

1511 Highway 99N

“Grand Terrace” Annexation

CITY OF
ASHLAND

City Council
Annexation Hearing
November 17, 2020



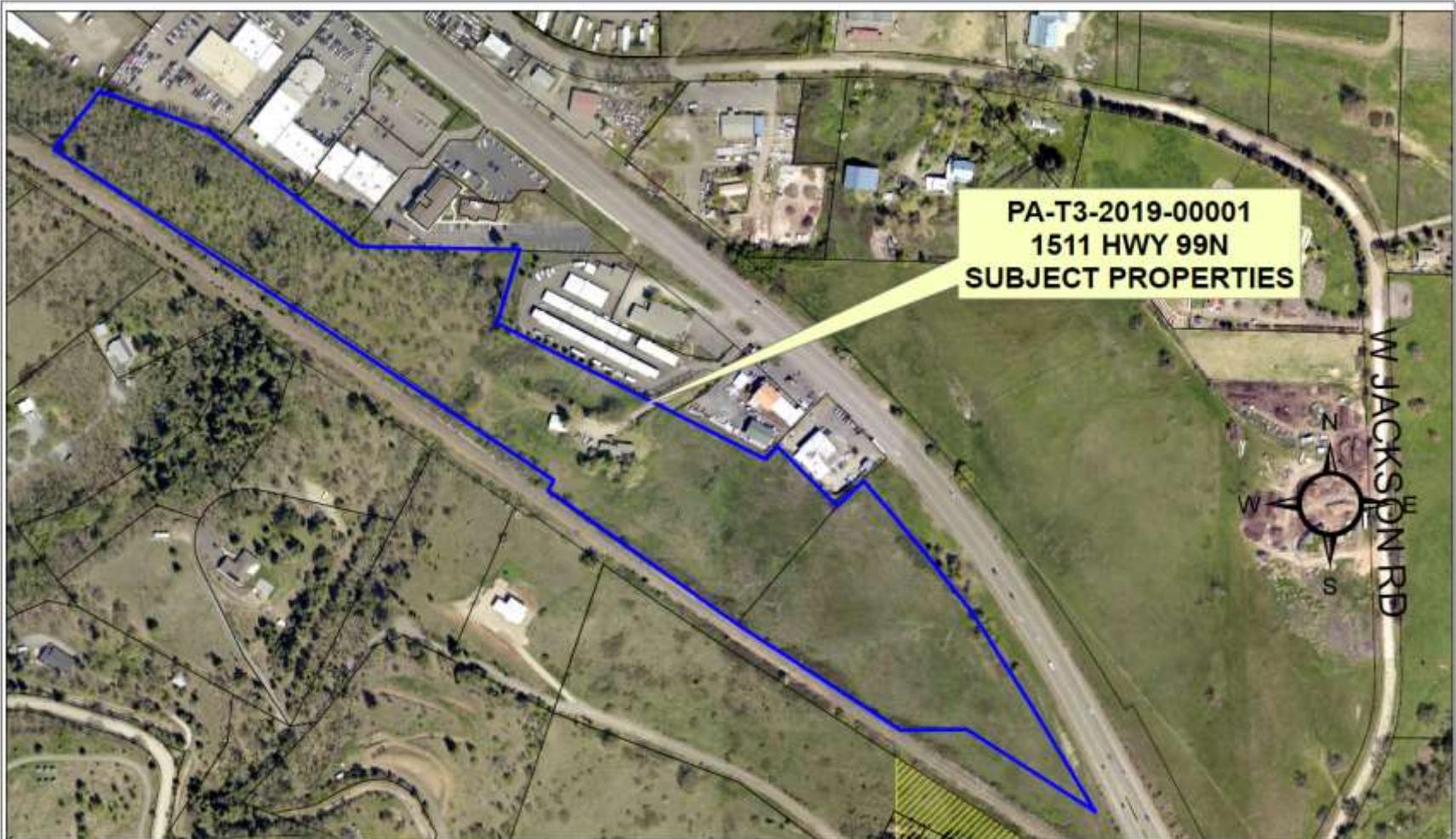
1511 Highway 99N

“Grand Terrace” Annexation

A request to annex 16.87-acres in two parcels from County RR-5 (Rural Residential) to City R-2 (Low Density, Multi-Family Residential).

(NOTE: Application includes a conceptual future development plan showing 196 apartments. Land Use approvals (Outline Plan subdivision, Site Design Review, etc.) for site development are not requested and would be applied for subsequent to Annexation approval.)

1511 Highway 99N Aerial Photo



1 inch = 200 feet
0 62.5125 250 375 500
Feet

Mapping is schematic only and bears no warranty of accuracy.
All features, structures, facilities, easement or roadway locations
should be independently field verified for existence and/or location.

