



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

10/7/2009

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

FROM: Plan Amendment Program Specialist

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

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. 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, October 20, 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: Marion J. Thompson, City of Roseburg
Gloria Gardiner, DLCD Urban Planning Specialist
John Renz, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner
Thomas Hogue, DLCD Regional Representative
Angela Lazarean, DLCD Regional Representative

<paa> YA



DLCD

Notice of Adoption

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

In person electronic mailed

**D
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D**

DEPT OF

SEP 30 2009

**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: City of Roseburg

Local file number: **ZC-09-1/AN-09-1**

Date of Adoption: **September 28, 2009**

Date Mailed: **September 29, 2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **YES** Date: 6/19/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **Annexation, site review**

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

Approved consent annexation to bring approximately 20 acres of property and 9 acres of adjoining public right-of-way into the City of Roseburg jurisdiction, concurrently changing the zone from County Medium Industrial to City Mix Use consistent with the current Comprehensive Plan Land Use Map designation of Industrial and approved site plan review for construction of a Costco warehouse with an associated fueling facility.

Does the Adoption differ from proposal? No, no explanation needed.

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **M-2**

to: **MU**

Location: **Southeast corner of Kenneth Ford Drive and NE Stephens St**

Acres Involved: **29**

Specify Density: Previous: **N/A**

New:

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<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. _____

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

Local Contact: **Marion J. Thompson, AICP**

Phone: (541) 440-1177 Extension:

Address: **900 SE Douglas Ave**

Fax Number: 541-440-1185

City: **Roseburg**

Zip: **97470**

E-mail Address: **mthompson@cityofroseburg.org**

ADOPTION SUBMITTAL REQUIREMENTS

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

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:
ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **larry.french@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 **larry.french@state.or.us** - **Attention: Plan Amendment Specialist**.

ORDINANCE NO. 3315

AN ORDINANCE DECLARING THE ANNEXATION OF 19.59 ACRES, MORE OR LESS OF PROPERTY LOCATED EAST OF NE STEPHENS STREET, SOUTH OF KENNETH FORD DRIVE, FURTHER DESCRIBED AS TAX LOTS 102, 500, 501, 502, 600 AND 700, IN TOWNSHIP 26 SOUTH, RANGE 06 WEST, WILLAMETTE MERIDIAN, SECTION 36DD, ALONG WITH 9.52 ACRES OF THE NE STEPHENS STREET AND KENNETH FORD DRIVE RIGHT-OF-WAY INCLUDED IN THE POWELL DEVELOPMENT ANNEXATION AS FILE NO. DOR 10-P325-2009; WITHDRAWING THE PROPERTY FROM DOUGLAS COUNTY FIRE DISTRICT 2; MAKING AN AMENDMENT TO THE ROSEBURG ZONING MAPS; APPROVING SITE PLAN REVIEW; AND DIRECTING THE FILING OF A TRANSCRIPT WITH THE SECRETARY OF STATE

THE CITY COUNCIL OF THE CITY OF ROSEBURG, OREGON, finds:

1. The proposed annexation meets the requirements of ORS 197.175 and adopted Statewide Planning Goals.
2. This matter came before the Roseburg Planning Commission as a consolidated proposal for Annexation, Zone Change and Site Plan Review.
3. The annexation complies with provisions of ORS Chapter 222.120 and ORS Chapter 222.125.
4. The subject property is contiguous to the City limit boundary and therefore a logical inclusion of that boundary.
5. The territory to be annexed is a part less than the entire area of a rural fire protection district - Douglas County Fire District No. 2.
6. The annexation and withdrawal of the property from the Douglas County Fire District No. 2 is consistent with the fundamental principles and applicable policies of the Roseburg Urban Area Comprehensive Plan Goals, Objectives and Policy Statements, and other adopted City policies, and it is in the best interest of the City that the area be annexed and withdrawn.
7. The City is willing to assume the responsibilities and indebtedness previously contracted by the District proportionate to the part of the District that have been annexed to the City upon the effective date of the withdrawal.
8. That the Roseburg Urban Area Comprehensive Plan was adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.

9. That the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, establishes procedures for consolidated approval of an Annexation, Zone Change, and Site Plan Review.
10. That the Planning Commission received an application (File Nos. AN-09, ZC-09-1, SR-09-91, and SR-09-93) and held a public hearing after due and timely notice.
11. The proposal includes annexation of lands, Change in Zone designation for said lands and Site Plan Review on said lands for a 148,500 square-foot wholesale warehouse and fueling facility, a 12,500 square-foot remodeled electrical store, a building demolition, and building pads for two future retail establishments of approximately 12,850 square feet combined.
12. The subject lands are currently designated in the Roseburg Urban Area Comprehensive Plan as Industrial (IND) and upon annexation will remain IND.
13. The subject lands are currently zoned County Medium Industrial (M-2) and upon annexation will cause a change to City Mixed Use (MU).
14. All public facilities and services are within distance of serving the subject property.
15. That the following criteria exist:
 - a. The annexation and rezoning will conform to the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.
 - b. The site is suitable to the proposed zone with respect to the public health, safety, and welfare of the surrounding area.
 - c. The rezone is consistent with the safety and performance measures of the transportation system.
 - d. The development proposal is consistent with standards of the Roseburg Land Use and Development Ordinance

NOW, THEREFORE, THE CITY OF ROSEBURG ORDAINS AS FOLLOWS:

SECTION 1. The foregoing findings are hereby approved and incorporated herein.

SECTION 2. The subject real property known as 4119, 4141, 4211 and 4221 NE Stephens Street and 149 NE Kenneth Ford Drive is legally described by Exhibits "A" and shown on Exhibits "B", attached hereto and incorporated herein, is annexed to the City of Roseburg as a part thereof.

SECTION 3. This annexation, zone change, and site plan review have been processed pursuant to Roseburg Land Use and Development Ordinance No. 2363.

SECTION 4. The City Council hereby adopts as its own the Findings of Fact and Decision Documents of the Planning Commission dated August 3, 2009 and incorporates those documents herein by reference.

SECTION 5. This annexation is made pursuant to the provisions of ORS 222.120 and 222.125 and pursuant to an annexation without election by city electors; and, with public hearing.

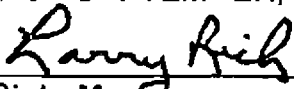
SECTION 6. The subject property is hereby withdrawn from Douglas County Fire District No. 2 on the effective date of the annexation. The City shall assume the obligations referred to in ORS 222.520(2) and shall commence the procedure for division of assets provided in ORS 222.530. The particulars of said assumption of liabilities and division of assets shall be accomplished hereafter as provided in an Intergovernmental Agreement between the City and Douglas County Fire District No. 2 dated June 10, 1991.

SECTION 7. The Recorder of the City of Roseburg shall submit to the Douglas County Assessor and the Oregon Department of Revenue the required legal description of the territory annexed and an accurate map showing the annexed territory as required by ORS 308.225 (Attached hereto as Exhibits "B").

SECTION 8. The City Council hereby approves consolidated zone change and site plan review and amends the Roseburg Zoning Map by applying the City Mixed Use (MU) zone to the subject Parcel, as shown in Attachment "1" attached hereto and made part of this ordinance.

SECTION 9. The Recorder of the City of Roseburg shall submit to the Secretary of State of Oregon for filing, copies of the ordinance and all other instruments required so to be filed with the Secretary of State to evidence the annexation and other actions set forth herein.

ADOPTED BY THE CITY COUNCIL THIS 28TH DAY OF SEPTEMBER, 2009.
APPROVED BY THE MAYOR THIS 28TH DAY OF SEPTEMBER, 2009.



Larry Rich, Mayor

ATTEST: 

Sheila R. Cox, City Recorder

EXHIBIT "A"

Being all of PARCELS 1 and 2 of Partition Plat 2000-0032, Douglas County Plat Records, all of Instrument Number 2006-02782 and a portion of Instrument Number 2001-22078, Douglas County Deed Records, located in the Southeast quarter of Section 36, Township 26 South, Range 6 West, Willamette Meridian, Douglas County, Oregon, being more particularly described as follows:

Beginning at the Southeast corner of said Instrument Number 2006-02782; Thence along the South boundary of said Instrument Number 2006-02782, North 87°49'13" West, 640.12 feet to a point on the Easterly right-of-way line of North Stephens Street (Highway 99); Thence leaving said South boundary, along said Easterly right-of-way line the following courses: North 07°24'12" East, 241.49 feet to a 5/8" iron rod; Thence along the arc of a 1949.83-foot radius curve to the left, (the chord of which bears North 01°16'52" East, 415.91 feet) 416.70 feet; Thence North 87°43'55" West, 10.22 feet to a point; Thence along the arc of a 1939.44-foot radius curve to the left, (the chord of which bears North 07°27'21" West, 174.58 feet) 174.64 feet to a point; Thence North 10°25'00" West, 114.25 feet to a point; Thence North 5°24'58" West, 226.95 feet to a 5/8" iron rod; Thence North 5°52'01" West, 34.18 feet to a 5/8" iron rod at the intersection of said Easterly right-of-way and the South right-of-way boundary of Kenneth Ford Drive; Thence along said South right-of-way boundary, North 75°56'54" East, 575.10 feet to a point; Thence leaving said South right-of-way boundary, South 16°05'07" East, 87.66 feet to a point; Thence South 01°00'41" West, 169.50 feet to a point; Thence South 88°59'13" East, 175.99 feet to a point on the East boundary of said Instrument Number 2001-22078; Thence along said East boundary, South 01°02'21" East, 457.08 feet to the Northeast corner of said Instrument Number 2006-02782; Thence along the East boundary of said Instrument Number 2006-02782, South 07°30'02" West, 656.90 feet to the point of beginning and containing 19.59 acres, more or less.

