

*submitted into record
9/20/16 PH
Pioneer St*

September 15, 2016

Mayor John Stromberg
City of Ashland
john@council.ashland.or.us

Re: Planning action: PA-2016-00309
Property: 150 North Pioneer Street

Dear Mayor Stromberg,

I am writing in order to provide you and city council members with some updated information regarding the proposed zone change at 150 North Pioneer Street. I have attached some information which I provided to the Planning Commission on 8/9/16. I will also summarize developments during the past couple of months.

The Historic Commission met on 8/3/16. I was not able to attend that meeting as I was out of town on business. The Historic Commission recommended that zoning not be changed. Their report noted that encroachment would negatively impact the residential district to the north.

However, please note that the Ashland Planning Division staff report dated 8/9/16 notes that "In staff's view, the adjustment of the C-1 boundary a short distance to the north is likely to have minimal impact on the B Street corridor while providing considerable relief for the subject property."

The Historic Commission suggested that mitigation could best address the impact of having the parking lot next door. However, while some good attempts have been made at mitigation for years, there has been an ongoing cycle of futility. I think that is unfortunately understandable.

Really, the key issue I believe from a common sense standpoint involves having a large commercial city parking lot directly adjacent to a "residential" property. There is a 6 foot separation. The Planning Division staff report addresses why that is so problematic.

Regarding mitigation, the same problem issues exist although mitigation has been attempted. For example, the parking lot next door brings with it: drug and alcohol use; loud arguments laced with explosives; vandalism; barking dogs left in cars for hours; car alarms going off for lengthy periods of time just 6 feet from the building here, etc.

Although tow away signs have been placed by the driveway, our driveway is blocked partially and fully every day (sometimes with people actually even leaving their vehicles). There is an endless stream of five to ten minute parkers who pick up food at Ruby's across the street. Again, this is not Ruby's fault, just some of the public.

I understand why it is realistically not possible to enforce that by Diamond Parking or by the City of Ashland Police Department. That is because it is a stream of five to ten minute overparking throughout

the course of a day. Response time is realistically not practical for Diamond Parking or for the City of Ashland Police Department. We can only attempt to put out construction barricades in the street (which are sometimes stolen).

I have referenced those issues to simply say that mitigation just truly does not work. I will briefly reference some of the issues discussed at the Planning Commission meeting in August. First, a number of people from B Street opposed rezoning stating that it would impact B Street properties. There was reference to the boundary of downtown and residential areas.

I would note a couple of issues regarding that. First, when the original boundary was looked at, there was an actual residential structure, a home, next to my property. The absolute and complete game changer involves removal of a residence and replacement of a residence with a commercial city parking lot.

Regarding impact to B Street, please note again that the Planning Division staff report notes that a zone changed here to C-1 "is likely to have minimal impact on the B Street corridor while providing considerable relief to the subject property." Pioneer Street is very much a commercial corridor.

During the Planning Commission meeting, commission members questioned why the rezoning of one property by itself would be a consideration for the city as opposed to more of a global look at zoning.

Planning Commission chairperson Melanie Mindlin termed the impact of the parking lot next to my property as "a travesty." Commission member Brown noted that he did not have concerns about encroachment upon the residential area on B Street.

All commission members related that they acknowledged the very significant impact. They, however, again noted questions about why to consider rezoning for one property with other discussions regarding mitigation and pursuing changes via conditional use permits.

I would respectfully request that the city rezone the property to C-1 zoning to allow for more flexible use. The Historic Commission noted that this "may lead to a future proposal to remove or demolish the structure." Please note that I have owned the property for a long time (over 25 years) and invested in tens of thousands of dollars in upgrading the property. Please refer to attached photographs.

There is zero thought to changing the structures. Planning staff can also address why that would not even be feasible given the constraints of the size of the lot, the driveway, adjacent properties, etc., etc.

On much more of a secondary basis, I would graciously request that the City of Ashland replace the wooden fence which borders the parking lot. It is over 25 years old and it would be ideal to have a solid concrete fence at the same height which currently exists to discourage people from hopping the fence, etc. I would also graciously request that the City of Ashland put in some type of a French drain system for drainage purposes.