1511 Highway 99N

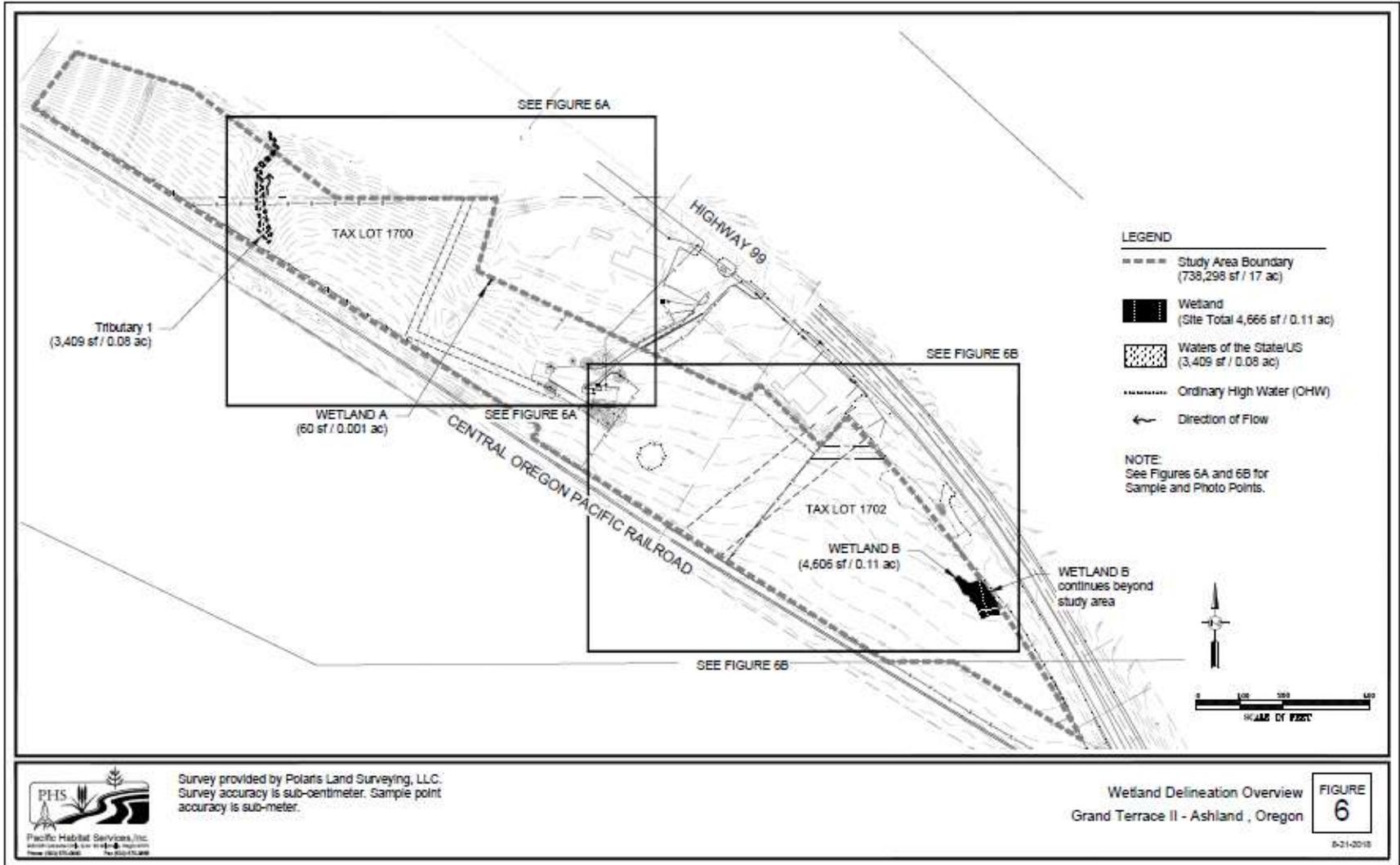
“Grand Terrace” Annexation

CITY OF
ASHLAND



1511 Highway 99N

“Grand Terrace” Annexation



Survey provided by Polaris Land Surveying, LLC.
Survey accuracy is sub-centimeter. Sample point accuracy is sub-meter.

1511 Highway 99N

CITY OF
ASHLAND

“Grand Terrace” Concept Plan w/Open Spaces



1511 Highway 99N

CITY OF
ASHLAND

“Grand Terrace” Pedestrian Circulation



1511 Highway 99N

“Grand Terrace” Annexation Criteria

Urban Growth Boundary

The annexation criteria require that the land to be annexed is located within the city’s Urban Growth Boundary (UGB).

- ✓ All of the properties to be annexed here are within the UGB.

Zoning

The annexation criteria require that the proposed zoning is consistent with the Comprehensive Plan Map, and that if development is proposed concurrently with annexation it is for an allowed use within the proposed zoning.

- ✓ Here the proposed R-2 zoning is consistent with the Comprehensive Plan Map and no development is proposed with annexation.

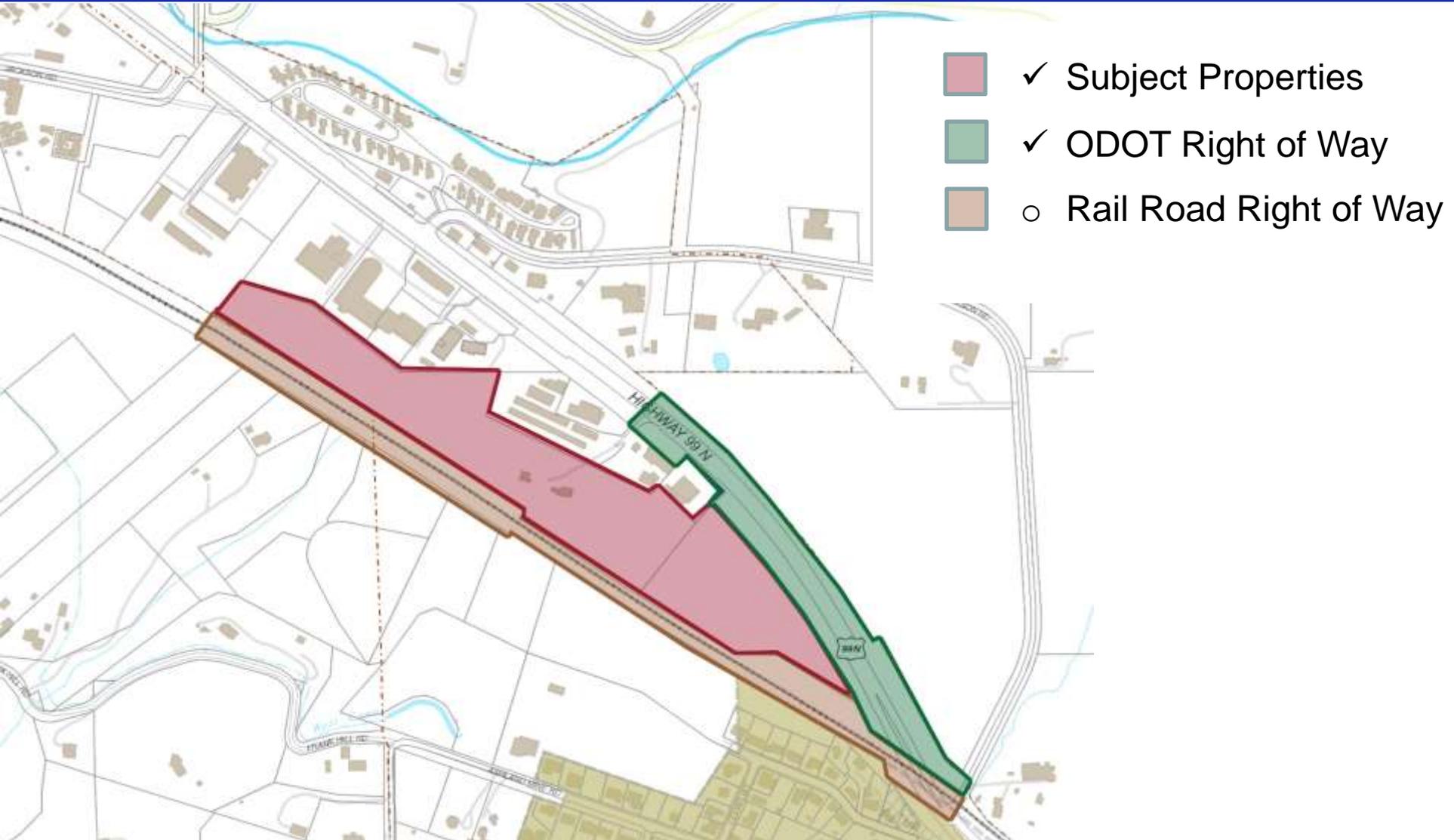
Contiguity

The annexation criteria require that the land to be annexed is currently contiguous with the present city limits.

