

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  
REGULAR MEETING  
AUGUST 11, 2015  
AGENDA**

I. **CALL TO ORDER:** 7:00 PM, Civic Center Council Chambers, 1175 E. Main Street

II. **ANNOUNCEMENTS**

III. **AD-HOC COMMITTEE UPDATES**

IV. **CONSENT AGENDA**

A. **Approval of Minutes**

1. July 14, 2015 Regular Meeting.
2. July 28, 2015 Special Meeting.

V. **PUBLIC FORUM**

VI. **TYPE II PUBLIC HEARING**

A. **PLANNING ACTION: PA-2015-00422**

**SUBJECT PROPERTY: 600-640-688-694-696 Tolman Creek Road, 2316 Hwy 66**

**APPLICANT: City of Ashland**

**OWNERS: Independent Printing Company, Inc., IPCO Development Corp.**

**AGENTS: CSA Planning, Ltd.**

**DESCRIPTION: A request for Site Design Review, Exception to Street Standards, Property Line Adjustment, Limited Use Permit/Water Resource Protection Zone Reduction for Construction in the Water Resource Protection Zone, Physical & Environmental Constraints Review Permit for Floodplain Development, and Tree Removal Permit approvals to allow the construction of a new public street "Independent Way" between Washington Street and Tolman Creek Road and associated changes to the lane configuration and on-street parking on Tolman Creek Road to its intersection with Ashland Street. *(The proposal also includes the review of driveway locations and associated circulation to allow the coordinated initial grading and utility installation on the adjacent private property in conjunction with the new street installation, however the development of the adjacent private properties will be subject to future Site Design Review as individual buildings are proposed.)* COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP: 39 1E 14BA; TAX LOTS: 500, 600, 601, 700, 800, 900 and 1000.**

***(Continued from July 14, 2015 Planning Commission Meeting)***

VII. **TYPE III LEGISLATIVE HEARING**

A. **PLANNING ACTION: PL-2013-01858**

**APPLICANT: City of Ashland**

**LOCATION: Normal Neighborhood District Boundary**

**REQUEST: To amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance to implement the Normal Neighborhood Plan.**

***(Continued from July 28, 2015 Planning Commission Meeting)***

VIII. **ADJOURNMENT**

**CITY OF  
ASHLAND**



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).

**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
July 14, 2015

**CALL TO ORDER**

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

**Commissioners Present:**

Troy J. Brown, Jr.  
Michael Dawkins  
Debbie Miller  
Melanie Mindlin  
Haywood Norton  
Roger Pearce  
Lynn Thompson

**Staff Present:**

Bill Molnar, Community Development Director  
Derek Severson, Associate Planner  
April Lucas, Administrative Supervisor

**Absent Members:**

None

**Council Liaison:**

Greg Lemhouse, absent

**ANNOUNCEMENTS & AD HOC COMMITTEE UPDATES**

Community Development Director Bill Molnar welcomed new commissioner Roger Pearce and announced the public hearing for the Normal Neighborhood Plan has been scheduled for July 28, 2015.

Commissioner Thompson provided a brief update on the Downtown Parking Management & Circulation Committee. She stated the group is working with a new consultant and they are working on defining the guiding principles that will lead to specific strategies. Ms. Thompson explained the consultant has suggested identifying who the most important users are and dividing the downtown into zones, and stated it is clear that signage needs to be improved and there is emphasis on connecting the bike path through downtown.

**CONSENT AGENDA**

**A. Approval of Minutes**

1. June 9, 2015 Regular Meeting.
2. June 23, 2015 Special Meeting.

Commissioners Thompson/Dawkins m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed 5-0.  
*[Commissioner Pearce abstained]*

**PUBLIC FORUM**

No one came forward to speak.

**UNFINISHED BUSINESS**

**A. Approval of Findings for PA-2015-00418, McNeal Pavilion.**

**Ex Parte Contact**

No ex parte contact was reported.

Commissioners Dawkins/Brown m/s to approve the Findings for PA-2015-00418. Voice Vote: all AYES. Motion passed 5-0. *[Commissioner Pearce abstained]*

## B. Approval of Findings for PA-2015-00825, Verde Village Subdivision.

### Ex Parte Contact

No ex parte contact was reported.

Commissioners Miller/Dawkins m/s to approve the Findings for PA-2015-00825. Voice Vote: all AYES. Motion passed 5-0. *[Commissioner Pearce abstained]*

### TYPE II PUBLIC HEARING

#### A. PLANNING ACTION: PA-2015-00422

SUBJECT PROPERTY: 600-640-688-694-696 Tolman Creek Road, 2316 Hwy 66

APPLICANT: City of Ashland

OWNERS: Independent Printing Company, Inc., IPCO Development Corp.

AGENTS: CSA Planning, Ltd.

DESCRIPTION: A request for Site Design Review, Exception to Street Standards, Property Line Adjustment, Limited Use Permit/Water Resource Protection Zone Reduction for Construction in the Water Resource Protection Zone, Physical & Environmental Constraints Review Permit for Floodplain Development, and Tree Removal Permit approvals to allow the construction of a new public street "Independent Way" between Washington Street and Tolman Creek Road and associated changes to the lane configuration and on-street parking on Tolman Creek Road to its intersection with Ashland Street. *(The proposal also includes the review of driveway locations and associated circulation to allow the coordinated initial grading and utility installation on the adjacent private property in conjunction with the new street installation, however the development of the adjacent private properties will be subject to future Site Design Review as individual buildings are proposed.)*

COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP: 39 1E 14BA; TAX LOTS: 500, 600, 601, 700, 800, 900 and 1000.

Commissioner Mindlin read aloud the public hearing procedures for land use hearings.

### Ex Parte Contact

Commissioners Miller, Dawkins, Norton, Thompson, Mindlin, Brown, and Pearce declared site visits. Commissioner Dawkins stated he has spoken with the property owner but it was not regarding this planning action. Commission Mindlin stated she knows the applicant but they have not discussed this application.

### Staff Report

Associate Planner Derek Severson provided an overview of the applicant's request, which involves the following land use approvals: 1) Site Design Review to construct a new public street between Washington St. and Tolman Creek Rd. which involves changes to circulation, adds more than 1,000 sq.ft. of impervious surface, and includes driveway locations, utilities and rough grading of private property; 2) Exception to the Street Standards because the new street is not in conformance with city street standards for a neighborhood commercial collector street; 3) Property line adjustments to reconfigure property lines without creating additional lots; 4) Limited use permits and water resource protection zone reductions because the proposal includes a public street crossing and a private drive crossing through water resource protection zones to allow for a straight curb line installation; 5) a physical and environmental constraints review permit for development on floodplain corridor lands; and 6) Tree removal permits to remove 31 trees with a diameter of six-inches or more.

Mr. Severson reviewed the staff recommendations from the staff report and stated:

- Staff is supportive of the proposed new street with a north side sidewalk corridor installed to city standards (six-foot sidewalk/seven-foot continuous landscape parkrow) and an exception to defer south side sidewalk corridor improvements until new development is proposed on the south side.
- Staff is supportive of establishing driveway curb cuts, preliminary rough grading, and extending utility connections to anticipated building sites.
- Staff is supportive of the creek crossing for the new private driveway access to the building pad at the southeast corner of the site, including the removal of Tree #13, but believes that the establishment of on-site parking and

circulation or additional tree removals would be better considered with site review for development of that building pad.

- Staff is supportive of the water resource protection zone reduction of 124 sq.ft. to square off curb lines for the functionality and efficiency of circulation.
- Staff believes there should be no tree removal, paving, curbing or retaining wall installation approved other than that associated with the new street and its creek crossing or establishing the new driveway locations until site review approval is obtained for future buildings.

### Questions of Staff

Commissioner Thompson noted the undeveloped lot for sale on Tolman Creek Rd. She asked if staff was comfortable with removing the on-street parking at that location and questioned if this would create issues for that lot once it is developed. Mr. Severson explained that lot is owned by the applicant. He stated the elimination of the on-street parking would require more parking to be provided on the site, and stated the applicant is aware of this.

When asked about the letter in the record from ODOT staff clarified that any new access into the applicant's property would necessitate the need for a center turn lane on Tolman Creek Rd.

Commissioner Pearce asked staff to clarify who the applicant is and whether the residential overlay on the east side of Tolman Creek Rd. was considered during staff's review. Mr. Severson clarified the City of Ashland is the applicant but they are working in conjunction with the property owner and CSA Planning to coordinate this. He added the City's public works director went before the city council and received approval to work with the property owner to design this street. Regarding the residential overlay, Mr. Severson explained this would typically be looked at with a development proposal and less so with a street installation; and stated staff did not see anything in their request that raised any red flags.

Mr. Severson clarified the grading plan included in the record shows more detail than necessary and stated this level of detail should be postponed until an actual development approval comes forward.

