agreement/Timber Products DA_042108

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17. Amendment or Cancellation of Agreement; Enforceability:

a. This Agreement may be amended or cancelled by mutual consent of the parties to the agreement or their successors in interest. The governing body shall amend or cancel a development agreement by adoption of an ordinance declaring cancellation of the agreement or setting forth the amendments to the agreement.

b. Until this Development Agreement is cancelled under this section, the terms of the Development Agreement are enforceable by any party to the Agreement.

[Signatures are on the following page.]

8

IN WITNESS WHEREOF, the parties have executed this Development Agreement in duplicate, intending that it be effective as of the date it is recorded.

Executed this 14th day of May 2008.

CITY:

OWNER:

City of Grants Pass

Timber Products Company

By: David W. Frasher
Name: David W. Frasher
Title: City Manager

By: J.H. Gonyea, III
Name: JOSEPH H. GONYEA, III
Title: PARTNER, C.O.O.

JEH
KLW

STATE OF OREGON)
)ss
COUNTY OF JOSEPHINE)

STATE OF OREGON)
)ss
COUNTY OF Lane)

Signed before me on the 14th day of
May 2008.

Signed before me on the 30th day of
April 2008.

By David W. Frasher

By J.H. Gonyea, III

IN WITNESS WHEREOF I hereto set my hand and seal on this same date,

IN WITNESS WHEREOF I hereto set my hand and seal on this same date,

Janet Clark
Notary Public for Oregon

Sally A. McKinney
Notary Public for Oregon

My Commission Expires June 4, 2011

My Commission Expires March 9, 2009

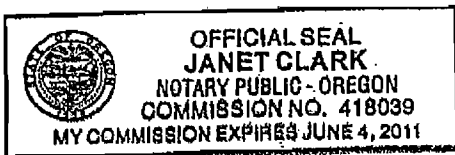


EXHIBIT A

Legal Description

A parcel of land in Lots 1 & 2 of Block B Radke Addition & in Section 17, T36S R5W WM;
described as follows:

Beginning at the intersect of the East line of Mill Street & the North R/W line of the S.P. RR;

- The N 0° 18' E 644.30 ft;
- The S 89° 49' E 687.20 ft;
- The S 0° 18' W 295 ft;
- The S 89° 49' E 211 ft;
- The S 0° 42' W 732.65 ft;
- The N 66° 34' W 971.15 ft to the pob.

All in T36S R5S WM

EXHIBIT B
Location Map

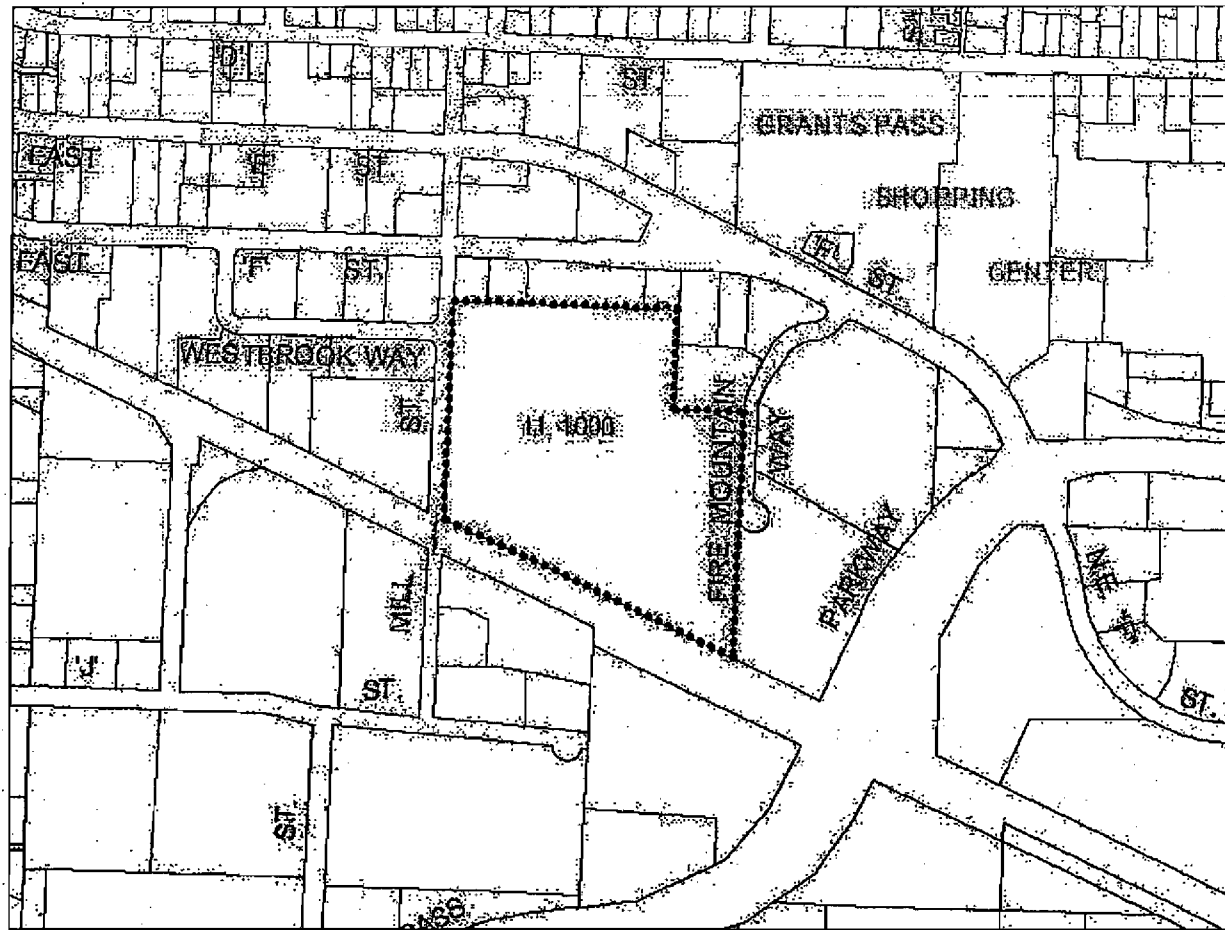


EXHIBIT C

Improvements

1. Installation of a traffic signal at "E" Street and Mill Street including but not limited to all applicable requirements associated with the installation such as right of way dedication, lane width configuration, striping, curb, gutter and sidewalk replacement.
2. Installation of a traffic signal at "F" Street and Mill Street including but not limited to applicable requirements associated with the installation such as right of way dedication, lane width configuration, striping, curb, gutter, and sidewalk replacement.
3. Installation of a traffic signal at "M" Street and Mill Street including but not limited to all applicable requirements associated with the installation such as right of way dedication, lane width configuration, striping, curb, gutter, and sidewalk replacement.
4. Grants Pass Parkway at "F" Street - Addition of an eastbound lane on "F" Street to allow for dual left-turn lanes and a through/right turn movement onto the Parkway and related acquisitions and/or improvements.
5. Grants Pass Parkway at "M" Street -- Addition of a second left turn lane on westbound "M" Street to southbound Parkway and related acquisitions and/or improvements.
6. Grants Pass Parkway and Highway 238 -- Addition of a second left turn lane on southbound Parkway to southbound Highway 238 and related acquisitions and/or improvements.
7. Owner is responsible for the usual and customary conditions associated with approval of a site plan review and/or land division on the property pursuant to the Grants Pass Development Code. However, under no circumstances shall the Owner be required to make transportation improvements not identified in the Owner's TIA or a subsequent Owner's TIA, other than those usual and customary street improvements associated with approval of a site plan review and/or land division on the property pursuant to the Grants Pass Development Code. Any subsequent Owner's TIA shall be approved by the City.



MEMORANDUM

DATE: May 18, 2009

TO: Carla Angeli, Senior Planner

FROM: *RS.* Rich Schaff, P.E., City Engineer

SUBJECT: Main Place TIA – Terry Lane/ D Street Intersection

Carla,

This memo is in response to your question from the UAPC as to "Why wasn't the Terry Lane/ D Street intersection scoped for the Main Place TIA?"

I have the following comments:

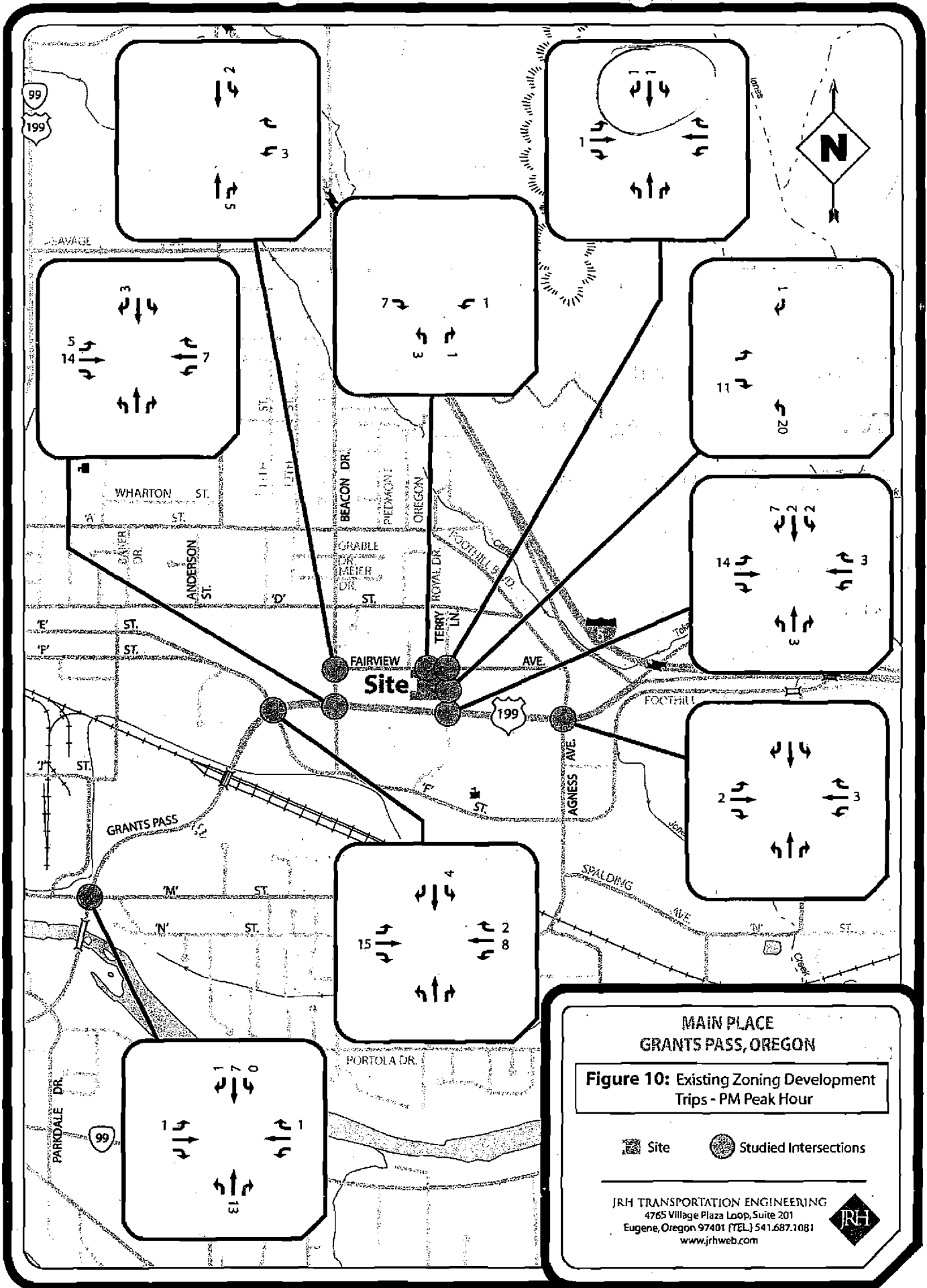
There are two reasons why the intersection was not scoped. The first is the small impact that this zone change would have on this intersection. I have attached Figure 10 the TIA that shows only two vehicles will use Terry Lane north of Fairview Drive to access the site. Terry Lane between Fairview is a narrow and unimproved street that does not serve much traffic. I estimate that since the existing volumes on this street are so low that northbound approach is at worst case LOS B which is far below the code requirement of LOS E before it is mitigated. The addition of 2 vehicles in the PM peak hour will not change this LOS.

Secondly, as I mentioned before, the street is unimproved and is narrow. Even if the site generated more than two trips on Terry Lane, I'm not sure I would want to encourage vehicles to use this street by making improvements to it. The logical focus to study and make improvements to the adjacent local collectors (Terry and Fairview) and arterials (Parkway) to encourage people to use them, not local streets.

Please let me know if I can be of more assistance.

Rich

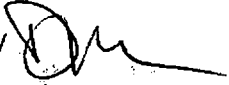
Exhibit 15



Memorandum

To: Carla Angeli Paladino and Urban Area Planning Commission

From: Douglas M. McGeary



Date: 5/13/09

Subject: Main Place, Project #09-4020000; Comp Plan Map & Zone Map Amendment



Apparently there have been concerns voiced by some members on the commission who learned that the financial lender recently foreclosed on the property subject to the matter referenced above. The concern turned into understandable confusion because the owner/applicant continues to proceed with the request to amend the comp plan and zone change in the face of this change of ownership status. I have talked with the applicant's attorney and planning staff, and I have agreed to write this piece of instruction to help you properly dispense with this issue.

I will not get into the intricacies of property law and the effect of foreclosure because they are truly intricate and I must advise you not to do the same. In short, I believe the owner/applicant maintains the right to continue, without delay, with his application and the process over which you are now presiding.

The issue before you is whether the application and the facts you must determine fit within the criteria that the ordinance/resolutions, Development Code, and Comprehensive Plan outline for you. The city is not a party in determining the type of ownership interest the applicant has in the property and most importantly, it is not criteria in the city's ordinance. Thus, ownership is not an issue upon which you need to speculate much less rule upon. In fact, if you were to start deliberating or making decisions based upon such legal areas outside your authority, the matter is then most likely subject to appeal. If there is a problem with ownership (which is not what I am suggesting), the real parties in interest can work that out between themselves in an entirely different forum.

Hopefully, this memo is helpful. If you have any questions, please do not hesitate to give me a call.

Exhibit 16



May 13, 2009

City of Grants Pass
Attn: Lora Glover
101 Northwest A Street
Grants Pass, OR 97526

Re: Main Place Comprehensive Plan Amendment and Zone Map Amendment
File No.: 09-70200001
Legal: 36-05-16-32, TLs 2000, 2001, 2100, 2200, 2201, 2300 & 2303

Dear Planning Commission:

LibertyBank holds a security interest in the properties that are the subject of the above-captioned application. As the security interest holder, LibertyBank supports the proposed zone change.

Sincerely,

Robin Oberg
VP & Manager
Collections and Special Assets

Carla:

I don't specifically remember being involved in discussions about which intersections should be studied with the Main Place Zone change, but I think the intersections to be studied were correctly identified.

The explanation lies in the total traffic generated by the development and the trip distribution patterns. The size of the development combined with the likely travel paths to and from the site are used to determine which intersections should be analyzed. In selecting the intersections that we ask an applicant to analyze, we seek to get a clear understanding of the impacts. We balance the information likely to be gained with the costs of having the applicant obtain the data and analyze it. Also, we don't necessarily need for an applicant to analyze everything since a certain amount of information is known to us from existing conditions and the city's TSP, corridor studies, etc.

In the case of the Main Place Zone change, the reason for not analyzing Terry north of Fairview was a judgement that there would be little difference in the traffic volumes between the existing and proposed zoning using this route. In fact, comparing Figures 14 and 16, the PM peak hour traffic under existing and proposed zoning, respectively, the difference in volumes is only four vehicles. Logically, the same volume increase would occur at Terry/D Street. Beyond that, traffic would be even more finely distributed by direction.

If the site generated larger amounts of traffic or if the difference between the existing and proposed zoning had greater trip generation differences, we might have specified additional intersections.

It's a very good question. The Planning Commission is to be commended for being interested in the traffic impacts and reasons for analyzing different locations.

John

John Replinger, PE
 Replinger & Associates LLC
 6330 SE 36th Avenue
 Portland, OR 97202
 503-719-3383
replinger-associates@comcast.net

----- Original Message -----

From: "Carla Angeli" <cangeli@grantspassoregon.gov>
 To: replinger-associates@comcast.net
 Cc: "Rich Schaff" <rschaff@grantspassoregon.gov>
 Sent: Monday, May 18, 2009 3:24:58 PM GMT -08:00 US/Canada Pacific
 Subject: Main Place

Exhibit 18

Hi John,

Hope you are well. Do you keep e-mail correspondence on individual projects? The Planning Commission heard the Main Place Zone Change last Wednesday and have asked Rich to answer why the City did not include Terry Lane north of Fairview in the scoping request to the applicant.

If you have any old e-mails regarding your assistance with providing the scope of work, will you send it to me? I am trying to help answer the question. If you remember any conversations about this intersection not being included, please let me know.

Thank you,
Carla

Carla Angeli Paladino
Principal Planner
City of Grants Pass
101 NW "A" Street
Grants Pass, OR 97526
(541) 474-6355 ext. 6417
(541) 476-9218 (fax)
cangeli@grantspassoregon.gov

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BEFORE THE LAND USE BOARD OF APPEALS

OF THE STATE OF OREGON

JAMES WILLIAMS and CONNIE WILLIAMS,
Petitioners,

vs.

CITY OF GRANTS PASS,
Respondent,

and

HOLGER T. SOMMER,
Intervenor-Respondent.

LUBA No. 2007-210

FINAL OPINION
AND ORDER

Appeal from City of Grants Pass.

James R. Dole, Grants Pass, filed the petition for review and argued on behalf of petitioners.

David F. Doughman, Portland, filed the response brief and argued on behalf of respondent. With him on the brief was Beery, Elsner & Hammond, LLP.

Holger T. Sommer, Merlin, represented himself.

BASSHAM, Board Member; RYAN, Board Chair, participated in the decision.

HOLSTUN, Board Member, did not participate in the decision.

AFFIRMED

08/22/2008

You are entitled to judicial review of this Order. Judicial review is governed by the provisions of ORS 197.850.

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NATURE OF THE DECISION

Petitioners appeal the city's denial of an application for major site plan review for the construction of two industrial buildings.

FACTS

Petitioners applied to the city for major site plan review approval to construct two industrial buildings totaling 73,600 square feet, on a vacant 4.36-acre parcel zoned Business Park (BP). The property is in southeastern Grants Pass near State Highway 199 (Hwy 199). The closest connection between the property and the highway is via the nearby intersection of Mill Street (a collector) and M Street (an arterial). A stop sign controls Mill Street, but there are no traffic controls on M Street and no traffic signals at the intersection. Because the intersection is a short distance from Hwy 199, only the Oregon Department of Transportation (ODOT) can authorize the installation of traffic signals. Under ODOT's protocols, the intersection does not currently generate sufficient traffic to justify a traffic signal.

Policy 1.2.1 of the city's transportation plan requires that a minimum level of service (LOS) D must be maintained for collectors and arterials, and the city's code requires that streets and signalized intersections perform at LOS D or better. Petitioners submitted a traffic impact analysis (TIA) showing that under the year 2008 build and no-build options the Mill Street/M Street intersection functions at LOS D or better, with the exception of the left turn movement from Mill Street onto M Street. According to the TIA, during the P.M. peak hour the left turn movement functions at LOS E under the year 2008 build and no-build options. The TIA found that the proposed development would add eight additional left turns through that movement during the P.M. peak hour.

City planning staff have a policy to advocate denial of development affecting an intersection that functions below a LOS D unless the intersection is improved to LOS D or the applicant demonstrates that the development will not impact the intersection. Record

1 332. The city planning director denied the major site plan review application based in part
2 on noncompliance with site plan review criteria related to transportation, citing the failing
3 left turn movement at the Mill Street/M Street intersection. Petitioners appealed the decision
4 to the city's urban area planning commission (UAPC), which held a hearing and denied the
5 application for the same reasons. Petitioners appealed to the city council, which upheld the
6 UAPC denial, again based on the same reasons.¹ This appeal followed.

7 **FIRST ASSIGNMENT OF ERROR**

8 Petitioners argue that the city's denial of the application based on traffic impacts to
9 the Mill Street and M Street intersection is an impermissible *de facto* moratorium contrary to
10 the requirements of ORS 197.505 to 197.540. We addressed this precise issue regarding the
11 city's traffic policies and denial of applications based on intersections that function below
12 LOS D in *Vista Construction, LLC v. City of Grants Pass*, ___ Or LUBA ___ (LUBA No.
13 2007-197, January 18, 2008). Petitioners advance no reason to reach a different conclusion
14 in this appeal, and we therefore deny the assignment of error for the reasons expressed in
15 *Vista Construction*.

16 The first assignment of error is denied.²

17 **SECOND ASSIGNMENT OF ERROR**

18 Petitioners argue that the city misconstrued the applicable law in determining that
19 Grants Pass Development Code (GPDC) 27.121, which imposes a minimum LOS D standard

¹ The director, UAPC and the city council also found noncompliance with several other major site plan review criteria that relate to landscaping, sewer access, and a required setback. Petitioners argue that these are minor issues that can be resolved by conditions proposed by petitioners, and they do not constitute independent bases for denial. The only substantive basis for denial, petitioners argue, is the impacts to the Mill Street/M Street intersection. The city does not argue that the findings regarding landscaping, sewer access and the setback constitute independent bases for denial, and accordingly we do not consider those findings further.

² Petitioner also argues that the city's denial is inconsistent with ORS 197.522, which requires that local governments approve development applications that are consistent with applicable criteria or can be made consistent with the imposition of reasonable conditions. We reject that argument for the reasons expressed in *Vista Construction, Id.* at slip op 15-16.

1 for “streets” and “signalized intersections, applies to unsignalized intersections.³ We
2 addressed this precise issue in *Vista Construction* and held that the city’s interpretation of
3 that code provision was not reversible under ORS 197.829(1). *Vista Construction*, slip op 8.
4 Again, petitioners offer no reason to reach a different conclusion in this appeal, and we
5 therefore deny the assignment of error for the reasons expressed in *Vista Construction*.

6 The second assignment of error is denied.

7 **THIRD ASSIGNMENT OF ERROR**

8 The city denied the major site plan review application in relevant part because (1) it
9 found, based on the TIA and the city’s transportation consultant, that the proposed
10 development would worsen the failing left turn movement further below the LOS D standard
11 imposed by the city transportation plan and GPDC 27.121(2), and (2) petitioners proposed no
12 means to bring the intersection to a LOS D standard.

13 Petitioners argue that the city’s findings are inadequate and not supported by
14 substantial evidence. According to petitioners, the only reliable evidence in the record is that
15 the proposed development would have “minimal impact” on the left turn movement or the
16 intersection, and that that evidence is sufficient to demonstrate compliance with the city’s
17 LOS D standard as a matter of law.

18 The third assignment of error is framed as an evidentiary challenge, although it
19 includes embedded findings arguments and a challenge to the city’s interpretation of the LOS
20 D standard. In general, to overcome a denial of a permit on evidentiary grounds, a petitioner
21 must show that the burden of proof was met as a matter of law. *Wal-Mart Stores, Inc. v. City*

³ Grants Pass Development Code (GPDC) 27.121 provides, in relevant part:

“(1) All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit.

“(2) The overall minimum performance standard for streets is Level of Service ‘D’, and Level of Service ‘D’ for signalized intersections. * * *”

1 of Hillsboro, 46 Or LUBA 680, 699-700, *aff'd* 194 Or App 211, 95 P3d 269 (2004). To
2 overturn the city council's plan and code interpretation, petitioners must demonstrate that the
3 city's interpretation is inconsistent with the express language, purpose or policy of the local
4 provisions. ORS 197.829(1).⁴ LUBA reviews that interpretation under a somewhat
5 deferential standard of review. *Clark v. Jackson County*, 313 Or 508, 836 P2d 710 (1992);
6 and *Church v. Grant County*, 187 Or App 518, 69 P3d 759 (2003).

7 Petitioners' traffic expert concluded that, while the proposed development would add
8 eight additional trips through the failing left-turn movement during the P.M. peak hour, the
9 "impact of project traffic is minimal, and does not change the existing operational level of
10 service at this intersection." Record 226. The city's expert reviewed the TIA and found the
11 TIA's data and analysis reasonable and adequate. The city's expert disagreed only with the
12 conclusion that the proposed development would have "minimal impact" on the left turn
13 movement. The city's expert concluded that the development would cause a "modest
14 degradation of performance." Record 79.

15 According to petitioners, the critical issue is not whether the impacts of development
16 are "minimal" or "modest," but whether the impacts will *cause* the intersection to fall below
17 the minimum LOS D performance standard or to change the existing level of service.
18 Because there is no dispute that the left-turn movement is already below the LOS D standard
19 and the impacts of the proposed development will worsen its performance but will not cause

⁴ ORS 197.829(1) provides, in relevant part:

"[LUBA] shall affirm a local government's interpretation of its comprehensive plan and land use regulations, unless the board determines that the local government's interpretation:

"(a) Is inconsistent with the express language of the comprehensive plan or land use regulation;

"(b) Is inconsistent with the purpose for the comprehensive plan or land use regulation;

"(c) Is inconsistent with the underlying policy that provides the basis for the comprehensive plan or land use regulation[.]"

1 it to fall below the minimum LOS D or from LOS E to F, petitioners argue that the only
2 conclusion that can be drawn from the evidence is that the proposed development is
3 consistent with the city's performance standard.

4 Petitioners base their argument on the Court of Appeals' decision in *Dept. of*
5 *Transportation v. Coos County*, 158 Or App 568, 976 P2d 68 (1999). In that case, the Court
6 held that for purposes of *former* OAR 660-012-0060 a plan amendment could not
7 "significantly affect" a transportation facility if the facility was already below the minimum
8 acceptable LOS and the traffic impacts allowed by the amendment would simply make the
9 facility worse. Petitioners contend that the city's LOS D standard must be interpreted, like
10 *former* OAR 660-012-0060, such that it is violated only if the development's traffic impacts
11 cause the facility to fall below the minimum performance standard.