Please note in prior correspondence that there was a huge flood in the parking lot last year from the city parking lot (one acre of now impervious surface) which the current drainage system could not handle. This resulted in significant damage and expenses which I incurred. A back up French drain type of

system which would carry water to the street (rather than the middle of my property) would be ideal.

Thank you very much for your consideration involving issues outlined.

Sincerely,



Stan Potocki

Encl: Report, information provided to Ashland Planning Commission

Cc: Ashland City Council, Greg Lemhouse, greg.lemhouse@ashland.org; Pam Marsh, pam.marsh@ashland.org; Michael Morris, michael.morris@ashland.org; Carol Voisin, carol.voisin@ashland.org; Stefani Seffinger, stefani.seffinger@ashland.org; Derek Severson, derek.severson@ashland.org; Bill Molnar, bill.molnar@ashland.org

sp8city of Ashland Itr

150 N. PIONEER STREET
IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES
ASHLAND PLANNING DIVISION STAFF REPORT, 8/9/16:

- "Impacts brought about by construction of the public parking lot and adaptive re-use and redevelopment in the vicinity presents challenges to residential living on the property, especially given the close proximity of the structure to the adjoining parking lot."
- "Property is the only residential property adjacent to a public parking lot that is separated by a 6 foot residential side-yard... The parking lot in question is one of the largest and heavily used public parking lots in the city."
- "Public parking lots in Ashland's downtown are areas of intense activity, and the level of activity has and continues to intensify over time in conjunction with infill, adaptive re-use and redevelopment around the downtown."
- "In staff's view, this decision merits reconsideration at this time given the intensification of surround uses which have occurred.... The existing 6 foot residential side-yard setback provides at best a minimal buffer between the intensity of the parking demand created upon the public lot by nearby C-1 and C-1-D uses."
- "In staff's view, the adjustment of the C-1 boundary a short distance to the north is likely to have minimal impact on the B Street corridor while providing considerable relief for the subject property."
- "A change in the zoning of the subject properties would allow greater flexibility for the use of the property when considering the context of the surrounding area."

150 N. PIONEER STREET

IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

Specific impacts include:

- Drug and alcohol use in our backyard, people hopping over the fence or coming down driveway; drug and alcohol paraphernalia being left behind on a regular, ongoing basis (please see attached photos).
- On a daily basis, transients drink alcohol and sit for long periods of time along the fence line. Daily garbage is left including empty beer cans, empty bottles of alcohol, etc.
- People sleep sometimes along the fence line and leave clothing, backpacks, etc. Found pair of shoes on our front porch in the morning last month. There are often loud arguments with expletives and yelling for lengthy periods of time, 6 feet from the building.
- Vandalism, attempted forced entry to our building, and property damage.
- Barking dogs are often left in cars for hours. Car alarms go off for both short and lengthy periods of time; people sometimes play extremely loud music in their cars which actually causes our windows and walls on the south side of the building to vibrate.
- Pioneer Street driveway is partially blocked multiple times per day and even fully blocked (please see attached photos; people actually leave their vehicles and block the driveway, typically to go to one of the businesses across the street). Attempts to paint the curb, put tow-away signs, etc. essentially have no impact (verification available with Heather, Diamond Parking).
- John Fregonese, planning director (1989), discussed obvious impact of the parking lot upon our property, that new downtown plans would include rezoning issues, and that our property would be then rezoned commercial by the city. John McLaughlin, planning director, advised me rezoning would be addressed once downtown plan was completed. John did then personally call me to tell me that rezoning was going to be revisited and that he specifically would be recommending rezoning of our property to commercial. He then left employment with the city.

Planning history issues: Highly comprehensive draft infill strategy report was completed in 1995 by Demuth Glick consultants (partial copy of report attached). Specific recommendations included rezoning Pioneer Street corridor including our property to C-1.