### Applicant's Presentation

Jay Harland, CSA Planning and Mike Faught, City of Ashland Public Works Director addressed the commission. Mr. Harland explained this is a joint application; the property owner is interested in some development on his land and the new street installation is a very high priority project for the City and would provide needed connectivity and circulation for all modes of transportation. Mr. Harland stated the Public Works Department has done a great job of balancing the City's needs with the owner's needs and noted there have been a lot of design iterations and changes that have got them to this point. He stated they are in agreement with most of staff's recommendations, with one exception being the parkrow conversion condition. Mr. Harland stated it does not make sense to install landscaping now and tear it out later, and recommended the ultimate future use be considered. He commented on the sidewalk width on the north side of the street and explained that 12 ft. (as opposed to 13 ft.) is necessary for the grades to work with the driveways. Mr. Harland also asked that proposed condition #7 be clarified to state "Engineering station 450" instead of bridge. He clarified the onsite curbing and interior parking spaces are not proposed to be built at this time, however the retaining walls will be installed to address the grading issue and to allow for the proper water flow and curbing is proposed along the east boundary which will provide a hard edge to the water resource protection area. Regarding the timing of some of the improvements, Mr. Harland asked that the grading and underground utilities be allowed to be installed now instead of waiting for specific development proposals.

Public Works Director Mike Faught stated the City has been working with the property owner on this project and clarified that this area was identified as needing a connection in the City's Transportation System Plan. He cautioned that the City's partnership with the property owner may start to fall apart if the Commission starts removing pieces that they have both already agreed to.

### Questions of the Applicant

Several commissioners questioned what they are being asked to approve and expressed that it was difficult to discern this on the applicant's submittals. Suggestion was made for the applicant to present revised drawings that only show what they are being asked to approve at this time.

Comment was made that one of the retaining walls appears to be 15 ft. to 16 ft. tall and Mr. Harland confirmed that one of the walls is 15 ft. in height. He was then asked if there are any other walls over 5 ft. tall and he said Yes. Suggestion was made for the applicant to clearly indicate the locations and heights of the proposed retaining walls.

Comment was made that the applicant's materials shows the locations of buildings pads, but they are not asking for approval on these. Request was made for it to be made clear what they are seeking approval for.

*Recess was called at 8:10 p.m. and resumed at 8:15 p.m.*

Mr. Harland explained this is a large site with quite a bit happening and asked permission for the engineers and landscape architect to explain some of the details. He added they would be willing to return with simplified materials if that is the commission's preference.

**Mike Thornton, Thornton Engineering**, explained there is a significant grade change across the site and in order to accommodate the city street and allow for development of the property there needs to be some rough grading done. He stated if they cut the road through and don't address the future development, when the lots are developed they would need to get that fill back across the road and this would negatively impact the new street. Mr. Thornton stated they are asking to do this now and move that fill before the roadway goes in. He stated they are not doing curbs at this time and the only addition to the grading is the installation of the retaining walls. He stated the tallest is 14 ft. in height and they get down to 3 ft.

Mike Faught noted that performing the grading at the same time as the road installation would save the City money.

**Alan Pardee, Covey Pardee Landscape Architects**, addressed the commission and identified on the maps where the retaining wall and curb would be located.

Mr. Pardee was asked if it is possible to shift the retaining wall and save the two ponderosa pine trees. He responded that one of those trees has a significant lean to it, and stated the other tree would need to be 12 ft. from the wall in order for it to survive. He added the roots for that tree are likely well contained and it may be possible to reconfigure the wall in that location. Mr. Harland cautioned that they need to still consider the impacts to the driveway locations and how the water way will function. Several other trees on the site were mentioned and the applicant was asked to present additional information on why those removals are necessary.

Commissioner Mindlin stated the application as presented is difficult to approve because it includes too much detail and there is confusion on what they are approving now versus what will occur at a later date.

Comment was made that an area of disagreement seems to be the 12 ft. sidewalk and additional information was requested on why it is not feasible to build this to city standards. Clearer drawings of the locations of the parking bays, sidewalks, crosswalk, and center lane configuration were also requested.

**Kim Parducci, Transportation Engineer**, addressed the commission clarified the sidewalk will be on the west side of the parking bays and clarified that they could look into a crosswalk at Tolman Creek Rd. Ms. Parducci commented on the center lane configuration and clarified this would happen with or without the development of this property or the connection going through and stated it will address the congestion issue on Tolman Creek Rd. She stated this is an existing issue that will just get worse with growth.

Commissioner Mindlin commented that it is difficult when the applicant and planning staff don't agree and urged the applicant to speak with staff and provide a unified suggestion if at all possible.

**Commissioners Brown/Miller m/s to continue the public hearing to the August 11, 2015 Planning Commission meeting. Voice Vote: all AYES. Motion passed unanimously.**

**ADJOURNMENT**

Meeting adjourned at 9:05 p.m.

*Submitted by,  
April Lucas, Administrative Supervisor*

**CITY OF  
ASHLAND**  
ASHLAND PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
July 28, 2015

**CALL TO ORDER**

Chair Melanie Mindlin called the meeting to order at 7:00 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

**Commissioners Present:**

Michael Dawkins  
Melanie Mindlin  
Haywood Norton  
Roger Pearce  
Lynn Thompson

**Staff Present:**

Bill Molnar, Community Development Director  
Brandon Goldman, Senior Planner  
April Lucas, Administrative Supervisor

**Absent Members:**

Troy J. Brown, Jr.

**Council Liaison:**

Greg Lemhouse, absent

**Other:**

Debbie Miller was unable to participate because she lives within the project boundary.

**ANNOUNCEMENTS & AD HOC COMMITTEE UPDATES**

Community Development Director Bill Molnar noted the city commissioner thank you event scheduled for Sunday, August 30, 2015 at Oak Knoll Golf Course. He stated the City Council passed first reading of the Verde Village development agreement modifications and explained the City has requested an extension on their planning action at 380 Clay Street to explore options that would keep the tree and also allow for some development.

**PUBLIC FORUM**

No one came forward to speak.

**TYPE III LEGISLATIVE PUBLIC HEARING**

**A. PLANNING ACTION: PL-2013-01858**

**APPLICANT: City of Ashland**

**LOCATION: Normal Neighborhood District Boundary**

**REQUEST: To amend the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance to implement the Normal Neighborhood Plan.**

**Staff Report**

Community Development Director reviewed the history of this action. He explained 14 months ago the Planning Commission forwarded a recommendation to the City Council on the adoption of a Normal Neighborhood Plan. The Council held three meetings on the issue and formed a working group to fine tune some of the details. The working group held 12 meetings and have formulated a list of plan amendments for consideration. Mr. Molnar stated there is still some confusion in the community about the plan and emphasized that this is not a request for development. He stated in the City's 1980 Comprehensive Plan this area was indentified to accommodate 500+ units, and the City's Transportation Plan from the same time showed a future north, south, east, and west connection through the area. He stated the plan presented before the commission tonight is a detailed plan that reflects the City's current standards and will be used as a guide for future development as individual property owners approach the City for annexation.

Senior Planner Brandon Goldman provided overview of the three proposed ordinances. Ordinance #1 amends the City's Comprehensive Plan to include a new land use designation for the Normal Neighborhood, adds the Normal Neighborhood Plan Framework as a supporting document, and adopts the Normal Plan open space map. Ordinance #2 amends the Transportation System Plan (TSP) street dedication map, planned intersection and roadway map, planned bikeway network map, and amends the street design standards of the land use ordinance to incorporate the new shared street classification. And Ordinance #3 amends the municipal code to add a new Normal Neighborhood Special District chapter for the 94 acre area, revises existing code sections to reference the proposed Normal Neighborhood (NM) zoning classifications, and amends the neighborhood district zoning classification map. Mr. Goldman clarified that even with adoption of this plan, none of the zoning for this area changes. It is still under Jackson County's jurisdiction and property owners can still develop under county standards if they choose to do so. These standards would only come into play when an annexation into the City is proposed by the property owner.

Mr. Goldman reviewed the working group's recommendations, listed in their December 2, 2014 memo to the City Council, which include:

- Relocate the higher density zone to the south, nearest the rail road tracks, which would put it in closer proximity to the commercial core on Ashland St. as well as the Ashland bike path.
- Maintain the option for neighborhood serving commercial.
- Apply consistent zoning designations within the plan area with the zoning of adjacent land within the city limits and use zoning labels that are comparable to those used in the rest of the city while recognizing the Normal Neighborhood (NM) district. Mr. Goldman explained the proposed densities within the plan area are as follows: NN-1-5 = 4.5 units per acre, NN-1-3.5 = 7.2 units per acre, NN-1-3.5-C – 7.2 units per acre plus mixed use, and NN-2 = 13.5 units per acre. He also provided plan comparisons by potential number of dwellings and stated under the Comprehensive Plan 536 potential units could be built, the previous draft of the Normal Neighborhood Plan allowed for 546 potential units, and the current plan would allow for 450 potential units.
- Maintain the approach towards open space (approximately 25% of the total plan area) and allow non-conservation open space to be relocated or reduced through a minor amendment process. Reductions would require Department of State Lands concurrence that the area is not in a designated wetland through an approved delineation. Mr. Goldman clarified that while some wetlands may be reduced in size, much of those areas are still contained within designated floodplains or water resource protection zones and could not be reduced through an amendment process and would have to be preserved as open space.
- Incorporate three vehicular connections with East Main St. and maintain the Normal Collector as designated in the draft plan, align internal streets in a grid pattern with clear east west connections, and provide pedestrian and bicycle pathways as a means to connect residents with the middle school and the existing bike path.
- Add East Main St. to the TSP Street Dedication Map. Mr. Goldman stated the working group agreed that the railroad crossing improvements and improvements to East Main St. are integral and should proceed in concert with development, and asked the City to consider the formation of an advance financing district or other possible means for public investment into the needed improvements.

