

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please rise and, after you have been recognized by the Chair, give your name and complete address for the record. You will then be allowed to speak. Please note that the public testimony may be limited by the Chair and normally is not allowed after the Public Hearing is closed.

**ASHLAND PLANNING COMMISSION
SPECIAL MEETING
October 23, 2018
AGENDA**

- I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street
- II. **ANNOUNCEMENTS**
- III. **PUBLIC FORUM**
- IV. **UNFINISHED BUSINESS**
 - A. **Approval of Findings for PA-T2-2018-00002, 880 Park Street.**
- V. **TYPE II PUBLIC HEARINGS CONT'D**
 - A. **PLANNING ACTION: PA-T2-2018-00003**
 - SUBJECT PROPERTY: 188 Garfield Street**
 - OWNER/APPLICANT: Rogue Panning & Development Services, LLC**
 - DESCRIPTION: A request for Site Design Review approval to construct a 72-unit studio apartment community ("The MidTown Lofts") for the properties located at 188 Garfield Street. The application also includes requests for a Tree Removal Permit to remove 15 trees that are more than six-inches in diameter at breast height (d.b.h.); an Exception to the Site Development and Design Standards to treat storm water run-off in a combination of bio-swales, underground treatment facilities and detentions ponds rather than in landscaped parking lot medians and swales; and for Exceptions to Street Standards to retain the existing curbside sidewalk system along the frontage of the property and for the location of the driveway curb cut on Quincy Street, which is proposed to be shared with the property to the east and which would exceed the maximum driveway curb cut width for residential developments. (All of the proposed units are studio units that are less than 500 square feet in gross habitable floor area and each counts as $\frac{3}{4}$ of a unit for purposes of density calculation; density bonuses are requested for conservation housing, outdoor recreation space and major recreation facilities.)** **COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; ZONING: R-3; ASSESSOR'S MAP: 39 1E 10CB; TAX LOT: 2100 & 2101.**
 - B. **PLANNING ACTION: PA-T2-2018-00004**
 - SUBJECT PROPERTY: 1661 Ashland Street**
 - OWNER: Rogue Credit Union & Columbia Care Services, Inc.**
 - APPLICANT: Columbia Care Services, Inc./Jerome White, KSW Architects**
 - DESCRIPTION: A request for a Land Partition and Site Design Review to create three parcels from the parent property located at 1661 Ashland Street. Parcel 1 would be 33,278 square feet in area and would contain the proposed "Rogue Ridge" development consisting of 30 multi-family dwelling units including one resident manager's unit and 29 affordable housing units in a 26,146 square foot, three-story building in two connected wings; Parcel 2 would be 9,913 square feet in area and would contain a future two-story commercial building; and the third parcel would be 22,462 square feet and would contain the existing Rogue Credit Union building. (25 of the 30 proposed units are studio units that are less than 500 square feet in gross habitable floor area and each counts as $\frac{3}{4}$ of a unit**

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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

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for purposes of density calculation; the five remaining units are two- and three-bedroom and count as full units for density purposes.) COMPREHENSIVE PLAN DESIGNATION: Commercial; ZONING: C-1; ASSESSOR'S MAP: 39 1E 10DC; TAX LOTS: 8700 & 9201.

VI. **ADJOURNMENT**

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BEFORE THE PLANNING COMMISSION
October 23, 2018

IN THE MATTER OF PLANNING ACTION PA-T2-2018-00002, A REQUEST FOR)
SITE DESIGN REVIEW APPROVAL TO CONSTRUCT A 15-UNIT APARTMENT)
COMPLEX CONSISTING OF SIX APARTMENT BUILDINGS, A SEPARATE 221)
SQUARE FOOT LAUNDRY FACILITY, AND A 30-SPACE PARKING LOT FOR)
THE PROPERTY AT 880 PARK STREET. THE APPLICATION INCLUDES RE-)
QUESTS FOR EXCEPTION TO THE STREET STANDARDS TO RETAIN THE EX-)
ISTING ASPHALT MULTI-USE PATH ALONG SISKIYOU BOULEVARD AND TO)
CONSTRUCT A MEANDERING SIDEWALK ALONG THE PROPERTY'S PARK)
STREET FRONTAGE RATHER THAN INSTALLING CITY STANDARD SIDE-)
WALKS AND PARKROW PLANING STRIPS, AND FOR A TREE REMOVAL PER-)
MIT TO REMOVE FIVE TREES GREATHER THAN SIX-INCHES IN DIAMETER)
AT BREAST HEIGHT (D.B.H.), INCLUDING TWO GREEN ASH, ONE MODESTO)
ASH, AND TWO REDWOODS INCLUDING A MULTI-TRUNKED CLUSTER WITH)
FIVE TRUNKS OF DIAMETERS RANGING FROM EIGHT- TO 14-INCHES D.B.H.)
AN EXISTING APPROXIMATELY 895 SQUARE FOOT SHOP BUILDING ON THE)
SOUTHEASTERN PORTION OF THE PROPERTY IS PROPOSED TO BE DEMO-)
LISHED IN CONJUNCTION WITH THE PROPOSAL.)

FINDINGS,
CONCLUSIONS
& ORDERS

OWNER/APPLICANT: Tudor Properties, LLC/Kistler Small + White, LLC)

RECITALS:

- 1) Tax lot #3402 of Map 39 1E 15 AD is located at 880 Park Street within the R-3 High Density Multi-Family Residential zoning district.

- 2) The applicants are requesting Site Design Review approval to construct a 15-unit apartment complex consisting of six apartment buildings, a separate 221 square foot laundry facility and a 30-space parking lot for the property at 880 Park Street. The application includes requests for Exception to the Street Standards to retain the existing asphalt multi-use path along Siskiyou Boulevard and to construct a meandering sidewalk along the subject property's Park Street frontage rather than installing city standard sidewalks and parkrow planting strips, and for a Tree Removal Permit to remove five trees greater than six-inches in diameter at breast height (d.b.h.), including two Green Ash (*Fraxinus pennsylvanica*), one Modesto Ash (*Fraxinus velutina*), and two Redwoods (*Sequoia sempervirens*) including a multi-trunked cluster with five trunks of diameters ranging from eight- to 14-inches d.b.h. An existing approximately 895 square foot shop building on the southeastern portion of the property is proposed to be demolished in conjunction with the proposal. The proposal is outlined in plans on file at the Department of Community Development.

3) The criteria for Site Design Review approval are described in **AMC 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 or 2, 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.; or*
 - 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.*

4) The approval criteria for an Exception to Street Standards are described in **AMC 18.4.6.020.B.1** as follows:

- a. *There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.*
- b. *The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.*
 - i. *For transit facilities and related improvements, access, wait time, and ride experience.*
 - ii. *For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.*
 - iii. *For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.*
- c. *The exception is the minimum necessary to alleviate the difficulty.*
- d. *The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.*

- 5) The approval criteria for a Tree Removal Permit are described in **AMC 18.5.7.040.B** as follows:
1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*
 - b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*
 2. **Tree That is Not a Hazard.** *A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.*
 - b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*
 - c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.*
 - d. *Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.*
 - e. *The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

6) The Planning Commission, following proper public notice, held a public hearing on September 11, 2018 at which time testimony was received and exhibits were presented. Prior to the closing of the hearing, participants requested that the hearing or record remain open pursuant to ORS 197.763(6) to present additional evidence or argument. The Planning Commission closed the hearing, but left the record open to the submittal of new evidence until 4:30 p.m. on September 18, 2018; to the submittal of responses to the new submittals until 4:30 p.m. on September 24, 2018; and to the submittal of written arguments, but no new

evidence, by the applicant only until 4:30 p.m. on October 2, 2018. The meeting was continued for Planning Commission deliberations until 7:00 p.m. on October 9, 2018 at the City Council Chambers at which time the Planning Commission reconvened and after consideration of the materials received, 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 attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, 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, public hearing testimony and the exhibits received.

The Planning Commission further finds that the materials submitted by the applicant on October 2, 2018 as "Applicant's Closing Legal Argument" which were to have been limited to legal arguments and applicant's rebuttal and were not to contain new evidence, included new evidentiary submittals. The Commission hereby strikes pages 2, 3 and 8-19 of the applicant's October 2, 2018 submittal from the record and from consideration in this decision as they are found to contain new evidence after the hearing and record were closed.

2.2 The Planning Commission finds that the proposal for Site Design Review approval meets all applicable criteria for Site Design Review approval described in AMC section 18.5.2.050; that the proposal for an Exception to Street Design Standards meets all applicable criteria for an Exception to Street Design Standards described in AMC section 18.4.6.020.B.1; and that the proposal for a Tree Removal Permit to remove five trees meets all applicable criteria for Tree Removal described in AMC section 18.5.7.040.B.

2.3 The Planning Commission finds that, the first approval criterion for Site Design Review is that, *"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."* The application materials provided assert that the applicable provisions of the property's R-3 zoning from

AMC 18.2, including building and yard setbacks, lot area and dimensions, floor area, lot coverage, building height, building orientation, architecture and other applicable standards are being complied with.

The Planning Commission finds that the base density of the subject R-3 property is 14.8 units (0.74 acres x 20 dwelling units/acre = 14.8 dwelling units) and 15 units are proposed. The applicant proposes to address this additional density with a bonus for additional outdoor recreational space beyond the required 8 percent. The Commission further finds that while the application suggests that this additional density could be accomplished with a 0.2 percent bonus, a 1.35 percent density bonus is actually required ($14.8 \times 1.013513514 = 15$) and also finds that there is adequate space available with minor modifications to the landscape treatments to provide this additional recreation space. A condition requiring that 9.35 percent of recreational space be identified in a final revised site plan is attached to the approval.

A number of those commenting have suggested that the use proposed is more akin to a dormitory than to multi-family housing units. In considering this distinction, the Planning Commission finds that a dormitory is considered a type of “room and board facility” under “group living” in the Definitions Chapter (AMC 18.6.1). The Commission further finds that “group living” is defined as typically accommodating a group larger than the average size of a household in structures that are not self-contained but rather have common dining, social, recreational, and laundry facilities. By contrast, a dwelling unit is defined in terms of having one set of cooking facilities and accommodating one family, which is not defined as not more than five unrelated persons.

The Planning Commission finds that the units proposed here are self-contained, as each proposed dwelling unit includes four bedrooms, two bathrooms and its own kitchen, and as such are multi-family dwelling units rather than dormitory rooms. The Commission further finds that to insure compliance with the definition of a multi-family dwelling unit, a condition of approval has been included to make clear that each dwelling unit here is not to house more than five persons who are not related by blood, marriage, legal adoption or guardianship.

2.4 The Planning Commission finds that the second Site Design Review approval criterion is that, “*The proposal complies with applicable overlay zone requirements (part 18.3).*” The Commission further finds that the application explains that the subject property is not located in a special district or overlay zone and as such is not subject to the requirements of part 18.3.

2.5 The Planning Commission finds that the third approval criterion is that, “*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*” Generally, these Site Development & Design Standards seek to improve each project’s appearance; to create a positive, human scale relationship between proposed buildings and the streetscape which encourages bicycle and pedestrian travel; to lessen the visual and climatic impacts of parking; and to screen adjacent uses from adverse impacts of development. To these ends, buildings are to have their primary orientation to the street rather than to parking areas, with visible, functional and attractive entrances oriented to the street, placed within 20 feet of the street, and accessed directly from the public sidewalk. Sidewalks and street trees are to be provided along subject properties’ frontages, and automobile parking and circulation areas are not to be placed between buildings and the street and buffered and screened from surrounding properties.

The Commission finds that the application materials assert that the proposal complies with the applicable Site Development and Design Standards of AMC Chapter 18.4, and that only one exception to the Site Development and Design Standards is required for the parking lot stormwater treatment. Section 2.7 below addresses the required exception.

With regard to the Residential Site Review standards, the application materials explain that while there are primary entrances for all buildings from the site's interior, the buildings fronting on Siskiyou Boulevard and Park Street have architectural features intended to present a more traditional residential entry to these streets with prominent stairways centered on the building and a porch with a single wood door, wider posts on the patios, and a different window configurations, with pedestrian connections to the sidewalks and multi-use path. Colors and materials are noted as being selected to blend with the surrounding area, and street trees are to be provided along both frontages. The application further explains that parking is located to the rear of the site, behind the buildings.

The Commission also finds that the application materials provided include landscaping and site plans identifying a screened trash and recycling area. Section 18.4.3.080.E.6 requires that a sight-obscuring fence, wall or hedge between five and six feet high measured from the high grade side be provided as a buffer to an adjacent residential zone. The applicants have indicated that they intend to provide a hedge between the parking area and sidewalk, and will maintain existing fencing in place which screens the adjacent residential property.

The Planning Commission finds that in AMC Table 18.4.3.040, both single family and multi-family dwelling units are subject to the following parking requirements:

- | | | |
|----|---|-------------------|
| a. | Studio units or 1-bedroom units less than 500 sq. ft. | 1 space/unit. |
| b. | 1-bedroom units 500 sq. ft. or larger | 1.50 spaces/unit. |
| c. | 2-bedroom units | 1.75 spaces/unit. |
| d. | 3-bedroom or greater units | 2.00 spaces/unit. |

The Planning Commission finds that based on this table, at 2.00 spaces per unit for "3-bedroom or greater units", 15 multi-family dwelling units requires 30 off-street parking spaces. 30 off-street parking spaces are proposed here. In addition, there are approximately eight on-street parking spaces along the property's Park Street frontage for which no on-street credits have been requested. The Planning Commission finds that the proposal satisfies the applicable off-street parking requirement. The Commission also finds that the standard parking ratio provides for units of "3-bedrooms or greater" and that 4-bedrooms falls into this category. The Commission further finds that the parking ratios in the code do not provide for extrapolation of additional parking demand based on any number of bedrooms beyond three. The Commission finds that the proposed use, as further detailed above, is made up of multi-family dwelling units and does not constitute either a dormitory or an "unspecified use."