EXHIBIT "B"

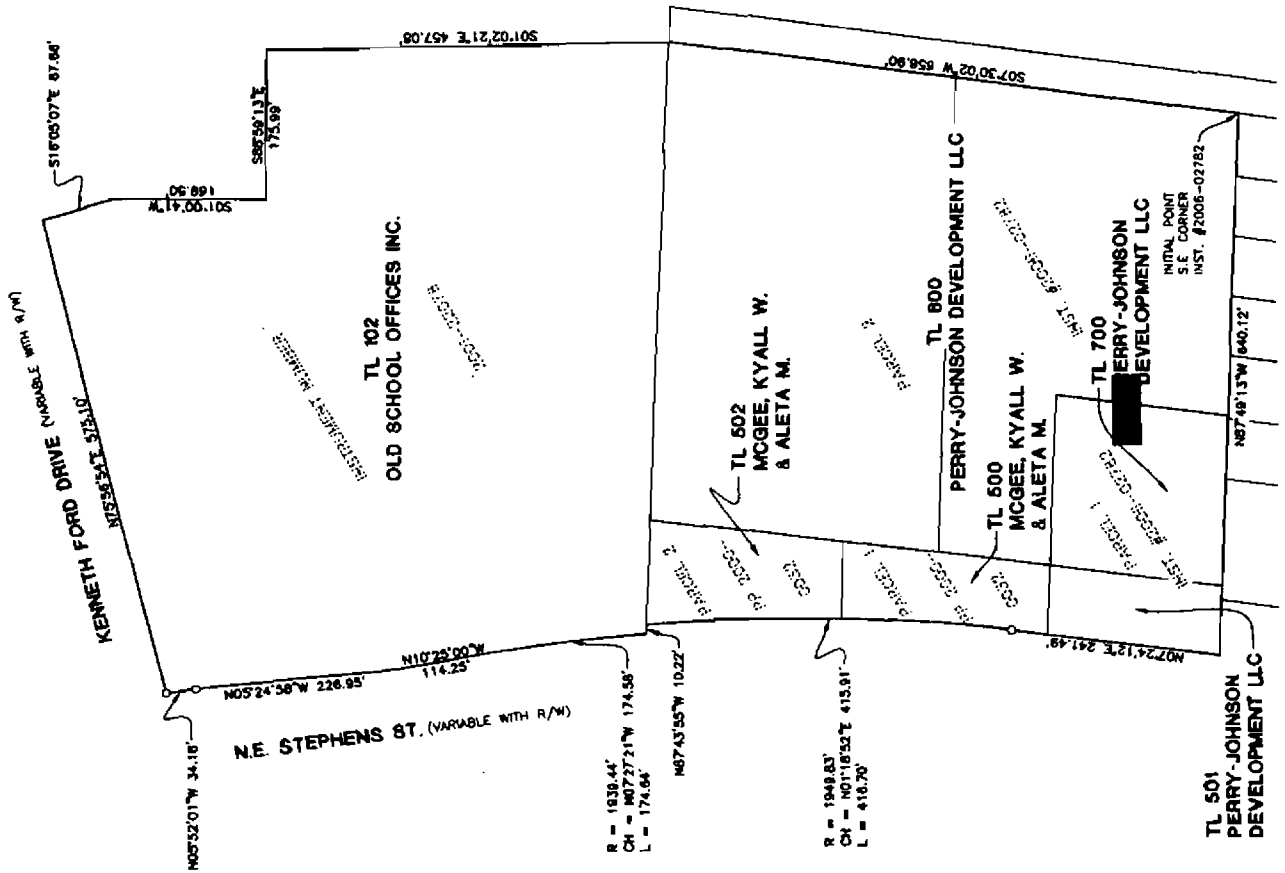


EXHIBIT "B"

PROPOSED ANNEXATION

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 36,
TOWNSHIP 26 SOUTH, RANGE 6 WEST, WILLAMETTE
MERIDIAN, DOUGLAS COUNTY, OREGON

ORDINANCE NO. _____

i.e.
ENGINEERS

605 S.E. Pine Street
Portland, Oregon 97204
PHONE: (503) 833-0168
FAX: (503) 440-9393
www.iesurveying.com

JOB NO: 2329-D1 T11
DWC BY: DAF

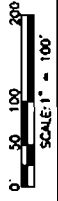
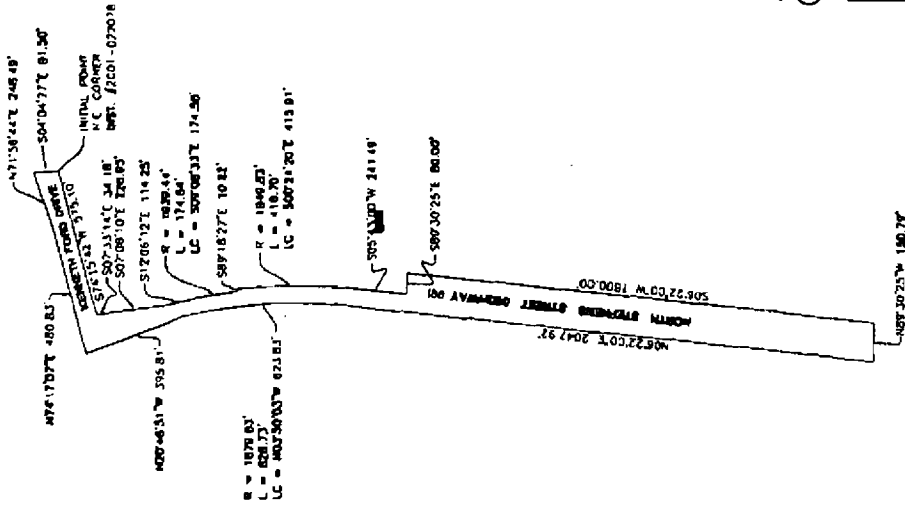
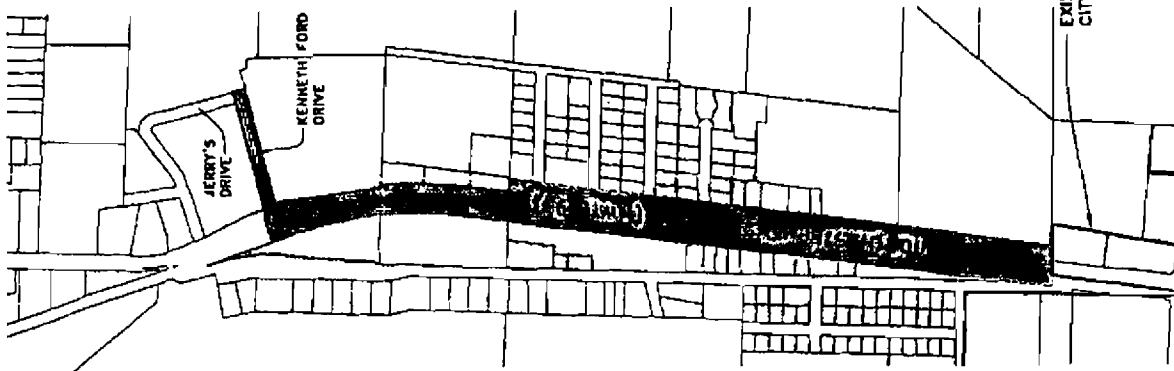


EXHIBIT "B"



**BEFORE THE PLANNING COMMISSION
OF THE CITY OF ROSEBURG**

In the matter of the application by)
Powell Development for Annexation of)
Territory into the City of Roseburg,)
approximately 29.11 acres of property)
within the Roseburg Urban Growth)
Boundary; located at 4081, 4119 and)
4221 NE Stephens Street and 149 NE)
Kenneth Ford Drive and further)
described as Tax Lots 102, 500, 501,)
502, 600 and 700, Section 36DD,)
Township 26 South, Range 06 West,)
Willamette Meridian, Tax Account)
R121015, R72571, R72585, R109537,)
R72564, and R72578.)

**FINDINGS OF FACTS
AND DECISION**

FILE NO. AN-09-1

Finding No. 1

This matter came before the Planning Commission for public hearing on July 20, 2009, in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.

Finding No. 2

Duly executed applications for annexation were initiated in due format by all owners of properties within the territory to be annexed.

Finding No. 3

Notice of the public hearing was mailed to affected property owners a minimum of 20 days before the public hearing and notice was given by publication in the News-Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing. Opportunities were provided for all parties to be involved in the planning process through the public hearing.

Finding No. 4

The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, as both may have been amended from time-to-time. The Planning Commission takes official notice of the records of the Community Development Department.

Finding No. 5

The subject properties are adequately described and applicable to annexation of territory described as Tax Lots 102, 500, 501, 502, 600 and 700, Section 36DD,

Township 26 South, Range 06 West, Willamette Meridian, Tax Account R121015, R72571, R72585, R109537, R72564, and R72578.

Finding No. 6

Letters of remonstrance were received from those listed below, requesting party status.

- Mark Wecks, 261 Brozio Rd, Roseburg, Timberlake Apartment owner – Concerned about potential impacts to accessing NE Stephens Street from Timberlake Avenue.
- Nancy C. Forrest, 165 NE Isabell, Roseburg – Concerned about increased traffic and use compatibility with residential neighborhood associated with the proposed development.
- Walter C. Johnson, 19 Mary Ann Ln, Roseburg – Concerned about potential traffic impacts associated with the proposed development.
- Kelly Morgan, 846 Southridge Way, Roseburg - Concerned about potential traffic impacts associated with the proposed development.
- Rich McClure, 4501 Graham St, Roseburg – Concerned about potential traffic impacts associated with the proposed development.
- Kevin D. Brown, Valley Tanning - Concerned about potential affects to his business associated with the proposed development
- Pastor Doyle Pooler, Roseburg Church of God, 4051 NE Stephens St, Roseburg – Concerned about affects to parking lot if Stephens St is widen
- Jack See, P.O. Box 266, Winchester – No specific concerns listed
- Carla McClure, 4501 Graham St, Roseburg - Concerned about potential traffic impacts associated with the proposed development
- Russell & Ruth Matlock – Concerned about potential traffic impacts associated with the proposed development
- Melvin Burke, Douglas County Farmers Co-Op, 3171 NE Stephens St – Concerned about potential traffic impact associated with the proposed development
- Corinne Sherton, on behalf of Joyce Morgan – Concerned about potential traffic impacts and use compatibility associated with the development

e-mails received indicating support:

Esther Ike, Canyonville
Jan Sullivan
Macy Sullivan
Carla Hicks
Tammie Burson

Finding No. 7

Per the Urban Growth Management Agreement entered into by the City of Roseburg and Douglas County jurisdictional responsibility for local streets shall be transferred upon annexation. The City shall file a request to transfer jurisdictional responsibility of major collectors and arterials with Douglas County. Per a letter dated June 23, 2009

from the Douglas County Public Works Director, once submitted there is concurrence for the request to transfer jurisdictional responsibility of NE Stephens Street.

Finding No. 8

Notice of this annexation was provided to Douglas County at least ten days prior to action by the City in keeping with the Urban Growth Management Agreement. Per a letter date May 22, 2009 from the Douglas County Planning Department there is no objection to the annexation.

Finding No. 9

The Planning Commission identifies the following Oregon Revised Statute Chapter 222, as that relevant section of State Law, which allows annexation of property into a municipal boundary:

ORS 222.120

Procedure without election by city electors; hearing; ordinance subject to referendum.