### Questions of Staff

Mr. Goldman answered questions from the commissioners. He clarified: changing a neighborhood collector to a local street designation would be a major amendment; that East Main St. is under Jackson County's jurisdiction and the City would have to enter into agreement with them to change it to a city street; and that the traffic analysis did not show that a traffic light at East Main was warranted. He also provided examples of how the transfer of density provision might be used.

### Public Testimony

**Bryce Anderson/2092 Creek Dr**/Submitted a letter into the record that expressed the concerns of the Meadowbrook Park Estates, Ashland Meadows, Chautauqua Trace, and East Village homeowners' associations. Mr. Anderson asked for a center turn lane on East Main St, for the entire length of East Main St. from Walker to Clay to be improved concurrently with the approval of any development in the plan area, for the bike lane and sidewalk on East Main to be separated from vehicular traffic, and for commercial development to require a conditional use permit.

**David Hoffman/345 Scenic Dr/**Asked the commission to consider climate change and Ashland's limited water resources when making this decision to add 500 more units to the city.

**Sabra Hoffman/345 Scenic Dr/**Stated she has been impacted by the loss of TID water to her property and asked the commission consider Ashland's water supply during their discussions on the proposed plan.

**Sue DeMarinis/145 Normal Ave/**Stated one of the wetlands has been damaged by the property owner and questioned what would happen to the connective corridors between the wetlands if applicants are able to do a minor amendment. Ms. DeMarinis remarked that the building lands inventory shows the city has enough stock to accommodate growth and questioned why the city would consider adding another 500 units. She also stated the East Main St. improvements should happen all at once and that it does not make sense to do these one section at a time.

**Joseph Kauth/1 Corral Ln, #13/**Expressed concern with housing developments taking over the natural setting, as well as how the added houses and roads would negatively impact rising temperatures.

**Julie Matthews/2090 Creek Dr/**Stated a property owner in the plan area has altered the flow of water across his parcel. She stated this is very unstable land to build on and stated her home is eroding underneath due to the water flows. She expressed concern with the plan's impact on wildlife and stated if you build streets next to these corridors the animals will not use them anymore.

**Carol Block/355 Normal Ave/**Stated of the 94 acres is the plan area, 30 acres are owned by people who have no intention of annexing. She questioned if this area would be better suited for food production and questioned the impact additional housing would have on the city's water supply and waste water systems. She stated the full improvement for East Main St. needs to happen and questioned how much of these costs would be passed onto the taxpayers. She stated according to the buildable lands inventory this plan is not necessary.

### **Deliberations and Decision**

Commissioner Mindlin asked the group to list the areas they wished to discuss. Density and the impact of bonuses/transfers, when and how East Main St. will get improved and how it will be funded, conservation easements and the minor amendment process, the collector road, and cluster housing were identified for discussion.

### **Density & Density Bonuses**

Commissioner Dawkins commented that the proposed plan is a template of what could happen in the future and stated if the city does not adopt a plan they will have no control of what happens to this area. He added there are a lot of positive things that would happen with the city's conservation standards that would not occur if the land is developed under county standards. Commissioner Pearce stated when talking about density they need to start with the comprehensive plan. He stated change will be hard for people but the decision to develop this area was made a long time ago when the comprehensive plan was adopted and approved by the state. Commissioner Thompson concurred that they are constrained by a set of expectations that have already been enacted, but added she would like to see the open space areas remain even if they are not wetlands. Comment was made that there are still two big swatches of open space through the plan area that will remain even the wetlands shrink. Staff was asked to comment on the claim raised during public testimony regarding this land not being needed according to the buildable lands inventory. Mr. Goldman responded that at the initiation of this project in 2011 the city conducted a buildable lands inventory and found that there was a 24-year supply in the city limits and the urban growth boundary. He clarified this finding included the Normal Plan area with the potential number of dwellings allowed under the existing comprehensive plan zoning designations.

Mr. Goldman briefly explained the density bonus provisions for the commission. The first provision sets a minimum density standard and states that sensitive areas do not need to be counted towards the developable area. The second provision is the maximum residential bonus permitted and establishes the maximum density allowed.

### **Open Space**

Commissioner Mindlin stated one of the goals of the plan is to maintain the neighborhood character, provide a connection with nature, and protect the viewsheds, and she is having a hard time with the working group's recommendation to allow

open space to be removed through a minor amendment process. Mr. Goldman provided some discussion background from the working group. He stated two property owners within the plan area paid to have their wetlands delineated and it was found that the wetlands were not nearly as big as originally thought. He stated concerns were raised by those wanting to develop that the coupling of the open space requirement, affordable housing requirement, and the infrastructure costs would make it unfeasible to develop the property. The working group was not willing to consider changes to the affordable housing requirements but felt the open space component could be considered for changes. Mr. Molnar added that the major amendment provision included in the draft plan was more restrictive than the rest of the city. Commissioner Dawkins stated the working group wanted to get past whether a specific area was or was not a wetland since they tend to change and instead focused on the two distinct corridors as a starting point and wanted these to stay open space, and pursuant with the water resources ordinance no development can occur in these two corridors. Commissioner Pearce commented that if the desire is to maintain more open space, the city will likely need take more responsibility for the infrastructure costs. Suggestion was made to consider establishing criteria for this amendment provision. Mr. Goldman noted that under the minor amendment process the applicant must still show that the change furthers the purpose of the plan. He stated the greenway and open space statements are included page 13 of the framework. Comment was made that having this language embedded in the code would be clearer and make a stronger statement of the intent.

*Commissioners Thompson/Pearce motion to continue meeting past 9:30 p.m. Voice Vote: all AYES. Motion passed.*

Commissioner Mindlin stated she does not expect the commission to complete this action this evening. Commissioner Thompson agreed and stated she is reluctant to propose a motion without thinking through all the implications. Mindlin recommended the commission focus their remaining time on areas where staff might be asked to bring back additional information.

### **Cluster Housing**

Commissioner Mindlin stated she wants to make sure cluster housing is a success and is pleased it is included in this plan. She asked if it could be extended to the NN-1.5 zoning designation and noted it is currently only listed as permissible in NN-1-3.5 and NN-2. Staff indicated they do not believe there is any impediment to extending cluster housing to the NN-1.5 zone and were asked to prepare draft code language for consideration.

### **Alleys/Lanes**

Commissioner Mindlin stated the framework document still states that the use of alleys/lanes reduces paved surfaces and stated the commission had previously agreed to remove this statement.

### **Transfer of framework language into the standards**

Commissioner Mindlin voiced her support for the language on page 10 of the framework document and questioned if this should be included in the development standards. Mr. Goldman clarified this was included in the framework and omitted from the standards by design. He stated it is intended to provide developers with a summary of components that would address the council goals and is meant to provide developers with a list of possibilities instead of a strict set of standards. Mr. Molnar added the framework is a guiding document that will be used by the city council at the time of an annexation and applicants will need to show how their request meets city goals.

### **Street Designations**

Commissioner Norton suggested staff look at whether Normal Avenue should be classified a local street instead of a collector. Commissioner Pearce suggested the current shared street language may constrict them too much.

### **Fencing**

Commissioner Mindlin suggested staff look into whether the framework document should include language that states open spaces shall not be screened from view.

### **ADJOURNMENT**

Meeting adjourned at 10:10 p.m.

