



Oregon

Kate Brown, Governor

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: April 21, 2016
Jurisdiction: City of Medford
Local file no.: ZC-16-006
DLCD file no.: 003-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 04/19/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 44 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 003-16 {24270}

Received: 4/19/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [QAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Medford

Local file no.: ZC-16-006

Date of adoption: 04/14/2016

Date sent: 4/19/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 02/09/2016

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

No

Local contact (name and title): Tracy Carter, Planner II

Phone: 541-774-2380

E-mail: tracy.carter@cityofmedford.org

Street address: 200 S Ivy Street

City: Medford

Zip: 97501-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from I-G	to C-H	Acres: 2.36
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3720 Crater Lake Ave, Medford, OR (371W088C TL 1800)

List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

**BEFORE THE MEDFORD PLANNING COMMISSION
STATE OF OREGON, CITY OF MEDFORD**

IN THE MATTER OF PLANNING COMMISSION FILE ZC-16-006 APPLICATION)
FOR A ZONE CHANGE SUBMITTED BY BLU DUTCH LLC) **ORDER**

ORDER granting approval of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue approximately 700 feet south of Hollyhock Drive.

WHEREAS, the City Planning Commission in the public interest has given consideration to changing the zone; and

WHEREAS, the City Planning Commission has given notice of, and held, a public hearing, and after considering all the evidence presented, finds that the zone change is supported by, and hereby adopts the Staff Report dated March 17, 2016, and the Findings contained therein – Exhibit "A," and Legal Description – Exhibit "B" attached hereto and hereby incorporated by reference; now, therefore,

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

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

37 1W 088C Tax Lot 1800

is hereby changed from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue approximately 700 feet south of Hollyhock Drive.

Accepted and approved this 14th day of April, 2016.

CITY OF MEDFORD PLANNING COMMISSION



Planning Commission Chair

ATTEST:



Planning Department Representative



Planning Department

Working with the community to shape a vibrant and exceptional city

STAFF REPORT

for a Type-C quasi-judicial decision: Zone Change

PROJECT **Blu Dutch - Zone Change**
 Applicant: Blu Dutch, LLC – Mark Huttema
 Agent: Richard Stevens & Associates

FILE NO. ZC-16-006

TO Planning Commission *for March 24, 2016 hearing*

FROM Tracy Carter, Planner II

REVIEWER Kelly Akin, Principal Planner *KA*

DATE March 17, 2016

BACKGROUND

Proposal

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue approximately 700 feet south of Hollyhock Drive.

Subject Site Characteristics

Zoning I-G
 GLUP CM (Commercial)
 Use Single family residence, storage and vacant land

Surrounding Site Characteristics

North	MFR-20	Multi-family homes
	I-G	Visar Construction Co.
East	MFR-20	Multi-family homes
South	I-L	Trailers Plus
West	I-L	Business offices

Related Projects

CP-13-032 UGBA Phase 1: Internal GLUP Amendment

Applicable Criteria

ZONE CHANGE APPROVAL CRITERIA – MEDFORD LAND DEVELOPMENT CODE SECTION 10.227

The zone change criteria that are not relevant to this particular application are hereby omitted from the following citation and noted by ***.

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

(1) The proposed zone is consistent with the Transportation System Plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule.) Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

- (c) For zone changes to any commercial zoning district, the following criteria shall be met for the applicable zoning sought:
- (i) The overall area of the C-N zoning district shall be three (3) acres or less in size and within, or abutting on at least one boundary, residential zoning. In determining the overall area, all abutting property(s) zoned C-N shall be included in the size of the district.
 - (ii) The overall area of the C-C zoning district shall be over three (3) acres in size and shall front upon a collector or arterial street or state highway. In determining the overall area, all abutting property(s) zoned C-C shall be included in the size of the district.
 - (iii) The overall area of the C-R zoning district shall be over three (3) acres in size, shall front upon an arterial street or state highway, and shall be in a centralized location that does not otherwise constitute a neighborhood shopping center or portion thereof. In determining the overall area, all abutting property(s) zoned C-R shall be included in the size of the district. The C-R zone is ordinarily considered to be unsuitable if abutting any residential zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

- (iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

- (e) For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one or more of the following criteria:
 - (i) The subject property has been sited on the General Land Use Plan Map with a GLUP Map designation that allows for only one zone;
 - (ii) At least 50% of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above;
 - (iii) At least 50% of the subject property's boundaries abut properties that contain one or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses; or
 - (iv) Notwithstanding the definition of "abutting" in MLDC 10.012 and for purposes of determining suitability under Section (1) (e), the subject property is separated from the "unsuitable" zone by a public right-of-way of at least 60 feet in width.
- (2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the MLDC and Goal 3, Policy 1 of the *Comprehensive Plan* "Public Facilities Element."
 - (a) Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction.
 - (b) Adequate streets and street capacity must be provided in one of the following ways:
 - (i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity; or
 - (ii) Existing and new streets that will serve the subject property will be improved and/or constructed, sufficient to meet the required condition and capacity, at the time building permits for vertical construction are issued; or

- (iii) If it is determined that a street must be constructed or improved in order to provide adequate capacity for more than one proposed or anticipated development, the Planning Commission may find the street to be adequate when the improvements needed to make the street adequate are fully funded. A street project is deemed to be fully funded when one of the following occurs:

