



# Planning Commission Minutes

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 the public testimony may be limited by the Chair.

**April 9, 2024**  
**REGULAR MEETING**  
***DRAFT* Minutes**

## **I. CALL TO ORDER:**

Chair Verner called the meeting to order at 7:00 p.m. at the Civic Center Council Chambers, 1175 E. Main Street. She noted that Commissioner Phillips was attending the meeting remotely via Zoom.

### **Commissioners Present:**

Lisa Verner  
Doug Knauer  
Kerry KenCairn  
Eric Herron  
Russell Phillips  
Gregory Perkinson  
Susan MacCracken Jain

### **Staff Present:**

Brandon Goldman, Community Development Director  
Derek Severson, Planning Manager  
Aaron Anderson, Senior Planner  
Michael Sullivan, Executive Assistant

### **Absent Members:**

### **Council Liaison:**

Paula Hyatt

## **II. ANNOUNCEMENTS**

Community Development Director Brandon Goldman made the following announcements:

- The City Council chambers have been equipped with a new audio/visual apparatus.
- The Council will be reviewing three items relating to Community Development at their April 16, 2024 meeting: the award of housing trust funds; community development block grants (CDBG); and social service funds.
- Neither the Transportation Advisory Committee nor the Public Works Director will be able to attend the April 23, 2024 Study Session, and have requested to have the planned Transportation Element and Comprehensive Plan discussion at the May 28, 2024 Study Session.

## **III. CONSENT AGENDA**

### **1. Approval of Minutes**

- a. February 27, 2024 Study Session
- b. March 12, 2024 Regular Meeting
- c. March 26, 2024 Study Session





# Planning Commission Minutes

**Commissioners Perkinson/Phillips m/s to approve the consent agenda as presented. Voice Vote: All AYES. Motion passed 7-0.**

**IV. PUBLIC FORUM – None**

**V. UNFINISHED BUSINESS**

**A. Approval of Findings for PA-T2-2024-00046**

**Commissioners KenCairn/Perkinson m/s to approve the Findings as presented. DISCUSSION:**

Commissioner Perkinson pointed out that section 3, paragraph 3.1.2 of the Findings referred to a 6ft buffer with a 6inch curb, stating that it should be a 6.5ft buffer and 6inch curb, totaling 7ft.

Commissioner MacCracken Jain asked a clarifying question regarding the definition of “pedestrian-friendly access.”

**Commissioners Perkinson/Knauer m/s to amend the motion to include the 6inches omitted from the buffer in Condition #2 of the Findings. Roll Call Vote: All AYES. Motion passed 7-0.**

**Roll Call Vote on Motion as Amended: All AYES. Motion passed 7-0.**

**VI. TYPE II PUBLIC HEARING**

**A. PLANNING ACTION: PA-T2-2024-00047**

**SUBJECT PROPERTY: 452 Williamson Way**

**OWNER/APPLICANT: Rogue Planning & Development Services for DeBoer**

**DESCRIPTION: An application is for a four-lot subdivision to allow for the construction of four residential dwelling units. There are four units proposed in two attached wall groups. The proposed residences would be deed restricted affordable housing units for ownership to families with incomes of less than 80% of the area median income. This use of the Employment Zoned property as deed restricted affordable housing is allowed without a zone change per Oregon Revised Statutes (ORS) 197.308. **COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; MAP: 39 1E 04 DC, TAX LOT: 3630****

**Ex Parte Contact**

Commissioners Knauer, KenCairn, and Verner conducted site visits. Commissioner KenCairn stated that she had considered developing the lot in the past but had not pursued it. No ex parte contact was declared.





# Planning Commission Minutes

## **Staff Presentation**

Senior Planner Aaron Anderson briefly outlined the location and zoning of the lot near the north side of the railroad, stating that all utilities had already been built out after the lot was subdivided in 1999. He explained that a curb was installed along the subject property but that there is currently no sidewalk in place. Mr. Anderson detailed how the core of the application was predicated on a change in state law that requires affordable housing to be allowed in Employment zones, which would typically require a residential overlay. The affordable housing units are proposed to be at 80% Area Median Income (AMI). He noted that the application is subject to Preliminary Subdivision Plat Criteria rather than Performance Standard Subdivision criteria, and would also require a Site Design Review. Mr. Anderson stated that the application includes a deferred landscape plan, and that the two proposed buildings would be accessed by a shared driveway.