- (1) Except when expressly required to do so by the city charter, the legislative body of a city is not required to submit a proposal for annexation of territory to the electors of the city for their approval or rejection.
- (2) When the legislative body of the city elects to dispense with submitting the question of the proposed annexation to the electors of the city, the legislative body of the city shall fix a day for a public hearing before the legislative body at which time the electors of the city may appear and be heard on the question of annexation.
- (3) The city legislative body shall cause notice of the hearing to be published once each week for two successive weeks prior to the day of hearing, in a newspaper of general circulation in the city, and shall cause notices of the hearing to be posted in four public places in the city for a like period.
- (4) After the hearing, the city legislative body may, by an ordinance containing a legal description of the territory in question:
 - (a) Declare that the territory is annexed to the city upon the condition that the majority of the votes cast in the territory is in favor of annexation;
 - (b) Declare that the territory is annexed to the city where electors or landowners in the contiguous territory consented in writing to such annexation, as provided in ORS 222.125 or 222.170, prior to the public hearing held under subsection (2) of this section; or

- (c) Declare that the territory is annexed to the city where the Department of Human Services, prior to the public hearing held under subsection (1) of this section, has issued a finding that a danger to public health exists because of conditions within the territory as provided by ORS 222.840 to 222.915.
- (5) If the territory described in the ordinance issued under subsection (4) of this section is a part less than the entire area of a district named in ORS 222.510, the ordinance may also declare that the territory is withdrawn from the district on the effective date of the annexation or on any subsequent date specified in the ordinance. However, if the affected district is a district named in ORS 222.465, the effective date of the withdrawal of territory shall be determined as provided in ORS 222.465.
- (6) The ordinance referred to in subsection (4) of this section is subject to referendum.
- (7) For the purpose of this section, ORS 222.125 and 222.170, "owner" or "landowner" means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner in the land bears in relation to the interest of the other owners and the same fraction shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land. [Amended by 1953 c.220 §2; 1955 c.51 §1; 1961 c.511 §1; 1967 c.624 §14; 1971 c.673 §2; 1985 c.702 §8; 1987 c.818 §11; 1993 c.18 §39]

ORS 222.125

Annexation by consent of all owners of land and majority of electors; proclamation of annexation. The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation. [1985 c.702 §3; 1987 c.738 §1]

The annexation may take place when the territory is adjacent to the City and all owner(s) have signed an application consenting thereto. Only properties which have

consented along with the adjacent public rights-of-way of NE Stephens Street and Kenneth Ford are included in the annexation.

Finding No. 10

The Planning Commission staff report prepared for evaluation of this application was reviewed and taken into consideration during the review process including all exhibits, letters and other data referenced and attached thereto and by reference are hereby made a part of the Commission's findings.


Finding No. 11

CONCLUSION

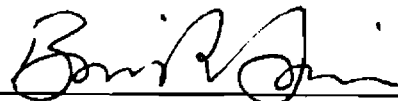
The subject property is located within the City's Urban Growth Boundary and is proposed to be developed at a level requiring urban services. The area to be annexed provides a contiguous extension of the existing City boundary and all property owners have consented to the annexation. Annexation of the identified territory complies with the applicable Comprehensive goals and policies.

BASED ON THE FOREGOING FINDINGS OF FACT TO SUPPORT THE REQUEST, THE PLANNING COMMISSION RECOMMENDS **APPROVAL** TO THE CITY COUNCIL OF FILE NO. AN-09-1 ANNEXING THE IDENTIFIED TERRITORY.

DATED THIS 3rd DAY OF August, 2009



Patrick Parson, Vice Chair



Brian Davis, Acting
Community Development Director

Planning Commission Members:

Ron Hughes, Chair - Abstain
Patrick Parson, Vice Chair
Knut Trovik
John McDonald
Harvey Lopez
Mychal Fox - Absent
Meagan Conry - Abstain

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF ROSEBURG**

In the matter of the application filed by Powell Development for a concurrent Zone Change of approximately 29.11 acres of property within the Roseburg Urban Growth Boundary, and Site Plan Review to develop approximately 19.58 acres with a Costco warehouse store, remodel an electric supply store and provide for future commercial/industrial development on property located at 4081, 4119 and 4221 NE Stephens Street and 149 NE Kenneth Ford Drive and further described as Tax Lots 102, 500, 501, 502, 600 and 700, Section 36DD, Township 26 South, Range 06 West, Willamette Meridian, Tax Account R121015, R72571, R72585, R109537, R72564, and R72578. The request will establish a City MU (Mixed Use) zone to replace the County M-2 (Medium Industrial) zone and grant Site Plan Review for a Costco store having approximately 148,500 square feet plus a 16 pump fueling facility, the remodel to a 12,000 square foot showroom/warehouse, potential future building area of 12,850 square feet, and demolition of an existing building.

**FINDINGS OF FACTS
AND DECISION**

**FILE NO. ZC-09-1/
SR-09-91 and SR-09-93**

Finding No. 1

This matter came before the Planning Commission for public hearing on July 20, 2009, in the Council Chambers of Roseburg City Hall, 900 SE Douglas Avenue, Roseburg, Oregon.

Finding No. 2

This Zone Change application was initiated in due format as provided by the City of Roseburg and was filed concurrently with an Annexation application and site plan reviews.

Finding No. 3

Notice of the public hearing was mailed to affected property owners a minimum of 30 days before the public hearing and notice was given by publication in the News-Review, a newspaper of general circulation, at least 10 days prior to the date of the hearing. An

opportunity was provided for all parties to be involved and provide input through the public hearing process.

Finding No. 4

The Planning Commission takes official notice of the Roseburg Urban Area Comprehensive Plan adopted by City Council Ordinance No. 2980 on December 9, 1996 and of the Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996, as both may have been amended from time-to-time. The Planning Commission takes official notice of the records of the Community Development Department.

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- Walter C. Johnson, 19 Mary Ann Ln, Roseburg – Concerned about potential traffic impacts associated with the proposed development.
- Kelly Morgan, 846 Southridge Way, Roseburg - Concerned about potential traffic impacts associated with the proposed development.
- Rich McClure, 4501 Graham St, Roseburg – Concerned about potential traffic impacts associated with the proposed development.
- Kevin D. Brown, Valley Tanning - Concerned about potential affects to his business associated with the proposed development
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- Corinne Sherton, on behalf of Joyce Morgan – Concerned about potential traffic impacts and use compatibility associated with the development

e-mails received indicating support:

Esther Ike, Canyonville
Jan Sullivan
Macy Sullivan
Carla Hicks
Tammie Burson

Remonstrances as well as public testimony provided were taken into consideration in the evaluation of the proposal.

Finding No. 7

All exhibits, materials and supporting documents, including the Planning Commission staff report, supplement material presented on July 20, 2009 which includes letters dated July 8, 2009 from ODOT, July 20, 2009 from Douglas County Public Works, and July 20, 2009 from the Department of Land Conservation and Development, and letters dated July 27, 2009 from Corinne C. Sherton on behalf of Joyce Morgan and July 29, 2009 from Garvey, Schubert, Barer on behalf of the applicant were presented to and considered by the Planning Commission in the course of the public review process. The Staff Report, Attachments 1-5, 7-10, 12-15, Appendix 1, and the ODOT letter of July 8, 2009 are included as a part of the Commission's findings.

Finding No. 8

A Traffic Impact Analysis (TIA) was performed assuming a zone change to Mixed Use and the development of a 148,000 square foot membership warehouse, a 16 pump fueling facility, and 12,850 square feet of retail commercial space. It found that city mobility standards are currently exceeded at the intersection of Edenbower/Stewart Parkway and that capacity would be further impacted with development of Costco. Other intersections were found to operate within city standards but not with the additional trips from a fully developed site of the subject property as proposed. Those significantly affected intersections include the I-5 NB ramps at exit 129, I-5 NB ramps at exit 127, SB ramps at exit 127, and Edenbower Blvd at NE Stephens.

Finding No. 9

Mitigation measures identified in the TIA prepared for potential development of the property along with the Response to Comments memo dated June 4, 2009 by Kittelson & Associates identifies specific system improvements needed by the end of the planning period, 2025, and the funding needed to complete those improvements. Page 52 of the TIA lists the mitigation measures that will be implemented to address potential traffic impacts from the project. Some of these will occur as a part of the project development while others are to be undertaken at a jurisdictional level. Identified improvements to be done outside the scope of the specific development are necessary to comply with OAR 660-12-0060. All identified projects are "minor improvements" as defined by OAR 660-012-0005.

The results of this study indicate that the transportation system can accommodate the proposed rezone and Costco warehouse with a reasonably manageable amount of off-site mitigation. The TIA including the identified mitigation measures and their estimated costs were reviewed by the City of Roseburg, Douglas County, ODOT, as well as a licensed transportation engineer for an opponent, and determined to be appropriate and adequate to address expected impacts from the proposal.

A summary of the mitigation measures to be part of the Roseburg Costco development shall include:

1. An exclusive southbound right-turn lane and overlap phasing with the eastbound/westbound protected left-turns is to be provided at the Edenbower Boulevard/Stewart Parkway intersection. The estimated cost of the improvement is \$460,000.
2. A traffic signal is to be installed at the I-5 northbound ramp/Edenbower Boulevard intersection. The estimated cost of the improvement is \$350,000.
3. The westbound left turn lane at I-5 southbound ramp/Edenbower Boulevard is to be extended to provide appropriate storage for that movement. The estimated cost of the improvement is \$20,000.
4. A southbound right-turn overlap and eastbound/westbound protected left-turn phasing are to be provided at the Edenbower Boulevard/NE Stephens Street intersection. The estimated cost of the improvement is \$10,000.
5. A traffic signal is to be installed at the I-5 northbound ramp/NE Stephens Street intersection. The estimated cost of the improvement is \$250,000.
6. A traffic signal is to be installed at the Kenneth Ford Drive/NE Stephens Street intersection. The traffic signal is to include protected/permissive signal phasing on the southbound left-turn approach.
7. A full access unsignalized intersection is to be provided along Kenneth Ford Drive as shown on the site plan.
8. A full access unsignalized intersection is to be provided at the southernmost access location along Stephens Street. A right-in/right-out only driveway is to be provided at the north access location along Stephens Street (see Figure 5).
9. Northbound right-turn lane is to be provided at the access driveways along Stephens Street to be constructed with the development.
10. Shrubbery and landscaping near the internal intersections and site access points is to be located and maintained to ensure adequate intersection sight distance is provided. Utilities and monument signs are also to be appropriately located.

Mitigation measures 1 through 5 are to be in place by 2012, or if applicable traffic warrants are not met by 2012, when such warrants are met.