The Commission further finds that 30 covered bicycle parking spaces are required for 15 two bedroom units, that 30 covered bicycle parking spaces are to be provided. Conditions are included below to require that all proposed bicycle parking spaces are to be designed in compliance with the Bicycle Parking Design Standards for number, spacing and coverage noted in AMC 18.4.070.

2.6 The Planning Commission finds that the fourth criterion for Site Design Review approval is that, “*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.*” The application materials indicate that all key facilities are available within the adjacent rights-of-way and will be extended at the time of construction to serve the subject property. The Commission further finds that the application materials address the specific public facilities as follows:

- **Water** – The proposed water services, including both the fire sprinkler system and the domestic water service, will connect to an existing six-inch water main in Park Street. The application notes that there is an existing fire hydrant located on the west side of Park Street near the intersection of Siskiyou Boulevard that will remain.
- **Sanitary Sewer** – The application explains that the proposed sanitary sewer lines will tie into an existing eight-inch diameter sanitary sewer main located in the Siskiyou Boulevard right-of-way.
- **Electricity** – The application notes that there is overhead power running on-site on the east side of Park Street on the project side of the road. The application explains that power can be dropped down from the existing power poles to serve the site. The application notes that the applicant’s team has met with the Electric Department and determined that there is adequate power to serve the proposed project and have developed a preliminary electric service plan.
- **Urban Storm Drainage** – The application explains that the site’s storm water pre-treatment and detention requirements will be met by draining the on-site storm water into a proposed storm water detention pond system at the corner of Park Street and Siskiyou Boulevard. The pond will drain into an existing roadside ditch along Siskiyou Boulevard and then into an existing, underground 18-inch storm drain pipe. The application materials note that the site is too steep to allow for the proper design of a drainage swale per Rogue Valley Sewer Services (RVSS) requirements. (*RVSS is a regional service provider that has developed standards which have been cooperatively adopted to provide consistency by the various regional municipalities and service providers.*) The applicant has also indicated that they would be willing to take existing drainage from uphill property currently draining into a catch basin near the southeast corner of the proposed parking lot without any easements and address it within their proposed drainage system.
- **Paved Access & Adequate Transportation** – Siskiyou Boulevard along the property’s frontage is a Boulevard or Arterial, and is also a state highway under the jurisdiction of the Oregon Department of Transportation. It is currently improved with paving including two travel lanes and bike lanes, as well as a parkrow planting strip and a multi-use path which is paved in asphalt. The frontage currently lacks curbs, and there are no street trees within the planting strip. The

applicants seek an Exception to Street Standards to forego the installation of a new park row and new sidewalk, asserting that the existing conditions including the large storm drainage swale and wide multi-use path are in excellent condition, and that the path is continuous along the length of Siskiyou while the installation of a new sidewalk would result in an inconsistent improvement.

The Planning Commission finds that arriving that installation of incremental improvements here out of context with a more comprehensive improvement that takes into account the broader drainage and circulation systems poses a difficulty, and that retention of the existing path and drainage swale combined with the installation of street trees on the private property behind the path is the minimum exception to deal with this difficulty and provides an equivalent facility.

Park Street is a residential neighborhood collector street, and has paving, curb and gutters in place, but lacks sidewalks or parkrows along the subject property's frontage. The street standards call for a seven- to eight-foot landscaped parkrow with irrigated street trees and five- to six-foot sidewalk five-foot hardscape parkrow with tree wells, but the applicants have requested to install a modified sidewalk and parkrow configuration which would jog to accommodate the placement of new power poles and an existing electrical cabinet. Staff has noted that in discussions with the electric department it may be possible to place arms on the power poles which would allow their placement in a standard parkrow but this is questionable in that the line tension must be maintained and the lines must continue to align with the broader system to the north and south. Staff has recommended, and the Commission finds that if a standard parkrow and sidewalk configuration cannot be constructed according to standards by the placement of arms on the power poles, it would be preferable to install a curbside sidewalk for the full frontage of the property as this would respond to the difficulty posed by the power pole placement while resulting in a continuous/consistent sidewalk system without jogs or meanders that would provide a better pedestrian facility and would like better align with the future installation along Park Street to the south.

In reviewing the Transportation System Plan (TSP) in considering neighbors' comments and the applicant's traffic engineer's September 17, 2018 "Tech Memo", The Planning Commission finds that there is a TSP Project identified as Project #R13 "Siskiyou Boulevard (OR99)/Park Street Intersection Improvements" at the intersection of Siskiyou Boulevard and Park Street. This project is described as, "Realign Park Street approach to eliminate offset." The project is noted as being development driven, with no specific timeframe and is not identified in the Capital Improvement Projects (CIP) list. The engineering and construction cost is listed at \$296,000, however the project description notes that "Right-of-way costs are not included in the cost estimate." The project goals are noted as improving safety and balancing mobility and access. The Planning Commission finds that as illustrated in the TSP, the realignment would take a significant portion of the subject

property to better align the north and south legs of the Park Street intersection with Siskiyou Boulevard, and in so doing would eliminate some of the proposed buildings.

The Planning Commission further finds that Planning staff have discussed Project #R13 with Public Works/Engineering staff and visited the site with Public Works Director Paula Brown. In considering this project in light of the application under review, including the applicant's September 17 Tech Memo, staff have noted that the applicants engineer has performed a safety and performance evaluation for the intersection concluding that:

- **The proposed apartment traffic will generate five trips in the A.M. peak hour and 7 trips in the P.M. peak hour.**
- **The intersection of Park Street and Siskiyou Boulevard has had no reported crashes within the past five years. There is no apparent safety issue with the intersection.**
- **The intersection of Park Street at Siskiyou Boulevard operates better than the ODOT and city standard.**
- **The queuing of vehicles entering and exiting the site will not cause operation issues at the intersection.**
- **There are no significant issues or turning movement conflicts that will be impacted by the apartment complex.**
- **All sight distances are met for the south side Park Street apartments.**

Based on the Tech Memo and staff observations on site, the Planning Commission finds that there is no clear nexus which necessitates realignment of the intersection here. The peak hour trips generated are minimal, there are no apparent safety issues based on the crash history, the intersection operates better than city or state standards, sight distances are met, and there are no operational issues or turning movement conflicts that will be impacted by the proposal. The Planning Commission finds that realignment of the intersection would address underlying systemic issues that are neither caused nor exacerbated by the current proposal.

The Commission finds that TSP Project #R13 shifted the burden of the necessary right-of-way dedication and improvements disproportionately to the subject property because the properties on the north side of the intersection are already fully developed, and further finds that it would not be proportional to the impacts of the proposed development to require the necessary right-of-way dedication to correct this underlying issue which is not caused or exacerbated by the applicant's proposal. The Commission also finds that in discussing these issues with the Public Works Director, staff noted that she does not believe that the existing or anticipated trip counts on Park Street necessitate this realignment, whereas the level of trips at Wimer and Hersey Streets, a recently completed realignment project in the TSP, clearly necessitated the realignment project there.

The Planning Commission finds that based on the above information, that existing public facilities and utilities are in place and available to serve the project, and have been preliminarily identified on the Site Plan provided and discussed in the narrative. Electric, water, sanitary sewer and storm drainage facilities are available from the adjacent rights-of-way, and the application indicates that services will be extended by the applicant as necessary to connect to the proposed buildings. Conditions have been included below requiring that final electrical distribution, utility, storm drainage, and street improvement plans be provided for review and approval prior to building permit submittal, and that any fees for necessary service upgrades or connection to address specific service requirements for the proposed buildings be paid for prior to permit issuance.

2.7 The Planning Commission finds that the final criterion for Site Design Review approval provides that the Planning Commission may approve Exceptions to the Site Development and Design Standards of part 18.4 if certain circumstances are found to exist.

With regard to the parking lot treatment, the Planning Commission finds that section 18.4.3.080.B.5 requires that parking areas of more than seven spaces minimize the adverse microclimatic impacts of the parking through design and materials by utilizing light-colored paving, using at least 50 percent porous paving materials or providing 50 percent of the parking area shaded with trees or solar carports, and capturing and treating stormwater run-off in landscaped medians and swales. While the application proposes to treat the parking area in pervious concrete, the applicants have indicated that the site's grades do not readily accommodate the installation of swale, and have instead proposed to pipe the site's drainage to a detention pond near the northwest corner of the property where it would be held before entering the city's storm drain system in the Siskiyou Boulevard right-of-way. Here, the Commission finds that the site grades are too great for a swale according to regional stormwater standards and further finds that the combined use of pervious concrete for the parking area and installation of a detention pond is the minimum necessary to alleviate this difficulty, will not substantially negatively impact adjacent properties given that microclimatic impacts of the parking area will continue to be minimized while providing for a measure of groundwater recharge.

2.8 The Planning Commission finds that the application includes a request for a Tree Removal Permit to remove five trees greater than six-inches in diameter at breast height (d.b.h.), including two Green Ash (*Fraxinus pennsylvanica*), one Modesto Ash (*Fraxinus velutina*), and two Redwoods (*Sequoia sempervirens*) including a multi-trunked cluster with five trunks of diameters ranging from eight- to 14-inches d.b.h.

The Planning Commission finds that the larger Redwood (Tree #6) is noted in the arborist report as having a 35-inch diameter, and being a large, healthy tree. The arborist notes that as the project is now designed, the tree is located within a building's footprint and would need to be removed. The arborist indicates that he does not see options for preservation of this tree short of a complete project re-design.

The Commission further finds that the cluster of Redwood trees (#7) is noted by the landscape professional as being in good condition. The arborist indicates that this tree does not appear to fall within a building

footprint, and suggests that it seems feasible that this tree could be preserved through protection measures but would require adjustment of the landscape plans.

The Commission finds that the arborist further notes that in considering the two Redwoods (#6 & #7) both are conifers in close proximity to building, and if either were ultimately to be preserved, any necessary fuels-reduction pruning should be considered as a condition of approval. The arborist further recommends that supplemental watering for the trees to be preserved be provided, especially during summer months, and that the Tree Protection Plan be revisited to address trees on the neighboring property to the south, with particular attention to the large Deodar Cedar near the southeast corner.

The Commission also finds that with regard to the removals requested, the application explains that no one individual factor lead to the Tree Removal Permit request, but that it was instead a combination of several factors: First, the applicants felt that it was questionable that a site layout could be achieved which would result in keeping the large Redwood healthy over the long-term. The applicants emphasize that given the tree's location and the size of its protection zone, it would certainly be impacted during construction and the foundation of at least one of the structures would negatively impact its root system regardless of the final layout of the buildings. Second, they note that the placement of the parking is a key limiting factor with development of the site, suggesting that an appropriate design would place the parking to the south, behind buildings and a safe distance from the intersection with Siskiyou Boulevard. The design sought a straight, limited length, two-way entry to the parking area and given the number of spaces required the parking area uses the entire southern end of the property and eliminates the potential use of this area for buildings. Third, the applicants suggest that with the housing market being what it is, it is incumbent on a successful multi-family development to maximize the number of units that can reasonably be provided on any given site. Finally, the applicants note site design standards not only dictate the placement of the parking behind the buildings, but require that buildings be placed near and oriented to the street which further limits the site design options, particularly in avoiding the removal of the large Redwood.

The Planning Commission finds that the Landscape Plan (**Sheet L1.0**) identifies a variety of new trees to be planted including Raywood Ash, Golden Rain, Redspire Flowering Pear, Little-leaf Linden and Japanese Zelkova.

In considering the applicants Tree Preservation and Protection Plan, the Commission finds that the Tree Protection Zone for the Redwoods would encompass a significant area of the site plan beyond that depicted on the applicants' current drawings, and further finds that staff have suggested that preserving and protecting the large Redwood could require that the site density be reduced below the permitted density allowed by the zone particularly given the larger likely protection zone and that the buildings currently proposed along Siskiyou in closest proximity to the tree will require excavation to accommodate a basement. The Planning Commission finds that the Ashland Tree Commission reviewed the application at its regular meeting on September 6, 2018 and was generally supportive of the application as submitted, including the proposed removal of the Redwoods. The Commission did not believe that Tree #7, the Redwood cluster, could be preserved given its proximity to construction and the excavation necessary to construct a basement. The Tree Commission recommended that street trees be selected from the approved list, but that Raywood Ash trees not be chosen. The Tree Commission

suggested that at least half of the Raywood Ash trees be replaced with a variety of Oak. The Tree Commission also recommended that the trees to be retained be water at least twice per week. The Tree Commission concluded that the proposed mitigation planting would have a net positive impact on the site and surroundings in terms of canopy coverage in the long-run. The Planning Commission accepts these recommendations and has included conditions making them conditions of the approval here.

2.9 In considering the request as a whole, the Planning Commission finds that the proposal will provide much needed housing in a flexible configuration similar to that used in the applicants' adjacent apartments to the east, and that the applicants have chosen to provide the full amount of required parking on-site rather than seeking reductions based on the available on-street parking on Park Street. While the removal of the large Redwood is unfortunate, its location on the site and large protection zone make its retention difficult when seeking to develop much needed multi-family housing at R-3 densities and the application includes the planting of a number and variety of new trees. The Commission therefore finds that with the conditions attached below, the proposal merits approval.

