

BEFORE THE PLANNING COMMISSION
July 14, 2020

IN THE MATTER OF PA-T2-2020-00019, A REQUEST FOR SITE DESIGN REVIEW) APPROVAL TO CONSTRUCT THE THIRD AND FINAL PHASE OF THE FIRST) PLACE SUBDIVISION FOR THE PROPERTY LOCATED AT THE CORNER OF) LITHIA WAY AND FIRST STREET. THE PROPOSED PHASE THREE) REQUESTS SITE DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW THREE-) STORY, MIXED-USE BUILDING - THE APPLICANT'S "PLAZA NORTH" - ON) LOTS #4 AND #5, TWO VACANT LOTS AT THE NORTHEAST CORNER OF) THE SITE ALONG FIRST STREET, ACROSS FROM THE U.S. POST OFFICE.) THE PROPOSAL INCLUDES CONSOLIDATION OF THE TWO LOTS AND) CONSTRUCTION OF A 10,547 SQUARE FOOT, THREE-STORY MIXED USE) **FINDINGS,**
BUILDING INCLUDING GROUND FLOOR COMMERCIAL SPACE AND FOUR) **CONCLUSIONS**
RESIDENTIAL UNITS ON THE UPPER FLOORS. THE APPLICATION) **& ORDERS**
REQUESTS TO MODIFY THE COMMON AREA LANDSCAPING AND PARK-) ING CONFIGURATION TO PROVIDE MORE EFFICIENT ACCESS FROM THE) ACCESSIBLE PARKING TO THE ENTRANCES, AND EXCEPTIONS TO THE) SITE DEVELOPMENT AND DESIGN STANDARDS' "DOWNTOWN DESIGN) STANDARDS" TO ALLOW A STAGGERED STREET SETBACK AND THE) UPPERFLOOR WINDOWS TO BE INSTALLED IN GROUPS OF THREE WHICH) WHEN VIEWED TOGETHER ARE MORE HORIZONTAL THAN VERTICAL.)

APPLICANT/OWNER: Randy Jones for First Place Partners, LLC)

RECITALS:

1) Tax lots 10104 and 10105 of Map 39 1E 09 BA are located on First Street across from the U.S. Post Office, and are Lots #4 and #5 within the First Place Subdivision. Both lots are zoned Commercial (C-1).

2) The applicant is requesting Site Design Review approval to construct the third phase of the First Place Subdivision, which is located at the corner of Lithia Way and First Street.

Phase One included the construction of a three-story 18,577 square foot mixed-use building (designated as "Plaza West" by the applicants) with basement parking, commercial space on the first floor, and ten residential units split between the ground, second and third floors. This building was approved for the subdivision's Lot #1 by the Planning Commission in 2012, is now addressed as 175 Lithia Way, and is occupied by Pony Espresso Coffeehouse Café and Washington Federal Bank.

Phase Two is now under construction and consists of a three-story mixed-use building, the applicant's "Plaza East", on Lots #2 and #3 of the subdivision, at the corner of Lithia Way and First Street. The

building is approximately 32,191 square feet, with basement parking, ground floor commercial, and 34 residential units providing artist housing for the Oregon Shakespeare Festival distributed between the ground, second and third floors.

Phase Three proposed here involves a request to consolidate the subdivision's two remaining vacant lots (Lots #4 and #5) to construct a new 10,547 square foot, three-story mixed use building as the third and final phase of the First Place subdivision. The building's ground floor will be primarily commercial space, while the second floor will include three one-bedroom residential units and the third floor will have one two-bedroom residential unit. The proposal includes modifications to the common area landscaping and parking configuration to provide more efficient access from the accessible parking to the entrances, and two requests for Exceptions to the Site Design and Use Standards' Downtown Design Standards to allow for a staggered street setback and to allow vertical windows to be grouped in threes on the upper floor so that they appear to be more horizontal than vertical.