Finding No. 10

The above mitigation measures 6-10 will be completed by the applicant prior to the issuance of a certificate of occupancy for the Costco store. The applicant has agreed to a \$700,000 contribution toward required transportation improvements associated with

this proposal. The cost to complete mitigation measures 6-10 is in addition to that contribution and shall be borne by the applicant.

Finding No. 11

Cost for mitigation measures 1, 2, 3, 4 and 5 above is estimated at \$1,090,000 and is broken down by project as follows:

	Edenbower - Stewart Measure 1	Edenbower- I-5 SB Measure 3	Edenbower- I-5 NB Measure 2	Edenbower- Stephens Measure 4	Stephens – I-5 NB ramps Measure 5
Improvement	Add SB right turn and overlap phasing	Extend WB left turn lane	Signalize	Add overlap phasing for SB right turn	Signalize
Cost Estimate	\$460,000	\$20,000	\$350,000	\$10,000	\$250,000

Finding No. 12

Any future development approval will be based on weekday daily trips as detailed in Table 1 of the July 6 Kittelson memorandums. When future development occurs, if it is determined that trip generation will exceed what has been estimated in the July 6 memo it will be necessary to identify and implement appropriate mitigation for that increased trip generation. Based on the TIA projections of traffic impact through the year 2025, it is found that a condition ensuring that traffic impacts do not exceed those contemplated in the TIA are adequate to ensure that traffic impacts will be mitigated.

Finding No. 13

The June 4th Kittelson memorandum provides a second scenario in which the 129 interchange is not rebuilt. In this case mitigation measure 5 in the table above would be replaced by two signals on NE Stephens, one at Del Rio Road and one at College Road, each at \$350,000. Douglas County’s letter dated July 20, 2009 confirms the County’s commitment to funding the improvements near this interchange, required for the proposed development, in both scenarios.

Finding No. 14

The City of Roseburg, Douglas County, ODOT, and Costco have agreed on funding required for mitigation measures 1-5. As a condition of approval, the applicant shall contribute \$700,000 to the City of Roseburg prior to issuance of building permit, and the City of Roseburg and Douglas County will contribute the remaining funding needed for the required mitigation. Letters were provided by Douglas County and ODOT with copies attached to the staff report indicating agreement to share funds to help towards the costs of the improvements.

Finding No. 15

Concurrent with the City Council's final action on this proposal, an intergovernmental agreement shall be executed by and between the City of Roseburg, Douglas County, and ODOT. The intergovernmental agreement shall be consistent with this decision

and findings and shall at minimum, specify the following:

1. Responsible agency for project
2. Committed level of funding by each agency
3. Funding mechanisms for both mitigation scenarios at the 129 Interchange
4. Timing of improvements as required by traffic warrants
5. Cost overrun provisions

Finding No. 16

The site plans have been reviewed by the Public Works Department and it has been determined that site improvements are designed and shall be constructed in accordance with the requirements of the Roseburg Municipal Code, Public Works Design Standards, OAR Chapter 333, City of Roseburg/Douglas County Drainage Management Plan Design Standards and other applicable laws, codes and ordinance. This conceptual site plan approval by the Public Works Department is adequate for consolidated development approval under LUDO 2.060.

Final construction plans shall be approved by the City of Roseburg Public Works Department prior to construction to assure all comments noted for individual plan sheets have been fully complied with.

Finding No. 17

Based on the plans and materials submitted, the City of Roseburg Fire Department requires that construction comply with all applicable Oregon Fire Code (OFC), National Fire Protection Act (NFPA) and City of Roseburg adopted requirements. The construction plans are subject to final review and approval by the City of Roseburg Fire Department and occupancy shall be dependent on full compliance.

Finding No. 18

The Planning Commission has determined the plans and materials submitted demonstrate compliance with the applicable standards and criteria of the Land Use and Development Ordinance (LUDO) Site Plan Review Section 2.3.000, inclusive, Mixed Use Zone Section 3.24.000 inclusive, Off-Street Parking Section 3.35.100 as required, as well as other applicable LUDO standards subject to specific implementation of specific conditions placed on site plan review.

All construction is subject to submitting necessary construction plans and details to the City of Roseburg Community Development Department, Public Works and Fire Departments, Douglas County Building Department for review and approval prior to commencing any work. Issuance of building permits shall be contingent on full compliance with applicable ordinance, codes and standards as well as any and all requirements referenced and listed herein.

Finding No. 19

CONCLUSION

The Zone Change has been addressed through analysis of the applicable Comprehensive Plan Policies and the Statewide Planning Goals. Analysis of the criteria determined that the Mixed Use (MU) designation is an appropriate zone for areas designated Industrial. The Planning Commission concludes that applicable laws will control subsequent development and the proposed zone is compatible with adjacent uses and will fully implement the Comprehensive Plan. Public infrastructure is available or will be required prior to development to serve the properties in an efficient manner and without undue expense to the public and to serve the properties.

Finding No. 20

CONCLUSION

Based on the plans submitted and the conditions recommended for Costco plus its associated fueling facility, Eoff Electric Supply and the retail pads, the development complies with the standards provided in LUDO for Site Plan Review. Further, as required, any future development beyond the submitted proposal would be subject to further Site Plan Review and shall be evaluated accordingly.

BASED ON THE ABOVE FINDINGS OF TO FACT, THE PLANNING COMMISSION RECOMMENDS **APPROVAL** TO THE CITY COUNCIL OF FILE NOS. ZC-09-1 PROVIDING A ZONE CHANGE UPON ANNEXATION FROM COUNTY MEDIUM INDUSTRIAL (M-2) TO CITY MIXED USE (MU) AND SITE PLAN REVIEW FILE NOS. SR-09-91 AND SR-09-93, SUBJECT TO THE CONDITIONS LISTED BELOW.

CONDITIONS OF APPROVAL

Subject to final approval by the City Council and contingent upon Annexation, the Zone Change and Site Plan Review shall be subject to compliance with the following conditions:

1. A southbound right-turn overlap and eastbound/westbound protected left-turn phasing shall be provided at the Edenbower Boulevard/NE Stephens Street intersection.
2. A traffic signal shall be installed at the I-5 northbound ramp/Edenbower Boulevard intersection.
3. The westbound left turn lane at I-5 southbound ramp/Edenbower Boulevard shall be extended to provide appropriate storage for that movement.
4. An exclusive southbound right-turn lane and overlap phasing with the eastbound/westbound protected left-turns shall be provided at the Edenbower Boulevard/Stewart Parkway intersection.
5. A traffic signal is to be installed at the I-5 northbound ramp/NE Stephens Street intersection.

6. A traffic signal shall be installed at the Kenneth Ford Drive/NE Stephens Street intersection. The traffic signal shall include protected/permissive signal phasing on the southbound left-turn approach. This signal shall be installed by the developer at time of construction.
7. A full access unsignalized intersection is to be provided along Kenneth Ford Drive as shown on the site plan.
8. A full access unsignalized intersection shall be provided at the southernmost access location along Stephens Street. A right-in/right-out only driveway is to be provided at the north access location along Stephens Street (see Figure 5 of the TIA).
9. Northbound right-turn lane shall be provided at the access driveways along Stephens Street to be constructed with the development.
10. Shrubbery and landscaping near the internal intersections and site access points is to be located and maintained to ensure adequate intersection sight distance shall be provided. Utilities and monument signs shall be appropriately located.
11. Mitigation measures 1 through 5 shall be in place by 2012, or if applicable traffic warrants are not met by 2012, when such warrants are met. The above mitigation measures 6 through 10 shall be completed by the applicant prior to the issuance of a certificate of occupancy for the Costco store. As a condition of approval, the applicant will contribute \$700,000 to the City of Roseburg prior to issuance of building permit, and the City of Roseburg and Douglas County will contribute the remaining funding needed for the required mitigation. The cost to complete mitigation measure 6 through 10 shall be in addition to that contribution and shall be borne by the applicant.
12. Concurrent with the City Council's final action on this proposal, an intergovernmental agreement shall be executed by and between the City of Roseburg, Douglas County, and ODOT that shall be consistent with this decision, including the list of requirements in Finding No. 15, and specifies the estimated costs as follows.

Cost for mitigation measures 1, 2, 3, 4 and 5 above is estimated at \$1,090,000 and is broken down by project as follows:

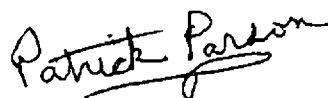
	Edenbower -Stewart Measure 1	Edenbower -I-5 SB Measure 3	Edenbower- I-5 NB Measure 2	Edenbower -Stephens Measure 4	Stephens - I-5 NB ramps Measure 5
Improvement	Add SB right turn and overlap phasing	Extend WB left turn lane	Signalize	Add overlap phasing for SB right turn	Signalize
Cost Estimate	\$460,000	\$20,000	\$350,000	\$10,000	\$250,000

13. Table 1 of the July 6 Kittelson memorandum identifies the weekday daily and p.m. peak hour trip ends that is authorized as part of this annexation and zone change. Any future development that will result in new net trip generation exceeding that which is identified in Table 1 of the July 6 Kittelson memorandum must be evaluated to identify if additional mitigation is needed and if so, the appropriate mitigation shall be implemented.
14. Preliminary site plan approval, based on the conceptual submittal is hereby approved subject to submitting necessary construction plans and details to the City of Roseburg Community Development Department, Public Works and Fire Departments, Douglas County Building Department for review and approval prior to commencing any work.
15. Issuance of building permits shall be contingent on full compliance with applicable ordinance, codes and standards as well as any and all requirements referenced and listed herein

DATED THIS 3rd DAY OF August, 2009

Planning Commission Members:

