

JACKSON COUNTY, OREGON

TYPE 2 APPLICATION

Site Development Review

(Please print in black ink, or type all
information except where a signature is required)

Legal description of subject property:

Township 36 Range 1W Section 20C Tax Lot 300 Acreage 2.10
 Township 36 Range 1W Section 20CA Tax Lot 1400 Acreage 2.45
 Street Address of the Property: TL 300-7338 Hwy 62 & TL 1400-7303 Merry Lane
 What is the Zoning of the Subject Property? General Commercial

Is the purpose of this application to complete a Measure 37 Claim? ☐ YES ☒ NO

NOTE: Applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency.

PROPERTY OWNER:

At Time Application is Submitted

Name: QTIP PROPERTIES LLC &
DSR PROPERTIES LLC
 Mailing Address: PO Box 430
 City: Medford
 State: OR Zip: 97501
 Daytime Phone: _____
 E-Mail Address: _____

APPLICANT:

If Other than Property Owner

Name: _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Daytime Phone: _____
 E-Mail Address: _____

AGENT:

If Other than Applicant

Name: CSA Planning Ltd/Jay Harland
 Mailing Address: 4497 Brownridge Ste 101
 City: Medford
 State: OR Zip: 97504
 Daytime Phone: 541-779-0569
 E-Mail Address: jay@csaplanning.net

OTHER:

Specify: _____
 Name: _____
 Mailing Address: _____
 City: _____
 State: _____ Zip: _____
 Daytime Phone: _____
 E-Mail Address: _____

IF AN AGENT, APPLICANT, OR "OTHER" IS ACTING ON BEHALF OF THE OWNER OR PURCHASER, A SIGNED STATEMENT OF OWNER AUTHORIZATION MUST BE SUBMITTED WITH THIS APPLICATION. THIS APPLICATION MUST BE ACCOMPANIED BY AN ACCURATE PLOT PLAN (MAP). SEE USER'S GUIDE FOR ASSISTANCE. THE BURDEN OF PROOF FOR APPROVAL OF AN APPLICATION RESTS WITH THE APPLICANT. YOU MUST PROVIDE DOCUMENTATION REGARDING THE PROPERTY AND APPLICATION CRITERIA IN SUFFICIENT DETAIL AND ACCURACY TO ENABLE THE DEPARTMENT TO FIND THAT YOUR APPLICATION COMPLIES WITH ALL APPLICABLE APPROVAL CRITERIA.

OFFICE USE ONLY

File No _____
 Fee Pd _____
 Receipt No _____
 App. Type: _____
 App. Received by _____
 Date Received _____
 Zoning Confirmed by Staff: _____

APPLICANT'S SUPPORTING INFORMATION

On the following pages, describe how your application complies with the applicable criteria.

SEE FINDINGS OF FACT AND CONCLUSION OF LAW _____ is served by:

Public Utilities: Tax lot(s) _____

☐ an on site septic system	☐ public sewer (RVSS)	☐ community sewer
☐ an on site well	☐ municipal water	☐ community water
☐ phone service	☐ electric service	☐ other utilities (e.g., gas)
☐ _____	Irrigation District serves the property.	

Please list any easements for access or utilities that benefit or cross the property (attach copies of all applicable easements to your application) SEE FINDINGS OF FACT AND CONCLUSION OF LAW _____.

PLEASE NOTE: All easements must be identified on plot plans and land division plans submitted for zoning permit review.

Zoning for the subject property: _____ General Commercial _____

Is the subject property located within any Overlay? _____ **YES** _____ **X** **NO**. If **YES**, please explain:

List the existing uses on abutting property: SEE FINDINGS OF FACT AND CONCLUSION OF LAW

North: _____

South: _____

East: _____

West: _____

Explain the current activities and improvements on the subject property: _____

SEE FINDINGS OF FACT AND CONCLUSION OF LAW _____

Explain your proposal (multi-family, commercial, industrial or public/quasi-public use): _____

SEE FINDINGS OF FACT AND CONCLUSION OF LAW _____

Note: Additional information may be submitted on 8½ x 11 inch white paper.

Type 1 and 2 uses will conform to the site development review requirements of JCLDO Chapter 9. See Site Development Standards (pg.7).

Which of these best describes your proposal on the subject property: (1) new use, (2) substantial expansion, (3) change in use, (4) redevelopment or alteration of existing use.

SEE FINDINGS OF FACT AND CONCLUSION OF LAW

NEW USE, MAJOR AMENDMENT, SUBSTANTIAL EXPANSION, CHANGE IN USE, REDEVELOPMENT OR ALTERATION OF EXISTING USE

The County will require adherence to sound planning principles, while allowing for design flexibility in the administration of these criteria. See also LDO Section 3.12 Administrative Adjustment.

Section 3.2.4 - APPROVAL CRITERIA:

A site development plan reviewed under a Type 2-4 procedure may only be approved if affirmative findings can be made for all the criteria set forth below. The County will require adherence to sound planning principles, while allowing for design flexibility in the administration of these criteria:

- A) The site development plan fully complies, or in the case of a lawful nonconformity complies to the maximum extent feasible, with all applicable requirements of the Land Development Ordinance, including the general development regulations of LDO Chapters 8 and 9 and the dedications and improvement requirements of LDO Chapter 10.

EXPLAIN: SEE FINDINGS OF FACT AND CONCLUSION OF LAW

- B) On properties that are not zoned for farm or forest use, the site development plan adequately protects other property from the potential adverse effects of nonresidential uses.

EXPLAIN: SEE FINDINGS OF FACT AND CONCLUSION OF LAW

- C) The site design promotes a proper relationship between existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic; to ensure efficient traffic flow and control; to ensure easy access in cases of fire, catastrophe, and emergency; and so as not to create or contribute to undue traffic congestion on abutting public streets. An assessment of traffic impacts and identification of traffic impact mitigation measures may be required to demonstrate compliance with this criterion.

Note: Additional information may be submitted on 8½ x 11 inch white paper.

EXPLAIN: SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

- D) The property owner and applicant have agreed to record in the County Clerk's Office a deferred improvement agreement against the property for any future public road improvements that will be required as a result of the proposed development. Deferral of frontage improvements will be required under the following circumstances: (1) the land served by an existing road is zoned for more intensive development; and (2) only a minor part of potential traffic on the road would be generated by the proposed development. In both cases it will be necessary to obtain a binding commitment to make needed road improvements when warranted.

EXPLAIN: SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

- E) The property owner and applicant have agreed to record a building site improvement agreement, agreeing to complete all conditions of approval either prior to issuance of any building permits or within the time period specified in the final land use decision. (See Section 3.2.7)

EXPLAIN: SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

- F) The site is served by sewer or septic, water, fire protection and access sufficient to meet the needs for the use as determined by local service providers.

EXPLAIN: FINDINGS OF FACT AND CONCLUSIONS OF LAW

Section 3.2.5(B) - MAJOR AMENDMENT

Is there an approved site development on record for this property?

X YES, File Number: SIT2005-00036expired NO, GO TO NEXT ITEM

Note: *Additional information may be submitted on 8½ x 11 inch white paper.*

A major amendment to an approved site development plan is required when the change would exceed one or more of the thresholds listed in LDO Section 3.2.3 or result in a deviation of more than 15% in any approved component of the site plan of record. Major amendment applications will follow the same procedure as for an original approval, and may be approved when all of the following criteria are met:

- 1) All changes conform to the minimum required standards for the zoning district in which the property is located;

EXPLAIN: _____

- 2) The effect of the landscaping, buffers, or screening on the site is not diminished;

EXPLAIN: _____

- 3) Access points to public roads are neither increased in number nor relocated in a manner that would interfere with their capacity or function;

EXPLAIN: _____

- 4) The changes will result in better or equal performance of all components of the approved site development plan and meet the objectives of the zoning district.

EXPLAIN: _____

Section 8.4.3 - GENERAL SITE DEVELOPMENT AND BUFFERING REQUIREMENTS. UR-30, IC, RS, ARS, RRS, SVRS, NC, GC, LI, and GI:

☒ **APPLIES** _____ **DOES NOT APPLY**

- A) Buffering techniques are required to separate Type 1 or 2 uses from abutting incompatible uses. Have you prepared a buffering plan consistent with LDO Chapter 9?

_____ **YES, SEE ATTACHED** ☒ **NO**

SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

Note: Additional information may be submitted on 8½ x 11 inch white paper.

B) The Planning Director may approve an alternative buffering design prepared by an Oregon Registered Landscape Architect when the design, compared to the standard screening and planting scheme, will provide a comparable buffer between existing and/or anticipated uses and avoid significant adverse impacts to the livability or value of adjoining properties.

_____ APPLIES X _____ DOES NOT APPLY, GO TO NEXT ITEM

1) Open outdoor storage is prohibited unless the use is properly screened or fenced in accordance with LDO Chapter 9. Are you proposing any outdoor storage?

_____ YES X _____ NO

2) Parking lots will be landscaped in accordance with LDO Section 9.2. A "concept" landscape plan as specified in the User's Guide must be submitted with the site development plan review application (*LDO Section 9.2.2*).

X _____ YES, SEE ATTACHED PLAN _____ NO

3) Sidewalks will be required along primary road frontages in commercial zones located within the White City Urban Unincorporated Community and the South Pacific Highway Containment Boundary. SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

_____ YES, THIS APPLIES _____, NO DOES NOT APPLY

Berms or solid walls may be required when the County determines that noise abatement or additional visual screening is required.

The above information must be accurately illustrated on a site development plan map. See the submittal guidelines in the User's Guide.

ADDITIONAL CRITERIA

List any additional Criteria, specific to type of use. (Attach extra pages as needed)

☒ **Additional criteria findings attached (list):** SEE FINDINGS OF FACT AND CONCLUSIONS OF LAW

☐ **No additional criteria are applicable to this application.**

THIS APPLICATION WILL NOT BE OFFICIALLY ACCEPTED UNTIL DEPARTMENT STAFF DETERMINES THE APPLICATION HAS BEEN COMPLETELY FILLED OUT, ALL APPLICABLE CRITERIA HAVE BEEN ADDRESSED, THE PLOT PLAN MAP IS CONSISTENT WITH THE REQUIREMENTS LISTED IN THE USER'S GUIDE, AND ALL FEES ARE PAID. THE DEPARTMENT WILL ADVISE IN WRITING IF THE APPLICATION AND/OR MAP IS UNACCEPTABLE.

Note: Additional information may be submitted on 8½ x 11 inch white paper.

THIS APPLICATION IS HEREBY SUBMITTED AND THE STATEMENTS AND INFORMATION HEREIN CONTAINED ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT(S):

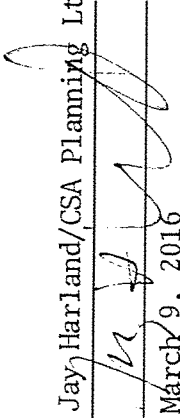
Print Name: _____ Print Name: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

AGENT:

Print Name: Jay Harland/CSA Planning Ltd

Signature:  _____

Date: March 9, 2016 _____

OWNER or CONTRACT PURCHASER:

(See Attached Form)

Note: Additional information may be submitted on 8½ x 11 inch white paper.

Site Plan Review Standards:**Chapter 8 - Dimensional Standards, Measurements and Adjustments:**

- 8.2-1 Table of density and dimensional standards.
- 8.4.3 General Site Development and Buffering Requirements
- 8.5.2 General Setback Requirements

Chapter 9 - General Development Regulations:

- 9.1 LIMITATIONS ON SITE DISTURBANCE
- 9.2 LANDSCAPING AND BUFFER YARDS
 - 9.2.2 Applicability
 - 9.2.3 Buffer Yard Requirements
 - 9.2.4 Buffer Yard Standards
 - 9.2.5 Adjustments to Buffer Yards
 - 9.2.6 Street Frontage Landscaping Requirements
 - 9.2.7 Interior Parking Lot Landscaping
 - 9.2.8 General Landscape Requirements
 - 9.2.9 Xeriscape Requirements
- 9.4 OFF-STREET PARKING AND LOADING
 - 9.4.2 Off-Street Parking Requirements
 - 9.4.8 Off-Street Loading Requirements
 - 9.4.9 Vehicle Stacking Areas
 - 9.4.10 Accessible Parking Required
 - 9.4.11 Parking Design Standards
- 9.5 ACCESS DESIGN STANDARDS
 - 9.5.1 D) Commercial and Industrial Development
 - 9.5.4 Emergency Vehicle Access
 - 9.5.4 B) All Other Areas
 - 9.5.5 Bicycle Access
 - 9.5.6 Sidewalks
 - 9.5.7 Walkways
- 9.6 SIGNS

Note: Additional information may be submitted on 8½ x 11 inch white paper.

LIMITED SPECIAL POWER OF ATTORNEY

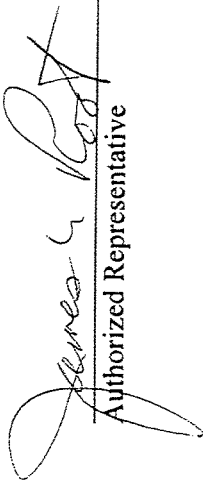
AUTHORIZATION TO ACT on behalf of the undersigned owner of real property described as Jackson County Assessor map 36-1W-20C, Tax Lot 300 and 36-1W-20CA, Tax Lot 1400.

LET IT BE KNOWN that CSA Planning, Ltd. (CSA) is the duly authorized representative of QTIP Properties LLC and DSR Properties LLC the owner/applicant of the above described real property, and, by this instrument, do hereby authorize CSA to perform all acts procedurally required to obtain land use and development applications and permits as may be required by and through the City of Medford as legal prerequisites to actual development of the described real property.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY shall be used for only the limited and special purposes above described and shall not be used to buy, sell or convey any part or any interest whatsoever in this or any other land owned by the above property owner.

THIS LIMITED AND SPECIAL POWER OF ATTORNEY has been expressly authorized by the undersigned applicant and shall expire on December 31, 2018, but may be extended by the mutual consent of the parties.

Done and dated this 8 day of March, 2016.



Authorized Representative

**BEFORE THE PLANNING DIRECTOR
FOR THE COUNTY OF JACKSON**

STATE OF OREGON

IN THE MATTER OF A REQUEST FOR)
A TYPE II SITE DEVELOPMENT PLAN)
REVIEW. THE SUBJECT TRACT IS)
LOCATED AT THE SOUTHEAST)
CORNER OF THE HWY 62 AND HWY)
140 INTERSECTION WITHIN THE)
WHITE CITY UNINCORPORATED)
URBAN COMMUNITY BOUNDARY AND)
IS MORE SPECIFICALLY IDENTIFIED)
AS TAX LOTS 300 IN TOWNSHIP)
36SOUTH, RANGE 1 WEST (WM),)
SECTION 20C AND 1400 IN TOWNSHIP)
36SOUTH, RANGE 1 WEST (WM),)
SECTION 20CA.)

**PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Applicants' Exhibit 2

Applicants/ **QTIP PROPERTIES LLC**)
Owners: **DSR PROPERTIES LLC**)

Agent: **CSA Planning, Ltd.**)

I

**NATURE OF THE APPLICATION
& APPLICANT REQUESTS**

Applicants requests a site review of the proposed plans for an expansion of Lakewood Shopping Center, an existing retail center in White City on two parcels at the southeast corner of Highway 62 and Highway 140. The existing center anchor is a large Dollar Tree retail store with five small tenant spaces wrapped along the west side of the main building that is anchored by the Dollar Tree store. In addition, a free-standing fast food restaurant building, that currently houses a Kentucky Fried Chicken, is located at the corner of Highway 62 and Merry Lane.

The project site has the potential for intensified development at the northwest and northeast corners of the site and the fast food building at the southwest corner may also make sense to redevelopment in the not-too-distant future. The southeast portion of the property is vacant and has additional development potential. For all these reasons, a new overall site master plan approval would be beneficial so that site can be intensified consistent with market demand by new or expanded tenants. At the time of this filing, tenant interest has been expressed by several entities but specific agreements are not ratified. The owner's real estate advisors have expressed their opinion that the site is well suited to couple of different types

Findings of Fact and Conclusions of Law

Applicants: QTIP Properties LLC and DSR Properties LLC

of end-users and two site plan alternatives have been developed to reflect these market opportunities.

The two phased master plan options contain interchangeable components by phase. Each proposed phase can be constructed independently and can still be tied into existing development or other new project phases in a logical and functional manner. The one caveat to this statement, obviously, is the two options on the east side of the shopping center where either one larger building would be constructed or two smaller buildings; the large building would not fit in addition to one of the other smaller buildings. CSA's analysis indicates that the parking supply can comply with applicable standards for any permutation of the independent project phases that might be constructed and the design of the project has been laid out so that any of the identified tenant options (and associated building design & uses) can function properly and be accommodated through the final building-specific design process.

Option 1 proposes to add three new buildings on the site and remodel or replace the existing fast food restaurant. At the corner of Highway 62 and Merry Lane, Building B is the remodel or replacement of the existing Kentucky Fried Chicken restaurant. In the northwest corner a new Building C with drive-thru is proposed that could house either a bank or fast food restaurant. Along Highway 140, near the eastern boundary, a retail store, Building D, is proposed. A second new retail or medical office building, Building E, is proposed that would be to the east of, and in line with, the Dollar Tree façade.

Option 2 proposes a new sit down restaurant, Building B, at the corner of Highway 62 and Merry Lane. In the northwest corner a new Building C with drive-thru is proposed that could house either a bank or fast food restaurant. Building D, along the Highway 140 façade to the east of the Dollar Tree, would be a pharmacy or retail building that would combine the square footage seen in Buildings D and E in Option 1.

The Applicants are requesting approval of the two alternate master plans to allow for tenant flexibility. The two options identify potential building types that could be located in each of the identified locations on the site. The Applicant takes this opportunity to point out that they have made great efforts to make each individual phasing component as independent as practicable but the structure of conditions of approval could unintentionally undermine this objective. To this end, the Applicant respectfully requests a meeting with the Planning Staff person assigned to the project prior to mailing of the notice of tentative staff decision so that both parties can have the opportunity to review condition of approval language.

II

EVIDENCE SUBMITTED WITH THE APPLICATIONS

Applicant herewith submits the following evidence with its land use application:

- Exhibit 1.** Completed application forms and Duly Executed Limited Powers of Attorney from Applicants and Owners authorizing CSA Planning, Ltd. to act on their behalf.
- Exhibit 2.** These proposed findings of fact and conclusions of law, demonstrating how the application complies with the applicable substantive criteria of Jackson County's Land Development Ordinance
- Exhibit 3.** Applicants' Supplemental Findings for Compliance with Applicable Development Standards
- Exhibit 4.** Jackson County Assessor Plat Maps 36-1W-20C and 36-1W-20CA
- Exhibit 5.** Comprehensive Land Use Map
- Exhibit 6.** Zoning Map on Aerial Photo
- Exhibit 7.** Existing Site plan of Taxlot 300 and Taxlot 1400; *Farber Surveying, July 27, 2015.*
- Exhibit 8.** Previously Approved Site Development Plan (File No. SIT2005-00036)
- Exhibit 9.** Proposed Site Development Plans:
- 1 - Option 1 Conceptual Site Plan
 - 2 - Option 2 Conceptual Site Plan
 - 3 - Option 1 - Phasing Plan
 - 4 - Option 2 - Phasing Plan
- Conceptual Landscape and Civil plans for Option 1 (*Option 2 to be similar*):
- L001 - Conceptual Landscape Plan
 - C.1 - Conceptual Grading and Stormwater Drainage Facility Plan
 - C.2 - Conceptual Sewer and Water Plan
 - Walkway Connection to Hwy 140
- Exhibit 10.** Floodplain and Wetlands Map
- Exhibit 11.** Key Map and Site Photos
- Exhibit 12.** Lakewood Shopping Center Well Vault Equipment and System Description

III

RELEVANT SUBSTANTIVE APPROVAL CRITERIA

The relevant substantive criteria prerequisite to approving the Site Development Plan for a property zoned GC in Jackson County Land Development Ordinance (“JCLDO”) 3.1.3 and the same is recited verbatim below. Also cited are the various development standards applicable to this matter which are contained in the JCLDO:

JACKSON COUNTY LAND DEVELOPMENT ORDINANCE (JCLDO)

SITE DEVELOPMENT PLAN CRITERIA

3.1.3 Type 2 Land Use Permits

Type 2 uses are subject to administrative review. These decisions are discretionary and therefore require a notice of decision and opportunity for hearing. . . .