 - (a) the project is in the City's adopted capital improvement plan budget, or is a programmed project in the first two years of the State's current STIP (State Transportation Improvement Plan), or any other public agencies adopted capital improvement plan budget; or
 - (b) when an applicant funds the improvement through a reimbursement district pursuant to the MLDC. The cost of the improvements will be either the actual cost of construction, if constructed by the applicant, or the estimated cost. The "estimated cost" shall be 125% of a professional engineer's estimated cost that has been approved by the City, including the cost of any right-of-way acquisition. The method described in this paragraph shall not be used if the Public Works Department determines, for reasons of public safety, that the improvement must be constructed prior to issuance of building permits.
- (iv) When a street must be improved under (b)(ii) or (b)(iii) above, the specific street improvement(s) needed to make the street adequate must be identified, and it must be demonstrated by the applicant that the improvement(s) will make the street adequate in condition and capacity.
- (c) In determining the adequacy of Category A facilities, the approving authority (Planning Commission) may evaluate potential impacts based upon the imposition of special development conditions attached to the zone change request. Special development conditions shall be established by deed restriction of covenant, which must be recorded with proof of recordation returned to the Planning Department, and may include, but are not limited to the following:

 - (i) Restriction of uses by type or intensity; however, in cases where such a restriction is proposed, the Planning Commission must find that the resulting development pattern will not preclude future development, or intensification of development, on the subject property or adjacent parcels. In no case shall residential densities be approved which do not meet minimum density standards,

- (ii) Mixed-use, pedestrian-friendly design which qualifies for the trip reduction percentage allowed by the Transportation Planning Rule,
- (iii) Transportation Demand Management (TDM) measures which can be reasonably quantified, monitored, and enforced, such as mandatory car/van pools.

ISSUES AND ANALYSIS

Background

On December 4, 2014, the City Council adopted Ordinance 2014-154 changing the General Land Use Plan (GLUP) designation of approximately 500 acres within the Urban Growth Boundary in order to increase development capacity. At that time, the GLUP designation for the subject property was changed from General Industrial (GI) to Commercial (CM).

Medford Land Development Code (MLDC) 10.227(1)(c) lists locational criteria for zone changes to the Heavy Commercial (C-H) zone district. This subsection states that ordinarily the C-H zone is considered unsuitable when abutting any residential or Heavy Industrial zones, unless the applicant can show it would be suitable pursuant to MLDC 10.227(1)(e). In the Findings of Fact supplied, the applicant has demonstrated the proposed zone to be suitable pursuant to MLDC 10.227(1)(e) in that the subject property abuts residentially zoned properties to the north and east, but all other boundaries - totaling over 50% - abut zones expressly allowed per MLDC 10.227(1)(c).

Transportation System Plan

As part of the approval, a demonstration must be made that the change of zone is consistent with the Transportation System Plan (TSP). The TSP requires all modes of transportation be considered, including rapid transit, air, water, rail, highway, bicycle and pedestrian. This site does not have access to rapid transit, water, rail or other alternative modes of transportation. Air, highway, pedestrian and bicycle lanes are available in the general vicinity via the Medford Airport, Crater Lake Highway and the sidewalks and bicycle lanes available on Crater Lake Avenue.

General Land Use Plan Designation

The General Land Use Plan designation for the subject property is Commercial. The Comprehensive Plan specifies that the proposed Heavy Commercial zoning is an appropriate zone under that designation.

Agency Comments

Public Works Department

A Traffic Impact Analysis (TIA) was required as part of the subject application by the Public Works Department (Exhibit C). The study shows the change of zone from I-G (General Industrial) to C-H (Heavy Commercial) will increase the expected trip generation from 472 daily trips to 3,540 daily trips. The TIA identified the intersection of Owen Drive and Crater Lake Avenue as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes a cap at the existing zoning potential trips plus 249 trips, giving a total of 721 daily trips. A condition of approval has been included to accept the stipulation (Exhibit A).

The subject site lies within the Midway Drainage Basin and there are adequate existing storm drain facilities to serve this site. The site will be required to provide stormwater quality and detention at the time of development (Exhibit H).

At the time of future land division or development permit, Public Works may require additional right-of-way and public utility easement dedications and will condition the developer to improve their street frontage to the City's standards. Improvements may include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips (Exhibit H).

Rogue Valley Sewer Services

Sanitary sewer services and facilities have adequate capacity to serve the proposed zoning (Exhibit E).

Medford Water Commission

Water facilities have adequate capacity to serve the subject property (Exhibit I).

No other issues were identified by staff.

FINDINGS AND CONCLUSIONS

With the applicant's stipulation regarding trip generation, the conclusion can be made that all of the criteria for a conditional zone change have been met.

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

RECOMMENDED ACTION

Adopt the findings as recommended by staff and direct staff to prepare a Final Order for approval of ZC-16-006 per the staff report dated March 17, 2015, including Exhibits A through I.

EXHIBITS

- A Conditions of Approval
- B Applicant's Findings of Fact received January 19, 2016
- C Southern Oregon Transportation Engineering letter received January 19, 2016
- D Public Works interoffice memo received February 4, 2016
- E Rogue Valley Sewer Services memo received February 19, 2016
- F Medford Fire Department Land Development Report received February 26, 2016
- G ODOT memo received March 1, 2016
- H Public Works Department Staff Report received March 2, 2016
- I Medford Water Commission memo received March 2, 2016
Vicinity map

PLANNING COMMISSION AGENDA:

MARCH 24, 2016

EXHIBIT A

Blu Dutch Zone Change

ZC-16-006

Conditions of Approval

March 17, 2016

DISCRETIONARY CONDITIONS

1. Accept the applicant's stipulation that development will be limited to a total of 721 total daily trips. Said stipulation will remain in effect until a study is approved that shows that the surrounding transportation facilities can operate acceptably with the additional trips. The study is required to meet the standards of Medford Land Development Code Sections 10.460 through 10.462.