Proposed site improvements are outlined on the plans on file at the Department of Community Development.

- 3) The criteria for Site Design Review approval are described in AMC Chapter 18.5.2.050 as follows:
- A. ***Underlying Zone.*** *The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*
 - B. ***Overlay Zones.*** *The proposal complies with applicable overlay zone requirements (part 18.3).*
 - C. ***Site Development and Design Standards.*** *The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*
 - D. ***City Facilities.*** *The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.*
 - E. ***Exception to the Site Development and Design Standards.*** *The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1, 2, or 3, below, are found to exist.*
 - 1. *There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty;*

2. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards; or*
3. *There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3090 (Ord. 3147 § 9, amended, 11/21/2017).*

4) On April 15, 2020 Oregon Governor Kate Brown issued Executive Order #20-16 “*Keep Government Working: Ordering Necessary Measures to Ensure Safe Public Meetings and Continued Operations by Local Government During Coronavirus (COVID-19) Outbreak.*” The Governor’s Order required that public bodies hold public meetings by telephone, video, or through some other electronic or virtual means, whenever possible; that the public body make available a method by which the public can listen to or virtually attend the public meeting or hearing at the time it occurs; that the public body does not have to provide a physical space for the public to attend the meeting or hearing; that requirements that oral public testimony be taken during hearings be suspended, and that public bodies instead provide a means for submitting written testimony by e-mail or other electronic methods that the public body can consider in a timely manner.

5) The Planning Commission, following proper public notice, held an electronic public hearing on June 9, 2020 which was abbreviated due to technical difficulties with Rogue Valley Television’s live broadcast. The hearing was therefor continued to June 23, 2020 and re-noticed accordingly. In keeping with Executive Order #20-16, this meeting was broadcast live on local television channel 9 and on Charter Communications channels 180 & 181, and was live-streamed over the internet on RVTV Prime at <https://rvtv.sou.edu>. A copy of the application, including all documents, evidence and applicable criteria relied upon by the applicant, and a copy of the staff report were made available on-line at <http://www.ashland.or.us/Agendas.asp?SectionID=0&CCBID=198> on June 2nd, and again on June 16th, seven days prior to the hearing dates. The applicant was required to submit any presentation materials for consideration at the June 23rd hearing continuation by 3:30 p.m. on June 22nd, and these materials were made available on-line and e-mailed to Commissioners. Those wishing to provide testimony were invited to submit written comments via e-mail to PC-public-testimony@ashland.or.us with the subject line “June 23 PC Hearing Testimony” by 10:00 a.m. on Monday, June 22, 2020, for these comments to be made available on-line and e-mailed to Commissioners. The applicant was invited to provide written rebuttal to these public comments by 12:00 noon on Tuesday, June 23th and as no public comments were received other than from the applicant, no rebuttal was provided. All written testimony received by the deadlines was made available for Commissioners to review before the hearing and has been included in the meeting record. As provided in the Governor’s Executive Order #20-16, no oral public testimony was taken during the hearing. Following the close of the hearing, the Planning Commission approved the application subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the following index of exhibits, data and testimony is used:

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, and Miscellaneous Exhibits lettered with an "M"

SECTION 2. CONCLUSORY FINDINGS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, and the public testimony and exhibits received electronically.

2.2 The Planning Commission finds that the proposal to construct the third and final phase of the First Place Subdivision for the property located at the corner of Lithia Way and First Street meets all applicable criteria for Site Design Review as described in AMC 18.5.2.050, and that the proposals for Exceptions to the Site Development and Design Standards' "Downtown Design Standards" meet all applicable criteria for an Exception to the Site Development and Design Standards described in AMC 18.5.2050.E.