- ✓ With the inclusion of the adjacent railroad property and state highway right-of-way included by the Community Development Director as provided in AMC 18.5.8.060, the land to be annexed is currently contiguous with the present city limits.

1511 Highway 99N

Oregon Revised Statutes (ORS) 222.170



1511 Highway 99N

“Grand Terrace” Annexation Criteria

Adequate City Facilities

The annexation criteria require that adequate city facilities (water, sewer, electricity, and storm drainage) can and will be provided to and through the property to be annexed.

- ✓ The applicant has proposed to extend city water and electricity to the properties with adequate capacity to serve the ultimate development of the property in keeping with the R-2 zoning, and the Public Works, Engineering, Water and Electric Departments have approved these plans.
- ✓ Providing city sewer and storm drainage is complicated by the property location and the need to extend facilities and pump sewage and stormwater a significant distance uphill. However, in 1995 the city entered into an agreement with Bear Creek Valley Sanitary Authority (BCVSA), which is now Rogue Valley Sewer Services (RVSS). RVSS already serves properties in Jackson County in this vicinity, and the agreement allows RVSS to continue to provide an urban level of sewer and stormwater drainage services for these properties after they are annexed. RVSS has indicated that they can and will provide these services and that their facilities have adequate capacity to do so, with an eight-inch sewer line and a roadside drainage ditch available in the nearby ODOT right-of-way. The Public Works Department has agreed that this is an acceptable solution to serve the property.

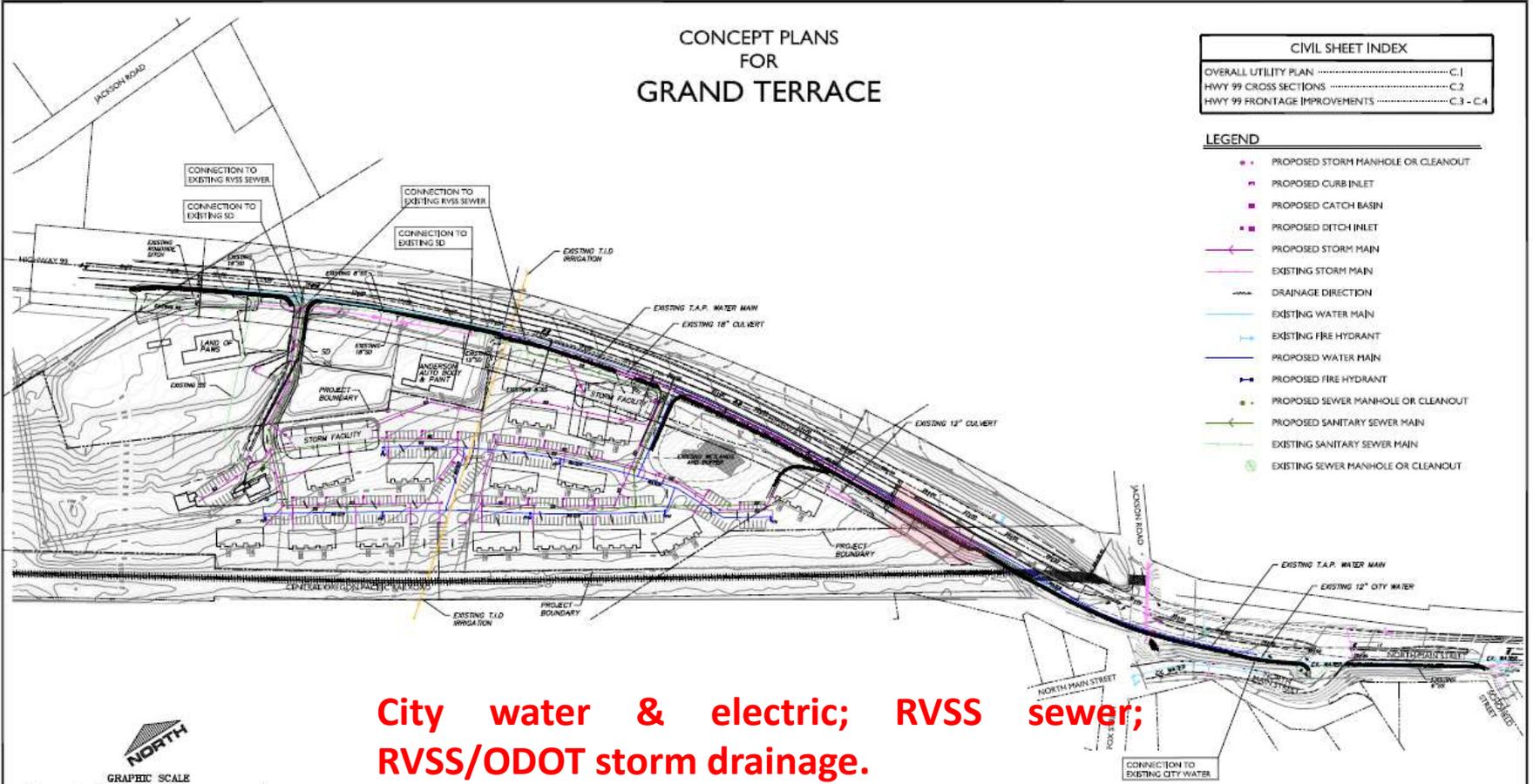
1511 Highway 99N

“Grand Terrace” Utilities (C.1)

CONCEPT PLANS FOR GRAND TERRACE

CIVIL SHEET INDEX	
OVERALL UTILITY PLAN	C-1
HWY 99 CROSS SECTIONS	C-2
HWY 99 FRONTAGE IMPROVEMENTS	C-3 - C-4

LEGEND	
•	PROPOSED STORM MANHOLE OR CLEANOUT
■	PROPOSED CURB INLET
■	PROPOSED CATCH BASIN
■	PROPOSED DITCH INLET
—	PROPOSED STORM MAIN
—	EXISTING STORM MAIN
→	DRAINAGE DIRECTION
—	EXISTING WATER MAIN
—	EXISTING FIRE HYDRANT
—	PROPOSED WATER MAIN
—	PROPOSED FIRE HYDRANT
•	PROPOSED SEWER MANHOLE OR CLEANOUT
—	PROPOSED SANITARY SEWER MAIN
—	EXISTING SANITARY SEWER MAIN
•	EXISTING SEWER MANHOLE OR CLEANOUT