12 The city rejected that argument in its findings.⁵ While the city might have chosen to
13 interpret the LOS D standard in the transportation plan and GPDC 27.121(2) in the manner
14 petitioners suggest, petitioners have not established that the city's different view of the
15 standard is erroneous, or that the evidence compels the conclusion that the proposed
16 development complies with the standard as a matter of law. As the city explains, *Department*
17 *of Transportation v. Coos County* involved an analysis of the particular terms of *former* OAR
18 660-012-0060, under which an amendment "significantly affects" a transportation facility if
19 it reduces the facility below the applicable performance standard. The Court held that the
20 rule included a causative element such that an amendment "significantly affects" a facility
21 only if traffic allowed by the amendment would cause the facility to fall below the minimum

⁵ The city council findings state, in relevant part:

"[Petitioners] argue that the intersection failures at Mill & 'M' fall outside of the requirements of the [GPDC] and that approval of the submitted site plan will have 'no significant impacts on the intersection and is consistent with Oregon Court of Appeals precedent.' It is important to note that the verbiage 'no significant impact' is not found in the [GPDC] or the Transportation Plan as the Code and the Plan set a minimum threshold under which the traffic network must work. * * *" Record 23.

1 performance standard. As the city notes, the GPDC does not have language similar to the
2 “significantly affects” language of *former* OAR 660-012-0060, or impose an explicit
3 causation requirement.⁶

4 In our view, petitioners have not demonstrated that the city is required to interpret the
5 plan and code LOS D standard in the same manner as the Court interpreted the significant
6 affects standard in *former* OAR 660-012-0060, or that the city council’s interpretation of the
7 LOS D standard is reversible under ORS 197.829(1). Petitioners’ evidentiary arguments
8 depend entirely on petitioners’ preferred interpretation of the LOS D standard, and those
9 arguments therefore fail to demonstrate a basis for reversal or remand.

10 One aspect of the city’s decision that petitioners do not challenge, as far as we can
11 tell, is the city’s apparent view that in order to satisfy the major site plan review criteria and
12 the city’s LOS D standard, the applicant must necessarily propose improvements or
13 conditions that will return the intersection to performing at a LOS D or better standard.
14 There appears to be no dispute in the present case that bringing the intersection or at least the
15 failing left-turn movement back to LOS D will require signalization, which is not under the
16 city’s or the applicant’s control. Apparently no improvements within the city’s or the
17 applicant’s control can fully restore the intersection to LOS D. Perhaps for that reason
18 petitioners proposed no improvements or conditions with respect to the intersection, and the
19 city made no serious effort to consider such improvements or conditions. *See* Record 39-40
20 (conditions proposed by applicants, none of which involve the affected intersection); Record
21 9 (finding that “[e]ven the installation of additional lanes dedicated solely to turning traffic
22 will not bring the intersection to a LOS ‘D’ or better”).

⁶ Furthermore, we note that the administrative rule was amended in response to the *Dept. of Transportation v. Coos County* case to provide that an amendment “significantly affects” a facility when allowed land uses would worsen the performance of the facility that already performs below the minimum accepted performance standard. *See* OAR 660-012-0060(1)(c)(C).

1 However, we question the correctness of the city's apparent view that compliance
2 with the city's plan and code necessarily requires an applicant to restore a failing intersection
3 to the LOS D standard, in circumstances where the proposed development plays only a part
4 in the failure of that intersection. Nothing cited to us in the plan or code supports that view.
5 Transportation Plan Policy 1.2.1 and GPDC 27.121(2) merely state that the performance
6 standard for certain streets and intersections is LOS D, and do not suggest that development
7 that worsens but does not cause the failure of a failing intersection can be approved only if
8 the applicant fully restores the intersection to the LOS D standard. Similarly nothing cited to
9 us in the major site plan review standards requires that the applicant in such circumstances
10 must restore an already failing intersection to the LOS D standard, in order to gain major site
11 plan review approval.

12 In such circumstances, there seems little doubt that if the city approved the
13 application with conditions requiring that the applicant construct improvements to restore the
14 intersection to LOS D—improvements not proportional to the development's impact on the
15 intersection—such conditions would be inconsistent with the Takings Clause of the United
16 States Constitution, under *Dolan v. City of Tigard*, 512 US 374, 114 S Ct 2309, 129 L Ed 2d
17 304 (1994).

18 In our view, a more plausible interpretation of the applicable plan and land use
19 regulations, and one more consistent with the city's constitutional obligations, is to require
20 the applicant to mitigate the impact of *its* proposed development on the affected intersection,
21 even if that mitigation does not fully restore it to LOS D. We note that the city manager's
22 "policy" to recommend denial of development that worsens failing intersections can be read
23 to advocate the same approach. See Record 332 (staff will recommend denial of projects
24 affecting failing intersections unless the intersections are improved to LOS D or "acceptable
25 evidence is provided demonstrating the development will not impact those intersections");
26 see also Record 128 (memorandum from the city attorney opining that the applicant has the

1 option of proposing “proportional off-site mitigation that alleviates the traffic impact”). If
2 the applicant demonstrates that improvements or conditions can eliminate or fully mitigate
3 the development’s impacts on a failing intersection, it would seem that the applicant has
4 demonstrated that the development will not impact that intersection.

5 It is not clear whether improvements such as additional turning lanes that would
6 eliminate the impact of the development on the Mill Street/M Street intersection are possible,
7 short of restoring it to LOS D. The finding at Record 9 suggests there may be. An addendum
8 to the TIA at Record 213-14 appears to identify one improvement that would improve the
9 2008 build conditions to the same or better level as the 2008 no-build conditions, which if so
10 would seem to eliminate the impact of proposed development on the intersection. There may
11 be constitutional or other problems with requiring construction of such improvements in the
12 present case. Nonetheless, for the reasons stated above, in circumstances where proposed
13 development will worsen an already failing intersection, the general approach of requiring an
14 applicant to eliminate the impacts of development on the intersection, by means of off-site
15 improvements, limitations on the proposed use or similar means, seems more consistent with
16 the applicable plan and land use regulations, than does the city’s apparent view that the
17 application must be denied if the intersection cannot be fully restored to LOS D.

18 With all that said, the fact remains that petitioners do not challenge the city’s
19 apparent view in that respect. Petitioners do argue, under the first assignment of error, that
20 the city was required to approve the application with conditions. However, as noted, none of
21 the conditions petitioners proposed related to or purported to mitigate impacts on the failing
22 intersection, and in the petition for review petitioners do not argue that the city erred in
23 failing to approve the application subject to conditions that would address the project’s
24 impacts on the failing intersection. Accordingly, we have no basis to determine whether the
25 city erred in that respect. For the reasons set out above, the arguments under this assignment
26 of error do not provide a basis for reversal or remand.

1 The third assignment of error is denied.

2 **FOURTH ASSIGNMENT OF ERROR**

3 Petitioners' fourth assignment of error states a findings challenge, based entirely on
4 incorporation of their earlier assignments of error. Petitioners offer no additional argument.
5 Because we denied the first three assignments of error, the fourth assignment of error
6 provides no basis for reversal or remand.

7 The fourth assignment of error is denied.

8 The city's decision is affirmed.

RECEIVED

MAY 19 2009

CITY OF GRANTS PASS



Access Engineering LLC

May 19, 2009

Mr. Rich Schaff, City Engineer
City of Grants Pass
101 NW "A" Street
Grants Pass, OR 9726-2091

RE: Reserve Capacity at Grants Pass Pkwy. @ "F" Street for Fire Mountain Gems

Back in November-December of 2008, an agreement was worked out between Timber Products, Home Depot, and Fire Mountain Gems to request the City of Grants Pass to reserve the excess capacity under the maximum level-of-service (LOS) "D" at the Grants Pass Parkway and "F" Street intersection for a Fire Mountain Gems development. The excess capacity results from the mitigation plan for that intersection required for the Home Depot development. In my letter of December 1, 2009, I presented a traffic analysis that showed that a 35,000 square foot specialty retail development could be built on currently vacant Fire Mountain Gems properties (tax lots 801 and 901 through 904 on Map 36-517D) without generating traffic that would violate the mobility standards of the intersection whether calculated by the volume to capacity ratio (ODOT standard) or LOS = "D" based on delay (City standard).

A new development proposal, Main Place located at Grants Pass Parkway and Terry Lane, will now also impact the "F" Street intersection. This letter provides supporting documentation showing that the Home Depot mitigation for Grants Pass Parkway at "F" Street will have sufficient excess capacity to allow both the proposed Main Place development and the proposed specialty retail development on the Fire Mountain Gems vacant properties.

Previous analyses for the Home Depot development have documented that the proposed mitigation (adding an eastbound lane on "F" Street at the Parkway resulting in a left-turn lane, a left-turn through lane, and a right-turn lane) will meet the Transportation Planning Rule (TPR) by lowering the volume to capacity ratio (V/C) at the intersection from 0.98 under the current industrial zoning to 0.96 under the proposed business park zoning with the specified Home Depot development. The mitigation also improves the level of service at the intersection from "E" to "D". Since the TPR in this case requires that the V/C resulting from the development's mitigation be no worse than the V/C resulting from an industrial use on the site, then there would be an excess of capacity of 0.02 at the intersection.

Exhibit 20

The Main Place commercial development is located on the northwest corner of Grants Pass Parkway and Terry Lane. JRH has produced a Traffic Impact Analysis for this development and has provided Fire Mountain Gems with the distribution and assignment of their PM peak hour trips in the study area including Grants Pass Parkway at "F" Street. The PM peak hour is the critical time period for analysis of the impacts to the intersection. The JRH trip assignments for Main Place are shown on the attached Figure 1. Also included on Figure 1 are the trip assignments from the previous analysis of the proposed the Fire Mountain Gems specialty retail development (December 1, 2008 letter to Mr. James Huber).

The attached Figure 2 shows the base volumes at the nearby intersections with the Home Depot development and mitigation in place taken from the Don Bradley Properties TIA and the March 25, 2008 letter addendum. Figure 2 also shows the resulting traffic volumes with Main Place traffic added, and the resulting volumes with both Main Place and Fire Mountain Gems' specialty retail trips added.

The intersection operational analysis is focused on the "F" Street and Grants Pass Parkway intersection. The Synchro program with the same input values as in the previous analyses was used for the analysis. The only change was to allow Synchro to optimize the cycle length and splits for each scenario since the controller is running in free actuated mode.

The results of the operational analysis for the additional Main Place development and for the Main Place plus Fire Mountain Gems commercial development compared to the allowable V/C under the TPR and LOS under City requirements for an industrial development and the approved Home Depot development are shown in the table:

Operational Analysis - Grants Pass Pkwy. @ "F" Street - 2009 DHV's

Current Zoning (TPR limit)		Home Depot w/ Mitigation		Home Depot + Main Place		Home Depot + Main Place + Fire Mountain Gems	
V/C	Ave. Delay (LOS)	V/C	Ave. Delay (LOS)	V/C	Ave. Delay (LOS)	V/C	Ave. Delay (LOS)
0.98	56.3 (D)	0.96	50.4 (D)	0.97	54.7 (D)	0.98	56.0 (D)

The results now show that both proposed developments can be accommodated at the Grants Pass Parkway and "F" Street intersection within the TPR V/C limit and within the City's LOS D standard. The table shows that the Home Depot mitigation resulted in an excess V/C capacity of 0.02 and unused average delay of 5.9 seconds. Adding the Main Place development trips used 0.01 of the V/C capacity and 4.3 seconds of the unused average delay. Adding the Fire Mountain Gems' specialty retail development on top of Main Place used the remaining 0.01 of the V/C capacity and 1.3 seconds of the unused average delay. The Synchro worksheets are attached.

Based on this analysis I conclude that the excess capacity at Grants Pass Pkwy. and "F" Street required for the Home Depot development is sufficient to accommodate both the Main Place and Fire Mountain Gems' specialty retail development without violating the TPR and City mobility requirements.

Very truly yours,



Renews: 6/30/10

Michael Weishar, PE
Access Engineering LLC

cc: Chuck Wolfmueller, Fire Mountain Gems
Erik Vos, Timber Products Company
Michael Reeder, Arnold Gallagher Saydack Percell Roberts & Potter
John Replinger, David Evans & Assoc.

5: Grants Pass Prkw & F St
 HCM Signalized Intersection Capacity Analysis

Fire Mountain Gems Reserve Capacity
 2009 DHV w/ Mitigation



Lane Configurations	↙ ↑↑		↘ ↑↑		↙ ↑↑		↘ ↑↑		↙ ↑↑		↘ ↑↑	
Peak Flow (vph)	800	300	1800	800	300	1800	800	300	1800	800	300	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.97	1.00	0.97	1.00	1.00	1.00	0.97	0.95	0.95	1.00	1.00
Prot. Phases	1.00	0.99	1.00	1.00	0.85	1.00	0.98	1.00	1.00	1.00	0.85	1.00
Satd. Flow (prot)	1676	3253	1710	3320	1500	1676	1753	1593	1642	1500	1676	1753
Permitted Phases	0.95	1.00	0.95	1.00	1.00	0.95	1.00	0.95	0.97	1.00	0.95	1.00
Satd. Flow (perm)	1676	3253	1710	3320	1500	1676	1753	1593	1642	1500	1676	1753
Volume (vph)	249	171	95	10	985	500	100	15	20	95	167	159
Peak-hour factor, PHF	0.91	0.91	0.91	0.98	0.98	0.98	0.90	0.90	0.90	0.98	0.98	0.98
Adj. Flow (vph)	285	285	71	10	1005	510	215	169	22	95	170	172
RTOR Reduction (vph)	0	6	0	0	0	93	0	4	0	0	0	112
Lane Group Flow (vph)	285	350	0	10	1005	497	215	137	0	95	362	30
Heavy Vehicles (%)	2%	4%	2%	0%	3%	2%	2%	1%	0%	2%	1%	2%
Initial Type	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot
Protected Phases	5	2	1	6	4	8	8	4	4			
Actuated Green, G (s)	18.0	51.1	0.6	33.7	56.7	15.6	15.6	23.0	23.0	23.0		
Effective Green (s)	18.0	51.1	0.6	33.7	56.7	15.6	15.6	23.0	23.0	23.0		
Actuated g/C Ratio	0.17	0.49	0.01	0.32	0.54	0.15	0.15	0.21	0.21	0.21		
Clearance Time (s)	4.0	3.0	4.0	3.0	3.0	4.0	3.0	4.0	3.0	4.0		
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		
Lane Grp Cap (vph)	261	1580	10	1074	805	247	265	370	652	322		
v/s Ratio Prot	c0.17	0.26	0.01	c0.30	0.10	c0.13	0.11	0.21	c0.21			
v/c Ratio Perm					0.17					0.02		
v/c Ratio	1.01	0.54	1.00	0.94	0.48	0.86	0.73	0.97	1.00	0.09		
Uniform Delay (s)	41.6	8.7	33.7	6.9	15.9	44.8	48.9	41.8	42.1	38.8		
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00		
Incremental Delay (s)	27.4	0.7	28.1	3.0	0.7	25.7	10.3	20.7	18.0	0.7		
Delay (s)	102.0	19.6	338.0	49.7	15.9	70.5	54.2	82.5	90.1	33.9		
Level of Service	D	B	D	D	E	E	E	D	D	C		
Approach Delay (s)		40.2		40.3			62.8		77.4			
Approach LOS		D		D			E		E			
HCM Average Control Delay	50.4		HCM Level of Service		D							
HCM Volume to Capacity ratio	0.96											
Actuated Cycle Length (s)	127.4		116.0 (s)									
Intersection Capacity Utilization	87.7%		ICU Level of Service		E							
Analysis Period (h)	16											

c Critical Lane Group

4: Grants Pass Prkw & F St
 HCM Signalized Intersection Capacity Analysis

Fire Mountain Gems Reserve Capacity
 2009 DHV Current Zoning



Lane Configurations	↖		↑		↗		↖		↑		↗	
Peak Flow (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	0.95	1.00	0.95	1.00	1.00	1.00	0.95	0.95	0.95
Frt	1.00	0.99	1.00	1.00	0.85	1.00	0.98	1.00	0.98	1.00	0.95	0.95
Prot. Protected	0.95	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	0.99	0.99
Satd. Flow (prot)	1676	3255	1710	3353	1515	1710	1738	1676	3255	1593	1571	1571
Prot. Permitted	0.95	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	0.99	0.99
Satd. Flow (perm)	1676	3255	1710	3353	1515	1710	1738	1676	3255	1593	1571	1571
Volume (vph)	238	763	65	10	383	439	190	260	20	730	167	179
Peak-hour factor, PHF	0.91	0.91	0.91	0.98	0.98	0.98	0.90	0.90	0.90	0.98	0.98	0.98
Adj. Flow (vph)	262	838	71	10	405	489	211	287	22	800	176	192
RTOR Reduction (vph)	0	5	0	0	0	305	0	4	0	0	18	0
Lane Group Flow (vph)	262	843	71	10	405	493	211	291	22	800	194	192
Heavy Vehicles (%)	2%	4%	2%	0%	2%	1%	0%	2%	0%	2%	2%	2%
Protected Phases	5	2	1	6	8	8	4	4				
Permitted Phases												
Actuated Green, G (s)	15.0	48.5	0.8	34.3	34.3	12.0	12.0	28.3	28.3			
Effective Green (s)	15.0	49.5	0.8	35.0	35.0	12.0	12.0	29.0	29.0			
Actuated g/C Ratio	0.14	0.46	0.01	0.33	0.33	0.11	0.11	0.27	0.27			
Green Time (s)	4.0	3.0	4.0	5.0	5.0	4.0	4.0	4.0	4.0			
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0			
Lane Grp Cap (vph)	236	1511	519	1110	502	192	196	723	717			
v/s Ratio Prot	c0.16	0.28	0.01	c0.30	0.12	c0.12	0.11	c0.25	0.25			
v/s Ratio Perm	1.11	0.60	0.77	0.91	0.37	1.10	0.94	0.95	0.94			
Uniform Delay (s)	45.8	21.2	52.8	34.1	27.1	47.3	47.0	38.3	38.3			
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00			
Incremental Delay (s)	31.9	0.6	128.6	10.5	0.5	98.9	47.6	41	28.3			
Delay (s)	137.1	21.8	181.4	44.5	27.6	141.2	94.6	69.7	67.1			
Level of Service	F	C	F	D	C	F	F	D	E			
Approach Delay (s)		47.6		39.9		119.2		68.4				
Approach LOS		F		D		F		D				
HCM Average Control Delay	36		36		36		36		36		36	
HCM Volume to Capacity ratio	0.98		0.98		0.98		0.98		0.98		0.98	
Aggrated Cycle Length (s)	166		166		166		166		166		166	
Intersection Capacity Utilization	90.5%		90.5%		90.5%		90.5%		90.5%		90.5%	
ICU Level of Service	E		E		E		E		E		E	
Analysis Period (min)	15		15		15		15		15		15	

c Critical Lane Group

5: Grants Pass Prkw & F St
 HCM Signalized Intersection Capacity Analysis

Fire Mountain Gems Reserve Capacity
 2009 DHV w/ Home Depot Mitigation + Main Place



Lane Configurations	↖ ↗		↖ ↗		↖ ↗		↖ ↗		↖ ↗		↖ ↗	
Design Flow (vph)	1200	800	1800	900	1800	900	1800	900	1800	900	1800	900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.97	1.00	0.93	1.00	1.00	1.00	1.00	0.95	0.95	1.00	1.00
Frt	1.00	0.99	1.00	1.00	0.85	1.00	0.98	1.00	1.00	1.00	0.85	0.85
Frt. Factor	0.95	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	0.97	1.00	1.00
Satd. Flow (prot)	1676	3254	1710	3320	1500	1676	1753	1593	1641	1500	1593	1641
ICU Permitted	0.95	1.00	0.95	1.00	1.00	0.95	1.00	1.00	0.95	0.97	1.00	1.00
Satd. Flow (perm)	1676	3254	1710	3320	1500	1676	1753	1593	1641	1500	1593	1641
Volume (vph)	269	74	65	10	1046	514	180	152	26	610	157	139
Peak-hour factor, PHF	0.91	0.91	0.91	0.98	0.98	0.98	0.90	0.90	0.90	0.98	0.98	0.98
Volume (vph)	35	85	74	10	1027	524	211	168	22	592	174	142
RTOR Reduction (vph)	0	5	0	0	0	77	0	4	0	0	0	113
Light Green Flow (vph)	285	37	0	10	95	441	211	167	0	684	156	29
Heavy Vehicles (%)	2%	4%	2%	0%	3%	2%	2%	1%	0%	2%	1%	2%
Protected Phases	5	2	1	6	4	8	8	4	4			
Permitted Phases												
Actuated Green, G (s)	19.0	59.2	0.6	40.8	64.8	16.0	16.0	24.0	24.0	24.0	24.0	24.0
Effective Green (s)	19.0	59.2	0.6	40.8	64.8	16.0	16.0	24.0	24.0	24.0	24.0	24.0
Actuated g/C Ratio	0.16	0.52	0.01	0.36	0.56	0.14	0.14	0.21	0.21	0.21	0.21	0.21
Clearance Int. (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0
v/s Ratio Prot	c0.17	0.27	0.01	c0.32	0.10	c0.13	0.11	0.21	c0.22			
v/s Ratio Perm												0.09
w/c Ratio	1.04	0.53	1.11	0.90	0.50	0.92	0.78	1.02	1.06	0.09		
Unit Delay (s)	25.9	13.8	53.1	35.5	31.5	49.7	48.7	46.4	46.4	37.8		
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Delay (s)	115.3	19.1	400.3	44.7	15.9	86.9	63.3	101.7	111.0	37.7		
Level of Service	F	B	F	D	B	F	F	F	F	D		
Approach Delay (s)		42.5		37.5			75.7		94.8			
Approach LOS		D		D			D		D			
HCM Average Control Delay	72.7		HCM Level of Service		D							
HCM Volume to Capacity ratio	0.97											
Intersection Capacity Utilization	89.7%		ICU Level of Service		E							

c Critical Lane Group

5: Grants Pass Prkw & F St

Fire Mountain Gems Reserve Capacity

HCM Signalized Intersection Capacity Analysis 2009 DHV w/ Home Depot Mit. + Main Place + Fire Mtn. Gems



Lane Configurations	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗	↖	↗
Ideal Flow (vph)	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800	1800
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00	0.95	1.00	0.95
Frt	1.00	0.99	1.00	1.00	0.85	1.00	0.98	1.00	0.98	1.00	1.00	0.85
Fl Protected	0.95	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	0.97	1.00
Satd. Flow (prot)	1676	3254	1710	3320	1500	1676	1754	1593	1641	1500	1500	1500
Fl Permitted	0.95	1.00	0.95	1.00	1.00	0.95	1.00	0.95	1.00	0.95	0.97	1.00
Satd. Flow (perm)	1676	3254	1710	3320	1500	1676	1754	1593	1641	1500	1500	1500
Volume (Vph)	270	72	66	10	146	522	190	154	20	32	76	152
Peak-hour factor, PHF	0.91	0.91	0.91	0.98	0.98	0.98	0.90	0.90	0.90	0.98	0.98	0.98
Adj Flow (vph)	297	81	71	10	146	535	211	171	22	32	76	158
RTOR Reduction (vph)	0	5	0	0	0	77	0	4	0	0	0	122
Lane Group Flow (vph)	297	81	0	10	146	456	211	159	0	32	63	36
Heavy Vehicles (%)	2%	4%	2%	0%	3%	2%	2%	1%	0%	2%	1%	2%
Control Type	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Prot	Perm
Protected Phases	5	2		1	6	4	8	8		4	4	
Permitted Phases												4
Actuated Green, G (s)	20.0	59.1		0.6	39.7	64.7	16.1	16.1		25.0	25.0	25.0
Effective Green (s)	20.0	60.1		0.6	40.7	65.7	16.1	16.1		25.0	25.0	25.0
Actuated g/C Ratio	0.17	0.51		0.01	0.35	0.56	0.14	0.14		0.21	0.21	0.21
Clearance Time (s)	4.0	5.0		4.0	5.0	4.0	4.0	4.0		4.0	4.0	4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0	3.0	3.0	3.0		3.0	3.0	3.0
Lane Grp Cap (vph)	265	1660		39	1147	885	229	240		388	348	316
v/s Ratio Prot	c0.18	0.27		0.01	c0.32	0.11	c0.13	0.11		0.21	c0.22	
v/s Ratio Perm						0.20						0.10
v/c Ratio	1.04	0.53		1.11	0.93	0.51	0.92	0.79		1.01	1.04	0.10
Uniform Delay (d1)	48.9	19.1		58.6	37.2	16.2	50.2	49.2		46.4	46.4	37.4
Progression Factor	1.00	1.00		1.00	1.00	1.00	1.00	1.00		1.00	1.00	1.00
Incremental Delay (d2)	64.7	30.1		64.2	33.1	10.5	39.5	15.5		52.0	50.0	30.1
Delay (s)	113.6	19.7		400.8	50.3	16.7	88.7	64.7		98.4	106.3	37.5
Level of Service	F	B		F	D	B	F	F		F	F	D
Approach Delay (s)		43.3			41.3			77.2			90.8	
Approach LOS		D			D			E			F	
HCM Average Control Delay		36.0			36.0			36.0			36.0	
HCM Level of Service		B			B			B			B	
HCM Volume to Capacity ratio		0.98			0.98			0.98			0.98	
Actuated Cycle Length (s)		113.5			113.5			113.5			113.5	
Intersection Capacity Utilization		90.7%			90.7%			90.7%			90.7%	
ICU Level of Service		E			E			E			E	
Analysis Period (min)		15			15			15			15	

c Critical Lane Group

Figure 2
Fire Mountain Gems Commercial Traffic Impact Study
 2009 DHV
 Grants Pass Pkwy at F Street