B) *Approval Criteria*

A site development plan may be required pursuant to Section 3.2.4. If a site development plan is required, it shall comply with Section 3.2 and all other applicable provisions of this Ordinance.

3.2 SITE DEVELOPMENT PLANS

3.2.3 Required Review

Site development or a change in use subject to this Section shall be evaluated through a Type 1- 4 review process.

The review procedure for site development in a resource zoning district is based on the table of permitted uses set forth in Chapter 4 and those allowed in overlay districts as set forth in Chapter 7.

In base zoning districts the review procedure for site development is based on the list of permitted uses in Table 6.2-1. When a “1/2” is indicated in the table such reviews may be either ministerial (Type 1 permit), or part of an administrative review (Type 2-4 permits). A ministerial review is appropriate when the application can show all the development standards are met and this Ordinance does not require a higher level review. Development subject to discretionary review pursuant to Chapters 7 through 10 of this Ordinance requires an administrative review with opportunity for appeal. If two (2) applications are necessary, the applications may either be combined in accordance with Section 2.6.5, or reviewed separately.

When the proposal intensifies the use of the property (i.e. from a Type 2 use to a Type 3 use) the review procedure will be in accordance with the permit type identified in Table 6.2-1. The use is also subject to all other provisions of this Ordinance.

A) A discretionary site plan review is required, subject to Section 3.2.4, if the proposed development exceeds one or more of the thresholds listed below:

1. The change in use will result in an increase in traffic of more than 100 average daily trips (ADT) as a result of increased employees, customers or a combination of both as determined by the ITE Manual. In the case the ITE Manual does not provide appropriate use data, evidence from an Oregon registered professional Engineer that the change in use will not result in more than 100 ADT shall be submitted;
2. The change in use will result in a new paved area greater than 10,000 square feet;
3. Any new development of 20,000 square feet or more gross floor area, or any addition to an existing use results in an increase of gross floor area of 20,000 square feet or more; or
4. The development does not meet general development regulations of Chapter 9.

3.2.4 Approval Criteria

A site development plan reviewed under a Type 2-4 procedure may only be approved if affirmative findings can be made for all the criteria set forth below. The County will require adherence to sound planning principles, while allowing for design flexibility in the administration of these criteria:

- A) The site development plan fully complies, or in the case of a lawful nonconformity complies to the maximum extent feasible, with all applicable requirements of this Ordinance, including the general development regulations of Chapters 8 and 9 and the dedications and improvement requirements of Chapter 10;
- B) On properties that are not zoned for farm or forest use, the site development plan adequately protects other property from the potential adverse effects of nonresidential uses;
- C) The site design promotes a proper relationship between existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic; to ensure efficient traffic flow and control; to ensure easy access in cases of fire, catastrophe, and emergency; and so as not to create or contribute to undue traffic congestion on abutting public streets. An assessment of traffic impacts and identification of traffic impact mitigation measures may be required to demonstrate compliance with this criterion;
- D) The property owner and applicant have agreed to record in the County Clerk's Office a deferred improvement agreement against the property for any future public road improvements that will be required as a result of the proposed development. Deferral of frontage improvements will be required under the following circumstances: (1) the land served by an existing road is zoned for more intensive development; and (2) only a minor part of potential traffic on the road would be generated by the proposed development. In both cases it will be necessary to obtain a binding commitment to make needed road improvements when warranted;
- E) The site is served by sewer or septic, water, fire protection and access sufficient to meet the needs for the use as determined by local service providers
- F) The development promotes a design that maintains pre-development flow rates (based on a 10-year, 24-hour rainfall level of 3.0 inches), reducing the impacts on the quality of surface and groundwater. To ensure that pre-development flows are maintained, planters, swales, or other vegetated surfaces or mechanical facilities are required to naturally control the flow at the point of discharge. Stormwater facilities shall be sufficient to maintain peak flow rates at their pre-development levels. An assessment, prepared by an Oregon registered professional Engineer, certifying that the stormwater management system proposed is in compliance with this section shall be submitted as part of the application. A Final design of the stormwater management system prepared by an Oregon registered professional Engineer shall be submitted prior to the authorization of building permits.

Development within the Rogue Valley Sewer Services (RVS) Phase II boundary or those that require an approved Stormwater Pollution Control Plan and NPDES permit are subject to Section 8.8 of this Ordinance.

* * * * *

IV

FINDINGS OF FACT

The following facts are established and found to be true with respect to this matter:

1. **Ownership/Applicant:** Tax Lot 300 is owned in fee simple by QTIP Properties, LLC. Tax Lot 1400 is owned in fee simple by DSR Properties, LLC. Agent CSA Planning, Ltd. is submitting this application on behalf of both owners.
2. **Location:** The subject property is located at the southwest corner of Hwy 62 and Hwy 140 within the urban unincorporated community boundary of White City. The property is identified as Tax Lot 300 in Township 36 South, Range 01 West (W.M.), Section 20C and Tax Lot 1400 in Township 36 South, Range 01 West (W.M.), Section 20CA. The site address for Tax Lot 300 is 7338 Hwy 62, Eagle Point, OR. Site address assigned to Tax Lot 1400 7303 Merry Lane, Eagle Point, OR.
3. **Parcel Size:** Tax Lot 300 currently has 2.1 acres. Tax Lot 1400 currently has 2.45 acres. *See*, Exhibit 4.
4. **Comprehensive Plan Map Designation/ Zoning:** Both parcels are designated as Commercial Land and zoned GC(General Commercial). *See*, Exhibits 5 and 6.
5. **Existing Frontage and Access:** The subject property fronts on three roads. Highways 62 and 140 are classified as state highways. Merry Lane is classified as a White City Minor Collector. Tax Lot 300 has frontage on Highway 62 and Merry Lane, with additional frontage along Merry Lane. Tax Lot 1400 has frontage on Highway 140, Highway 62 and Merry Lane. Three driveway accesses exist. One on Highway 140 at the northeast corner of Tax Lot 1400, and two on Merry Lane, one in the southeast corner of Tax Lot 300 and one in the southwest corner of Tax Lot 1400. The two parcels have a common parking lot and drive aisles that provide access from one to the other.
6. **Lot Legality:** Tax Lots 300 and 1400 were originally established as Lots 1 and 2 in Block 3 of the Agate Subdivision Extension No. 1 in 1960. (*Subdivision- 006 R 139*)
OR 68-12250 and 69-08737: In 1968 and 1969 Tax Lots 300 and 1400 land along the northern boundary was purchased from each to enable the relocation of Highway 140.
98-42-LLA-P: Lot line adjustment adjusted the location of the line between Tax Lot 300 and 1400, creating the current parcel configuration.
7. **Previous Planning Permits:**
89-10-SPR/ 89-10-SPR-2: Site plan review approval in 1989 for supermarket with an attached wing of small retail shops along the north side of the supermarket. Site plan also included a fast food restaurant which was approved and constructed in 1991.
98-42-LLA-P: Lot line adjustment adjusted the location of the line between Tax Lot 300 and 1400, creating the current parcel configuration.
SIT2005-00036: In 2005 a new site plan was approved with a new 6,000 square foot retail building in the northwest corner. Building was not constructed and approval has expired.

8. Existing Development: The Lakewood Shopping Center is an existing retail center from 1989 that contains a Dollar Tree, mini-market, cell phone and tax assistance businesses in a 28,834 square foot building, as well as a free-standing 1,645 square foot fast food restaurant.

9. Land Uses on Abutting Properties and Surrounding Area:

Overview of area: The White City area is primarily an industrial area west of Highway 62. Industrial sales and manufacturing businesses are present along Highway 62 south of Antelope Road. Small retail centers located at the corners of Highway 62 with Highway 140 and with Antelope Road provide restaurant, grocery and other services to the area. The Lakewood Shopping Center is one of those retail centers and includes a Dollar Tree, mini-market, cell phone and tax assistance businesses as well as a fast food restaurant.

East: To the east of the subject property is the F.V. Martin Trucking Company that contains several metal buildings used for truck repairs. The majority of the property is used for truck parking and circulation. The property takes access off of Merry Lane.

North: The property to the north across Highway 140 is currently vacant. Beyond is a pizza parlor. Between developed properties to the north on the east side of Highway 62 are a number of vacant sites. The west side of Highway 62 to the north is more continuously developed with shopping centers, restaurants and fast food restaurants.

South: South of the subject property across Merry Lane is the River Marine boat sales facility. A large portion of the property is devoted to boat storage and display. In addition there is a metal building that houses the business offices and showroom. Beyond the boat sales is a mobile home dealership.

West: The Coastal Farm & Ranch store (formerly “Big R”) is located directly across Highway 62. To the south are a Dutch Bros drive-through coffee stand and a Burger King fast food restaurant.

10. Topography: The subject property is essentially level, sloping gently to the west, with deep road ditches at the corner of Highways 62 and 140.

11. Water Facilities and Services: An existing well, located on Tax Lot 1400 and identified as JACK 61135, provides potable water for the center. The well was drilled in 2012 to a depth of 160 feet, with a yield of 80 gallons per minute. The primary aquifer tapped by the existing well is at a depth of 135 feet. This well serves as the potable water supply for the site. The water is chlorinated and aerated, and then pumped to a holding tank at the southwest corner of the subject property. See, Applicants’ Exhibit 12 – Lakewood Shopping Center Well Vault Equipment and System Description.

12. Sanitary Sewer Facilities and Services: Rogue Valley Sewer Services provides sewer service to the site from their 8” PVC line in Merry Lane.

13. Power and Natural Gas: Pacific Power has high voltage overhead power lines running along the properties Highway 140 frontage, however electrical power to the property is supplied from overhead lines from Merry Lane. Natural Gas is supplied to the site by Avista.

- 14. Fire and Police Protection:** The subject properties are located within and are served by Fire District No. 3. Police protection is provided by the Jackson County Sheriff and Oregon State Police.
- 15. Wetlands, Streams and floodplain:** The subject property does not contain any jurisdictional wetlands per Jackson County GIS Services. The subject property does not contain any streams or floodplains per Jackson County GIS Services. *See, Applicants' Exhibit 10 – Floodplain and Wetlands Map.*
- 16. Storm Drainage Facilities and Services:** An unnamed creek drainage area overlaps the tip of the northwest corner of the subject property. ODOT has recently reconstructed this drainage area as well as the storm ditches along the Highway 62 and Highway 140 frontages, and created a large detention area adjacent to the site along the Highway 62 frontage. Storm runoff from the site drains into these ditches as well as the storm line along Merry Lane. At this time, the majority of the existing site has impervious surfaces, either paving or buildings, except for a small rectangle at the center, between the Dollar Tree building and the eastern property line, and narrow strips along the street frontages. A total of 3.55 acres are currently impervious, covering 78% of the 4.55 acre site.
- Existing surfaces currently outlet into the open roadside storm water ditch, drainage, and detention areas. Applicant proposes to add a storm water quality structure before the outlet into the drainage area to treat the run-off from the main parking area and buildings. In addition, Applicant proposes adding a storm water facility to detain and treat water before it outlets into the roadside detention area near the corner of Merry Lane with Highway 62.
- 17. Proposed Project:** Applicant is proposing two phased master plan options for approval. Option 1 adds three new buildings and remodels or replaces the existing fast food restaurant. Building B is the remodel or replacement of the existing Kentucky Fried Chicken restaurant with a new sit-down or fast food restaurant. In the northwest corner a new Building C with drive-thru is proposed that could house either a bank or fast food restaurant. Along Highway 140, near the eastern boundary, a retail store, Building D, is proposed, with a second new retail or medical office building, Building E, is proposed that would be in line to the east of the Dollar Tree façade.
- Option 2 adds two new buildings and remodels or replaces the existing fast food restaurant. Building B is the remodel or replacement of the existing Kentucky Fried Chicken restaurant with a new sit-down or fast food restaurant. In the northwest corner new Building C with drive-thru is proposed that could house either a bank or fast food restaurant. Along Highway 140, near the eastern boundary, a pharmacy or multi-tenant retail building, Building D, is proposed. The Applicants are requesting approval of the two alternate site plans to allow for use and tenant flexibility. *See, Exhibit 9.*
- 18. Phasing Analysis:** Flexibility is the main goal of the plan options. The phasing proposed for the center is laid out so that once the Phase U utilities are installed, any phase can be built independently of the others. As each phase area is built, it may require minor adjustments to the parking lot design of the next adjacent phase, but the overall phase boundaries will remain the same. For instance, Phase Yellow can be for a fast food restaurant or for a sit down restaurant. The main impact on the site design is the parking lot layout. The area of the phase remains essentially the same with either option, only the drive aisle connection at the northern end would be different at the edge of the phase.

For Phase Blue, the design difference would be on the south end depending on what type of transaction layout is needed for a fast food restaurant or a bank drive-throughs. Either option fits within the phase boundaries and can be compatible with the other options in the adjacent phase.

On the east end of the site, the phasing depends on whether one or two buildings are needed. Option 1 has two buildings which are separated into two phases, Phase Green and Phase Pink. For Option 2, Phase Green is expanded to include all of the Phase Pink area. By keeping each of these phases within planned boundaries, the center has the most flexibility to respond when an appropriate tenant is found.

19. Access: The site is at a major intersection of Highway 62 and Highway 140. No access points are proposed on Highway 62 and the only access point on Highway 140 is an existing driveway, located adjacent to the eastern boundary, as far as is reasonably possible from the intersection. Two existing access points are located on the minor road Merry Lane are to be retained, and a third one-way exit lane is proposed at the eastern boundary, again as far away from the corner with Highway 62 as possible. This third exit driveway is proposed to allow for good truck circulation through the site and removing the need for trucks to back onto any road in order to exit the site.

20. Landscaping: The submitted parking lot landscape plans meet Jackson County standards, as demonstrated in Exhibit 3, Demonstration of Compliance with Standards. However the street frontage conditions are very unusual in that the right-of-way lines do not abut the street on the Highway 62 and 140 frontages. There are wide drainage facilities, separating the property from the actual road surfaces. The right-of-way line along Highway 62 is approximately 73 feet from the edge of pavement and the right-of-way line along Highway 140 is approximately 40 feet from the edge of curb.

The proposed development is commercial and standards require a 10-foot wide planting area with 3 street trees and 15 shrubs per 100 feet of street frontage. In order to install planting closer to the road, an encroachment agreement with ODOT is in process to allow a portion of the subject property's street frontage planting within the wide ODOT right-of-ways along Highways 62 and 140. The Applicant proposes to provide the required amount of tree and shrub planting within a varying 10 to 20 foot wide planting area that is partially on the subject property and partially within the ODOT right-of-way. In addition, a portion of both frontages and the northwest corner of the property has been identified by ODOT as jurisdictional waters and therefore no planting will be allowed. The Applicant requests that Jackson County concur with ODOT on this issue and allow this section of each frontage to be eliminated from the frontage length calculations for determining the number of trees and shrubs required.

21. Parking: Lakewood Center's parking and circulation is shared between the two parcels. Table below compares the range of potential high and low parking demand depending on tenant mix. In addition, there is a transit stop to the north approximately 300 feet from the center which qualifies Lakewood Center for a parking reduction of 25%, per section 9.4.3(D). A quarter mile equals 1,320 feet. In addition, to encourage use of transit, the Applicant has been working with ODOT and the Applicant proposes to install a raised walkway leading from the closest sidewalk up to the shopping center.

D) Urban Off-Street Parking

Within urban growth or urban unincorporated community boundaries, the minimum requirements of Table 9.4-1 may be reduced by 25% when the proposed use, expansion, or enlargement is within one-quarter mile (¼ mile) of an existing transit route

The proposed number of parking spaces exceeds the minimum number of spaces required for both options based on potential tenants. See table below:

Lakewood Shopping Center Parking

Master Plan Option 1

Building	Uses	Gross Square footage	Min. 1/SF Rate	MIN REQ'D. Minimum # Spaces	MAXIMUM ALLOWED	
					Max. 1/SF Rate	Maximum # Spaces
A1	Retail	7,500	200	38	200.0	38
A2	Dollar Tree Retail	16,250	200	81	200.0	81
A2	Dollar Tree Storage	4,724	500	9	200.0	24
B	Fast Food	1,100	3 + 1/80	17	3 + 1/40	31
C	Bank	2,100	400	5	200.0	11
D	Auto Supply-Retail	6,725	200	34	200.0	34
E	Medical Office	8,750	250	35	200.0	44
Total				219		261
REDUCTION						
-25%				Transit Stop		-54.7
Minimum Spaces Needed Per Code Standards				164		Plan has 223 spaces

Master Plan Option 2

Building	Uses	Gross Square footage	Min. 1/SF Rate	MIN REQ'D. Minimum # Spaces	MAXIMUM ALLOWED	
					Max. 1/SF Rate	Maximum # Spaces
A1	Retail	7,500	200	38	200.0	38
A2	Dollar Tree Retail	16,250	200	81	200.0	81
A2	Dollar Tree Storage	4,724	500	9	200.0	24
B	Restaurant	2,100	3 + 1/80	29	3 + 1/40	56
C	Fast Food	1,100	3 + 1/80	17	200.0	6
D	Pharmacy	14,000	200	70	200.0	70
Total				244		273
REDUCTION						
-25%				Transit Stop		-61.0
Minimum Spaces Needed Per Code Standards				183		Plan has 232 spaces

RESTAURANT PARKING CALCS

TYPE/SIZE	Restaurant SF	Dining room (=50% of total SF)
Sit Down	4,200	2,100
Fast Food	2,200	1,100

V

CONCLUSIONS OF LAW

The following conclusions of law and ultimate conclusions are reached under each of the relevant substantive criteria which are recited verbatim and addressed below. The conclusions of law are supported by Applicants’ evidentiary exhibits at Section II – including Applicants’ review of applicable development standards (Exhibit 3) and the findings of fact as set forth in Section IV herein above.

APPROVAL CRITERIA FOR SITE DEVELOPMENT PLAN

3.1.3 Type 2 Land Use Permits

Type 2 uses are subject to administrative review. These decisions are discretionary and therefore require a notice of decision and opportunity for hearing.

...
B) Approval Criteria

A site development plan may be required pursuant to Section 3.2.4. If a site development plan is required, it shall comply with Section 3.2 and all other applicable provisions of this Ordinance.

Findings and Conclusions of Law: A site development plan is required pursuant to Section 3.2.4 as addressed directly herein below. Compliance with Section 3.2 and other applicable provisions of the JCLDO is also established directly below and in Applicants’ Exhibit 3 (Supplemental Findings for Compliance with Applicable Development Standards) to each respective approval criterion and development standard. All related findings and conclusions to those requirements are herein adopted in satisfaction of JCLDO 3.1.3(B).

* * * * *

3.2 SITE DEVELOPMENT PLANS

3.2.3 Required Review

Site development or a change in use subject to this Section shall be evaluated through a Type 1- 4 review process.

The review procedure for site development in a resource zoning district is based on the table of permitted uses set forth in Chapter 4 and those allowed in overlay districts as set forth in Chapter 7.

In base zoning districts the review procedure for site development is based on the list of permitted uses in Table 6.2-1. When a “1/2” is indicated in the table such reviews may be either ministerial (Type 1 permit), or part of an administrative review (Type 2-4 permits). A ministerial review is appropriate when the application can show all the development standards are met and this Ordinance does not require a higher level review. Development subject to discretionary review pursuant to Chapters 7 through 10 of this Ordinance requires an administrative review with opportunity for appeal. If two (2) applications are necessary, the applications may either be combined in accordance with Section 2.6.5, or reviewed separately.

When the proposal intensifies the use of the property (i.e. from a Type 2 use to a Type 3 use) the review procedure will be in accordance with the permit type identified in Table 6.2-1. The use is also subject to all other provisions of this Ordinance.