**BEFORE THE PLANNING COMMISSION
FOR THE CITY OF MEDFORD, OREGON:**

IN THE MATTER OF AN APPLICATION FOR)
)
A CHANGE IN ZONING DESIGNATION FOR)
)
2.36 ACRES OF LAND, LOCATED ALONG)
)
CRATER LAKE AVE. SOUTH OF HOLLY-)
)
HOCK DRIVE; BLU DUTCH, LLC, THE)
)
APPLICANTS; RICHARD STEVENS &)
)
ASSOCIATES, INC. AGENTS)

FINDINGS OF FACT

I. RECITALS PERTAINING TO THE PROPERTY:

PROPERTY OWNER & APPLICANT: Blu Dutch, LLC
Mark Huttema
PO Box 422
Rogue River, OR 97537

AGENT: Richard Stevens & Associates, Inc.
P.O. Box 4368
Medford, OR 97501
(541) 773-2646

APPLICATION: A request for a change of zoning designation from City of Medford General Industrial (I-G) to Heavy Commercial (C-H) consistent with the Medford Comprehensive Plan designation for the site, which is Commercial. The property is described as T.37S-R.1W-SEC. 08BC, Tax Lot 1800, located within the City Limit Boundary and consisting of approximately 2.36 acres. The purpose of this change of zoning is to acquire an appropriate zoning district with the recent changes to the General Land Use Plan map with the approval of the Internal Lands Inventory.

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II. APPLICABLE CRITERIA:

In order to approve a Zoning Amendment and change the Official Zoning Map, the applicant must submit information and findings addressing Sections 10.225 through 10.227 of the Land Development Code (MLDC). A review of Section 10.226 indicates that an application for a Zone Change must contain the following:

- 1. A vicinity map drawn at a scale of 1"= 1,000' identifying the proposed area of change.**
- 2. An assessor's map with the proposed Zone Change area identified.**
- 3. Legal description of the area to be changed. Legal description shall be prepared by a licensed surveyor or title company.**
- 4. Property owner's names, addresses and map and tax lot numbers within 200 feet of the subject property, typed on mailing labels.**
- 5. Findings prepared by the applicant or his representative addressing the criteria for zone changes as per Section 10.227, Zone Change Criteria.**

FINDING:

The Planning Commission finds that this application for a change in zoning designation from I-G to C-H, with the information presented in support of the application, is consistent with the standards for submission as required above. Also provided are the applicable maps, the legal description of the area to be changed, and the names and addresses of all adjacent properties within 200 feet typed on mailing labels, and findings consistent with the requirements of Section 10.227.

**FINDINGS IN COMPLIANCE WITH SECTION 10.227 OF THE
MEDFORD LAND DEVELOPMENT CODE:**

Section 10.227 provides that the approving authority (Planning Commission) shall approve a quasi-judicial zone change if it finds that the zone change complies with subsections (1) and (2) below:

(1) The proposed zone is consistent with the Transportation System plan (TSP) and the General Land Use Plan Map designation. A demonstration of consistency with the acknowledged TSP will assure compliance with the Oregon Transportation Planning Rule. Where applicable, the proposed zone shall also be consistent with the additional locational standards of the below sections (1)(a), (1)(b), (1)(c), or (1)(d). Where a special area plan requires a specific zone, any conflicting or additional requirements of the plan shall take precedence over the locational criteria below.

(2) It shall be demonstrated that Category A urban services and facilities are available or can and will be provided, as described below, to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection c) below. The minimum standards for Category A services and facilities are contained in the Land Development Code and Goal 3, Policy 1 of the Comprehensive Plan "Public Facilities Element".

Consideration of the above criteria shall be based upon the eventual development potential for the area, and the specific zoning district being considered.

CONSISTENCY WITH TRANSPORTATION SYSTEM PLAN

The Medford TSP has been adopted by the City of Medford and was acknowledged by the State in 2003. The TSP identifies existing and potential future street improvements to preserve the integrity of the local street system. The proposed uses of the property may not generate any additional vehicle trips. However, the proposed change of zoning from Medford I-G to Medford C-H, using the worst case scenario, will potentially generate greater Average Daily Trips (ADT) on the local street system. *(I-G generates approximately 200 ADT's per acre and the C-H generates approximately 1,500 ADT's per acre, for a potential increase of approximately 3,068 ADT's.)* The property fronts along Crater Lake Avenue/Highway, a major collector street for the City of Medford.

An overview of existing transportation facilities that would provide service to the subject property indicates that ground transportation via existing City designated commercial, collector and arterial streets is the sole transportation facility that is affected by this change of zoning.

The site does not have access to rail, light rail, water, or other alternative transportation facilities or services. Pedestrian and bicycle access will be made available via the sidewalks and bicycle lanes in the immediate vicinity. These improvements are already existing along portions of Crater Lake Avenue. The site is accessible by motor vehicle from Crater Lake Avenue. The proposed development plan for the site conforms with all access management and location requirements of the City of Medford, Jackson County and ODOT to insure adequate and effective Access Management. The applicant submits that this requested zone change will not have a significant effect on the access management for the transportation facility serving the site.