*Submitted by, April Lucas, Administrative Supervisor*



**PLANNING ACTION:** PA-2015-00422

**SUBJECT PROPERTY:** 600-640-688-694-696 Tolman Creek Road, 2316 Hwy 66

**APPLICANT:** City of Ashland

**OWNER:** Independent Printing Company, Inc. & IPCO Development Corp.

**AGENT:** CSA Planning, Ltd.

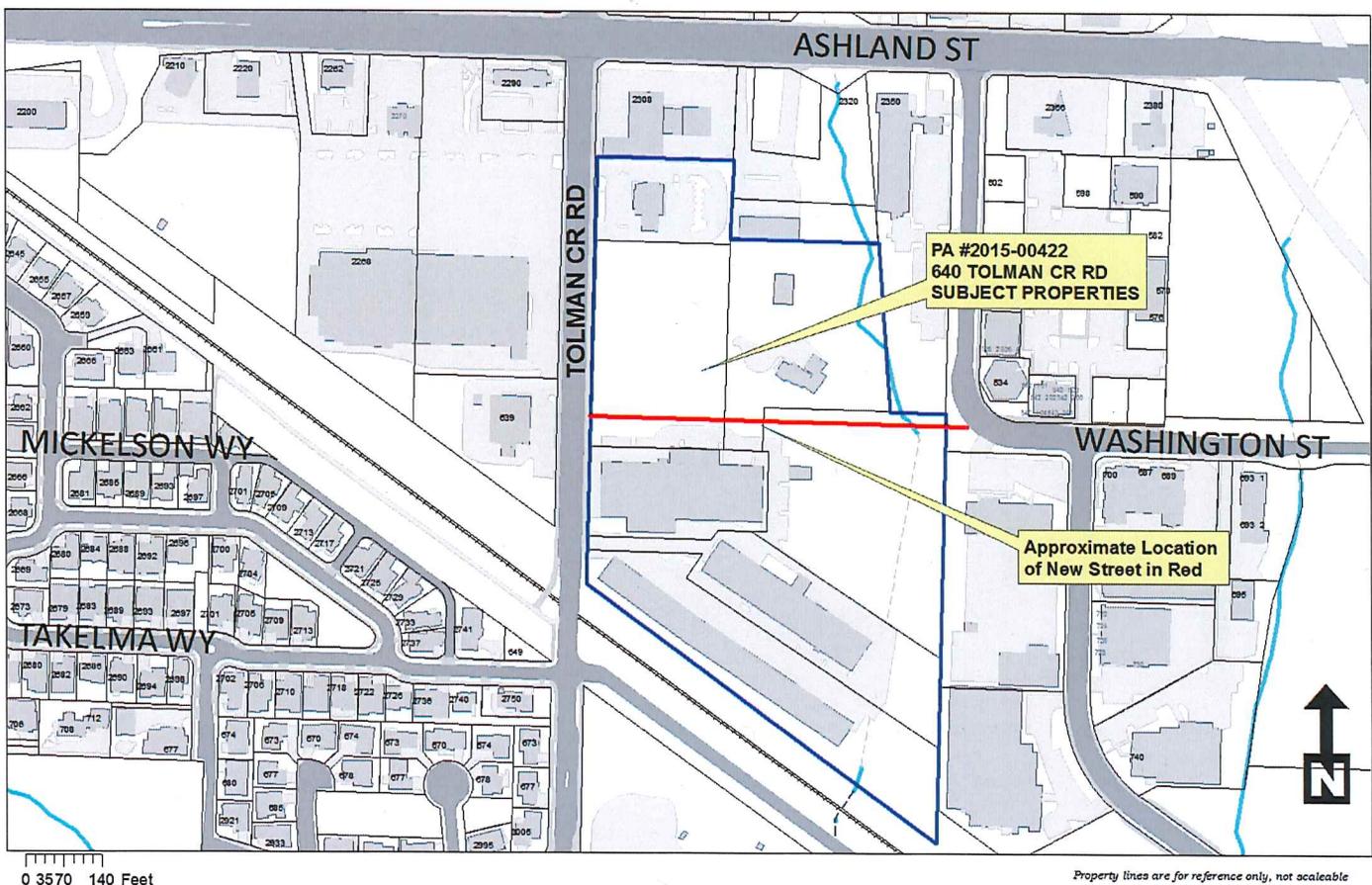
**DESCRIPTION:** A request for Site Design Review, Exception to Street Standards, Property Line Adjustment, Limited Use Permit/Water Resource Protection Zone Reduction for Construction in the Water Resource Protection Zone, Physical & Environmental Constraints Review Permit for Floodplain Development, and Tree Removal Permit approvals to allow the construction of a new public street "Independent Way" between Washington Street and Tolman Creek Road and associated changes to the lane configuration and on-street parking on Tolman Creek Road to its intersection with Ashland Street. (The proposal also includes the review of driveway locations and associated circulation to allow the coordinated initial grading and utility installation on the adjacent private property in conjunction with the new street installation, however the development of the adjacent private properties will be subject to future Site Design Review as individual buildings are proposed.)

**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 14BA; **TAX LOTS:** 500, 600, 601, 700, 800, 900 and 1000.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, July 9, 2015 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room) located at 51 Winburn Way.

**ASHLAND PLANNING COMMISSION MEETING:**

**CONTINUED TO AUGUST 11, 2015 at 7:00 PM  
 Ashland Civic Center, 1175 E Main**



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 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 I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### **18.5.2.050**

The following criteria shall be used to approve or deny an application:

- 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.

## EXCEPTION TO STREET STANDARDS

### **18.4.6.020.B.1**

The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

- 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.

## PROPERTY LINE ADJUSTMENTS

### **18.5.3.120.B**

The Staff Advisor shall approve or deny a request for a property line adjustment in writing based on all of the following criteria.

1. **Parcel Creation.** No additional parcel or lot is created by the lot line adjustment.
2. **Lot Standards.** Except as allowed for nonconforming lots, pursuant to chapter 18.1.4, or as required by an overlay zone in part 18.3, all lots and parcels conform to the lot standards of the applicable zoning district, including lot area, dimensions, setbacks, and coverage, per part 18.2. If a lot does not conform to the lots standards of the applicable zoning district, it shall not be made less conforming by the property line adjustment. As applicable, all lots and parcels shall identify a buildable area free of building restrictions for physical constraints (i.e., flood plain, greater than 35 percent slope, water resource protection zones).
3. **Access Standards.** All lots and parcels conform to the standards in section 18.4.3.080 Vehicle Area Design. Lots and parcels that do not conform to the access standards shall not be made less conforming by the property line adjustment.

## LIMITED USE PERMIT

### **18.3.11.060.D**

All Limited Activities and Uses described in section 18.3.11.060 shall be subject to a Type I procedure in section 18.5.1.050. An application for a Limited Activities and Uses Permit shall be approved if the proposal meets all of the following criteria.

1. All activities shall be located as far away from streams and wetlands as practicable, designed to minimize intrusion into the Water Resources Protection Zone and disturb as little of the surface area of the Water Resource Protection Zone as practicable.
2. The proposed activity shall be designed, located and constructed to minimize excavation, grading, area of impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on Water Resources.
3. On stream beds or banks within the bank full stage, in wetlands, and on slopes of 25 percent or greater in a Water Resource Protection Zone, excavation, grading, installation of impervious surfaces, and removal of native vegetation shall be avoided except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability.
4. Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.
5. Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.
6. Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

## **WATER RESOURCE PROTECTION ZONE REDUCTIONS**

### **18.3.11.070**

A Water Resource Protection Zone may be reduced by up to 25 percent through a Type I procedure in 18.5.1.050, and by greater than 25 percent and up to 50 percent through a Type II procedure in section 18.5.1.060 if the proposal meets all of the following criteria.

- A. The proposed use or activity is designed to avoid intrusion into the Water Resource Protection Zone through the use of up to a 50 percent reduction of any dimensional standards (e.g., required front, side and rear yard setbacks; required distance between buildings) to permit development as far outside or upland of the Water Resource Protection Zone as possible. Such adjustment to any applicable dimensional standards shall be reviewed as part of the requested reduction, and shall not be subject to a separate Variance application under chapter 18.5.5 Variances. Reductions to dimensional standards may not be used to reduce required Solar Access setbacks without evidence of agreement by the effected property owner(s) to the north through a concurrent Solar Access Variance application as described in chapter 18.4.8 Solar Access.
- B. The alteration of the Water Resource Protection Zone is the minimum necessary to efficiently perform the proposed activity and/or use. The proposed development shall minimize disturbance to the Water Resource Protection Zone by utilizing the following design options to minimize or reduce impacts of development.
  1. Multi-story construction shall be considered.
  2. Parking spaces shall be minimized to no more than that required as a minimum for the use.
  3. Pavement shall be minimized, and all pavement used shall be installed and maintained in a porous solid surface paving material.
  4. Engineering solutions shall be used to minimize additional grading and/or fill.
- C. The application demonstrates that equal or better protection for identified resources will be ensured through restoration, enhancement, and mitigation measures. The structures, functions, and values of the Water Resource will be restored through the implementation of a restoration and enhancement strategy set forth in a mitigation plan prepared in accordance with the standards and requirements described in section 18.3.11.110 Mitigation Requirements.
- D. Long term conservation, management, and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.

## **PHYSICAL & ENVIRONMENTAL CONSTRAINTS**

### **18.3.10.050**

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria.

- A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

## **TREE REMOVAL PERMIT**

### **18.5.7.040.B**

- B. Tree Removal Permit.
  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.
    1. 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.
    2. 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.
    3. 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.
    4. 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.
    5. 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.

**ASHLAND PLANNING DEPARTMENT  
STAFF REPORT ADDENDUM  
August 11, 2015**

**PLANNING ACTION:** PA-2015-00422

**APPLICANT:** City of Ashland

**OWNER:** Independent Printing Company, Inc.  
IPCO Development Corp.

**AGENT:** CSA Planning, Ltd.

**LOCATION:** 600, 640, 688, 694 and 696 Tolman Creek Road  
2316 Highway 66

**ZONE DESIGNATION:** E-1

**COMPREHENSIVE PLAN DESIGNATION:** Employment

**ORDINANCE REFERENCE:**

<b>Part</b>	<b>18.2</b>	Zoning Regulations
	<b>18.2.6</b>	Standards for Non-Residential Zones
<b>Part</b>	<b>18.3</b>	Special Districts and Overlay Zones
	<b>18.3.10</b>	Physical & Environmental Constraints Overlay
	<b>18.3.11</b>	Water Resource Protection Zones Overlays
	<b>18.3.12</b>	Site Development and Design Overlays
<b>Part</b>	<b>18.4</b>	Site Development and Design Standards
	<b>18.4.2</b>	Building Placement, Orientation and Design
	<b>18.4.3</b>	Parking, Access and Circulation
	<b>18.4.4</b>	Landscaping, Lighting and Screening
	<b>18.4.5</b>	Tree Preservation and Protection
	<b>18.4.6</b>	Public Facilities
	<b>18.4.8</b>	Solar Access
<b>Part</b>	<b>18.5</b>	Application Review Procedures and Approval Criteria
	<b>18.5.2</b>	Site Design Review
	<b>18.5.3</b>	Land Divisions and Property Line

**REQUEST:** A request for Site Design Review, Exception to Street Standards, Property Line Adjustment, Limited Use Permit and Water Resource Protection Zone Reduction for Construction in the Water Resource Protection Zone, Physical & Environmental Constraints Review Permit for Floodplain Development, and Tree Removal Permit approvals to allow the construction of a new public street “Independent Way” between Washington Street and Tolman Creek Road, and associated changes to the lane configuration and on-street parking on Tolman Creek Road to its intersection with Ashland Street.