A) A discretionary site plan review is required, subject to Section 3.2.4, if the proposed development exceeds one or more of the thresholds listed below:

1. The change in use will result in an increase in traffic of more than 100 average daily trips (ADT) as a result of increased employees, customers or a combination of both as determined by the ITE Manual. In the case the ITE Manual does not provide appropriate use data, evidence from an Oregon registered professional Engineer that the change in use will not result in more than 100 ADT shall be submitted;

Findings of Fact and Conclusions of Law

Applicants: QTIP Properties LLC and DSR Properties LLC

2. The change in use will result in a new paved area greater than 10,000 square feet;
3. Any new development of 20,000 square feet or more gross floor area, or any addition to an existing use results in an increase of gross floor area of 20,000 square feet or more; or
4. The development does not meet general development regulations of Chapter 9.

Findings and Conclusions: The Planning Director finds that the site development plan is subject to Type 2 review because the application will result in a new paved area greater than 10,000 square feet in the southeast corner and therefore Section 3.2.3(A)2. applies.

* * * * *

3.2.4 Approval Criteria

A site development plan reviewed under a Type 2-4 procedure may only be approved if affirmative findings can be made for all the criteria set forth below. The County will require adherence to sound planning principles, while allowing for design flexibility in the administration of these criteria:

Site Development Plan Criterion 1

- A) The site development plan fully complies, or in the case of a lawful nonconformity complies to the maximum extent feasible, with all applicable requirements of this Ordinance, including the general development regulations of Chapters 8 and 9 and the dedications and improvement requirements of Chapter 10;

Findings and Conclusions: Compliance with all applicable standards of the JCLDO is established directly in the respective individual findings provided herein and in Applicants' Exhibit 3 (Supplemental Findings for Compliance with Applicable Development Standards). The same are hereby adopted in satisfaction of JCLDO 3.2.4(A).

* * * * *

Site Development Plan Criterion 2

- B) On properties that are not zoned for farm or forest use, the site development plan adequately protects other property from the potential adverse effects of nonresidential uses;

Findings and Conclusions: The subject property is not zoned for farm or forest use. Therefore, subsection (B) is applicable. The land to the east of the subject properties is commercially zoned and has non-residential uses, predominately truck distribution and industrial service buildings and parking areas. Properties to the north and west are also zoned commercial and are separated from the subject property by highways. The majority of the properties to the south are also zoned commercial, with the exception of two properties to the southeast that area zoned WCUR-4 that are across Merry Lane, one of which is used for commercial boat storage. No retail and service uses proposed on the subject property are proposed for the southeast corner, reducing any potential adverse effect from the expanded uses. The proposed parking area is no more impactful than the adjacent industrial trucking business that is directly across from the majority of the residentially zoned properties. Therefore it can be found that the proposed site plans are compatible with the surrounding uses and does not cause any direct impacts to the neighboring properties. Consequently, it is concluded that the proposed development plan adequately protects other property from potential adverse effects of non-residential uses, consistent with JCLDO 3.2.4(B), and thereby meets Criterion 2.

* * * * *

Site Development Plan Criterion 3

- C) The site design promotes a proper relationship between existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic; to ensure efficient traffic flow and control; to ensure easy access in cases of fire, catastrophe, and emergency; and so as not to create or contribute to undue traffic congestion on abutting public streets. An assessment of traffic impacts and identification of traffic impact mitigation measures may be required to demonstrate compliance with this criterion;

Findings and Conclusions: The site is at a major intersection of Highway 62 and Highway 140. To assure safety and to ensure efficient traffic flow and control, no access points are proposed on Highway 62 and the only access point on Highway 140 is an existing driveway, located adjacent to the eastern boundary, as far as is reasonably possible from the intersection. Two existing access points are located on the southern frontage on Merry Lane, a local road, are to be retained. A third one-way truck exit lane is proposed on Option 1 at the eastern boundary as distant from the corner with Highway 62 as possible. This third exit driveway is proposed to provide optimal truck circulation through the site and removes the need for trucks to back onto any road in order to exit the site. It can be concluded that retaining the current driveway layout and the addition of the third exit drive is will not contribute to traffic congestion and provide easy emergency access. Therefore Jackson County concludes that Criterion 3 has been met.

* * * * *

Site Development Plan Criterion 4

- D) The property owner and applicant have agreed to record in the County Clerk's Office a deferred improvement agreement against the property for any future public road improvements that will be required as a result of the proposed development. Deferral of frontage improvements will be required under the following circumstances: (1) the land served by an existing road is zoned for more intensive development; and (2) only a minor part of potential traffic on the road would be generated by the proposed development. In both cases it will be necessary to obtain a binding commitment to make needed road improvements when warranted;

Findings and Conclusions: All the roads that front on the site are paved with adequate travel lanes in both directions so there is no need to for a deferred improvement agreement. No change to zoning is proposed and the main access for traffic remains the same. Therefore Jackson County concludes that Criterion 4 does not apply.

* * * * *

Site Development Plan Criterion 5

- E) The site is served by sewer or septic, water, fire protection and access sufficient to meet the needs for the use as determined by local service providers.

Findings and Conclusions: Based on the findings of fact in Section IV herein above, it is concluded that the site is sufficiently served by public sewer, a private water and fire protection system, and has access in conformance with Subsection (E). Thereby Jackson County concludes that Criterion 5 is met.

* * * * *

Site Development Plan Criterion 6

F) The development promotes a design that maintains pre-development flow rates (based on a 10-year, 24-hour rainfall level of 3.0 inches), reducing the impacts on the quality of surface and groundwater. To ensure that pre-development flows are maintained, planters, swales, or other vegetated surfaces or mechanical facilities are required to naturally control the flow at the point of discharge. Stormwater facilities shall be sufficient to maintain peak flow rates at their pre-development levels. An assessment, prepared by an Oregon registered professional Engineer, certifying that the stormwater management system proposed is in compliance with this section shall be submitted as part of the application. A Final design of the stormwater management system prepared by an Oregon registered professional Engineer shall be submitted prior to the authorization of building permits.

Development within the Rogue Valley Sewer Services (RVSS) Phase II boundary or those that require an approved Stormwater Pollution Control Plan and NPDES permit are subject to Section 8.8 of this Ordinance.

Findings and Conclusions: Anthony Bakke, an Oregon registered professional engineer, has assessed the existing storm water management system and proposed the Conceptual Stormwater Drainage system for the project that it is in compliance with this section. *See, Applicants’ Exhibit 9.* Based upon the evidence provided in Applicant’s Exhibit 9 and the Findings in Section IV, Jackson County concludes that the application is consistent with the requirements of Criterion 6.

* * * * *

VI

SUMMARY OF APPLICANTS’ STIPULATIONS

Applicants herewith agree to stipulate to the following, which they agree to observe if the same are attached as conditions to approval of the subject site plan review application:

Stipulation 1: Prior to issuance of development permits for a particular phase, Applicants shall submit a final site development plan and a final landscape plan for the applicable phase to Jackson County Development Services for review and approval. The final site development plan shall incorporate any changes that are specified in conditions of approval for the Type II Site Development Plan Review.

Stipulation 2: Prior to issuance of development permits for a specific phase where the proposed building would encroach on the existing property line, Applicants shall submit for a property line adjustment based on the proposed site plan,

Stipulation 3: Prior to issuance of development permits, Applicants shall submit written verification from Jackson County Roads and Parks that commercial access permitting requirements for Merry Lane have been satisfied, if the additional access point is needed as part of the final master plan.

* * * * *

VII

ULTIMATE CONCLUSIONS; DECISION

Based upon the record and the foregoing findings of fact and conclusions of law, it is concluded that the application for Site Develop Plan Approval is consistent with the requirements of all of the relevant substantive approval criteria which have been addressed hereinabove.

Respectfully submitted on behalf of Applicants and Property Owners.

CSA Planning, Ltd.



Jay Harland
Principal

March 10, 2016

APPLICANTS' EXHIBIT 3

DEMONSTRATION OF COMPLIANCE WITH APPLICABLE DEVELOPMENT STANDARDS

The relevant approval standards applicable to limited land use decisions are recited verbatim below followed by findings to establish compliance with the same:

Jackson County Land Development Ordinance ("JCLDO")

CHAPTER 6 USE REGULATIONS

6.1 APPLICABILITY

6.1.1 Resource Districts [NOT APPLICABLE]

6.1.2 All Other Districts

Uses established in any of the other general use districts, apart from the resource districts, will comply with all regulations set forth in this Chapter.

6.1.3 Overlay Districts

All uses established in overlay districts must comply with requirements described for each district as set forth in Chapter 7. Uses of the base zoning district continue to apply unless otherwise specifically stated in Chapter 7. General Use and Resource District development standards continue to apply for all uses except when superseded by more restrictive standards established in the overlay district.

6.2 TABLE OF PERMITTED USES

Table 6.2-1 sets forth the uses permitted within all base zoning districts, except for the resource districts. Uses allowed within the resource districts are set forth in Chapter 4 and those allowed in overlay districts are set forth in Chapter 7. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require a Type 1, 2, 3, or 4 review, unless otherwise specified in Table 6.2-1.

6.3 ADDITIONAL USE-SPECIFIC REGULATIONS

6.3.3 Commercial/Office Uses

Commercial development on land outside urban growth boundaries may be subject to Goal 14 and Oregon Administrative Rule 660, Division 22, as applicable. For purposes of the Rule, a small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4,000 square feet of floor space. Small scale, low impact uses are limited to 3,000 square feet of floor space per building(s) outside acknowledged unincorporated communities.

The Rule does not establish square foot limitations for uses intended to serve the rural community and surrounding rural area, the needs of the traveling public, or resource based commercial enterprises (i. e., those uses authorized under ORS 215.283 and OAR 660-006-0025). Rather, the County may determine that a larger commercial building or buildings serves the rural community and surrounding rural area, or the travel needs of people passing through the area. Upon that determination, the County may approve the larger building or buildings for commercial use. Resource based commercial enterprises may be in a building or buildings of any size that is appropriate for that use. [OAR 660-022-0030]

The subject property is located within the White City urban unincorporated community. Consequently, the limitations on commercial uses in rural areas described at JCLDO Section 6.3.3 apply. However, the Applicant asserts that the location of the subject property within the White City commercial core along Highway 62 and the presence of an existing 28,834 square foot building, which is substantially in excess of 8,000 square feet, establishes that this is an appropriate location for buildings that may exceed 8,000 square feet. This portion of White City has several nearby parcels that contain buildings larger than 8,000 square feet.

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

The site currently provides retail and food service facilities for the community and the traveling public. The site is of adequate size to accommodate additional larger buildings and still provide sufficient related parking. Two buildings are proposed that exceed 8,000 square feet in size, one on each option. The proposed uses of retail, medical offices, and/or a pharmacy all are appropriate to this location and the needs of the community. Buildings larger than 8,000 square feet are common for these uses. Based on the evidence in Section II, the findings in Section IV, and the above discussion, the Applicant requests that Jackson County approve the proposed larger commercial buildings shown on the conceptual plans.

No use other standards in JCLDO Chapter 6 have been found to apply.

* * * * *

CHAPTER 8 DIMENSIONAL STANDARDS, MEASUREMENTS AND ADJUSTMENTS

8.2 TABLE OF DENSITY AND DIMENSIONAL STANDARDS

All primary and accessory structures are subject to the density and dimensional standards set forth in Table 8.2-1. Any lot that is created through land division will meet the minimum lot area and lot width requirements set forth in Table 8.2-1 for the zoning district in which it is located, unless created pursuant to the requirements of Section 8.9. Footnoted regulations are referenced in italicized brackets, and in the final column of the Table. Rules of measurement and reductions are set forth in Sections 8.3 and 8.5. These standards may be further modified by other applicable sections of this Ordinance, including the overlay district standards set forth in Chapter 7.

Table 8.2-1
Table of Density and Dimensional Standards

TABLE OF DENSITY AND DIMENSIONAL STANDARDS					
District	Minimum Lot/Parcel Dimensions		Minimum Setbacks (ft)		Max. Height (ft)
	Area	Width(ft)	Front	Side	Rear
GC	Dimensional standards for commercial divisions will be based on location and type of use. New parcels may only be created for an existing use or a use approved through the site development plan and Type 3 review procedures. New parcels must have adequate area for setbacks, parking, access, landscaping, and any other requirements of this Ordinance [6]. See Ch. 10 for land division		20	30 side & rear ⁽⁷⁾ if adjacent to residential district	60
					8.3.2 8.4.3

⁷ Within WCUB, side yard setbacks 10 ft., and rear yard setbacks 20 ft; if abutting a residential zone, buffer yard standards must be met. (See Section 9.2.3)

⁸ Within WCUB new parcels may be created for an existing use or commercial subdivision purposes, provided all new vacant lots created are a minimum of 20,000 sq. ft. New parcels with existing development must provide for setbacks, parking, access, landscaping, and any other requirements of this Ordinance. See Sec. 12.4 for White City regulations.

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards
Site Development and Property Line Adjustment
Applicant: QTIP Properties LLC and DSR Properties LLC

Compliance with Standards: Proposed building setbacks are shown in table below:

DIMENSIONAL STANDARDS COMPLIANCE			
District	Proposed Plan Setbacks (ft)		
	Front	Side	Rear
GC Standard	20 feet	30 side & rear ⁽⁷⁾ if adjacent to residential district	
Setback Type	Parcel Compliance		
Front -Hwy 140 Frontage	20 feet		
Side- Hwy 62 Frontage		10 to 25 feet Proposed No Residential District adjacent.	
Side- Merry Lane Frontage		12 feet- Existing Residential District adjacent at eastern end of frontage. No buildings proposed within 30 feet.	
Rear- Eastern Boundary		55 to 70 feet Proposed	

8.3 HEIGHT, LOT/PARCEL MEASUREMENTS AND REQUIREMENTS

8.3.2 General Requirements

- A) Building height limits specified in Table 8.2-1 apply to all development unless specified otherwise in the Airport Approach (AA), Airport Concern (AC), overlay district regulations of Sections 7.2.1 and 7.2.2.
- B) Minimum lot/parcel area dimensions specified in Table 8.2-1 apply to all development unless otherwise specified in this Ordinance. A lawfully created lot or parcel that does not meet the minimum area dimensions specified in Table 8.2-1 is entitled to the same rights that such a lot or parcel would otherwise have if it met the minimum area dimension requirements.
- C) Within urban growth or urban unincorporated community boundaries, all accessory buildings and structures will be built to the rear or side of the principal structure, and will meet the minimum setbacks for the zone.

Compliance with Standards:

- (A) The building height limit as specified in Table 8.2-1 for the GC Zoning District is 60 feet. The subject property is not within an airport overlay area. All proposed structures will be single story construction. All buildings will be less than 60 feet in height.
- (B) There are no minimum lot/parcel area dimensions specified in Table 8.2-1 for the GC Zoning District. No new parcels are proposed.
- (C) No accessory structures are proposed that would be subject to Section (C) above. Each proposed building is a principal use.

* * * * *

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

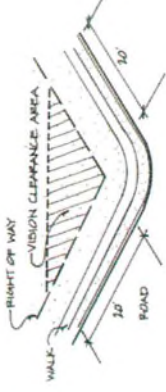
8.4 ADDITIONAL REGULATIONS

8.4.3 General Site Development and Buffering Requirements

The standards of this Section will apply in the following districts: UR-30, IC, RS, ARS, RRS, SVRS, NC, GC, LI, and GI.

- A) Type 1 and 2 uses allowed within these districts will conform to the site development review requirements of Chapter 9;
- B) Buffering techniques are required to separate Type 1 or 2 uses from abutting incompatible uses. Such techniques will include, but are not limited to, the following:

- 1) Open outdoor storage is prohibited unless the use is properly screened or fenced in accordance with Chapter 9;
- 2) Berms or solid walls may be required when the County determines that noise abatement or additional visual screening is required;
- 3) Parking lots will be landscaped in accordance with Section 9.2; and
- 4) Sidewalks will be required when the surrounding area has developed with sidewalks and is zoned for urban residential, commercial, or industrial uses (See Sections 9.5.6 and 10.4.3(F)).



Compliance with Standards: The requirements of Chapter 9 are addressed separately below. No open outdoor storage use is proposed or contemplated. The one adjoining property to the east is zoned LI. No buffer is required when the subject property is GC and the adjacent property is LI property.

* * * * *

8.5 SETBACK MEASUREMENT AND REQUIREMENTS

8.5.1 Setback Measurement

To ensure buildings will not be placed in or encroach on recorded easements for roads, setbacks will be measured as the distance from a right-of-way of a public or private road or access easement, or from a property line to the nearest point of a structure, except as allowed under Section 8.5.2(D).

8.5.2 General Setback Requirements

A) *Required Setbacks*

Setback requirements specified in Table 8.2-1 above will be observed unless otherwise specified in this Section or this Ordinance. Yard setback requirements will be modified by fuelbreak requirements and any of the special setbacks set forth in Sections 8.5.3 and 8.6, if applicable.

Structures on lawfully created lots or parcels that do not meet the minimum area or width requirements of the zoning district in which the lot or parcel is located must meet the yard setback requirements of the zoning district with which the lot or parcel most closely conforms.

Compliance with Standards: See Section 8.2 Dimensional Standards Compliance table above.

B) *Signs and Fences*

All signs and fences under eight (8) feet in height are exempt from the requirements of Table 8.2-1 except as provided in 8.5.2(C).

Compliance with Standards: An existing 6 foot chain link fence runs along the eastern property line. Two low decorative metal rail fences are proposed along the Highway 62 frontage. All are under 8 feet in height and therefore exempt. The monument sign on

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

Highway 62 exceeds 8 feet in height, however the side setback along this frontage is 0 feet, so it is not considered under this section.

C) Vision Clearance for Intersections

No structure, fence, wall, hedge, sign, or other visual obstruction will be created or allowed to grow, be placed, or maintained between the heights of three (3) and 10 feet above the street level within 20 feet of the intersection of the rights-of-way lines of two (2) roads, or of a road and a railroad property line.

Compliance with Standards: The vision clearance area requirement does not apply due to the extra wide right-of-way area that is present for detention along both Highway 62 and Highway 140 frontages. The right-of-way line along Highway 62 is approximately 73 feet from the edge of pavement; the right-of-way line along Highway 140 is approximately 40 feet from the edge of curb. The vision clearance area is located within the right-of-way and is not adjacent to the property lines.

The two low decorative metal rail fences that are proposed along the Highway 62 frontage will have 48 inch high posts, but the horizontal rail will be set at 30 inches above grade. As both are more than 20 feet from actual intersection of the highways, they do not pose a visual hazard.

In the case of the Merry Lane/Highway 62 intersection, the 73 foot distance on Highway 62 from the property line to the actual pavement corner also leaves the vision clearance triangle in the right-of-way.

D) General Exemptions to Yard Requirements

The following projections are permitted within required yard areas:

- 1) Architectural features such as cornices, sills, eaves, canopies, sunshades, gutters, fireplaces and flues, and mechanical (heating and cooling equipment) will not project more than 18 inches into a required yard.
- 2) Open uncovered accessory structures such as fire escapes, patios, porches, balconies, or outside stairways may extend a maximum of one (1) foot into the required side and rear yard and a maximum of six (6) feet into a required front yard. Porches, decks or stoops which are open and uncovered and not exceeding 18 inches in height may be located within 18 inches of any lot line.
- 3) Except for vision clearance (Section 8.5.2(C)) and riparian habitat (Section 8.6) setbacks, nonhabitable one (1)-story detached accessory structures as described in the State of Oregon One-and Two Single Family Dwelling Specialty Code, are exempt from the mandatory setback requirements of this Ordinance, provided the floor area does not exceed 200 square feet and a height of 10 feet, as measured to the highest point.
- 4) Within commercial districts, awnings may be allowed to extend a maximum of six (6) feet into the required front yard.
- 5) On a parcel where the abutting lots, adjoining the same street or road, contain lawfully constructed buildings whose setbacks are equal to or less than that required by the underlying zone, the front yard setback may be reduced to a distance equal to the average setback established on the abutting parcels.