The potential uses on this property are proposed to be multiple family dwellings on a portion of the site along with a mini-storage facility. Therefore, with the stipulated uses and potential traffic generation along with the established traffic counts on Crater Lake Avenue, the current capacity of the roadways will not be compromised by the change of zoning, with this stipulated trip count. This is confirmed with the Traffic Impact Study (TIS), prepared by Southern Oregon Transportation Engineering, LLC, attached with this application.

With the existing and pipeline traffic counts of this immediate area, provided by the City of Medford, the TIS has determined that there is adequate capacity available to serve the subject site with the proposed uses, with the stipulated traffic generation cap of 721 ADT's. This capacity of the existing road system will not be adversely affected by this application, due to the fact that sufficient capacity exists to operate acceptably within the performance standards for the anticipated cumulative generation in the area.

This can be found to be consistent with the existing and planned traffic facilities for the City of Medford, TSP.

FINDING:

The City of Medford finds that this change of zoning application from the I-G zoning district to C-H, as demonstrated and recommended by the TIS submitted by Kim Parducci, with Southern Oregon Transportation Engineering, LLC, is consistent with the Medford TSP, and is in compliance with Section 10.227(1) MLDC. With the stipulated traffic generation cap at 721 ADT's, there are no adverse impacts contemplated on the Highway 62, Interstate-5 Interchanges, or the local street system.

CONSISTENCY WITH THE GENERAL LAND USE PLAN MAP:

A review of the General Land Use Plan Map of the City of Medford indicates that this area of the City was re-designated from Heavy Industrial (HI) to Commercial (CM) by Ordinance No. 2014-154, Internal Study Areas (ISA). The map designations contained in the General Land Use Plan Element of the Comprehensive Plan indicates that permitted zoning districts within the CM designation are: Neighborhood Commercial (C-N), Community Commercial (C-C), Regional Commercial (C-R) and Heavy Commercial (C-H). This is consistent with the provisions of Sections 10.325-10.337 of the MLDC.

The proposed zoning district for the subject property is Heavy Commercial (C-H). This zoning district is consistent with the Commercial designation as identified on the GLUP map.

FINDING:

The subject property lies within the Urban Growth Boundary and City Limits of the City of Medford, and is found to be committed to Urban use by specifically being delineated on the General Land Use Plan Map as Commercial. The C-H zoning requested is found to be consistent with the General Land Use Plan Map.

CONSISTENCY WITH THE LOCATIONAL STANDARDS:

Subsection 10.227(1)(c) MLDC is applicable to this application for the locational standards requesting C-H zoning.

(c)(iv) The C-H zone shall front upon an arterial street or state highway. The C-H zone may abut the General Industrial (I-G), Light Industrial (I-L), and/or any commercial zone. The C-H zone is ordinarily considered to be unsuitable if abutting any residential and I-H zones, unless the applicant can show it would be suitable pursuant to (1)(e) below.

Discussion:

The subject property has frontage on Crater Lake Avenue / Crater Lake Highway that is identified as a state highway. The situs identified for the property is 3720 and 3724 Crater Lake Highway.

The abutting properties to the north and east are zoned MFR-20 with the abutting lands to the south zoned I-L and the abutting lands to the west zoned I-G with the City of

Medford. Therefore, with the abutting MFR-20 zoning, Subsection 10.227(1)(e) is also applicable for review.

(1)(e): *"For purposes of (1)(c) and (1)(d) above, a zone change may be found to be "suitable" where compliance is demonstrated with one (1) or more of the following criteria:"*

(e)(ii) "At least fifty percent (50%) of the subject property's boundaries abut zones that are expressly allowed under the criteria in (1)(c) or (1)(d) above."

(e)(iii) "At least fifty percent (50%) of the subject property's boundaries abut properties that contain one (1) or more existing uses which are permitted or conditional uses in the zone sought by the applicant, regardless of whether the abutting properties are actually zoned for such existing uses;"

Discussion:

The subject property's configuration is described as a flag lot where the flag pole portion abuts I-G and I-L zones. In addition, the entire southern and western boundaries are abutting these industrial zoned lands. The majority of the subject property's boundaries abut lands that are consistent with the provisions of Subsection 10.227(1)(c)(iv), MLDC.

The abutting properties to the north and east are zoned MFR-20 with the City of Medford, that are designated on the Medford GLUP map as Urban High Density Residential within the City of Medford. As allowed within Section 10.708(C) the proposed C-H zoning also permits the use of the site for multiple family residential developments. Therefore, the proposed multiple family uses that are allowed within both the C-H and MFR-20 are compatible with each other for development. The applicant is also desiring to locate multiple family dwellings in the eastern quadrant of the subject site.

The proposed C-H designation is consistent with the locational standards of Subsection 10.227(1)(c), due to the site abutting a state highway and that at least 50% of the site abuts a zone that meets the standards for (e)(ii) for the abutting industrial zoned properties. In addition, the proposed C-H zoning allows for multiple family residential developments consistent with the abutting MFR-20 zoning.

FINDING:

The City of Medford finds that the subject site requesting the Heavy Commercial (C-H) zoning district consists of 2.64 acres and meets the locational standards within Subsection 10.227(1)(c)(iv). This application is in compliance with Section 10.227(1) MLDC.

2. COMPLIANCE WITH URBAN SERVICES AND FACILITIES

The next criterion, Section 10.227(2), for a zone change is:

"It shall be demonstrated that Category A urban services and facilities are available or can and will be provided to adequately serve the subject property with the permitted uses allowed under the proposed zoning, except as provided in subsection (c) below. The minimum standards for Category A services and facilities are contained in the Land Development Code and Goal 3, Policy 1 of the Comprehensive Plan 'Public Facilities Element' and Transportation System Plan."