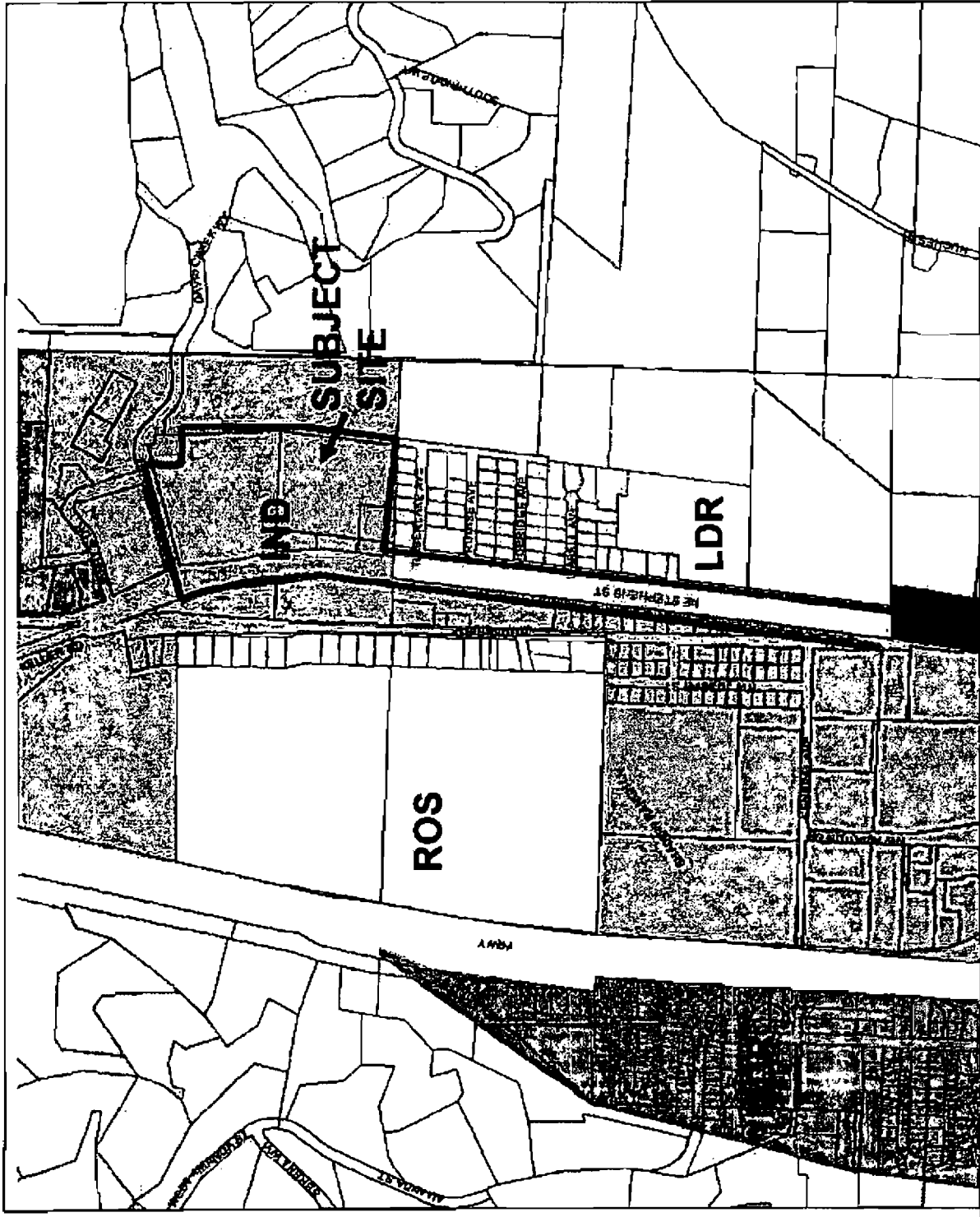
Ron Hughes, Chair - Abstain
 Patrick Parson, Vice Chair
 Knut Trovik
 John McDonald
 Harvey Lopez
 Megan Conry - Abstain
 Mychal Fox - Absent



Patrick Parson, Vice Chair



Brian Davis, Acting
 Community Development Director



Annexation and concurrent Zone Change – Roseburg Area Comprehensive
Plan Land Use Map – File No. ZC-09-1 – Attachment 1

**CITY OF ROSEBURG
PLANNING COMMISSION
STAFF REPORT**



File No. AN-09-1/ZC-09-1/SR-09-91/SR-09-93 - Meeting Date: July 20, 2009

Prepared for: Brian Davis, Acting Director
Community Development

Completeness Date: July 10, 2009
120-Day Limit: November 6, 2009

Staff Contact: Marion J. Thompson, AICP – Senior Planner
Teresa Clemons, CFM – Community Planner

Applicant: i.e. Engineering for Powell Development

Request: Annexation, concurrent Zone Change from County Medium Industrial (M-2) to City Mixed Use (MU) and Site Plan Reviews for a Costco warehouse store, a building addition and remodel

PARTY STATUS/CORRESPONDENCE:

The property owner and their representatives are automatically parties. As of the mailing of this report, requests for party status were received from:

- Mark Wecks, 261 Brozio Rd, Roseburg, Timberlake Apartment owner – Concerned about potential impacts to accessing NE Stephens Street from Timberlake Avenue.
- Nancy C. Forrest, 165 NE Isabell, Roseburg – Concerned about increased traffic and use compatibility with residential neighborhood.
- Walter C. Johnson, 19 Mary Ann Ln, Roseburg – Concerned about potential traffic impacts.
- Kelly Morgan, 846 Southridge Way, Roseburg - Concerned about potential traffic impacts.
- Rich McClure, 4501 Graham St, Roseburg – Concerned about potential traffic impacts.

e-mails received indicating support:

Esther Ike, Canyonville
Jan Sullivan
Macy Sullivan
Carla Hicks
Tammie Burson

(Copies attached)

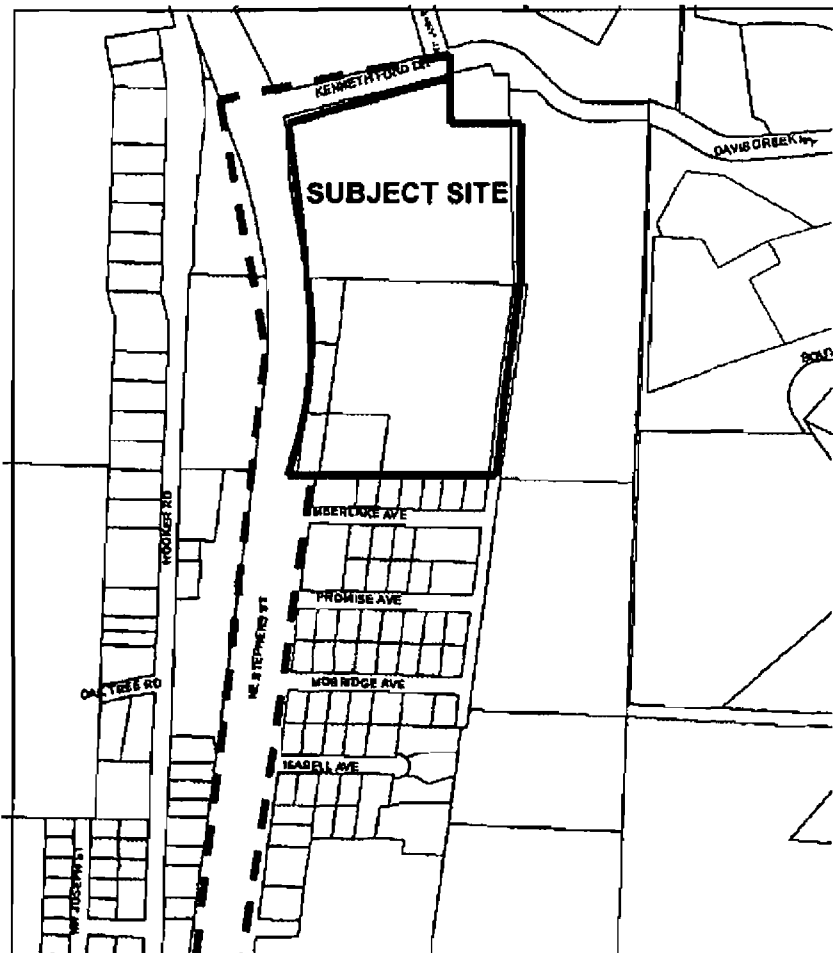
EX PARTE DISCLOSURE:

As a quasi-judicial land use decision, it is appropriate to disclose "ex parte" contacts, which are those contacts any member of the Commission may have had with the applicant, a site visit, or any other factor that may influence their decision on the matter. The applicant can then contest the contents of such disclosures. The purpose is to assure that all evidence used as a basis for the decision is on the record and available for all to see.

ISSUE STATEMENT AND SUMMARY:

A. Location

The subject site is located easterly of NE Stephens Street, southerly of Kenneth Ford Drive. The property and associated public rights-of-way contain approximately 29.11 acres and have current street addresses of 4081, 4119 and 4221 NE Stephens Street, and 149 NE Kenneth Ford Drive. The property is further described as Township 26 South, Range 06 West, Willamette Meridian, Section 36DD, Lot 102, 500, 501, 502, 600 and 700, and is depicted on the following map:



B. Description/Project Proposal

Currently the property is developed with two buildings, one vacant and the other occupied by an electrical supply store. This application is to annex the property into the City of Roseburg's jurisdictional boundary, concurrently process a Zone Change, and provide Site Plan Reviews for a proposed Costco warehouse store with associated fueling facility, remodel of the vacant building, and demolition of the currently occupied building.

Upon annexation development of the site is subject to City standards and requirements. A Zone Change from County Medium Industrial (M-2) to City Mixed Use (MU) will provide development options that can include commercial and light industrial uses such as warehousing and wholesale with associated activities. Remodel of the vacant building is to provide for relocation of the existing electrical supply business from its central location.

With demolition of the currently occupied building a new Costco warehouse store with associated fueling facility will occupy a majority of the property. Land area for potential future commercial/industrial development is also shown at the northwest corner of the site. A full description of the project is contained in the statement provided by the applicant labeled Attachment 4 as well as under the Site Plan Review section of the report and shown on the attached development exhibits.

C. Zone Designation/Comprehensive Plan Designations

	Comprehensive Plan	Zoning	Current Land Use
Project	Industrial (IND)	County M-2	Industrial Buildings
North	IND	County Public Reserve (PR)	Non-profit facility
South	IND	County Residential (R1 & R2)	Church
East	IND	County PR	Vacant
West	IND	County M3	Industrial Uses

D. History/Previous Action:

- Earlier this year, Douglas County determined a Costco warehouse on the subject property was a use consistent with the County's industrial zoning. An appeal by a group led by Joyce Morgan followed with the State Department of Land Conservation and Development (DLCD) joining the appeal. On April 10, the Director of DLCD met with representatives of Costco, Douglas County, the City of Roseburg, ODOT, the Department of Justice, the Governor's Office, appellants, and property owners to discuss alternatives to an appeal. Concerns raised by appellants, as far as they were disclosed, were the lack of public process, traffic, and compatibility. Another meeting followed on May 5, two days prior to the scheduled appeal hearing. At this meeting, Joyce Morgan's group agreed to suspend their appeal, and Costco agreed to annex into the city of Roseburg and

initiate a zone change to the city's Mixed Use zone. The zone change would provide the public process desired of the appellants, and it would address traffic needs and compatibility issues.