**City water & electric; RVSS sewer;
RVSS/ODOT storm drainage.**



EXHIBIT C.1



P.O. BOX 1724 - MEDFORD, OREGON 97501

DRAWN BY: AMT	DATE: 09/19
CHECKED BY: AMS, MMW	DATE: 09/19
	DATE:
	DATE:
	DATE:
	DATE:

NO.	REVISION	DATE	BY



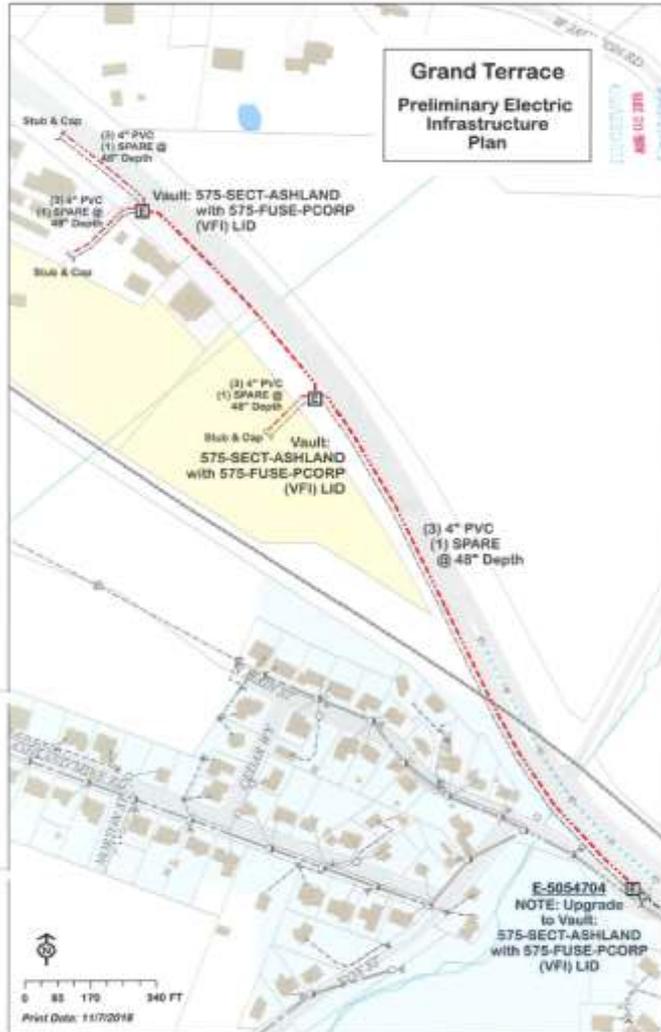
CITY OF ASHLAND

GRAND TERRACE
CONCEPTUAL
OVERALL UTILITY PLAN

PROJECT NO.
DRAWING NO.

1511 Highway 99N

“Grand Terrace” Electric Service Plan



1511 Highway 99N

“Grand Terrace” Annexation Criteria

Adequate Transportation

The annexation criteria require that adequate transportation can and will be provided to and through the subject property, and provide specific parameters for what constitutes adequate transportation (vehicular, bicycle, pedestrian, and transit).

1511 Highway 99N

CITY OF
ASHLAND

Looking NB to interchange commercial



1511 Highway 99N

CITY OF
ASHLAND

Where the sidewalk ends... (looking NB)



1511 Highway 99N

CITY OF
ASHLAND

Where the sidewalks ends (north of site)



1511 Highway 99N

Land of Paws/As U Store It

CITY OF
ASHLAND



1511 Highway 99N

CITY OF
ASHLAND

Anderson Auto Body/Paradise Supply



1511 Highway 99N

CITY OF
ASHLAND

Anderson Auto Body adjacent property



1511 Highway 99N

CITY OF
ASHLAND

Property Frontage (Looking South)



1511 Highway 99N

Railroad Bridge/Trestle (SB)

CITY OF
ASHLAND



1511 Highway 99N

CITY OF
ASHLAND

From RR Bridge looking SB to North Main



1511 Highway 99N

CITY OF
ASHLAND

North Main/Highway 99N/Jackson Road



1511 Highway 99N

CITY OF
ASHLAND

Where the sidewalk ends (Schofield St./NB)



1511 Highway 99N

“Grand Terrace” Annexation

Vehicular Transportation

- A 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street.
 - All streets *adjacent* to the annexation are to be approved to at a minimum a “half-street” standard with a minimum 20-foot wide driving surface, although after assessment the city may require full improvement of adjacent streets.
 - All streets located *within* annexed areas are to be ‘**fully improved to City standards**’.
 - Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for their dedication and improvement with annexation.
-
- ✓ There is currently one paved vehicular travel lane in each direction, a shared center turn lane, and bike lanes in place. There are no curbs, gutters, park row planting strips or sidewalks in place.
 - ✓ No future dedications identified in TSP Street Dedication Map outside current city limits.

1511 Highway 99N

“Grand Terrace” Annexation

Bicycle Transportation

- **Safe and accessible bicycle facilities exist, or can and will be constructed.**
 - **Bike lanes shall be provided on or adjacent to any adjacent arterial street.**
 - **Likely bicycle destinations shall be determined, and safe and accessible bicycle facilities serving those destinations shall be indicated.**
- ✓ Bike lanes are currently in place and are to be retained.

1511 Highway 99N

“Grand Terrace” Annexation

Pedestrian Transportation

- Safe and accessible pedestrian facilities exist, or can and will be constructed.
 - **Full sidewalk improvements** shall be provided on one side for all streets *adjacent* to the proposed annexed area.
 - Sidewalks shall be provided **as required by ordinance** on all streets *within* the annexed area.
 - Where the project site is within a ¼-mile of an existing sidewalk system, the sidewalks from the project site shall be extended to connect to the existing system.
 - Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.
-
- ✓ Applicant proposes to install approximately 0.63 miles of new sidewalks to connect with existing sidewalks to the north and south. There would be continuous sidewalks from the Valley View intersection into Ashland.
 - ✓ Sidewalks along the frontage would include city standard park rows as required by ordinance, but would become curbside where needed for the bus pull-out lane and bus stop.
 - ✓ Beyond the frontage, sidewalks would be curbside where right-of-way width was limited or constrained by topography, roadside drainage ditches, the railroad trestle, etc.

1511 Highway 99N

“Grand Terrace” Annexation

Transit Transportation

- **Should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes.**
- **All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.**
- ✓ The applicant has worked with the Rogue Valley Transportation District (RVTD) and proposes to install a new bus stop with shelter along the property frontage with a new bus pull-out lane.