Compliance with Standards: All setbacks are met based on the proposed site development plans. Although general exemption provisions are not needed in this case they would still be available to provide flexibility in final building and site design if necessary.

* * * * *

CHAPTER 9 GENERAL DEVELOPMENT REGULATIONS

9.1 LIMITATIONS ON SITE DISTURBANCE

9.1.1 Limits of Disturbance

For all projects subject to the site development plan review process (see Section 3.2), and destination resorts reviewed under Section 6.3.8, the applicant will propose, and the Planning Division will establish, "limits of

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disturbance" (LOD) lines according to the criteria set forth in Section 9.1.2. The LOD will indicate the specific area(s) of the site within which the developed project may be constructed and within which development activity will be contained. The approved LOD will be shown on the final site plan or approved destination resort preliminary development plan.

9.1.2 Establishing Limits of Disturbance

In establishing the LOD, the following factors will be taken into account:

A) *Mapped Goal 5 Resources*

The protection of scenic, historic and natural areas and a healthy and visually attractive environment in harmony with the natural landscape character. These areas are illustrated on maps contained in the Goal 5 background document and incorporated by reference in the Natural and Historic Resources Element of the Jackson County Comprehensive Plan.

B) *Other Sensitive Resources*

Many of the above areas resulted in individual studies which established Areas of Special Concern (ASC) or overlays. Development in these areas are subject to the standards in Chapters 3 and 7.

Compliance with Standards: The site development plan includes phase boundaries, the outer perimeter of which Applicants' propose as the limits of disturbance line pursuant to JCLDO 9.1.1. There are no mapped Goal 5 resources on the property.

9.1.3 Standards For Protection During Construction and Grading

The approved LOD will be identified in the field prior to commencement of excavation, grading, or construction with construction barrier fencing (e.g., silt fencing) or other methods approved by the County. Protective fencing will also be placed around all other areas identified on the approved site plan. The fencing will remain in place until all land alteration, construction, and development activities are completed.

A) To the maximum extent feasible, no development, grading, or vegetation removal or alteration will occur as a part of the development project or associated construction activity outside the LOD except as provided in subsection (B) below.

B) Disturbance or construction activity may occur outside the LOD with approval of the Planning Division for the following limited purposes:

- 1) Mitigation of development activities;
- 2) Restoration of previously disturbed or degraded areas;
- 3) The practical needs of approved construction activity in terms of ingress and egress to the development project and necessary staging and operational areas;
- 4) Utility installations and emergency public safety activities when such activities and installations cannot reasonably be contained within the LOD, provided a plan for revegetation is approved;
- 5) Construction of a trail or pedestrian walkway that will provide access when such trails or walkways cannot reasonably be contained within the LOD;
- 6) The enhancement of the habitat values and/or other natural resource values of an identified natural area; and
- 7) Landscaping according to an approved landscaping plan.

Compliance with Standards: Applicants acknowledge the above requirements and agree to comply with the same throughout the course of construction and related development activities.

* * * * *

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Compliance with Standards: The proposed development is for General Commercial uses adjacent to properties zoned for and developed as Light Industrial. The table does not require a buffer yard to be installed when a commercial use is developed adjacent to an industrial use.

9.2.6 Street Frontage Landscaping Requirements

Except for single family dwelling permits, the following minimum landscaping requirements apply at the time of development along all collector and arterial street and road frontages within the Air Quality Management Area (AQMA). In addition, the street tree landscaping standards of Section 12.12 apply within the White City Urban Unincorporated Community (WCUUC) to all local streets within that area. Plans submitted to comply with this Section must be approved by the County and any affected city with a mutually adopted Urban Growth Management Agreement that requires city approval of development within its Urban Growth Boundary. The following table specifies the type and number of plants required along street and road frontages to assure adequate buffering of uses from noise, dust and odors associated with traffic and to visually enhance street and road corridors in urbanizing areas.

Table 9.2-3 STREET FRONTAGE LANDSCAPING STANDARDS			
PROPOSED USE TYPE	MINIMUM PLANTING AREA WIDTH	No. of Plants Required Per 100 Feet of Street Frontage* (Excluding Driveway Frontage)	
	FEET	TREES	SHRUBS
COMMERCIAL/ PUBLIC/QUASI-PUBLIC	10	3	15

** In areas where a municipal or community water system will provide irrigation water, mowed and irrigated lawn within the required front yard area may be substituted for a maximum of 50% of the required shrubs on a percentage basis (i.e. 25% lawn replaces 25% of required shrubs, 50% or more lawn replaces 50% of required shrubs). Trees are not subject to this reduction.*

A) [N/A – residential land division standard]

B) For all other street frontages, the number of plants required for distances above or below 100 feet must be prorated with the resulting numbers of plants rounded so that one-half (½) or more requires a full plant. All required planting must be located in the yard area within 10 feet of the street unless otherwise approved. Existing plant materials that meet the requirements of this Ordinance may be counted as contributing to the total landscaping required by this Section. All state highway frontages are treated the same as other street and road frontages.

C) When any parking lot is to be located adjacent to a public right-of-way, the applicant may choose to provide a three (3)-foot high brick, stone or finished concrete wall along the right-of-way boundary in lieu of required street frontage shrubs.

Compliance with Standards: B) The proposed development is commercial and requires 10-foot wide planting areas with 3 street trees and 15 shrubs per 100 feet of street frontage. The conditions are highly unusual, in that the right-of-way does not abut the street on the Highway 62 and 140 frontages, but rather there are wide drainage facilities, separating the property from the actual road surface. In order to install planting closer to the road, an encroachment agreement is in process to allow a portion of the subject property's street frontage planting within the wide ODOT right-of-ways along Highways 62 and 140. The Applicant proposes to provide the required amount of tree and shrub planting within a 10 to 15 foot planting area that is partially on the subject property and partially within the ODOT right-of-way along the Highway 140 frontage.

Along the Highway 62 frontage, due to grade and riparian area issues, the required shrubs will be provided mainly on the ODOT right-of-way, up to the area that has been identified by ODOT as riparian which overlaps onto the subject property. Flexibility is requested to allow the street trees

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along the southern two-thirds of the frontage to be grouped within the first twenty feet parallel to the right-of-way line. The need for variation from the standard 10 foot yard location along the southern half of the boundary is due to an existing drive-through aisle adjacent to the right-of-way line that will be retained. Along the northern third of this frontage, the existing curb location is to be retained and the 20 foot wide area between the curb and the property line has been identified as riparian, therefore no trees are planned for that portion of the frontage. *See, Applicants' Exhibit 9.*

C) A parking lot abuts the right of way line along the Highway 140. Shrubs are planned along this frontage, so no wall or berm is needed.

9.2.7 Interior Parking Lot Landscaping

In addition to perimeter buffer yard and street frontage landscaping requirements, parking lots designed to accommodate 25 or more vehicles must provide interior landscaping consistent with this Section.

Compliance with Standards: More than 25 vehicles are to be accommodated by on-site parking, therefore interior landscaping is required. Interior parking lot landscaping is depicted on the conceptual landscape plan and is consistent with the standards of this section as per the below findings. *See, Exhibit 9.*

A) Terminal Islands.

All rows of parking spaces must provide terminal islands a minimum of six (6) feet in width to protect parked vehicles, provide visibility, confine traffic to aisles and driveways, and provide a minimum of five (5) feet of space for landscaping. In addition, when 10 or more vehicles would be parked side-by-side in an abutting configuration, landscaped islands a minimum of eight (8) feet wide must be located within the parking row. *See also Table 9.2-4.*

Finding: Terminal islands consistent with this standard are provided for all rows of parking, and interior islands at least eight-feet in width are provided for rows having ten or more spaces so that no more than ten cars would be parked side by side in any row of parking. Due to the layout of the site, in some area the number of cars exceeds 10, however the majority of the bays are less than 10 and the numbers overall balance out.

B) Divider Strip

Off street parking areas designed to provide double rows of abutting side-by-side spaces must include a continuous landscaped divider strip at least eight (8) feet in width centered on the dividing line between the abutting rows. The divider strip must be surrounded by a raised or rolled reinforced concrete curb or wheel stops to limit vehicular encroachment into the landscaped area. *See also Table 9.2-4.*

Finding: Divider strips consistent with this requirement are included on the conceptual landscape plan. Wheel stops will be provided.

C) Curbing Requirements

Within UGBs and UUCBs, all terminal islands and islands separating parking spaces in rows must be surrounded by a raised or rolled reinforced concrete curb. The width of such curbing is excluded from the calculation of minimum dimensions of landscaped areas.

Finding: Applicants stipulate to specify curbing details in the final grading and landscape plans for the parking areas pursuant to this requirement.

D) Wheel Stops

Wheel stops are required to protect landscaped areas when curbing is not provided. Wheel stops must be at least six (6) inches above finished grade and be securely anchored to prevent movement during use. Wheel stops may be

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placed within parking spaces up to two (2) feet from the front of a space. In such cases the area between the wheel stop and landscaping need not be paved provided it is maintained with appropriate ground cover.

Finding: Applicants propose to use wheel stops for parking spaces, except where curbing is provided. Applicants stipulate to specify wheel stop details in the final grading and landscape plans for the parking areas pursuant to this requirement or to otherwise provide curbing in accordance with this standard.

E) Soil Quality

The use of structural soil is strongly encouraged for planted islands within parking lots and perimeter buffering strips adjacent to vehicle use areas.

Finding: Applicants acknowledge that structural soil is strongly encouraged but is not required. Should the same be used, it will be noted on the final landscape plan.

9.2.8 General Landscape Requirements

All development that is subject to the requirements of this Section must comply with the following landscape standards within required landscape areas.

- A) All landscape areas must include sufficient lawn, shrubs and/or living ground cover to spread over approximately 85% of the total landscaped area within five (5) years. Tree canopy may be counted toward the coverage figure when appropriate ground cover is incorporated into the landscape design under the canopy;
- B) The following minimum plant sizes apply, at the time of planting, to all landscaping required by this Ordinance:
 - 1) Large deciduous tree stocks must be at least one and one-half (1½) inches in diameter (caliper) at a point six (6) inches above the ground;
 - 2) Understory and ornamental tree stocks (e.g., Dogwood, Japanese Maples, Redbud) must be between four (4) and six (6) feet in height;
 - 3) Evergreen and conifer trees must be between five (5) and six (6) feet in height;
 - 4) Shrubs must be at least one (1)-gallon size. Five (5)-gallon size is encouraged, especially when slow growing species are used; and
 - 5) Groundcover plants must be a minimum of four (4)-inch pots and spaced appropriately for the species.
- C) Bioswales incorporated into on-site drainage designs may be located in any landscaped area and will be counted toward compliance with the standards of this Section. Tree planting standards do not apply to areas dedicated to bioswales on an approved landscape plan, provided the bioswales are planted with appropriate living groundcover that will spread over 95% of the bioswale area within five (5) years. The County will determine if a proposal complies with this standard;
- D) All landscaping required for multi-family and non-residential development must have automatic irrigation systems installed unless otherwise exempted by the Director. Bioswales integrated as part of a combined on-site drainage and landscape plan that are planted entirely with native or other drought tolerant grasses and forbes are exempted from this requirement;
- E) All planter areas must be covered with a minimum of three (3) inches of unsettled bark mulch or similar pervious nonliving material. No more than 20% of landscaped areas may be mulched with rock, pumice, or other inorganic ground covers;
- F) All landscaped areas and plants must be kept free of noxious weeds and be maintained in good health by the property owner(s), including replacement of dead plants with healthy vegetation. Approved planting schemes may not be altered without County approval. The property owner, or tenant if the applicant, is responsible for contacting the Planning Division to request an inspection to verify compliance with the approved landscape plan and survival of planted materials after the first year of operation. The inspection will be conducted during the growing season; and

Compliance with Standards: The above specifications are noted on the conceptual landscape plan. A bioswale is planned for the southwest corner to handle storm water for that portion of the site. The bioswale will comply with section (C) above and RVSS bioswale standards.

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9.4 OFF-STREET PARKING AND LOADING

9.4.1 Applicability

A) New Development

The off-street parking and loading standards of this Section will apply to any new building constructed and to any new use established. Parking areas provided in excess of the requirements of this Section will be designed and laid out in conformance with this Section. Approval of a parking and grading plan must be obtained from the Development Services Department.

9.4.2 Off-Street Parking Requirements

A) Off-Street Parking Schedule "A"

Unless otherwise expressly allowed under this Ordinance, off-street parking spaces will be provided in accordance with Table 9.4-1. (See also Section 9.4.8) [unrelated use categories have been omitted for this report]

TABLE 9.4-1: OFF-STREET PARKING SCHEDULE "A"			
OFF-STREET PARKING SPACES.			Off-Street Loading Req'd.
USE CATEGORY	Minimum Required	Maximum Allowed	
Eating and Drinking Establishment	3 spaces, plus 1 space per 80 sq ft of floor area devoted to patrons. Drive thru's must adhere to stacking requirements of Sec. 9.4.9	3 spaces, plus 1 space per 40 sq ft of floor area devoted to patrons. Drive thru's must adhere to stacking requirements of Sec. 9.4.9	Yes
Retail Sales	See Schedule "B", not to exceed 150% of minimum requirement		Yes
Medical Services	1 space per 250 sq ft of gross floor area up to 5,000 sq ft.	1 space per 125 sq ft of gross floor area up to 15,000 sq ft, plus 1 space for each 350 sq ft thereafter	No, if less than 7,500 sq ft; otherwise, yes
Office	1 space per 400 sq ft of gross floor area	1 space per 200 sq ft of gross floor area	No, if less than 7,500 sq ft; otherwise, yes

B) Off-Street Parking Schedule "B"

Uses subject to off-street parking schedule "B" will provide the following minimum number of off-street parking spaces: [unrelated categories have been omitted for this report]

TABLE 9.2-2: OFF-STREET PARKING SCHEDULE "B"	
Activity Use	Minimum Number of Spaces Required
Office or administrative area	1 per 300 square feet
Indoor sales area	1 per 200 square feet
Outdoor sales or display area (3,000 square feet or less)	1 per 750 square feet
Indoor storage/warehousing/ vehicle service/manufacturing area	
• 3,001–5,000 square feet	1 per 500 square feet

C) Off-Street Parking Schedule "C" [N/A]

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D) Urban Off-Street Parking

Within urban growth or urban unincorporated community boundaries, the minimum requirements of Table 9.4-1 may be reduced by 25% when the proposed use, expansion, or enlargement is within one-quarter mile ($\frac{1}{4}$ mile) of an existing transit route.

A transit stop is located to the north approximately 300 feet from the center which qualifies Lakewood Center for a parking reduction of 25%, per section 9.4.3(D). (*A quarter mile equals 1,580 feet*) In addition, to encourage use of transit, the Applicant will be installing a raised walkway across the ODOT right-of-way leading from the closest sidewalk section, up to the shopping center.

9.4.4 Rules for Computing Requirements

The following rules apply when computing off-street parking requirements:

A) Multiple Uses

Unless otherwise approved in Section 9.4.3, lots containing more than one (1) use will provide parking and loading in an amount equal to the total of the requirements for all uses.

B) Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of one-half ($\frac{1}{2}$) or less will be rounded down to the next lower whole number and any fraction of more than one-half ($\frac{1}{2}$) will be rounded up to the next higher whole number.

C) Area Measurements

Unless otherwise specifically noted, all square footage-based parking and loading standards will be computed on the basis of gross floor area.

D) Occupancy- or Capacity-Based Standards

For the purpose of computing parking requirements based on employees, students, residents, or occupants, calculations will be based on the largest number of persons working on any single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

Compliance with Standards: Table below summarizes the parking requirements for each Option calculated based on rules above:

Lakewood Shopping Center Parking

Master Plan Option 1

Building	Uses	Gross Square footage	MIN REQ'D.		MAXIMUM ALLOWED	
			Min. 1/SF Rate	Minimum # Spaces	Max. 1/SF Rate	Maximum # Spaces
A1	Retail	7,500	200	38	200.0	38
A2	Dollar Tree Retail	16,250	200	81	200.0	81
A2	Dollar Tree Storage	4,724	500	9	200.0	24
B	Fast Food	1,100	3 + 1/80	17	3 + 1/40	31
C	Bank	2,100	400	5	200.0	11
D	Auto Supply-Retail	6,725	200	34	200.0	34
E	Medical Office	8,750	250	35	200.0	44

Total

261

REDUCTION

-25% Transit Stop -54.7

Minimum Spaces Needed Per Code Standards

164

Plan has 223 spaces



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Master Plan Option 2

Building	Uses	Gross Square footage	Min. 1/SF Rate	MIN REQ'D.		MAXIMUM ALLOWED	
				Minimum # Spaces	1/SF Rate	Maximum # Spaces	1/SF Rate
A1	Retail	7,500	200	38	200.0	38	200.0
A2	Dollar Tree Retail	16,250	200	81	200.0	81	200.0
A2	Dollar Tree Storage	4,724	500	9	200.0	24	200.0
B	Restaurant	2,100	3 + 1/80	29	3 + 1/40	56	3 + 1/40
C	Fast Food	1,100	3 + 1/80	17	200.0	6	200.0
D	Pharmacy	14,000	200	70	200.0	70	200.0
Total				244			273

REDUCTION

-25% Transit Stop -61.0

Minimum Spaces Needed Per Code Standards 183 Plan has 232 spaces

RESTAURANT PARKING CALCS

TYPE/SIZE	Restaurant SF	Dining room (=50% of total SF)
Sit Down	4,200	2,100
Fast Food	2,200	1,100

Tax Lots 300 and 1400 share a common parking lot and drive aisles to provide parking and circulation for all uses within the center. Based on the above calculations, the number of spaces proposed on Tax Lot 300 and 1400 are sufficient to serve the existing and proposed uses.

9.4.5 Location

A) General

Except as otherwise expressly provided in this Section, required off-street parking spaces will be located on the same lot as the principal use.

B) Setbacks

2) In a Commercial, Industrial, or Resource district, required off-street parking spaces may occupy any part of the property, except within required landscape areas or sight distance triangles.

9.4.6 Use of Off-Street Parking Areas

Required off-street parking areas are to be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

Compliance with Standards: All required parking is provided on the subject property. No parking is located in required landscape areas or site distance triangles. No long-term storage or display of vehicles will be allowed.

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9.4.7 Bicycle Parking

For multi-family development in excess of four (4) units, commercial, or parks/public/quasi-public uses within the AQMA, new vehicle parking areas that exceed 10 motorized spaces must include a designated area for bicycle parking within 50 feet of a public entrance. Bike rack(s) will be provided within this area that will accommodate two (2) bikes for the first 10 motorized vehicle parking areas, plus two (2) additional bikes for each additional 10 motorized vehicle parking spaces thereafter.

Compliance with Standards: Bicycle parking is required for the proposed development because the subject property is located within the AQMA and more than 10 motorized spaces will be provided. The above standard requires two bike spaces for every ten parking spaces which is the same as a 1 to 5 ratio. Option 1 has 223 motorized spaces proposed, when divided by 5 yields the required amount of bicycle parking which is 45 spaces. Option 2 has 232 motorized spaces proposed, when divided by 5, yields the required amount of bicycle parking which is 47 spaces. The proposed site plan indicates that bicycle racks will be provided adjacent to each major entrance, with a minimum of three per building.

Based on all of the above, it is determined that the proposed site plan complies with the off-street parking requirements outlined at JCLDO 9.4.1 through 9.4.7.

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9.4 OFF-STREET PARKING AND LOADING

9.4.8 Off-Street Loading Requirements

Off-street loading spaces will be provided as required by Off-Street Parking Schedule "A" when the use will require regular deliveries by trucks exceeding 10 tons gross vehicle weight. Where off-street loading is required, it will comply with the standards of this Section.

A) Dimensions

Required loading berths or equivalent off-street loading areas will have the following minimum dimensions: 12-foot minimum width, 35-foot minimum length, and 14-foot minimum vertical clearance.