SECTION 3. DECISION

3.1 The Planning Commission concludes that based on the record of the Public Hearing on this matter, the proposal for Site Design Review approval to construct a 15-unit apartment complex consisting of six apartment buildings, a separate 221 square foot laundry facility and a 30-space parking lot; Exceptions to the Street Standards to retain the existing asphalt multi-use path along Siskiyou Boulevard and to construct a meandering sidewalk along the subject property's Park Street frontage rather than installing city standard sidewalks and parkrow planting strips; and for a Tree Removal Permit to remove five tree at 880 Park Street is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, the Planning Commission approves Planning Action #T2-2018-00002. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2018-T2-00002 is denied. The following are the conditions attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein, including but not limited to the applicant's agreement to take drainage currently going into the catch basin near the southeast corner of the site without easements and to accommodate it within the site's proposed drainage system.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. 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 approval shall be submitted and approved prior to the issuance of a building permit.
- 3) The requirements of the Ashland Fire Department, including approved addressing, fire apparatus access including angle of approach and any necessary easements; applicable aerial access; provisions for firefighter access pathways; fire flow; fire hydrant spacing, distance and clearance; work area; fire department connection (FDC); fire extinguishers; limitations on access obstructions; and fire sprinklers, shall be complied with prior to issuance of the building permit or the use of combustible materials. Fire Department requirements shall be included on the

- engineered construction documents. If a fire protection vault is required, the vault shall not be located in the sidewalk corridor.
- 4) That mechanical equipment shall be placed and screened from view from Siskiyou Boulevard and Park Street in a manner consistent with AMC 18.2.4.020.B, and the location and screening of all mechanical equipment shall be detailed on the building permit submittals.
 - 5) That all recommendations of the Ashland Tree Commission from its September 6, 2018 regular meeting shall be conditions of approval where consistent with applicable standards and criteria and with final approval by the Staff Advisor.
 - 6) That the applicants shall obtain approval of a Demolition Permit through the Building Division prior to the demolition of the existing metal shop building if deemed necessary by the Building Official.
 - 7) That any new addresses shall be assigned by City of Ashland Engineering Department.
 - 8) That permits shall be obtained from the Oregon Department of Transportation (ODOT) and evidence of approval provided to the Ashland Public Works/Engineering Division prior to any work in the Siskiyou Boulevard state highway right-of-way.
 - 9) That building permit submittals shall include:
 - a) The identification of all easements, including but not limited to public or private utility or drainage easements, fire apparatus access easements, and public pedestrian access easements.
 - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those described in the application and very bright or neon paint colors shall not be used.
 - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - d) A final landscaping and irrigation plan to include irrigation details satisfying the requirements of the Water Conserving Landscaping Guidelines and Policies found in AMC 18.4.4 which includes: 1) A clear delineation of the proposed treatment of the required recreation/open space with calculations demonstrating that a total of 9.35 percent of the site is provided in recreational space; 2) Identification and placement of required street trees and mitigation trees; and 3) Final proposed lot coverage calculations including all building footprints, driveways, parking, and circulation areas shall be provided for the review and approval of the Staff Advisor. Lot coverage shall be limited to no more than 75 percent as allowed in the R-3 zoning district.
 - e) That a revised Tree Inventory and Tree Protection Plan be provided for the review and approval of the Staff Advisor. This plan shall identify and address protection of all trees to be preserved on the site and those on adjacent to the site within 15 feet of the property line which are six-inches in diameter at breast height or greater, and shall include a watering schedule for trees to be preserved and protected, with watering to occur at least twice per week.
 - f) Final stormwater drainage, grading and erosion control plans for the review and approval of the Engineering, Building and Planning Departments. The stormwater plan shall address Public Works/Engineering standards requiring that post-development peak flows do not exceed pre-development levels. Any necessary drainage improvements to address the

site's stormwater shall be provided at the applicants' expense. Storm water from all new impervious surfaces and run-off associated with peak rainfall events 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.

- g) A final utility plan for the project for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of any necessary connections to 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. Meters, cabinets, vaults and Fire Department Connections shall be located outside of pedestrian corridors and in areas least visible from streets, sidewalks and pedestrian areas, while considering access needs. Any necessary service extensions or upgrades shall be completed by the applicant at applicant's expense.
- h) An electric design and distribution plan including load calculations and locations of all primary and secondary services including any transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of excavation or building permits. Transformers, cabinets and vaults shall be located outside the pedestrian corridor in areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department. Any necessary service extensions or upgrades shall be completed at the applicant's expense.
- i) That the applicants shall provide engineered plans for the installation of street frontage improvements for the full Park Street frontage of the subject property, including city-standard seven-foot width landscaped parkrow planting strips with irrigated street trees, five-foot sidewalks, and city-standard street lighting for the review of the Planning and Public Works/Engineering Departments. (*If an Electric Department-approved power pole configuration cannot be arrived at which will accommodate city-standard parkrow installation without meandering the sidewalks, an Exception is approved to install continuous curbside five-foot width sidewalks with irrigated street trees placed behind the sidewalk.*) If necessary to accommodate city standard street frontage improvements, the applicant shall dedicate additional right-of-way or provide public pedestrian access easements. Any necessary easements or right-of-way dedications shall be submitted for the review and approval of the Planning and Public Works/Engineering Departments. Permits for any work in the right-of-way shall be obtained from the Public Work/Engineering Department.
- j) Identification or required bicycle parking, which includes 30 covered bicycle parking spaces. Inverted u-racks shall be used for the outdoor bicycle parking, and the building permit submittals shall verify that the bicycle parking, spacing and coverage requirements are met.
- k) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A. Calculations shall be in the formula **[(Height – 6)/(0.445 + Slope) = Required Solar Setback]** and elevations or cross section drawings shall be provided clearly identifying the highest shadow producing point(s) and the height(s) from natural

- grade.
- l) That the building permit drawings shall including calculations demonstrating that the proposed buildings comply with the Separation Between Buildings requirements of AMC 18.3.9.070.B.
- 10) That prior to the issuance of the building permit, the commencement of site work including staging or the storage of materials:
- a) That all necessary building permits fees and associated charges, including permits and connections fees for new, separate, underground electrical services to each proposed unit, and system development charges for water, sewer, storm water, parks, and transportation shall be paid.
 - b) That the tree protection fencing and other tree preservation measures shall be installed according to the approved plan, inspected and approved by the Staff Advisor prior to any site work including demolition, staging or storage of materials, or the issuance of a building permit. The tree protection shall be chain link fencing six feet tall and installed in accordance with 18.4.5.030.C. and no construction shall occur within the tree protection zone including dumping or storage of materials such as building supplies, soil, waste, equipment, or parked vehicles.
 - c) That the property owner shall sign in favor of a Local Improvement District (LID) for the future street improvements, including but not limited to paving, curbs, gutters and storm drainage, park rows with street trees, and sidewalks for Siskiyou Boulevard. Nothing in this condition is intended to prohibit an owner/developer, their successors or assigns from exercising their rights to freedom of speech and expression by orally objecting or participating in the LID hearing or to take advantage of any protection afforded any party by City ordinances and resolutions.
- 11) That prior to the final approval of the project or issuance of a certificate of occupancy:
- a) All hardscaping including the sidewalk corridor, parking lot and driveway; landscaping; common area and open space improvements; and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor.
 - b) All utility service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) Sanitary sewer laterals, water services including connection with meters at the street, and underground electric services shall be installed according to the approved plans to serve all units prior to signature of the final survey plat or issuance of a certificate of occupancy.
 - d) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.
 - e) All required street frontage improvements, including but not limited to the Park Street sidewalk, parkrow with irrigated street trees spaced at one tree per 30 feet of frontage, and street lighting, shall be installed under permit from the Public Works Department and in accordance with the approved plans, inspected and approved by the Staff Advisor.

- f) That street trees, one per 30 feet of street frontage, shall be installed behind the sidewalk on the applicants' property along the Siskiyou Boulevard frontage. All street trees shall be chosen from the adopted Street Tree List, but shall not include Raywood Ashes, and shall be planted on the property in accordance with the specifications contained therein. The street trees shall be irrigated.
 - g) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards, and an opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure as required in AMC 18.4.4.040.
 - h) 30 required covered bicycle parking spaces shall be installed according to approved plan, inspected and approved by the Staff Advisor.
 - i) That the applicants shall install and maintain a sight-obscuring fence, wall or hedge at the property line between the parking area and driveway and adjacent residential property in a manner consistent with AMC 18.4.3.080.E.6.b. This sight-obscuring fence, wall or hedge shall be between five and six feet high as measured from the high grade side of the property line, and may be installed within the required five-foot landscape strip. Any screen plantings shall be of a size and number to provide required screening within 12 months of installation.
- 12) That each of the proposed multi-family dwelling units here shall house no more than one family, which is defined as not more than five persons who are not related by blood, marriage, legal adoption or guardianship.

Planning Commission Approval

October 23, 2018

Date

ASHLAND TREE COMMISSION
PLANNING APPLICATION REVIEW COMMENT SHEET
October 11, 2018

PLANNING ACTION: PA-T2-2018-00003
SUBJECT PROPERTY: 188 Garfield Street
APPLICANT: Rogue Planning & Development Services, LLC
OWNERS: Spartan Ashland Rivergate Real Estate, LLC
DESCRIPTION: A request for Site Design Review approval to construct a 72-unit studio apartment community ("The MidTown Lofts") for the properties located at 188 Garfield Street. The application also includes requests for a Tree Removal Permit to remove 15 trees that are more than six-inches in diameter at breast height (d.b.h.); an Exception to the Site Development and Design Standards to treat stormwater run-off in a combination of bio-swales, underground treatment facilities and detentions ponds rather than in landscaped parking lot medians and swales; and for Exceptions to Street Standards to retain the existing curbside sidewalk system along the frontage of the property and for the location of the driveway curb cut on Quincy Street, which is proposed to be shared with the property to the east and which would exceed the maximum driveway curb cut width for residential developments. (All of the proposed units are studio units that are less than 500 square feet in gross habitable floor area and each counts as $\frac{3}{4}$ of a unit for purposes of density calculation; density bonuses are requested for conservation housing, outdoor recreation space and major recreation facilities.)
COMPREHENSIVE PLAN DESIGNATION: High Density Multi-Family Residential; **ZONING:** R-3;
ASSESSOR'S MAP: 39 1E 15AD; **TAX LOT:** 2100 & 2101

The Tree Commission recommends **approving** the application and that every effort be made to preserve existing trees, that they be pruned professionally, and that synthetic turf not be used.

RECEIVED
OCT 16 2018
City Of Ashland

October 16, 2018

Ashland Planning Division
Attn: Planning Commission
20 E Main Street
Ashland, OR 97520

Subject: Additional information regarding the request for Site Design Review approval to construct a 72-unit, studio apartment community on the vacant, 2.10 acre lot located at 188 Garfield Street. The request included tree removal permit approval to remove 15 trees, an exception to the design standards for storm water treatment, exception to street standards to maintain the majority of the properties non-conforming, existing curb-side sidewalk, and the relocation of the existing, non-conforming driveway curbcut on Quincy Street to consolidate with the adjacent property and provide a wider than standard curbcut. The request included density bonuses for Conservation Housing, Outdoor Recreation Space that exceeds the required minimum area and Major Recreational Facilities.

Dear Staff and Planning Commissioners,

Please accept the additional information regarding the Site Design Review application for the MidTown Lofts in your consideration of the proposal.

According to the City of Ashland Rental Need Analysis from 2007, there was a substantial demand for studio units (1,039) and in 2007, a supply of 392. The net need at the time was 647 units. That study went on to state that "the lack of rental property production is due to basic market economics. It is simply more profitable to build and sell a multi-family unit as a condominium than it is to rent it as an apartment." Rental Needs Analysis, City of Ashland: Ferrarini & Associates: 2007. Table 3. Pg. 11 of 54.

The proposal is to provide for this clearly documented need in an apartment format and not in the condominium or townhouse development patterns that have been more commonly utilized in the multi-family residential zoning district.

A condominium proposal was previously considered for the property. That development would have resulted in 36 units with three bedroom, two bath, 1,600 square feet with attached garages. This proposal would have resulted in substantially more bedroom spaces, more need for on-street parking credits, less open space area, 75 percent lot coverage, and added a housing type that is substantially available in the Ashland market according to the Rental Needs Analysis (net need noted as 54 units). Following discussions with staff regarding housing needs, the property owner changed course to provide a needed housing type and not replicate an over-utilized development pattern.

Below is additional information regarding the items of concern raised at the October 9, 2018, Planning Commission Public Hearing.

Density and Density Bonus:

The property is 2.10 acres. The R-3 zones allows for the development of the property with 20-dwelling units per acre. The proposed density of 72 units that are less than 500-square feet in habitable floor area ($72 \times .75 = 54$), complies with the allowed density standards found in AMC 18.2.5.080.