150 N. PIONEER STREET

IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

BEFORE AND AFTER PICTURES

In 1989, there was a large lot with a home next door. The home was removed and next door use therefore transitioned from a single family home to a large commercial parking lot.



150 N. PIONEER STREET

IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

BEFORE AND AFTER PICTURES

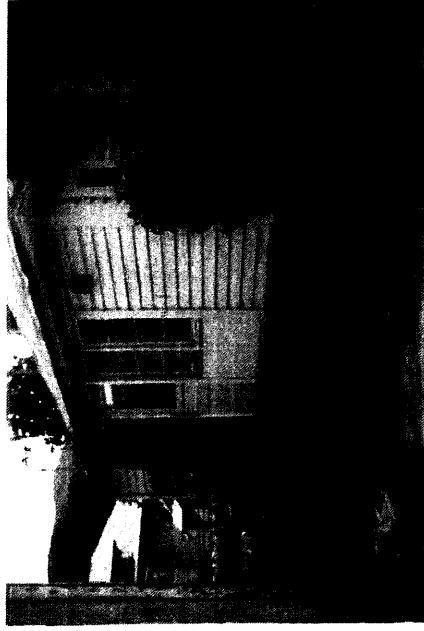
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IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

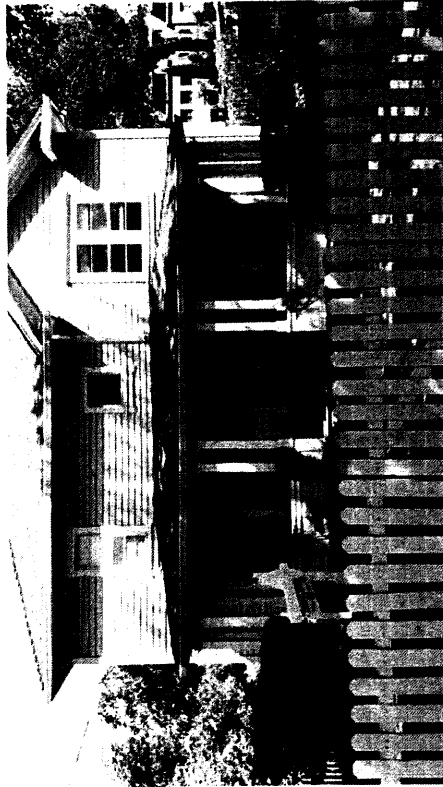
Regarding historic considerations, significant investment has been made in 150 N Pioneer Street. Tens of thousands of dollars have been invested in order to restore the foundation, replace the roof, fix brick chimneys, replace outdoor stairs, paint, and to restore the front porch to its original state (open vs. enclosed).



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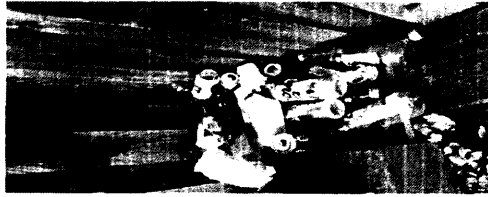
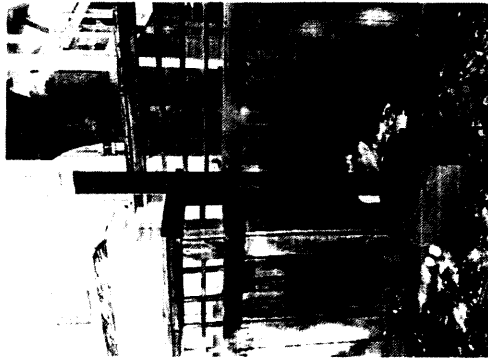
Other sample photos and police report: there is daily alcohol use in the parking lot and there are ongoing issues with trespassing and alcohol/drug use in our backyard (verification available, Matt Carpenter, Ashland Police Department).



150 N. PIONEER STREET

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Drug/alcohol use is an ongoing issue. These photos were taken on August 7th, 2016.