2.3 The Planning Commission notes that the current application involves the development of the two remaining vacant lots created with the six-lot "First Place" subdivision of the parent parcels approved by the Planning Commission in October of 2012 as PA #2012-01122. In conjunction with that approval, a Site Review permit to construct a three-story 18,577 square foot mixed-use building with a basement consisting of basement parking, commercial and residential space on the first floor and residential space on the second and third floors was approved as Phase I. This building, now called "Plaza West" by the applicants, is complete and occupied with a bank and coffee shop on the ground floor, and a total of ten residential units. The Commission further finds that site infrastructure including most utilities, paving of the driveway and parking areas, sidewalks, street trees, and streetlights were installed along both frontages with completion of the subdivision improvements and the subsequent development of Lot #1 as Plaza West.

The Commission further notes that the proposed Phase Two of the First Place subdivision is now under construction and consists of a three-story mixed-use building, the applicants' "Plaza East", on Lots #2 and #3 of the subdivision, at the corner of Lithia Way and First Street. The building is approximately 32,191 square feet, with basement parking, ground floor commercial, and 34 units of artist housing for the Oregon Shakespeare Festival distributed between the ground, second and third floors.

The Commission finds that the proposed Phase Three of the First Place subdivision development requires Site Design Review approval to construct a new mixed-use building (the applicants' "Plaza North") on Lots #4 and #5 at the northeast corner of the site, with both lots fronting on First Street across from the U.S. Post Office parking area. The proposal includes consolidation of the two lots to construct a 10,547 square foot, three-story mixed-use building including ground floor commercial space and four residential units above. The application also includes requests to modify the common area landscaping and parking configuration to provide for more efficient circulation between the accessible parking and the building entrances by moving an accessible parking space nearer to the building and adding a walkway from the space to the First Street entrance, and two requests for Exceptions to the Site Design and Use Standards' Downtown Design Standards to allow for a staggered street setback and to allow vertical windows to be installed in groups of three on the upper floors in a manner that appears more horizontal than vertical.

2.4 The Planning Commission finds that the proposal involves a mix of permitted commercial uses (retail and office) and residential units. The commercial uses are outright permitted in the Retail Commercial (C-1) district, and residential units are a special permitted use in the district. C-1 zoning regulations require a minimum of 65 percent of the gross floor area of the ground floor of the building be used for permitted or special permitted uses. Here, the proposal designates 81.4 percent of the ground floor area for Plaza North as commercial space, with the remaining 18.6 percent of the ground floor and the full second and third floors dedicated to accommodating the four residential units.

With the current application and the first two phases (Plaza West and Plaza East), 41 units of the parent parcel's 43-unit residential density will be built on site. The applicants propose to allocate parking between the proposed buildings, and have provided calculations demonstrating how the available 55 spaces of surface parking and 27 garage spaces are to be allocated between the buildings, as illustrated in the table below, along with calculations demonstrating that the 82 parking spaces as allocated will accommodate the proposed commercial and residential uses proposed. The commercial uses in addition to the proposed residential units. The proposed allocations are summarized in the table below.

FIRST PLACE SUBDIVISION ALLOCATIONS			
BUILDING	SURFACE PARKING (55 Spaces Available)	GARAGE PARKING (27 Spaces Available)	RESIDENTIAL UNITS (43-Unit Available Density)
Plaza West (18,577 s.f.)	15	12	10
Plaza East (32,191 s.f.)	26	14	27*
Plaza North (10,547 s.f.)	14	1	4
TOTAL	55	27	41

The Commission finds that a request for allocation of two on-street parking credits as part of this application is not presently necessary to reduce the required off-street parking spaces as the proposal accommodates needed parking on-site without the additional parking credits. In the event a change of use is proposed, which increases the number of parking spaces required, the allocation of available on street parking credits may be considered at that time. A condition has been recommended below requiring that revised parking allocation information be provided with each building permit as the commercial tenant spaces develop or tenant occupancies change to verify that the parking allocated will accommodate the parking required for all existing and proposed uses.