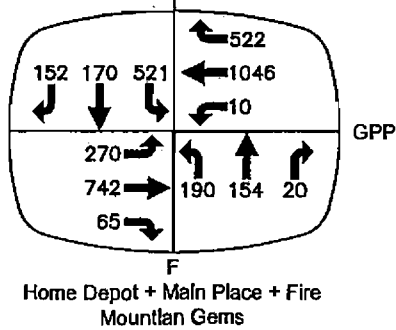
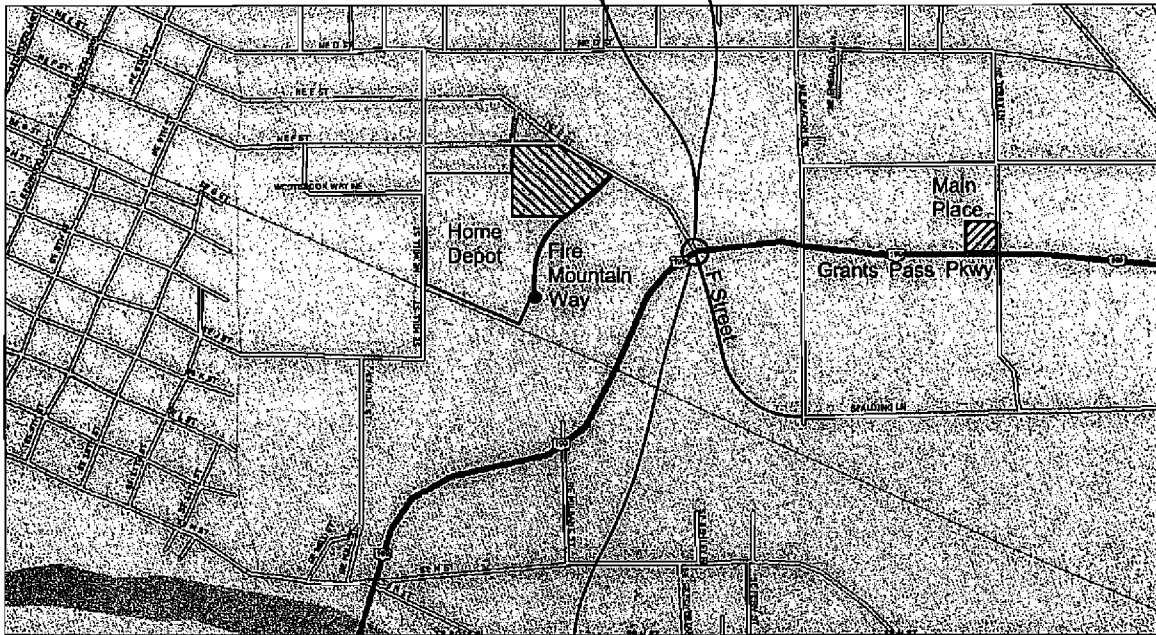
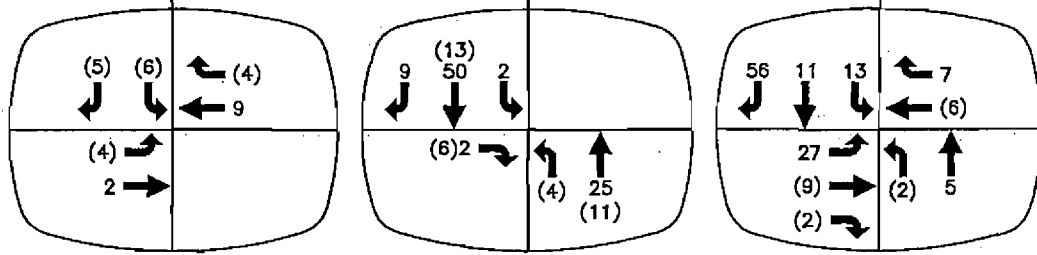
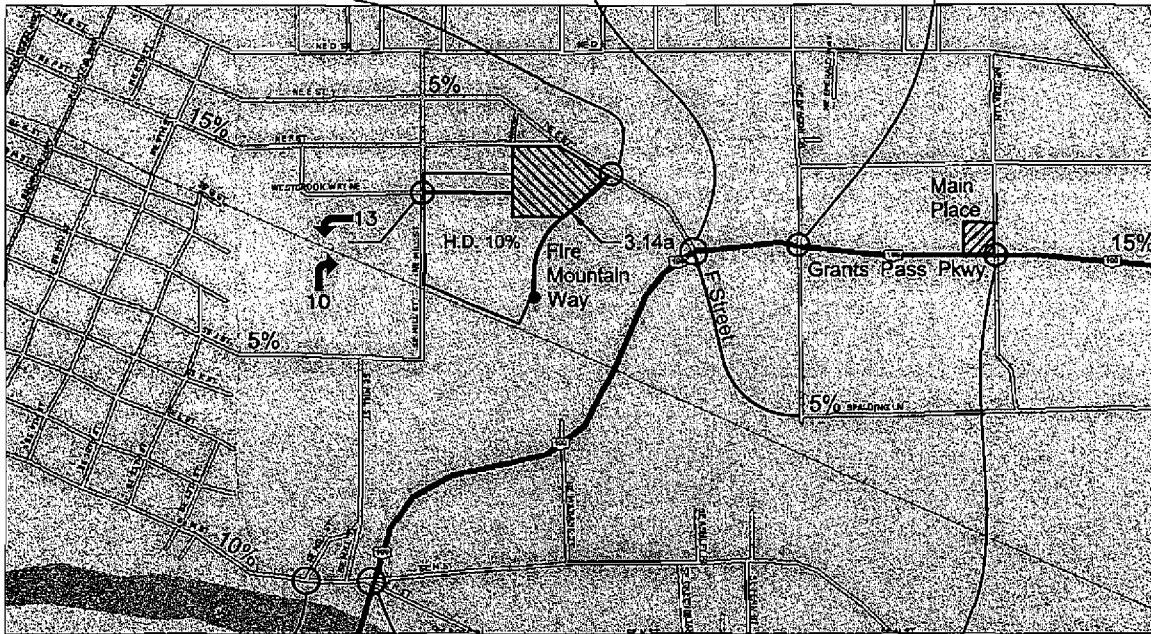
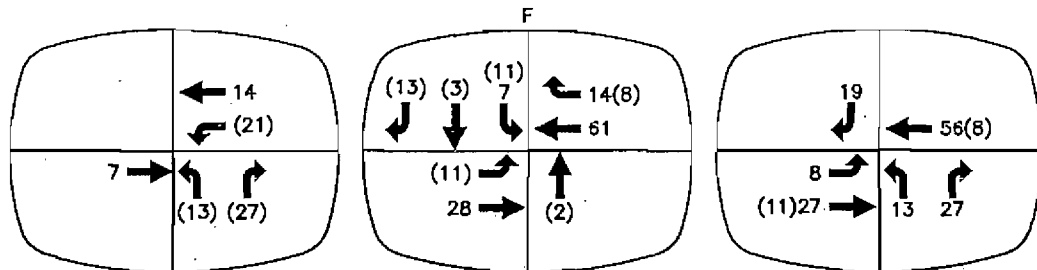


Figure 1

Fire Mountain Gems Commercial Traffic Impact Study Trip Distribution and Assignment Main Place and Fire Mountain Gems Developments

XX — Main Place
(XX) — Fire Mountain Gems



URBAN AREA PLANNING COMMISSION

May 13, 2009

7:00 p.m.

Council Chambers

1. ROLL CALL

The Urban Area Planning Commission met in regular session on the above date with Chair Berlant presiding. Commissioners Arthur, Kellenbeck, Richardson, Fitzgerald, Sackett, Fowler and Fedosky were present. Also present and representing the City were Senior Planner Angeli-Paladino, Associate Planner Jared Voice, and Associate Planner Glover. City Council liaison Councilor Mark Townes was present at the meeting.

2. ITEMS FROM PUBLIC: None.

3. CONSENT AGENDA:

a. MINUTES:

i. April 22, 2009 Pgs. 1-30

MOTION

Commissioner Fowler moved and Commissioner Kellenbeck seconded a motion to approve the minutes for April 22, 2009. "AYES": Berlant, Fowler, Fitzgerald, Arthur and Richardson. "NAYES": None. Absent: None. Abstain: Kellenbeck, Sackett and Fedosky. The motion carries.

b. FINDINGS OF FACT:

i. None.

4. PUBLIC HEARINGS:

~~i. **09-20100005 & 09-30100002: Airgas/Vine Street Major Site Plan Review and Major Variance**~~

~~Proposal: Major site plan review to expand the existing industrial wholesale business and variance to allow the remaining two (2) driveway approaches to remain on Vine Street.~~

~~Address: 2110 NW Vine Street~~

~~Applicant: Don Cauble~~

~~Representative: Gary Caperna~~

~~Planner: Lora Glover Pgs. 31-68~~

~~Chair Berlant asked if there was anyone present who wished to challenge the authority of the Commission to hear this matter. Seeing none, Chair Berlant asked if there were any Commissioners who wished to abstain from participating in the hearing or declare a potential conflict of interest. Seeing none, Chair Berlant asked if there were any Commissioners who wished to disclose discussions, contacts, or other ex parte information they received prior to this meeting regarding the application. Seeing none, Chair Berlant stated that in this hearing the decision of the Commission will be based upon specific criteria which are set forth in the Development Code, all testimony given which apply in this case are noted in the Staff Report. If anyone would like a copy of the Staff Report, please let us know and one will be provided. It is important to remember that if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue, you will not~~

Principal Planner Angeli-Paladir stated that another motion was needed regarding the Major Site Plan Review.

Commissioner Kellenbeck stated, I'll make a motion that we approve the major Site Plan Review with the conditions listed in the Staff report.

Commissioner Fitzgerald seconded the motion. Chair Berlant asked if there was need for further discussion. Seeing none, he called for the vote.

MOTION

Commissioner Fitzgerald moved and Commissioner Richardson seconded a motion to that we approve the Major Site Plan Review with the conditions listed in the Staff report. "AYES": Berlant, Fowler, Fitzgerald, Kellenbeck, Sackett, Arthur, Richardson and Fedosky. "NAYES": None. Absent: None. Abstain: None. The motion carries.

ii. **09-40200001: Main Place Comprehensive Plan Map Amendment and Zoning Map Amendment and Development Agreement**

Proposal: Comprehensive Plan Map Amendment from High Density Residential to High Rise Density Residential and General Commercial and the Zoning Map Amendment from R-3 to R-4 and GC and proposed Development Agreement #2009-1

Address: 1817, 1829, 1831, 1833, & 1849 NE Fairview Lane and 220 Terry Lane

Owner(s): Main Place Grants Pass LLC & Marjorie Hill

Applicant: Geoff Farrer

Planner: Lora Glover Pgs.69-268

Chair Berlant asked if there was anyone present who wished to challenge the authority of the Commission to hear this matter. Seeing none, Chair Berlant asked if there were any Commissioners who wished to abstain from participating in the hearing or declare a potential conflict of interest.

Commissioner Kellenbeck stated, I'm going to abstain from this hearing. I have talked to the applicant about this application a couple of times.

Chair Berlant asked if there were any Commissioners who wished to disclose discussions, contacts, or other ex parte information they received prior to this meeting regarding the application. Seeing none, Chair Berlant stated that in this hearing the decision of the Commission will be based upon specific criteria which are set forth in the Development Code, all testimony given which apply in this case are noted in the Staff Report. If anyone would like a copy of the Staff Report, please let us know and one will be provided. It is important to remember that if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue, you will not be able to appeal to the Land Use Board of Appeals (LUBA) based on that issue. We will now proceed with a Staff report.

Associate Planner Glover stated, we have a lot of information in this packet to work our way through so if I'm going to slow or too fast, please stop me and I'll jump to the issues that you're more interested in or need more time or I need to gloss over. Tonight is the Main Place Comprehensive Plan, Map Amendment, and Zoning Map

Amendment. It also includes a proposed Development Agreement. The property owners are Marjorie Hill and Main Place Grants Pass LLC. The representatives that are here tonight include Justin Gerlitz and Rick Ryker. The proposal is to change the Comprehensive Plan Map and Zone Map, basically, the tract is all zoned R3 right now or high-density residential. They want to do a split zoning of R4 along the front on Fairview and then general commercial towards the back. This is a vicinity map of the area, that's Fairview on the north and Terry Lane on the east, and the Grants Pass Parkway on the south. The parcel down here is the site for the Del Taco and Starbucks, it will be referred to in part of your narrative as phase 1 of the Main Place Project. The layout for that project would take entrance out through the middle of this property. The application discusses the following mixed uses for the property, and these are important because they are going to be incorporated into a proposed Development Agreement and also what the traffic analysis report was developed off of. The proposal is for over 10,000 sq. ft. of professional office space and 19,000 sq. ft. of specialty retail and then 10 residential units. Again, because of the proposed mixed use we have developed a proposed Development Agreement to address some of the traffic mitigation and site development for the property. This map is a little bit sketchy, but it's in your packet, I think it is exhibit 6 for you, they are showing the proposed combination office and apartment units, or condominiums up along the Fairview frontage. This crossed out parcel and side here is developed with a duplex. That property owner is here so they may give you some discussion on that. Their interest we would have general commercial area back in here, bringing the parking down to the center of the property with the Del Taco and the Starbuck's facility restaurants down along the Parkway.

The applicants, as I mentioned, their traffic analysis did incorporate information, trip counts and future mitigation that were approved under the Home Depot site. The intent of this development agreement is to coordinate the future development of the subject's site and establish a trip count for the proposed uses that I previously mentioned. We are still going to be working on the language of that document. The applicant really hasn't had a chance to sit down with our legal staff to review that and we want to make sure that we give them the opportunity to clarify maybe some of the language, especially depending on when the applicant decides to move forward with their project, concerning Home Depot and that development. The characteristics of the property are it's currently zoned R3. We have approximately 2.74 acres of land with access off of Fairview and Terry Lane. Right now the properties are developed with single-family residences with 2 vacant lots. The proposed uses are the combined mixed use, residential/general office and commercial/specialty retail. Here is a photo of one of the homes that is located off of Fairview and another one of the houses looking southeast. This is more the main body of the project and you can see some of the gravel area, and we're looking back south towards where the Del Taco and Starbucks will go, and then you can see the commercial plaza back behind there – there is the Shuck's Auto sign.

We have quite a variety of mixed uses in the area, multi- and single-family units are north along Fairview. The vacant property right now for the Del Taco is all along the Parkway, to the east is the large RV sales lot and to the west is the Parkway Christian Church complex. Here are some of the mutli-family units north of the property. This is south, you're viewing the Parkway area, the Fred Meyer complex, the large RV Sales lot to the east, and then this is a photo of the church complex, part of it, from the Fred Meyer parking lot. But this is directly to the west of the subject property. The tract is located within the northeast subarea and then the subarea of that of the Fairview-Foothill Blvd., as described in the Comprehensive Plan. The properties are located in mixed development area and they currently surround tax lot 2301, which has the existing duplex on it.

Property to the north and the west are zoned R3. We have a little bit of R4 adjacent to that R3 property along Beacon Drive and then properties to the east and south are zoned general commercial.

Element 13 of the Comprehensive Plan, the land use element state for the Fairview-Foothill neighborhood is classified as being appropriate for moderate to high density development. Then it provides definitions of moderate and high density, which includes condominiums, duplexes and triplexes. High density is primarily located around larger commercial centers, including such items as garden apartments and condominium developments. As the community grows, transportation connectivity become constraining factors for economic development. Encouraging mixed-use developments helps alleviate some of the stress placed on these existing facilities. Compatibility is another important factor to remember when reviewing proposed Comprehensive Plan/Zone changes.

The economic element of the Comprehensive Plan projects that the service sector of the employment base will go almost double in size, increasing from 21% to 42%. Mixed-use sites such as the proposed will provide an opportunity of blending professional offices with residential uses close to eating and retail establishments. Under the Comprehensive Plan policy 13.54, the applicant has to meet the criterion for approval. Element 8 on the economy, the amendment changes the tract has split zone of R4 and general commercial which will provide for the mixed use development. The R4 allows professional offices in that zoning which is not allowed in the R3, and general commercial also allows residential units to an R3 density. Element 9 on housing; the amendment will not substantially be beneficial or detrimental to the housing inventory as both zones have the ability to provide housing units. Element 13, again the proposed amendment will change approximately 1.6 acres from residential to commercial. The policies for the northeast area state that this area will continue to develop the high density adjoining the E and F Street commercial area. The tract is located next to the Parkway of Grants Pass Shopping Center to the west, the Fred Meyer Dierdorf Corners and the Wal-Mart Center to the south.

Criterion B – change in circumstance: The Staff report indicates that this criterion satisfied element 13 discusses the draw of higher density to increase commercial development. The proposed amendment will allow for a variety of mixed uses and in the neighborhood which are compatible with what we have there right now. The Comprehensive Plan elements support the data base change.

Under the State Goals, and this is where we kind of get back into it seems like a second layer of almost some of the same information, but we do include citizen involvement. The application has been noticed and processed in conformance with a type 4B procedure of the Development Code. No written comments were received from surrounding property owners, although I did discuss with Mr. Bostick, the property owner of _____ at 2301, his interest in the proposal. I see that he's here tonight so I'll leave any comments he has for him to give.

Goal 2 on land use: the application is being reviewed in accordance with the City's land use process, again which is the type 4B.

Goal 9 on economic development – the proposed amendment will more flexibility to include more professional office space and residential units along Fairview and the general commercial zone provides a wide range of commercial uses. Again, the largest projected employment growth sectors for Josephine County will be in the retail, that should be trade, government, and services, health care and social assistance also. The proposal will provide diversification in economic opportunities for this area. Back to housing under the State

Goals the proposal to change 1.69 acres from residential to commercial will not be a substantial impact to the residential land inventories. The City has historically reserved more land for multi-family than we have been using, but again, the general commercial does also provide for housing units. The projected housing needs at this time in our Comprehensive Plan is 75% land area for single family homes, with 25% for multi-family.

Back under transportation, we'll get into the TIA discussed a little bit. The applicant submitted a TIA with the project which studied several intersections and this was developed off of comments received from ODOT and the City Engineer. Most of those intersections are along the Parkway; to considering the intersection of Parkway at Agnes, Terry Lane, Beacon, F Street, M Street, Terry Lane and Fairview, and then Beacon at Fairview. Again, their analysis was based off of the trip counts and projected improvements that Home Depot has agreed to make. Also, inside the Del Taco/Starbucks, phase 1 of Main Place development was incorporated into this analysis. The coordination of mitigation between the Home Depot site and the Main Place site are outlined in the attached Development Agreement. The applicant has agreed to a trip count and mitigation for 2 of the studied intersections for this site; Terry at Agnes and Terry at Parkway and that would be based on Home Depot making the improvements that they are scheduled to. Between the 2 projects, mitigation will be provided for the following intersections that are relative to this application: The F Street and M Street intersections at the Parkway will be under Home Depot's Development Agreement, and the Agness and Terry at the Parkway will be under the Main Place as proposed tonight. We also have comment from ODOT on those mitigation measures too, that are in support of that. The Main Place may need to do additional mitigation and we've noted that under the Development Agreement. In the event that they decide to move ahead of the Home Depot project, the transportation-planning rule sets out different guidelines and expectations for projects coming into the area, including a build-out I think the year 2024. The applicant's TIA reflects that 3 of the studied intersections are currently below the City's mobility standard that you are familiar with in Article 27. Mitigation measures for Home Depot will bring the Parkway and F Street and the Parkway and M Street up to standards. The mitigation for Parkway and Agness street is proposed for this development.

Currently, the Development Code's minimum level of service (LOS) standard is D for signalized intersections with the volume to capacity ratio not higher than 1.0 for the sum of critical movements. However, during a recent LUBA decision it was determined that a proposed development should mitigate its impacts on affected intersections, even if that does not fully restored to LOS-D. Where this comes back important is -- on I believe page 11 of your Staff Report, I have a table there that we've extrapolated from the TIA by the applicant. I was having a hard time switching that table into this format. It was too much information to try to put on a slide. But right now what we're showing on page 11 under that table is -- the Parkway at Agness, the Parkway at F Street and Parkway and M Street are currently all at LOS-E, with the volume to capacity (VOC) ratios at 1.01, 0.97 and 1.10. Through their analysis, they show that, even with Home Depot -- the Home Depot will bring F Street and M Street and Parkway intersections up to an LOS-D but by the time 2024, with or without Home Depot and their improvements, those 3 intersections would still be below our minimum standards right now of D. So that would tie us back to what's also important with the transportation planning rule and the LUBA decision on a development is to mitigate their impacts on those affected intersections.

The Parkway intersections, again, for M and N Streets are scheduled to be improved during the Home Depot agreement. However, a revised TIA and necessary mitigation will be required if the applicant proceeds to move ahead of the Home Depot project. And that's not necessarily tying them into the same mitigation that the

Home Depot project would be required for. The applicant's may not have the same sort of intensive impact as what was projected with Home Depot.

The Development Code, Section 4.033 also had criteria for Zone Map Amendment, which follows along the State Goals and the Comprehensive Plan elements. The proposed change is consistent with the uses permitted in the R4 and general commercial zones, development of the tract with mixed uses to include the apartment units and professional office space along Fairview and commercial towards the Parkway, is consistent with the zoning district. A Development Agreement is proposed to ensure the improvements as we've noted here will be installed and that improvements on the traffic also will be installed. So the Development Agreement will contain this type of development for the proposal based upon the concept map without additional review and then the traffic mitigations.

The proposed agreement will contain the following requirements: The intended use, which is the 10,000+ sq. ft. of general office, the 10 residential units, and the 19,000+ specialty retail, along with the proposed mitigation being installed by the Home Depot or revised TIA from the applicant. The Development Agreement also includes the mitigations for Parkway and Agness intersection and Parkway and Terry Lane. Most of these will also be the realignment of the movements; the through, or the right turn, I believe it's changing on the one to allow the north/south turn lanes to go at the same time. So they are not as extensive mitigation measure as what we were experiencing with the Home Depot project. Then the trip count not to exceed 1,194 daily trips for the entire development and there would be a restriction against fast food restaurants and banks, with or without drive-through windows -- those are our highest trip count numbers.

The recommendation is that the Urban Area Planning Commission recommend to the City Council to approve the proposed amendments along with the proposed Development Agreement. At this point, do you have questions or would you like me to go back and review?

Commissioner Sackett asked, what was it they were going to do at Fairview and Beacon? Is that going to be a light there or were they putting anything there in that intersection?

Associate Planner Glover stated, no, Fairview and Beacon is not included in the mitigation. It's only going to be Terry and the Parkway and the Parkway and Agness for mitigation, not Beacon.

Commissioner Richardson stated, let me ask you something. When you talk about the cap on fast food restaurants and banks, that's only for phase 2, that's not including phase 1 is that correct?

Associate Planner Glover stated, that is correct. We are talking about the proposed concept plan at this point.

Commissioner Richardson stated, so they are still going to have some impact from the Del Taco, Starbucks, or whatever fast food restaurant is going into phase 1.

Associate Planner Glover stated, that's why I tried to capture earlier that their analysis included the Home Depot site and the Del Taco, Starbucks phase 1 of the Main Place.

Chair Berlant stated, you talked about putting a cap on the trips, how do you accomplish that in reality.

Associate Planner Glover stated, that will be through... Their TIA is based on those 3 types of mixed uses and the specific square footage so we calculated the trip caps off of the sum of 10 units. The 10,000 sq ft of office space and then the 18,000+ on the specialty retail. If their proposal comes in at Site Review as something different, and they certainly could come in with a different proposal, it would require an addendum to their traffic analysis.

Commissioner Fitzgerald asked, could you tell me if there were any discussions about the narrow portion of Terry Lane north of Fairview?

Associate Planner Glover stated, we're not doing Site Review right now so...

Commissioner Fitzgerald stated, as far as any traffic I didn't see anything addressing that portion of Terry where it comes down to basically a driveway through bushes.

Associate Planner Glover stated, that's the block ahead so let me go back and make sure I'm looking at the right part what you are referring to. I'm not aware that that intersection was included, that intersection would be D and Terry and I do not believe that was included with the analysis on the scoping requirements.

Commissioner Fitzgerald asked, so that was excused from the scoping document?

Associate Planner Glover stated, that's correct. It was not part of the reviewed intersections.

Commissioner Fitzgerald asked, can you tell me why?

Associate Planner Glover stated, I would have to ask the City Engineer and ODOT for that. Oh, ODOT would not have included that but the City Engineer would have included that.

Commissioner Fitzgerald stated, I'm just wondering why that was not, for the City Engineer, why that was not discussed.

Associate Planner Glover stated, he may not have felt the traffic generated or coming to the site would all be piping down through that corridor there, that street there. I would imagine, especially, as this property up above develops it will trigger those improvements on Terry Lane as their off site.

Commissioner Fitzgerald asked, isn't D Street a collector?

Associate Planner Glover stated, I believe it is.

Commissioner Fitzgerald stated, and Fairview is also is it not?

Associate Planner Glover stated, yes it's a collector. I don't have the answer why the City Engineer did not include that in the scoping order.

Chair Berlant asked if there were any further questions for Associate Planner Glover. Seeing none, he thanked her for her presentation. Chair Berlant asked if the applicant would care to make a presentation.