1511 Highway 99N

“Grand Terrace” Annexation



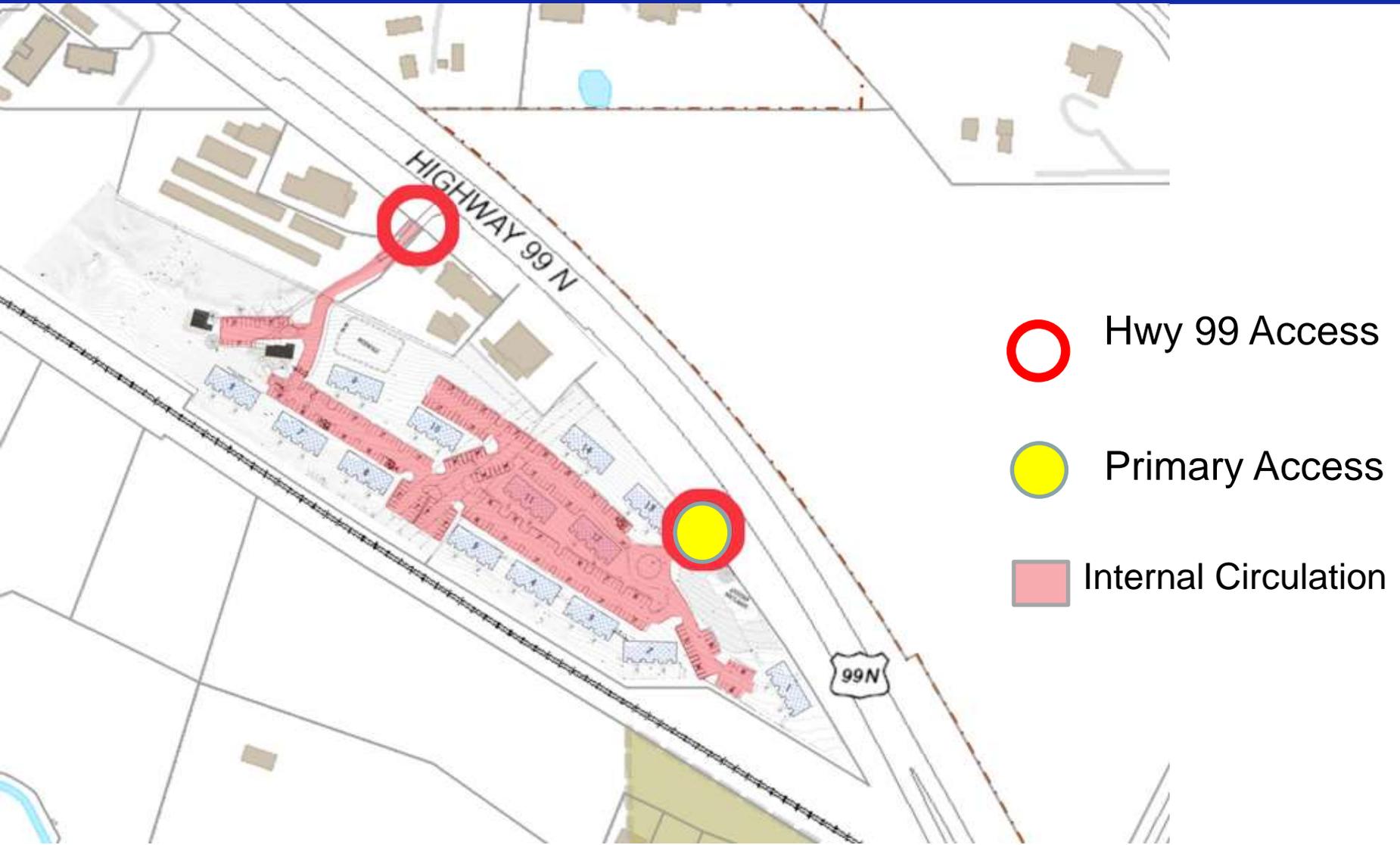
A 30-foot wide easement is in place along and adjacent to the existing driveway above.



A new primary access driveway will be installed within an area with a reservation in place by ODOT.

1511 Highway 99N

Transportation and Circulation - Access

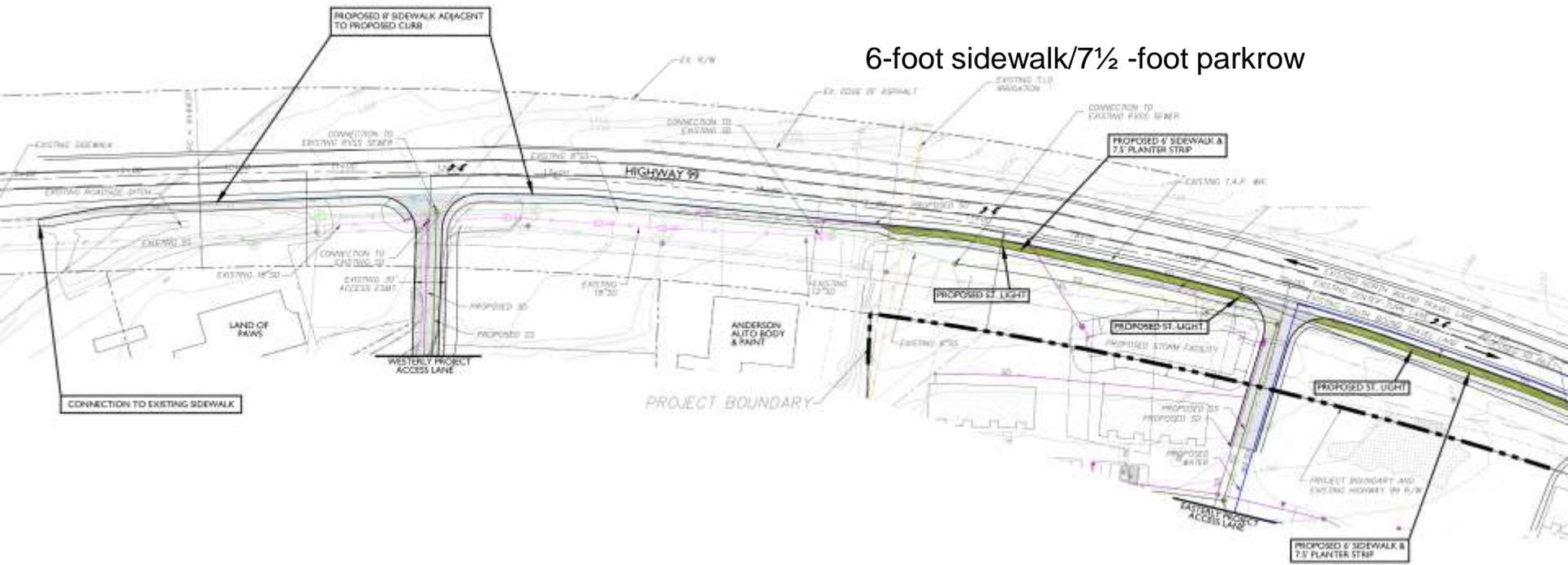


1511 Highway 99N

Frontage Improvements (North)