Allowed Density 18.2.5.080: $2.1 \times 20 = 42$ dwelling units
Maximum allowed density with density bonuses: $+60\% (42 \times .60 = 25.4 + 42 = 67.4)$

Proposed Density: The proposal seeks density bonuses for Conservation Housing, Open Space and Major Recreational Facilities for a requested increase of 29 percent to allowed density ($42 + 29\% = 54$ units). Per AMC 18.2.5.080.F., each unit when less than 500 square feet is .75 of a unit for the purposes of density. The proposal is for 72 units, with 496-square feet in floor area. This is equal to 54 dwelling units greater than 500 square feet ($72 \times .75 = 54$).

Conservation Housing – max 15%: $42 \times .15 = 6.3$

All of the units are proposed to have an energy efficient envelope. The units are proposed to have LED and low electric usage appliances. All of the proposed units will comply with Earth Advantage and Energy Star Requirements for new construction. Specifically, points from the Earth Advantage® Multifamily Homes 2012 Standard Measures Resource Guide (Modified) will be implemented on site. Due to the proximity to transit, community services, retail, schools; the small footprints, the amount of proposed open space areas, low water consuming landscaping, solar orientation, etc. the proposal will greatly exceed the minimum standards for compliance. This will be demonstrated on the building permit submittals.

Outdoor Recreation – max 10%: $42 \times .10 = 4.2$

The required eight percent outdoor recreation space for a 91,474 square foot parcel is 7,318 square feet. In order to obtain an outdoor recreation area credit an additional 9,147 square feet in area for outdoor recreation is required (16,465.32 square feet).

The proposed outdoor recreation space for the property is a combination of semi-private patios and balconies and the larger open space with the lawn areas, large patio area with table and chairs, community BBQs and fire pit and a shade structure. There are substantial lawn areas that are also outdoor recreation areas.

The total lot area devoted to outdoor recreation area for the MidTown Lofts “community” is 21,643 square feet in area or 23.6 percent.

Each unit also has a semi-private outdoor space that is either a deck or a patio area which accounts for 6,624 square feet. The courtyard area and lawn area (evidence by a hashed line on AP.1.1 attached) 15,019 square feet. These areas total 21,643 square feet in area of the property devoted to outdoor recreation space.

To be consistent with Staff and Commission's previous decisions regarding the 'usable' area of the outdoor recreation area, approximately 15.5 square feet of area from each unit was excluded for entry areas (findings state 5,616 this is the area of the patio excluding the entry are in front of each door). This reduces the total provided area to 20,635 which still exceeds the required area of 16,465.32 square feet in area.

Major Recreation Facility: $42 \times .10 = 4.2$ (REQUESTED $.04 = 1.68$)

For each percent of the total project budget devoted to major recreational facilities, a six percent density bonus is permitted. A four percent bonus is sought with this proposal. The proposal is to have numerous recreational amenities including dedicated lawn game area for Badminton, Spike ball and Horseshoes. A built-in outdoor BBQ kitchen, covered patio area, fire pit and extensive seating areas in the common outdoor recreational area.

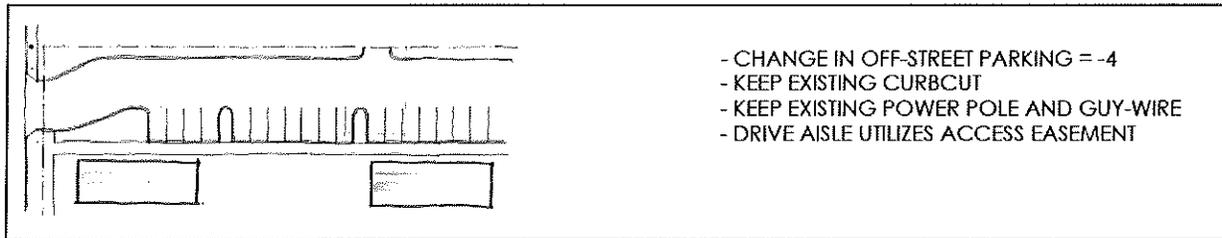
These amenities create a substantially more desirable outdoor area with major recreation areas. The provided amenities account for more than one percent of the total project budget devoted to recreational facilities. This is not an area measurement but an additional amenities issue. The financial breakdown of the proposed recreational amenities and the project budget is attached.

There are limited amenities listed in the Major Recreation Facilities found in section AMC 18.2.5.080.F.3.c. The suggested facilities include tennis courts, swimming pools, or playgrounds, or similar. The major recreational facilities suggested in the code all generate or have the potential to generate significant noise impacts in addition to having negative environmental impacts from the required solid surface to accommodate court games. The small size of the units are not typically occupied by families or parents with child or children so a playground would not be a beneficial use of the space. The code does provide for the "or similar" use as a major recreational facility. The proposed amenities including the dedicated lawn game areas provides active area for the envisioned demographic. The proximity of the property to conveniently located off-site major recreational facilities further reduces the need for a tennis court or basketball court.

Exception to Street Standards for Driveway Curbcut:

The original application requested an exception to street standards for the location of the driveway curb cut accessing the site from Quincy Street. It was proposed to be shared with the driveway to the east of the subject property that exceeds the maximum driveway curb cut width for residential developments is also requested.

The application proposal modifies this portion of the request. The modification retains the existing driveway curb cut location, preserves a healthy street tree and preserves the existing street pattern. The existing driveway curb cut is 16-feet from the east property line and is 28-feet wide. The driveway will be reduced in overall width to 24-feet. The graphic below demonstrates the change in the site plan, depicting the driveway in its present location. Revised findings regarding the modified exception are provided.



Parking, Access, Circulation:

The proposed development requires 72 parking spaces. The required parking was proposed as a combination of on-site parking in a 67-space surface parking lot and a request for five on-street parking credits. The shift of the driveway from a consolidated driveway to the existing curb-cut requires the elimination of five of the on-site parking spaces. This translates to an increase in on-street credits requested from five to seven. With the provision of 12-bicycle parking spaces above the 72 required, two vehicle parking credits are possible from the Parking Management Strategies found in AMC 18.4.3.060. With the approval of seven on-street credits, the revised 63-space parking area and on-site bicycle parking complies with the minimum parking standards for the proposed development.

Attached are photographs of the on-street parking from 2012, 2015, and 2018. In all photos, there is ample on-street parking present along the more than 600-feet of street frontage abutting the property. On average over the past six years, there have been between six to ten cars on Garfield Street, zero to two on Iowa Street and two – five on Quincy Street. There are newly painted yellow curbs that restrict parking within the vision clearance of triangle of Iowa and Garfield Streets. With more than 30 available on-street credits, the request for seven is de minimis and should be allowed to off-set the increases in on-site pavement, and reductions in landscaping.

Thank you for your consideration on this project.

Attachments:

Photos of on-street parking
Neighborhood aerial with development shown
Major Recreational Facilities statement from Architect
Civil Engineer Jim Higday statement regarding the exception to not provide bio-swales in the parking lots
Rogue Valley Stormwater Quality Design Manual excerpt
Site Plan (A.1.1)

Public Facilities

18.4.6.020

B. Exceptions and Variances.

1. Exception to the Street Design Standards.

a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.

Applicant's Finding:

The existing curb cut is 16-feet from the adjacent curbcut to the east. The revise proposal will retain the location of the curbcut and reduce it from 28-feet in width to 24-feet in width, closer to the standards. This allows for the existing street pattern to be retained, retain the existing access easement for an adjacent property that shares the sites curb-cut. The curbcut is generally aligned with the curb cuts across Quincy Street instead of off-set where the standard separation would necessitate the relocation.

b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.

Applicant's Finding:

The connectivity of the property and the neighborhood will have superior transportation facilities through the installation of additional street trees and an overall reduction in the number of curb cuts and accesses from the site to the public right-of-way.

- i. For transit facilities and related improvements, access, wait time, and ride experience.
Not applicable
- ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
Iowa, Garfield and Quincy Streets are all 'shared' streets without dedicated bicycle lanes. The proposal will not have a negative impact on the bicycle facilities.
- iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
The proposal is to retain the existing driveway curbcut. The proposed improvements sidewalk improvements increase the comfort level of walking along Quincy Street.

The existing driveway curbcut is better for the pedestrian environment because the driveway is more narrow than existing and retains the existing street pattern.

c. The exception is the minimum necessary to alleviate the difficulty.

Applicant's Finding:

The exception is the minimum necessary to alleviate the difficulty of relocating the curbcut nearly 25-feet to the west .

d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection [18.4.6.040.A](#).

Applicant's Finding:

The purpose and intent contains standards for street connectivity and design as well as cross sections for street improvements including installation of new streets and improvements to existing streets.

The driveway width being wider than allowed by standards, but more narrow than existing provides for a better pedestrian environment by retaining the number of curbcuts and allows for the driveway to be located generally across from existing driveways to the north of property on Quincy Street versus off-set by 25-feet.

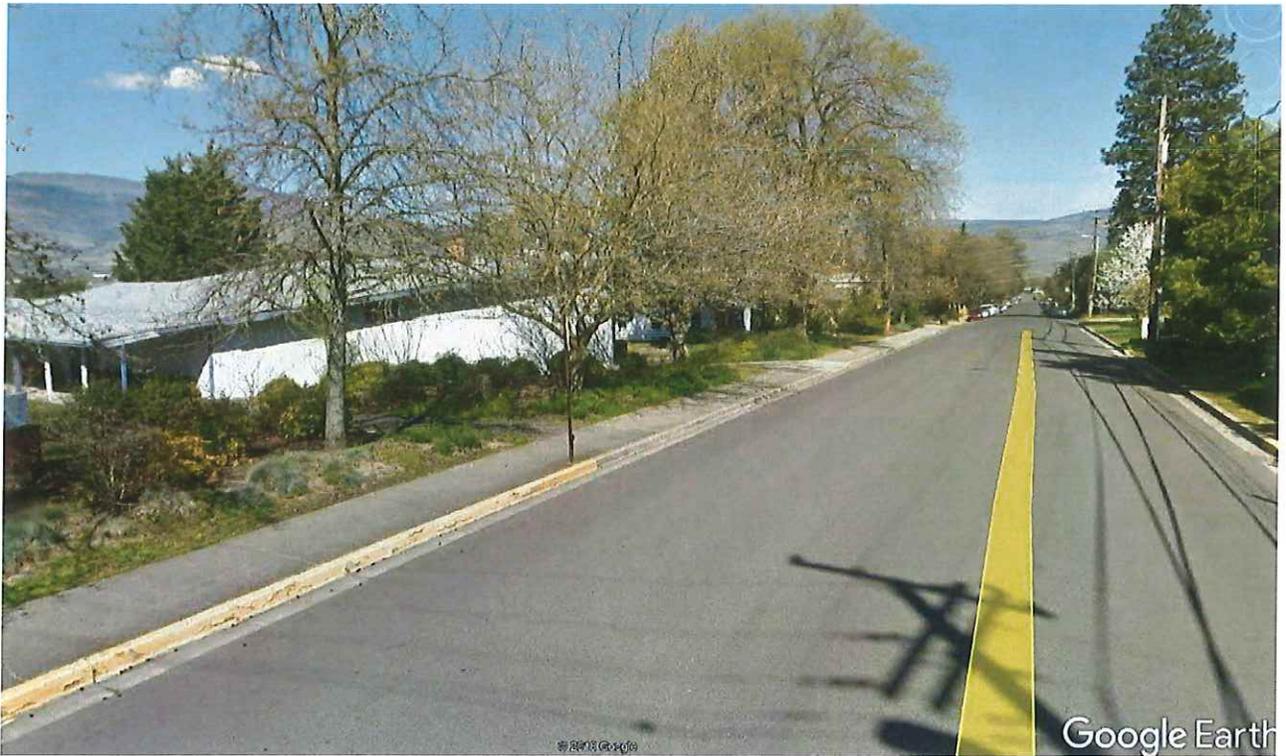


Figure 1: Iowa Street looking east (April 2012)



Figure 2: Iowa Street looking east (May 2012)

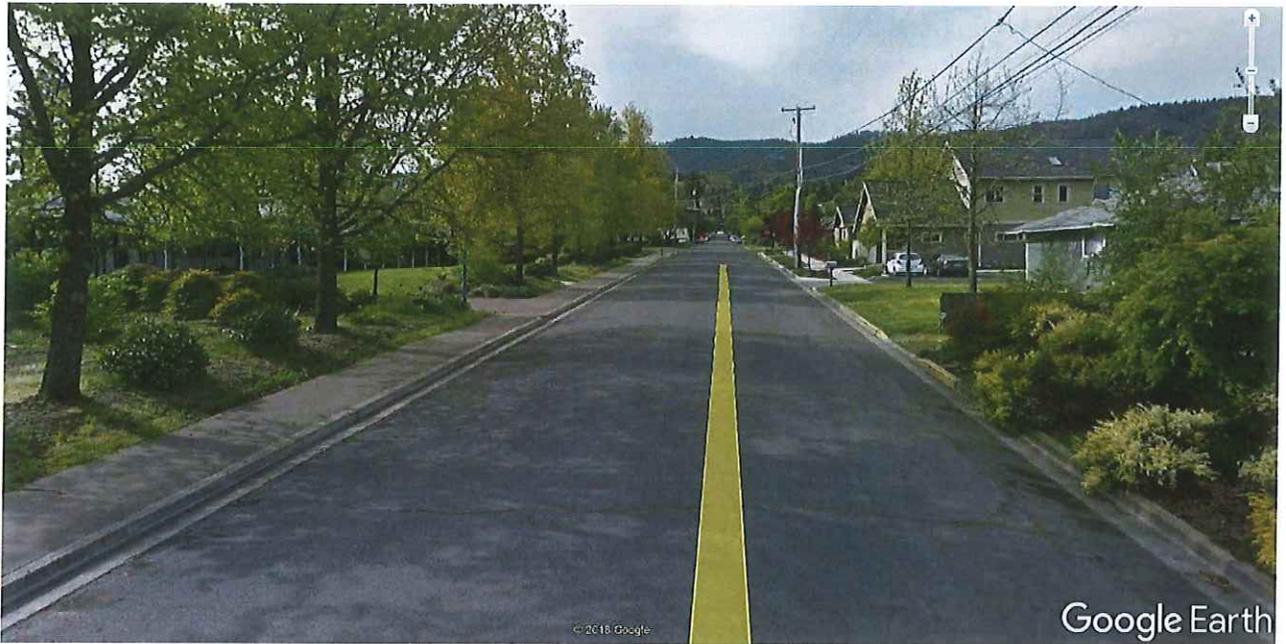


Figure 3: Garfield Street looking south (May 2012)