Justin Gerlitz of ZCS Engineering, 550 SW 6th Street, Grants Pass. First, I would like to thank the Staff and other agencies involved in this for working so closely with us on this project. It has been a long project, a lengthy project, a lot of information has been processed and I feel we've come to a pretty good compromise here and I'm hoping you'll feel the same after this presentation. We've reviewed the Staff report in addition to Associate Glover's presentation and we are in full agreement with what has been said and we hope that you can move forward to with a recommendation of approval also. Here are some pictures of the conceptual drawings they are planning to use for the development. We feel it is very close to what we are anticipating doing here for the future developmental _____ reasons accomplished. As Associate Planner Glover specified, we have basically two distinct areas here. We've got the R4 area which incorporated the offices and the residential, which will be a mixed use area and the purpose for that is for buffering the Fairview residential development to the north. Then the southerly area, the middle area, is what we are proposing to rezone to general commercial and it ties right in to the existing approval on the Del Taco and Starbucks to the south here. There have been several previous proposals on this property over the years, many before I was involved on the project. Most of them incorporated, what they were trying to do was make the whole thing a general commercial zoning, and with that came several challenges, one being the transportation challenges and the other being that there was a lot of input from the City on buffering this area. They didn't want the general commercial to be backed right up to the residential uses that are existing on the street and as a result the City worked with what's called ODOT quick response team in the past. Senior Planner Tom Schauer is involved in that. He worked with them to come up with different alternatives for mixed uses because that was really what everybody was looking for. What we did is we took all the past applications, all the past comments, the Quick Response comments, and some from other conversations we've had with Staff and tried to incorporate that into a zoning scheme and subsequently a proposed development that would work for the area and for the neighborhood. We feel a neighborhood policy, as Associate Glover mentioned, supports this type of mixed use zoning and the conceptual uses that we have proposed. Again, we agree with the Staff Report and responses in the Staff Report, responses to the goals and policies in the Staff report, in addition to the goals and policies we presented already as part of the application. Transportation, as mentioned, has been kind of the big challenge on this rezone application. We've worked really closely in the past 1-1/2 years with ODOT and the City and the City's traffic engineers to come up with a transportation mitigation plan that accounts for the increased traffic out here. As Associate Planner Glover mentioned, one of the things we did to do that is we capped the trips with development. So basically under the build out of the current zoning it generates a certain amount of trips into the R3, nobody can build a lot of apartments and/or condominium dwellings into this current zoning. That in its own generates quite a bit of trips. What we did was we, working with ODOT and the City in looking at the transportation issues we had in front of

us, we kind of looked at the mitigation required and kind of scaled back from there. What we ended up with is a trip gap that kind of reflects very closely to what the current zoning would be if we built this whole thing out. So the amount of trips this new development is going to generate up to this trip cap that we have and this development agreement is actually fairly close to the maximum amount of trips that could be built on this site right now into the current zoning. I thought that was pretty important to mention. As part of our agreement with the City and ODOT, as mentioned, we have a draft development agreement that's out and this is going to be kind of what ties us into this traffic mitigation and the trip caps associated with the development rezone. I have been in a lot of contact with Associate Planner Glover and Principal Planner Angeli-Paladino and I think we're pretty much in agreement on this development agreement. There are some slight text revisions we want to make just to keep everything consistent but I'm fairly confident we can, before the City Council hearing, come to a nice development agreement that everybody can agree on and, hopefully, we can get it finalized at that point. By integrating a mixed use development into this, we are also adding an additional level of transportation mitigation. It's the whole live-work concept and the location of this and the adjacent neighborhood and we are hoping that a lot of people will live and work in this neighborhood here and actually visit the site on foot, and other people in the adjacent neighborhoods will visit the site on foot. Even the large church parcel over here we are hoping will actually have a connection between the two parcels so they can actually take advantage of services so they don't have to drive around the block every time they want to go get a coffee or something like that. Again, as mentioned, utilities are in place to serve this development under the proposed zoning. We put several utilities in which are in the ground right now for this phase 1 development. Part of that being fire suppression loop stubs and sewer stubs so utilities really aren't an issue under this zone proposal. Over all, we feel approval of this rezone and subsequent development of the rezoned parcels will be beneficial to this local area, to this neighborhood, and hopefully provide some well needed jobs for the community here in the short term. With that, I will take any questions you might have.

Commissioner Fitzgerald stated, the only question I have is taking it back to Terry Lane. The logical choice using D Street coming across from behind the shopping center all the way, that is going to be the avenue that is going to be used to get to here. Did anyone look at Terry Lane north of Fairview where it goes to the one drive point?

Mr. Gerlitz stated, it was looked at originally looked at as possible mitigation or possible route alternative between the City, the City's traffic consultant, and ODOT and our traffic consultant I think they came to the conclusion that there would be more important areas and the more important dispersal patterns for the cars was the intersections we looked at, which was quite a few intersections. The fact that Fairview is a collector, Terry connects to the arterial out here, we've got several high capacity intersections and roads around the area. I think they looked beyond that.

Commissioner Fitzgerald started, but I'm sure you would agree that Fairview dead-ends at Beacon. So you have a person who is coming down towards this area, why would they go down Beacon and then come along Fairview? Why would they not go D and then down Terry?

Mr. Gerlitz stated, this was mentioned, I mean, I personally mentioned it as one possible – would this help the situation and I believe all the traffic consultants and traffic engineers and their representative looked at that and they decided it was much more important and the traffic dispersal patterns were much more accurate looking at the areas down here fanning out to the highways and fanning out to the other collectors in the areas. Again, I was involved in it but I don't know exactly what the mindset was of all the other people was at the agency level to exclude that. I think, as mentioned, it was probably that there was a lot of developable land up in that area that would have to put in those improvements as part of their development.

Commissioner Fedosky stated, the mixed use that's along Fairview – does the business access come off of Fairview or is it in the parking lot?

Mr. Gerlitz stated, the parking is in the back. We wanted to have... We wanted to keep a residential appearance on Fairview for the people living in the neighborhood. That was one of the things that Staff and the other agencies had mentioned, keeping the feel for the people that live across the other side of Fairview as this felt more residential in nature. The main access for the offices is going to be interior to the development. Not to say that there's not going to be a doorway accessing the front from the corners, especially at this corner site because it made a little sense to have the access from the corner there. We haven't established exactly those criteria yet but that's kind of the idea behind it.

Commissioner Fedosky stated, by keeping that residential feel, can I look at your elevations towards the back?

Mr. Gerlitz stated, I'll go to that on the next thing.

Commissioner Fedosky stated, I think this is the new classic transition from commercial to residential, so as a pioneer in our town, doing it right, it looks like you've come up with a good concept, a perfect blend as we hoped.

Mr. Gerlitz stated, one of the things I think that is kind of neat about these buildings down here is part of having a mixed use development is also incorporating open space for the residential component of it. One of the things that the architect has generated is actually having a rooftop patio and garden area – kind of situated here on this building – and actually having some of that open space be integral to the building up on the rooftop so we're not taking up a bunch of area down below. You're right, the planning direction has been toward this mixed use development. There have been a lot of buildings in Oregon even that have got this kind of office/residential, and in a lot of places you'll even see retail down below with the residential living spaces above. It provides a good fit and provides a good buffer for this transition between commercial and residential.

Commissioner Sackett asked, the Starbucks when it comes off – you have two entrances on Fairview and two entrances on Terry Lane right?

Mr. Gerlitz stated, there is a main entrance into the middle part of the development, a back entrance and another possible entrance for truck loading – again, this is a conceptual drawing so its...

Commissioner Sackett stated so three entrances. So for the Starbucks in there, they will be using your entrance to get to the Starbucks right?

Mr. Gerlitz stated, correct, the current approval for these two developments actually includes this access and a driveway here.

Commissioner Fitzgerald stated I believe that condition was set forth at the time so that until that became general commercial, wasn't it? I believe that's when we put that in there was we said that driveway had to come down like that until all the zoning was changed to general commercial. So now once this is changed, and again, the gentleman does say it's all conceptual here, so there is nothing that would restrict you from making that driveway go straight.

Mr. Gerlitz verified which driveway was meant. This driveway we had to move up to this location and actually come through our R3 zoning, which is what it is now, strictly because of stacking distance at the intersection.

Commissioner Fitzgerald stated, what I'm saying was the reason Mr. Sackett was talking about Starbucks coming off of Terry, I'm saying that driveway we put it in there as a condition because at the time we wanted to be sure there was no, that the interference of the commercial traffic did not interfere with the residential use. But that was predicated upon zone – that when that becomes general commercial, all bets are off. Because now it is a piece of property zoned correctly. The only reason it was there, we had that condition, was because at the time it wasn't zoned appropriately.

Mr. Gerlitz asked, I guess are you... We're not going to be able to move that driveway, if that's what...

Commissioner Fitzgerald stated, no I'm saying he was talking about the traffic coming off of, for Starbucks, because we had been talking about the fact of where is the traffic going to come from. You've got three entrances and access points on Fairview and there's nothing to prevent anyone from using those to come into the commercial application at all, I'm sure. So I'm saying, to be fair, we have to look at the fact that there are three entrances and exits onto Fairview, to look at it and say "well that's going to be limited." No, it's going to be a matter of whoever is driving is going to use it. It's not a case of it's going to have any kind of restriction on it. Those three in and outs are going to be there off of Fairview and then the main one off of Terry south of the short one closer going up towards Fairview. But there are three, and you say that this is conceptual, so we have to understand that those three may not be necessarily be what they look like when you guys go to build and go back to Site Plan, right?

Mr. Gerlitz stated, you're right, this is conceptual and there is no guarantee at this point that we are even going to propose those three driveways. It's just, at the moment, that's what we have conceptually.

Commissioner Fitzgerald stated, "The reason I bring it up is sometimes things come back and then a person says, 'Well we saw a plan that showed that and now it's not there so what happened to it.'" I just want everyone to understand this is conceptual and it is certainly is it is in sand, not stone.

Mr. Gerlitz agreed.

Commissioner Richardson stated, when we talk about specialty retail what are we actually talking about? What we were doing here is pulling up the trip generator and we've got *moderate traffic retail commercial*, *high traffic retail*, and *minor traffic in general*. So when we talk about specialty, what category is that?

Mr. Gerlitz stated, specialty retail is kind of a mixed use category of retail uses. It doesn't include fast food drive through, you know, very high traffic generators like Associate Planner Glover mentioned. It does include most other retail businesses, which does still also include a sit-down restaurant like say a Mexican restaurant. Any kind of general retail use, which is kind of a broad category.

Commissioner Richardson stated, because we're looking at this and *minor* is considered furniture stores, toys, wholesale nurseries, recreation facilities; *general commercial* is shopping center, home improvement, electronics, toys, clothing, pharmacy.

Mr. Gerlitz stated, it's a category that's defined in the International Traffic Engineers Manual that traffic engineers used to define these trips generated.

Commissioner Richardson stated, I'm thinking we're talking on the order of 26 to 88 trips per 1000 feet?

Mr. Gerlitz stated, I don't want to throw out any numbers without looking at anything. It is identified in the traffic study what that specialty retail classification sets up.

Commissioner Fedosky stated, but you did say that cumulatively the cap represents, in your opinion, essentially no more trip generation than had it been developed based on current zoning.

Mr. Gerlitz stated, I believe it's a little bit more but it's very close, especially when you look out at the 20 year horizon – the Master Transportation Plan Horizon – they're very, very close with the cap in place. Without the cap in place on the general commercial aspect of it we would be allowed to generate more traffic than the current zone and that's part of the negotiation we had, to bring it back down to a reasonable traffic level. To bring the mitigation back down to something that everybody was happy with.

Commissioner Fedosky asked, so is that at maximum build out of existing zoning? I mean max density?

Mr. Gerlitz stated, yes, the current R3 zoning has a maximum amount of dwelling units per acre so we basically looked at that, which is a requirement in any of these situations.

Commissioner Fedosky stated, so in the development agreement, in managing the cap it says, "Other high traffic generators except those previously mentioned." And the previously mentioned are the 496 per 1000 at the banks and fast foods, so those are excluded.

Mr. Gerlitz stated, yes, that's one of the items we want to clarify in the development agreement. In reality, the trip cap is based on a maximum amount of trips per day, am/pm peak hour trips, so that's really what we're up against. I mean, we could reconfigure this a little bit here and there, so it's not really tied to a certain use. The City mentioned those certain uses because if we were to take a fast food restaurant, even a small one, and throw that into the mix it generates so much traffic that we would come very close to that trip cap right away and we wouldn't actually be able to develop much more else on the property. So I think that's why they mention it. That might be something we want to clarify in the development agreement – in the final development agreement, so it's really tied to the trip cap. We're only going to generate this certain amount of trips out of this development at any certain time, and that's what the traffic mitigation is tied to.

Commissioner Fedosky stated, I'm just trying to understand the management of that because I can understand how that's managed from the perspective of the initial TI permits that are issued as the original build out takes place on the development. It's pretty easy to calculate if there is a TI application and here's a restaurant, and here's a tanning salon, and here's a -- whatever. But then later on down the road when those uses change, I mean, they're not micro-monitoring what goes in there in place of another business at a later date. I just fail to see where the real management is on a long-term, ongoing basis for this cap.

Mr. Gerlitz stated, I think that's why they mentioned drive-through specifically because those are the higher traffic generators than what the specialty retail proposal is. Again, we have the trip cap and would monitor that but if we were going to come in on the buildings that we were proposing, and this is going to go through Site Review also and if we were to try to exceed that trip cap, it's going to go through Site Review also and be addressed then, of course.

Commissioner Fedosky stated, the specialty retail category though is from the big book, the...

Mr. Gerlitz stated, yes, from the ITE that traffic engineers use.

Commissioner Fedosky stated, but we don't have that as a classification in Municipal. Can you at least give us a definition of specialty retail from that book this evening?

Mr. Gerlitz stated, like I said, generally specialty retail is a broad category that covers anything from a sit-down restaurant to a boutique to a retail store of any kind, selling really anything. But it's not classified as a high traffic generators, it's more of a general mid-range category. It also includes, you know, we could put a furniture store in here, which usually doesn't generate much traffic at all. It's included in that category but it doesn't count for

the upper end of that mid-range specialty retail category and, basically, excluding the high traffic generating uses such as a fast food drive-through or bank drive-through.

Commissioner Fedosky stated, I understand that. That's reasonable. You can only work with what you can work with but it still I guess leaves me failing to see how the cap is managed on an ongoing basis.

Mr. Gerlitz stated, the development agreement is what's tying us into not exceeding this trip cap. That's where it's going to be outlined. Any future development of this property it has to go through site plan application and it's going to be tied to that development agreement correct?

Commissioner Fedosky stated, I'm thinking more in terms of use and the tenant mix than I am redevelopment or future development.

Mr. Gerlitz stated, but I guess the best thing is change of use tenant wise. The only thing that would exceed what we are proposing is a fast food drive-through or bank drive-through, something that a drive-through with a high generating component to it. To do that we would basically have to modify the buildings in such where we have a separate application anyways to come in here and try and do that and you'd be fixed to that. So basically if we construct buildings similar to what we do now which don't have drive-through components to them, tenants move in, tenants move out, new tenants move back in, those spaces are going to be fixed to a specialty retail classification. You're not going to be able to just put a drive-through bank in those buildings without going through a separate land-use procedure.

Commissioner Fedosky stated, well no I'm excluding those but let's just say then on the specialty retail out of the ITE traffic handbook, I think they do have an average per 1000 given to that classification? Do you know what that is this evening so we can compare that to our Municipal Code?

Mr. Gerlitz stated, everything, again, was reviewed by the City Engineer the City's Consulting Engineer, as a consulting engineer compared to our Code so everything meets the classifications that are dictated by the Development Code and everything else. We've gone through that and it's been reviewed and approved.

Principal Planner Angeli-Paladino stated, Commissioner Fedosky I can go get the ITE if you'd like to see it?

Commissioner Fedosky stated, I'm mostly just curious what their average per 1000 is for specialty retail as compared to our own Municipal Code to see what classification it lines up with. Do you have the traffic study tables, perhaps we could look it up in there.

Chair Berlant asked, do we have any further questions outside of that issue. Seeing none, he asked if they all would like to take a quick break while that is being looked at.

BREAK: 5 minutes

Chair Berlant asked, do we have an answer to that specialty retail?

Commissioner Fedosky stated, we do, I'm satisfied that the average rate falls somewhere between our *minor traffic retail* and our *general retail* and I wanted to see and verify that.

Mr. Gerlitz stated, just on a sidebar discussion here, just to further clarify that, I think there are a couple of things that also will help in the future when tenants change. At minimum if we change a tenant and they do anything to a building, you have got to go through a tenant improvement process and that's typically if you have no changing use, which technically shouldn't change the traffic generation. If we go through any kind of change in use, you know, we've got a retail store in there and all of a sudden somebody wants to come in and put a high traffic generating restaurant in -- that is going to trigger a planning review. The planning review is going to trigger a review of the Development Agreement...

Commissioner Fedosky stated, for 7 years, but 10 years later doesn't matter.

Mr. Gerlitz stated, but a change of use will always trigger a planning decision. At that time, Planning can look at the traffic study versus what was originally approved because traffic studies are also only good for a certain amount of years too. So I think Planning is always going to have the ability under a change of use which a higher traffic generator would be, to review it, to require additional traffic studies that would satisfy their curiosity if this thing is going to exceed that trip cap that we originally proposed with the development.

Commissioner Richardson stated, what Commissioner Fitzgerald and I have been arguing about back-and-forth over here -- well we've been discussing it in some detail -- is the whole issue of Terry Lane north of your development because the area that is Fairview is home to some nursing home type activity. There is all sorts of senior citizens who live in that general area who walk down to the grocery stores, who walk to Fred Meyers and back-and-forth, and what we've been talking about is that whole issue of Terry Lane because you have the arterial which is D, a collector, and given that the way people tend to go the shortest possible route, did anybody approach you about SDC credits or anything for maybe improving Terry Lane?

Mr. Gerlitz stated, no, like I said it was mentioned at the very beginning when we started looking at the transportation system out there, it was mentioned as, you know, is this something that needs to be taken care of and it was determined by the City Engineer and the City Engineer's consultant that it wasn't part of our scope originally. I mean obviously it was not included in the scope of our traffic study and part of that might have been that Beacon obviously acts as a sidewalk connection to D. Street between Fairview and D Street, which is just adjacent to the property over there. Other than that, without asking the City Engineer directly that it was not ultimately included in the scope I think would just be a decision of his... A decision that was made based on the spread of traffic from this development that was anticipated and what areas were more critical to improve. I mean, obviously we're mitigating two very high traffic intersections, I mean there are 30,000 trips a day that go on the highway and we're mitigating two intersections out there; one adjacent to our property and one up the

street from our property to accommodate for this increase in traffic from our development. Home Depot is doing the same thing on the other two adjacent intersections to the west.

Chair Berlant asked if there were further questions for the applicant. Seeing none, he asked if anyone else would like to speak in favor of the application. Seeing none, he asked if anyone would like to speak in opposition to the application.

Charles Wolfmueller, 1 Fire Mountain way, Grants Pass. We have a settlement agreement with Timber Products and Home Depot and part of it has to do with the capacity at F Street and Grants Pass Parkway, so I would like to get a copy of the traffic impact so I can have Timber Products' traffic engineer look at that and see how that affects our agreement with them. So we're interested in seeing what's going to happen there. I tried to have a meeting with City Manager Frasher but it's next Thursday -- it was two weeks before I could get a meeting with him to find out what's going on with this.

Commissioner Richardson asked, Mr. Wolfmueller are you asking for a continuance until you have that information?

Mr. Wolfmueller stated, it depends on how you do the continuance. It would help us to know how it's going to affect us. I've had our traffic engineer look at it but I need to find out from City Manager Frasher and Director Huber exactly how we're going to do this and we've been trying to get a scoping letter from the City Engineer. We finally had to put in a formal request for one. So we have a formal request from the City Engineer for a scoping letter because we never got one just by asking. I don't know if I should ask for a continuance or not.

Chair Berlant stated, I mean it sounded to me like your question was just making sure that you wanted to get a copy just to review it.

Mr. Wolfmueller stated, we need to get the information and see how much capacity that they're going to take up at F Street and Grants Pass Parkway because we have an agreement with Timber Products and Home Depot for some of that capacity.

Chair Berlant asked, but I still didn't get... I think our question is are you trying to use that to make a decision on whether you are in favor of or opposing this...

Mr. Wolfmueller stated, that would affect what happens. It affects Timber Products and affects Home Depot.

Chair Berlant stated, right it potentially is going to affect whatever you're doing between you and Timber Products but...

Mr. Wolfmueller stated, and Home Depot.

Chair Berlant asked, but is it going to affect your opinion about what should happen with this proposal?

Mr. Wolfmueller stated, it's hard to say. I don't know. To tell you the truth, I do not know.

Commissioner Richardson stated, I think we've been sitting here discussing the need for a continuance and perhaps to hold it open because the issue of Terry Lane disturbs those of us who would see the traffic from D Street to Fairview. We have another issue involving Home Depot. If we have it within the 120 days, I think we need to know a little more about why Terry was not assessed for the traffic it might generate between D Street and Fairview.

Chair Berlant stated, the Commission can decide to do that on their own. I mean I'm getting the sense that Commissioner Richardson is at least moving for that. Certainly if a party or someone asked for that, it must be granted but whether or not we do it on our own...

Mr. Wolfmueller asked, so do I ask for a continuance until we've had time to talk to City Manager Frasher and Director Huber? We're supposed to meet with them next Thursday.

Chair Berlant asked if anyone else like to speak to this application in any manner.

Mr. Gerlitz stated, I would really like to ask that we don't continue this for that reason. I understand wanting to review the traffic study. We are more than happy to provide the traffic study for review. I mean, we would have been at any time. To continue this again just to review the traffic study and/or look at Terry Lane and that was a decision that was made by the City Engineer, who ultimately has that decision, as part of the scoping analysis of this. Why he didn't include it... You know one of the things that we have to look at too and keep in mind is we can't ultimately be responsible for fixing all of the transportation issues or stuff in the area. That road is very undeveloped. It's not that the additional traffic is making it unsafe. It's just an undeveloped road and the adjacent development on those properties there will ultimately probably be responsible for developing that roadway. So I just wanted to kind of put that out there and ask that we process the application. Also that ultimately the City Council and the final Development Agreement will be the ultimate decision on this also, so I don't know if there is a need to continue this at the Planning Commission level.

Chair Berlant asked Principal Planner Angeli-Paladino, is this subject to the 120 day rule?

Principal Planner Angeli-Paladino stated, my understanding is that for Comprehensive Plan/Zone Changes it is not. We also have noticed.

Commissioner Fitzgerald stated, you don't have a choice if a participant asks. It's taken out of our hands. We have to grant a continuance. We've run this afoul of this before when we didn't want to grant a continuance and a participant does we...

Principal Planner Angeli-Paladino stated, that's also my understanding as we

Chair Berlant stated, the issue I'm dealing with is we have two choices, close the public hearing portion but essentially for what you're looking for is to reopen the hearing for further information. I think it would be probably be helpful for the applicant and anyone else, for us to have at least have some discussion about other issues that may be on our minds that we want to have addressed so at this point I think I'm going to close it to public testimony at this point without necessarily closing the hearing, and go ahead and have some further discussion and then we'll go ahead and move to continue it...

Commissioner Fitzgerald stated, I would really not want to have the discussion. I'd want to have the record held open. I want the applicant to make their case and I don't think it's fair for us to discuss it in advance of that, so I'd like to have the whole thing left open so that the best evidence can be presented at a time prior to any words from the venture at all. Let's get all of the evidence and take a good look at it.

Chair Berlant stated, what I was going to have for instance I have some issues or questions. I saw that certainly the comments as was termed _____ by LUBA, in terms of how we deal with already failing intersections and I'm not so completely so satisfied that just because of what it says that means that we ignore the issue of you've got failing intersections and where we were taking the position before that, "Hey if it's failing, if we can't get it to an intersection that actually conforms, then we should be denying it." This says LUBA seems to say well that's not necessarily what you should do, but just saying that mitigation happens is sufficient. I'm not so sure that I'm comfortable with that and wouldn't mind hearing some more about that at the next hearing.

Commissioner Fitzgerald stated, the point on the mitigation, I mean you're talking about the Parkway, you're talking about F Street, you're talking about high traffic areas but the mitigation has been put in place. It's been examined, examined, and examined and those issues \$5.1 million, whatever it was that Home Depot we ran into here by the applicant. I don't have a problem with those things in the Parkway and F Street, I just think that they need to be making sure that the evidence about what's going to happen on F Street and the Parkway is set so it doesn't come back as an appeal and delay everything. The other issue I just wanted to know was the fact of with all due respect to that City's Consulting Engineer on the TIA, he probably doesn't drive it -- so what it looks like and what it perhaps is, may be two different things -- and that portion of north Terry there, because there is no traffic control device on the left turn from the southbound Beacon onto Fairview it is avoided. I avoid it and I'm not a senior, well I guess I am a senior, but you know I avoid it because there is no control there and if it's really, really busy you can't get across. And if you happen to, I know lots of people that go to Parkway Christian and come down the other way simply because they don't want to make a left over there, they want to come around and they want to use Parkway over that back way and get into it -- so it happens. Maybe it's just been overlooked and I'd certainly like to hear from the City's point of view as to why they must have some valid reasons. Maybe it's just a red herring we just need to look into. Okay, it's cool, it's been looked at and there's some good reasons for but just not to look at it and know it's there I think is probably troublesome to me.

Associate Planner Glover stated, Commissioner Fitzgerald I wanted to make sure you were talking about the intersection at Beacon and Fairview. That intersection...

Commissioner Fitzgerald stated, no I'm talking about the intersection, I'm talking about the street north Terry, across the north of Terry, north as you go north from Fairview up to D Street and from D Street south. That's the strip of land, the strip of driveway with those townhouses...

Associate Planner Glover stated, right your discussion started to go with Beacon and Fairview, I just wanted to clarify...

Commissioner Fitzgerald stated, no I said the reason, you know what would be logical, of course, would be if there was a traffic device at Fairview and Beacon. I could see their validity right away because that would be the choice to come down Beacon make a left onto Fairview, perfect way. But the fact is there is no traffic device there and so people coming south on Beacon to make a left onto Fairview may not take that route. They may instead go along D and come down making a right and go straight across to Terry, and so I just need to know why it wasn't put in. There must be some valid reasons for that.