B) Location

- 1) Required off-street loading areas will be on the site of the use served or on an adjoining site;
- 2) A loading area will not be located in a required setback or intrude into any portion of a required parking aisle or prevent access to a required parking space;
- 3) Loading areas visible from a street will be screened on three (3) sides by a solid, decorative fence, wall, or hedge at least six (6) feet in height. General Industrial zoned lands within the WCUUCB are exempt from this requirement;
- 4) A required loading space will be accessible without backing a truck into the road right-of-way; and
- 5) The Director may review a request to determine that provision of turn-around space is infeasible. In no event will loading or unloading and vehicle stacking occur in the road right-of-way.

Compliance with Standards: The existing building has two loading berths at the southeastern and southwestern corners of the building. The Dollar Tree uses the southeastern bay. The southwestern bay is shared by the liner stores along the western face of the building. In addition, this berth will be used for off-loading for Building A.

In Option 2, the fast food restaurant, Building C, typically has very short off-loading needs and therefore will make use of half of the northern drive aisle and will block five of the parking spaces during off-loading. As there are more spaces than are required, these spaces are not part of the required spaces. Trucks servicing this type of business do not remain parked after off-loading.

In Option 1, Buildings D and E are provided with loading areas intended for trucks less than 10 tons gross weight. Typical deliveries to these buildings will be primarily from step van types of

trucks. Building D's loading area, however does provide adequate room for a full-size truck delivery parallel to the building.

In Option 2, the large pharmacy or retail store has been provided with a standard loading berth. A fence will be used to screen the loading area on the east and south sides.

9.4.9 Vehicle Stacking Areas

The vehicle stacking standards of this subsection will apply to the uses indicated unless otherwise expressly approved by the Director.

A) *Minimum Number of Spaces* Off-street stacking spaces will be provided as follows:

TABLE 9.4-3: OFF-STREET STACKING SPACES		
Activity Type	Minimum Stacking Spaces	Measured From
Bank teller lane	4	Teller or Window
Restaurant drive-through	4	Order Box
Restaurant drive-through	2	Order Box to Pick-Up Window
Other	Determined by Director based on traffic study	

B) *Design and Layout*

Required stacking spaces are subject to the following design and layout standards.

- 1) *Size*
Stacking spaces will be a minimum of eight (8) feet by 20 feet in size.
- 2) *Location*
Stacking spaces will not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.
- 3) *Design*
Stacking spaces will be separated from other internal driveways by raised medians if deemed necessary by the Director for traffic movement and safety.

Compliance with Standards: The required number of stacking spaces are provided for all proposed drive-throughs. At least one stacking space is provided beyond the transaction window as well in all cases. The pharmacy drive-through falls under the Other category. The maximum number of stacking spaces identified for the other uses are proposed for this use also. All drive-through lanes are separated from other internal driveways and will have stop signs at the end for traffic control. Proposed site plan complies with Jackson County standards for vehicle stacking areas.

9.4.10 Accessible Parking Required

Accessible parking facilities will be provided, constructed, striped, signed, and maintained as required by ORS. For accessible parking requirements, see the most current edition of the *2003 International Building Code*.

Compliance with Standards: Accessible parking facilities are proposed adjacent to the public entrances for the residential/memory care facility, medical/office building, and the restaurant consistent with this standard. Final plans to be provided for building permit requests will be required to demonstrate that the most current building code requirements are met with regard to accessible spaces.

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9.4.11 Parking Design Standards

A) *Markings*

- 1) Each required off-street parking space and off-street parking facility will be identified by surface markings or anchored wheel stops and will be maintained in a manner so as to be readily visible and accessible at all times. Such markings will be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Markings required to be maintained in a highly visible condition include striping, directional arrows, lettering on signs, and handicapped-area designations.
- 2) One-way and two-way accesses into required parking facilities will be identified by directional arrows. Any two-way access located at any angle other than 90 degrees to a street will be marked with a traffic separation stripe the length of the access. This requirement does not apply to internal parking lot drive aisles.

Finding: The proposed development plan indicates that striping and/or anchored wheel stops will be utilized and Applicants stipulate to agree to maintain the same in accordance with the standard. Accesses into parking facilities from public streets are all to be two-way and are perpendicular to the street. Striping is indicated on the plan where traffic separation is required. The requirement does not apply to internal drive aisles. At the time of permit, final striping plans will be provided.

B) *Surfacing and Maintenance*

All off-street parking areas will be kept in a dust-free condition at all times. Parking lots and loading areas within the Air Quality Maintenance Area will be paved or otherwise treated on a regular basis with an approved dust preventative.

Finding: The existing parking areas paved. Applicants propose to pave any new area in accordance with this standard.

C) *Dimensions*

1) *General*

Required off-street parking spaces will comply with the following dimensional standards:

TABLE 9.4-4: GENERAL DIMENSIONAL STANDARDS FOR REQUIRED OFF-STREET PARKING SPACES	
Use	Dimensions (feet)
Residential	9 x 17
Nonresidential	9 x 18
Parallel	8 x 22
Van*	10 x 20

2) *Reduction for Planter Overhangs*

When a parking space abuts a landscape island or planter, and also where pedestrian access is not required, the front two (2) feet of the required parking space may overhang the planter, provided that wheel stops or curbing is provided.

3) *Spaces Near Obstructions*

Each parking space adjoining a wall, column, or other obstruction higher than six (6) inches will be increased by two (2) feet on the obstructed side to allow for pedestrian access.

Finding: Proposed parking spaces as depicted on the site development and conceptual landscape plans are based on the above standard for non-residential spaces and the parallel and van spaces as shown. The final site development plan and landscape plan will include more detail to verify compliance with subsections (C)(2 and 3).

D) Curb Cuts/Driveway Approach

All driveway curb cuts accessing a state highway will be improved to the standards required by Oregon Department of Transportation. Driveway curb cuts located on a County road will be improved to county road standards or city standards when the road is within an urban growth boundary and the Urban Growth Management Agreement with the city stipulates city standards will govern.

Finding: Existing curb cuts on Highway 140 and Merry Lane are to remain. A new exit-only curb-cut is proposed adjacent to the eastern boundary on Merry Lane to allow for efficient truck circulation.

E) Access to Parking Areas

- 1) All new off-street parking areas will be accessible without backing into or otherwise reentering a public right-of-way.
- 2) When an off-street parking area does not abut a public street, there will be provided an access drive not less than 20 unobstructed feet in width for two-way traffic and 12 unobstructed feet in width for one-way traffic, connecting the off-street parking area with a public street. The access drive will be surfaced in the manner required for off-street parking lots and may not traverse property in a residential district unless the drive provides access to a parking area serving a use allowed in a residential district. Where an access or service drive is such that satisfactory turn-around is not possible, a turn-around will be provided as required by the Fire Department.

Finding: The proposed site development plan meets the above standards.

F) Lighting

New or expanded parking lots that will provide 25 or more vehicular spaces must provide on-site lighting sufficient to ensure safe movement of pedestrians between buildings and vehicles during non-daylight hours.

Finding: The conceptual landscape plan includes proposed location of parking area lighting fixtures throughout the site and along the public street frontages. Final development plans required for issuance of building permits will include details for exterior pole and building light fixtures.

G) Parking Area Connections

Parking lots with access to arterial or collector streets in residential and commercial zones will be so designed as to connect with existing or future parking areas on adjacent sites, thereby eliminating the necessity of using the arterial or collector streets for cross movements.

Finding: All parking areas on the two tax lots are connected onsite. The adjacent site to the east is developed with industrial uses and does not have any access on arterial or collector streets. Connecting the two properties would not eliminate any trips arterial or collector streets and therefore would serve no purpose. No connection is proposed.

H) Off-Street Parking Area Landscaping, Buffering, and Screening

Off-street parking areas will be landscaped, buffered, and screened in accordance with the standards of Section 9.2.

Finding: Compliance with these standards has been directly addressed above.

I) Drainage

Adequate drainage will be provided to dispose of the run-off generated by the impervious surface area of the parking area. Provisions will be made for the on-site collection, detention and retention of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property. Storm drain grates will be located and oriented in such a way as to avoid creating hazards for bicycles, pedestrians, wheelchairs or motorcycles.

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

Finding: The engineer's design report details and certifies that adequate drainage will be provided in accordance with this standard as well as with JCLDO 3.2.4(F) and an active NPDES permit for the subject tract.

Compliance with Standards: The particular findings above establish compliance with the parking design standards of JCLDO Section 9.4.11.

* * * * *

9.5.5 Minimum Access Design Standards

This Section contains mandatory standards for access to all new and existing structures located on existing lawfully established units of land except as exempted through Section 9.5.5(B).

Compliance with the standards of this section will be verified through a Fire Safety Inspection or a Field Inspection as coordinated through Jackson County Development Services and shall occur prior to issuance of building permits. All requirements of this section must be met prior to issuance of permits with the exception of final surface material which may be completed prior to final occupancy. Access at a minimum will meet the following requirements:

A) Access Requirements

- 1) Length: Access shall extend to within 150 feet of any portion of the exterior walls of the first story, as measured by an approved route around the exterior of the structure, unless another method of protection (e.g. fire sprinklers) is otherwise approved by the local fire official which allows for a greater distance through a Type 1 review.
- 2) Surface: Access must be constructed of an all-weather surface. Minimum total surface width, including shoulders, will not be less than 12 feet. Driveway/Access segments having curves with a centerline radius of less than 55 feet require a minimum 14 foot width;
- 3) Clearance: A minimum clear height of 13½ feet must be maintained for the entire width of the driveway/access;
- 4) Weight Capacity: Access must be designed and constructed to carry a vehicle that has a weight of 50,000 pounds with the ability to carry an occasional fire vehicle weighing 60,000 pounds. Access must be constructed of a minimum of six (6) inches of 4"-minus base rock, or equivalent;
- 5) Grade: When the road grade exceeds 10%, the fire district or, if not within a fire district, the County fire safety inspector or Department of Forestry shall be consulted to determine whether additional fire safety measures are necessary to allow for a maximum finished grade of 15%. A grade of up to 18% may be allowed for intervals of up to 100 feet provided there are no more than three (3) 100 foot sections of over 15% grade per 1,000 feet. The approach from a public road or private road cannot exceed 10% grade for a distance of 40 feet;
- 6) Curve Radius: Curves will have a minimum centerline curve radius of 48 feet except when the grade exceeds 15%, then the minimum centerline curve radius shall be 100 feet.
- 7) Turn-around: Dead-end accessways must incorporate an approved turnaround arrangement. A turnaround must be constructed within 150 feet of any structure subject to this section. If the driveway distance is less than 150 feet, and meets the other requirements of this section, no turnaround will be required. Turnarounds will be a minimum 20 feet wide, with a minimum inside radius of 28 feet. Turnarounds will be provided every one-half (½) mile. Such turnaround area must meet the load requirements of (4) above. The grade may not exceed 4% in turnarounds or cul-de-sacs;
- 8) Turnouts: On single lane accessways, turnouts are required at 800 foot maximum spacing, or at distances that ensure continuous visual contact between turnouts. Turnouts must be at least 50 feet long and seven (7) feet wide, with 25-foot tapers on each end or as otherwise approved by the fire district having jurisdiction, or, if not within a fire district, the County fire safety inspector or Department of Forestry;
- 9) Addressing: Visible address signs acceptable to the appropriate fire district must be posted at applicant's expense. The address sign will be posted at the entrance to the public right-of-way. All addresses which use the same access must also be listed on this sign. If the access forks, the addresses served by each fork must also be listed at the intersection;
- 10) Gates: Gate widths will be a minimum of 2 feet wider than the required accessway width;

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

Finding: Proposed site plan complies with above standards. Applicants understand that compliance with the above requirements will be verified through a fire safety inspection or field review prior to issuance of building permits.

9.5.7 Sidewalks

A) Sidewalks may be required when a proposed development or land division is within an urban growth boundary or urban unincorporated community. In addition, sidewalks may be required outside these areas when any one (1) of the following findings is made:

- 1) The subject property is located within one-quarter ($\frac{1}{4}$) mile of a school, shopping center, recreation area, or other use likely to induce pedestrian traffic; or
- 2) The surrounding area has developed with sidewalks and is zoned for urban residential, commercial, or industrial uses.
- B) Sidewalks, crosswalks, islands, curb cuts, and sidewalks at driveway crossings will be constructed to the standards established by Jackson County Roads and Parks Services.
- C) Sidewalk requirements may not be waived, but may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.
- D) Sidewalks crossing driveways will be designed to meet the requirements of the Oregon Bicycle and Pedestrian Plan (1995) administered by Jackson County Roads and Parks Services.

Finding: The Highway 62 and Highway 140 corner adjacent to the subject property was recently reconstructed by ODOT. No sidewalk was constructed along Highway 62 by ODOT, which is consistent with this portion of Highway 62. A new sidewalk was constructed by ODOT along the Highway 140 frontage. The Applicant will be installing a connecting walkway for pedestrians from the Highway 140 sidewalk to the shopping center level. Merry Lane also has no sidewalks at this time. Installing new sidewalks along Merry Lane would serve no purpose as there are no other sidewalks along Highway 62 to connect to.

9.5.8 Walkways

Interior walkways may be required within a project when the proposed development is within an urban growth boundary or urban unincorporated community. Such walkways should connect the interior of a proposed development with adjacent sidewalks and nearby schools, parks, shopping centers, other facilities.

Finding: Interior walkways are proposed and will be provided consistent with the proposal and the standard above.

* * * * *

9.6 SIGNS

9.6.5 General Requirements

The following requirements apply to all signs:

- A) Sign structures may be placed within the required setbacks from property lines provided they comply with the vision clearance standards of Section 8.5.2(C), but may not be placed within a dedicated right-of-way unless a permit has been issued by the Oregon Department of Transportation or County Roads Division;
- B) Except as noted in Section 9.6.6 below or Section 6.3.8, free-standing signs may not exceed 25 feet in height and must not encroach or overhang any dedicated right-of-way;
- C) Building signs may not extend more than one (1) foot above the exterior wall of the building on which the sign is mounted. Building signs that project from the building wall must have a minimum ground clearance of eight (8) feet;
- D) Sign area will be calculated based on the overall dimensions of all panels that display messages. If a sign contains messages on more than one (1) side, the dimensions of the message area on each side will be counted together toward the total. When the sign message is not mounted on a panel, the sign area will be calculated by drawing a regular geometric shape around the message area. For signs that are incorporated into murals, awnings and similar architectural features, only the portion of the sign considered to be advertising will be calculated as sign area;

APPLICANTS' EXHIBIT 3

Demonstration of Compliance with Applicable Development Standards

Site Development and Property Line Adjustment

Applicant: QTIP Properties LLC and DSR Properties LLC

- E) Illuminated signs require an electrical permit. Light from illuminated signs must be directed away from, and must not reflect upon, roads or adjacent parcels. No sign may incorporate a bare incandescent bulb with wattage exceeding 20 watts, except as a shielded indirect light source;
- F) Signs visible from state or federal highways must meet state regulations;
- G) No sign will be erected or placed in such a manner that it creates a traffic safety hazard, or that by reason of its position, shape, message or color it may interfere with, obstruct the view of, or be confused with any traffic signal;
- H) No sign may be situated in a manner that results in the blanketing of an existing sign; and
- I) Any discontinued, dangerous, defective, unlawful, or prohibited sign, or any sign which is not in accordance with the drawings, specifications and details of the permit application is hereby declared a nuisance and may be abated as prescribed in Section 1.8. This is in addition to any other remedy provided by law or ordinance.

9.6.6 Size Standards

Except as otherwise provided in Section 6.3.8 with regard to destination resorts, the following size standards apply to all signs on the site at any one time.

G) All other Commercial and Industrial Districts

- 1) Building signs affixed to the front of the building may not exceed a total of one (1) square foot of sign area for each linear foot of building frontage. On other sides of a building which also face a street or common parking area, one (1) additional sign per side may be permitted, not to exceed one-quarter (¼) square foot of sign area for each linear foot of building length along that side. No individual sign may exceed 300 square feet.
- 2) One (1) free-standing sign per lot frontage on a county road or state highway is permitted. The sign may not exceed the following:

<u>Lot Frontage (feet)</u>	<u>Maximum Sign Area</u>
1 - 150	150 square feet
151 - 200	200 square feet
201 - 250	250 square feet
251 and greater	300 square feet

Compliance with Standards: No detailed sign plans are now proposed – these typically are reviewed and authorized through Type 1 ministerial permit procedure. Currently there is one tall existing free-standing sign and two low free-standing signs on site, in addition to the individual business building signs.*****

12.12 STREET FRONTAGE LANDSCAPING

12.12.1 Landscaping Required

The following minimum landscaping requirements apply at the time of development along all collector and arterial street frontages within White City. Unless required as part of an approved Site Development Plan Review, street trees are not required along street frontages within General Industrial (GI) zones. In addition, Section 12.12.2 contains street tree landscaping standards applicable to single-family residential development taking access off local residential streets in White City. The following table specifies the type and number of plants required along collector and arterial street frontages to assure adequate buffering of uses from noise, dust and odors associated with traffic, and to visually enhance street corridors in the urbanizing area.

Compliance with Standards: See Section 9.26 for compliance to standards. The alternate noted above White City standards apply to property zoned industrial or residential. The subject property is zoned residential, therefore these standards do not apply.

END OF STANDARDS REVIEW

NE 1/4 SW 1/4 SECTION 20 T36S. R1W. W.M.
JACKSON COUNTY

36 1W 20CA

SCALE 1 INCH = 100 FEET
SEE MAP 36 1W 20BD

IMPORTANT
THIS MAP FOR ASSIGNMENT
AND TAXATION PURPOSES
ONLY

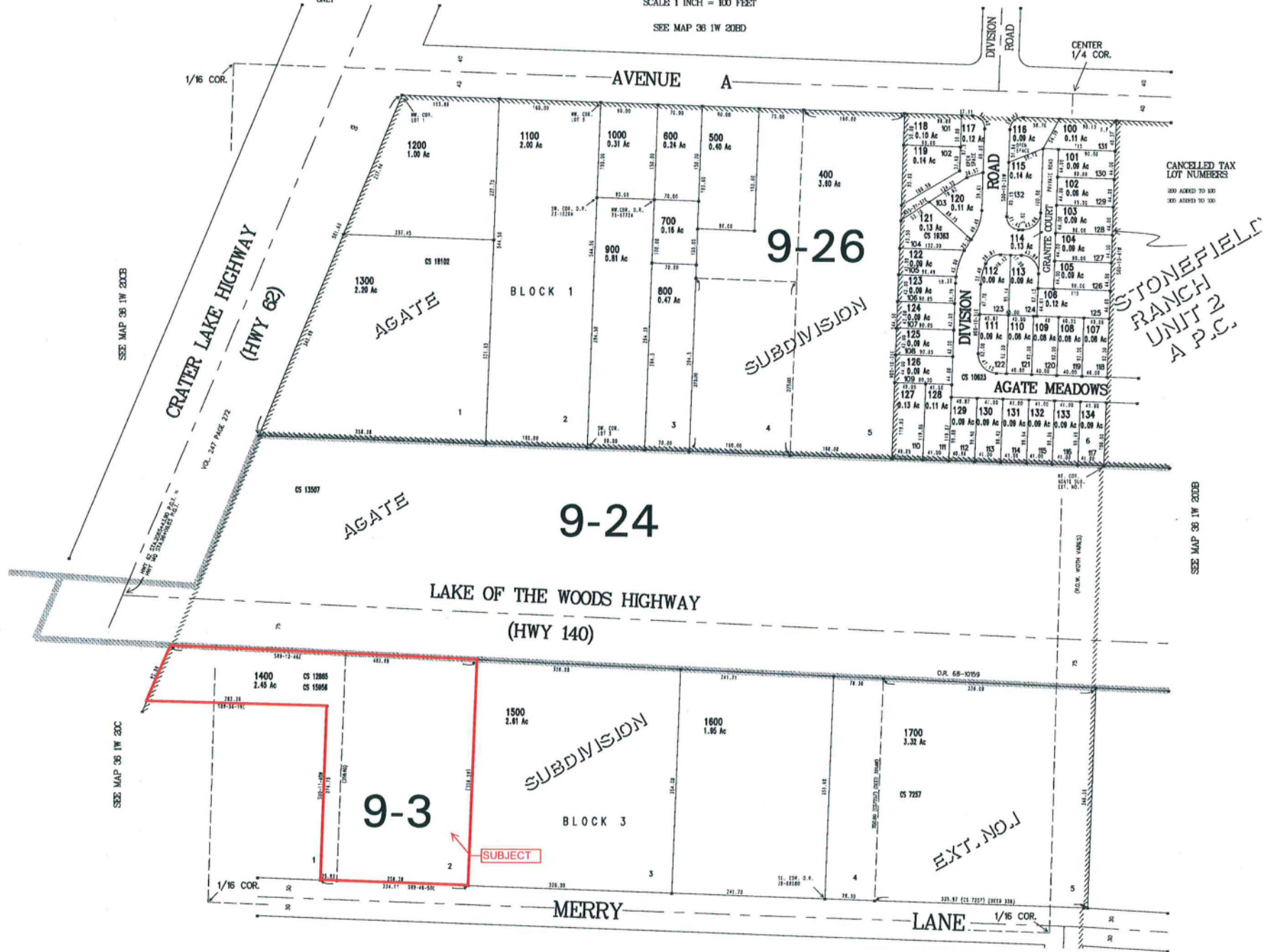


EXHIBIT 4

1 of 2

SEE MAP 36 1W 20CD

36 1W 20CA
REV 17 MARCH 2008
REV DECEMBER 04, 2005

FOR ASSESSMENT AND
TAXATION ONLY

S.W.1/4, SEC.20, T.36S., R.1W., W.M.
JACKSON COUNTY

36 1W 20C

1" = 200'

SEE MAP 36 1W 20BD

CENTER
1/4 COR.