Figure 4: Garfield Street looking south (May 2012)



Figure 5: Quincy Street (May 2015)



Figure 6: Garfield Street looking north (August 2015)

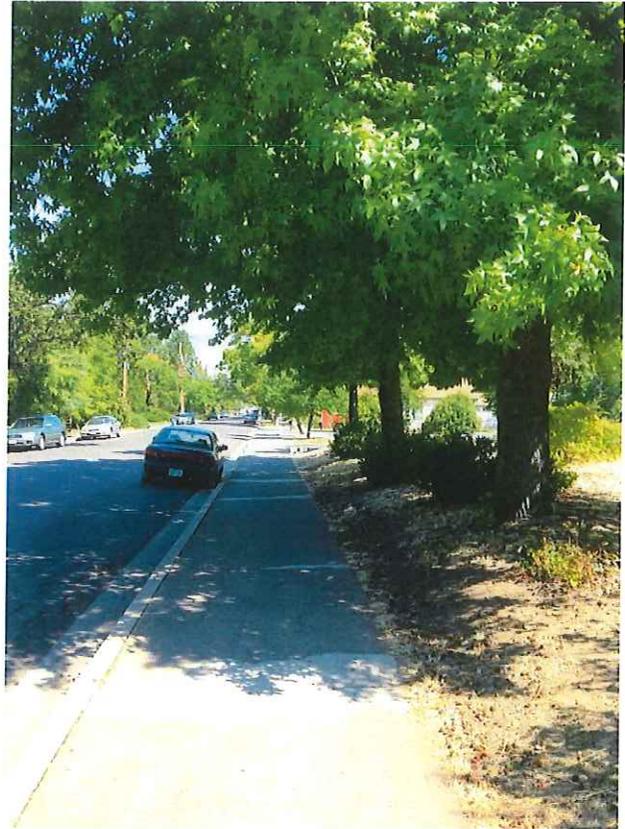


Figure 7: Garfield Street looking north (August 2015)



Figure 8: Iowa Street looking west (August 2015)



Figure 9: Garfield Street looking north (August 7, 2018)



Figure 10: Iowa Street looking east (August 7, 2018)



Figure 11: Iowa Street looking east (October 11, 2018)

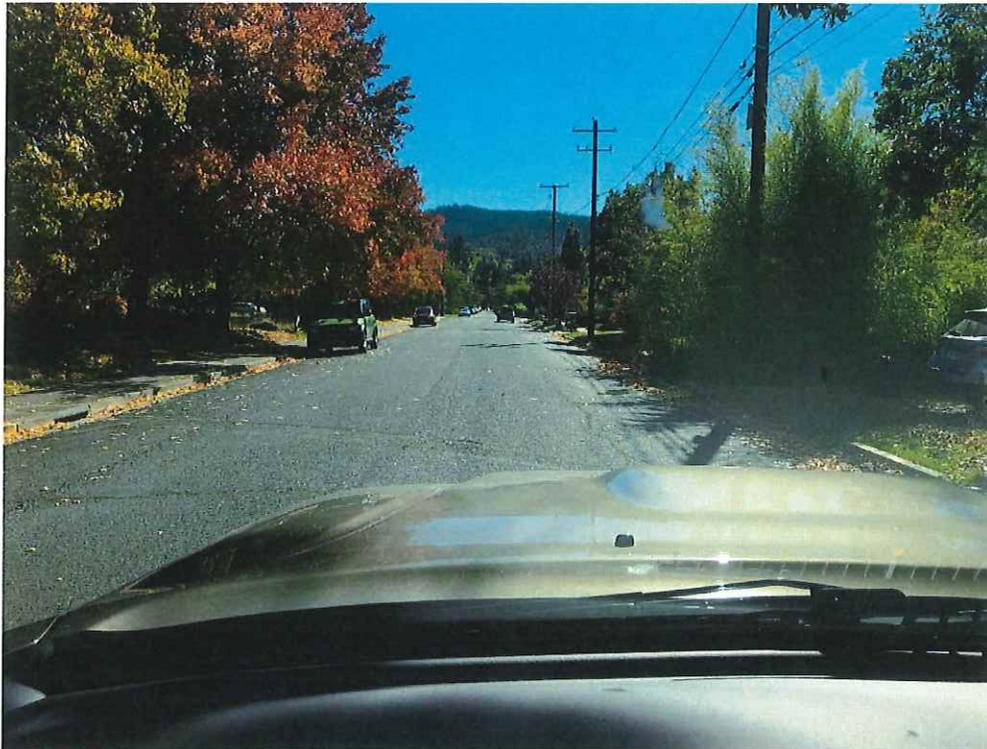


Figure 12: Garfield Street looking south (October 11, 2018)



Figure 13: Quincy Street looking west (October 11, 2018)

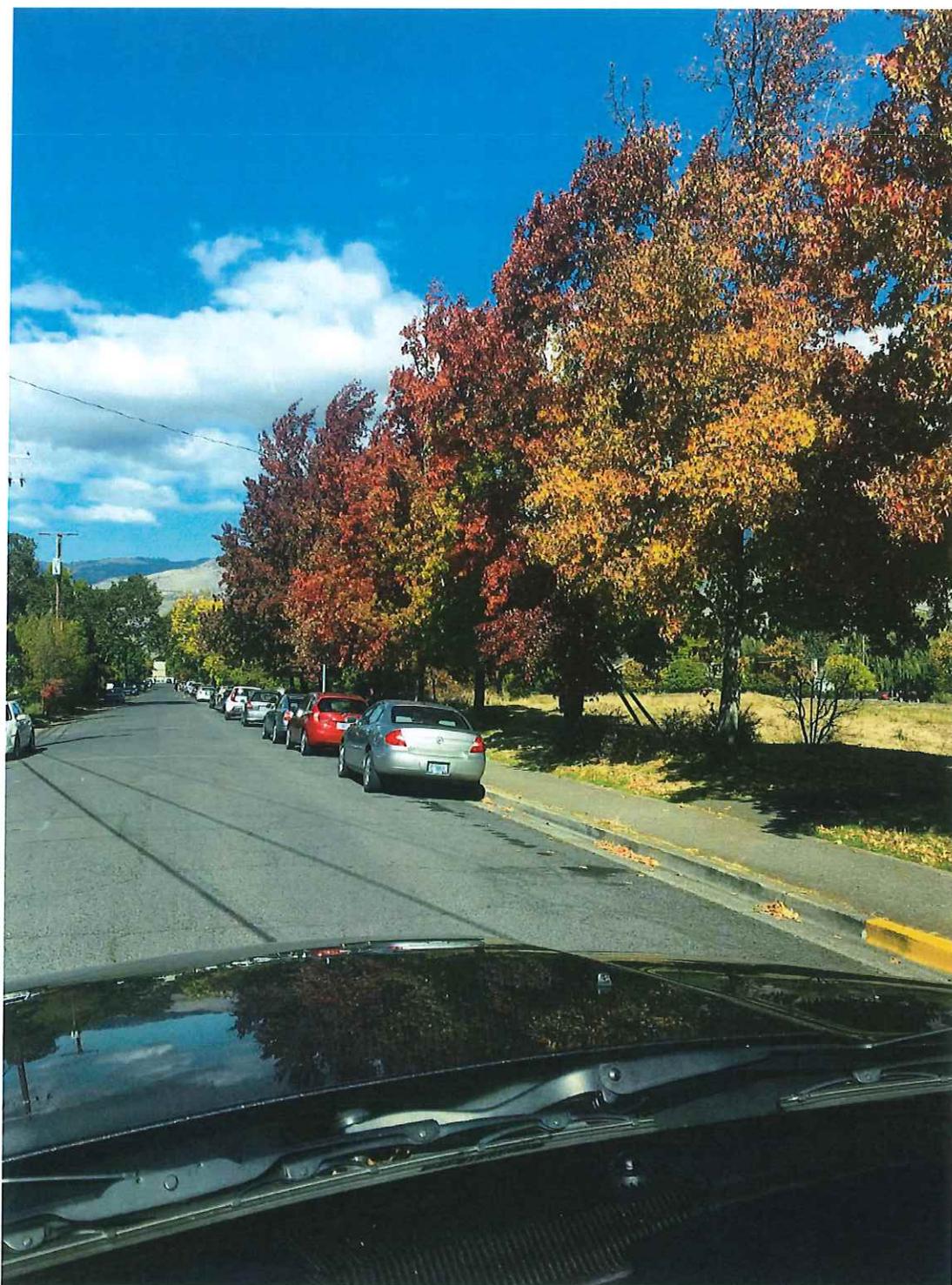


Figure 14: Garfield Street looking north (October 12, 2018)

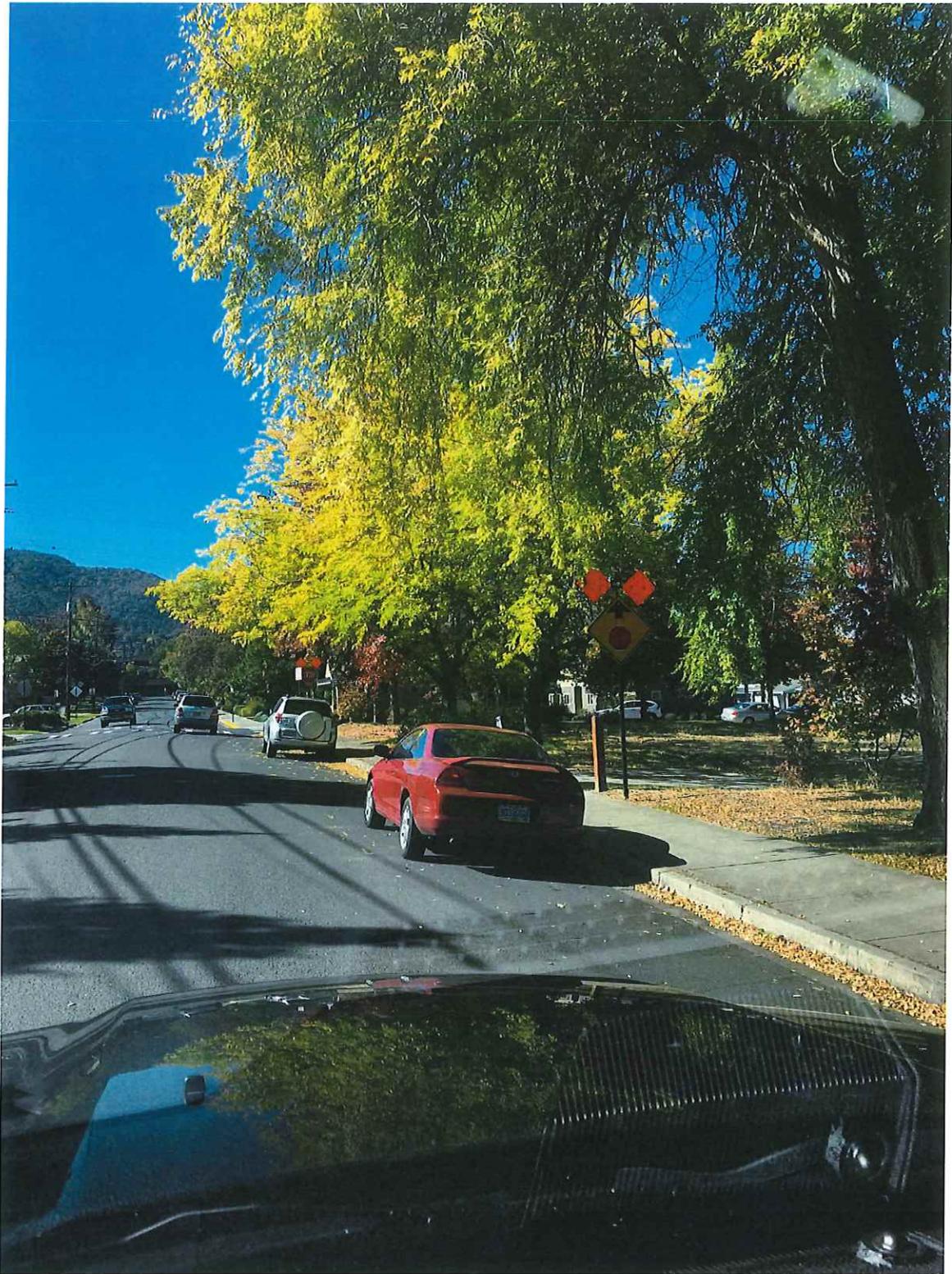


Figure 15: Iowa Street looking west (October 12, 2018)