The C-1 zoning district does not require standard setbacks from property lines unless a parcel abuts a residential zoning district, in which case a ten-foot per story rear yard setback and a ten-foot side yard setback are required. The Commission finds that as proposed, the building lots here do not directly abut the R-2 residential zoning district to the north, however the common area parcel north of Plaza North abuts the R-2 zoning district and there is at least a 38-foot separation between the residential property and the proposed three-story Plaza North building. Section drawings have been included on the applicant's Sheet A.1 to demonstrate compliance with Solar Access Ordinance "Standard B" for the proposed Plaza North building.

The proposed building height for the Plaza North building is 40 feet, which has been calculated based on an average of the finished grade on all four elevations. 40 feet is the maximum height permitted in the C-1 zone.

The landscaping plan provided identifies 16.4 percent of the site as included in landscaped areas, which satisfies both the 15 percent requirement for the C-1 district and the required seven percent landscaping requirement for the parking area. In keeping with the requirements of the Site Review Chapter, the application materials provided identify that both the required 15 percent landscaping and seven percent parking lot landscaping are to be provided with completion of the project. The landscaping plans provided include full irrigation plans. A new trash enclosure is illustrated in the parking lot behind Plaza North, and the application further notes that all lights are to be selected and placed to avoid direct illumination of adjacent residential properties. Conditions to ensure that these items are installed and maintained according to standards have been included below.

The bicycle parking requirements in AMC 18.4.3.070 call for at least one bicycle parking space to be provided for every five automobile parking spaces, with fifty percent of these spaces to be covered, and that additional covered bicycle parking spaces be provided for each residential unit. For the 55 surface automobile parking spaces proposed, at least 11 bicycle parking spaces are required to be provided on site and half of these must be covered. Additionally, four covered spaces are required for the three residential units in Plaza North which do not have individual garages. As originally approved, the subdivision proposal identified five "inverted U" racks for ten bicycle parking spaces in the plaza space to the west of Plaza West and three "inverted U" racks for six bicycle parking spaces adjacent to the walkway north of what is to be Plaza North. These eight racks would provide 16 bicycle parking spaces, exceeding the amount required. As currently installed, only three racks for six spaces are in place adjacent to Plaza West and two

racks for four spaces are in place near the proposed Plaza North. A total of at least 15 spaces are required, and a total of ten of these much be covered. A condition has been added below to require that the additional bicycle parking and coverage in keeping with the requirements of AMC 18.4.3.070.I & .J be identified in the building permits and installed prior to occupancy of the building proposed here.

The First Place subdivision lies within the Detail Site Review Zone, the Downtown Design Standards Zone, and the Downtown and Railroad historic districts. As a result, the application is subject to the Basic Site Review Standards for Commercial Development, Detail Site Review Standards, Additional Standards for Large Scale Projects, the Downtown Design Standards and Historic District Design Standards. The Planning Commission finds that because site layout, parking, pedestrian and vehicular access and circulation, and landscaping were largely addressed through the 2012 Subdivision and Site Review applications, the current review is focused largely on the design of the proposed new Plaza North building relative to the applicable design standards.

The Commission finds that the proposed building designs meet the Basic Site Review Standards. Plaza North relates well to the First Street frontage. Streetscape and landscape amenities are being provided in conformance with standards. Parking and circulation are placed behind the buildings, and requisite parking lot landscaping and screening are detailed in the plans provided in a manner consistent with the original approvals and minor modifications here. The application recognizes the requirements to address noise and glare, and notes that noise will be within limits typical of the permitted use and will not exceed standards, and that lighting will be appropriately placed and directed to avoid directly illuminating adjacent properties.

The Commission also finds that the Detail Site Review Standards are fully addressed with the proposed Plaza North building. The project is subject to meeting at least a 0.50 Floor Area Ratio (FAR), and the application includes calculations demonstrating that with the full build-out proposed, the subdivision FAR will be at approximately 1.26, while the Plaza North property is at an approximately 2.0 FAR. The building's mass is divided into vertical bays, and it has strong entries from the sidewalk emphasized through design elements. Awnings are not proposed along the First Street façade due to the stepped setbacks and use of landscaped areas, but instead relies on two recessed entries to provide protection from the elements.