Mr. Anderson informed the Commission that the staff findings had been revised from those presented in the packet (see attachment #1).

## **Applicant Presentation**

Applicant Amy Gunter stated that she also serves on the board for Habitat for Humanity, while her associate Elijah Jordan of KSW Architects assisted with the development of the project.

Ms. Gunter began by outlining the proposed driveway from the existing curb, stating that a new public pedestrian curb was also being proposed, which would include a pedestrian light and street trees that would be in accordance with City codes.

Ms. Gunter stated that the Site Plan had also been adjusted to address some of the concerns raised by neighbors (see attachment #2). Ms. Gunter explained that the proposed plan originally included a closed-ground drainage swale in front of the property, but which was now relocated between the two buildings. This allowed the buildings to be moved forward, reducing the front-yard setback and lengthening the driveways in back. She related how the roof-pitch was adjusted to 4-and-12, and the shared porches on each building were separated to provide more privacy for each tenant and to have each dwelling more closely resemble a townhome. Aesthetic changes were also made to further match the homes with the rest of the neighborhood, and the garage was widened from the initial proposal.

## **Questions of the Applicant**

The Commission asked the following questions of the applicant team:

- **Is there a pathway accessing the garage door at the rear of the property?**  
The door will be a covered back entry into the garage from the rear of the property.
- **Are there individual, private back yards for each unit?**  
There will not be functional backyards based on the lot layout, the main yard will be located





## Planning Commission Minutes

at the front of the property.

- **Will there be fences along Williamson Way or Rogue Place?**

No, neighborhood Covenants, Conditions and Restrictions (CC&Rs) do not allow fences.

- **The storm drain has been relocated between the buildings?**

Yes, it was originally in the front of the property. There is no formal Homeowners Association (HOA) to regulate maintenance, but a maintenance agreement will be reached for the storm drain and all common elements of the development. Ms. Gunter elaborated that the deferred landscaping plan will address the storm drain more fully.

- **What effect did moving the buildings forward 5ft due to the relocation of the swale have on the driveways in the back of the lot?**

The driveway was lengthened which provided greater access to the rear garage.

- **Can you park behind the garage?**

Not indefinitely.

- **How will the inhabitants be prohibited from using the garage for storage instead of utilizing it as parking space?**

No. The Commission could place conditions of approval requiring this, or the neighborhood could rely on CC&Rs to ensure it is enforced.

### **Public Comments**

**Brooke Clifford**/Ms. Clifford thanked staff and Ms. Gunter for their assistance prior to the meeting, and stated that all neighbors of the property support Habitat for Humanity and the need for additional housing. She related how the applicant had been receptive to feedback and adjusted aspects of the proposal, such as including slatted railings on the porches, based on neighborhood input. Ms. Clifford stated that current CC&Rs prohibit residents from utilizing the garage as a bedroom and require cars to be parked in the garage or assigned driveway. She remarked that this, coupled with a prohibition on fences, resulted in the neighborhood being clean and quiet. Ms. Clifford thanked the applicant for adjusting the roof-line of the development. She requested that a condition of approval be added to require that the applicant ensure that cedar siding is used on the dwellings.

**Cliff Williams**/Mr. Williams spoke to the importance of porches in fostering a safe neighborhood, but that frequent speeding can make the street unsafe for children.

**Norman Hale**/Mr. Hale explained that he resides in the property adjacent to the subject lot, and that he purchased his property based on the information that the zone was mixed-use residential. He stated that he would not have purchased his residence if he knew a four-dwelling development was possible. Mr. Hale remarked that he did not receive notice of the planning action and requested information regarding its development timeline.

**John Fields**/Mr. Fields spoke in support of the development, citing the City's need for affordable housing. He stated that his team worked with Habitat for Humanity on the Beach Creek Subdivision





## Planning Commission Minutes

to provide affordable housing. Mr. Fields explained that the deed restriction included in the development ensures that Habitat for Humanity retains the properties.