Figure 16: Garfield Street looking south (October 14, 2018)



Figure 17: Iowa Street looking east (October 14, 2018)



Figure 18: Quincy Street looking west (October 14, 2018)

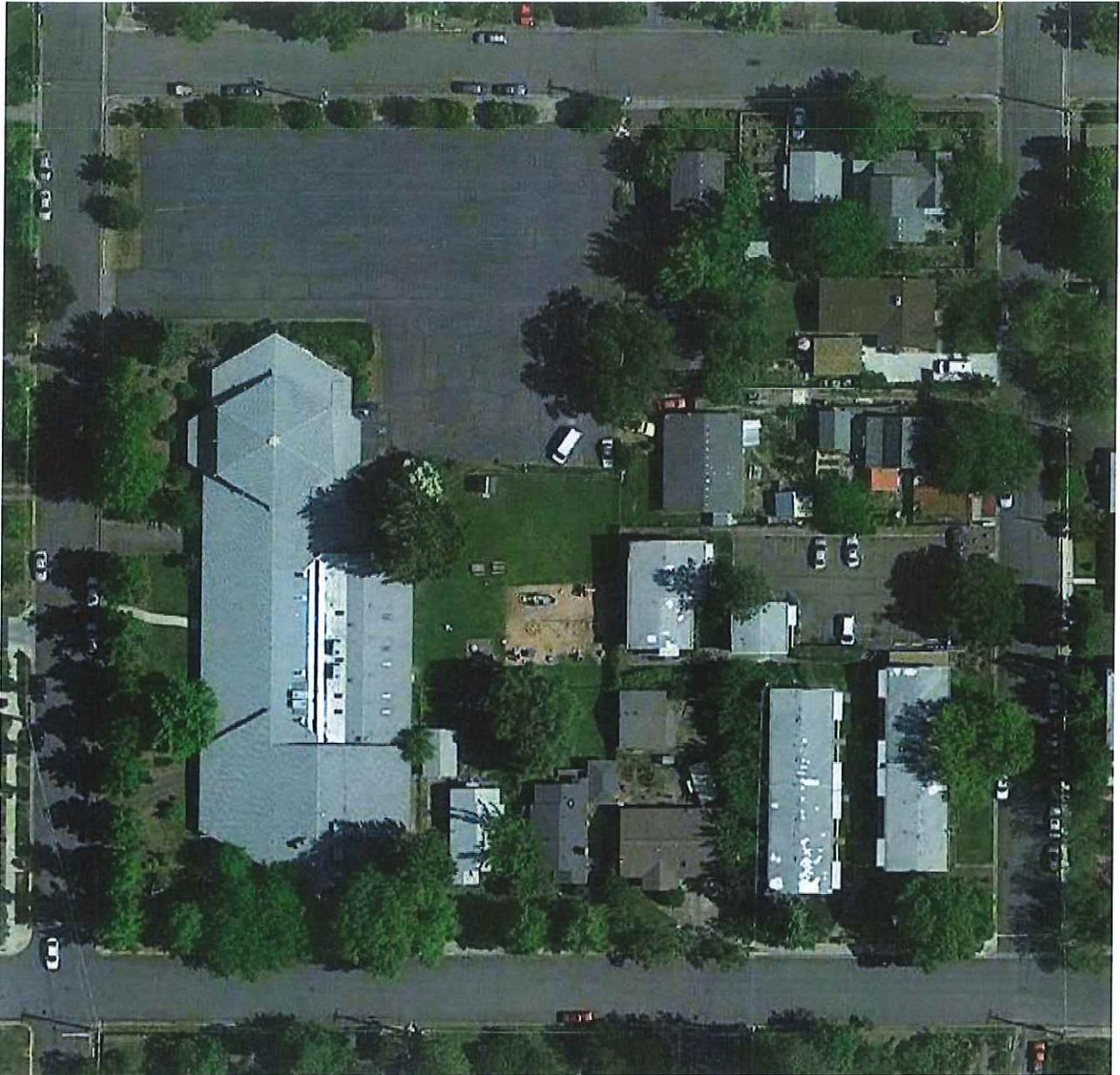


Figure 19: Aerial photo: Google Earth (June 2016)

There are two vehicles parked on Garfield. None on Iowa and three and a trailer on Quincy.

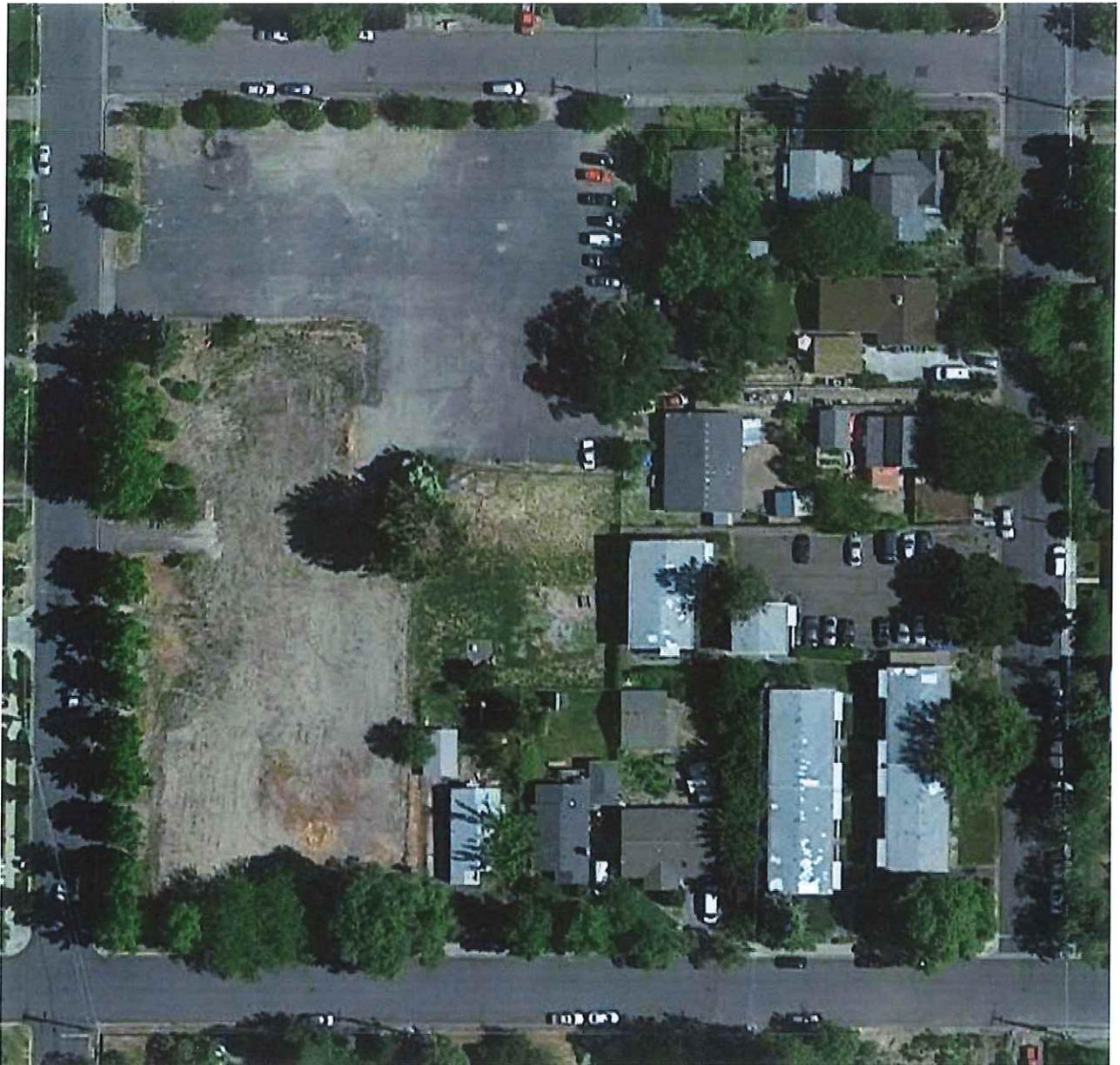
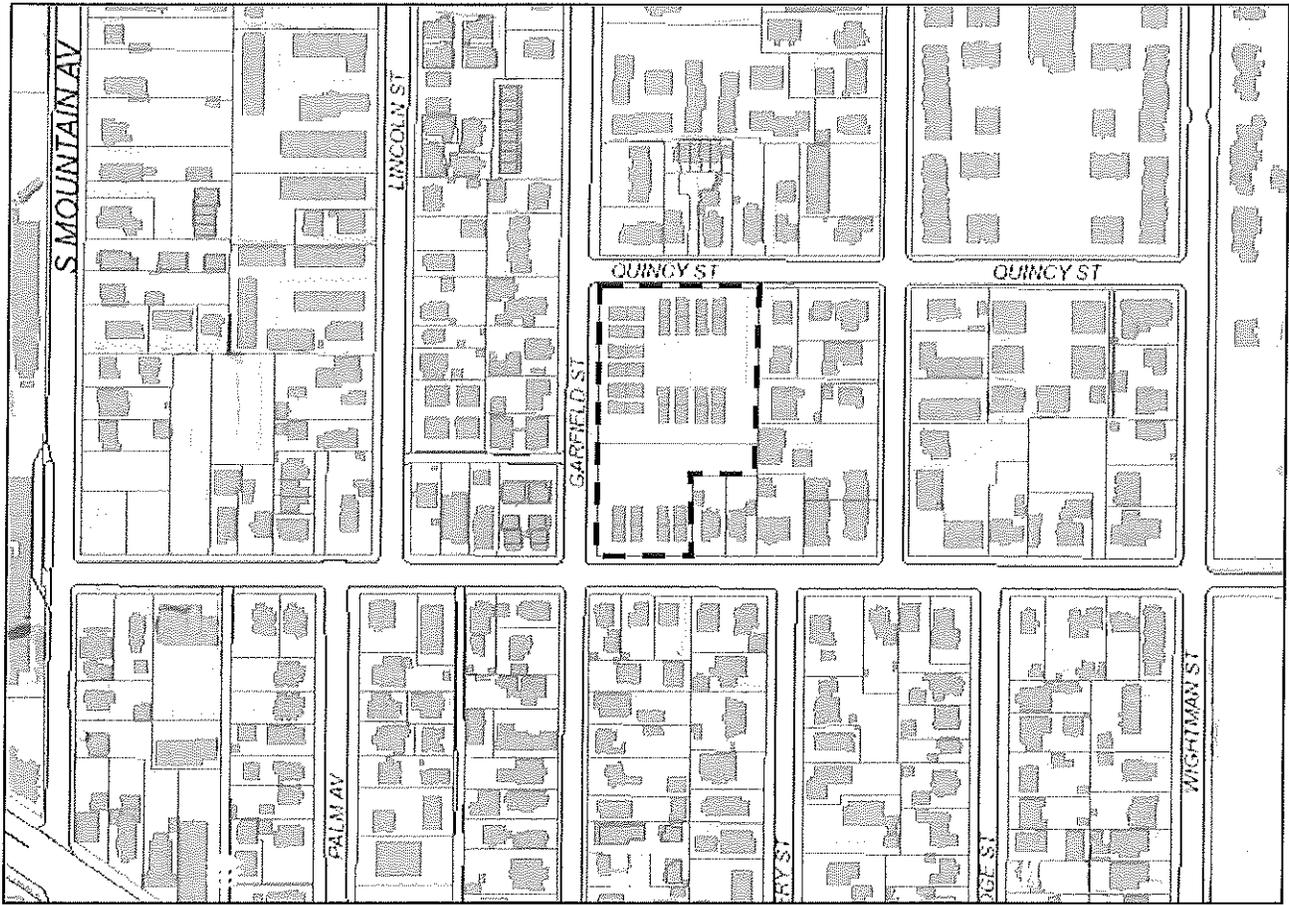


Figure 20: Aerial photo: Google Earth (August 2017)

There is one vehicle parked on Garfield Street. There are three vehicles parked on Quincy and none on Iowa Street.



Graphic with units depicted

October 16, 2018

Value of Major Recreational Facilities for the Ashland Urban Lofts

Dear Staff and Commissioners,

This letter is to clarify the value of the project proposal for the MidTown Lofts, and the cost of the proposed Major Recreational Facilities in order to obtain a six percent density bonus.

Following the submittal of the Site Review application, the appraisal of the development by Paul Zacha, MAI of Real Property Consultants Grants Pass (RPC) was completed. The appraised prospective market value of the subject project, assumed complete, unoccupied and available for lease by late 2019, is estimated to be \$11,775,000.00. Prior to the appraisal, when the application was submitted, the project team's estimate of \$10,800,000.00 was too low. The project value is based on the professional appraisal. Additionally, construction costs are rapidly increasing, this increases the expenses towards the space. The application addresses the costs associated with when the initial application was submitted and not on increased construction costs.

For each one percent of the total project costs devoted to recreational facilities, a six percent density bonus shall be awarded. One percent of the project costs is: $\$ 11,775,000 \times .01 = \$117,750.00$

The project costs devoted to the major recreational facilities are as follows:

Estimated value of Activity Equipment:	\$ 2,000.
Estimated value of surfaces (activity surfaces and courtyard hardscape): 3,600 X \$20 per SF:	\$ 72,000.
Estimated value of sheltered, outdoor cooking areas:	\$ 4,000.
Outdoor kitchen area (BBQ and cooking prep area):	\$ 4,000.
Gas Fire Feature:	\$ 5,000.
Structure:	\$ 65,000.
Estimated value of outdoor seating areas:	\$ 12,000.
Total Estimate of Recreation Amenities	\$ 164,000.