The Plaza North building is subject to Large Scale Design Standards, as its floor area is greater than 10,000 square feet. The application explains that the building complies with the 45,000 square foot floor area limitation as applied within the Downtown Design Standards Zone, noting that the proposed building consists of 10,547 square feet of gross floor area.

The proposed building's design incorporates elements to the façade that are articulated to relate to the human scale, with the building's length along First Street divided into six vertical bays in keeping with the historic downtown pattern, with two recessed entrances to provide pedestrians with protection from the elements and relate the building to a more human scale. The Large Scale requirements call for one square foot of plaza or public space to be provided for every 10 square feet

of gross floor area. The application notes that the development as proposed, including the floor area of all buildings, will have a combined floor area of 61,551 square feet which would require 6,155 square feet of plaza or public space and that the project includes 6,211 square feet of public plaza space which is in excess of that required. The application also notes that the plaza space provided incorporates a mix of at least four of the six elements for plazas and public spaces as called for in the standards, with sitting areas, areas that provide sunlight and shade, protection from wind, trees, and potential outdoor eating areas. Trash and recycling facilities are to be provided in an enclosure within the common parking lot behind the building

The Commission further finds that other than the Exceptions requested, which are discussed more fully below, the building's design complies with the Downtown Design Standards. The applicant has proposed multi-story, downtown-style buildings which extend from side lot line to side lot line placed generally at the back of the sidewalk, and which incorporate large street-level windows and transparent doors. The building incorporates horizontal and vertical rhythms through divisions on the façade as required by the standards, and provides for some variation in parapet height to provide the traditional streetscape appearance sought by the standards. The building incorporates varied architectural and material treatments to provide a base for a sense of strength, flat roofs with parapets, and creates a varied streetscape with distinct character which is in keeping with the standards seeking to maintain the traditional rhythms of the historic downtown.

The Planning Commission finds that the proposed building designs are generally in keeping with the height, scale, massing, setbacks, roof forms, and rhythm of openings typical of the surrounding area and sought in the Historic District and Downtown Design Standards.

The Planning Commission finds that public facilities and utilities were installed with the subdivision's infrastructure following the Planning Commission's approval of the project in 2012. These included:

- Some electric infrastructure was extended in association with the 2007 Subdivision approval, and the 2012 subdivision infrastructure work and subsequent development of Plaza West completed the installation of transformers necessary to serve the site and first building. Three-phase electrical service is available to the site, and the Electric Department has previously indicated that there is adequate power available to serve the full development of the property with the extension of the necessary individual services for each of the proposed buildings.
- Existing four-inch water mains are available in both Lithia Way and First Streets, and a new eight-inch water line was extended to provide a connection to B Street as part of the subdivision improvements in 2007. Four-inch laterals were also extended to each of the individual lots with the 2007 subdivision work.
- A six-inch sewer line in First Street was upgraded to eight-inches to serve the project as part of the 2007 subdivision improvements.
- A private 12-inch storm drain line was installed on site, and a new 12-inch public storm drain line was installed in First Street to convey stormwater run-off from the site to the existing storm drain line at B and First Streets as part of subdivision improvements in 2007. With completion of the current request, 16.4 percent of the site is proposed to be landscaped, reducing run-off

from the site, which was until the 2007 subdivision improvements entirely covered with pavement and buildings, and a bio-swale is to be installed in the northeastern portion of the common area lot to allow for on-site detention and filtration of stormwater before it enters the city storm sewer system.