The proposal also includes the review of driveway locations and associated circulation to allow the coordinated initial grading and utility installation on the adjacent private property in conjunction with the new street installation, however the development of the adjacent private properties will be subject to future Site Design Review as individual buildings are proposed.

**I. Relevant Facts**

**A. Background - History of Application**

The Planning Commission opened the public hearing for this matter on July 14, 2015 at which time testimony was heard and evidence was presented. Following testimony, the Commission indicated that the extent and details of the approval requested was unclear as there was curbing associated with parking and circulation, and tree removals shown on the plans which seemed to go beyond the scope of the request described in the narrative. The Commissioners indicated they would be uncomfortable approving a request where details such as this were unclear, and asked the applicants to provide revised materials that made the request clear for presentation at the next meeting. The public hearing was continued to the Planning Commission’s next regular meeting on August 11, 2015 at 7:00 p.m.

**B. Detailed Description of the Proposal**

In the materials provided subsequent to the July 14<sup>th</sup> public hearing, the applicants have noted the following revisions to the request:

- The proposed Independent Way street design has been modified to shift the street centerline one-foot to the south. This centers the street centerline within the right-of-way and has the effect of narrowing the island located immediately in front of the existing IPCO Printing building on the south side of the street from six feet, including curbs, to five feet. With this modification, the design can be modified to accommodate the city standard 13-foot pedestrian corridor with eight-foot sidewalks and five-foot by five-foot tree planters on the north side of the street, removing the need for that Exception.

- The applicants also propose to install structural soil for the pedestrian corridor in conjunction with the hardscape corridor treatment. This would entail an eight-foot sidewalk with five-foot street tree grates typical of the city's standard for commercial areas with on-street parking, supplemented by the use of structural soil, rather than the six-foot sidewalk and seven-foot landscaped parkrow previously recommended by Planning staff which is more commonly used in residential areas or commercial settings where there is to be no on-street parking.
- The applicants have agreed to modify the grading plan and retaining wall designs to preserve Tree #22 on sheet L2 of the applicants' Exhibit 13. This tree is the 30-inch d.b.h. Ponderosa Pine. The applicants agree to accept a condition of approval for the Staff Advisor to review and approve revised rough grading and tree protection plans which include the required preservation and protection of Tree #22.
- The applicants have also agreed to accept a condition of approval for the Staff Advisor to review and approve revised rough grading and tree protection plans which include the required preservation and protection of Trees #14 and #15. These are the 25-inch and 20-inch d.b.h. Oaks that were previously to be removed to accommodate driveway installation to serve the proposed building location at the southeast corner of the site. The applicants further note that these revised plans shall not result in a greater impact to the water resource protection zone, measured either in square footage or in the maximum 25 percent linear reduction.

Additional materials have been provided reflecting the above, including:

- Revised materials from Thornton Engineering including a Preliminary Site Plan and Preliminary Utility Plan revised to reflect the full 13-foot pedestrian corridor on the north side of the street in compliance with city street standards.
- Preliminary Site Plan and Preliminary Utility Plan for IPCO Development revised to simplify the proposal by only illustrating the proposed improvements and changes to the site. The applicants note that the flat areas are the building pads from the original submittals, and the designs have been revised slightly to grade slopes adjacent to Independent Way to the building pad areas to avoid the need for railings at the top of the retaining walls along the street. The revisions provided do not include the design changes to retain Tree #22 as the applicants note that this will require detailed design efforts prior to developing a revised grading plan.
- Two cross-section views that show the resultant grading through the site in conjunction with the City's street construction.
- Truck turning movement diagrams from Public Works staff to illustrate why on-street parking will not work with the existing truck movements to and from the existing buildings.

- Conceptual designs for the restriping of Tolman Creek Road from Public Works staff.
- Additional details from Southern Oregon Transportation Engineering. The applicants here note that this project does not approve the re-striping of Tolman Creek Road; this re-striping is already planned in the Transportation System Plan (TSP). This project only looks at how the current proposal interacts with the planned re-striping.
- An IPCO Overall Master Plan prepared by Architectural Design Works. The applicants note that this was prepared in order to work out the various driveway locations, logical site grading, and utilities that need to be coordinated with the street construction. The applicants emphasize that the current application does not request Planning Commission approval of this precise site layout or building footprints, but they suggest that it may provide some understanding of the proposed driveways, grading and utility locations.

## II. Project Impact

For staff, the key issues with the previous proposal as presented at the July meeting were:

1. **Impacts to Tolman Creek Road** – Planning staff noted that whatever measure of on-street parking could be provided on Independent Way to off-set the removal of on-street parking on Tolman Creek Road would be beneficial, and recommended that a condition be included to require the applicants’ proposed 48-foot parking bay on the south side of Independent Way near its intersection with Tolman Creek Road. Staff also recommended a condition to require that the applicants work with the Rogue Valley Transportation District and neighboring property owners to address relocation of the transit stop on the west side of Tolman Creek Road, if necessitated by the proposed lane reconfiguration.

**The revised submittals include the 48-foot parking bay.**

2. **Independent Way Pedestrian Corridor** – Planning staff had recommended a condition to require that the full 13-foot width - not counting curb - pedestrian corridor be provided on the north side.

**The revised submittals reflect the 13-foot width pedestrian corridor recommended by staff, incorporating an eight-foot wide sidewalk and five-foot by five-foot tree planting wells.**

Planning staff had previously noted that where on-street parking is not planned, the 13-foot pedestrian corridor may consist of a continuous, seven-foot wide planting strip with a six-foot sidewalk rather than a five-foot hardscape planting strip and eight-foot sidewalk typically used in commercial areas. Staff had recommended that because on-street parking

was not initially to be provided, a continuous seven-foot park row planting strip would better accommodate street tree growth to enhance the corridor and provide for greater buffer for pedestrians particularly given the concerns with truck traffic. The applicants continue to request an eight-foot sidewalk and five-foot tree grate pedestrian corridor configuration, but have proposed to utilize structural soil to better accommodate street tree growth.

Structural soil is a soil mix made of some combination of crushed stone, clay loam or other soil and a hydro-gel stabilizer that can be compacted for pavement installation while still accommodating root growth. Used in Europe for some time, it was further researched and developed for use in the U.S. in the 1990's through Cornell University's Urban Horticulture Institute. For street trees, its use means that instead of having root growth confined to what amounts to a small planting area within a tree well it can instead continue beneath a much broader area of the sidewalk corridor providing for more robust tree growth, a fuller canopy and a longer tree life. Structural soil has previously been used on projects in Ashland along Lithia Way at 150 Lithia Way and along the full frontage of the First Place development.

**In staff's view, this is an acceptable solution, which addresses the concerns raised by staff while also addressing the applicants' concerns over water usage, maintenance, and providing a wider paved corridor to better accommodate pedestrians and bicycles.**

The application also included the installation of an approximately 80-foot long section of eight-foot wide curbside sidewalk along the south side of the new street, along the frontage of Tax Lot #600 that would have required an Exception because no park row planting strip was proposed. Staff had noted that while an Exception was merited to defer the installation of standard sidewalks on the south side of the corridor to avoid conflicts with existing large truck traffic, we did not believe a substandard corridor was merited and instead recommended that sidewalk improvements on the south side either be deferred until Site Review for future buildings or constructed to current standards if installed now.

**The revised submittals reflect a city standard sidewalk/parkrow installation in this section, and provide a location to connect a crosswalk to the north side sidewalk.**

- 3. Tree Removal & Rough Grading** - Staff had noted concern that 21 trees were proposed for removal to enable future development not currently under review and which might not occur for some time. Similarly, while the applicants' findings described rough grading of the site to coordinate driveway curb cuts and preliminary utility installation, the grading plan originally provided detailed curb placements interior to the site that seemed to establish parking and circulation definitively for the property without consideration of applicable standards for parking, parking area design or vehicular and pedestrian circulation. Staff noted that achieving compliance with these standards could necessitate alterations to the curbing. Staff had recommended that tree removals not directly associated with the new street installation or private crossing and any curbing, retaining or paving interior to the site would be better evaluated in conjunction with Site Review when future development is

proposed. Based on a Planning Commission site visit on July 13<sup>th</sup> and the subsequent hearing on July 14<sup>th</sup>, the Commission had noted that in particular, Tree #22, a 30-inch diameter Ponderosa Pine behind the existing residence on the property and Trees #14 and #15, 25- and 20-inch Oaks near the crossing proposed to access the building pad at the southeast corner of the site might merit closer scrutiny to see if they could be preserved with modifications to the proposed site improvements and asked that the grading plan be revisited to clarify just what was proposed.