Commissioner Richardson stated, I just wanted to say I agree though with Chair Berlant also that the whole issue of this LUBA decision which says that you don't necessarily make it better, you have to mitigate what you have done to it. So it can be a failing intersection and it can still fail after you're done it just won't fail any worse. That has a significant impact and it hasn't made it into our Development Code and I'm wanting more information on how that's going to apply to us and maybe we need to do a little tutorial on what they really said and what it means.

Chair Berlant stated, okay I think we're going to continue this. Do we have a date certain that we are continuing to?

Principal Planner Angeli-Paladino stated, the next hearing in May is the 27th and then it goes to June 10 or June 24 or later.

Chair Berlant stated, I think I'll put a question to the applicant in terms of some of the information we're looking for that is from the traffic study and those pre-cited... Do you have a date preferable to when you can be prepared?

Mr. Gerlitz stated, yes, I think we could provide whatever information. Most of this information is a matter of what's in the traffic study, and what the City Engineer obviously has to say about this verbally. The LUBA decision, just to add to it was something that I discussed with the City Engineer also. There actually was a project approved recently under the same LUBA decision for an intersection mitigation. It was up on, I believe, on Hillcrest or 6th and Hawthorne. It was an office complex.

Commissioner Fitzgerald asked ... and Midland I think.

Mr. Gerlitz stated, I believe so, yes, uptown, and that was one of the developments that actually followed this LUBA decision where they did not mitigate the intersection back to a level of service D, they mitigated it for their impact and in the conversation with the City Engineer, that precedent basically has been set and he said he did not want to shy away from that.

Commissioner Fitzgerald stated, 6 vehicle trips.

Chair Berlant stated, well that doesn't necessarily constrain us but, you know, we'll see. So in terms of dates we have... and what about in terms of scheduled hearings already on those dates?

Principal Planner Angeli-Paladino stated, on May 27 the only hearing we have is the Revegetation Fee Amendment workshop.

Chair Berlant stated, okay so May 27 is that where we could...

Principal Planner Angeli-Paladino stated, if you'd like to do that?

Chair Berlant stated, so we do need a motion to continue to May 27.

Commissioner Richardson stated, I move we continue this until date certain May 27, holding it open for additional testimony and commentary with audience input.

Commissioner Fitzgerald seconded the motion. Chair Berlant called for the vote.

MOTION

Commissioner Fowler moved and Commissioner Kellenbeck seconded a motion to approve the minutes for April 22, 2009. "AYES": Berlant, Kellenbeck, Sackett, Fedosky, Fowler, Fitzgerald, Arthur and Richardson. "NAYES": None. Absent: None. Abstain: None. The motion carries.

5. CITIZEN INVOLVEMENT COMMITTEE:

a. Items from the Public: None.

6. ITEMS FROM STAFF:

Principal Planner Angeli-Paladino stated, on your dais I handed out a advertisement. Interested in tree preservation? I just wanted to kind of give you an update from the last time we talked about the Revegetation Fee Amendment. Kind of where staff has gone. Some of the direction from the Commission was that we would invite Tal Blankenship. That has happened. He appreciates the invitation but he is going to be out of town that day but I told him if something else happens in the future that we would invite him to those. We did send out an

Commissioner Richardson asked, how long is it taking to get them online now? It used to take almost a month because they had to go through and be approved by the Council and etc. so are they showing up any faster than that?

Principal Planner Angeli-Paladino stated, this Wednesday packet was out last Friday.

Commissioner Richardson stated, the minutes of our discussions. By the time someone takes these minutes and they get approved and get posted online are they on...?

Chair Berlant stated, no, but they would show up in the packet for the following...

Commissioner Richardson stated, right it used to be that it took between two and four weeks for the packet to get online.

Principal Planner Angeli-Paladino stated, no the packet should always be online the Friday before the hearing. Are you talking about approved minutes? I'd have to look I guess.

Chair Berlant stated, I don't know that the approved minutes go online. I think it's only the minutes that are in the packet for approval.

8. ADJOURNMENT

There being no further business to come before the Commission, Chair Berlant adjourned the meeting at 9:26 p.m.

Gary Berlant, Chair
Urban Area Planning Commission

Date

These minutes were prepared by contract minute taker, Wendy Hain.

URBAN AREA PLANNING COMMISSION

May 27, 2009

7:00 p.m.

Council Chambers

1. ROLL CALL

The Urban Area Planning Commission met in regular session on the above date with Vice Chair Kellenbeck presiding. Commissioners Arthur, Kellenbeck, Richardson, Fitzgerald, Fowler and Fedosky were present. Chair Bertant and Commissioner Fedosky were absent and there is one vacant seat. Also present and representing the City were Principal Planner Angeli Paladino, Associate Planner Voice and Associate Planner Glover

2. ITEMS FROM PUBLIC: (None)

3. CONSENT AGENDA

a. MINUTES:

i. May 13, 2009

Commissioner Arthur stated, on the May 13, 2009, minutes on pages 211 and 212, I was omitted from the voting lists. I voted yes on both of those items. Commissioner Fitzgerald stated, I go ahead and move that we accept the consent agenda with the changes so noted by Commissioner Arthur. Commissioner Arthur seconded the motion.

MOTION

It was moved by Commissioner Fitzgerald and seconded by Commissioner Arthur to accept the minutes as corrected. The vote resulted as follows: Kellenbeck, Arthur, Fitzgerald, Fowler, and Richardson. "NAYS": None. Abstain: None. Absent: Fedosky and Bertant. The motion has passed.

b. FINDINGS OF FACT:

i. 09-20100005 & 09-30100002: Airgas/Vine Street Major Site Plan Review and Major Variance

Proposal: Major site plan review to expand the existing industrial wholesale business and variance to allow the remaining two (2) driveway approaches to remain on Vine Street.

Address: 2110 NW Vine Street

Applicant: Don Cauble

Representative: Gary Caperna

Planner: Lora Glover

MOTION

It was moved by Commissioner Fitzgerald and seconded by Commissioner Arthur to approve the Findings of Fact. The vote resulted as follows: Kellenbeck, Arthur, Fitzgerald, Fowler, and Richardson. "NAYS": None. Abstain: None. Absent: Fedosky and Bertant. The motion has passed.

4. PUBLIC HEARINGS:

i. 09-4020001: Main Place Comprehensive Plan Map Amendment and Zoning Map Amendment and Development Agreement

Proposal: Comprehensive Plan Map Amendment from High Density Residential to High Rise Density Residential and General Commercial and the Zoning Map Amendment from R-3 to R-4 and GC and proposed Development Agreement #2009-1

Address: 1817, 1829, 1831, 1833, & 1849 NE Fairview Lane and 220 Terry Lane

Owner(s): Main Place Grants Pass LLC & Marjorie Hill

Applicant: Geoff Farrer

Planner: Lora Glover

Vice Chair Kellenbeck stated, at this time we're going to reopen the public hearing to consider the application Main Place Comprehensive Plan Map Amendment and Zoning Map Amendment and Development Agreement. We will begin the hearing with a small presentation from Staff followed by an opportunity for the applicant to speak again, statements by persons in favor of the application and in opposition, and an opportunity for any additional comments by the applicant and Staff. After that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the Commission.

Vice Chair Kellenbeck asked if there was anyone present who wished to challenge the authority of the Commission to hear this matter. Seeing none, Vice Chair Kellenbeck asked if there were any Commissioners who wished to abstain from participating in the hearing or declare a potential conflict of interest.

Vice Chair Kellenbeck stated she would abstain from participating in this hearing and will hand the direction of the hearing over to Commissioner Arthur.

Vice Chair Kellenbeck asked if there were any other Commissioners who wished to disclose discussions, contacts, or other ex parte information they received prior to this meeting regarding the application. Seeing none, Vice Chair Kellenbeck stated that in this hearing the decision of the Commission will be based upon specific criteria which are set forth in the Development Code, all testimony given which apply in this case are noted, and the staff report. If anyone would like a copy of the staff report, please let us know and one will be provided. It is important to remember that if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue, you will not be able to appeal to the Land Use Board of Appeals (LUBA) based on that issue. I will now hand this over to Commissioner Arthur.

Commissioner Arthur stated, we will go ahead with just a Staff summary, a catch up summary.

Associate Planner Glover stated, yes, you had a couple of questions last time we met and we have provided you with some information in response to those, so I'll go through those items and respond to any questions you might have concerning that information.

We provided just a brief supplemental set of information for you tonight that is included in your packet. I'll discuss tonight exhibits 15, 18, 19 and 20. Exhibits 16 and 17 were a memorandum from the acting City

Attorney in regards to ownership and we discussed that at the last hearing and when Exhibit 17 was a letter from LibertyBank in support of the zone change. So the main item that you had for us, the question that you had for us last time was, "Why was the intersection of Terry Lane and D Street not included in the scoping requirements?" Questions on the implications of a recent LUBA decision and the Development Code LOS-D standard, and the impacts on F Street and the Parkway with regards to Fire Mountain Gem's property and their proposed Comprehensive Plan/Zone change. So again, these are the exhibits that we'll discuss tonight: City Engineer Schaff's memo, John Replinger's statement, and the LUBA decision, and then also a report from Michael Weishar the Fire Mountain Gem traffic analysis engineer.

In City Engineer Schaff's memorandum, he discussed the low trip volume from the project that was expected to go out towards Terry Lane and D Street intersection and the focus was to encourage people to use the local collectors and arterials rather than to force traffic onto the unimproved local street of Terry Lane. If you'll remember, Terry Lane is fairly undeveloped and very narrow at that point. Traffic Engineer Replinger concurred with that in his e-mail back to our office. He is our traffic consultant on the project. He confirmed that there is a low traffic volume for the intersection of Terry Lane and D Street and his judgment was there would be little difference in traffic volume between the existing and proposed zone. Then finally he commended the Planning Commission for their interest in the traffic impacts and the reasons for analyzing the various locations.

The LUBA decision that plays into this -- though LUBA upheld the City's denial of the Site Plan Review, they did come back with all statements relating back to impacts of that proposed development and how the City should be interpreting or reviewing parts of their Code, and this comes back into the section under Article 27 that says our minimum standard is LOS-D but under the LUBA decision, and also they had documentation from a policy from the City Manager and also from legal counsel that we should be looking at the project's impact on that intersection because it relates back to a Dolan issue so that information is available there if we need to go back through it or discuss certain aspects of it, and I'll be glad to do so. Otherwise, I'll leave it open for discussion at this point or questions for me.

And then the final item is Mr. Weishar's report. Again, he is the traffic consultant for Fire Mountain Gems. He has analyzed the information from Main Place and Home Depot's report and discusses that there is adequate capacity for all three projects -- the proposed Comprehensive Plan/Zone change for Fire Mountain Gem, Main Place, and Home Depot. Do you have any questions for me on the additional or supplemental information, or on the previous packet that was provided for you? At this point the applicant's representatives are still here and I believe a representative for Fire Mountain Gems is also here for further questions or discussion.

Commissioner Arthur stated, will the applicant please come forward and make your presentation.

Justin Gerlitz, ZCS Engineering, 550 SW 6th Street, Grants Pass. In general Associate Planner Glover covered your questions and I didn't want to go into a lot more detail on it but I'm more than happy to answer any further

questions you guys have on those two topics. In general we addressed the issues at hand, the Terry Lane was one question you guys all had and I think we've adequately addressed it. One of the comments in the City's traffic consultant's report back on that topic was that the difference in proposed zoning from existing zoning at the intersection was only 4 trips, so I think that kind of sums up the minimal impact that the development will have under the current zoning or the proposed zoning.

We've addressed the Fire Mountain Gems concerns. They were concerned that the Main Place development in conjunction with their proposed rezone that's behind ours could potentially cause the F Street Parkway intersection to fail when we account for the Home Depot mitigation that they are proposing to do out there. Their traffic engineer's report shows that Home Depot's mitigation could accommodate both developments actually with the Home Depot mitigation. So basically I'm hoping it became a non-issue. The LUBA decision, I think Associate Planner Glover explained it pretty well, but I'd be more than happy to take any questions on that also if you guys have any. Overall, I'm just hoping you'll see that this is a good thing for the community over there and for the neighborhood, and feel that the proposed zoning would balance both the commercial and residential aspects of the neighborhood well. I'm hoping that you guys can see that it would be a positive thing for the area. So I'll take any questions from you at this time.

Commissioner Arthur asked if there was anyone else who wished to speak in favor of this proposal.

Charles Wolfmuller, 1 Fire Mountain Way, Grants Pass. You all got a copy of the letter from Mr. Weishar. I've got a better copy of it if you want it. The one in the packet wasn't very good but we don't have any opposition to this issue and I want to thank you for holding this hearing open. So thank you, unless you have any other questions.

Commissioner Arthur asked if there was anyone else who wished to speak in favor of the proposal. Seeing none, Commissioner Arthur asked if there was anyone who wished to speak in opposition of the proposal or anyone who wants to say anything about the proposal. Seeing none, I will close the public hearing portion and turn it over to the Commission.

Commissioner Fitzgerald stated, well the City Engineer has given us a letter that states their position. I'm not sure I entirely agree with the letter, but it is what it is. I'm not sure that keeping the road unimproved somehow will stop people from using it, but there you are, I think that that is the answer we have so I guess we have to live with it. I still think that the road is extraordinarily narrow. It is unimproved as far as standards go and I think the fact that the attraction is going to be that there is something to go to that corner with after these applicants put their improvements in -- at the present time, there isn't any -- and the fastest way and most expedient way is going to be down D Street and turn right on Terry and go down Terry. That's going to be the most expedient path to get there so... They've answered the question so we've done our job.

Commissioner Fowler stated, I agree with Commissioner Fitzgerald, I'm astonished there's not an improvement

to be had there but I guess somebody else will pick up the tab someday because, as for me, I like to avoid signals. It's going to be a great way to get in and out of there but I think it's also a great development that blends the residential into the commercial and another opportunity for that area not to have weeds growing up and such so I'd like to see that get developed and it looks like they did a good job working with Staff to come up with a -- and the people in the community, Fire Mountain Gems as an example, to make sure that their impact is well received and so it looks like a good project.

Commissioner Arthur asked, do we need separate motions or can it all be done in one?

Commissioner Richardson stated, I just want to say we didn't spend a lot of time looking at the development itself and I thought that Commissioner Fowler did a good job of summarizing. That has an interesting proposal particularly since it represents the first use, or defined use of some kind of combination of live-work habitation and I know that was an issue for the downtown River District and people didn't think anybody would ever use that and so it's a limited exposure and it's an opportunity to see if that works, and I appreciate that that was done. Living in the southwestern corner as I do, I can see where most of the folks in the southwest and southeast will always approach from 199 or from F Street or from other areas and so I appreciate that they raised the issue of where will the folks come who come from the northeast sector or those who choose to come from closely, but I think the benefits of this particular development at the moment outweigh the consequences.

Commissioner Fitzgerald stated, just to be clear, we are not voting on a site plan, Major Site Plan Review, we're only doing Comprehensive Zone and we made that very clear for the applicant's purposes that was put in for merely benefits of perhaps design draft. It has no validity whatsoever to rely upon the fact that it may or may not look like that when they're done with it. So I'm just wondering, with Commissioner Richardson's banking on the site plan looking exactly like it is today, that's erroneous information -- because it isn't. I would make a motion that we would approve the Comprehensive Plan Map Amendment, Zoning Map Amendment, Development Agreement, the Staff report stated, and amendment from R-3 to HR, to R-4, to HHR, and from R-3 to HR, to GC/GC, along with the proposed Development Agreement number 2009-1.

Commissioner Richardson seconded the motion. Commissioner Arthur called for the vote.

MOTION

It was moved by Councilor Fitzgerald and seconded by Councilor Richardson to approve the Main Place Comprehensive Plan Map Amendment, Zoning Map Amendment, and Development Agreement as stated in the Staff Report. The vote resulted as follows: Arthur, Richardson, Fowler, and Fitzgerald. "NAYS": None. Abstain: Kellenbeck. Absent: Fedosky and Berlant. The motion has passed.

ii. **08-4050006: Revegetation Fee Text Amendment**

Proposal: Text amendment to Articles 13, 17, and 18 of the Development Code, to amend significant-size tree retention requirements, adjust the Revegetation Fee for inflation, and amend the Revegetation Fee maximum aggregate of \$2,000 per lot to \$10,000 per lot.

Commissioner Fitzgerald asked, will the decision perhaps beat the adoption of the Urban Growth Boundary do you think?

Principal Planner Angeli-Paladino stated, I don't know.

Commissioner Arthur asked, is the Steering Committee going to be meeting ever?

Commissioner Kellenbeck asked, it seems like we had a motion last time to move up our meeting time? Is that happening at our next meeting?

Principal Planner Angeli Paladino stated, the first meeting in June.

Commissioner Kellenbeck asked, can we get an e-mail reminder on that?

Commissioner Arthur stated, and will you bring our cell phone numbers just in case?

Principal Planner Angeli Paladino asked, do you want me to send out a list of everyone's contact information?

Commissioner Richardson asked, have we posted for the replacement for Commissioner Sackett?

Principal Planner Angeli Paladino stated, yes, he's the one that brought it up last time and said hey I didn't know this was posted.

Commissioner Richardson asked, so do we have some applicants? Where do we stand on that?

Principal Planner Angeli Paladino stated, I'm not sure they usually go to administration. I don't take care of that part of it but I can find out. Yes, we'll send out an e-mail reminder about the 6:00 start time in June.

Commissioner Kellenbeck asked if there was anything else from Staff.

7. ITEMS FROM COMMISSIONERS:

Commissioner Kellenbeck asked if there were any items from Commissioners. Seeing none, we'll adjourn.

8. ADJOURNMENT

There being no further business to come before the Commission, Vice Chair Kellenbeck adjourned the meeting at 9:15 p.m.

Gary Berlant, Chair
Urban Area Planning Commission

Date

These minutes were prepared by contract minute taker, Wendy Hain.

**MAIN PLACE COMPREHENSIVE PLAN
MAP AMENDMENT, ZONING MAP
AMENDMENT AND DEVELOPMENT
AGREEMENT #2009-1**

- Owner: Marjorie D. Hill (TL 2001) and Main Place Grants Pass LLC
- Applicant: Geoff Farrer
- Representative: Justin Gerlitz, ZCS Eng.
- Map/Tax Lots: 36-05-16-32, Tls 2000, 2001, 2100, 2200, 2201, 2300 & 2302
- Project No.: 09-40200001
- Planner: Lora Glover
- UAPC Hearing: May 27, 2009,
continued from May 13, 2009

New Information

- The following exhibits have been provided:
 - Exhibit 15 ~ Memorandum from Rich Schaff regarding scoping requirements;
 - Exhibit 18 ~ E-mail from John Replinger regarding scoping requirements;
 - Exhibit 19 ~ LUBA Decision, Case #20007-106
 - Exhibit 20 ~ Letter from Michael Weishar

Questions/T topics

- UAPC asked the following questions at the 5/13/09 hearing:
 - Why was the intersection of Terry Lane & D Street not included in the scoping requirements;
 - Implications of recent LUBA decision and the Development Code's LOS D standard.
 - Impacts on F Street & Parkway with regards to Fire Mountain Gem property.

Schaff Memorandum ~ Exhibit 15

- In his memorandum, Rich Schaff, City Engineer, discusses the low trip volume from the project to the Terry Lane & D Street Intersection.
- Focus is to encourage people to use the local collectors and arterials rather than an unimproved local access street.

Replinger Email ~ Exhibit 18

- John Replinger, the City's traffic consultant also confirms a low traffic volume for the intersection of Terry Lane & D Street.
- His judgment was that there would be little difference in traffic volume between the existing and proposed zone.
- He commends the UAPC for their interests in the traffic impacts and reasons for analyzing the various locations.

LUBA Decision ~ Exhibit 19

- Though LUBA upheld the City's decision to deny the application under review, it found that the City's constitutional obligation was to require the applicant to mitigate the impact of its proposed development even if the mitigation did not fully restore the affected intersection to LOS D (pg 47).

Michael Weishar Report ~ Exhibit 20

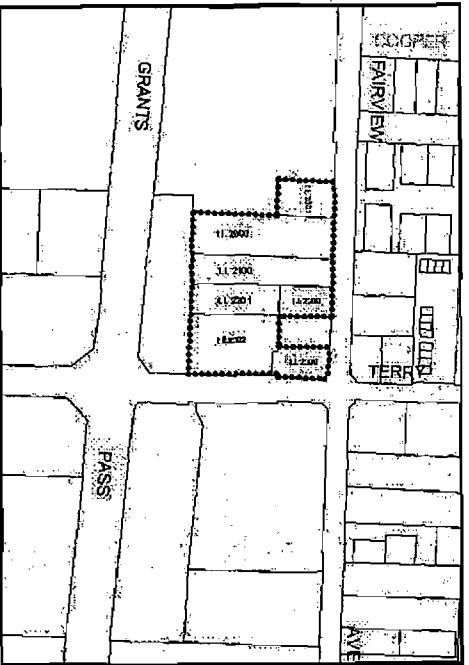
- Mr. Weishar's report is in support of FMG's pre-application request for a CPM/ZC, and the additional capacity based upon pending Home Depot improvements.
- Mr. Weishar's report states that there will be adequate capacity for all three projects.

Proposal:

- Request is for a Comprehensive Plan Map Amendment;
- Zoning Map Amendment; and
- Development Agreement.

Area	Comp. Plan	Zoning
1.14 acres	HR to HHR	R-3 to R-4
1.60 acres	HR to GC	R-3 to GC

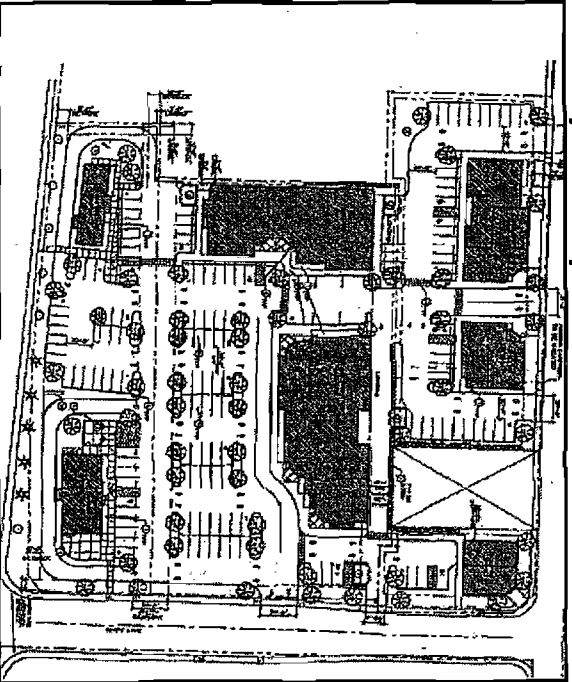
Vicinity Map



Background

- The application discusses the following mixed uses for the property:
 - 10,620 sq. ft. of professional office space;
 - 19,848 sq. ft. of specialty retail area; and
 - 10 residential units.
- The application includes a proposed Development Agreement to address traffic mitigation and development of the site.

Concept Map

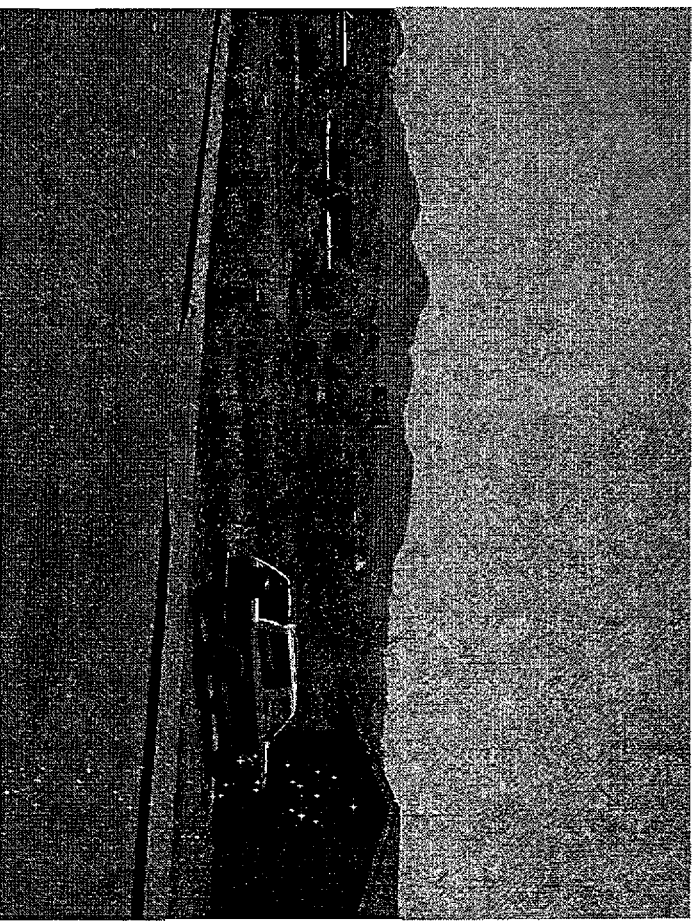
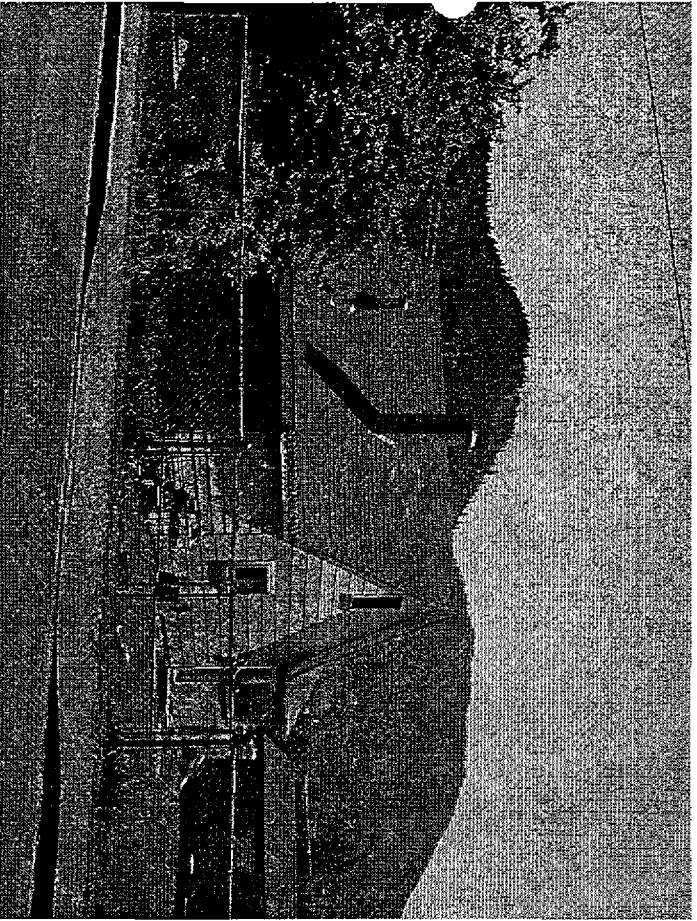


Background, continued

- The applicant's TIA incorporates data and future mitigation measures approved under the pending Home Depot site.
- The intent of the Development Agreement is to coordinate the future development of the subject site and to establish a trip cap for the proposed uses previously noted.