- Paved access is provided directly from First Street and to Pioneer Street via an easement through the existing City of Ashland public parking lot. With the subdivision's initial site work in 2007, two curb cuts were removed from Lithia Way and one from First Street in order to comply with city and state requirements for controlled access.
- As part of the 2007 subdivision improvements, the existing public sidewalks along the project perimeter on both Lithia Way and First Street were widened. The installation of street trees, tree grates, irrigation and streetlights complying with downtown streetlight spacing requirements were completed in conjunction with Phase One.
- There is an existing transit stop located along Lithia Way nearby, between First and Second Streets, a short walk from the subject property.

The Planning Commission finds that water, sewer, paved access to and through the development site, electricity, urban storm drainage and adequate transportation to and through the subject property can and will be provided, with site utilities completed with the subdivision infrastructure and individual services to the proposed buildings to be completed under the current request; vehicular access provided from existing fully-improved streets; sidewalks which are to be widened to meet current street standards along Lithia Way; and easements which were provided with the subdivision to increase vehicular and pedestrian connectivity to and through the site. Conditions have been added below to require final electrical service and utility plans for the proposed building for the review and approval of the Planning, Building, Public Works and Electric Departments in conjunction with building permit review.

2.5 The proposed Plaza North building, as the applicants Phase Three, includes two requests for Exceptions to the Site Development and Design Standards' Downtown Design Standards. One of these would allow for a staggered street setback of the building relative to the First Street sidewalk, and the other would allow upper floor windows that are more horizontal than vertical. AMC 18.4.2.060.C.2.a states that, *"Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line... Areas having public utility easements or similar restricting conditions shall be exempt from this standard."* The proposed Plaza North building steps back from the sidewalk's edge, and the application explains that this is due to the property, which is otherwise rectangular, having an acute angle with First Street. The applicants go on to explain that this provided the opportunity to create a stepped façade that works better with the lot shape and which creates a more interesting streetscape. The design places the corners of each step at or near the First Street sidewalk, steps back a prescribed distance, and then steps again at the point the front wall intersects with First Street sidewalk. The applicant asserts that this stepping of the façade eases the transition from the commercial zone to the residential zone, and further explains that the alternative, a flat façade angled with the street, would be contrary to the character of the downtown. The applicant emphasizes that the design here is based on a traditional building setting in the downtown rather than the shape of the lot. Entrances are recessed in keeping with the standards (AMC 18.4.2.060.C.2.b) to emphasize their respective

locations, and landscaping will be provided in the stepped back areas. The applicants argue that the standard, and the majority of buildings in the downtown, are based on a 90 degree frontage and that the proposed design is an attempt to create a more traditional frontage treatment in response to what is roughly a 120 degree angled frontage, and which they believe is consistent with the intent of the standard in seeking to create an engaging pedestrian streetscape. The Planning Commission finds that the building design creating the stepping back of the façade as proposed addresses the unusual triangular configuration of the site in a manner that will not negatively impact adjacent properties, and results in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

The application also requests Exception from AMC 18.4.2.060.C.4.c, which states that “*Upper floor window orientation shall primarily be vertical (height greater than width).*” The applicant asserts that placing two or three vertical windows grouped in a single bay compliments the building’s architecture, which is divided into vertical bays that step down as the building gets closer to the residential zone to the north, and helps to maintain the rhythm of openings sought in the standards. The applicant further suggests that the intent of the standard was to ensure that individual windows were more vertical. The application includes photos to illustrate similar groupings of vertical windows on historic buildings within the downtown.

The Commission concurs, and finds that these windows do not overwhelm the character of the façade. AMC Figure 18.4.2.060.C.1 and C.6, referenced as recommended treatments in the standard, both illustrate similar groupings of vertical windows. The Commission finds that the horizontal groupings of vertical windows as proposed results in a design that equally or better achieves the stated purpose of the Historic District Design Standards. The Commission further finds that the efforts to step the building’s façade back with the angled frontage while stepping the building’s vertical mass down as it gets nearer to the adjacent residential neighborhood provide an appropriate and effective transition that will not negatively impact adjacent properties, and results in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Site Design Review approval to construct the third and final phase of the First Place Subdivision and for Exceptions to the Site Design and Use Standards’ Downtown Design Standards are supported by evidence contained within the whole record.