(2)(a) "Storm drainage, sanitary sewer, and water facilities must already be adequate in condition, capacity, and location to serve the property or be extended or otherwise improved to adequately serve the property at the time of issuance of a building permit for vertical construction."

Sanitary Sewer:

Sanitary Sewer service is provided by Rogue Valley Sewer Service (RVSS). There is an 8-inch line adjacent to the subject site located along the Hopkins Canal (OR 99-39796). The service line initiates within the flag pole portion of the property where a manhole is present. The Sanitary Sewer collection system is adequate to accommodate the proposed change of zoning with the proposed land uses. Sewer service can be extended to the development area by the owner/developer consistent with existing regulations. The sewer system is available in condition, capacity and location for any future development.

Sewage treatment is provided by the City of Medford Regional Waste Water Treatment Plant. The plant presently serves approximately 150,000 persons. The treatment capacity of the plant is approximately 20 Million Gallons per Day. The treatment plant has capacity to serve the expected population in the region for the foreseeable future.

Any future development of the property requires a system development charge which is dedicated to the expansion of the regional plant. This assures that the future sewage treatment of the plant remains available.

Water Service:

Water service is provided by the Medford Water Commission, which is currently serving the subject property and vicinity. There is an existing 8-inch line traversing the subject property, within the flag pole portion of the site. Extension and development of the water system within the property, for future development, is the responsibility of the property owner/developer. Adequate service lines are available to serve the subject site upon any future development.

Water capacity of the Medford Water Commission system is currently serving a population of approximately 130,000 persons, with a potential capacity to serve approximately 185,000 people. The present sources and distribution system have a capacity of 71 million gallons per day (Medford Water Commission, 2008). Adequate water capacity exists to serve the subject site.

Water service for fire protection will be a requirement of the design considerations. The placement of fire hydrants and other fire safety features will be accomplished during the development review process.

Storm Drainage:

Currently, the vicinity that has been developed to urban standards have improved urban storm drain facilities. There is an existing 12-inch storm drain line adjacent to the site at the northwest corner. In addition, the Hopkins Canal may be used for storm water drainage purposes. Sufficient capacity of the storm water drainage system exists to serve the subject property.

The subject site lies within the Midway Drainage Basin. Midway Creek is part of the storm sewer system and provides storm drainage for the area. Any future development of the site will require an integrated storm sewer system, with the construction drawings prepared and the engineering to provide the storm sewer system in accordance with the City of Medford, at the time the development is proposed.

(2)(b) "Adequate streets and street capacity must be provided in one (1) of the following ways:

(i) Streets which serve the subject property, as defined in Section 10.461(2), presently exist and have adequate capacity;

The subject site fronts along the east side of Crater Lake Avenue, designated as a collector street, and south of Hollyhock Drive designated as a residential street. Vehicular access to serve the property currently exists from Crater Lake Avenue.

The existing zoning on the property is I-G and the proposed zoning with the City is C-H. These zoning districts differ with potential uses that will have an increase in vehicle trips generated. However, the applicant is desiring to stipulate to a trip generation cap for the site.

The applicant retained Kim Parducci with Southern Oregon Transportation Engineers, LLC to conduct a TIS for the subject property, to demonstrate that the local street system is adequate to support this change in zoning designation with a stipulated trip generation cap. The TIS concluded that:

"When an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Municipal Land Development Code (MLDC) 10.461(1) allows trip stipulations to reduce traffic..."

Improved urban public streets currently serve the subject property and the surrounding area. Based on the TIS submitted with this application, it is demonstrated that these public streets, with the stipulated traffic generation cap of 721 ADT's, have sufficient capacity to serve the subject property and the proposed change of zoning.

FINDING:

Based upon the information contained herein, the City of Medford finds that there are adequate Category "A" public facilities to supply potable water to the property, as water distribution system improvements have already been in place in the vicinity. Sanitary sewer service is available to the site and capacity at the Regional Treatment Plant is adequate to accommodate the area. With the stipulated traffic generation cap of 721 ADT's, there is sufficient capacity on the existing local street system to accommodate the future uses in compliance with C-H zoning designation, consistent with the Medford TSP. The storm drainage facilities will be in compliance with the Master Storm Drain Plan.


SUMMARY AND CONCLUSIONS:

In order for an amendment to the Medford Zoning Map to be approved, the Planning Commission must find that the applicant has made the requisite findings for a zone change, in compliance with Section 10.227 MLDC.

A review of the application, these Findings of Fact, the supporting documentation and the Traffic Impact Study demonstrates that this application complies with the applicable standards of the Land Development Code, is consistent with GLUP map and is consistent with the Medford Transportation System Plan.

With this information provided, the applicants respectfully request that the City of Medford designate the subject property, (37-1W-088C, TL 1800), as Heavy Commercial (C-H) on the Official Zoning Map for the City of Medford, Oregon.

Respectfully Submitted,



RICHARD STEVENS & ASSOCIATES, INC.