150 N. PIONEER STREET

IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

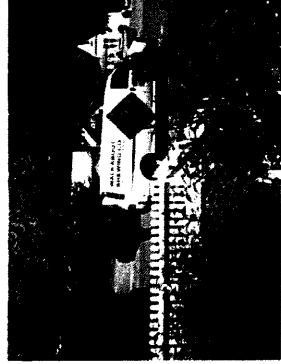
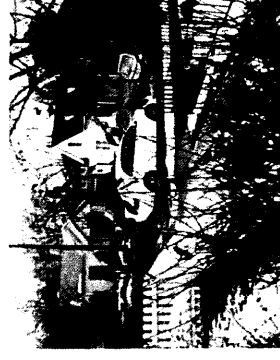
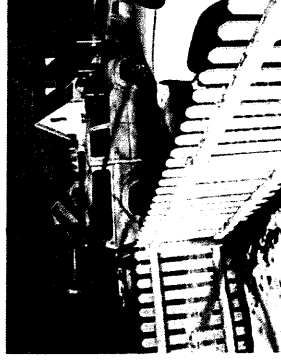
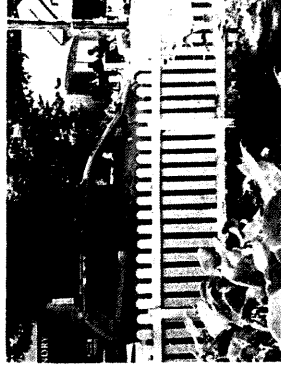
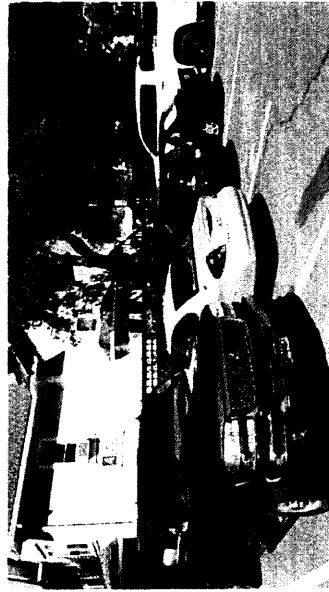
Large commercial trucks frequently park and unload for varying lengths of time immediately in front of our driveway. This creates traffic safety issues and converts Pioneer Street to one way traffic only. These are photos taken on August 8th and August 9th, 2016.



150 N. PIONEER STREET

IMPACT OF PARKING LOT NEXT DOOR AND COMMERCIAL CHANGES

The fence is only 6 feet from our building. The second picture is the view from the inside of the building looking out to the parking lot

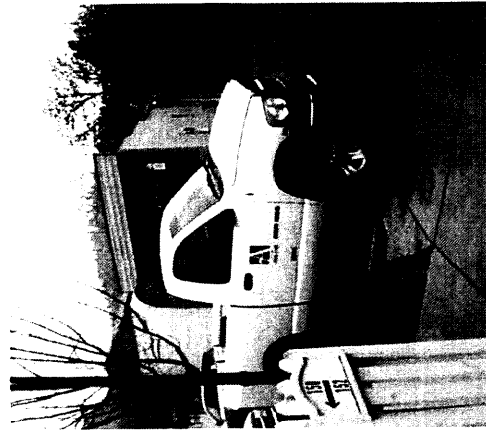
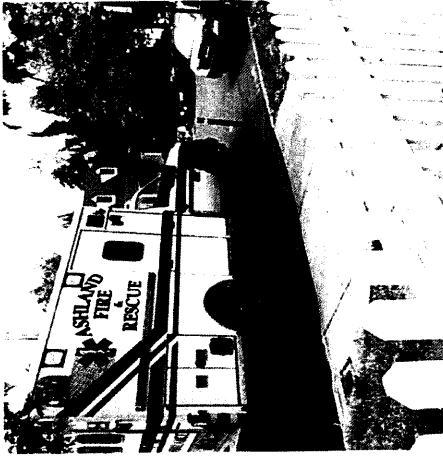




1995: 32
 page comparison -
 site study:

Draft Infill Strategy

Asland Railroad District



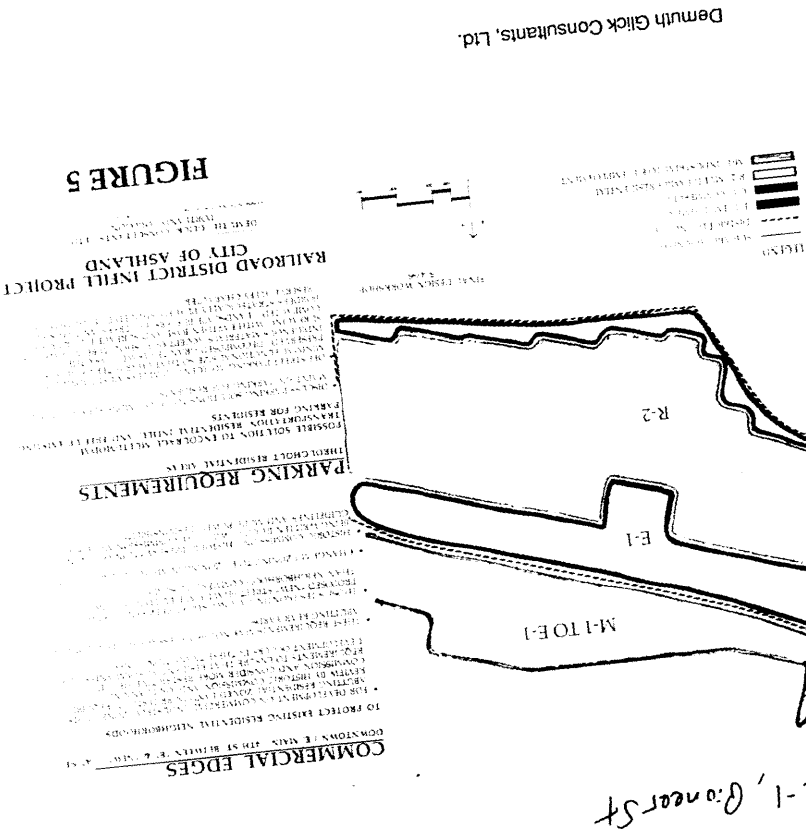
Ashtand Railroad District Draft Infill Strategy

Prime Consultant
 Demuth Glick Consultants, Ltd.
 Portland, Oregon
 Sub-Consultants
 SRI/Shapiro, Inc.
 Portland, Oregon
 Katherine Atwood, Historian
 Ashtand, Oregon
 Tom Lancaster, P.E.
 Portland, Oregon

June 30, 1995

Ashtand Railroad District Draft Infill Strategy

LAND-USE RECOMMENDATIONS



Demuth Glick Consultants, Ltd.

Detailed History for Police Event #J141460093 As of 6/04/2014 14:08:27

Output for: A36205

Priority:3 Type:DRUG - Drug Laws
Location:150 N PIONEER ST, AS btwn LITHIA WAY and B ST
Info:BEH THE BUILDING
Map:5627B

Table with columns: Created, Entered, Dispatched, Enroute, Onscene, Closed. Rows show timestamps and codes like CAD13, CAD02, AM5, A40148.

IC Unit: PrimeUnit:515 Dispo:NR Type:DRUG - Drug Laws
Agency:APD Group:APD Beat:APD RD:A50001 Detail