AVENUE A

WEST 1/4
CORNER

SEE MAP 36 1W 20CB

SEE MAP 36 1W 20CA

9-24

CS-17009

9-26

LAKE OF THE WOODS HIGHWAY
(HWY 140)

CANCELLED TAX
LOT NUMBERS:

100, 105-107, 109, 110, 401-420 REMAPPED TO 361W20CD
101, 102 REMAPPED TO 1100, 1200
103 ADDED TO 104
104, 106, 200, 201 REMAPPED TO 361W20CA
1801 KILLED TO STREET
1900 KILLED TO STREET

ROAD

9-3

(HWY 62)

AGATE
BLK 3

SUBJECT

SEE MAP 36 1W 19

SEE MAP 36 1W 20D

MERRY LANE

MERRY

LANE

SEE MAP 36 1W 20CD

CRATER LAKE HIGHWAY

BLOCK 4

GRAMERCY DRIVE

GRAMERCY

DRIVE

HILT LANE

EXT. NO. 2
BLOCK 5

S. 1/4
CORNER

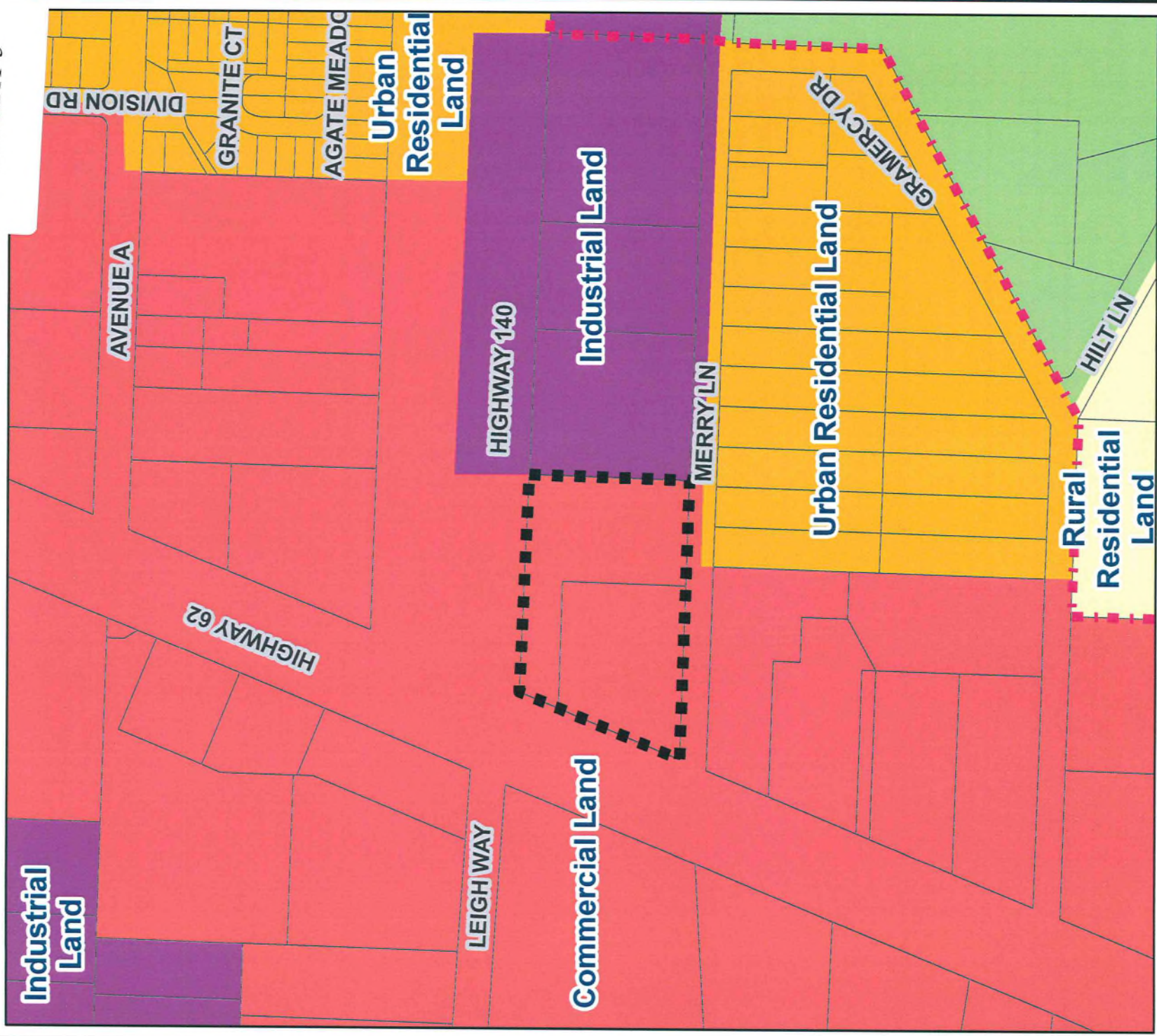
49-15

SEE MAP 36 1W 29B

36 1W 20C

NEW MAP MARCH 17, 1996
REV JULY 16, 2013

2 of 2



County Comp Plan

- Forestry / Open Space Land
- Commercial Land
- Industrial Land
- Rural Residential Land
- Urban Residential Land

Print Date: 12-29-2015; Source: CSA Planning, Ltd; Jackson County GIS; City of Medford GIS

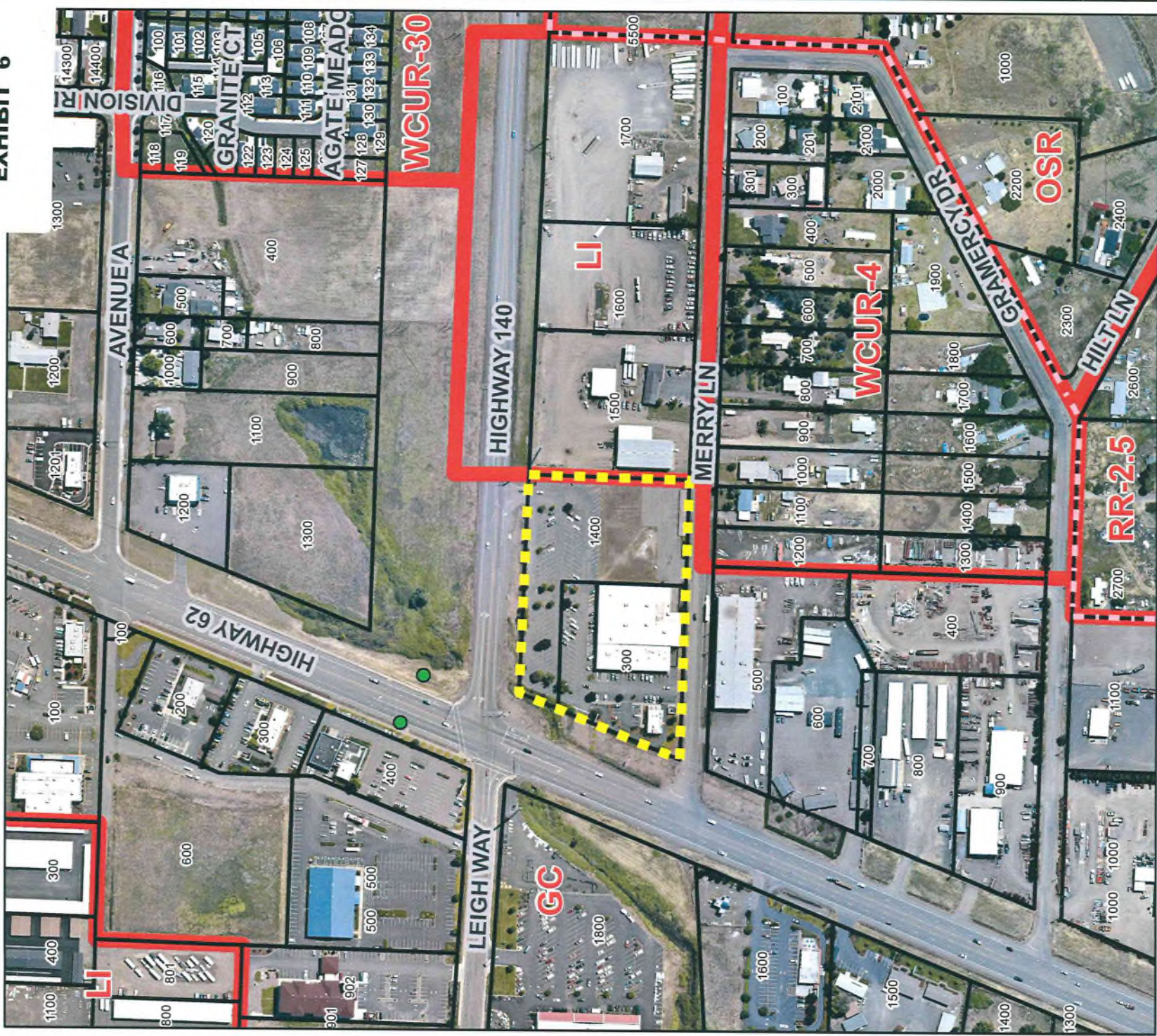
Comprehensive Plan

Lakewood Shopping Center
Site Plan Review
36-1W-20C-300 &
36-1W-20CA-1400

CSA

Scale: 0, 150, 300 Feet

North Arrow



-  Subject
-  Urban Unincorporated Community Boundary
-  Tax Lots
-  County Zoning
-  Bus Stop

2012 Aerial
Lakewood Shopping Center
Site Plan Review
36-1W-20C-300 &
36-1W-20CA-1400



Zoning on Aerial

Lakewood Shopping Center
Site Plan Review
36-1W-20C-300 &
36-1W-20CA-1400

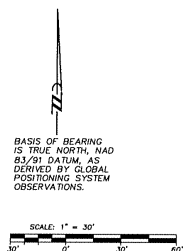


EXHIBIT 7

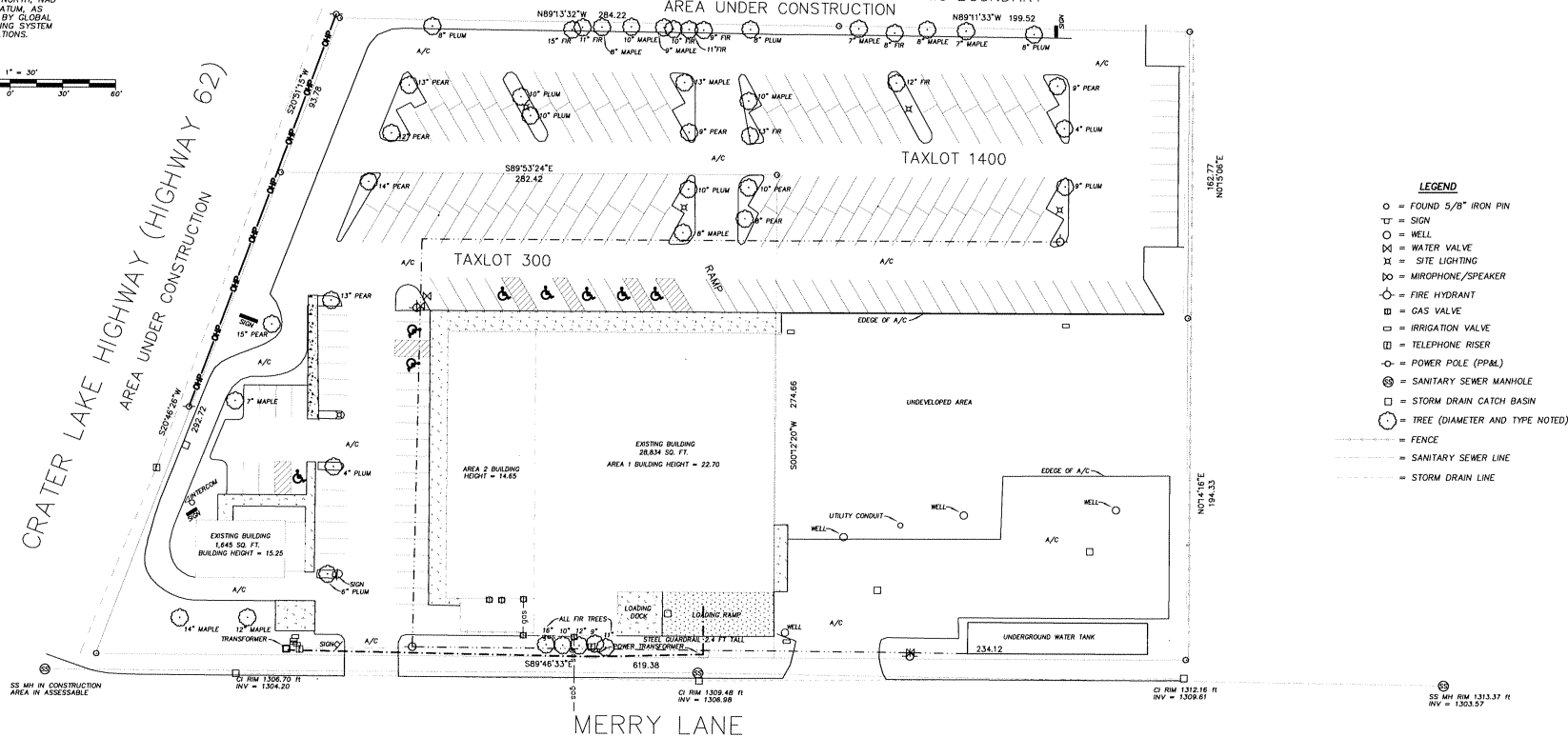
SITE PLAN
of
TAXLOT 300 AND TAXLOT 1400
located in the
SOUTHWEST QUARTER OF SECTION 20,
TOWNSHIP 36 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON

LAKE OF THE WOODS HIGHWAY (HIGHWAY 140)

NOTE POWER TRANSMISSION LINE RUNS ALONG THIS BOUNDARY
AREA UNDER CONSTRUCTION



CRATER LAKE HIGHWAY (HIGHWAY 62)
AREA UNDER CONSTRUCTION



- LEGEND**
- = FOUND 5/8" IRON PIN
 - = SIGN
 - = WELL
 - ⊕ = WATER VALVE
 - ⊗ = SITE LIGHTING
 - ⊙ = MICROPHONE/SPEAKER
 - ⊕ = FIRE HYDRANT
 - ⊕ = GAS VALVE
 - ⊕ = IRRIGATION VALVE
 - ⊕ = TELEPHONE RISER
 - ⊕ = POWER POLE (PP&L)
 - ⊕ = SANITARY SEWER MANHOLE
 - ⊕ = STORM DRAIN CATCH BASIN
 - = TREE (DIAMETER AND TYPE NOTED)
 - = FENCE
 - = SANITARY SEWER LINE
 - = STORM DRAIN LINE

REGISTERED
PROFESSIONAL
LAND SURVEYOR
[Signature]
OREGON
JULY 27, 2015
RENEWAL DATE 12-31-15

Surveyed by:
FARBER & SONS, INC. dba

FARBER
SONS

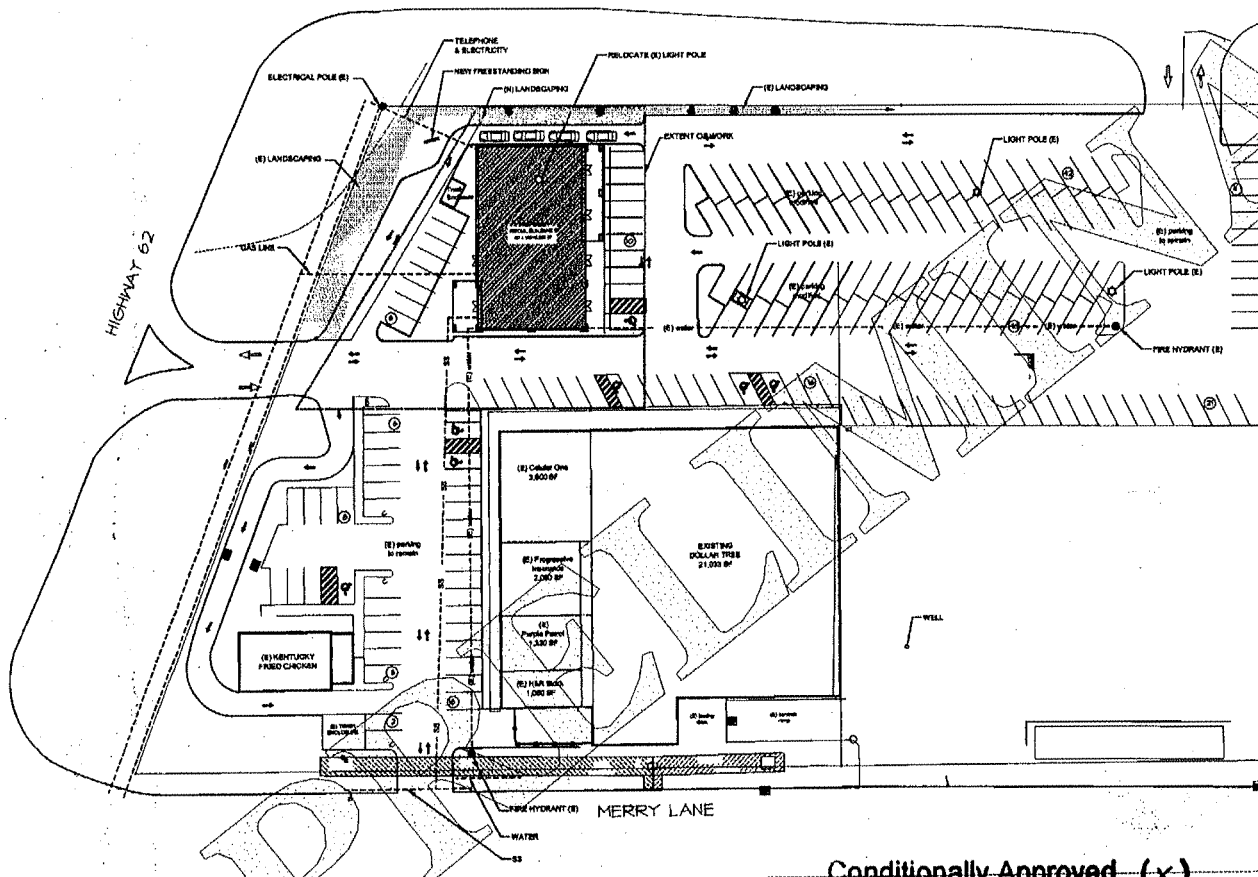
PO BOX 5286
431 OAK STREET
CENTRAL POINT, OREGON 97502
(541) 864-5599

SCALE: 1" = 30'
DATE: JULY 27, 2015, FIELD CHECKED
JOB NO. 2015-2380

DRAWING FILE: J:\05\White City\Lakewood Shopping Center\MicroSurvey\ SITE PLAN 072215.DWG