RECEIVED

JANUARY 19, 2016

PLANNING DEPARTMENT

Southern Oregon Transportation Engineering, LLC

112 Monterey Drive - Medford, Or. 97504 - Phone (541) 941-4148 - Email: kwkp1@q.com

January 6, 2016

Karl MacNair, Transportation Manager
City of Medford
Public Works/Engineering Division
200 South Ivy Street, Lausmann Annex
Medford, Oregon 97501

RE: I-G to C-H Zone Change Analysis

Dear Karl,

Southern Oregon Transportation Engineering, LLC evaluated trip generations for a proposed zone change from I-G (General Industrial) to C-H (Heavy Commercial) on 2.36 acres at Township 37S Range 1W Section 8BC tax lot 1800. The subject parcel is located along the east side of Crater Lake Avenue south of Hollyhock Drive and is currently occupied by a single residence.

Background

The subject parcel is estimated to generate 472 average daily trips (ADT) under I-G zoning (using the City's 200 ADT per acre generation). Heavy Commercial (C-H) is estimated (using the City of Medford C-H trip generation of 1500 ADT/acre) to generate 3,540 ADT or produce a net increase of 3,068 ADT to the transportation system. The City's land development code requires a traffic impact analysis for any proposed land use action which generates a net increase of 250 ADT or more to the transportation system. Based on this, a traffic analysis is shown to be required.

Analysis and Recommendations

For the analysis, 10% of the City's 1,500 ADT/acre trip generation rate for C-H was used to determine an equivalent volume of p.m. peak hour trips. This produced 354 p.m. peak hour trips with 177 inbound and 177 outbound. A count taken at the intersection of Hollyhock and Crater Lake Avenue was used to determine trip distributions to and from the subject parcel. The count showed 71% of inbound traffic coming from the south and 81% of outbound traffic going to the south, or the equivalent of 126 pm peak hour trips from the south and 143 trips to the south. It is reasonable to conclude that 269 p.m. peak hour trips to/from the subject parcel will reach the nearest intersection to the south with 25 or more peak hour trips, which is the threshold for determining when an intersection may be substantially impacted and require analysis. An existing conditions analysis, however, shows this intersection already exceeding the City's operational level of service "D" standard during the p.m. peak hour, which means some form of mitigation would be required to meet facility adequacy requirements. Since this is known up front, the applicant would like to pursue the alternate option of requesting a trip cap stipulation.

When an unconditional approval is not possible without some form of mitigation to maintain an adequate level of service, the City of Medford Municipal Land Development Code (MLDC) 10.461(1) allows trip stipulations to reduce traffic. For this application, the maximum trip stipulation would

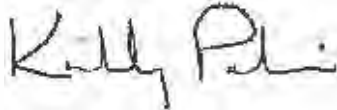
CITY OF MEDFORD
EXHIBIT # C
File # ZC-16-006

9

include the base zoning ADT (I-G) plus up to 249 ADT, which is 721 ADT. A trip cap stipulation of 721 ADT is, therefore, proposed for this application.

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

Sincerely,



Kimberly Parducci PE, PTOE

Southern Oregon Transportation Engineering, LLC

Attachments: Parcel Vicinity Map
Count Data
Synchro Output
Medford Land Development Code
Scoping Letter

Cc: Peter Mackprang, Medford Engineering
Clark Stevens, Richard Stevens & Associates, Inc.
Client



CITY OF MEDFORD
INTEROFFICE MEMORANDUM

RECEIVED
FEB 03 2016
PLANNING DEPT.

DATE: February 3, 2016
TO: Douglas Burroughs
FROM: Peter Mackprang
SUBJECT: Blu Dutch ZC 16-006 371W8BC1800 3720 Crater Lake Ave

Public Works has received a Traffic Impact Analysis report for the property identified as 371W8BC1800 located at 3720 Crater Lake Ave comprised of 2.36 acres. The owner requests a zone change from I-G (general industrial) to C-H (heavy Commercial). Under the current I-G zoning, the property is expected to generate 472 daily trips. The property would be expected to generate 3540 daily trips under C-H zoning.

The TIA identifies the intersection of Owen Dr and Crater Lake Ave as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes that the project cap trips at the existing zoning potential trips plus 249 trips.

The total trip cap will be 721 daily trips until a study is approved that shows that the surrounding transportation facilities can operate acceptably with additional trips. The study is required to meet the standards of Medford Municipal Code sections 10.460, 10.461, and 10.462.

CITY OF MEDFORD
EXHIBIT # 2
File # ZC-16.006

14

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FEB 19 2016

PLANNING DEPT.



ROGUE VALLEY SEWER SERVICES

Location: 138 West Vilas Road, Central Point, OR - Mailing Address: P. O. Box 3130, Central Point, OR 97502-0005
Tel. (541) 664-6300, Fax (541) 664-7171 www.RVSS.us

February 19, 2016

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

Re: ZC-16-006, Blu Dutch Zone Change (371W08BC - 1800)

ATTN: Tracy,

There is an 8 inch sewer main that crosses the flagpole portion of the property just East of the irrigation canal. This sewer main has adequate capacity to serve the proposed density.

Future development must be reviewed for compliance with RVSS standards.

Sincerely,

Carl Tappert
Carl Tappert P.E.
Manager

K:\DATA\AGENCIES\MEDFORD\PLANNING\ZONE CHANGE\2016\ZC-16-006_BLU
DUTCH.DOC

CITY OF MEDFORD
EXHIBIT # E
File # ZC-16-006



Medford Fire Department

200 S. Ivy Street, Room #180
Medford, OR 97501
Phone: 774-2300; Fax: 541-774-2514;
E-mail www.fire@ci.medford.or.us

RECEIVED

FEB 23 2016

PLANNING DEPT.