- Two working groups were formed, as part of the agreement, for the purpose of addressing issues associated with the proposal, namely transportation and land use. The transportation group, composed of representatives from the City of Roseburg, Douglas County, ODOT, Costco, and Joyce Morgan met on May 28 and June 12. Ms. Morgan's representative submitted a list of written concerns but did not attend either meeting. After much negotiation, all other parties were able to agree on assumptions, traffic mitigation, timing, and financing. The land use work group has yet to meet as of this writing.
- May 18, 2009 - Materials and information for annexation and zone change were submitted.
- June 16, 2009 – Received request to postpone the original hearing date of June 29, 2009 to a later date to allow for a consolidated hearing of both the zone change and Site Plan Review applications.
- June 16, 2009 – Received Site Plan Review submittal for construction of a Costco warehouse store and the addition to and remodel of a vacant building, along with demolition of a building.
- July 10, 2009 - It was determined that all required applications and materials for Annexation, Zone Change and Site Plan Review were complete.

DEPARTMENT AND AGENCY COMMENTS:

The Annexation/Zone Change application was circulated and responses provided as follows:

- **ODOT** – Noted the need to limit any development approval to the total trips indicated in the Transportation Impact Analysis (TIA) and identify who and how needed improvements will be funded and constructed
- **Public Works** – Noted water service is available subject to compliance with City requirements
- **Fire Department** – Noted no objection to the proposed annexation and zone change subject to compliance with water supply and access requirements
- **Roseburg Urban Sanitary Authority (RUSA)** – Noted sanitary sewer service can be provided to the property provided the required main line extension occurs
- **Department of Land Conservation and Development** – No written response was received
- **Douglas County** – Noted no objection to the proposed annexation and zone change.

Site Plan Review was circulated to ODOT, Public Works, Fire Department, and RUSA. Comments from those departments and agencies regarding the Site Plan Review are detailed further in this report

STAFF ANALYSIS:

ANNEXATION

Oregon Revised Statutes (ORS) Section 197.175 states that "Cities ... shall exercise their planning and zoning responsibilities, including, but not limited to, a city ... boundary change..." ORS Section 222.125 provides for annexation of territory without holding an election when there is consent of all land owners and a majority of electors residing within the territory to be annexed, which is the case with this annexation proposal. Annexation is to represent a logical extension of the existing City boundary; be contiguous to the existing City limits (ORS 222.111(1)).

Oregon Administrative Rule (OAR) 600-014-0060 further provides that annexations made in compliance with an acknowledged comprehensive plan shall be considered to have been made in accordance with the Statewide Planning Goals. If a Comprehensive Plan provides for annexation then local governments are to apply the plans policies to the annexation decisions in lieu of Statewide Planning Goals. The Comprehensive Plan provides the relevant guidance needed to control annexation within the Land Use and Urbanization Element under policies for Urban Growth, Commercial Development, Industrial Development and Transportation.

Urban Growth. The City and County shall have jointly formulated a management program for properties in the Roseburg urban area. The Urban Growth Management Agreement (UGMA) between the City and County establishes general policies and strategies for the orderly expansion of the existing City boundary thereby providing for orderly expansion of facilities and services such as zoning, sewer, water, storm, drainage, transportation, parks and fire protection. The UGMA which acknowledges the City's right to annex land in accordance with state law and includes standards for urban services into the growth area consistent with City plans with the City being responsible for facility planning.

The extension of majority facilities, such as interceptors and transmission mains have been designed to accommodate expected densities as prescribed on the Land Use Plan Map. The land use plan map designate this area for industrial uses and the service facilities that have been extended to the site were based on the types of uses that could occur on lands with such designations.

Urban Growth policies further indicate that new development is to make maximum use of available land with minimal environmental disturbance and to be located and designed to minimize public costs for extension of sewer and water services, schools, parks, and transportation facilities. Annexation of property located in the UGB will delay the need to develop more remote rural areas and reduce the need to extend facilities beyond current urban boundaries. Additionally, through the UGMA provisions allows the extension are of urban services into areas outside the City's boundaries, but within the UGB.

Development is to be within the UGB where service districts or public sewer and water service is available. The UGMA provides for urban levels of services to be extended to

the area within the UGB or required such services be provided as a part of any development proposal.

Urban Growth policies require that new growth bear the proportionate amount of development costs. Accordingly, Powell Development is contributing approximately one half of the transportation mitigation costs. This amount is considerably more than their calculated proportionate share.

Commercial Development. Policies require city encouragement for redeveloping existing community shopping and service facilities. Downtown Roseburg currently has several vacant retail and service facility spaces. The City has implemented numerous redevelopment incentives for the downtown such as zoning revisions, vertical and historic tax credits, and private-public redevelopment projects. The City is also in the process of improving connectivity from I-5 to the Diamond Lake Blvd Corridor where a number of vacant, large-parcel industrial and mixed use sites are located. Powell Development previously worked with the City to investigate sites within city limits for a Costco warehouse. Four years ago, the site east of Lowe's was studied, but it was deemed unworkable due to conflicts with the Roseburg Airport and FAA restrictions. Other sites were suggested, in particular the vacant areas of Diamond Lake Blvd. However, access from the interstate, a primary factor for Costco warehouse locations, was not favorable without a direct connection to Diamond Lake Blvd.

The subject property itself is developed with occupied and vacant industrial uses. Its redevelopment with a Costco warehouse and neighboring retail uses improves the efficiency its land use and takes advantage of the existing services available in the urban area. The underutilized subject property will intensify and achieve its intended purpose as designated by the Comprehensive Plan Map.

Annexation of the subject property and its continued use as an industrial designated site complies with plan policies that require proximity to arterials and collectors. No additional traffic will filter through nearby residential streets, and the development ordinance will provide adequate parking in conjunction with site development. The plan requires commercial development to be clustered; however, this is intended for developments that provide convenience goods to a market area of several neighborhoods. It is expected that a Roseburg Costco will serve market area that includes neighborhoods as far away as Coos Bay and Reedsport.

Industrial Development. The subject property is a large-parcel site and is planned Industrial. The City maintains other vacant, Mixed Use, large-parcel sites under an Industrial plan designation, such as those along Diamond Lake Blvd., to maintain a competitive market. Annexation does not affect this site's Industrial plan status. Services exist or will be provided to the subject property to support industrial-level development. Traffic generated by the proposed use will not use nearby neighborhood streets and will have convenient access to arterial and collector streets.

Transportation Development. The site of the proposed annexation utilizes existing facilities and rights-of-way and proposes no on-street parking. At the time of

development, a proposal will be required to comply with all development ordinance requirements regarding landscaping, noise reduction, energy use, neighborhood disruption, cost, social disruption, environmental disruption, institutional disruption, alternate transportation modes, and access control.

According to the Comprehensive Plan annexation is to be in the interest of the City and the area to be annexed. Annexations of industrial properties, commercial areas and higher-value residential properties should be favored. Benefits of annexation include the logical and orderly extension of services. The resulting growth adds population thereby increasing non-property tax revenues which are distributed from the State and Federal government. Annexation can expand the City's industrial and commercial tax base and facilitate orderly service delivery to urban area. Large scale and timely annexation of undeveloped and underdeveloped areas should be encouraged to enhance the opportunity for compact urban growth, efficient land use patterns, and orderly and economic public facilities and services.

ZONE CHANGE

Land Use and Development Ordinance (LUDO) Section 3.38.400 provides that annexed areas shall retain their existing zoning classification until they are rezoned to a City designation. LUDO Section 2.060 provides for concurrent processing of land use applications; thus, it is appropriate to consider the Annexation, Zone Change and Site Plan Review. Zone Changes are subject to the criteria provided in LUDO Section 3.38.100 as follows:

Criteria No. 1 - The rezoning will conform with the Roseburg Urban Area Comprehensive Plan, including the land use map and written policies.

An analysis of the Comprehensive Plan map and policies finds:

- Consistent with Comprehensive Plan Growth Policies for orderly development, the subject property is within the Roseburg Urban Growth Boundary and is designated by the Roseburg Urban Area Comprehensive Plan Map for Industrial (IND) uses. The Land Use and Development Ordinance matrix notes appropriate zone classifications for areas designated IND includes Light Industrial (M-1), Medium Industrial (M-2), Heavy Industrial (M-3) and Mixed Use (MU), thus the proposed MU zone is available for implementing the IND plan designation.
- Consistent with Comprehensive Plan Economic Growth Policies, the current zone implementing the Comprehensive Plan is County M-2 allowing a variety of industrial uses including such things as contractor's yard, lumberyard, welding and machine shop, and wholesale businesses. The requested MU zone, which is also compatible with the IND Comprehensive Plan designation, permits the same uses allowed in the M-2 zone as well as allowing such uses as a department store, general retail sales, and professional offices that occupy no more than 33% of a multi-use structure. Thus, this property will continue to be available for employment purposes and will not reduce or alter the current commercial land inventory.

- The Zone Change will not significantly impact the existing housing stock in the surrounding area, result in population growth or increase the demand for housing beyond previous projections contained in the Comprehensive Plan based on the existing IND designations, which will not be altered by this action. The Zone Change will not adversely impact the present or future provisions of public facilities and services in the surrounding area. The full range of services appropriate for the types of land use activity contemplated is available or can be provided in a timely, orderly and efficient manner.

The Comprehensive Plan indicates the cost associated with new development should be borne by that development. As a part of any development proposal plans are subject to review and approval to assure that adequate facilities and services are provided for the development to adequately and safely serve that development. The applicant would ultimately be responsible for any direct costs.

The subject property is located within the UGB and is identified as being appropriate for urban level development. This property is served by an existing arterial. Upon annexation any development plan would be subject to review for compliance with the City's Land Use and Development Ordinance which includes parking requirements for development.

As with annexation, zone change policies note such development is to be clustered and located to provide convenience goods and services for neighborhood residents or provide for a wide variety of goods and services for a market area of several neighborhoods. Annexing property designated for industrial activity that is located on a designated arterial will provide for services for a market area of several neighborhoods. By providing for urban development consistent with the land use plan map designations it will provide for convenient access to the arterials.

Commercial development is to be permitted only where adequate systems for transportation, sewer and water services has been provided or is scheduled to be provided. Stephens is a designated arterial that is improved or has been identified as being improved to serve development that is consistent with the existing land use plan designation. Additionally public utilities and services have been extended or planned for the subject property.

Adequate off-street parking and buffer strips are to be provided for all commercial development. When appropriate, transit services and shelter may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress does not disrupt the efficient flow of traffic on arterial streets. New development should have minimum intrusion on abutting uses and provide safe and convenient pedestrian access. Upon annexation development of this property would be subject to compliance with development standards provided in the City of Roseburg Land Use and Development Ordinance. These include site access improvements, parking requirements, and buffering and screening criteria. To further assure that new development will not adversely impact the surrounding area, the applicant has a Traffic

Impact Analysis (TIA) prepared by a traffic engineer. The recommendations contained within the report, including identified mitigations, are to be fully complied with in conjunction with any future development.