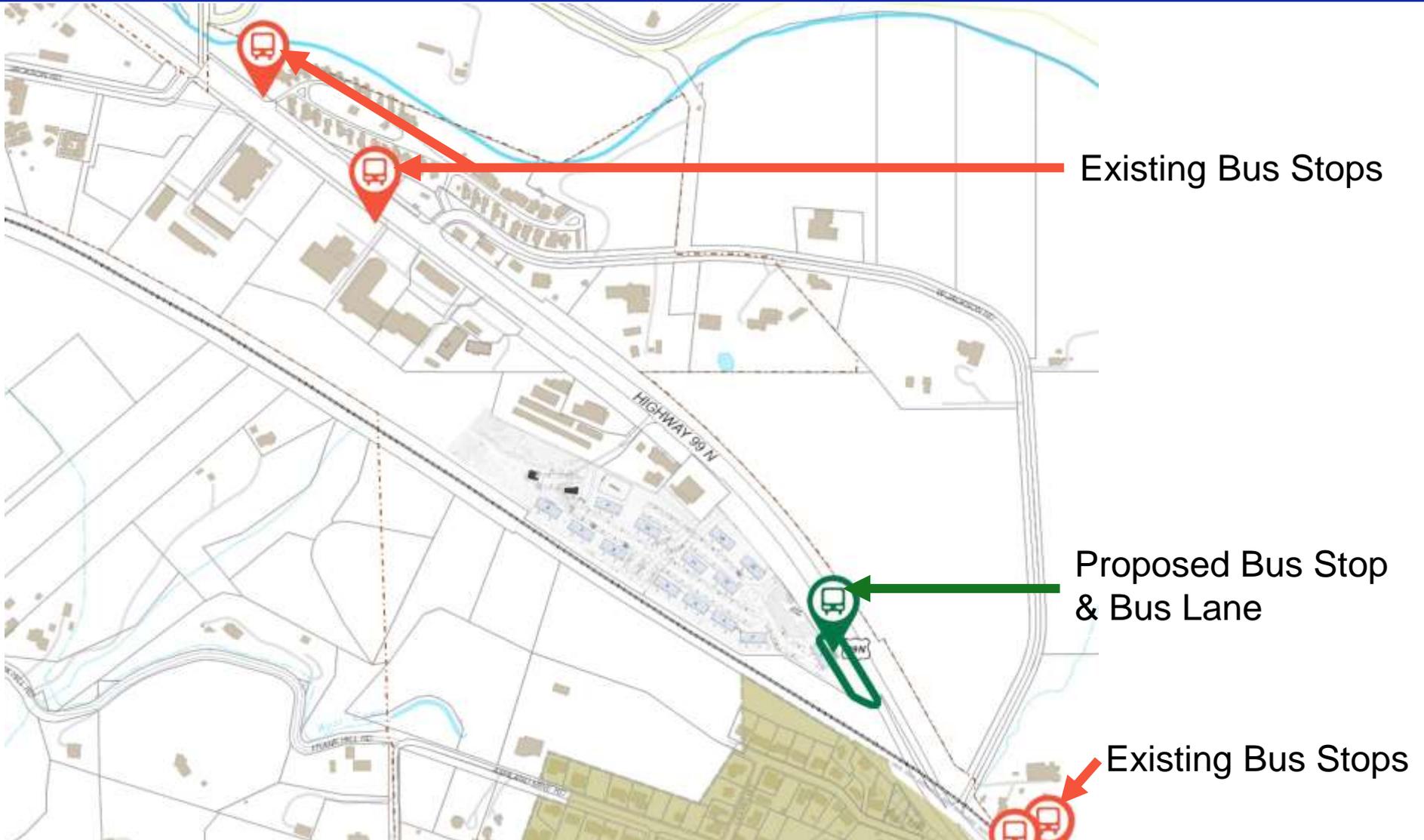
8-foot Curbside Sidewalk

6-foot sidewalk/7½-foot parkrow



1511 Highway 99N

Transit Improvements



1511 Highway 99N

“Grand Terrace” Annexation

The applicant has provided a **Transportation Impact Analysis (TIA)** and supplementary technical memorandum evaluation the impacts of annexation. Key findings include:

- ✓ All studied intersections will meet the mobility standards through 2034 with the addition of the anticipated development traffic from the subject properties;
- ✓ Development traffic will not substantially increase queuing conditions over the background conditions. The technical memo further explains that the recent reduction in through lanes with the ‘Road Diet’ has increased queuing lengths when disruptions to traffic (garbage trucks, buses or cars stopping for pedestrians) create back-up’s. *No mitigation is recommended to address these queue lengths.*
- ✓ The site’s two driveways are projected to operate safely and efficiently, however the TIA recommends that Highway 99N be restriped to include a left-turn lane for vehicles entering the site.

The TIA concludes that the state’s Transportation Planning Rule (TPR) has been demonstrated to be met, and after review of the TIA and supplementary technical memo, the Oregon Department of Transportation (ODOT) which has jurisdiction over the roadway has accepted the TIA.

1511 Highway 99N

“Grand Terrace” Annexation

Along the property’s immediate frontage, the applicant proposes to install city standard frontage improvements except where the sidewalk must be pushed to curbside to accommodate the installation of a bus pull-out lane associated with a new southbound bus stop.

The applicant proposes a total of approximately 0.63 miles of new sidewalks which would connect to existing sidewalks to the north and south, however due to physical constraints in the form of roadside ditches and limited right-of-way, standard parkrow planting strips with street trees cannot be installed with those connections.

The application includes findings to support of an Exception to the Street Standards to allow curbside sidewalks. In its recommendation, the Planning Commission found that while an Exception may well be merited, they could not consider such a request without a development proposal as the Annexation criteria do not explicitly provide for exceptions. **The Planning Commission noted that the Council could nonetheless choose to accept the improvements as proposed, as the Council has a measure of discretion in interpreting its own ordinances that the Planning Commission does not.**

1511 Highway 99N

“Grand Terrace” Annexation

In staff’s assessment, with regard to the frontage improvements necessary to make a finding of adequate transportation, the City Council has the authority on a legislative matter like annexation to determine that the criteria calling for streets within the annexation to be ‘*fully improved to City standards*’ and sidewalks to be provided “*as required by ordinance*” mean improved in keeping with the standards and procedures of the city’s Public Facilities chapter (AMC 18.4.6) which specifically details the city’s street standards not only in terms of the cross-sections required for each street type, but which also includes specific criteria making clear when Exceptions to these standards are merited by site-specific circumstances.