Property Characteristics

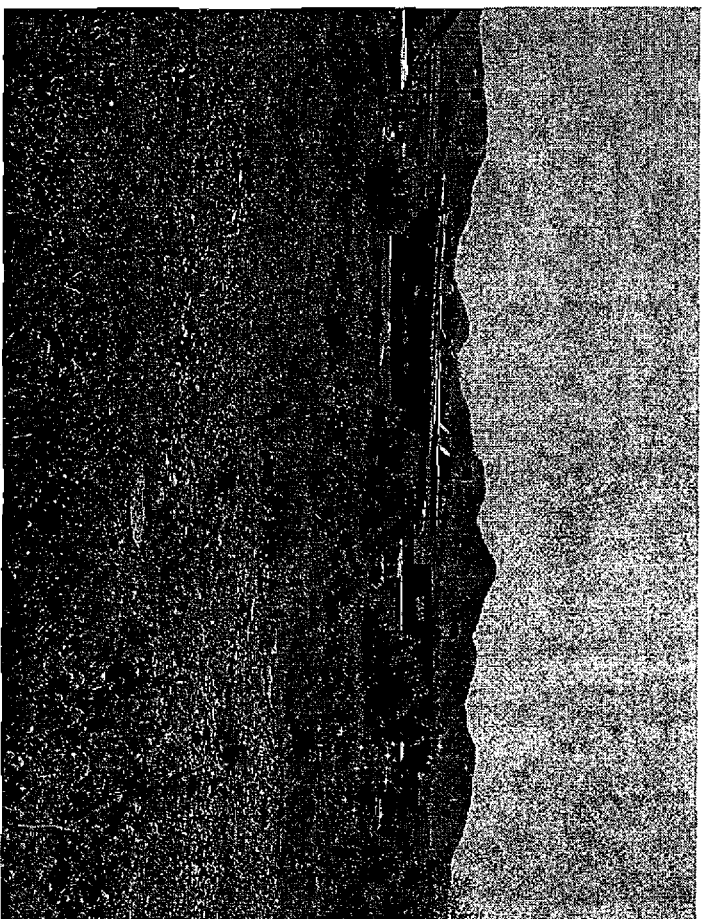
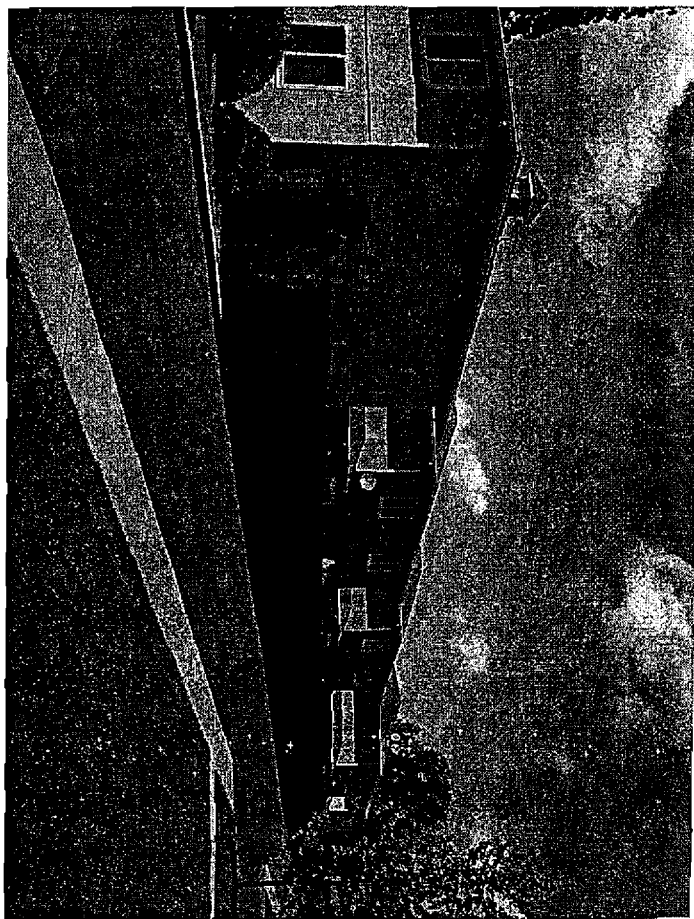
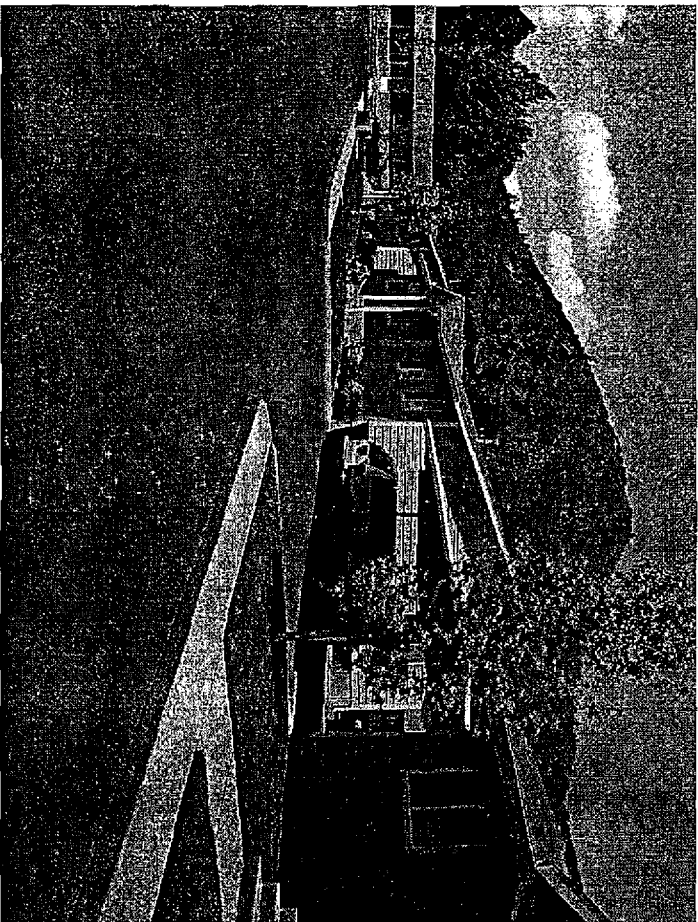
- CP/Zoning ~ High Density Residential (R-3)
- Size ~ 2.74 total acres
- Access ~ Fairview & Terry Lane
- Existing Land Use ~ Single Family Residences (TL 2201 & 2302 are vacant)
- Proposed ~ Mixed Use/Residential, General Office, Commercial/Specialty Retail

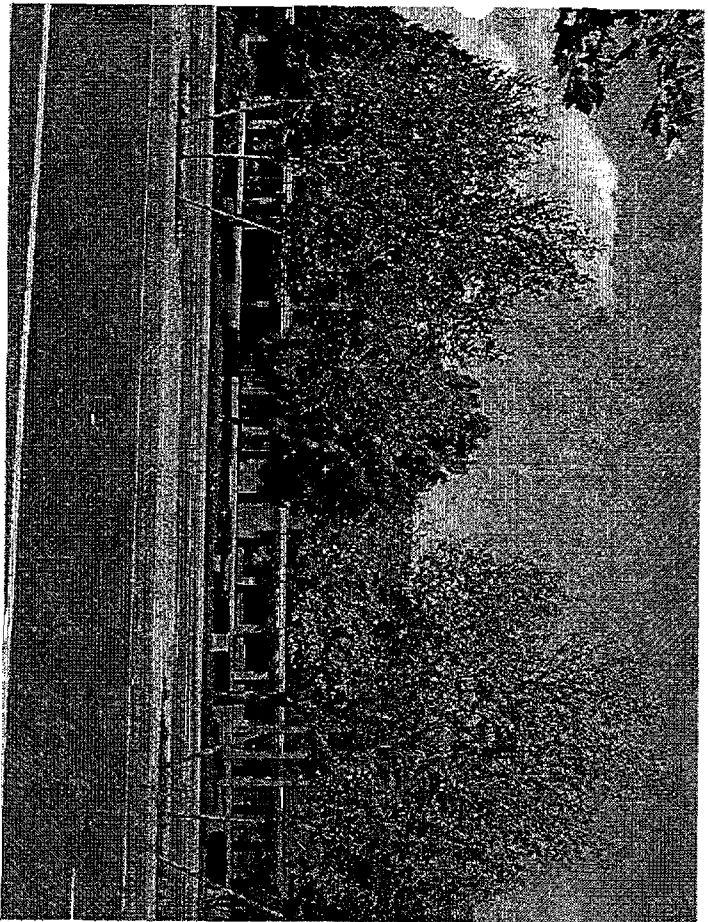
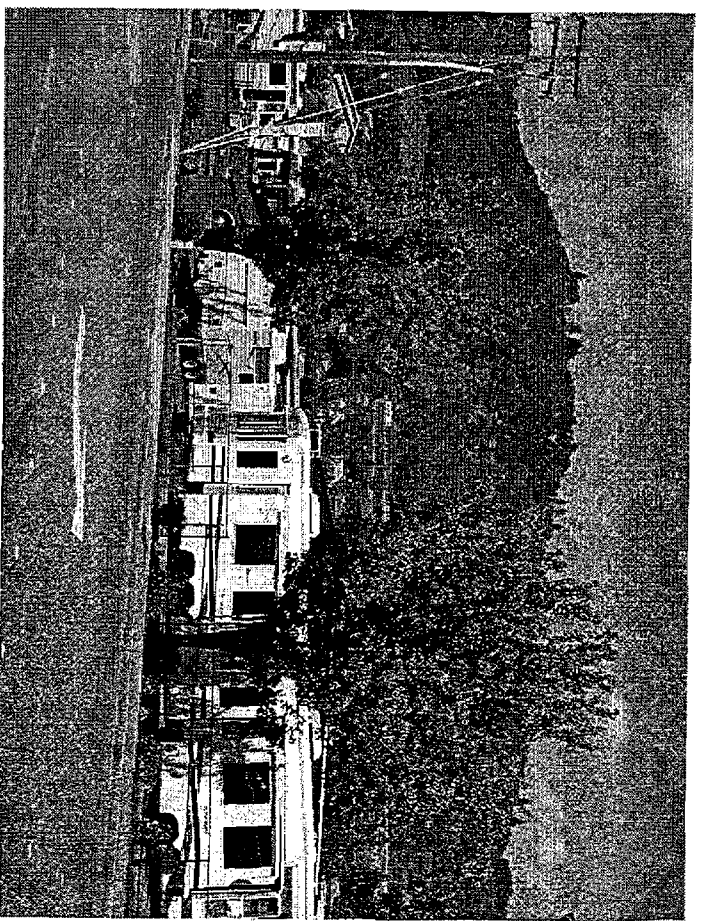




Property Characteristics, cont.

- Surrounding Land Use:
 - North: Single/Multi Family Residential
 - South: Vacant Commercial (Del Taco – Starbucks site), parkway commercial developments
 - East: RV sales lot
 - West: Parkway Christian Church complex





Discussion

- The tract is located within the NE Subarea (Fairfield-Foothill Neighborhood);
- The properties are located in a mixed development area and surround an existing duplex on TL 2301;
- Properties to the north and west are zoned R-3;
- Properties to the east and south are zoned GC.

Discussion, cont.

- Element 13 – Land Use states the Fairview-Foothill Neighborhood is classified as being appropriate for moderate to high density development.
- Moderate Density – condominiums, duplexes, tri-plexes;
- High Density – primarily located around larger commercial centers, includes garden apartments, condominium developments.

Discussion, cont.

- The Economic Element projects that the service sector of the employment base will increase from 21% to 42%.
- Mixed use sites will provide an opportunity of blending professional offices with residential units, close to eating and retail establishments.

Discussion, cont.

- As a community grows, transportation and connectivity become constraining factors for economic development.
- Encouraging mixed use developments helps to alleviate some of the stress placed on existing facilities.
- Compatibility is another important factor when reviewing proposed CP/Z changes.

Comprehensive Community Development Plan Policy 13.5.4

- Criterion (a): Consistency with other findings, goals and policies.
 - Satisfied:
 - Element 8 ~ Economy. The amendment changes the tract to a split zone of HHR/R-4 and GC/GC, and will provide for a mixed use development, maintaining economic viability for the area.
 - Element 9 ~ Housing. The amendment will not be substantially beneficial or detrimental to the housing inventory.

Criterion (a), cont.

- Element 13 ~ Land Use. The proposed amendment will change approximately 1.60 acres from residential to commercial.
 - The policies for the NE area states this area will continue to develop with high densities adjoining the "E" & "F" Street commercial area.
 - The tract is located near the Parkway, GP Shopping Center, Fred Meyer, Deardorff Corners, and Wal-Mart centers.

Criterion (b) ~ Change in Circumstance

- Satisfied:
 - Element 13 discusses the draw of higher density to increased commercial development.
 - The proposed amendment will allow for a variety of mixed uses in this commercial neighborhood.
 - The Comprehensive Plan Elements support the database change.

Criterion (c) ~ State Goals

- Satisfied:
 - Goal 1: Citizen Involvement. The application has been noticed and processed in conformance with a Type IV-B procedure. No comments were received from surrounding property owners.
 - Goal 2: Land Use. The application is being reviewed in accordance with the City's land use process.

Criterion (c), cont.

- Goal 9: Economic Development. The proposed amendment will provide more flexibility, to include professional office space and residential units along Fairview. The GC zone provides a wide range of commercial uses.
 - Largest projected employment growth sectors will be in the retail grade, government and services (health care & social assistance).
 - The proposal will provide diversification and economic opportunities.

Criterion (c), cont.

- Goal 10: Housing. The proposal to change 1.69 acres from residential to commercial will not be a substantial impact to the residential land inventory. The City has historically zoned more land for multifamily than has been used as noted in Element 9 of the Comprehensive Plan.
- The projected housing need is 75% single; 25% multifamily.

Goal 11: Public Facilities, cont.

- The coordination of mitigation between the Home Depot site and Main Place site are outlined in the attached Development Agreement.
- The applicant has agreed to a trip cap, and mitigation for two (2) of the studied intersections for this site (Parkway at Agness and Parkway at Terry).

Criterion (c), cont.

- Goal 11: Public Facilities & Services.
 - Traffic Analysis. The applicant submitted a TIA for the project which studied 7 intersections:
 - Grants Pass Parkway (Highway 199) at Agness Avenue
 - Grants Pass Parkway at Terry Lane
 - Grants Pass Parkway at Beacon Drive
 - Grants Pass Parkway at F Street
 - Grants Pass Parkway at M Street
 - Terry Lane at Fairview Street
 - Beacon at Fairview Street
 - Note: The subject analysis included the approved Home Depot development and Phase I of the Main Place development (Del Taco/Starbucks restaurants).

Goal 11: Public Facilities, cont.

- Between the two projects, mitigation will be provided for the following intersections:

<u>Intersection to be Mitigated</u>	<u>Responsible Party</u>
"F" Street at Parkway	Home Depot*
"M" Street at Parkway	Home Depot*
Agness at Parkway	Main Place
Terry at Parkway	Main Place

*Main Place may need to mitigate – see DA

Goal 12: Transportation

- The proposal is subject to the TPR (OAR 660-012-0060).
- The applicant's TIA reflects that three of the studied intersections are below the City's mobility standard.
- Mitigation measures for Home Depot will bring the Parkway & F St., and Parkway & M St. up to standards.
- Mitigation for the Parkway & Agness intersection is proposed for this development.

Goal 12: Transportation, cont.

- Conditions for the three intersections:
 - Parkway/Agness ~ LOS E; v/c 1.01
 - Parkway/F Street ~ LOS E; v/c 0.97
 - Parkway/M Street ~ LOS E; v/c 1.10
- The Parkway F/M Street intersections are scheduled to be improved under the Home Depot Development Agreement.
- A revised TIA and necessary mitigation will be required if it has not been implemented prior to Main Place's development.

Goal 12: Transportation, cont.

- The Development Code's minimum LOS standard is "D" for signalized intersections and a volume to capacity (v/c) ratio not higher than 1.0 for the sum of critical movements.
- However, a recent LUBA decision determined that a proposed development mitigates its impact on affected intersections even if that does not fully restore it to LOS D.

Section 4.033 – Zone Map Amendment

- Satisfied:
 - The proposed zone change is consistent with the uses permitted in the R-4 and GC zones.
 - Development of the tract with mixed uses, to include apartment units and professional office space along Fairview; and commercial towards the Parkway is consistent with the zoning districts.
 - A development agreement is proposed to ensure improvements are installed to mitigate traffic impacts.

Section 4.033 – Zone Map Amendment,
cont.

- The proposed development agreement contains the following requirements:
 - Intended use: 10,620 sq. ft. of general office;
 - Ten residential units; and
 - 19,848 sq. ft. specialty retail.
- Proposed mitigation to be installed by Home Depot (Development Agreement #2008-1) or a revised TIA to be submitted.

Section 4.033 – Zone Map Amendment,
cont.

- Mitigation measures for Parkway/Agness Intersection and Parkway/Terry Intersection;
- Trip cap not to exceed 1,194 daily trips for the entire development and the restriction of fast food restaurants and banks (with or w/out drive-through windows).

Recommendation

- It is recommended that the UAPC recommend that City Council approve:
 - The proposed Comprehensive Plan map amendment and zoning map amendment from R-3/HR to R-4/HHR and R-3/HR to GC/GC; and
 - The proposed Development Agreement #2009-1.

Questions?

City Council Meeting
July 1, 2009
6:00 p.m.
City Council Chambers

The Council of the City of Grants Pass met in regular session on the above date with Mayor Murphy presiding. The following Councilors were present: Cummings, Kangas, Renfro, Berger, Townes, Pell, and Warren. Absent: Michelin. Councilor Berger left at 9:00 pm. Also present and representing the City were City Manager Frasher, Interim City Attorney McGeary, Assistant City Manager Samson, Finance Director Reeves, Public Safety Director Henner, Community Development Director Huber, Parks and Community Services Director Seybold, Public Works Director Haugen and Human Resource Coordinator Lange.

Mayor Murphy opened the meeting. The invocation is given by Parks and Community Services Director Seybold followed by the Pledge of Allegiance.

1. PUBLIC HEARING:

- a. Map and Zoning Map, and adopting the Development Agreement for property located at 1817, 1829, 1831, 1833 & 1849 NE Fairview Avenue and 220 NE Terry Lane.

Mayor Murphy called the first item.

City Manager Frasher stated at this time we will open the hearing to consider an application filed by the applicant. We will begin the hearing with a Staff report, followed by a presentation by the applicant, statements by persons in favor of the application, statements by persons in opposition to the application, and an opportunity for additional comments by the applicant and Staff. Once that has occurred, the public comment portion will be closed and the matter will be discussed and acted upon by the Council. City Manager Frasher asked if there was anyone present who wished to challenge the authority of the Council to hear this matter. Seeing none, City Manager Frasher asked if any Council members wished to abstain from participating in this hearing or declare a potential conflict of interest. Seeing none, City Manager Frasher asked if there were any Council members who wished to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding the application.

Councilor Townes asked, who are the applicants exactly? It seems like I've read it two different... I'm pretty sure that is the Jeff Ferrer I am acquainted with. It has been multiple years since I have had any dealings with Mr. Ferrer but I am acquainted with him. But I don't think it would make me impartial.

City Manager Frasher stated, in this hearing, the decision of the Council will be based upon specific criteria which are set forth in the Development Code. All testimony which apply in this case are noted in the Staff report. If you would like a copy of that report, please ask for it in writing and a copy will be provided to you. It is important to remember that if you fail to raise an issue with enough detail to afford the Council and the parties an opportunity to respond to the issue, you will not be able to appeal to the Land Use Board of Appeals (LUBA) based on that issue. The hearing will now proceed with a Staff report.

Principal Planner Angeli-Paladino stated, good evening Mayor and members of the Council. The application before you is Main Place Comprehensive Plan Map and Zoning Map Amendment, and there is an attached Development Agreement, 2009-1. For a little bit of property information, the owners this evening of the Parcels are Marjorie Hill, Main Place Grants Pass LLC. The applicant is Jeff Ferrer. The representative this evening is Justin Gerlitz from ZCS Engineering. There are 7 tax lots that we will be looking at rezoning this evening. The total acreage is 2.74 acres. The proposal, specifically, the Comprehensive Plan Map Amendment looks at the existing, which is high density residential, and converting a portion of the property, 1.14 acres, to high rise density residential. Approximately 1.60 acres is proposed to be changed from high density residential to general commercial. The procedure this evening is a type IV procedure. This application has been reviewed by the Urban Area Planning Commission and they have made a recommendation for you this evening, and the final decision is by the City Council, by ordinance.

The location map shows this is the northeastern part of town. On the east side of the property we have Terry Lane, to the north we have Fairview Avenue, and south is Grants Pass Parkway. Some of the parcels currently that are in that black boarder (on aerial view) are the 7 parcels in question this evening. The majority of those parcels do have single family residences and outbuildings on them currently. In terms of adjacent property and uses, the Parkway Christian Church is to the west, Fred Meyer is to the south, this is the gas station and we have Taco Bell, Siskyou RV is also to the east and a residential development to the north. As to the existing zoning, this is currently what our zoning map looks like. The bright green is R3, and that's the current zoning of the properties. Directly to the south is general commercial. To the northwest we have R4 and we also have R2 to the north and then R1-8. The proposal would take that R3 and basically change the northern portion of those properties to R4 and the southern portion of those properties would be general commercial.

For potential development of this site, the application material is in your packet and the traffic study that was submitted outlined the following potential mixed uses on the site: Over 10,000 sq ft of professional office space, over 19,000 sq ft of specialty retail commercial and approximately 10 residential units. There is a proposed Development Agreement before you this

evening that is attached to the ordinance that addresses the applicant's traffic mitigation requirements and development requirements for the properties. The proposed concept plan – this is just to kind of give you an idea what the applicant is thinking would happen on the site if the zoning were to happen. On the northern portion, these 3 buildings would be professional office on the bottom and residential on the top. This southern area which is general commercial would be a mix of commercial uses, restaurants, offices, just a shopping center kind of feel. This parcel right here is going to be an out parcel. The owner of the property at the time did not want to apply for the zone change with the current applicants. Since then, they have indicated they are interested in possibly following up with a zone change of their own. To the south, this is currently general commercial. The applicant did get approval for a Del Taco and a Starbucks about a year ago. Those uses are approved uses. They haven't currently been built but could be underway at any time.

Applicable criteria this evening is two-part. One is the Comprehensive Plan policy document, 13.5.4. There are eight total criteria. I am going to zone in on specifically criterion A, Consistency with other Findings, Goals, and Policies in the Comprehensive Plan. In addition, all eight have been addressed in your packet, with detailed responses. Additionally, the applicable criteria is also the Zoning Map Amendment and this is right out of the Grants Pass development Code, 4.033, basically talking about consistency with this district, making sure there is compliance with urban services. I will focus on criterion four which talks about function and capacity related to the Master Transportation Plan. In addition, the remaining four criteria for that talk about natural features on the site, is the timing of the zone change appropriate, those kinds of things. In terms of criterion A, Staff has reviewed this is and we feel that it does comply with the existing goals and policies in the Comprehensive Plan, element eight, which is in regards to the economy -- economic element. The Amendment provides for mixed-use development and will provide economic viability an opportunity for the area. Element 13 -- land use -- the proposed amendment will change approximately 1.6 acres from residential to commercial. The neighborhood classified as being appropriate for moderate to high density development which includes a mix of housing types and housing located around commercial centers. As noted before, properties are in close proximity to commercial centers along the Grants Pass Parkway and the Grants Pass Shopping Center to the west. This will also allow for a variety of residential and commercial uses all at one site.

In terms of compliance with the Comprehensive Plan and Zoning Map criteria, in terms of Goal 12 -- which is a State of Oregon goal regarding transportation and demonstration of the capacities and functions of our Master Transportation Plan -- the applicant has submitted a Traffic Impact Study, there are several addendum's in your packet, those have been reviewed and analyzed by the Oregon Department of Transportation and the City. As to the assumptions in the study, we reviewed the impacts for potential development as noted before, those 10 residential

units, the 10,000+ professional office space, 19,000 sq ft of specialty retail and compared that with the worst case scenario of the existing zoning which is all residential. Seven intersections were studied using the City's level of service standard and the Oregon Department of Transportation's volume to capacity ratio. The study included impact from the Home Depot development, which is approved farther to the west, and the phase 1 of the Main Place development which I mentioned earlier, the Del Taco and the Starbucks which are already approved. All of those things have been wrapped into the study and impacts of those have been addressed with their study as well.