**The applicants have provided a revised grading plan and cross-section drawings to clarify the rough grading proposed, and the narrative submittals provided note that the applicants are willing to accept conditions requiring revised plans reflecting the preservation and protection of the three trees which were of greatest concern to the Planning Commission.**

### **III. Procedural - Required Burden of Proof**

The criteria for Site Design Review approval are described 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.*

The criteria for Exception to Street Standards are described 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*



4. *Water, storm drain, and sewer systems shall be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges to streams and wetlands.*
5. *Stream channel repair and enhancement, riparian habitat restoration and enhancement, and wetland restoration and enhancement will be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in section 18.3.11.110 Mitigation Requirements.*
6. *Long term conservation, management and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.*

**The criteria for Water Resource Protection Zone Reductions are described AMC 18.3.11.070 as follows:**

- A. *The proposed use or activity is designed to avoid intrusion into the Water Resource Protection Zone through the use of up to a 50 percent reduction of any dimensional standards (e.g., required front, side and rear yard setbacks; required distance between buildings) to permit development as far outside or upland of the Water Resource Protection Zone as possible. Such adjustment to any applicable dimensional standards shall be reviewed as part of the requested reduction, and shall not be subject to a separate Variance application under chapter 18.5.5 Variances. Reductions to dimensional standards may not be used to reduce required Solar Access setbacks without evidence of agreement by the effected property owner(s) to the north through a concurrent Solar Access Variance application as described in chapter 18.4.8 Solar Access.*
- B. *The alteration of the Water Resource Protection Zone is the minimum necessary to efficiently perform the proposed activity and/or use. The proposed development shall minimize disturbance to the Water Resource Protection Zone by utilizing the following design options to minimize or reduce impacts of development.*
  1. *Multi-story construction shall be considered.*
  2. *Parking spaces shall be minimized to no more than that required as a minimum for the use.*
  3. *Pavement shall be minimized, and all pavement used shall be installed and maintained in a porous solid surface paving material.*
  4. *Engineering solutions shall be used to minimize additional grading and/or fill.*

- C. *The application demonstrates that equal or better protection for identified resources will be ensured through restoration, enhancement, and mitigation measures. The structures, functions, and values of the Water Resource will be restored through the implementation of a restoration and enhancement strategy set forth in a mitigation plan prepared in accordance with the standards and requirements described in section 18.3.11.110 Mitigation Requirements.*
- D. *Long term conservation, management, and maintenance of the Water Resource Protection Zone shall be ensured through preparation and recordation of a management plan as described in subsection 18.3.11.110.C, except a management plan is not required for residentially zoned lots occupied only by a single-family dwelling and accessory structures.*

**The criteria for a Physical & Environmental Constraints Review Permit are described AMC 18.3.10.050 as follows:**

- A. *Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.*
- B. *That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.*
- C. *That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.*

#### **IV. Conclusions and Recommendations**

As before, planning staff is strongly supportive of the proposed new street connection for the functionality it will provide the street system, and believe it will be an important new gateway to those areas likely to see significant local job and housing growth in the future. For staff, the first consideration with the proposal has been insuring that the street system ultimately develops not only to support a functional street system, but also to provide multiple transportation options and create a safe, optimal environment for all users as envisioned in the Street Standards and Transportation System Plan. In staff's view, the modifications made since the July meeting bring the proposal largely into line with the street standards with the exception of the frontage of the existing IPCO Printing building on the south side, and we are supportive of these changes including the proposed use of structural soil to better accommodate the development of a healthy and robust street tree canopy.

Staff is also supportive of establishing driveway curb cuts, preliminary rough grading and extending utility connections to anticipated building sites with the recognition that further development of

these sites will be subject to Site Design Review to consider both the building and site designs in light of standards in place when each building is proposed. Staff also believes that the establishment of a clear curb line delineating the boundary of the Hamilton Creek corridor, and a *de minimus* reduction in the Water Resource Protection Zone to square off this curb line for the functionality and efficiency of existing and future circulation is appropriate.

Staff is supportive of the creek crossing for the new public street, including the associated removal of ten trees, and of the private creek crossing for a new private driveway access to the building pad at the southeast of the site, including the removal of Tree #13, but believe that the establishment of on-site parking and circulation or additional tree removal on that portion of the property would be better considered with Site Review for development of that building pad. The applicants have agreed to a condition to preserve and protect Trees #14 and #15 that were previously proposed to be removed to accommodate the new driveway here, and their preservation has been incorporated into the conditions below.

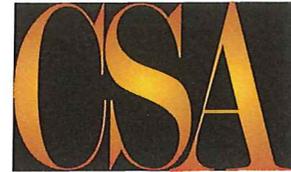
The applicants have made a commendable effort to quickly address the issues raised by the Commission at the July meeting, proposing to modify driveway and retaining wall design and placement in order to preserve and protect the three trees that seemed to be most of concern to the Commission and to clarify the limits of the site work proposed in identifying driveway locations and future building pads. These modifications have been incorporated into the conditions below, and with their inclusion, staff would recommend approval of the request.

1. That all proposals of the applicant shall be conditions of approval unless otherwise modified herein, including that the final plans shall be revised to include the preservation and protection of Trees #14, #15 and #22.
2. That a final survey plat shall be submitted within 12 months and approved by the City of Ashland within 18 months of this approval. All easements for public and private utilities, fire apparatus access, and reciprocal utility, maintenance, and access shall be indicated on the final survey plat as required by the Ashland Engineering Division.
3. That final engineered street improvement, storm drainage and utility plans for the new Independent Way shall be submitted for the review and approval of the Ashland Engineering and Planning Divisions prior to signature of the final survey plat.
4. That the final engineered construction drawings for the public sidewalks on Independent Way shall be submitted for review and approval of the Ashland Planning and Engineering Divisions prior to work in the street right-of-way and prior to installation of improvements in the pedestrian corridor. The sidewalk on the north side of Independent Way shall be a minimum of eight feet in width with a required five-foot hardscape parkrow planting strip with tree grates between the sidewalk and the curb. No parkrow shall be required in the area of the bridge crossing, but full improvements, including but not limited to the sidewalk, parkrows with irrigated street trees, and street lighting shall be required on the remainder of the north side. The final engineered construction drawings shall include details for the installation of structural soil, including tree planting cross-sections, soil mix details, and the extent of the structural soil installation.
5. That street trees, spaced at one tree per 30 feet of street frontage, shall be installed on the north side of Independent Way. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in AMC 18.4.4.030.E. All street trees shall be irrigated.

6. The sidewalk on the south side shall be constructed to six-foot width with no parkrow planting strip within the bridge crossing as proposed by the applicants. Any additional pedestrian corridor improvements installed on the south side shall be to city street standards. The completion of any remaining sections of sidewalk on the south side of Independent Way shall be evaluated with future development applications.
7. That the final engineered plans for the new Independent Way shall include the applicants' proposed 48-foot on-street parking bay on the south side of Independent Way near its intersection with Tolman Creek Road.
8. That the applicants shall work with the Rogue Valley Transportation District (RVTD) and neighboring property owners to address relocation of the transit stop on the west side of Tolman Creek Road, if necessitated by the proposed on-street parking removal and lane reconfiguration.
9. That, as proposed by the applicants, a new hydraulic analysis by the project engineers shall be provided based on the final design of the build-condition project that shows no rise in base flood elevations when compared to the existing conditions hydraulic modeling provided with the application.
10. That a Tree Verification Permit shall be applied for and approved by the Ashland Planning Division prior to site work including excavation, staging or storage of materials. The Tree Verification Permit is to inspect the identification of the trees to be removed and the installation of tree protection fencing for trees to be retained. The tree protection shall be chain link fencing six feet tall and installed in accordance with the requirements of AMC 18.4.5.030.B. 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.
11. That silt fencing or other protective measures shall be installed along the Water Resource Protection Zone boundary, inspected and approved by the Staff Advisor prior to issuance of excavation permits or any site work, staging or storage of materials on site.
12. That the applicants shall provide a management plan, and any necessary modification to existing conservation easements, providing for the long-term conservation, management and maintenance of the Water Resource Protection Zone as detailed in AMC 18.3.11.110.C.
13. That a final grading and erosion control plans shall be provided which include details addressing the "Vegetation Preservation and Construction Staging Requirements" found in AMC 18.3.110.A.
14. That a final size- and species-specific mitigation plan including irrigation details shall be provided for the review and approval of the Staff Advisor. All mitigation plantings shall be installed according to the approved plan, inspected, and approved by the Staff Advisor, and the management plan and any necessary easement modifications recorded prior to final approval.
15. That lots not actively being constructed or used for staging shall be treated with a low-water use wildflower seed mix and generally maintained in a weed-free condition.
16. That no new paving or curbing other than that associated with the street installation, establishing new driveway curb cut locations, and delineating the Water Resources Protection Zone boundary shall be permitted until approved through future Site Design Review applications.
17. That the applicants' "Overall Master Site Plan (Sheet A-101)" has not been reviewed for

compliance with applicable standards and is not approved here, as recognized by the applicants in the narrative submittals provided. Development of the site shall be subject to full review under the applicable standards at the time each building is proposed.