The proposed improvements to the courtyard to provide for major recreational amenities of \$164,000.00 exceeds one percent of the estimated appraised value of the project which is \$117,000.

Sincerely,

Raymond Kistler, Principal Architect



Amy Gunter <amygunter.planning@gmail.com>

MidTown Lofts

Jim Higday <jhigday@marquess.com>

Wed, Oct 10, 2018 at 4:42 PM

To: Raymond Kistler <ray@kistlerssmallwhite.com>, Amy Gunter <amygunter.planning@gmail.com>, "rayc@kistlerssmallwhite.com" <rayc@kistlerssmallwhite.com>

Amy and design team,

I've include some of the design requirements by RVSS for the water quality swales that the planning commission and residents had asked about. Per the adopted design guidelines, the engineer has to design for a water quality storm event and a ten year storm. In short this would make the swales a minimum of 8 to 12 feet wide making them not feasible in the parking lot area. This is why Marquess and Assoc. decided to use a combination of above ground ponds, pervious concrete and underground Storm Tec chambers which all are approved methods in the RVSS design guideline manual.

From: Raymond Kistler <ray@kistlerssmallwhite.com>

Sent: Wednesday, October 10, 2018 3:20 PM

To: 'Amy Gunter' <amygunter.planning@gmail.com>; rayc@kistlerssmallwhite.com; Jim Higday <jhigday@marquess.com>

Subject: RE: MidTown Lofts

[Quoted text hidden]

 MAI_West002.pdf
659K

ROGUE VALLEY STORMWATER QUALITY DESIGN MANUAL

Revised July 2018

CREATED FOR:

**City of Ashland
City of Central Point
City of Medford
City of Phoenix
City of Talent
Jackson County
Rogue Valley Sewer Services**

4.4.4 Water Quality Conveyance Swales



Figure 4.10. A water quality conveyance swale with dense mature vegetation that provides filtering of stormwater runoff.

Water quality conveyance swales treat stormwater by conveying it through the substrate and vegetation, rather than relying on infiltration. These facilities are not considered LID because water quality treatment is mainly achieved by filtration and settlement provided by the plant structure and growing medium rather than infiltration and evaporation. Swales must be planted with dense vegetation to filter the stormwater and should be integrated into the overall site design and used to meet landscaping requirements.

Swales should be built and planted early in the construction sequence so that vegetation can become established. Once the swale is cut to grade it should be fenced off to prevent construction traffic and staging of materials within the swale.

Water quality conveyance swales may be unlined, partially lined, or fully lined depending on where they are located.

Siting

Water Quality Conveyance swales should not be located in sensitive areas (*ie.* Wetlands, riparian areas, designated critical habitat, or under existing tree canopies), unless approved by the local jurisdiction, or over septic systems. Fully Lined facilities that are at grade have no setbacks.

Design and Sizing Guidelines

Sizing: Water Quality Conveyance swales must be designed to have a minimum residence time of 9 minutes. If surface runoff will enter the swale at multiple locations along its length such that residence time is less than 9 minutes, designers must incorporate check dams to increase the residence time. There is no

simplified/prescriptive approach to sizing allowed, minimum requirements are listed below, unless otherwise approved by the reviewing jurisdiction.

Dimensions and side slopes:

- Minimum bottom width is one foot. If the bottom width is wider than four feet, a flow spreader is required for every 50 feet of length to uniformly redistribute the flow across the bottom width.
- Maximum depth of the water quality flow is 4 inches, flow should not be higher than 2/3 the height of the vegetation.
- Maximum side slopes of the treatment zone are 3 horizontal to 1 vertical for densely vegetated swales and 4 horizontal to 1 vertical for swales that will be mowed.
- Vertical walls may be used in tight spaces. The width of the swale bottom must be increased such that the treatment area that would have been provided in the 3:1 side slopes is provided in the swale bottom. The bottom width to wall height ratio must be at least 2:1.
- Longitudinal slope must be 0.5% or greater. Longitudinal slopes greater than 6% require installation of check dams.
- Manning's n value must be a value between 0.22 and 0.24.
- Freeboard of six inches above the 10 year design storm must be provided. Less than six inches may be provided with jurisdictional approval, where potential overflow will not impact adjacent properties.

Flow Spreaders: Use non-biodegradable materials for the flow spreader.

Energy Dissipation: Energy dissipation must be placed below each entry point to the swale to reduce velocity. At the upstream end of a swale energy dissipation can also serve to distribute flow across the treatment width. Energy dissipation must be constructed of non-biodegradable material such as concrete or rock.

Waterproofing/Liner: Swales within 10 feet of a building must be lined with minimum 30 mil EPDM, HDPE, or approved equal. Liners may be partial or full.

Check Dams: When slopes exceed 6% check dams must be installed. They should be keyed into the sides of the swale to prevent bypass and the toe of the upslope dam should be at the same elevation as the top of the downstream dam, similar to ODOT detail RD1005, but with a flat top. Check dams should be constructed of non-biodegradable material such as concrete or rock.

Growing Medium: Native soil may be amended to a depth of 18 inches or an imported soil may be used in the top 12 inches of the swale. Amend native soil with roughly 30% compost. Imported soil should be roughly one third plant derived compost, one third topsoil and one third gravelly sand. The growing medium requirements apply to the treatment area of the swale. Lined and partially lined facilities may have a growing medium depth of 12 inches if only installing herbaceous plants, but must have a growing medium depth of 24 inches for shrubs, to provide adequate substrate for plant roots to establish. Whether native or amended, the growing medium must be in compliance with the amended planting soil mix specifications, see General Notes for Vegetated BMPs, [Appendix E](#). A Seal of Testing Assurance certification from the US Composting Council must be provided to the approving jurisdiction. To find out more about STA certified compost and for a list of entities selling STA certified compost visit the [US Composting Council](#) website.

Ground Stabilization: All ground within the swale must be stabilized with either erosion control matting or mulch. Where there is potential for rilling erosion control matting must be installed.

Erosion Control Matting: If specifying matting below the 10 year flow depth of the swale, high

PROJECT INFORMATION
 PROJECT NAME: MID-TOWN URBAN LOFTS
 OWNER: SPENTAN PROPERTIES
 ARCHITECT: MAYNARD ARCHITECTS
 ADDRESS: 1000 1/2 AVENUE, ASHLAND, OREGON 97132

PROPERTY ZONE
 ADJACENT ZONE: R3
 TOTAL LOT AREA: 12,500 SF
 TOTAL LOT AREA: 12,500 SF
 TOTAL LOT AREA: 12,500 SF

REQUIREMENTS
 RECOMMENDED UNIT DENSITY: 2 UNITS PER 1,000 SF
 MAXIMUM UNIT DENSITY: 2 UNITS PER 1,000 SF
 MINIMUM UNIT DENSITY: 1 UNIT PER 1,000 SF
 MAXIMUM GROUND COVER: 25%
 MAXIMUM GROUND COVER: 25%
 MAXIMUM GROUND COVER: 25%



SITE PLAN W/ AREAS 1
 1" = 20'-0"

ASHLAND MID-TOWN LOFTS
 PLANNING
 9/28/18



October 15, 2018

To: Derek Severson
Ashland Planning Commission

Re: PA-T2-2018-00003
188 Garfield Street

RECEIVED
OCT 16 2018
City Of Ashland

My name is Lynette Godsey. I am writing in regards to the 188 Garfield Street Project (PA-T2-2018-00003). As the owner of 1273 Quincy Street, I have a vested interest in maintaining the quality of life my family has enjoyed on Quincy Street for the past 30+ years. I believe that allowing a 72 unit project as proposed by Rogue Planning & Development Services, LLC will not improve that quality of life. I hope that this planning process will reduce the number of units being built at the MidTown Lofts. What follows are by thoughts on sections of the PA-T2-2018-0003 packet of materials.

Driveway Separation Exception:

I agree with the staff's conclusion that the Exception to section AMC 18.4.3.080.c.3 is not merited for the Quincy Street driveway. I believe that the applicant should be required to reconfigure their parking and circulation to provide the requisite 50-foot separation between driveways on neighborhood streets like Quincy Street. I also believe that the Quincy Street driveway be no more than the maximum residential curb cut width of 18 feet as is proposed for the Garfield Street driveway. Living across the street from the non-complying driveway has shown me how dangerous they can be as cars zoom in and out of that driveway. An increase in traffic using that non-complying driveway, even if it is enlarged, will only make it more dangerous.

An additional note about the proposed driveway, I notice on the "Tree Protection & Removal Plan" that the proposed Quincy driveway requires drivers to make a sharp turn into or out of the parking lot. Doesn't this cause a safety concern for drivers using that driveway?

And finally on the subject of driveways, if the power poll across from my house is moved do I have to pay for the reworking of my power lines because of that move? I'd appreciate an answer to this question, please.

Sidewalk Exception:

I also agree with the staff's comments on the applicant's request for an Exception to retain the existing curbside sidewalks. Although Quincy Street is only 2 blocks long, we do have many pedestrians. These pedestrians include Ashland High School students who walk down Quincy, cut across the church parking lot, walk up Garfield to Iowa and take Iowa to the campus. I don't know what the applicants are going to do about people walking through their complex because that is not mentioned in the proposal, but having standard sidewalks and parkrows will increase the use of their sidewalks. It certainly works on Garfield Street as very few people choose to walk on the non-sidewalk side of that street.

In closing, I realize that we live in R-3 zone, but a 496 square feet unit is exactly 4 square feet less than a 500 square feet unit. Because of 4 square feet, and the density bonuses, this developer can build 72 units instead of 54 units. Those additional 18 studio units mean more traffic, more waste, and less quality of life for everyone living on Quincy, Garfield, and Iowa streets.

Thank you for reviewing this letter. I await your answer to my question about the moved power poll?

Sincerely,


Lynette Godsey
1273 Quincy St.
Ashland Oregon

Re: Garfield & Iowa Application

Devin Huseby <dehuseby@gmail.com>

Tue 10/16/2018 1:00 PM

To: Derek Severson <derek.severson@ashland.or.us>;

📎 1 attachments (427 KB)

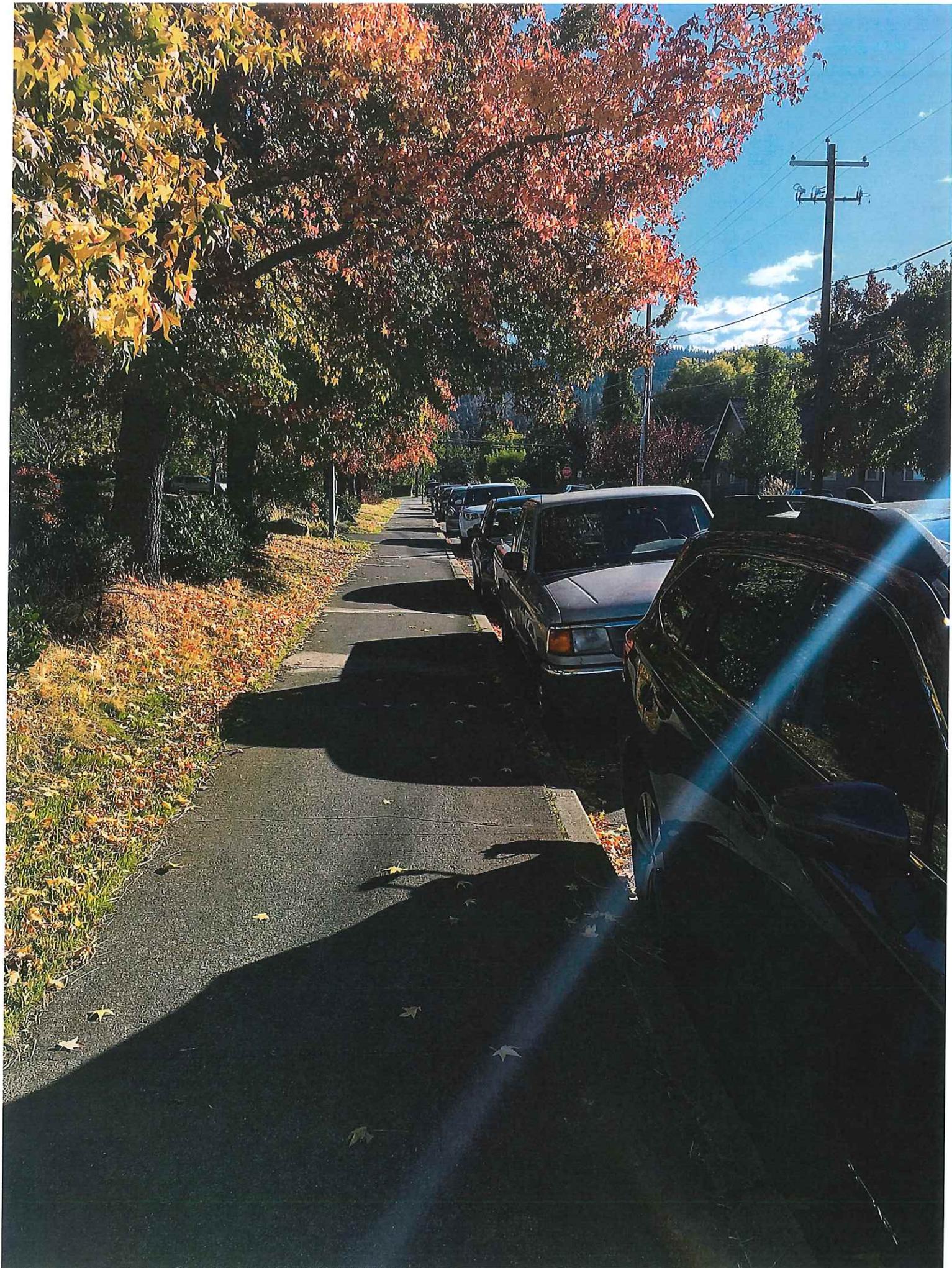
188 Garfield-Huseby Declaration.pdf;



Derek,

Attached to this email is a declaration regarding parking and traffic. There is also a photograph attached. I also anticipate sending in written comments (though likely not additional evidence) prior to the meeting. However, as I do not yet have any additional information the applicant may be submitting, I cannot yet provide those comments as they will necessarily need to address the evidence before the Planning Commission. If and when you receive such information, I would appreciate it if you could pass it along. Thanks again.