**Jason Raehl**/Mr. Raehl expressed appreciation to the applicant team for addressing the concerns of the community. He spoke to the clean nature of the neighborhood and requested that the development include pillars on their porches, similar to those found elsewhere in the neighborhood and were included in an artist rendering of the proposed development that was disseminated by Habitat for Humanity (see attachment #3). Mr. Raehl also requested that additional hardscaping be included in the development, citing the City's own lawn replacement program.

**Mary Devlin**/Ms. Devlin expressed support for the development and Habitat for Humanity, and thanked the applicant for addressing concerns from the neighborhood. She drew attention to a discrepancy in the plans, stating that the sidewalk is 5ft-wide while the plans show a 6ft-wide sidewalk.

### **Staff Rebuttal**

Mr. Goldman informed the Commission that the subject development would be reviewed by clear and objective standards, and that any substantial changes after approval are prohibited. He confirmed that all of the applicant's proposals constitute conditions of approval, but that elements of the proposal, such as color and siding, would not be subject to staff review.

Commissioner KenCairn asked if CC&Rs would effect this property. Mr. Anderson responded that CC&Rs are relationship agreements that the City does not enforce, elaborating that the neighborhood CC&Rs prohibit fences but that the City would be compelled to issue a fence permit if one were applied for.

### **Applicant Rebuttal**

The applicant proposed a 6ft sidewalk, while adjacent sidewalks in the neighborhood have sidewalks that are 5.5ft.

Ms. Gunter stated that deed restrictions would require that any new residents qualify for affordable housing considerations and undergo an income-qualification review.

Ms. Gunter explained that the flier presented by Mr. Raehl represented a preliminary design of the dwellings that depicted columns that would not be present in the final design. She stated that all materials and elements proposed are intended to be used.

Ms. Gunter requested that condition 7.b be amended to require a 3-4ft residential walkway rather than the 5ft pathway originally required.



# Planning Commission Minutes

## **Questions of the Applicant**

Commissioner Knauer asked for clarification regarding the potential inclusion of pillars. Ms. Gunter responded that they were considered but ultimately rejected due to cost.

Commissioner Herron noted that the sidewalk depicted on the revised site plan stops at the driveway and does not achieve connectivity with Rogue Place and asked if that was the applicant's intention. Ms. Gunter responded that the apron of the driveway and the adjoining sidewalk would provide connectivity to the south end of the property.

Commissioner MacCracken Jain asked if the applicant would use columns in their development if they were donated, Ms. Gunter responded that they would.

Chair Verner closed the Public Hearing and Record at 8:28pm.

## **Deliberation and Decision**

Commissioner Perkinson expressed appreciation to Habitat for Humanity for developing a commercial lot into affordable housing and taking the wishes of the neighborhood into consideration.

Commissioner KenCairn asked if the lots adjacent to the Falcon Heights subdivision could be built as a residential development. Mr. Goldman responded that those properties could be an affordable residential development. He noted that this property could have been developed as a 25,000sqft commercial building, and that all the properties around Falcon Heights and utilities installed for the subdivision were in anticipation of a future commercial/mixed-use development.

Citing his history of working with the organization, Commissioner Knauer expressed appreciation to Habitat for Humanity for continuing to develop in Ashland and providing affordable housing and making an attempt to integrate the development with the neighborhood.

## **Commissioners KenCairn/Perkinson m/s to approve the application with the conditions of approval and the amended findings provided by staff. DISCUSSION:**

Commissioner Knauer asked if anything regarding the sidewalk needed to be incorporated into the motion. Mr. Goldman responded that the sidewalk standard, per code, stipulates that a 5ft-wide pedestrian connection to the street be provided. Regarding the sidewalk adjacent to Williamson Way, Mr. Goldman stated that a 6ft standard is established by code and met by the applicant. Mr. Goldman noted that the applicant's assertion that a residential lighting standard would be appropriate for the development would be relayed to the Public Works Department.

**Roll Call Vote: All AYES. Motion passed 7-0.**





## Planning Commission Minutes

### V. **OPEN DISCUSSION**

Commissioner Herron reminded the Commission to register with the Oregon Ethics Committee to avoid incurring a fine.

Mr. Goldman stated that staff would develop alternative materials for discussion in absence of the planned speakers for the April 23, 2024 Study session.

### VI. **ADJOURNMENT**

*Meeting adjourned at 8:38 p.m.*

*Submitted by,  
Michael Sullivan, Executive Assistant*