The Comprehensive Plan states that land in large parcels should be zoned for industrial purposes to ensure a competitive market for industrial sites. The intent is to zone the subject property provided 20 acres for development that is consistent with the MU standards of LUDO thus meeting the intended policy.

The City encourages economic activities which strengthen the urban area's position as a regional distribution, trade and service center. Plan policies further requires areas identified as sites for future industrial development to be preserved and protected from potential conflicting activities. These policies are carried out by the Industrial land use designation which will be implemented through the MU zone designation providing for uses appropriate for regional trade.

Energy Conservation policies direct the City to encourage new development and infilling of vacant land to utilize density and location in balance with the requirements of other planning policies in order to reduce the need to travel, to increase access to transit and permit building configurations which increase the efficient space heating in residence. Annexation and urban development of property located within the UGB implements these policies.

Public Facilities policies direct the provision of new water facilities, storm sewer and sanitary sewer to be designed and planned to meet the needs for uses identified by the Comprehensive Plan.

Adequate public improvements have been made available to this site or will be a condition of any development approval consistent with the proposed MU zone district.

Following is an assessment of the Statewide Planning Goals, including the currently adopted Transportation System Plan (TSP) measures.

Applicable Statewide Planning Goals:

Goal No. 1 – Citizen Involvement - To develop citizen involvement programs that insure the opportunity for citizens to be involved in all phases of the planning process.

The City of Roseburg and Douglas County have an adopted and acknowledged Comprehensive Plan for the Roseburg Urban Area. The Comprehensive Plan is implemented via the adopted Roseburg Land Use and Development Ordinance (LUDO). Within LUDO the City identifies procedural requirements for processing land use actions, including notification and hearing procedures. The notice procedures guide the general public through the land use process within the City as well as applicable State regulations.

Roseburg also has an established Planning Commission that has the responsibility to act as the conduit to the City Council on land use matters. The Planning Commission is

selected through an open, well-publicized public process and the Commission may include one member who resides outside the city limits.

The City of Roseburg provided notice of these applications as mandated through ORS and LUDO requirements, as well as publishing the notice in the News-Review, a newspaper of general circulation. A public hearing(s) is held in order to provide an opportunity for interested citizens to be involved, provide comments and present issues, influence the Commission and eventually the Council, provide technical information, and/or provide information regarding conditional approval.

Goal No. 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 actions.

As noted above the City of Roseburg has adopted a Comprehensive Plan, which is "acknowledged" by the State of Oregon. This Plan was again acknowledged through Periodic Review in 1992 and is coordinated and adopted by Douglas County for the unincorporated area located within the City UGB. (Roseburg Urban Area Comprehensive Plan adopted by the City Council in Ordinance No. 2345, effective on July 1, 1982, and re-adopted in Ordinance No. 2980 on December 9, 1996.) In addition, the City of Roseburg and Douglas County have adopted an Urban Growth Management Agreement (UGMA) that more specifically identifies process and policy framework for urban area issues and coordination within the unincorporated areas.

Implementation of the Comprehensive Plan is accomplished through the adopted LUDO. LUDO has been acknowledged by the State of Oregon and has been amended from time-to-time in order to comply with ORS. (Roseburg Land Use and Development Ordinance No. 2363, as originally adopted July 1, 1984, and re-adopted in Ordinance No. 2981 on December 9, 1996.) Both the Comprehensive Plan and LUDO have been amended from time-to-time.

Additionally, City Council Resolution 2006-04 provides policies and guidelines for future annexations and notes that the City's UGB defines the areas where urban level of services will occur. Annexations of existing unincorporated UGB territories should occur as soon as practical and in conjunction with urban development such as proposed. The subject property is located within the City of Roseburg's adopted Urban Growth Boundary and consistent with City Council Resolution No. 2006-04; annexation in conjunction with urban development is appropriate.

The Roseburg Area Comprehensive Plan Map designates the subject area as Industrial (IND). LUDO Section 3.1.020 established the zones to implement the Comprehensive Plan Land Use Designations. The MU zone is noted as being appropriate for areas having a Comprehensive Plan Designation of Commercial (COM) and IND. Thus, changing the County zone from M-2 to MU using the above adequate factual base will carry-out the intent of the Comprehensive Plan and LUDO.

Goal No. 7 - Areas Subject to Natural Disasters and Hazards – To provide appropriate safeguards from natural disasters and hazards for new development.

The site is well above any base flood elevations and is unlikely to be damaged by flooding or other natural disasters. A small portion of the site at the southeastern edge is identified as having slopes greater than 12% but less than 25%. While actual development is not shown within the sloped area excavation will occur on this area. A geologic report has been prepared and found that with the project does present a potential hazard. Any development would be subject to the Section 3.35.700 of the City Land Use and Development Ordinance which is intended to provide for slope stability.

Goal No. 9 – Economy of the State – To plan and provide for commercial and industrial lands to meet projected future needs for diversifications and improvement of the economy.

There will be no change to the land use activity that is anticipated by the currently adopted Comprehensive Plan; therefore, annexation and concurrent rezoning will not alter currently available employment lands. Further, the City's Comprehensive Plan policies indicate that converting lands to urban uses is to provide for orderly and economically efficient extension of public facilities and services. Per OAR 660-009-0010, 0020 and 0025, cities may rely on existing plans to meet Economic Goals. Land use controls are to be in place to provide for implementation of economic policies. This would include adopted Comprehensive Plan land use designation and associated policies. Lands such as the subject property are to be identified to provide for needed employment lands. Sites identified for employment purposes are to be serviceable by the affected jurisdiction. The amount of employment lands identified should be that likely needed during the planning period. The subject property area has been designated for employment purposes and this will not be altered by this annexation and zone change proposal.

Goal No. 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.

Roseburg Urban Area Comprehensive Plan Public Facilities and Services Policies indicate that in addition to the physical, economic, energy and social considerations addressed by other policies in the Plan, the timing and location of urban development within the urban areas shall be based upon the current or imminent availability of urban services, particularly public sewer and water.

There are adequate sanitary sewer and storm drainage facilities available to serve the level and type of development contemplated by the adopted land use designations. During review of the development plans needed conditions will be imposed to assure utilities are adequate to serve the proposal. Any required improvements shall be made by the developer at their cost for appropriate service facilities to accommodate said development. The annexation of contiguous properties will facilitate the timely, orderly and efficient utilization of public facilities and services, based on standards identified in Master Planning documents (Water, Sewer, Storm Drainage, Parks and Public Facilities) adopted by the City Council.

Goal No. 12 – Transportation – To provide and encourage a safe, convenient and economic transportation system.

Kittelson & Associates, Inc. Transportation Engineering/Planning consultants prepared a detailed and comprehensive Transport Impact Analysis (TIA) assessing the development of the property with a 148,000 square foot Costco warehouse along with a 12 pump fueling facility. Also included was the rebuilding of the existing EOFF Electric Supply and the potential for an estimated 12,850 square foot future retail component. The TIA evaluated the operational function of the current transportation system and how it would relate to the measures contained in the City adopted Transportation System Plan (TSP) as projected to 2025.

The study concluded that to be in compliance with the TSP, as well as meeting the requirements of Goal 12 and its Administrative Rule (OAR 660-012-0060), or the Transportation Planning Rule (TPR), improvements would be needed within the study area. A copy of the TIA is provided as Attachment 5. Further, the Kittelson memo dated June 4, 2009 (Attachment 7) provides responses to concerns raised in a memo dated May 26, 2009 from Replinger & Associates, LLC a Traffic Engineer representing Joyce Morgan (Attachment 6).

Pages 8 and 9 of the TIA summarize different traffic conditions with and without the proposed development. The report also discusses traffic conditions with and without proposed improvements. With identified improvements the transportation system would operate at an acceptable LOS (Level of Service) and meet the V/C (Volume to Capacity ratio) prescribed by ODOT. The June 4 memo provides further clarification of the traffic analysis.

In addition to mitigation measures identified in the TIA the June 4 memo identifies specific improvements needed by 2010 and the level of funding needed to complete those improvements. Page 52 of the TIA lists the mitigation measures that will be implemented to address potential traffic impacts from the project. Some of these will occur as a part of the project development while others are to be undertaken at a jurisdictional level. Identified improvements to be done outside the scope of the specific development are necessary to comply with the TPR. Funding capability needs to be shown for these improvements. Therefore, an agreement has been reached between the developer, City of Roseburg and Douglas County per OAR 660-012-0060(2)(e). The developer will be contributing \$700,000 toward the estimated \$1,090,000 costs of the improvements. A copy of a letter from Douglas County is attached indicating their agreement to share funds to help towards the costs of the improvements with the City picking up any remaining balance. The specific measures have been listed in the Findings of Fact.

While the TIA is based on a development proposal, all final uses are not fully known. Due to this factor it is appropriate to clarify that any future development approval will be based on weekday daily trips as detailed in Table 1 of the June 4 memo. When future development occurs, if it is determined that trip generation will exceed what has been

estimated in the TIA it will be necessary to identify and implement appropriate mitigation for that increased trip generation.

Goal No. 13 – Energy – To conserve energy.

The subject property is situated within an established urban area where subsequent development will promote efficient energy-related use of existing and planned energy facilities by allowing urban property to develop thereby potentially delaying the need to develop more remote rural areas and extend facilities beyond current urban boundaries. Additional construction will be subject to adopted building code standards which include implementation of energy efficient measures.

Statewide Planning Goals not directly applicable

No. 3 – Agricultural Lands - Current inventories and actual use find no history of agricultural activity. This Goal does not apply to urban areas.

No. 4 – Forest Lands - Current inventories and actual use find no history of forest activity. This Goal does not apply to urban areas.

No. 5 – Open Spaces, Scenic and Historic Areas and Natural Resources – Presently the subject property is under Douglas County Zoning and City of Roseburg Comprehensive Plan. Neither Douglas County nor the City of Roseburg has any acknowledged Goal 5 sites on the subject property.

No. 6 – Air, Water and Land Resource Quality – The subject property is situated in an area where the full range of urban services is available, including public water and sewer service. Development of the property consistent with the currently adopted Comprehensive Plan designation would not result in exceeding carrying capacity or threaten the availability or quality of resources

No. 8 – Recreation Needs - The subject property has not been identified as being needed to satisfy any recreational needs. Activities permitted by the underlying zoning are consistent with the adopted Comprehensive Plan.

No. 10 – Housing – The subject site is designated for employment land.