The project poses a number of challenges in that it involves developing an entire block of the downtown under the same set of standards while maintaining contextual compatibility with a downtown that has developed and evolved organically over more than 150 years, and doing so while managing the transition between the intensity of the downtown core and an historic residential neighborhood literally just over the fence.

During the 2012 review of the original Subdivision application and request for Site Review approval for Plaza West, it was noted that the project could result in a large, prominent downtown site which had stalled with the economy and languished for years developing to a degree beyond that required by city standards while providing increased vehicular and pedestrian connectivity, aesthetic improvements, and a significant reduction in stormwater run-off. It was further suggested that the first proposed building, with ten residential units including one affordable unit, could inject a new vitality into the Lithia Way corridor while at the same time the subdivision could provide for a smooth transition between the intense commercial uses of the downtown and the less intense, residential character of the adjacent neighborhood. With the Plaza West now occupied, Plaza East under construction with workforce housing for Oregon Shakespeare Festival's artists, and the proposed completion here of Plaza North as the final phase to complete development of the site, the Commission finds that the applicants have effectively met the challenges posed in designing buildings that, while compatible with one another, their surroundings and various design standards, still manage to maintain strong individual characters that contribute positively to the streetscape and the downtown. Plaza North manages to balance this design compatibility with the buildings along Lithia Way while stepping back with the angle of First Street and down with its slope to blend the entire project smoothly into the Railroad District.

The site layout, parking, pedestrian and vehicular access and circulation, and landscaping were largely completed with the 2012 Subdivision and Site Review approvals, and the current review focuses on the design of Plaza North relative to the applicable design standards. For the Commission, the proposed Plaza North building can be found to satisfy the relevant approval criteria for Site Review and Exception to the Downtown Design Standards and merits approval.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve PA-T2-2020-00019. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then PA-T2-2020-00019 is denied. The following are the conditions and they are attached to the approval:

1. That all proposals of the applicant are conditions of approval unless otherwise modified herein.
2. The windows on the ground floor of the proposed building shall not be tinted so as to prevent views from outside of the building into the interior of the building, and the commercial entrances adjacent to First Street shall remain functional and open to the public during all business hours.
3. That prior to site work, storage of materials or building permit issuance, tree protection measures shall be installed, inspected and approved on site by the Staff Advisor through a Tree Verification Permit.
4. That any necessary construction closure or detouring of the sidewalks shall be approved by the Ashland Engineering and Planning Departments prior to issuance of permits or work in the right-of-way.
5. That a Fire Prevention and Control Plan addressing the General Fuel Modification Area

requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.

6. To obtain priority building permit plan check processing as provided in AMC 15.04.092.2, the applicant shall provide the following documentation with the building permit submittals demonstrating the steps being taken in working towards LEED certification: a) hiring and retaining a LEED Accredited Professional (AP) as part of the project team throughout design and construction of the project; and b) providing the LEED checklist indicating the credits that will be pursued. Building permit submittals must clearly specify the materials, systems and strategies to be used in achieving the credits. A final report shall be prepared by the LEED AP and presented to the City upon completion of the project verifying that the project has met the LEED standard.
7. Sign permits shall be obtained prior to installation of any new signage. All signage shall be consistent with the requirements of AMC 18.4.7.
8. That prior to the issuance of a building permit:
 - a) The plans submitted for the building permit shall be in conformance with those approved here. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.
 - b) All easements shall be shown on the building permit submittals.
 - c) That a final drainage plan shall be submitted at the time of a building permit for review and approval by the Engineering, Building, and Planning Divisions. Storm water from all new impervious surfaces and runoff associated with peak rainfalls must be collected on site and channeled to the City storm water collection system (i.e., curb gutter at public street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.
 - d) A final utility plan for the project shall be reviewed and approved by the Planning, Engineering, and Building Divisions prior to issuance of a building permit. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins.
 - e) The applicant shall submit a final electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment for each building. This plan must be reviewed and approved by the Electric Department prior to building permit submittals. Transformers, cabinets and vaults shall be located in areas least

visible from the street, while considering the access needs of the Electric Department.