18. That any demolition of existing buildings shall be subject to the applicable demolition requirements (*currently found in AMC 15.04.210-.216*) and may require that the applicants obtain Demolition/Relocation Review Permit approval prior to any demolition.



## Memorandum

To: City of Ashland Planning Commission  
c/o: Derek Severson, Associate Planner  
Date: July 22, 2015  
Subject: PA-2015-00422

### CSA Planning, Ltd

4497 Brownridge, Suite 101  
Medford, OR 97504

Telephone 541.779.0569  
Fax 541.779.0114

Jay@CSAplanning.net

At the initial hearing on the above captioned matter, the Planning Commission continued the hearing and requested the Applicant provide additional information to address concerns of the Commission. The Chair specifically directed that the Applicant meet with the Planning Staff in an effort to seek resolution to as many of the outstanding issues and concerns as practicable. This memo lays forth the additional information to address the concerns raised at the initial hearing and provides our understanding of the agreements reached with the Planning Staff.

#### **SUMMARY OF MEETING WITH PLANNING STAFF**

On July 20, 2015, the Public Works Director met with Planning Staff to discuss the outstanding issues on the project. CSA was not present at the meeting, but an e-mail summary of the meeting was provided by Public Works Staff. That e-mail indicates the following agreements have been reached on the outstanding issues:

1. The proposed Independent Way design has been modified to shift the street centerline 1.0' to the south. This centers the street centerline within the right-of-way. This has the effect of narrowing the island located immediately in front of the existing IPCO Printing building on the south side of the street from six feet (with the curb) to five feet.
2. At the hearing, the Applicant verbally agreed to modify the proposed design for grading and retaining wall design in an effort to retain Tree #22 on sheet L2 of Applicant's Exhibit 13; this tree is the 30-inch Ponderosa Pine. The Applicant herewith agrees to accept a condition of approval for the Staff Advisor to review and approve a final rough grading and Tree Protection plan that is revised in a manner designed to retain Tree #22.
3. At the hearing, the Planning Commission expressed concern over the removal of Trees Numbered 14 and 15 (a 25-inch oak and 20-inch oak respectively). The Applicant herewith agrees to accept a condition of approval for the Staff Advisor to review and approve a final rough grading and Tree Protection plan that is revised to retain Trees #14 and #15. The revised plan shall not result in a greater impact of water resource protection zone (measured in square feet and shall not exceed the 25% linear reduction threshold).
4. By shifting the centerline consistent with #1 above, the revised design of Independent Way satisfies the City's dimensional standards of 13-feet for planting area and sidewalk between the back of curb and the north right-of-way boundary. With this change, the Planning Staff can support the hardscape design alternative with the additional requirement that the City installs structural soil for the tree wells to give the new trees optimum growing conditions. The Applicant herewith stipulates to a condition of approval requiring installation of structural soil for the tree wells in the hardscape design alternative.
5. The revisions to the private portion of the project to reduce impacts to certain identified trees addressed the Planning Staff concerns regarding the timing of grading and retaining wall installation. With these revisions, it is our understanding that the Planning Staff can support the proposed building pad and driveway locations depicted on the rough grading and utility plans prepared by Thornton Engineering (and the associated retaining walls and curbing along the west boundary of the water resource protection zone).

#### **ADDITIONAL SUBMITTAL MATERIALS SUMMARY**

- A. Revised Materials from Thornton Engineering: At the initial hearing, the Planning Commission expressed concern that they could not discern the exact improvements being requested for approval as part of this action (especially on the private development areas) and were unsure as to the exact nature and extent of the design disagreements on Independent Way between the proposal and the Planning Staff. The revised submittals seek to resolve these issues as follows:

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- The Independent Way Preliminary Site Plan and Preliminary Utility Plan have been revised to reflect the full 13-foot pedestrian/planting dimension on the north side in compliance with the City's dimensional standards.
  - The IPCO Development Inc. Preliminary Site Plan and Preliminary Utility Plan have been revised to simplify the drawing to only show the resulting improvements and changes to the site. The flat areas are the Building Pads in the original submittal. The design has been revised slightly to grade slopes adjacent to Independent Way to the building pad areas; this has been done to avoid the need for railings at the top of retaining walls along Independent Way. The revisions provided do not include the design changes to retain Tree #22 described above; this will be a tight area and will require some very detailed design efforts to be reviewed and approved by the Staff Advisor prior to issuance of the grading permit.
  - Also provided by Thornton Engineering are two cross-sections that show the profile views of the resultant grading to occur in conjunction with the City's street construction.
- B. The Public Works Staff is providing a copy of the truck turning movement diagrams. This information depicts why on-street parking on Independent Way will not work with the existing truck movements to and from the existing buildings. Public Works has also provided a conceptual design for re-stripping of Tolman Creek Road.
- C. Additional details from Southern Oregon Transportation Engineering are provided. The condensed conclusions explain when transportation improvements are required in relation to Independent Way construction and the future private development on the site. Of critical import is that this project does not approve the re-stripping of Tolman Creek Road. That restriping is already planned in the TSP. The Transportation Impact Analysis only looks how this project interacts with the planned re-stripping. Southern Oregon Transportation Engineering also provides a longer version that goes into greater details with respect to the timing and relationship of improvements to the project.
- D. The Applicant is also providing a copy of the IPCO Overall Master Plan (concept plan) prepared by Architectural Design Works. In order to work out the various driveway locations, logical site grading and utilities that need to be coordinated with the street construction, some conceptual master planning of the private property was necessary and appropriate. The current application does not request Planning Commission approval of these precise building footprints and layouts, but we believe this plan provides the Commission with some understanding of why the driveways, grading, and utility location are appropriate as proposed. It is also worth noting that ADW has already begun work on design revisions to retain trees #14 and #15. This design work demonstrates the final grading plan can feasibly comply with the conditions of approval contemplated in number 3 above.

#### **TECHNICAL PLANNING MATTERS**

During the initial hearing, the Planning Commission raised two technical planning issues that require further explanation. One was how the findings are properly tied to the private development components of the project and the other related to the precise nature and extent of the exceptions being requested for the construction of Independent Way. These matters are handled below as follows:

- The Planning Commission questioned how the site plan review findings were properly applied to the private components of the project. CSA reviewed the submitted findings and the findings refer to approval of proposed building pads. The general approach taken in the findings is that the approval of Independent Way will set certain driveway and utility components in ways that dictate the approximate location of future structural development on the remaining private land. In order to approve the grading and utility plan as proposed, the Planning Commission must conclude that the proposed building pads are located such that future buildings in these locations could feasibly be designed to comply with the Site Plan Review criteria that pertain to building locations.

Antecedent to concluding the building pads meet can be found to meet the requirements in the preceding paragraph, it is necessary to define what is meant by a building pad. "Building Pad" is not a defined term in the code. In the context of the findings, it means nothing more than a location that will be rough graded flat and intended for future buildings. Because it is just a rough grade, it is necessarily approximate in nature. For example, it is possible that future development might see more than one building proposed on a single building pad. At its essence, approval of the building pads means that the Planning Commission finds that the proposed location of the buildings pads are appropriate to site future buildings under the City's code and that portions of the site that are not located on the building pads would be appropriate for the other site requirements such as landscaping, parking, loading, circulation, water resource protection, plazas, etc.

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- The other issue concerned the precise extent and nature of the exceptions for the street design of Independent Way. The revised design reduced the extent of the exception requested. In simple terms, the precise nature of the exceptions are as follows:
    - No exception to right-of-way width is requested. The project meets the minimum right-of-way standards.
    - The paved section width meets minimum standards curb-to-curb.
    - There is an exception to the lane configuration because on-street parking on one-side is not proposed. The truck turning movements from the existing development to be served need the entire travel surface to maneuver.
    - With the shift in the centerline submitted herein, the proposed permeable hardscape on the north side and sidewalk is an exception but an extremely limited one. If on-street parking were provided then it would meet the City's design standard. The reason for this exception is due to the need for an exception on the south side where existing development conditions functionally precludes a design that satisfies the sidewalk and planter strip standards. The hardscape design is preferable from a safety standpoint per the Transportation Analysis supporting the project.

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- The "behind the curb" improvements designed on the south side of Independent Way is where the "real" design exception is requested. Independent Way wipes out land that is currently used for on-site circulation for the IPCO printing business. The design proposes logical improvements to reduce impacts to the IPCO printing building and its associated operations. Given these constraints, the design seeks to make the most of the land that is available to still develop a desirable and functional streetscape.

CSA Planning, Ltd.

A handwritten signature in blue ink, appearing to read 'Jay Harland', is written over a horizontal line.