Declaration of Devin Huseby Regarding PA-T2-2018-00003 -188 Garfield Street

I own and reside at 183 Garfield Street, Ashland, OR 97520. The following statements are true and correct and, if called upon, I could competently testify to the facts averred herein.

1. I live directly across Garfield Street from the subject property.
2. Each morning since the Planning Commission Meeting on Tuesday, October 9, 2018, I have made note of how many cars were parked adjacent to the subject property the first time I have left my house. I have also taken note of how many cars have been parked at other times during the day adjacent to the property.
3. Each morning from October 10-16, 2018, there have been between three and six cars parked along Garfield Street adjacent to the subject property.
4. Each morning from October 10-16, 2018, there have been between three and five cars parked along Quincy Street adjacent to the subject property.
5. Each morning from October 10-16, 2018, there have been between zero and three cars parked along Iowa Street adjacent to the subject property.
6. On Saturday October 13, 2018, there was no available parking adjacent to the subject property due to parking from attendants of the Southern Oregon University football game.
7. At times unrelated to the October 13, 2018, football game, there have been as many as nine cars parked along Garfield Street adjacent to the subject property. Attached to this declaration is a photograph I took on Wednesday October 10, 2018 at approximately 4:00 PM depicting cars parked on Garfield Street adjacent to the subject property.
8. Along Garfield Street both north and south of the subject property, there is very little excess street parking due to the apparent lack of off street parking compared with the number of residents along those portions of Garfield Street.



9. I frequently observe vehicles travelling on Garfield Street between East Main and Iowa Streets at what I estimate to be ten to twenty miles per hour over the speed limit. There are no traffic controls on Garfield Street between East Main and Iowa Streets.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: October 16, 2018

s/Devin Huseby
Devin Huseby



RECEIVED
OCT 17 2018
City Of Ashland

To: Ashland Planning Commissioners
From: Mary Scott, 1274 Iowa Street, Ashland, OR 97520
Date: October 16, 2018
Subject: Building Permit Application for 188 Garfield Street, Ashland, OR 97520

In addition to my concerns and questions already given to the Planning Commission on October 9th, please review and consider the following:

The previous owners of the property under discussion, Rivergate Church, received a lot realignment and building permit for a new sanctuary in May of 2016.

The lot(s) sold to Mr. Don Jones/Spartan Real Estate to defray the building costs of the new Church proposed at the same site, recorded Aug 7th 2015 Jackson County file # 7161-2503179(EV). Demolition of the buildings began in November 2016. (U-TUBE screen shot of video of demolition with date). City records show no demolition related paperwork, or permit at the time of demolition, or any Hazardous Waste Removal oversight by the city.

The lot was then left derelict, some trees cut down, and all trees left without water until August 2018 when some trees were watered by a pick-up truck.

Two large trees have been cut down without permits issued, while the property was owned by Spartan et al. Other trees have died without water.

The Tree commission recommended for the applicant after some discussion in their meeting October 11th. One commissioner spoke about how there was "not a need" to cut down the Mulberry Trees on Iowa, but it would "take a long time for a tree to grow to this size" well they didn't think it was a big deal to let the applicant cut them down, so you have their recommendation.

(Photographs of trees attached)

I understand that Mr. Jones of Spartan L.L.C. has been in close consultation with Rivergate Church since the inception of this project. From then until now there is a through line of bad practice which the city has been unable to mitigate. This causes me great concern about current assertions about the proposed project.

What happens if the Earth Advantage building criteria doesn't work out for the developer part way through the project when 72 units are fully or partially built?

Much of the concern for the extreme density calculation requested for this project surrounds the proposed "Earth Advantage" building standards.

If purpose of this standard is to encourage sustainability in Ashland, inclusion of the following in the project runs completely counter to energy responsible building and ongoing facility use. Please consider these items:

- A gas visual feature as part of the landscaping only adds needlessly to the CO2 footprint.
- The use of plastic turf as “Earth Advantage” is a heat sink feature and uses petroleum products unnecessarily when other drought tolerant options are available.
- The use of a metal roofed open shed as qualifying amenity for a “major recreational element” only adds further to impermeable land coverage. Shade could be provided in many less environmentally costly ways.
- In rebuttal October 9th, to concerns raised about the Earth Advantage proposal, Amy Gunter of Rogue Planning & Development said, “Fred Gant is our Earth Advantage consultant” by way of legitimizing the applicants’ assertion the correct building criteria would be adopted. This was news to Mr. Gant who told me on Oct 10th that he only had one conversation, a year ago, with Ms. Gunter. She had asked him to send her information about EA. He told her that he cannot certify Earth Advantage apartment construction. He said he has not been “hired by anyone in this”.

In conclusion:

- There is not enough credible evidence to support the “Earth Advantage” density multiplier in this project.
- The “major recreation facility” as envisioned by the applicant is not suitable environmentally or in function for the higher density calculation.

In addition please also conclude the following:

- Plastic turf should not be allowed/recommended for use in this project.
- The use of the covered balcony inclusion in the “open space” calculation is misplace and should not be allowed.
- The square footage of each unit should include the balcony.
- There should be at least one parking space per unit on the property and 2 parking spaces per unit.
- There should be a full traffic analysis to properly assess the significant traffic impact on the IOWA Garfield problem crossing.
- The proposed use of bio swales is not an adequate treatment for the parking areas
- Keep the living trees, in particular the Mulberry Trees

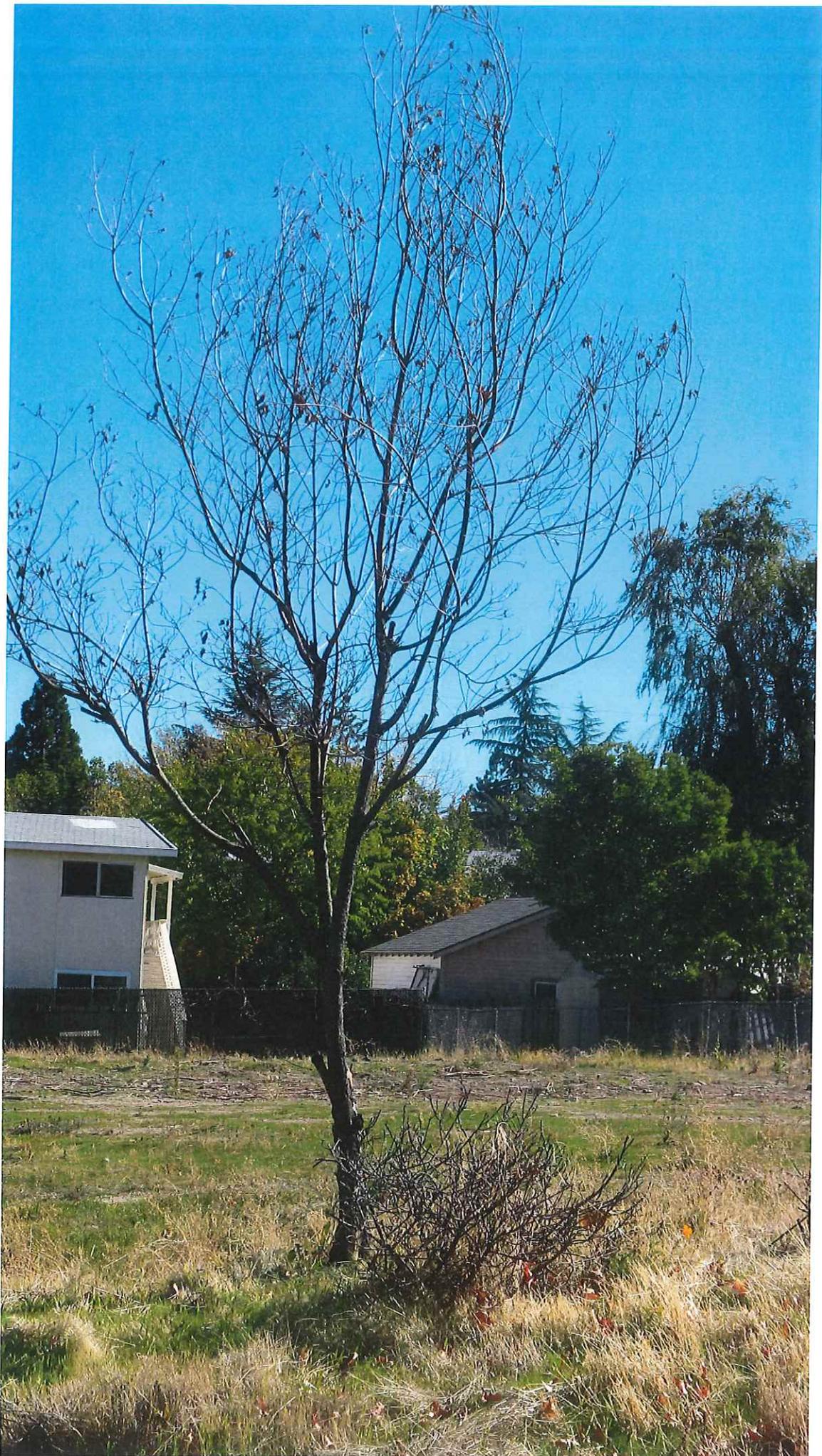


from last
e pics...
2016



Happy Monday!
85 views · November 7, 2016







RICHARD STEVENS & ASSOCIATES, INC.

P.O. Box 4368
Medford, OR 97501

100 E. Main St., Suite O
Phone: (541) 773-2646
Fax: (541) 858-8947

E-mail: rsco@mind.net
Website: rsaoregon.com

RECEIVED

OCT 16 2018

City of Ashland

October 16, 2018

Ashland Planning Commission
Derek Severson, Senior Planner
Ashland Department of Community Development
51 Winburn Way
Ashland, OR 97520

RE: PA-T2-2018-00004

Dear Commissioners,

During the October 9, 2018 public hearing a couple of Commissioners had questions regarding the Shadow Plan that was approved on the subject property. We are providing this testimony to demonstrate that the Shadow Plan is still applicable, consistent with the intent and in compliance with the Ordinance.

Planning Action #2016-01894 was proposed for a Site Design Review with the City of Ashland for the Rogue Credit Union (RCU) on Tax Lot 8700 (1651 Ashland Street). This application was proposed as a phased development with multiple structures and uses with the use of a Shadow Plan to demonstrate compliance with the minimum Floor Area Ratio (FAR). Section 18.4.2.040.C requires site plans to have a minimum of 50% FAR.

In 2016 RCU owned a tract of land in common ownership, Tax Lots 8700 & 9201. Section 18.6.1 defines a Lot as: *"A unit of land created by a partition or a subdivision or a unit or contiguous units of land under single ownership, which complies with all applicable laws at the time such lots were created. Any contiguous ownership of non-conforming lots will be considered one tract of land."* With RCU's Site Design Review they were required to demonstrate how all of their land in contiguous ownership could meet the minimum 50% FAR. Therefore, RCU provided a Shadow Plan for review by the City to demonstrate that the tract could meet all of the applicable site design standards. This Shadow Plan also included demonstration that the site has less than 50% of the lot area (tract) designated for residential uses for having multiple structures proposed, consistent with Section 18.2.3.130.B.1. In addition, that the Shadow Plan demonstrates that the proposed buildings occupy a majority of the street frontage.

Section 18.4.2.C.1 states in part: *“the FAR requirement may be met through a phased development plan or a shadow plan that demonstrates how development may be intensified over time to meet the minimum FAR.”* The approved RCU Shadow Plan can be considered as a phased development master plan that will consist of three separate parcels with three separate uses and a single shared access. This is no different than a phased subdivision, residential or commercial, where phases are developed at differing times and can be sold to differing ownership and still be developed consistent with the approved Plan. These Ordinance provisions are to inhibit piecemeal or uncoordinated developments within the City and to encourage comprehensive well planned projects. As can be seen with this application for Rogue Ridge, the proposed development of the site is consistent with the RCU Shadow Plan, including the low income multifamily residential use as represented through PA #2016-01894.

The proposed Rogue Ridge project provides a transitional intensity of uses from commercial uses along Ashland Street with the multifamily residential buffering the single family residential properties. The proposed site design is a well thought out and planned development that meets all of the applicable site design requirements for the C-1 zone and the overlays present.

Sincerely,

A handwritten signature in black ink, appearing to read "Clark Stevens". The signature is fluid and cursive, with a large, sweeping "S" at the end.

Richard Stevens & Associates, Inc.
Clark Stevens