The applicant has provided written findings in support of an Exception, and in staff’s view the Council can and should determine that Exceptions are available under the annexation criteria and merited here to allow curbside sidewalks to be installed where available right-of-way is limited or physically constrained to prevent the installation of standard park row planting strips between the curb and sidewalk.

1511 Highway 99N

“Grand Terrace” Annexation

Both the Planning and Transportation Commissions had broader discussions about whether the available facilities for pedestrians, bicyclists and those wishing to use transit were safe and accessible, particularly for those intending to cross Highway 99N to access the northbound bus route or the Bear Creek Greenway.

After discussions with ODOT, which has jurisdiction for the roadway (and will retain it after annexation) marked or signalized crossings are not appropriate for the roadway given the combination of traffic speeds, sight distances and the volumes of vehicle and pedestrian traffic, although ODOT suggested that some modifications could be made to the median area at North Main Street to support pedestrian crossings to and from the northbound bus stop there.

After lengthy discussion, the Planning Commission recommended that with any annexation approval here, the Council should direct staff to work with ODOT to initiate a speed study as the first step in seeking a reduction in the posted speed limit and that the city strongly advocate for a speed reduction to make the corridor from Valley View Road to the existing city limits a more pedestrian-, bicycle- and transit-friendly facility. Discussions between city Planning and Engineering and ODOT staff have already begun, and ODOT has indicated that they are open to conducting a speed study.

1511 Highway 99N

“Grand Terrace” Annexation Criteria

Minimum Density

The annexation criteria require that, for residential annexations, a plan be provided demonstrating that the development of the entire property will ultimately occur at a minimum density of 90 percent of the properties’ base density, excluding any undevelopable areas, and that the owner sign an agreement ensuring that future development will occur in accord with the minimum density indicated in the development plan.

- ✓ After excluding areas that are undevelopable due to significant natural features and physical constraints posed by slopes exceeding 35 percent, a riparian drainage, and the wetlands and buffer zone, the developable area of the property is 13.75 acres. For the proposed R-2 zoning, the base density for 13.75 acres is 185.625 dwelling units and the minimum density is 167 dwelling units (**13.75 acres x 13.5 dwelling units/acre = 185.625 dwelling units x 0.90 minimum density = 167.0625 dwelling units**). The application notes that the property owner will sign an agreement with annexation that future development will occur in accord with this minimum density, and the applicant has provided a conceptual development plan including building designs, site lay-out and findings to demonstrate how this could be achieved on site.

1511 Highway 99N

“Grand Terrace” Annexation Criteria

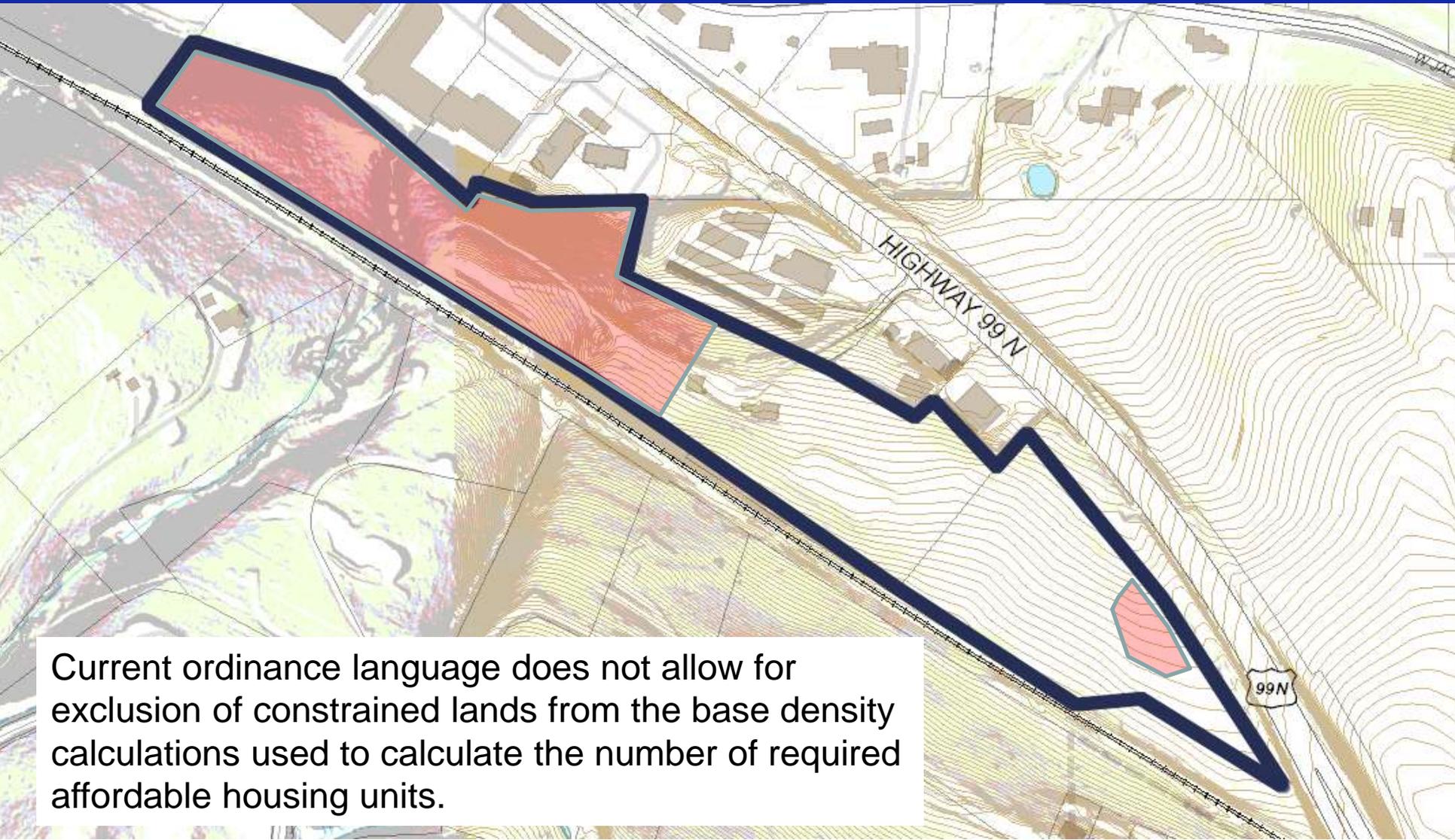
Affordability

Annexations are required to demonstrate that they will meet the affordability requirements set forth in AMC 18.5.8.050.G., which generally requires that the total number of units shall equal or exceed 25 percent of the base density of the subject property.