In terms of the intersections that were studied, we looked at Terry Lane at Fairview, Beacon Drive at Fairview, they addressed five intersections on the Grants Pass Parkway -- Beacon Drive, Terry Lane, Agnes Avenue, F Street and M Street. The applicant's TIA reflects that three of those intersections that were studied fall below City's mobility standard; the Grants Pass Parkway at Agnes Avenue, LOS-E, Grants Pass Parkway at F Street, LOS-E, and Grants Pass Parkway at M Street, LOS-E. The mitigation measures require that the Home Depot development will improve the Grants Pass Parkway, F Street, and M Street to standards. The applicant will mitigate their impacts at the Grants Pass parkway and Agness Avenue intersection. They also have mentioned that they will improve the intersection at Grants Pass Parkway and Terry Lane. That intersection does not fall below the standards but they are going to make it work so that there is a simultaneous left turn, making that intersection function better. In the Development Code, the minimum LOS standard is D for signalized intersections and a volume to capacity ration not higher than 1.0 for the sum of critical movements. Based on a recent Land Use Board of Appeals decision, under the City's constitutional obligations, it is more appropriate for an applicant to mitigate their impacts on an intersection even if they cannot bring that intersection up to the level of service D. So in terms of the Grants Pass Parkway and Agness, right now it is at an LOS-E and they are going to some improvements that are going to make the function of that better, however, those impacts are not going to improve it to a level of service D. It will still be at E.

Some key points of the proposed Development Agreement, again, those conceptual uses are tied into that, the square footage for the professional office and the specialty retail and the residential units. The proposed improvements are outlined as well in that agreement, which would make the applicant improve the Grants Pass Parkway at Agness Avenue, which would allow for concurrent left turns on the north bound and south bound movements. Also, the Grants Pass Parkway at Terry Lane would have concurrent left turns. In addition, possible improvements to the Grants Pass Parkway at M Street and F Street may be necessary for the applicant to do if Home Depot does not install those improvements first. In addition, a new Traffic Impact Analysis would be required for review of M and F streets if the proposal moves forward before Home Depot does. In addition, the applicant may be required to install those

improvements as I mentioned to M and F, the applicant agrees to a trip cap not to exceed 1194 daily trips for the entire proposal so that will limit what can happen on that site. Development on parcels fronting Fairview Avenue are required to have some form of residential use and we want to make sure it is compatible with those residential uses on the north side of Fairview and that it would include some mixed use of residential and professional office. The term of the agreement is 7 years. The City will use its best efforts to assist in acquiring additional property needed for right of way acquisition for construction of improvements on those intersections if necessary. Section 15 of the Agreement covers amendments, cancellations, enforceability of the agreement. This gives the City Council the ability to come in and say they don't like part of the agreement and they want to change it or cancel it and work with the applicant on doing that. In addition, it includes some waivers of certain claims for the applicant, they do waive the takings claim, such as those premised under Dolan and other legal issues. That kind of protects us from other lawsuits or liabilities on that.

The recommendation before you this evening – the Planning Commission did vote on this, they did recommend approval in a 4-0 vote that the Comprehensive Plan Map be changed from high density residential to high rise residential and general commercial, and that the Zoning Map Amendment be changed from R3 to R4 and GC. Both amendments are conditional on approval of the Development Agreement signed by all parties and recorded. With that, I would be happy to answer any questions or go back and clarify.

Councilor Kangas stated, I made a terrible mistake, I left my other packet at home but Assistant City Manager Samson helped me out with some of it, I do have a question – it might be done – but somewhere in the back of my mind, going back to this meeting that was quite a while ago, on Terry Lane and D Street, that narrow part at the end, does that come into play at all or is that out of the picture.

Principal Planner Angeli-Paladino stated, that intersection was not studied. Actually, you are talking about the portion of Terry north of Fairview that connects into D.

Councilor Kangas stated, yes, where you only can drive one car or you end up in a ditch.

Principal Planner Angeli-Paladino stated, the Planning Commission actually brought that question up to Staff. They wanted to know why that wasn't part of the scope. There is some information in the packet. It was felt that the distribution of the cars weren't going to use that so it wasn't part of the original study. If you need detailed information, we have a memo from the City Engineer regarding that and an email from our traffic consultant. Do you want me to find those for you?

Councilor Kangas asked, so that would be in the packet that I have at home, the other packet.

Principal Planner Angeli-Paladino stated, yes, it would be in the red packet. I can find the pages for you if you need me to.

Councilor Kangas stated, that's fine. Thank you.

Councilor Warren asked, that daily trip count of 1194, how is that monitored and enforced?

Principal Planner Angeli-Paladino stated, the applicant had the same question. When an application would come in, we would need to have some kind of traffic documentation on what the use is and we would basically look at what the daily trips for that use would be and we would have to make sure that it didn't exceed that number each time an application came in. Staff would be the one that would monitor that.

Councilor Renfro asked, has the applicant given you any idea of what size buildings they are going to be putting in there? I was wondering, when you have a combination of commercial on the base floor with apartments above it, how do you allocate the parking for that because I know on commercial you have got so many spaces per 1000 feet. Are those lots big enough to combine commercial with the residences on top? How do they...

Principal Planner Angeli-Paladino stated, I think they figured that into their concept plan. They would have to meet the residential and the commercial standards.

Councilor Pell asked, how long would the applicant have for Home Depot to improve those intersections? You stated it states in the packet that Home Depot is expected to do it and if they don't then the applicant is responsible, so what is the cap as far as the time limit goes, for the wait, for Home Depot to do it?

Principal Planner Angeli-Paladino stated, well I guess they could wait as long as they wanted to but the Development Agreement for this project is only 7 years so I don't think they would probably want to exceed that. But if they decided they wanted to proceed before Home Depot, there are measures in place so they can do that so that they are not waiting on Home Depot. There really is not a time frame.

Councilor Pell asked, so then what guarantee is there that the intersections will ever be brought up to standard.

Principal Planner Angeli-Paladino stated, the Grants Pass Parkway and Terry and Agness are required to be updated when the first building goes up on that property. Those have to be completed. For the M Street and F Street at the Parkway, if the applicant comes in with a submittal and they go through the process, before they pull a building permit, if Home Depot has not installed those improvements then they have to revise their traffic study and come back in. So they wouldn't get a building permit until they came back in, re-analyzed those intersections, and then make any improvements that were necessary.

Councilor Pell asked, so what you are saying is if Home Depot, for whatever reason, didn't come in or never touched those intersections then it would immediately be the responsibility of the applicant to take care of those intersections?

Principal Planner Angeli-Paladino stated, the applicant would be required to redo a traffic study and re-analyze what their impact is to those intersections is and then mitigate them accordingly.

Councilor Pell stated, thank you. One other question, I'm not exactly sure... That stretch of Terry Lane is almost laughable as far as being a City street. I mean, it's basically a bike lane, or a couple of bike lanes, so why was that excluded from this study.

Principal Planner Angeli-Paladino stated, it wasn't felt that there was going to be any traffic that was going to use it because of the way it is built and that the distribution would likely just go off of Fairview and to Terry and then to the Parkway, that that cut wouldn't happen. So if somebody was coming down A, or whatever, that they would turn on Beacon before they got to that intersection. It's on page 245 for that. There is some reasoning on page 245 of the red packet.

Councilor Townes stated, it was mentioned at the UAPC that there was a possibility that stretch of road could have dedicated SDC funds for this project. Was that a possibility or was that just a...

Principal Planner Angeli-Paladino stated, I think that may have been just a comment. The applicant didn't study that and they are not doing any improvements there.

Councilor Townes stated, okay, I guess what I am asking now is if there is any formula to do that. Is that something we can do if we wanted to, dedicate SDCs as they come off of this site to go directly to that to improve that stretch of road?

Principal Planner Angeli-Paladino stated, that's something you would probably talk to the applicant about.

Mayor Murphy asked if there were any more questions for Principal Planner Angeli-Paladino. Seeing none, he thanked her for her presentation and then called the applicant's representative for their presentation.

Justin Gerlitz, ZCS Engineering, 550 SW 6th Street. I am here tonight representing Main Place Grants Pass LLC and Marjorie Hill in the rezone efforts here. We've worked real hard together over the past couple of years with Staff and ODOT and several different consultants to come up with the proposal that is in front of you this evening. As a result, I think we have come up with a pretty good compromise on the proposed zoning that is before you tonight. There have been several proposals for the rezoning of this property and I think Councilor Kangas mentioned recalling that from the past that I, unfortunately, wasn't involved in that but I have reviewed. Most of those proposals in the past were for rezoning the entire cluster of lots to a commercial zone. With that, many concerns came forward from Staff, from a traffic analysis perspective. How that was going to impact the traffic system, how that was going to impact the neighboring residential use zone on Fairview, and, because of that, on one of the submittals, Staff actually worked with the owner and with what is called the ODOT Quick Response Team to come up with different concepts to integrate a mixed use kind of use into this development like we are looking at today. Based on the results from this study and the previous comments from Staff and the previous submittals, we've come up with this mixed use environment that you see now where are going to have a residential mixed use office, residential zoning on Fairview to kind of integrate into the existing multifamily housing that is in that area and commercial use in the middle of the property, which Principal Planner Angeli-Paladino was showing, integrates into the existing developments to the south, east, and west. Real briefly, and I know Principal Planner Angeli-Paladino said some of this but, here is our lots that are in question tonight. To the south we have current approval, this is commercial zoned, as you can see real clear here, the parcel to the east is commercial zoned, an RV sales lot. Even though this piece here is actually zoned R3, as most of you know, it is the Parkway Christian Center so it is basically an R3 zone but it is being used as a commercial use. So from a transitioning perspective, between these uses, we feel it fits pretty good. Then in the areas up here, most of these lots are actually multifamily housing. There are a few single family lots left and a few undeveloped lots but we feel that the mixed use between the office and the residential we thought would be a good transition and a good buffer, both just adjacent to those houses and also to act as a buffer between the Parkway and what you see there.

As Principal Planner Angeli-Paladino was showing you, this is our conceptual site plan. Although we still have to go through site review and there are still some minor changes that we plan on making, with Staff, to try to get everything to comply, we had to come up with a conceptual plan, both to analyze it from a traffic perspective and see what we want to do with the property, and this is the use we came up with. Again, these are two fast food restaurants that were previously approved and we are still currently approved, with a development permit. We have got two retail mixed use buildings here in the center that would fit into our proposed commercial zoning. Then we have got three mixed use residential office buildings here at the top. Just as a visual tool here, these are the architectural renderings from the architect that has been involved in the project. Right now we are proposing single story retail buildings here that will comply with the architectural standards and tie in to what the City has been looking for with commercial development. Some of the neat additions here we've got for the residential office uses is... You know, like I mentioned, the lower floor will be the office use and the upper floor is to be residential, and one of the things in this zone is you have to have recreational and open space for these types of developments and one of the things that is big in planning right now is to have roof top balconies as part of that. So you are not just cutting out little chunks here and there on the lot, you are actually integrating in what is already on the ground and where we can have trees planted up there in pots and people using that land up where the residential uses are. In addition to some other areas we've got on the ground where we've got grass and landscaping like is required.

As mentioned by Principal Planner Angeli-Paladino, the transportation impacts have kind of been the big challenge, I guess, during this rezone application. We have worked really, really hard with ODOT and the City over the past couple years to come up with a transportation mitigation plan and analyze the impacts from this proposed zone change, and we have come up with several different things to help that. As mentioned, some of the intersections along Highway 199 corridor are currently below the City's operational requirements, especially when taking into account the Home Depot improvements and current developments that are already in play. As part of our study we had to analyze, not only the impacts from our zoning as if we were standing by ourselves, but, as mentioned, also Home Depot, which you are all familiar with, I believe, which had some pretty significant impacts from their development and their zone change. On the scoping letter that we went through on this thing, we were forced to include all of their mitigation and all of their impacts to these intersections when looking at them from our end also. Home Depot currently has a standing Development Agreement that will mitigate the M Street and F Street Parkway intersections as soon as they move forward. I have had conversations with many consultants and many people involved with that development and, as of right now, it still stands that they are going to move forward. I haven't heard anything negative, that they aren't going to do it. I think right now it is just a matter of timing, with the current state of the economy and

everything else. As mentioned, we have developed mitigation plans for both the Terry and Parkway intersection and the Agness and Parkway intersection to mitigate only the impacts of our development. Those two were not included in the traffic study for Home Depot.

The Development Agreement before you tonight includes both those mitigations. As Principal Planner Angeli-Paladino mentioned, we actually weren't forced by the numbers, by the traffic study, to improve the Terry Lane intersection but ODOT was concerned with the Parkway and concerned with everything else so that was kind of our and that was kind of our compromise, to come up with both sequential left turns at Agness and the Parkway and Terry and the Parkway, which improves both of those intersections better than they are now after even taking into account our impacts. The trip cap that Principal Planner Angeli-Paladino mentioned is also a direct effect of the traffic situation out there. The proposed trip cap of 1194 daily trips will stand with this development. As a comparison, under this proposed zoning the maximum daily trips that we could come up with in a reasonable fashion was 2500 trips so we are less than half of what the allowed zoning would normally have if this thing were standing alone on good roads. So it is pretty significant that we have included the trip cap. It works well for the development we are proposing, that's what we designed it for, but it will preclude us from just going in and putting in a bunch of fast food restaurants in addition to the ones that are there and other high traffic generators and further impacting the intersections out there above and beyond our mitigation. I just wanted to make sure that was clear.

As mentioned, the parcels in the proposed are R4 zone in the development Agreement also forced us to include the mixed use that we are proposing so it wasn't like we are going to change the zone and not do it. It actually specifies. We have to have some form of office use and residential use like we are proposing. That basically forces us to create that buffer, which was kind of the point of the mixed use in the area. If the Home Depot improvements do not go in, as mentioned before, we apply for a building permit then we have agreed, in the Development Agreement, to re-analyze those intersections. The impacts to our development to M Street are very, very minor. We are talking like a few cars, so there is a chance if we reanalyze that, that we won't have any mitigation that is going to be necessary over there. It was just included in our scope so we had to analyze it. The F Street intersection, we have a few more trips that impact that and there is a possibility we would have to re-analyze that and potentially provide some mitigation. But again, at the moment, we are counting on Home Depot moving forward with our development and, basically, them taking care of those improvements -- which are actually already designed on their end. The other thing to mention is if we do have to improve the F Street intersection or even the M Street intersection, we have put some language in there to where if our small amount of trips makes us to a very, very large improvement similar to what Home Depot is doing, we are hoping we can get some SDC credits on that part of it for that specific intersection if we bring it up to a better than level of service D standard.

Mr. Gerlitz continued, utilities are very readily available for the development. I was involved in the first phase also and we've got sewer, storm, and water all stubbed in to that area. It's all available in the surrounding streets so there are no deficiency in utilities in the area. We've got power underway and it's really set up for a secondary development to happen in this area and overall we feel approval of this request and the attached Development Agreement along with the subsequent development of these rezoned parcels would be a benefit to that local-area. Again, the mixed use kind of gives it a live and work kind of feel to that area. There are a lot of shopping centers, a lot of multifamily housing already sitting in that area right now and we've already received many, many inquiries and letters of intent from businesses that are very interested in this development so we're hoping in the end it provides a lot of jobs for the local community also.

To answer a few of the questions that were mentioned here a little clearer too, I thought I'd address those. The Agness intersection as Principal Planner Angeli-Paladino mentioned, the LUBA decision did not require us to bring it up to a full level service D although we are bringing it from a low level of service E to a high level service E and improving the timing delay on the signal quite a bit. To address the Terry Lane question by Councilor Kangas, it was brought up in the Planning Commission. The City Engineer, the City's engineering consultant, and our traffic consultant all got together, wrote scopes up for this study. None of them felt that that portion of Terry Lane, because it is just a local street actually up there, in retrospect to the southern portion is a much higher class of street. They did not feel that it was part of the responsibility of this development to improve that at this time, especially since there was an adjacent development... There is a very big adjacent parcel that actually encompasses most of that unimproved street so I think part of the thought also was when that actually develops they will be responsible for at least their half street improvements up there that will make it to a adequate width. There was actually only three trips from our development that actually went on to that street during peak hours so, in retrospect, the existing zoning there was only two, so it's only an increase of one trip because of the zone change under development conditions.

I think Councilor Renfro asked about parking and I think the specialty retail use? The specialty retail use is a general classification. I actually brought a description of it here just to clarify because this was a question that came up with the Planning Commission also. I'll just read it: "The specialty retail centers are generally small strip shopping centers that contain a variety of retail shops specializing in apparel, hard goods, and services such as real estate offices, dance studios, florists, and small restaurants." It's comparable to another shopping center use so that's what we're proposing. We felt this specialty retail encompasses what we're looking for, kind of a mix of things. It's a medium traffic generating use so you'll have certain things like offices that can come in there that are much lower impact and, as mentioned here, small restaurants which would be a little higher impact so it's a good balance for a shopping center and that's where we got that.

Parking wise, every submittal that comes in with their site plan submittal we're going to have to meet all of the parking requirements for retail use in a building. The middle buildings will fall under a general retail category so we've laid it out such that we meet all of those requirements.

Councilor Pell, you'd mentioned intersection improvements, timing. As Principal Planner Angeli-Paladino mentioned we are required before we submit or pull a building permit that either the intersection improvements at F Street and M Street have to be in place by Home Depot or we have to reanalyze those intersections for our impacts only, so we would actually at that point assume Home Depot wasn't going to happen, that's how we'd have to look at it, take their impacts and their mitigation out of the picture, look at it from just our impacts, and if mitigation was required we would be responsible for putting that mitigation in prior to pulling any building permits on the property. Then the Terry Lane and the Agness improvements that we've committed to, regardless of Home Depot, would have to go in also before the first building permit was issued.

Councilor Townes, you mentioned SDC credits. That was mentioned. If the City was willing to use SDC money to improve that street, great, if it didn't impact us we'd be fine with that but again I think that would be a future discussion if that came about prior to building permits so... Are there any additional questions?

Councilor Berger stated, I'm trying to get a picture in my head of the slot. How far are you? Beacon would then be to the west over here and Fairview... I don't feel is a fully City standard street at this point is it Principal Planner Angeli-Paladino? Is it?

Mr. Gerlitz stated, yes, it's improved, with sidewalks.

Councilor Berger asked, it is improved all the way to Beacon and to Terry Lane? That was my question.

Mayor Murphy asked if there were further questions for Mr. Gerlitz, Seeing none, he asked for comments from the public from people who want to speak in favor.

Rycke Brown, 1415 SW Bridge Street, Grants Pass. At the end of Principal Planner Angeli-Paladino's presentation, she said something about the applicant signed a waiver related to a Noland Amendment or something like that. I was wondering what that was about and are we having citizens waive rights that they should have access to.

Mayor Murphy asked, you're addressing the Council?

Scott Lindberg, 649 NW B Street, Grants Pass. I just would like to say that I'm in support of this application. There has been a lot of work that I know of that's gone in over the years to come up with a viable way to develop this site that's been kind of difficult, and I think with the mix of residential and office uses that are permitted in the R4 residential district you're going to have a very nice zipper zone, so to speak, between residential uses and the commercial uses. I think that that is exactly the type of development that this community needs. Thank you.

Ed Bowers, 1104 Luzon, Grants Pass. I too support the project. It's been an awful lot of work involved in this particular development. I do hope you approve it. Thank you.

Mayor Murphy asked for those that wanted to speak in opposition. Seeing none. He then asked the applicant for rebuttable.

Mr. Gerlitz stated, I have no additional comments unless you have additional questions for me.

Councilor Berger asked, I'm not sure how our Development Code reads but I'm curious, what percentage of the total square footage is dedicated to open space. You mentioned you are doing it on the rooftops and there is a little bit of landscaping somewhere here or there, but you're talking about quite a bit of development -- so part of this is to you and part of this is to Principal Planner Angeli-Paladino, do we have a requirement in our Development Code for setting aside any type of open space with a sizable development like this?

Principal Planner Angeli-Paladino stated, in an R3 zone it says, "Minimum percentage of lot required to be open space, in an R3 is 35% and for R4 it is 30%." So that portion of R4 would need to meet that requirement with site plan review and it can be a mix between pervious and impervious, so patios and gardens and those kinds of things count towards that.

Councilor Berger asked, Mr. Gerlitz, in your particular case, what percentage is it, do you know?

Mr. Gerlitz stated, we do meet the percentages of the Development Code in the R4 zoning for the mixed-use portion along Fairview. Like Principal Planner Angeli-Paladino said, part of it is... I want to say you're allowed up to 20% of impervious area and the rest is pervious and you can see kind of the southwest side of the R4 area there is a large grass area there. We've got planter strips kind of staggered here, there, and all around the edges and against the buildings and everything else, and then we, in addition to that landscaping, we have the rooftop patio area but yes it does meet those requirements...

Councilor Berger stated, planter strips count towards open space is that what I'm hearing? So the percentage is 30%? Yes? Okay.

Principal Planner Angeli-Paladino asked the Mayor, would you like me to answer Mrs. Brown's question?

Mayor Murphy stated, only if the Council asks you to.

Councilor Townes stated, I'd like you to answer Rycke Brown's question.

Principal Planner Angeli-Paladino stated, in terms of the agreement itself there is a provision here that says waiver of certain claims and I can read that to you but basically it's saying that the impacts that we're asking the applicant to do that they understand that those are proportional to their impacts so the intersections at Parkway and Terry, and Agness, and those other ones that we are not asking for anything absorbitant and that they are going to file a Dolan claim on us because we're asking for those improvements. They concur that those improvements are proportional. That's kind of what the waiver is for. I hope that answers your question.

Mayor Murphy stated, we will return it to Council for action and this is an ordinance.

Councilor Kangas stated, I believe we talked about this. I think I talked about it back in the Planning Commission maybe three years ago. We were more concerned about a buffer area back then and I do believe that he's answered that question up here with the area that he has back there. I'm going to, somebody may have something else to say, but I'm going to recommend that we have the first reading by title only.

Councilor Renfro seconded the motion.

Mayor Murphy verified the amendments were included and no other action was needed then he opened it up for discussion.

Councilor Cummings stated, in looking at this, I think it meets the spirit of the normal buffering that you would normally have in a residential area. It still maintains that buffer and that's kind of why I like it. Again, if you look at planning and some of the newest things, having living space and working space all in one area, it's one of the things that a lot of cities are looking towards so I just

think it's one of those things that gives us an opportunity to be on the cutting edge of planning so I would support it.

Councilor Renfro stated, I think another advantage of this type of development is that when you have apartments there close to these stores and so forth, it gives people that want to work in that area can walk to work instead of driving to work – so it's convenient for a number of reasons.

Mayor Murphy asked for further discussion. Seeing none, he called for the vote.

ORDINANCE NO. 5493

Councilor Kangas moves that the Council adopt the ordinance by the first reading. Motion seconded by Councilor Renfro. The vote resulted as follows: "AYES": Kangas, Renfro, Berger, Cummings, Pell, Townes, and Warren. "NAYS": None. Abstain: None. Absent: Michelin. The motion has passed. The ordinance is read.

Councilor Cummings moves that the ordinance be read by title only, second reading. Motion seconded by Councilor Renfro. The vote resulted as follows: "AYES": Kangas, Renfro, Berger, Cummings, Pell, Townes, and Warren. "NAYS": None. Abstain: None. Absent: Michelin. The motion has passed. The ordinance is read.

Mayor Murphy asked if the ordinance should be adopted, signified by roll call vote as follows: Councilor Pell– yes; Councilor Berger– yes; Councilor Warren– yes; Councilor Townes– yes. Councilor Cummings–yes; Councilor Renfro–yes; and Councilor Kangas–yes. Councilor Michelin – absent.

Mayor Murphy declared the ordinance is adopted

2. COUNCIL ACTION:

a. Resolution of intent of the Council to form a local Improvement district on Darneille Lane.

Assistant City Manager Samson stated, Mayor Murphy and members of the Council, this is a resolution of intent for the Darnielle local improvement district. Darnielle is a collector roadway classified as a collector in your Master Transportation Plan. As you know, it serves Redwood School as well as the new Redwood Public Safety Station. Currently the road is very narrow. There is no room for people to walk or to ride a bicycle safely. You are either in the roadway itself or you are either in a ditch or precariously close to the ditch. In addition, this is an area where the City and the County have collected Deferred Development Agreements over time and more than 50% of the property frontage is obligated to assist in paying for the widening of Darnielle. This project is also unique in that it has a contribution that was made to it several years ago, an \$80,000 contribution. This is a good time to be moving forward with construction projects. This is a good market for that.

j. Approve minutes of the regular meeting of June 17, 2009.

MOTION

It was moved by Councilor Renfro and seconded by Councilor Townes that the minutes be approved as written and the vote resulted as follows: "AYES": Kangas, Renfro, Cummings, Pell, Townes, and Warren. "NAYS": None. Abstain: None. Absent: Michelon and Berger. The motion has passed.

Having received a favorable vote, Mayor Murphy declared the motion to have duly passed.

k. Approve minutes of the special meeting of June 17, 2009.

MOTION

It was moved by Councilor Renfro and seconded by Councilor Townes that the minutes be approved as written and the vote resulted as follows: "AYES": Kangas, Renfro, Cummings, Pell, Townes, and Warren. "NAYS": None. Abstain: None. Absent: Michelon and Berger. The motion has passed.

Having received a favorable vote, Mayor Murphy declared the motion to have duly passed.

l. Resolution authorizing the City Manager to close Sixth Street and other downtown streets for Back to the 50's Cruise.

RESOLUTION NO. 5548

It was moved by Councilor Renfro and seconded by Councilor Townes that Resolution No. 5548 be adopted and the vote resulted as follows: "AYES": Kangas, Renfro, Cummings, Pell, Townes, and Warren. "NAYS": None. Abstain: None. Absent: Michelon and Berger.

Having received a favorable vote, Mayor Murphy declared the resolution is adopted.