No. 14 – Urbanization – The subject property is already designated and planned for urban land use.

Criteria No. 2 - The site is suitable to the proposed zone with respect to the public health, safety and welfare of the surrounding area.

The proposed MU zone will continue to implement the IND Comprehensive Plan designation. The physical characteristics of the property, the availability of necessary and appropriate public facilities and services, adequate access and accessibility to local transportation facilities, absence of potential hazards to the site, compliance with adopted LUDO development standards, and compatibility with adjacent and nearby land use activities eliminates concerns that cannot be adequately mitigated under LUDO when development occurs.

There are sufficient levels of public services and facilities available to the property. The Zone Change will not adversely impact the carrying capacity of local air sheds, degrade land and water resources, or threaten the availability of such resources since the types of zoning and land use were anticipated and provided for the intended land use designation. The subject property has not been identified as being needed for public recreational facilities.

Criteria No. 3 – The rezone is consistent with the safety and performance measures of the transportation system.

Development of the property as permitted by the MU zone included preparation of the Traffic Impact Analysis. An evaluation of the report was included in the previous section under Statewide Planning Goal 12-Transportation and found to be consistent with the measures contained in the City adopted Transportation System Plan.

NE Stephens Street is identified as an arterial. LUDO provides applicable development and spacing standards for such roadways. These have been fully evaluated and are addressed as a part of the Site Plan Review for the project proposal.

When practical the existing circulation system should be used to serve development. The location and construction of the system is to preserve the character of neighborhood and needed landscaping and noise reductions are to be considered. Property zoned for development consistent with the MU designation, along Stephens, which is a designated arterial, complies with this policy. Additionally, any development approval is subject to the standards and regulations of LUDO which includes requirements for screening commercial developments from residential areas.

Transportation facilities are to be designed and constructed to minimize noise, energy consumption, neighborhood disruption, costs and social, environmental and institutional disruptions and to encourage the use of public transit, bikeways and walkways. Traffic movements on arterials should be limited or controlled wherever possible. Development is to be sited and constructed to accommodate and encourage transit service. LUDO access improvement standards, as well as parking requirements assure that specific design details are met as a part of any development proposal.

SITE PLAN REVIEW

Site Plan Review is required for new or altered developments to ensure compliance with the applicable provisions of the City's Land Use and Development Ordinance (LUDO). Generally, included with Site Plan Review are such areas as site layout, access, parking, surface drainage, water improvements, site excavation and other similar development standards. The specific details of this project are included in the applicant's statement as well as shown on the plans submitted. The annexation and zone change provide for the proposed development which consists of three separate developments. A general overview of these developments is provided as follows:

Future Pad Site

This parcel is at the northwest corner and will contain 1.68 acres to be developed in the future with approximately 12,850 square feet of building space. Parking, landscaping,

drainage and street and utility improvements will be provided for this area but other than a future concept there is no specific building application for this area. Once development is proposed it will require a full analysis, including an assessment of traffic impacts. If it is determined at that time that the actual development would generate more traffic than estimated in the Traffic Impact Analysis (TIA) prepared in conjunction with this application additional study would be needed and if necessary mitigation identified.

EOFF Electric Supply

This parcel is at the southwest corner and will contain 1.60 acres. This property is currently developed with a vacant 22,549 square feet warehouse previously occupied by Perry's Electric. This building will be remodeled for the relocation of the existing EOFF Electric Supply. Upon completion the building will have 4,000 square feet of showroom and 8,000 square feet for warehouse space. Access to this property will be via two driveways. One driveway is located at the southerly most edge of the site. The other access will be via a shared driveway that provides access to the Costco site and is immediately north of this development. This site will have 66 parking spaces, exceeding the 19 spaces required by LUDO for this building area.

The two driveways that will serve this property do not meet the minimum 500 feet spacing requirement provided in LUDO for access on an arterial such as Stephens. However, Section 2.3.075.2.g indicates spacing may be reduced by the Community Development Director when recommended by the Public Works Director. Evaluation for such a reduction is to consider posted speed, constrains due to lot patterns, affect on safety and capacity and access designed and marked for right turn entrance and exit only. Kittleson & Associates has provided information that provides an assessment of the proposed improvements and finds that due to the nature of the uses, the proposed improvements and the character of traffic on Stephens, there would not be a negative effect on street safety or capacity by location the EOFF southern drive and the Costco Stephens Street southern drive as shown on the submitted plans. Additionally, it is recommended that the southern most drive on the EOFF property be designated for right-in/right-out only with the driveway. The driveway north of EOFF would provide full-access movements to facilitate trucks associated with EOFF.

Costco

The third parcel will consist of 16.30 acres; the existing building that houses EOFF Electric Supply will be demolished to accommodate development of a 148,500 square feet Costco warehouse store. Besides the wholesale store this main building will include a tire center, a food service facility, an employee locker room, loading and receiving docks, equipment area and approximately 3,000 square feet of an enclosed cover entry canopy. A 3,840 square feet 12 pump fueling facility will be located at the northerly end of the property.

There are to be two driveways from SE Stephens Street, one at the southerly end to be shared with EOFF Electric Supply. This will be a full-access ingress/egress drive. A second driveway at the northerly end of the site will be shared with the future building site and limited to right in/right out only. There will be two full-access driveways at the

northerly property frontage off Kenneth Ford Drive. (It should be noted that the plans shows; "County Parking by others" in the upper northeast corner. This area is not to be annexed with this application and is not part of the Site Plan Review; however, access to this parking will be provided from the Costco parking lot).

Parking for the building will be located adjacent to Stephens Street and to the north of the building. There will be no parking behind the building (on the easterly side of the building). A total of 680 parking spaces are proposed exceeding the 506 spaces required by LUDO. Landscaping will separate the parking area from Stephens Street and Kenneth Ford Drive and there will be plantings distributed throughout the site.

In addition to detail site, floor and elevation plans, plans have also been submitted for grading, paving, street improvements, and erosion control. All plans and supporting documents were circulated to the appropriate departments and agencies for review and comment.

Some of the specific items considered with site review included driveway locations along Stephens Street, clear vision areas at driveway locations, emergency access to and around the building, and public improvements including storm drainage, water and streets. Details regarding these items are included in the Findings of Fact and specific development conditions have been imposed on each of the project elements to assure compliance with adopted codes and requirements.

CONCLUSION

The subject property is located within the City's Urban Growth Boundary and is proposed to be developed at a level requiring urban services. The area to be annexed provides a contiguous extension of the existing City boundary and all property owners have consented to the annexation. It has been found that annexation of the identified territory complies with the applicable Comprehensive goals and policies.

Zone Change criterion No. 1 regarding compliance with the Comprehensive Plan has been addressed through analysis of Comprehensive Plan Policies and the Statewide Planning Goals. Analysis of Zone Change Criterion No. 2 determined that the Mixed Use (MU) designation is an appropriate zone for areas designated Industrial. Applicable laws will control subsequent development and the proposed zone is compatible with adjacent uses and will fully implement the Comprehensive Plan. Public infrastructure is available or will be required prior to development to serve the property without undue expense to the public and to serve the properties in an efficient manner. Additionally, staff is in agreement with the Applicant's Narrative and Kittelson's June 4, July 1, July 2 and July 2 memos. Based on this analysis it has been found the Zone Change from County M-2 to City MU meets the criteria.

Based on the plans submitted and the conditions recommended for Costco, EOFF Electric Supply and a Future Pad the development complies with the standards provided in LUDO for Site Plan Review. Any future development on the property would be subject to further Site Plan Review and would be evaluated accordingly.

OPTIONS:

1. Recommend the proposed or modified Findings of Fact for Annexation, Zone Change and Site Plan Review, forwarding an approval recommendation to the City Council.
2. Recommend modified Findings of Fact forwarding a denial recommendation to the City Council.
3. Continue consideration of the request.

RECOMMENDATION/SUGGESTED MOTION:

Based on staff's analysis, the proposed annexation and concurrent Zone Change meets the criteria provided in the LUDO, will not conflict with the Statewide Planning Goals, and is consistent with the City of Roseburg Urban Area Comprehensive Plan policies. Additionally, with implementation of required development conditions the Site Plan Review complies with LUDO requirements. Therefore, it is recommended the Planning Commission adopt the following motion:

BASED ON THE FINDINGS OF FACT PROVIDED HEREIN I MOVE TO FIND THAT THE CRITERIA HAS BEEN MET TO SUPPORT RECOMMENDING APPROVAL TO THE CITY COUNCIL OF FILE NOS. AN-09-1, ZC-09-2, SR-09-91 AND SR-09-93 ANNEXING THE IDENTIFIED LAND AREA, PROVIDING A ZONE CHANGE FROM COUNTY MEDIUM INDUSTRIAL (M-2) TO CITY MIXED USE (MU) AND APPROVING SITE PLAN REVIEW.

ATTACHMENTS:

Letters of Remonstrance – Pages 18 - 27

Attachment 1 Comprehensive Plan Map – Page 28

Attachment 2 Zoning Map – Page 29

Attachment 3 Annexation Maps and Legal A and B – Pages 30-1 -30-4

Attachment 4 Applicant's Statement – Pages 4-1 – 4-32

Attachment 5 Traffic Impact Analysis

Attachment 6 Replinger & Associates, LLC, May 26, 2009 memorandum – Pages 6-1 – 6-5

Attachment 7 Kittelson & Associates, Inc. June 4, 2009 response memorandum – Pages 7-1 – 7-77

Attachment 8 Doulgas County Planning Department Letter - 31

Attachment 9 Douglas County Public Works Department Letter - 32

Attachment 10 Kittelson & Associates, Inc. July 1, and 2, 2009 Memorandum – Pages 10-1 - 10-9

Attachment 11 Replinger & Associates, Inc. June 11, 2009 response memorandum – Pages 11-1 – 11-4

Attachment 12 Kittelson & Associates, Inc July 6, 2009 response memorandum – Pages 12-1 – 12-67

Attachment 13 Costco Site Review Plan – Pages 13-1 – 13-3

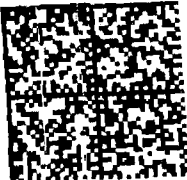
Attachment 14 EOFF Site Plan Review – Pages 14-1 – 14-3

Attachment 15 Transportation Letters – Pages 15-1 – 15-3

Attachment 16 Draft Annexation Findings of Fact – Pages 33-37

Attachment 17 Draft Zone Change and Site Plan Review Findings of Fact – Pages 38-43

Appendix 1 – Supplemental Site Plan Review Information – Pages A1-A55



Postnet

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Mailed From: 97470
09/29/2009

US POSTAGE

CITY OF ROSEBURG
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TO:

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