- f) That mechanical equipment shall be screened from view from First Street. The location and screening of mechanical equipment shall be detailed on the building permit submittals.
 - g) Exterior lighting shall be shown on the building permit submittals and appropriately shrouded so there is no direct illumination of surrounding properties.
 - h) That the building materials and the exterior colors shall be identified in the building permit submittals. The information shall be consistent with the colors, texture, dimensions and shape of materials and building details proposed and approved as part of this land use application. Exterior building colors shall be muted colors, as described in the application. Bright or neon paint colors shall not be used in accordance with AMC 18.4.2.040.C.4.b in the Detail Site Review Standards.
 - i) Building permit submittals shall identify all required bicycle parking installations. Inverted u-racks shall be used for the bicycle parking, and the building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with AMC 18.4.3.070.I & .J. A total of at least 11 bicycle parking spaces shall be provided on the common area of the project, and at least six of these must be covered. An additional four spaces of covered bicycle parking shall be identified and provided to serve the three residential units in Plaza North that do not have individual garages.
 - j) Final solar setback calculations demonstrating that all new construction complies with Solar Setback Standard B in the formula $[(\text{Height} - 16) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade shall be included in building permit submittals.
 - k) Prior to any work within the public rights-of-way, all necessary permits must be obtained from the Public Works/Engineering Department. Prior to the issuance of permits or commencement of any site work in the Oregon Department of Transportation's (ODOT) right-of-way for Lithia Way, the applicant shall provide proof of also having obtained required approvals and permits from ODOT. The applicants shall maintain a vision clearance triangle that complies with ODOT and City of Ashland standards.
 - l) Revised parking allocation information shall be provided with each building permit as the commercial tenant spaces develop and are occupied to verify that the parking allocated is sufficient for the uses proposed.
- 7) That prior to the issuance of a certificate of occupancy:
- a) All landscaping and irrigation shall be installed according to the approved plans, inspected and approved by the Staff Advisor. Landscaping and hardscaping in the

common area north of Plaza North which has not been maintained or has been damaged shall be replaced according to the approved plans, and the northernmost street tree on First Street shall be replaced prior to issuance of the certificate of occupancy.

- b) All bicycle parking shall be installed in accordance with design, placement, coverage and rack standards in AMC 18.4.3.070.I & .J prior to the issuance of the certificate of occupancy. A total of at least 11 bicycle parking spaces are to be provided on the common area of the project, and at least six of these must be covered. An additional four covered bicycle parking spaces shall be provided for the three units in Plaza North which do not have individual garages.
- c) An opportunity to recycle site of equal or greater size than the solid waste receptacle for each building shall be included in the trash enclosure in accordance with the Recycling Requirements of AMC 18.4.4.040.
- d) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
- e) The requirements of the Building Department shall be satisfactorily addressed, including but not limited to that the mixed-use occupancy is required to be fire sprinkled, that construction may not cross property lines, and that the site and structures are required to meet all accessibility requirements.
- f) The requirements of the Fire Department shall be satisfactorily addressed, including approved addressing; fire apparatus access including angle of approach, necessary easements, and review of any obstructions such as fences or gates; fire flow; fire hydrant distance, spacing, flow and clearance; fire department connection; and a "Knox Box" key box. Fire Department requirements shall be included on the construction documents, and if a fire protection vault is required, the vault shall not be located in the sidewalk corridor.

Planning Commission Approval

July 14, 2020

Date