6. EXECUTIVE SESSION 192.660(2): None

7. ADJOURN

There being no further business to come before the Council, Mayor Murphy adjourned the meeting at 9:40 p.m.

The ordinances, resolutions and motions contained herein and the accompanying votes have been verified by:

Finance Director

These minutes were prepared by contracted minute taker, Wendy Hain.

**MAIN PLACE
COMPREHENSIVE PLAN MAP &
ZONING MAP AMENDMENT and
DEVELOPMENT AGREEMENT #2009-1**

City Council
09-40200001
July 1, 2009
Presented by: Carla Angeli Patadino

Property Information:

- Owner(s): Marjorie D. Hill (TL 2001) and Main Place Grants Pass LLC
- Applicant: Geoff Farrer
- Representative: Justin Gerfitz, ZCS Engineering
- Map/Tax Lots: 36-05-16-32, Tls 2000, 2001, 2100, 2200, 2201, 2300 & 2302
- Acreage: 2.74 acres

Proposal:

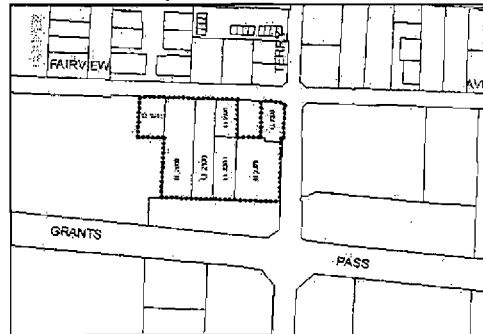
- Comprehensive Plan Map Amendment;
- Zoning Map Amendment; and
- Owners and City to enter into a Development Agreement

Area	Approximate Area of Changes	
	Comp. Plan	Zoning
1.14 acres	HDR to HRDR	R-3 to R-4
1.60 acres	HDR to GC	R-3 to GC

HDR/R-3: High Density Residential
HRDR/R-4: High-Rise Density Residential
GC: General Commercial

Type IV Procedure: UAPC recommendation, CC Approval

Location Map



Aerial Photo



Existing Zoning

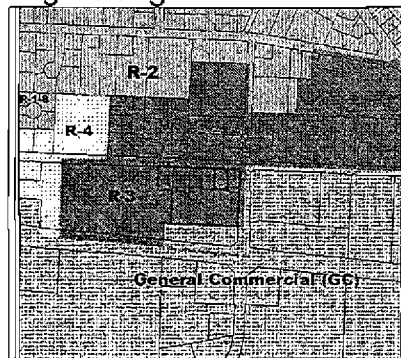
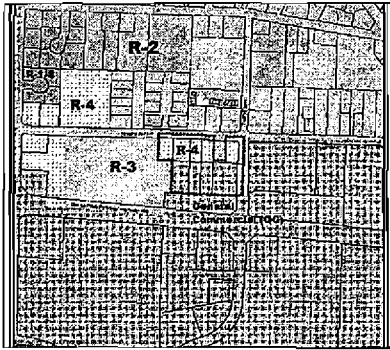


Exhibit C
To CC Findings of Fact

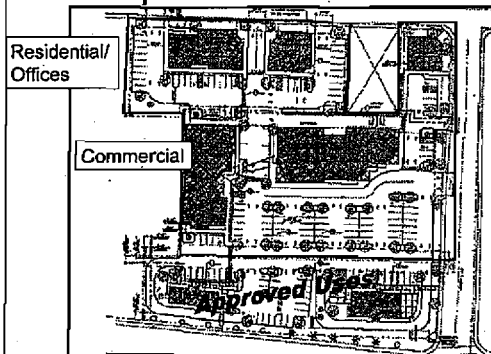
Proposed Zoning



Potential Development of the Site:

- Application materials and traffic study submitted outlined the following potential mixed uses:
 - 10,620 sq. ft. of professional office space;
 - 19,848 sq. ft. of specialty retail area; and
 - 10 residential units
- Development Agreement attached to the ordinance addresses applicant's traffic mitigation and development requirements for the property.

Concept Plan



Applicable Criteria: Comprehensive Plan Policy Document 13.5.4

- **Criterion (a):** Consistency with other findings, goals, and policies in the Comprehensive Plan.
- **Criterion (b):** A change in circumstances validated by and supported by the database or proposed changes to the database, which would necessitate a change in findings, goals, and policies.
- **Criterion (c):** Applicable planning goals and guidelines of the State of Oregon
- **Criterion (d):** Citizen review and comment.

Criteria, continued

- **Criterion (e):** Review and comment from affected governmental units and other agencies.
- **Criterion (f):** A demonstration that any additional need for basic urban services (water, sewer, streets, storm drainage, parks, and fire and police protection) is adequately covered by adopted utility plans and service policies, or a proposal for the requisite changes to said utility plans and service policies as a part of the requested Comprehensive Plan amendment.
- **Criterion (g):** Additional information as required by the review body.
- **Criterion (h):** In lieu of item (b) above, demonstration that the Plan as originally adopted was in error.

Applicable Criteria: Zoning Map Amendment, GPDC 4.033

- **Criterion 1:** The proposed use, if any is consistent with the proposed Zoning District.
- **Criterion 2:** The proposed Zoning District is consistent with the Comprehensive Plan Land Use Map designation.
- **Criterion 3:** A demonstration that existing or proposed levels of basic urban services can accommodate the proposed or potential development without adverse impact upon the affected service area or without a change to adopted utility plans.
- **Criterion 4:** A demonstration that the proposed amendment is consistent with the function, capacities, and performance standards of transportation facilities identified in the Master Transportation Plan.

Criteria, continued

- Criterion 5: The natural features of the site are conducive to the proposed Zoning District.
- Criterion 6: The proposed zone is consistent with the requirements of all overlay districts that include the subject property.
- Criterion 7: The timing of the zone change request is appropriate in terms of the efficient provision or upgrading of basic urban services versus the utilization of other buildable lands in similar zoning districts already provided with basic urban services.
- Criterion 8: In the case of rezoning from the Urban Reserve District, that the criteria for conversion are met, as provided in Section 4.034

Compliance with Comp. Plan criteria:

- Criterion (a): Consistency with other findings, goals and policies in the Comprehensive Plan.
 - Element 8 - Economy. The amendment provides for mixed use development and will provide economic viability and opportunity for the area.
 - Element 13 - Land Use. The proposed amendment will change approximately 1.60 acres from residential to commercial
 - Neighborhood classified as being appropriate for moderate to high density development, which includes a mix of housing types and housing located around commercial centers
 - Properties are in close proximity to commercial centers along GP Parkway and GP Shopping Center
 - Allow for a variety of residential & commercial uses

Compliance with Comp. Plan & Zoning Map criteria:

- Criterion (c): Applicable planning goals and guidelines of the State of Oregon – specifically Goal 12 – Transportation
- Criterion (4): A demonstration that the proposed amendment is consistent with the function, capacities and performance standards of transportation facilities identified in the Master Transportation Plan

Compliance with criteria continued

- Traffic Impact Analyses submitted; reviewed & analyzed by ODOT and City
- Assumptions in study reviewed impacts for potential development of ten (10) residential units, 10,000+ sq.ft. of professional office space, and 19,000+ sq.ft. of specialty retail compared with the worst case scenario for the existing Residential zone
- Seven (7) intersections studied using City's Level of Service (LOS) standard and ODOT's v/c ratio
- Study included impacts from the Home Depot development and Phase I of the Main Place Development (Del Taco & Starbucks)

Compliance with criteria continued

- Intersections Studied:
 - Terry Lane at Fairview Avenue
 - Beacon Drive at Fairview Avenue
 - Grants Pass Parkway at Beacon Drive
 - Grants Pass Parkway at Terry Lane
 - Grants Pass Parkway at Agness Avenue
 - Grants Pass Parkway at F Street
 - Grants Pass Parkway at M Street

Compliance with criteria continued

- The applicant's TIA reflects that three (3) of the intersections studied are below the City's mobility standard.
 - GP Parkway at Agness Avenue (LOS E; v/c 1.01)
 - GP Parkway at F Street (LOS E; v/c 0.97)
 - GP Parkway at M Street (LOS E; v/c 1.10)
- Mitigation measures required with Home Depot Development will improve GP Parkway at F Street and M Street to standards
- Applicant will mitigate their impacts at GP Parkway at Agness Avenue intersection; also improve GP Parkway at Terry Lane intersection

Compliance with criteria continued

- The Development Code's minimum LOS standard is "D" for signalized intersections and a volume to capacity (v/c) ratio not higher than 1.0 for the sum of critical movements.
- Based on a recent LUBA decision, under the City's constitutional obligations it is more appropriate for an applicant to mitigate their impacts on an intersection even if the improvement does not fully restore the intersection to the LOS D standard
- GP Parkway at Agness will be improved but will not meet LOS D standard

Key points of Proposed Development Agreement:

- Conceptual Use for approx. 10,620 sq.ft. of professional office use, 19,848 sq.ft. of specialty retail and ten (10) residential units
- Proposed Improvements (Exhibit C)(pg. 18- green packet):
 - GP Parkway at Agness Ave. – Allow for concurrent lefts on NB and SB movements
 - GP Parkway at Terry Lane – concurrent lefts
 - Possible improvements to GP Parkway at M and F Streets if Home Depot improvements not installed
- New T.I.A. will be required for review of M and F Street intersections if proposal moves forward before Home Depot improvements are installed

Key points continued

- Applicant may be required to install improvements to GP Parkway at M & F St.
- Applicant agrees to a trip cap not to exceed 1,194 daily trips for the entire development
- Development on parcels fronting Fairview Avenue shall include some form of residential use and include mixed uses of residential and professional offices

Key points continued

- Term of the agreement is seven (7) years
- City will use its best efforts to assist in acquiring additional property needed for right of way to construct improvements in Exhibit C
- Section 15 covers amendment, cancellation and enforceability of the agreement
- Waiver of Certain Claims
 - Waives takings claim, such as those premised on *Dolan* & other legal cases

Recommendation

By vote of 4-0-1, Planning Commission recommended APPROVAL to the City Council:

- Comprehensive Plan Map change from High Density Residential to High-Rise Density Residential and General Commercial and the
- Zoning Map Amendment from (R-3) to (R-4 and GC)
- Both amendments conditional on approval of the Development Agreement being signed by all parties and recorded

Questions?

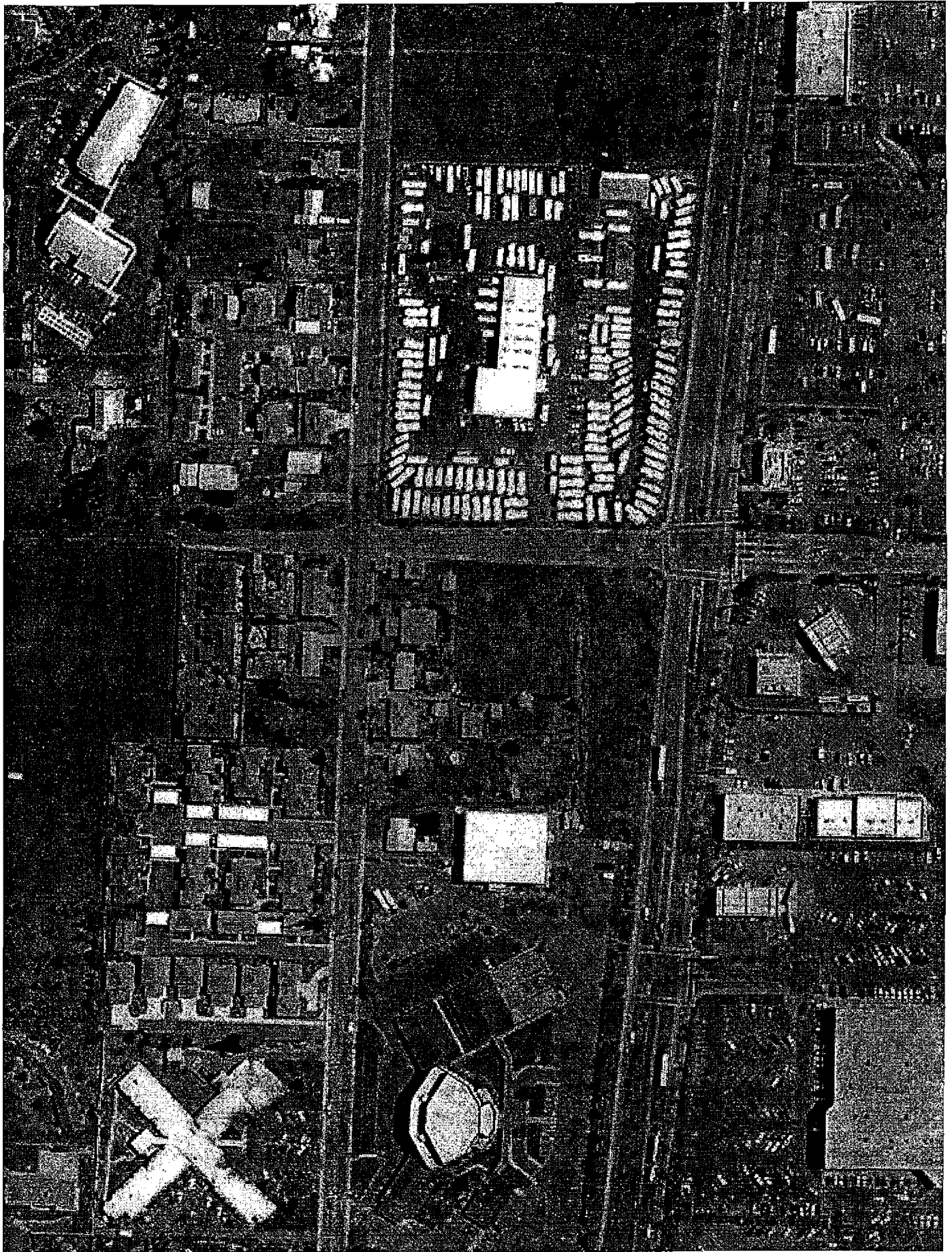



Exhibit D
To CC Findings of Fact



CARLSON VEIT ARCHITECTS PC
ARCHITECTURE • INTERIOR DESIGN
3005 PINEBROOK WAY, SUITE 200, DALLAS, TEXAS 75243
PHONE: 972.382.1100 FAX: 972.382.1101
WWW.CARLSONVEIT.COM

PRELIMINARY
NOT FOR CONSTRUCTION

DATE: 09-23-08

PROJECT: PARK OVERLOOK
SHEET: MASTER PLAN
SCALE: AS SHOWN

DATE: 01/27/09
BY: J. CARLSON
CHECKED: J. CARLSON
DATE: 01/27/09
BY: J. CARLSON
CHECKED: J. CARLSON

SITE PLAN

A-101

SITE SUMMARY

LOT AREA: 100,000 SQ. FT.

PERMITTED DEVELOPMENT:

- 2,000 SF PER 1,000 SQ. FT. OF LOT AREA
- 10' MIN. SIDE SETBACKS
- 10' MIN. FRONT SETBACK
- 10' MIN. REAR SETBACK
- 10' MIN. SIDE SETBACKS
- 10' MIN. FRONT SETBACK
- 10' MIN. REAR SETBACK
- 10' MIN. SIDE SETBACKS
- 10' MIN. FRONT SETBACK
- 10' MIN. REAR SETBACK
- 10' MIN. SIDE SETBACKS

PERMITTED HEIGHTS:

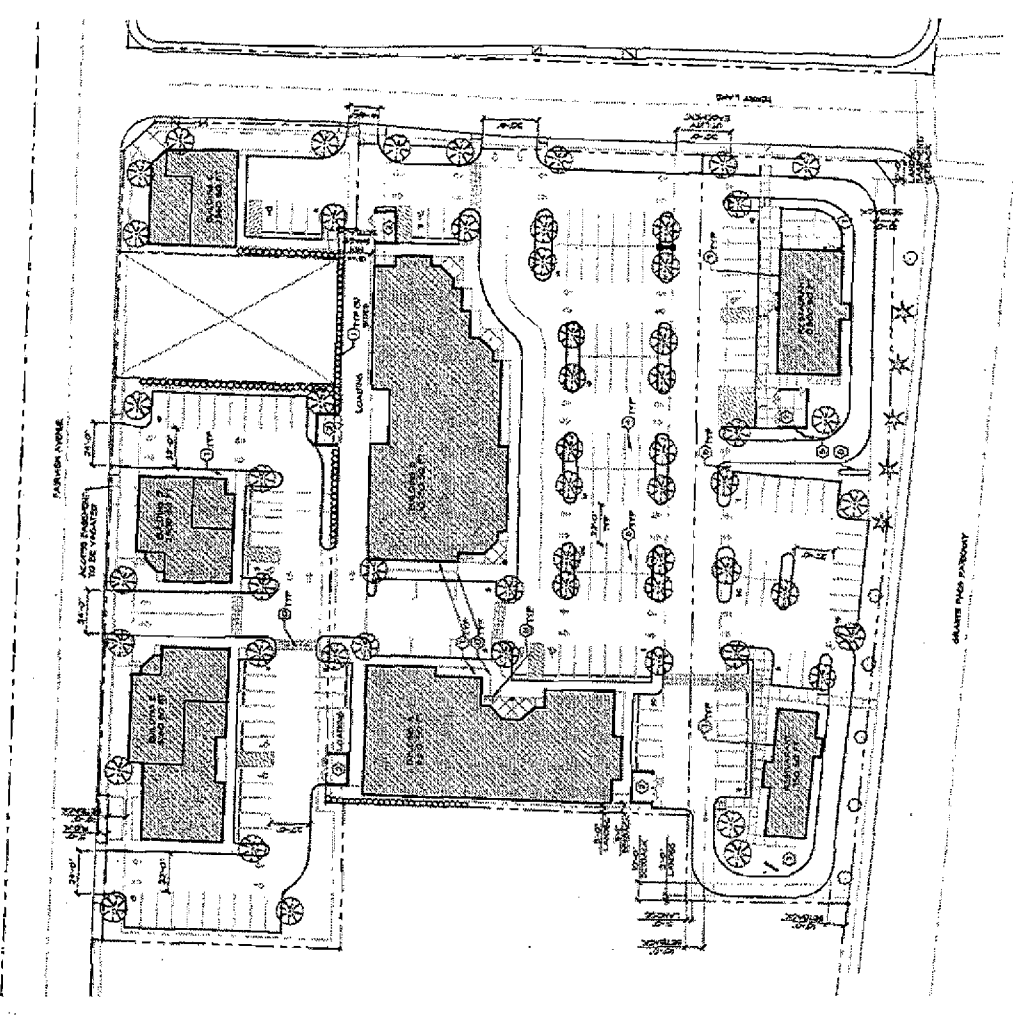
- 35' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT
- 10' MAX. HEIGHT

PERMITTED USES:

- OFFICE
- RETAIL
- RESTAURANT
- HOTEL
- MULTIFAMILY RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- PUBLIC USE
- EDUCATIONAL
- RECREATIONAL
- CULTURAL
- HEALTH CARE
- PROFESSIONAL
- COMMUNITY CENTER
- SENIORS CENTER
- CHILDREN'S CENTER
- YOUTH CENTER
- COMMUNITY CENTER
- SENIORS CENTER
- CHILDREN'S CENTER
- YOUTH CENTER

CONSTRUCTION NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, ORDINANCE 148.001, CHAPTER 148.001, SUBCHAPTER 148.001, SUBSECTION 148.001.01.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, ORDINANCE 148.001, CHAPTER 148.001, SUBCHAPTER 148.001, SUBSECTION 148.001.01.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, ORDINANCE 148.001, CHAPTER 148.001, SUBCHAPTER 148.001, SUBSECTION 148.001.01.
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6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, ORDINANCE 148.001, CHAPTER 148.001, SUBCHAPTER 148.001, SUBSECTION 148.001.01.
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10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS, TEXAS, ORDINANCE 148.001, CHAPTER 148.001, SUBCHAPTER 148.001, SUBSECTION 148.001.01.



SITE PLAN
1" = 80'-0"

CARLSON VEIT ARCHITECTS P.C.
ARCHITECTURE • INTERIOR DESIGN
505 MARKET ST. SUITE 2000
SAN FRANCISCO, CA 94102
TEL: 415.774.1100
WWW.CARLSONVEIT.COM

PRELIMINARY
NOT FOR CONSTRUCTION
DATE: 08-23-08

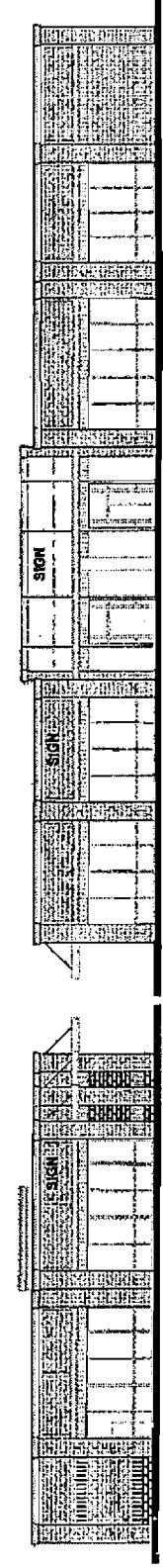
KIAN P. CHAN
REGISTERED ARCHITECT
NO. 10000

PROJECT: KIAN P. CHAN ARCHITECTS
NO. 10000

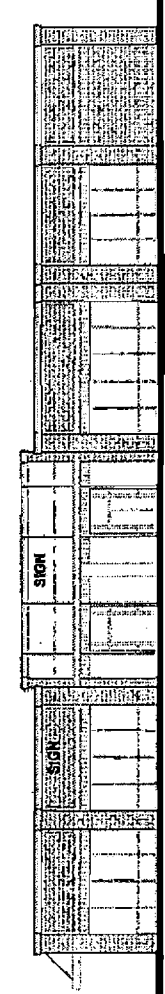
DATE: 08-23-08

PRELIMINARY EXTERIOR ELEVATIONS

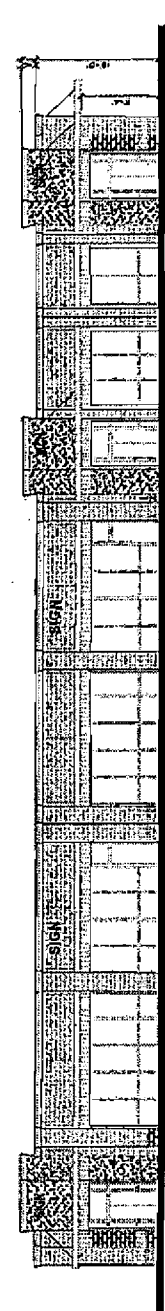
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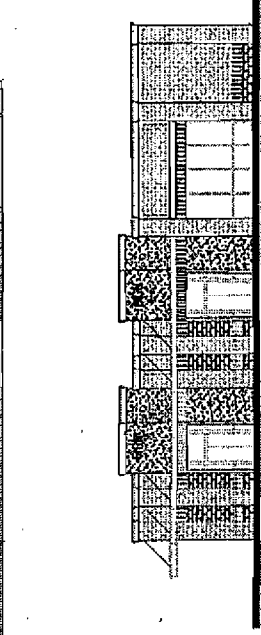
SOUTH ELEVATION - RETAIL BUILDING A
1/8" = 1'-0"



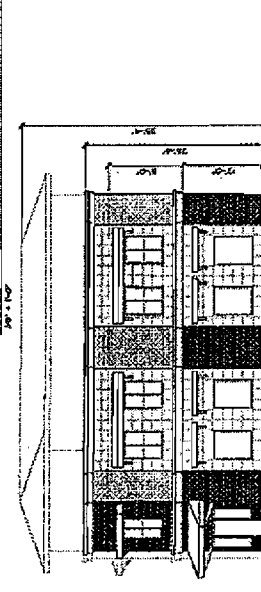
EAST ELEVATION - RETAIL BUILDING A
1/8" = 1'-0"



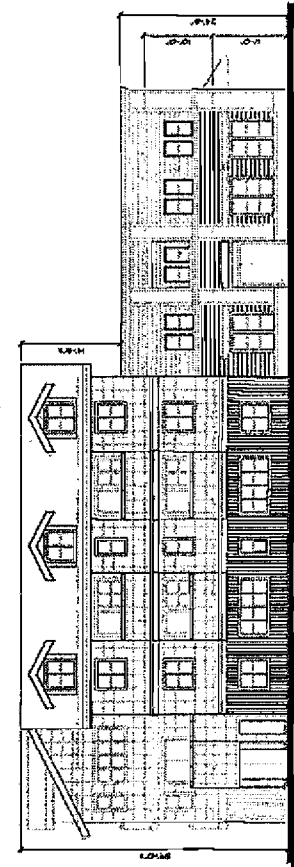
SOUTH ELEVATION - RETAIL BUILDING B
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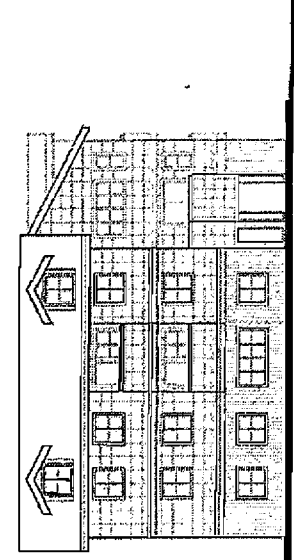
EAST ELEVATION - RETAIL BUILDING B
1/8" = 1'-0"



NORTH ELEVATION - MIXED USE BUILDING C
1/8" = 1'-0"



NORTH ELEVATION - MIXED USE BUILDINGS D & E
1/8" = 1'-0"



CITY DEVELOPMENT
OF GRANTS PASS
N.W. "A" ST.
GRANTS PASS, OR 97526

Handwritten signature



City of Grants Pass
101 Northwest A Street
Grants Pass, OR 97526

TO: ATTN: PLAN AMENMENT SPECIALIST
DLCD
635 CAPITOL STREET NE STE 150
SALEM OR 97301-2540