LAND DEVELOPMENT REPORT - PLANNING

To: City of Medford Public Works

LD Meeting Date: 03/02/2016

From: Fire Marshal Kleinberg

Report Prepared: 02/19/2016

File #: ZC - 16 - 6

Site Name/Description:

Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhack Drive; Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carler, Planner

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

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

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

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

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

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

Tracy R. Carter

From: MOREHOUSE Donald <Donald.MOREHOUSE@odot.state.or.us>
Sent: Tuesday, March 01, 2016 2:47 PM
To: Tracy R. Carter
Subject: ZC-16-006

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MAR 01 2016
PLANNING DEPT.

Tracy,

Thank you for sending agency notice of a consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive. We reviewed this and determined that it would not significantly affect state transportation facilities under the State Transportation Planning Rule (OAR 660-012-0060) or State Access Management Rule (OAR 734-051-000). We have no further comments at this time.

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



Continuous Improvement Customer Service

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MAR 02 2016

PLANNING DEPT.

CITY OF MEDFORD

LD Date: 3/2/2016
File Number: ZC-16-006

PUBLIC WORKS DEPARTMENT STAFF REPORT
Blue Dutch LLC Zone Change

- Project:** Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres.
- Location:** Located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive.
- Applicant:** Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner.

The Medford Land Development Code (MLDC), Section 10.227 (2) requires a zone change application demonstrate Category 'A' urban services and facilities are available or can and will be provided to adequately serve the subject property. The Public Works Department reviews zone change applications to assure the Category 'A' urban services and facilities under its jurisdiction meet those requirements. The Category urban services and facilities the Public Works Department manages are sanitary sewers within the City's sewer service boundaries, storm drains, and the transportation system.

I. Sanitary Sewer Facilities

This site lies within the Rogue Valley Sewer Service (RVSS) area. The applicant shall contact RVSS to see if sanitary sewer services and facilities are available and have capacity to serve this property under the proposed zoning.

II. Storm Drainage Facilities

This site lies within the Midway Drainage Basin. The City of Medford has existing storm drain facilities in Crater Lake Avenue. This site would be able to connect to these facilities at the time of development. This site will be required to provide stormwater quality and detention at time of development.

This site is bisected by the Hopkins Canal. Medford Irrigation District (MID) and Rogue River Valley Irrigation District (RRVID) limits are both adjacent to this portion of the canal. The Developer shall provide written approval from MID and/or RRVID for any work to the canal or within their easement. Any proposed stormdrain connection to the canal is subject to the governing districts approval.

III. Transportation System

Public Works has received a Traffic Impact Analysis (TIA) report for the property identified as 371W8BC1800 located at 3720 Crater Lake Avenue comprised of 2.36 acres. The owner requests a zone change from I-G (general industrial) to C-H (heavy commercial). Under the current I-G zoning, the property is expected to generate 472 daily trips. The property would be expected to generate 3540 daily trips under C-H zoning.

The TIA identified the intersection of Owen Drive and Crater Lake Avenue as a facility failing at the present time, prior to adding project trips. Rather than mitigate this intersection, the developer proposes a trip cap. The developer proposes that the project cap trips at the existing zoning potential trips plus 249 trips.

The total trip cap will be 721 daily trips until a study is approved that shows that the surrounding transportation facilities can operate acceptably with the additional trips. The study is required to meet the standards of Medford Municipal Code section 10.460, 10.461, and 10.462.

At the time of future land division or development pennit, Public Works may require additional right-of-way and public utility easement (PUE) dedications and will condition the developer to improve their street frontage to the City's current standards. Improvements shall include paving, drainage, and curb, gutter, street lighting, sidewalk, and planter strips.

Prepared by: Doug Burroughs



BOARD OF WATER COMMISSIONERS

Staff Memo

TO: Planning Department, City of Medford
FROM: Rodney Grehn P.E., Water Commission Staff Engineer
SUBJECT: ZC-16-006
PARCEL ID: 371W08BC TL 1800
PROJECT: Consideration of a request for a change of zone from I-G (General Industrial) to C-H (Heavy Commercial) on approximately 2.36 acres located on the east side of Crater Lake Avenue, approximately 700 feet south of Hollyhock Drive; Blu Dutch, LLC., Applicant (Richard Stevens & Associates, Inc., Agent). Tracy Carter, Planner.
DATE: February 25, 2016

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MAR 02 2016
PLANNING DEPT.

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

COMMENTS

1. The water facility planning/design/construction process will be done in accordance with the Medford Water Commission (MWC) "Regulations Governing Water Service" and "Standards For Water Facilities/Fire Protection Systems/Backflow Prevention Devices."
2. All parcels/lots of proposed property divisions will be required to have metered water service prior to recordation of final map, unless otherwise arranged with MWC.
3. The MWC system does have adequate capacity to serve this property.
4. Off-site water facility construction may be required depending on future land development review.
5. On-site water facility construction may be required depending on future land development review.
6. MWC-metered water service does exist to this property. There is an existing ¾-inch water meter located near driveway to site and Hopkins Canal.
7. Access to MWC water lines for connection is available. There is an existing 8-inch water line within an existing 10-foot wide easement per OR 99-43804.