- The applicant's proposes to provide 30 deed-restricted affordable units at 60% AMI.
- The applicants affordability calculations exclude lands constrained by hillside slopes, water resource protection zones for streams or wetlands, and lands with significant natural features from the initial base density calculation.
- However, AMC 18.5.8.050.G.1 currently says the required number of affordable units to be provided in an annexation is based on the full base density of the subject properties: “The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.”
- The R-2 subject properties here have a base density of 13.5 dwelling units per acre, which for this 16.87 acre property equates to a 227.75 dwelling unit base density and would require 37 units at 60 percent of area median income (AMI), rather than the 30 affordable units proposed in the application.

1511 Highway 99N

Affordability, Base Density and Undevelopable Lands



Current ordinance language does not allow for exclusion of constrained lands from the base density calculations used to calculate the number of required affordable housing units.

1511 Highway 99N

“Grand Terrace” Annexation Criteria

Affordability

While recognizing the current ordinance does not permit exclusion of constrained lands from the base density when calculating the required number of affordable units for annexation, the Planning Commission noted that such exclusion is allowed when calculating the minimum density of a property and that legislation to resolve this discrepancy is now being considered by Council.

This proposed change to the affordability standards has had the full support of both the Planning and Housing Commissions. If Council approves first reading of that ordinance, following the presentations tonight, the Council could close the hearing and continue deliberations until December 1st - after approval of Second Reading of the amendment to affordable housing standards – and consider the annexation in light of the new ordinance.

1511 Highway 99N

“Grand Terrace” Annexation Criteria

Five-Year Supply

Finally, the annexation criteria require that one of six standards detailed in AMC 18.5.8.050.H are met. Of the six standards, the applicable standard here is #1 which is that, ***“The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. ‘Redevelopable land’ means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.”***

- ✓ The applicant has provided detail based on city data in the Housing Element and Buildable Lands Inventory (BLI) to demonstrate that there is only a 4.8-year supply of available Multi-Family Residential land combined between the R-2 and R-3 zones.

1511 Highway 99N

“Grand Terrace” Annexation

Planning Commission Recommendation

For the Planning Commission, the key challenge with the application was in seeking to safely accommodate the multi-modal transportation needs of future residents along a state highway where the posted speeds, traffic and pedestrian volumes, and limited sight distances complicate improvements like marked or signalized crossings, particularly for those needing to cross the highway by bicycle heading north or on foot to access the northbound bus route.

The Planning Commission ultimately concluded that after the applicant’s efforts in working with the city, Rogue Valley Sewer Services, Rogue Valley Transportation District, Oregon Department of Transportation, Talent Irrigation District and the Bureau of Reclamation to address the challenges in extending utilities and installing 0.63 miles of new sidewalks and a new bus stop with pull-out lane along the frontage to provide much needed rental housing along a transit route, the proposal should be approved. However, they also strongly recommended that the city work with the Oregon Department of Transportation to conduct a speed study and advocate for a reduction in speeds on Highway 99N from Valley View south the existing city limits.

1511 Highway 99N

Annexation Criteria (AMC 18.5.5.050)

- That the subject property be located within the City's Urban Growth Boundary. **[Yes.]**
- That the proposed zoning for the annexed area be in conformance with the Comprehensive Plan Map designation and that the project, if proposed concurrently, is an allowed use. **[Yes.]**
- That the land is currently contiguous to the present city limits. **[Yes, with concurrent annexation of adjacent ODOT right-of-way & railroad property.]**
- That, for residential annexation, a plan shall be provided demonstrating that the development of the property will occur at a minimum of 90 percent of the base density of the property – less any reductions for natural features, topography, access limitations, or similar physical constraints – and that the owner sign and record an agreement ensuring that future development will occur in accord with this minimum density. **[Yes, to be deed restricted to develop to at least 90 percent of base density.]**
- That the proposal meet the affordability requirements set forth in AMC 18.5.8.050.G. **[To be deed restricted for affordability. *Should constrained lands be excluded from consideration?*]**
- That one or more of the standards in AMC 18.5.8.050.H, which includes demonstration that there is less than a five-year supply of vacant and re-developable land in the proposed land use classification within the current city limits. **[Yes, the current supply is 3.5-4.8 years]**
- That adequate city facilities for water, sewer, electricity, and urban storm drainage can and will be provided. **[Yes. City water & electric; RVSS sewer; RVSS/ODOT storm drainage.]**
- That adequate transportation can and will be provided including facilities necessary to accommodate motor vehicles, bicycles, pedestrians and transit. **[Council must consider whether an Exception is available under the criteria, and whether facilities are safe and accessible.]**

1511 Highway 99N

“Grand Terrace” Annexation

Primary Issues

- ❑ **Affordability Standards:** Council is considering a code change tonight to resolve this issue. Council could apply the new ordinance proposed here once adopted.
- ❑ **Frontage Improvements & Adequate Transportation:** Council may determine that the approval standards requiring that frontage improvements meet street standards are subject to the standards and procedures of the chapter detailing street standards, which includes an allowance for exceptions where merited.

While the Planning Commission and Transportation Commission recognized challenges, particularly for cyclists, pedestrians and transit users seeking to go north, the Planning Commission ultimately believed that the applicant had done all they could within the physical and jurisdictional constraints and that the application should be approved. They emphasized that the city also needed to pursue a speed study and advocate for a speed reduction on the corridor to better provide for all users.

1511 Highway 99N

“Grand Terrace” Annexation

Staff Recommendation

Staff concurs with the Planning Commission, and recommends that the annexation be approved and that the Council provide clear direction to staff to pursue a speed study with ODOT and advocate for a speed reduction from the Valley View intersection into Ashland.

Actions, Options & Potential Motions

The Council can choose to approve the request as recommended by the Planning Commission or with additional conditions, or choose not to annex the property at this time. The Council will also need to adopt written findings formalizing their decision, and should incorporate the Planning Commission’s decision – subject to any changes - into those findings for adoption concurrently with second reading. If the Council intends to continue deliberations until after the affordable housing changes are adopted, Staff recommends the following motion:

- ❑ **“I move to close the hearing and continue deliberations to 6:00 p.m. on December 1, 2020 for consideration following the second reading of the affordable housing code changes ordinance.”**

1511 Highway 99N

“Grand Terrace” Annexation

CITY OF
ASHLAND

City Council
Annexation Hearing
November 17, 2020

