

Written testimony to allow potential oral testimony at a city council hearing.

Appeal of planning commission decision regarding PA-T2-2020-00017, 210 Alicia

Dan and Claudia Van Dyke

732 Sylvia Street

Ashland OR 97520

danandclaudiavandyke@gmail.com

541-552-9113

AMC 18.5.1.060; Executive order #20-16
Failure to provide adequate public hearing

According to the city's own summary of Executive Order #20-16: "The Governor's order required that public bodies...make available a method by which the public can listen to or virtually attend the public meeting at the time it occurs (emphasis added)".

What was done did not allow the public to listen to or virtually attend the meeting at the time it occurred.

The transmission ended right at the point where the planning commission would consider and review public comments. The video may be fine now for the council, but the citizens heard and saw nothing.

Citizens who provided public comment per the city process were given the impression that this discussion would take place on the next meeting of the commission. Instead what these citizens heard at the next meeting was the following:

- It was only five minutes that you missed
- We covered three topics
- Everything is fine; just trust us

The public concern created by this perfunctory process at the second meeting was compounded by the fact the 12 houses were mapped on a city website in May, prior to the planning commission meeting. Collectively the impression given is that planning decisions are made behind the scenes, and that public process is done solely as a formality.

We request that the planning action should be sent back to the planning commission.

AMC 18.1.4.040
Failure to mitigate nonconforming development

The Commission found that the nonconforming driveway separation between 210 Alicia and 732 Sylvia will not be made "more non-conforming" by the proposed development.

The collective impact of the development at 210 Alicia includes an increase in vehicle use approaching 12 times more than current use—the driveway serves one home now, and after being turned into a roadway for the development will serve 12 houses plus guests.

By definition the increase in use will increase the impact of this non-conformity.

We request either a reduction in the number of units to reduce risk of a vehicle collision, or the placement of a traffic sign (yield sign or stop sign) in the vicinity of the current fence line.

AMC 18.2.3.090

Failure to meet the intent of the cottage housing ordinance

This point is the most applicable point we would like to get across to the city council.

When you approved the cottage housing ordinance, you in effect promised the citizens that you would not pursue infill through extra high density housing without some compromise.

- From the Ashland Cottage Housing Ordinance: A. Purpose and Intent. The purpose and intent of this chapter is to encourage innovative site planning and variety in housing while ensuring compatibility with established neighborhoods...

We are not aware of any effort to ensure compatibility with the established neighborhood in the review of this planning action, or any change coming about during the review.

Some specific recommendations have been made to reduce the impacts of this proposed development action, but nothing has even been seriously considered. A palpable brick wall of process is in place to prevent any consideration of modification to ensure compatibility, with the convenient excuse that this should have been considered when the ordinance was adopted.

We have reiterated some specific recommendations to reduce impacts:

- The open space for this development be reduced from 27% down closer to 20%, and the space be used to provide additional parking to reduce impacts on the existing neighborhood.
- The city adopt a permit parking program to reduce impacts on the exiting neighborhood.

If the city continues to refuse any and all modifications to ensure that cottage housing is compatible with existing neighborhoods, the city **MUST** rewrite the cottage housing ordinance to clearly state council intent—that cottage housing in Ashland will be done in a way that disregards compatibility with the existing neighborhood, with no modifications to minimize disturbance or maintain livability in the existing neighborhood.

And please do not have a public process where feedback and recommendations are not wanted.

Our final two points:

- AMC 18.3.9.040.
 - The risk of traffic accidents on our road will increase dramatically if this development is approved as proposed. You would not know that unless you

have made one of our right angle turns while another vehicle is coming from the opposite direction.

- The Commission found that the development complies with street standards. We think that traffic safety is being overlooked in our loop roadways with 4 right angles
- AMC 18.3.9.040
 - We urge council to note the comments regarding the sewer line in the packet from public works staff.
 - Sewer system should not cause the system to operate beyond its capacity
 - Public works staff do not believe that this development will be putting enough new flow into the system to negatively impact downstream capacity.
 - We are not engineers, but it seems logical to us that something as basic as sewage flow should be clear cut. Either the pipes are big enough to handle the additional flow, or they are not.
 - We want to make sure council knows that you cannot force the existing neighbors to pay for a fix caused by this development.