City of Medford
Planning Department

Vicinity
 Map

File Number:
ZC 16-006








Project Name:

Blu Dutch Zone Change

Map/Taxlot:

371W08BC TL 1800



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

Medford UGB with Wards



01/21/2016

Exhibit B



After recording return to:
Blu Dutch LLC
PO Box 422
Rogue River, OR 97537

Until a change is requested all tax
statements shall be sent to:
Blu Dutch LLC
PO Box 422
Rogue River, OR 97537

File No: 7161-2530656 (SDB)
Date: October 15, 2015

THIS SPACE RESERVED

Jackson County Official Records **2015-035023**
R.PR.D
SIN=14 SHINGLJS 10/19/2015 10:58:46 AM
\$15.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$64.00**
I, Christine Walker, County Clerk for Jackson County, Oregon, certify
that the instrument identified herein was recorded in the Clerk
records.
Christine Walker - County Clerk

RECEIVED
JANUARY 19, 2016
PLANNING DEPARTMENT

15

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this 19 day of **October, 2015** by and between **Fred Wynn Milani** the duly appointed, qualified and acting personal representative of the estate of **Gladys Louise Milani**, deceased, hereinafter called the first party and **Blu Dutch LLC, an Oregon Limited Liability Company**, hereinafter called the second party; WITNESSETH:

For value received and the consideration hereinafter stated, the first party has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the second party and second party's heirs, successors and assigns all the estate, right and interest of the estate of the deceased, whether acquired by operation of the law or otherwise, in that certain real property situated in the County of **Jackson, State of Oregon**, described as follows, to-wit:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

TO HAVE AND TO HOLD the same unto the second party, and second party's heirs, successors-in-interest and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is **\$180,000.00**.

IN WITNESS WHEREOF, the first party has executed this instrument; if first party is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

7

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

Dated this 19 day of October, 20 15.

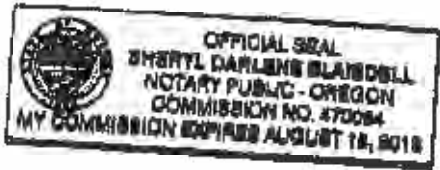
Fred Wynn Milani
Fred Wynn Milani, Personal Representative

STATE OF Oregon)
)ss,
County of Jackson)

This instrument was acknowledged before me on this 19 day of October, 20 15 by Fred Wynn Milani, Personal Representative of the Estate of Gladys Louise Milani.

[Signature]

Notary Public for Oregon
My commission expires: 8/15/16



APN: 1-042291-4

Personal Representative's Deed
- continued

File No.: 7161-2530656 (SPB)
Date: October 15, 2015

EXHIBIT A

LEGAL DESCRIPTION: Real property in the County of Jackson, State of Oregon, described as follows:

Parcel 2, as shown on the Partition Plat filed in the office of the Jackson County Oregon Surveyor as No. 16236, and recorded as Partition Plat No. P-45-1999 of "Record of Partition Plats" in Jackson County, Oregon,

TOGETHER WITH an easement for ingress and egress extending north to Dover Ridge Drive, as granted in Document No. 98-11014, Official Records of Jackson County, Oregon.

ALSO TOGETHER WITH an easement for the installation and maintenance of sewer and water lines as reserved in Warranty Deed recorded as Document No. 99-42639, Official Records of Jackson County, Oregon.

Account Sequence

Assessment Year **2015**

[Print Window](#)

[Close Window](#)

Assessment Info for Account 3-009573-4 Map 371W08BC Taxlot 1800

Report For Assessment Purposes Only Created December 07, 2015

Account Info		Tax Year 2015 Info			MS Info	
Account	3-009573-4	Pay Taxes Online			Tax Code	49-01
Map Taxlot	371W08BC 1800	Tax Report	Details		Acreage	0.00
Owner	BLU DUTCH LLC	Tax Statement	Details		Situs Zoning	
Situs Address	3724 CRATER LAKE HWY MEDFORD MS	Tax History	Details		I-G	
Mailing Address	BLU DUTCH LLC PO BOX 422 ROGUE RIVER OR, 97537	Tax Code 49 01			Property Class	231
Associated Taxlots	1 Acct	Tax Type	Due Date	Amount	Stat Class	
	<input type="checkbox"/> 49-01 <input checked="" type="checkbox"/> R <input type="checkbox"/> 1-042291-4 371W08BC 1800 ACTIVE	Allvalorem	11/15/15	\$383.77	Unit ID	144254-2
Appraiser	164	Tax Rate		15.8837	X Number	X161347
		District Rates	Details		Maintenance Area	5
		District Amounts	Details		Neighborhood	000
		Tax Rate Sheet	Details		Study Area	77
					Account Status	ACTIVE
					Tax Status	Assessable
					Sub Type	PERSONAL
					MS Park ID	

Sales Data (AS 400)

Manufactured Structure Value Summary (For Assessment Year 2015)

RMV	MS	MAV	AV
\$ 23,890	\$ 23,890	\$ 45,490	\$ 23,890
Value History Details			

Improvements

Site	Building #	Code Area	Year Built	Eff Year Built	Stat Class	Description	Typo	SqFt	% Complete	
	1	49-01	1980	1980	962	Double wide	Manf Strct	1840	100 %	Details

Improvement Comments

Exemptions / Special Assessments / Notations / Potential Liability

Manufactured Structure Special Assessments

Correction Year	Tax Year Payable	Code	Description	Amount
2015	2015	91	MH OMBUDSMAN	\$6.00

Notations

Description	Tax Amount	Year Added	Value Amount
TAX RATE CORRECTION 2012		2013	

Tax Notations

Tax Account	Description	Code	Date Added	Date Removed	Tax Year
3-009573-4	Lois system	HOME ID	Oct 07, 2015		
3-009573-4	MS should be Part of land- subject for	REAL OR EXEMPT	Nov 30, 2015		

Location Map