HIGHWAY 140

HIGHWAY 62



Site Plan
SCALE: 1" = 50'-0"

Conditionally Approved (X)
Approved ()
Denied ()

By: [Signature] Date:
Jackson County Planning & Development

PROJECT DATA
ADDRESS: 7336 HIGHWAY 62
PARCEL NUMBER: 36 1W 20C TAX LOT 300
ZONING: C-G
OCCUPANCY GROUP: S
CONSTRUCTION TYPE: V-B
FIRE SPRINKLERS: NO
SITE AREA: 81,844 SF (2.1 ACRES)

BUILDING AREAS:
Proposed Retail 6,000 ± SF
Existing Retail 21,033 ± SF
Existing General Office 6,000 ± SF
Existing Restaurants 2,995 ± SF
TOTAL 35,998 ± SF

PARKING:
Proposed Retail 6,000 ± SF
Existing Retail 21,033 ± SF
Total Retail 27,033 ± SF (1/200) = 136.2
Existing General Office 6,000 ± SF (1/400) = 15
Existing Restaurants
KFC 1845 SF (1/3 space for patrons = 642.6 SF)
(3+1/80)x 642.6 = 9.7
Purple Parrot (2/3 space for patrons = 884.4 SF)
(3+1/80)x 884.4 = 14.1
TOTAL REQUIRED PARKING 174
TOTAL AVAILABLE PARKING 186

REVISIONS	BY



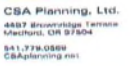
Mark McKechnie AIA
ARCHITECT
190 North Ross Lane, Medford, Oregon 97501
Post Office Box 4460
Telephone: (541) 773-7553 Fax: 773-8823

BATZER
ENGINEERING & CONSULTING
P.O. Box 4460 190 N. Ross Lane
Medford, Oregon 97501 WWW.BATZERINC.COM 97501
Telephone: (541) 773-7553 Fax: (541) 773-8823

Examination of
Lakewood Shopping Center
7336 HWY 62, White City, Oregon
Project Location:
7336 HWY 62, White City, Oregon
Tax Lot Number: 361W20C-300

Prepared by: Date:
Checked by: Date:
Scale: AS NOTED
Drawn by:
Job No.: 8401.04
Sheet: 174
A1.0
SITE PLAN

SUBMITTED BY APPLICANT



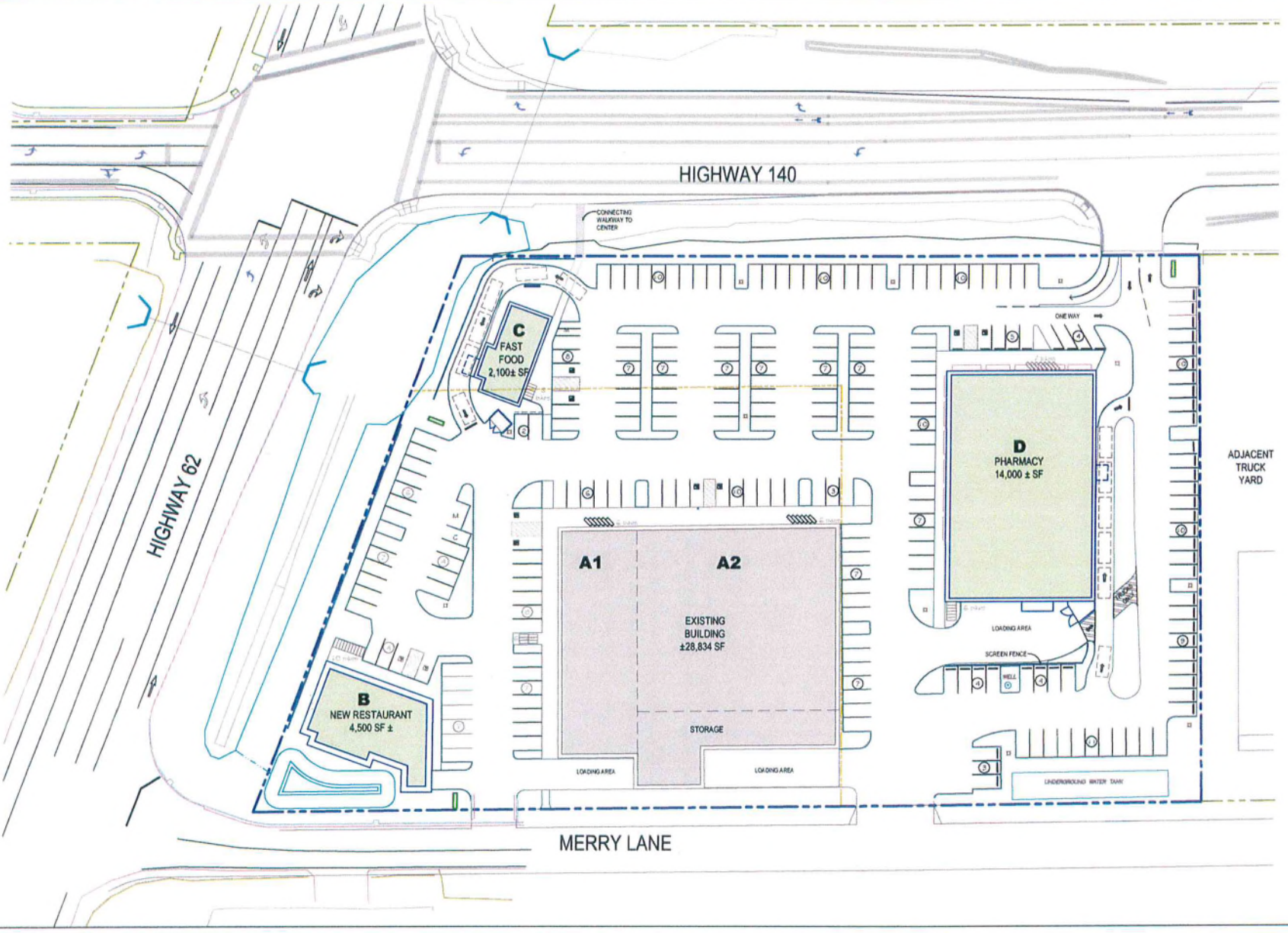
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No.	DATE	ISSUE

SHEET TITLE:

**MASTER
PLAN
OPTION 1**

DATE:	3/8/16
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SCALE:	1:60 (11 X 17)
DRAWN BY:	BT
REVIEWED BY:	JH

EXHIBIT 9



CSA Planning, Ltd.
4497 Brookridge Terrace
Medford, OH 97504
541.778.0869
CSAplanning.net

LAKEWOOD SHOPPING CENTER
WHITE CITY, OREGON

REVISIONS
No. DATE ISSUE

SHEET TITLE:

**MASTER
PLAN
OPTION 2**

DATE: 3/5/16
SCALE: 1/32 (24 X 36)
SCALE: 1/60 (11 X 17)
DRAWN BY: BT
REVIEWED BY: JH



CSA Planning, Ltd.
4497 Brunswick Terrace
Meadowdale, OH 43064
541.778.0889
CSAPlanning.net

LAKELAND SHOPPING CENTER
WHITE CITY, OREGON

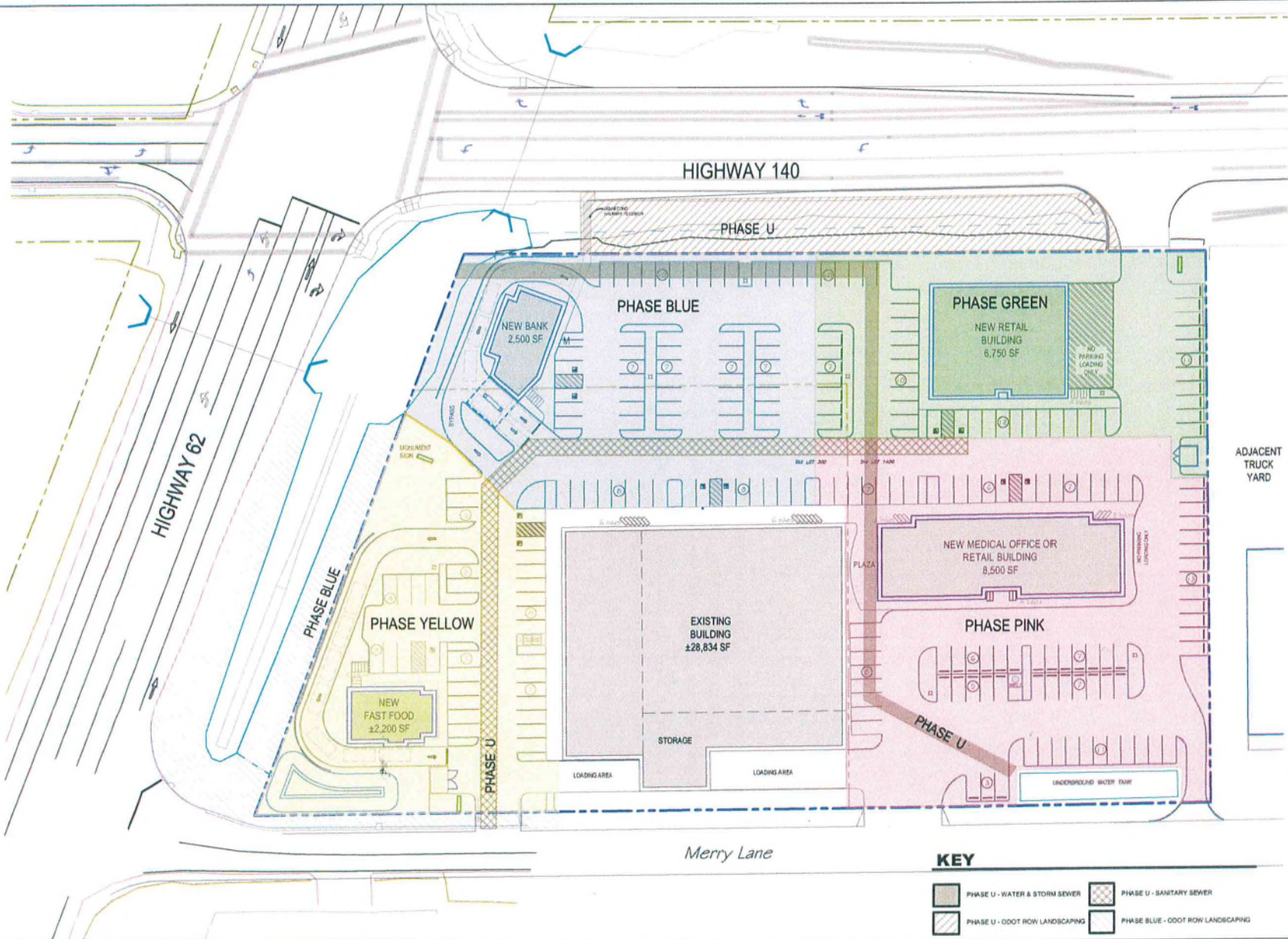
REVISIONS:
No. DATE ISSUE

SHEET TITLE:

PLAN
PHASES
OPTION 1

DATE: 3/9/16
SCALE: 1/32 (34 X 36)
SCALE: 1/64 (11 X 17)
DRAWN BY: BT
REVIEWED BY: JH

3





CSA Planning, Ltd.
4497 Broadridge Terrace
Murfreesboro, TN 37134
615.778.0555
CSAplanning.net

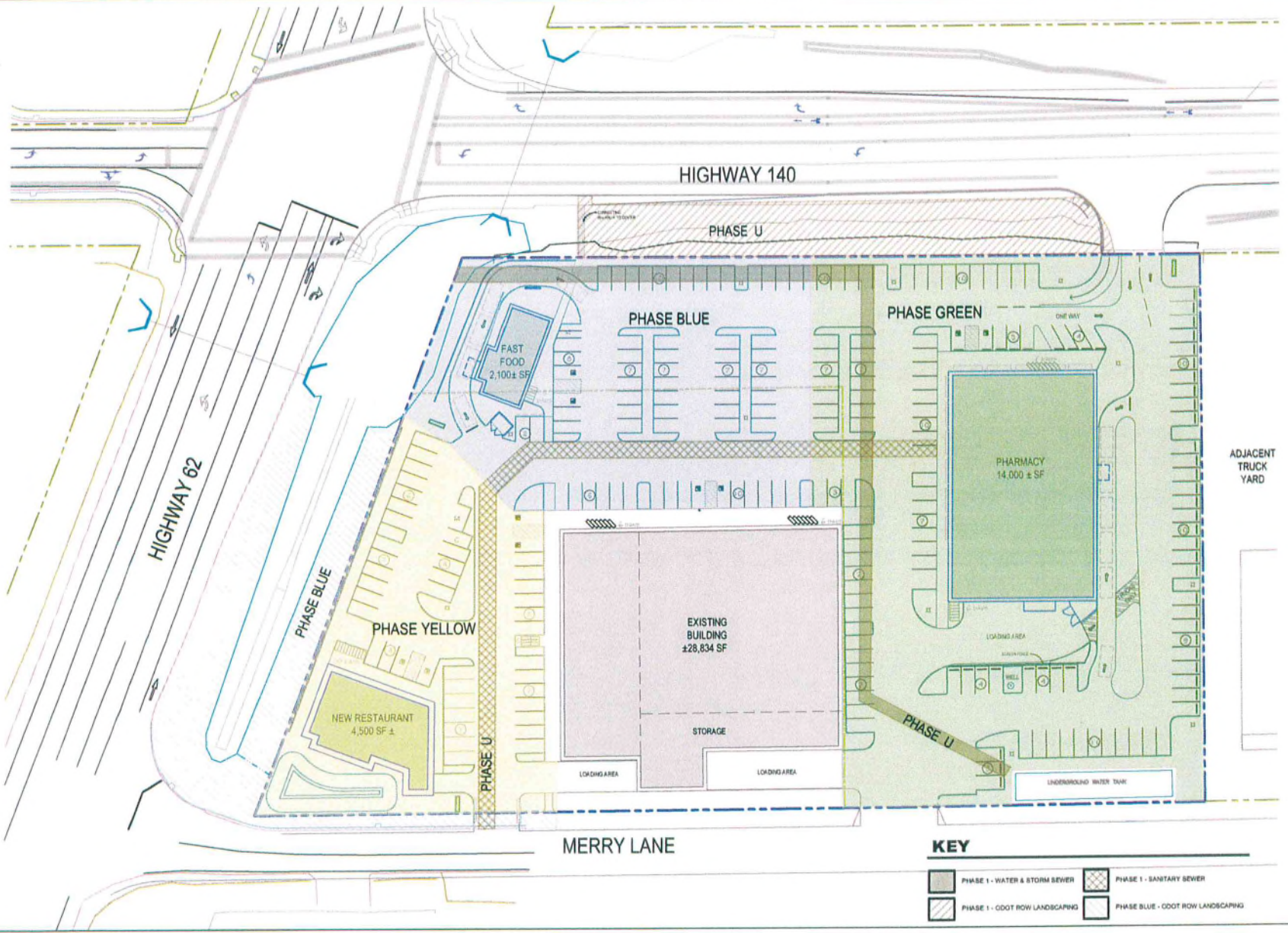
LAKELAND SHOPPING CENTER
WHITE CITY, OREGON

REVISIONS:		
NO.	DATE	ISSUE

SHEET TITLE:
**PLAN
PHASES
OPTION 2**

DATE: 3/5/16
SCALE: 1/32 (34 X 36)
SCALE: 1/64 (11 X 17)
DRAWN BY: BT
REVIEWED BY: JH

4



PLANT LIST

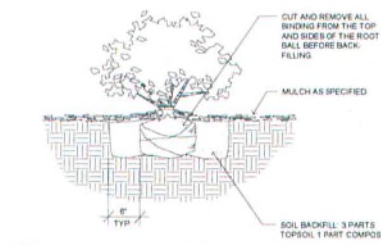
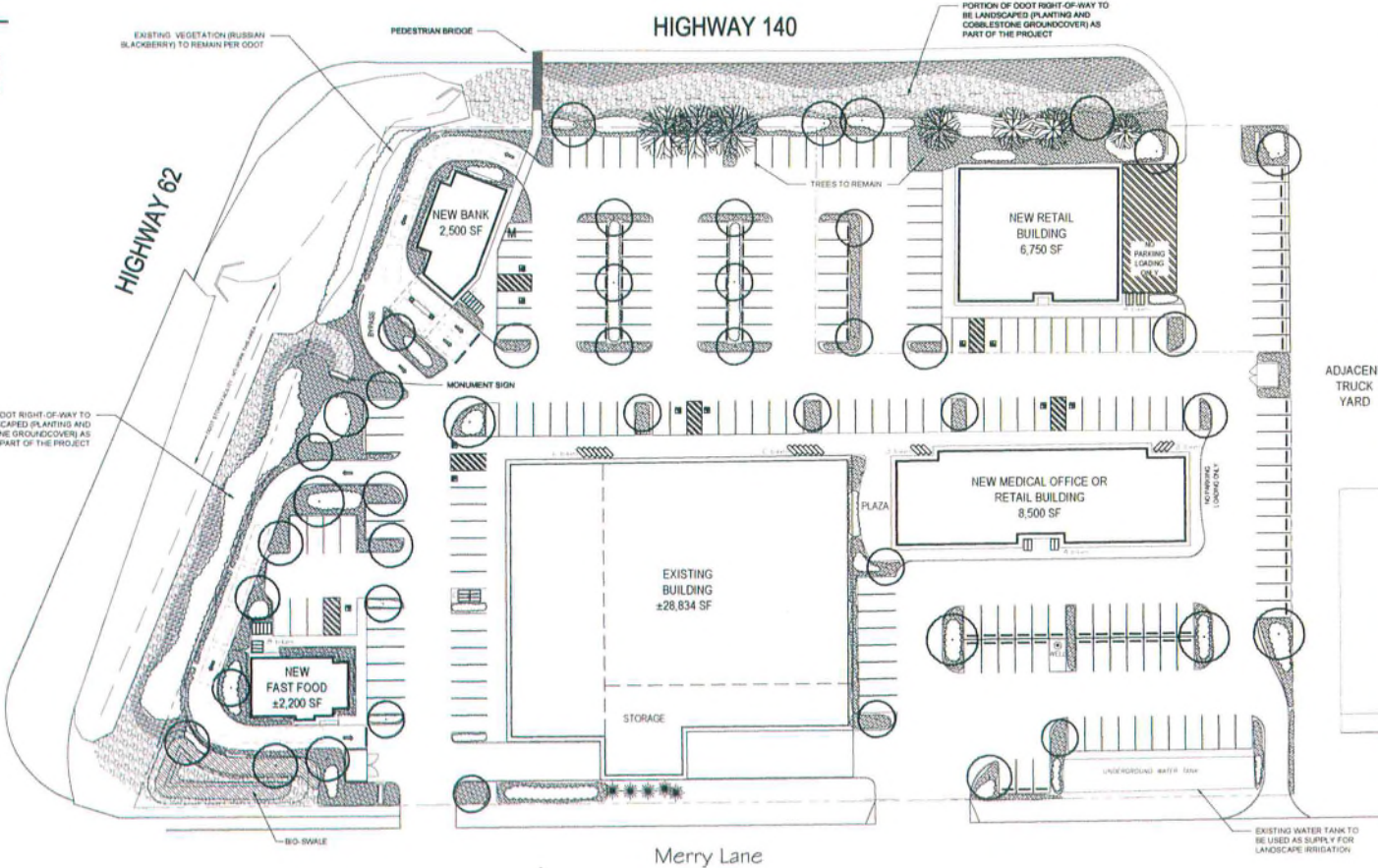
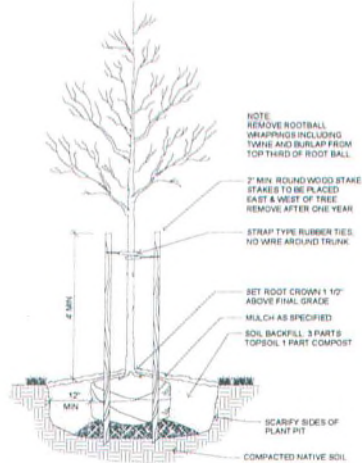
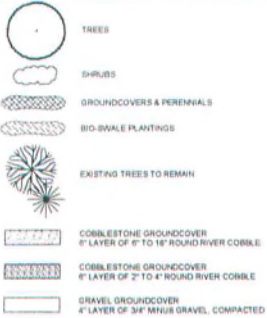
CANOPY TREES	
ACER RUBRUM 'AUTUMN FLAME'	AUTUMN FLAME MAPLE 2" DBA 7.5 HT. B&B
QKQO BLOBA 'TRUCETON SENTRY'	TRUCETON SENTRY QKQO 2" DBA 7.5 HT. B&B
PRUNUS C. 'NEDSRIE'	NEDSRIE FLOWERING PEAR 2" DBA 7.5 HT. B&B
YULIA 'TOMENTOSA' 'STERLING'	STERLING SILVER LINDEN 2" DBA 7.5 HT. B&B
ZELKOVA SERRATA 'YALKA'	YALKA ZELKOVA 2" DBA 7.5 HT. B&B