08:11:40 CREATE Location:150 N PIONEER ST, AS Type:DRUG Info:BEH THE BUILDING
Name:POTOCKI,STAN Phone:541/890-4339 Group:APD Area:A50001 TypeDesc:Drug Laws
LocDesc:btwn LITHIA WAY and B ST Priority:3 Agency:APD Map:5627B LocType:S
ReqCont:YES ContType:AT LOCATION
Response:Name->AP/PAT Comment:ONGOING: PROBLEM WITH DRUG USE BEH THE
BLDG. AND DRUG PARAPHANELIA LEFT BEH
Comment:PPR
08:13:01 -PREMIS Unit:515
08:13:04 NOMORE
08:13:14 SELECT
08:13:14 -SUGGEST SLS Operator:A40148 OperNames:GRAY, PHIL
08:13:23 DISP SLS
08:13:23 -PRIU SLS
08:15:35 PRMPT SLS
08:15:35 -HOLD SLS
08:32:01 DISP SLS Operator:A40148 OperNames:GRAY, PHIL
08:32:01 -PRIU SLS
08:32:20 *MISC SLS Comment:515, RESPONDING FROM ----> 357 GARFIELD ST, AS
08:32:20 *ENRTE SLS
08:43:50 *ONSCN SLS
08:59:27 *MISC SLS Comment:COMPLAINT OF DRUG USE DURING THE EVENING HOURS BEHIND
THE BUSINESS. BUSINESS ABUTS CITY PARKING LOT AND IT IS THEORIZED THAT
BAR GOERS WHO FREQUENT THE NIGHT CLUBS USE COMPLAINANT'S PROPERTY
FOR ILLICIT DRUG USE DURING THE EVENING.
SLS Dispo:NR

08:59:33 *CLEAR
08:59:33 -CLEAR
08:59:33 *CLOSE

CONTACT INFO:

Table with columns: Name, Phone, RPAddr, RP-Dob, ReqCont, ContType, AltPhone. Row: POTOCKI,STAN, 541/890-4339, YES, AT LOCATION, AltPhone

Stan Potocki

From: Tighe O'Meara <tighe.omeara@ashland.or.us>
Sent: Monday, August 08, 2016 9:52 AM
To: stanvc@imind.net
Subject: FW: Problems reported in the public parking lot

From: Tighe O'Meara
Sent: Monday, August 08, 2016 9:52 AM
To: Bill Molnar
Subject: Problems reported in the public parking lot

Bill, as we discussed last week, I have looked into disorderly problems in the public parking lot along the fence line that separates the lot from 150 N. Pioneer. In looking into this I have run into a deficiency within our records management system: as far as I can tell the parking lot at N. Pioneer and Lithia way is not entered into CAD (computer aided dispatch) in any way other than "N Pioneer St/Lithia Wy" with the comments including the words "parking lot" or sometimes "plot (short for parking lot)." This makes it hard to search for calls specific to the parking lot, and even if I add the term "lot" to the search parameters I still can't differentiate easily from the public lot or the Wells Fargo lot. However, I did do a search of all calls on N Pioneer that had the word "lot" in the comments and scanned thru the calls and came up with this rough info. Please keep in mind that this is a rough picture, but still good info. A precise picture would be very labor intensive.

- Since January 1, 2014
Warrant arrests: 2
Drug cases: 2
Disorderly conduct cases: 2
Prohibited Camping: 3
Drinking in Public: 1
Urinating in Public: 1

This info also does not include the anecdotal evidence that has been relayed from the property owner at 150 N. Pioneer, which includes complaints of beer cans and trash thrown over the fence, noise complaints and complaints of people trespassing.

Please let me know if I can help in any other way. And FYI-Stan Potocki has asked that I share this info with him, and as it is all public info I will be forwarding this message to him as well.

Tighe O'Meara
Chief of Police
Ashland Police Department
1155 E. Main St.
Ashland, OR 97520
541-552-2142

This email transmission is official business of the City of Ashland, and it is subject to Oregon Public Records law

Stan Potocki

From: Linda Fait <Linda.Fait@DiamondParking.com>
Sent: Friday, August 05, 2016 5:29 PM
To: stanvrc@mind.net
Subject: Diamond Parking

Hi Stan,

I am in agreement that due to business growth on 100 block Pioneer Street, that the parking conditions have been less than ideal. There is a lot more traffic, a lot more parked vehicles and increased pedestrian traffic between the railroad district and the downtown core. On the block between Lithia Way and B Street there is only one true residence located at the corner of B & Pioneer. The antique shop I believe serves as both.

Linda Fait
Operations Manager
Diamond Parking Services
541-552-1422 (Ashland)
541-774-2082 (Medford)