SHRUBS	
BERBERIS T. 'CRIMSON PYROMY'	CRIMSON PYROMY BARBERRY 1 GAL
CORNUS S. 'KELSEY'	KELSEY REDTWO DOGWOOD 5 GAL
DAPHNE ODOIRA	WINTER DAPHNE 1 GAL
FORSYTHIA ARNOLD DWARF	ARNOLD DWARF FORSYTHIA 1 GAL
MAHONIA AQUIFOLIUM	OREGON GRAPE 5 GAL
POTENTILLA F. 'GOLDEN RINGS'	GOLDEN RINGS POTENTILLA 5 GAL
RHUS AROMATICA 'GRO LOW'	GRO LOW FRAGRANT SUMAC 1 GAL
SPARGANGLA J. 'ANTHONY WATERER'	ANTHONY WATERER SPARGANGLA 1 GAL
TAKUSI DARK GREEN SPREADER	DARK GREEN SPREADER YEW 5 GAL

GROUND COVERS & PERENNIALS	
ARCTOSTAPHYLOS U. MASS.	MASSACHUSETTS BEARBERRY 1 GAL
CAREX MORROW 'AUREA-VAREGATA'	VAREGATED JAPANESE SEDGE 1 GAL
JUNCUS EFFRUS	SOFT RUSH 1 GAL
JUNIPERUS P. 'BLUE PACIFIC'	BLUE PACIFIC JUNIPER 1 GAL
PENNSYLVANIA 'LITTLE BUNNY'	LITTLE BUNNY DW. FTN GRASS 1 GAL
RUBUS CALYCNODER	CREeping RASPBERRY 1 GAL

*INDICATES PLANTS SUITABLE FOR PLANTING IN BIO-SWALES

LEGEND



LANDSCAPE SUMMARY

ON-SITE LANDSCAPE

	AREA
INTERIOR PLANTERS	9,950
PERIMETER PLANTERS	13,400
BLACKBERRY TO REMAIN	2,000
SUBTOTAL	25,350

OFF-SITE LANDSCAPE

	AREA
ODOT PLANTER HWY 62	5,000
ODOT PLANTER HWY 140	2,000
SUBTOTAL	7,000
GRAND TOTAL	32,350

IRRIGATION STATEMENT

LANDSCAPE SHALL BE DESIGNED WITH PRIMARILY DROUGHT-TOLERANT PLANTINGS. ALL LANDSCAPE PLANTINGS WILL BE WATERED BY AN AUTOMATED IRRIGATION SYSTEM. IRRIGATION WATER WILL BE SUPPLIED FROM AN EXISTING ON-SITE WATER TANK.



Alan D. Pardoe
435
10/31/97
LANDSCAPE ARCHITECT

LAKEWOOD SHOPPING CENTER
WHITE CITY, OREGON

NO. ISSUE/REV. DATE

SHEET TITLE
CONCEPT LANDSCAPE PLAN

DATE 08 MAR 2016

SCALE see plan

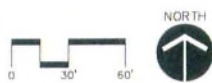
DRAWN ADP

JOB LKH

SHEET

L001

FILE 1510





GRAPHIC SCALE



LEGEND

- EXISTING WATER MAIN
- WATER — PROPOSED WATER MAIN
- PROPOSED SEWER MAN-HOLE
- EXISTING SEWER MAN-HOLE
- SEWER — PROPOSED SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MAIN
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- EXISTING TELEPHONE
- EXISTING POWER
- EXISTING GAS MAIN
- EXISTING OVERHEAD POWER

NOTE:
FIRE HYDRANT PLACEMENT SHALL BE
COORDINATED WITH FIRE DISTRICT 3
FIRE DEPARTMENT REQUIREMENTS.

EXHIBIT C.2

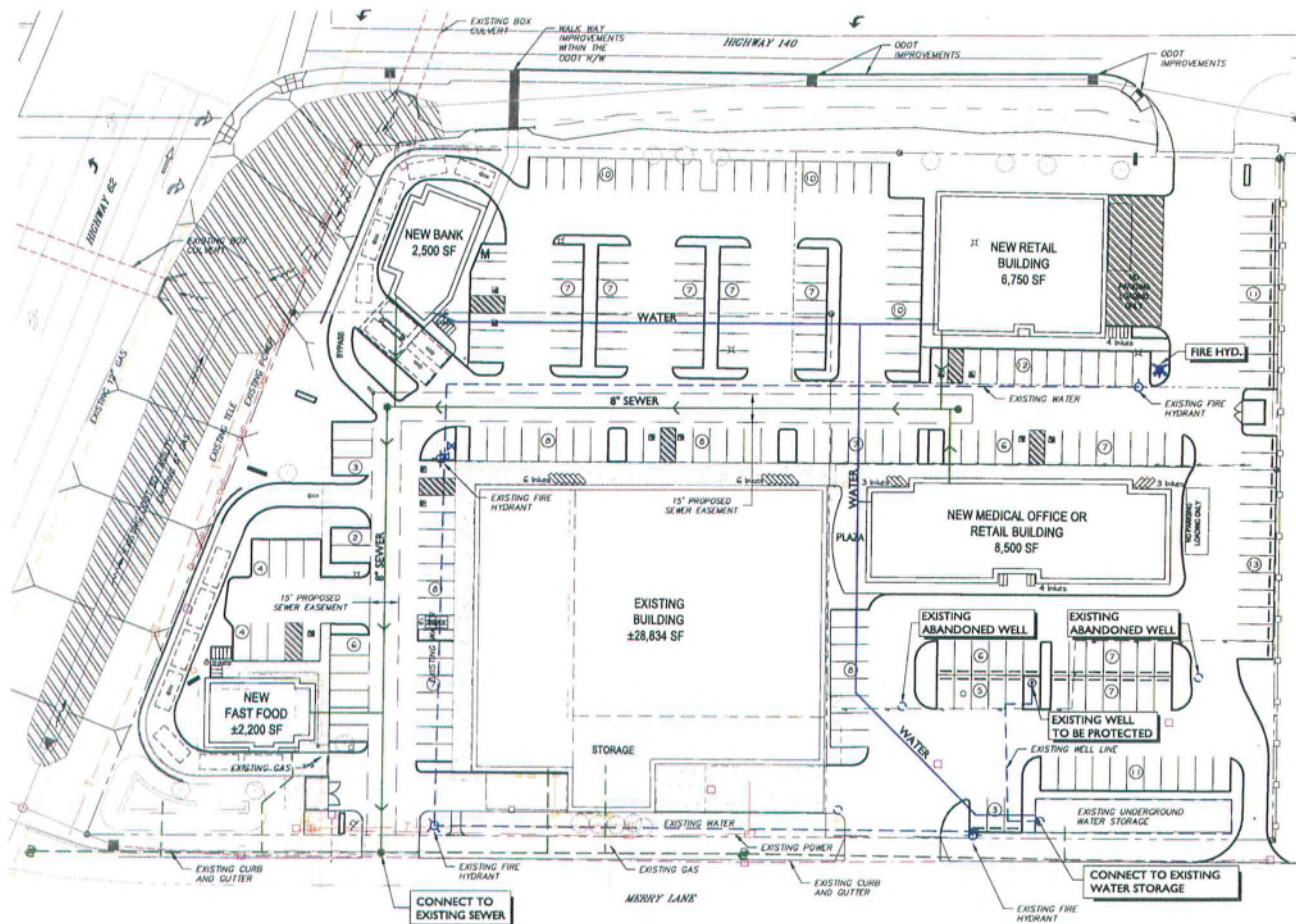
CONSTRUCTION ENGINEERING CONSULTANTS, INC.

LAKEWOOD CENTER
CONCEPTUAL
SEWER AND WATER PLAN

PROJECT NO.
DRAWING NO.
2 of 2



NAME: Drawing C-107-LAKE-C2-08-18.dwg PLOT: 15-38 PLOT DATE: 05/08/18



P.O. BOX 1724 • MEDFORD, OREGON 97501
TEL. (541) 779-5266 • FAX (541) 779-3139

DRAWN BY:	SCM	DATE:	01/16
CHECKED BY:	MMK	DATE:	01/16
		DATE:	
		DATE:	
		DATE:	

NO.	REVISION	DATE	BY



Vernal Pools By Nat.Conserv.*

Subject	Topo/Hydro; Vegetation
Tax Lots	
Minor Stream	Altered; Severely Altered
Potl. Wetland	Leveled/ Severely Altered

* Note, Developed Vernal Pools Not Reflected;
There Is No Mapped 100-Year Floodplain At The Property

Hydrologic Features

Lakewood Shopping Center
Site Plan Review
36-1W-20C-300 &
36-1W-20CA-1400



2012 Aerial





① Northeast Corner of Intersection of Merry Lane and Highway 62



② Looking North at Detention area between Highway 62 and Subject Property



③ Western Driveway Entrance to Shopping Center from Merry Lane



④ North Shopping Center facade

Legend

② Photo ID Number

Site Photos

Site Plan Review

Lakewood Shopping Center

36-1W-20C-300 & 36-1W-20CA-1400



CSA Planning, Ltd

March 9, 2016



5 Northwest Corner of Shopping Center Parking Lot



6 Creek Culvert under Highway 140



7 Southeast corner of Highway 62 and 140 Intersection



8 View of Shopping Center from Highway 140

Legend

2 Photo ID Number

Site Photos

Site Plan Review

Lakewood Shopping Center

36-1W-20C-300 & 36-1W-20CA-1400



CSA Planning, Ltd

March 9, 2016



⑨ Existing Informal Pedestrian Path
from 140 where New Walkway
from sidewalk is proposed



⑩ Storm Swale between
Subject Property and
Highway 140



⑪ Looking Southeast at adjacent
property from the Northeast
Corner of Subject Property



⑫ Water Holding Tank at Southeast
Corner of Subject Property

Legend

② Photo ID
Number

Site Photos

Site Plan Review

Lakewood Shopping Center

36-1W-20C-300 & 36-1W-20CA-1400



CSA Planning, Ltd

March 9, 2016

Lakewood Shopping Center Well Vault Equipment And System Description (PWS #4194704)

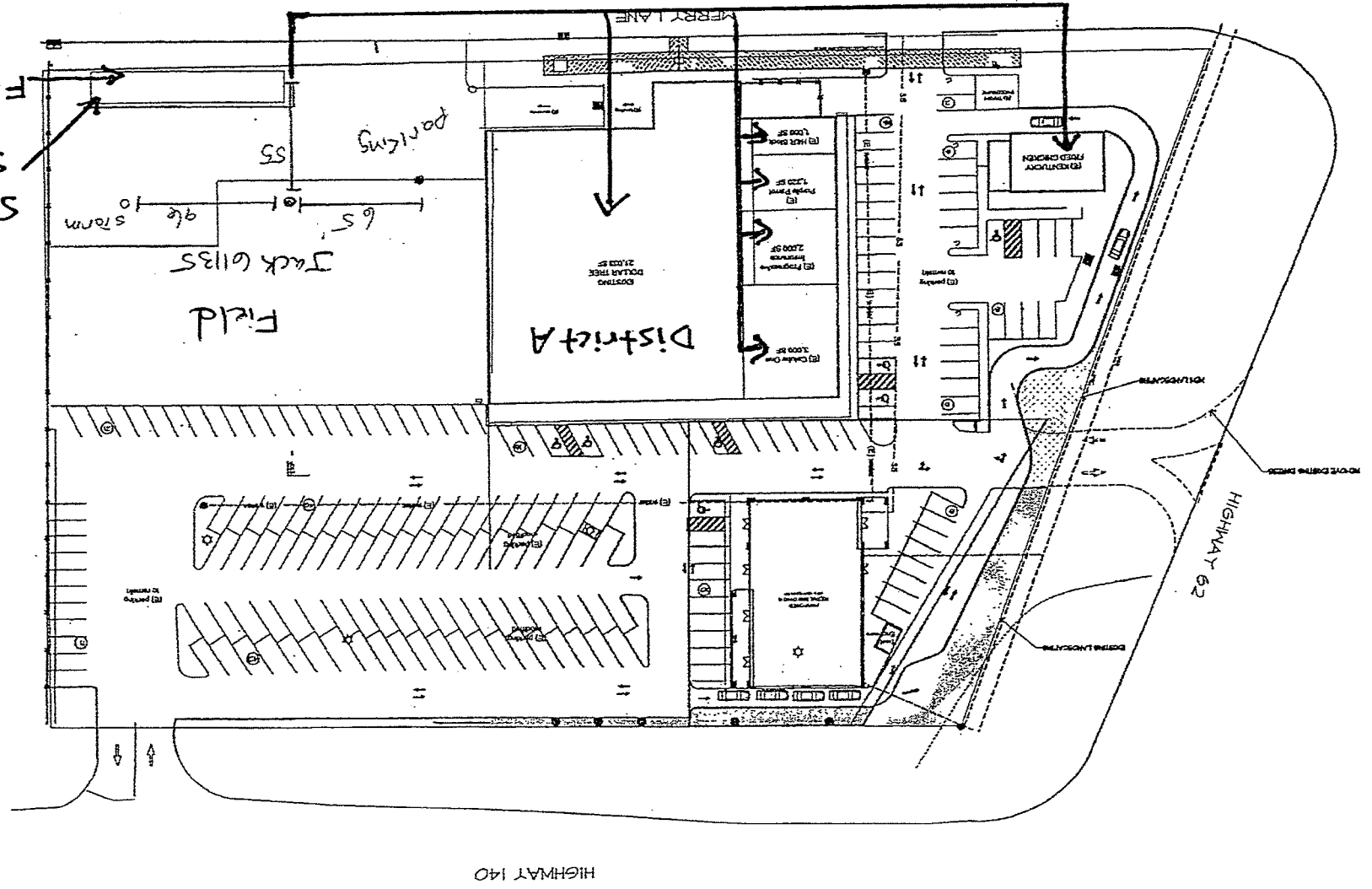
The well system for Lakewood Shopping Center is identified as PWS ID 41-97104. There are two (2) on-site private wells. One is potable and the other is exclusively for the fire system. The potable well was dug in 2012 and was identified as **JACK 61135**. It is located at 7338 Hwy. 62 on tax lot 300. It is 160 feet deep, 6 inches in diameter, with steel casing and a 10 inch sanitary surface seal with bentonite. The liner is Sch 40 Certa Lok Premium PVC.

Upon entry of the well water into the vault, water is treated with liquid chlorine from a Stenner 110v Feed Pump installed in 2011, which is fed into an aeration system which is an AP2 GAS Air Pump then travels through 3 sets of 2 mixing tubes, then travels into a 1,550 gallon galvanized holding tank approx. 92" w x 72" h. Water is then pumped from the holding tank by two (2) 3hp Goulds 3656 Pressure Pumps, 80 GPM at 50 PSI into four (4) 80 gallon potable water pressure tanks that were replaced in 2012. Water is pumped from the pressure tanks into the buildings.

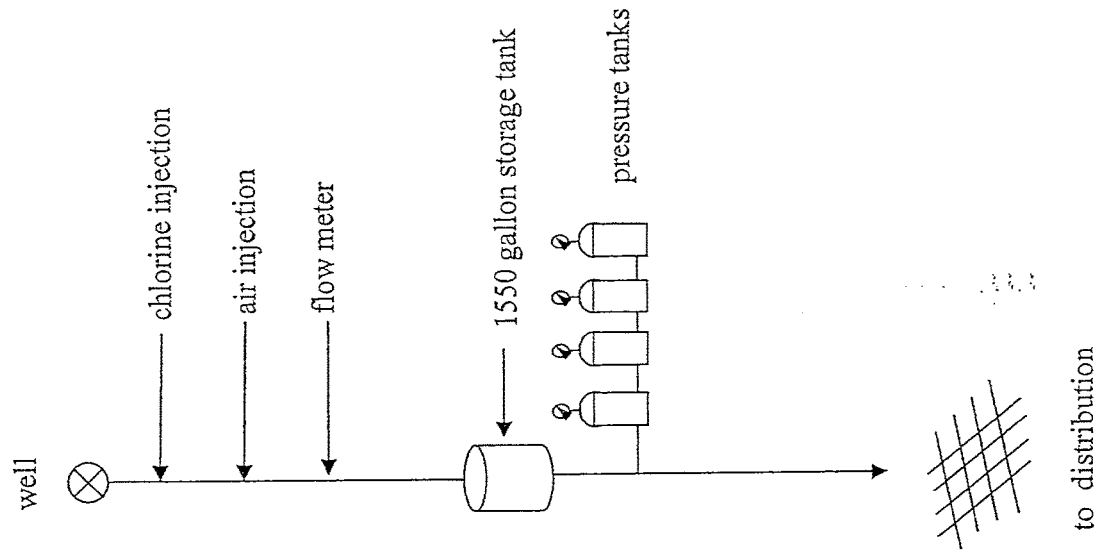
The fire system features an Aurora Pump, Model #4-383-10B, Serial # 11-2092279, 750 GPM at 90 PSI that was installed in 2010. The pressure tanks were replaced in 2011 with two (2) 120 gallon fire system fill pressure tanks with updated shut-off valves and supply lines that are connected at the bottom of each tank.

PWS-41-94704

System and
 Storage tanks
 Fire System



Water System Schematic





JACKSON
COUNTY
OREGON

<http://www.co.jackson.or.us/>

Address: 7338 HWY 62, WHITE CITY, OR
Parcel Number: 36-1W-20C-300

Transaction Receipt

Record Number: 439-16-00008-SIT
Receipt Number: 234554

JACKSON COUNTY DEVELOPMENT SERVICES
10 S Oakdale Ave, Room 100
Medford, OR 97501
Phone: 541-774-6927

JCBuilding@jacksoncounty.org

Receipt Date: 3/11/16

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Type II Non Residential Site Development Plan Review	3701040000.45105.1300	\$4,385.00
		\$4,385.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Check- Check Nbr: 2039	QTIP Properties	SIT_kjm	\$4,385.00
			\$4,385.00

QTIP PROPERTIES LLC
PO Box 430
Medford, OR 97501-0029

WELLS FARGO BANK, N.A.
www.wellsfargo.com
24-680/1230

2039

3/8/2016

PAY TO THE ORDER OF Jackson County

\$**4,385.00

Four Thousand Three Hundred Eighty-Five and 00/100*****

DOLLARS

Jackson County

MEMO

Type II-Site Plan Review

⑈0000002039⑈ ⑆123006800⑆ 6070022006⑈

MP

AUTHORIZED SIGNATURE

[Signature]

QTIP PROPERTIES LLC

Jackson County

2039

3/8/2016

4,385.00

Wells Fargo Business Type II-Site Plan Review

4,385.00

QTIP PROPERTIES LLC

Jackson County

2039

3/8/2016

4,385.00

Wells Fargo Business Type II-Site Plan Review

4,385.00