Jay Harland  
Principal

cc. File

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**JUL 28 2015**

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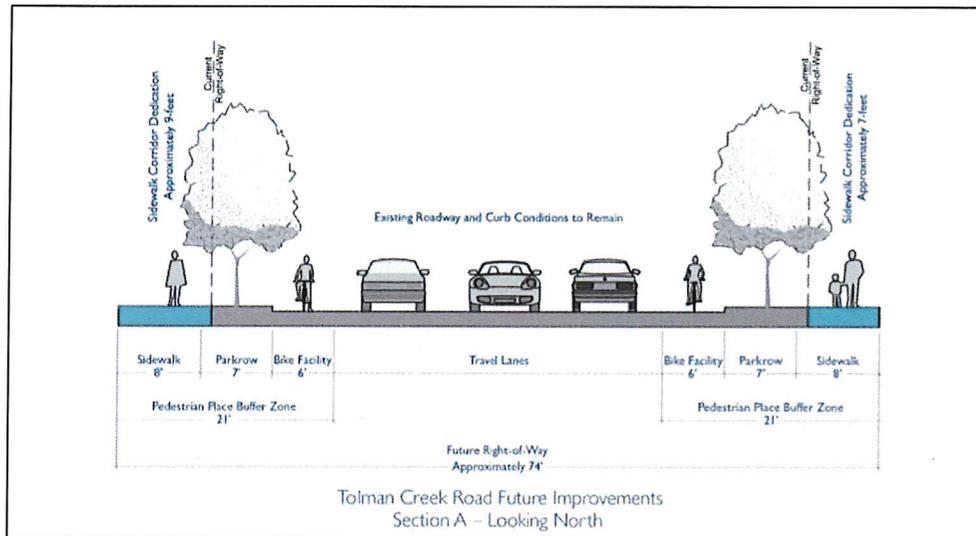
## Memorandum

To: Mike Faught, Public Works Director  
 From: Kimberly Parducci, S.O. Transportation Engineering, LLC  
 Date: 07/18/2015  
 Subject: Independent Way / IPCO Development Condensed Conclusions

**S.O. Transportation  
Engineering, LLC**

112 Monterey Drive  
 Medford, OR 97504  
 Telephone 541.941.4148  
 Fax 541.535.6873  
 Kwkp1@Q.com

1. Tolman Creek Road should be restriped to extend the northbound left turn storage at the Ashland Street signalized intersection and provide a two-way-left-turn-lane (TWLTL) to the proposed Independent Way street connection. This improvement should be performed by the City at such time that queuing on Tolman Creek Road threatens to reach Independent Way.
2. On-street parking needs to be removed on Tolman Creek Road when it is re-striped as a three-lane roadway. This complies with the City's future plan for Tolman Creek Road in their current Transportation System Plan (TSP).

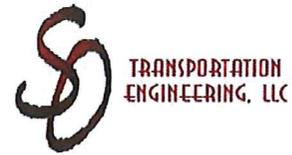


3. A sidewalk is not proposed along most of the south side of Independent Way, but a hardscape 13-foot shared path with intermittent tree wells is proposed on the north side in lieu of a 5-foot planter and 8-foot sidewalk to provide a wider section for pedestrians and bicyclists.
4. A crosswalk on Tolman Creek Road was not considered in the traffic analysis but may be shown as a viable option for pedestrian traffic and circulation. This would require additional analyses which isn't included in this application but could be considered as a separate City project.

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**City of Ashland**



## Memorandum

To: Mike Faught, Public Works Director  
Date: 07/18/2015  
Subject: Independent Way / IPCO Development Traffic Summary

### S.O. Transportation Engineering, LLC

112 Monterey Drive  
Medford, OR 97504  
Telephone 541.941.4148  
Fax 541.535.6873  
Kwkp1@Q.com

Southern Oregon Transportation Engineering, LLC prepared summarized findings/conclusions for the proposed Independent Way street connection and IPCO development application. These have been prepared to provide clarification and/or additional analyses in response to questions raised at the July 23<sup>rd</sup> Planning Commission meeting. The summary of findings and conclusions include simplified traffic recommendations from the traffic impact analysis dated November 11, 2013 and additional details pertaining to Tolman Creek Road improvements. They are as follows:

1. Study area intersections are all shown to operate acceptably (within performance standard minimums) under existing year 2013 and design year 2015 conditions. This is the case with or without an Independent Way street connection and with or without IPCO Phase 1 development. No mitigation is shown to be necessary under these analysis scenarios.
2. Performance standard minimums are shown to be exceeded at the signalized intersection of Tolman Creek Road & OR 66 (Ashland Street) under future year 2034 no-build conditions regardless of IPCO development or whether an Independent Way street connection occurs. This is a condition previously documented in the IAMP for the Interstate 5/OR 66 Interchange, Cromin-Mill Plan, and other local studies. The exact timing of failure is dependent upon growth in the local area, which may or may not occur as predicted. The main concern at this intersection is queuing and congestion in the future. Specifically pertaining to the Independent Way street connection/IPCO development application, queuing along Tolman Creek Road south of Ashland Street is shown to increase over the next 20 years and eventually reach Independent Way. Proposed mitigations in the analysis were as follows:

To fully mitigate the signalized intersection the following improvements are necessary:

A. Acquire additional right-of-way and widen Ashland Street and/or Tolman Creek Road to construct a second westbound left turn lane (and a corresponding second receiving lane on Tolman Creek Road) or a northbound right turn lane. Recommendation action:

- i. These improvements should be considered as part of a larger project if growth occurs as predicted over the next 20 years. Funding should be provided by the City. They are not shown to be triggered by the proposed street connection or IPCO development and, therefore, should not be included as conditions of approval.

To partially mitigate and improve queuing and congestion on Tolman Creek Road:

B. Re-stripe Tolman Creek Road to extend the northbound left turn storage at the intersection of Tolman Creek Road & OR 66 (Ashland Street) and provide a two-way-left-turn-lane (TWLTL) to the proposed Independent Way street connection. Recommended action:

- i. This improvement should be performed at such time that queuing on Tolman Creek Road threatens to reach Independent Way as a result of growth in the local area. Funding should be provided by the City because this improvement is necessary to reduce queuing on Tolman Creek Road for the Independent Way street connection. It should be included as an improvement project in the next budget year if shown to occur.

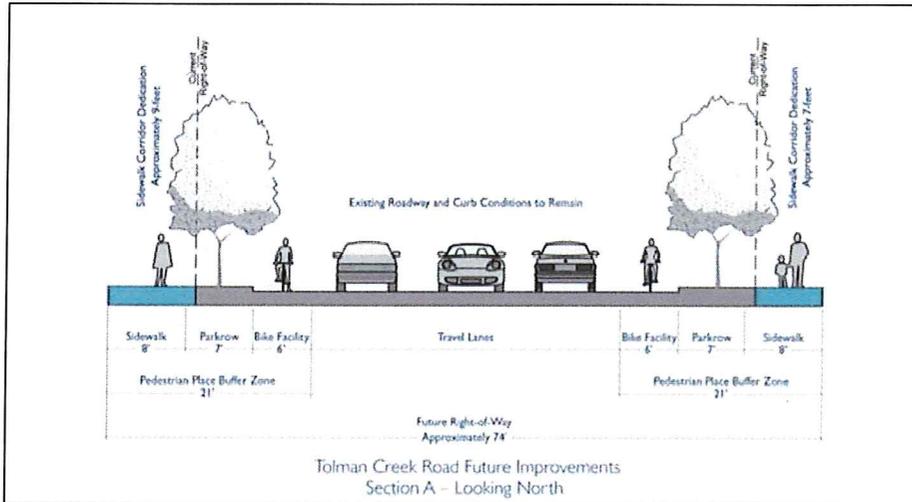
3. Criterion for a southbound left turn lane on Tolman Creek Road at the proposed Independent Way connection is not met under design year 2015 no-build or Phase 1 IPCO build conditions. No turn lanes are shown to be necessary as a result of either the street connection or Phase 1 IPCO development.
4. Criterion for a southbound left turn lane on Tolman Creek Road at the proposed Independent Way connection is met by the future year 2034 no-build condition or IPCO full development. This condition will be satisfied when Tolman Creek Road is re-stripped by the City to include a center TWLTL (included in the recommended action of point 2 above) to Independent Way. No additional mitigation is required once Tolman Creek Road is re-stripped.

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5. Impacts associated with re-stripping Tolman Creek Road to provide the above mentioned improvements include loss of on-street parking on Tolman Creek Road. It was previously assumed that parking in front of the Goodwill would not need to be removed as a result of this improvement, but development of a striping plan revealed that parking will need to be removed in front of Goodwill and further to the south to provide the necessary taper/transition from three to two lanes (see attached drawing). This complies with the City's future plan for Tolman Creek Road in their current Transportation System Plan (TSP), which shows Tolman Creek Road as a 3-lane facility with no on-street parking (shown below).



6. A sidewalk is not proposed along most of the south side of Independent Way because the southern portion of IPCO's site is already partially developed with a significant amount of daily business operations that utilize semi-trucks for deliveries and does not attract foot traffic. A small section toward the east that connects to Washington Street will include a sidewalk, and a crosswalk is proposed where this begins to allow pedestrians from the east to cross to the north side of Independent Way or vice versa. A hardscape 13-foot shared path with intermittent tree wells is proposed on the north side of Independent Way in lieu of a 5-foot planter and 8-foot sidewalk to provide a wider section for pedestrians and bicyclists. Providing a wider path is important for the shared use as well as provides additional benefits by reducing maintenance and requiring less water.
7. A crosswalk on Tolman Creek Road was not considered in the traffic analysis but may be shown as a viable option for pedestrian traffic and circulation. This would require additional analyses which isn't included in this application but could be considered as a separate City project.

We hope this adequately clarifies previous traffic impact analysis findings as well as provides the additional information requested at the July 23<sup>rd</sup> Planning Commission meeting. Please feel free to contact us with any further questions or concerns.

Southern Oregon Transportation Engineering, LLC

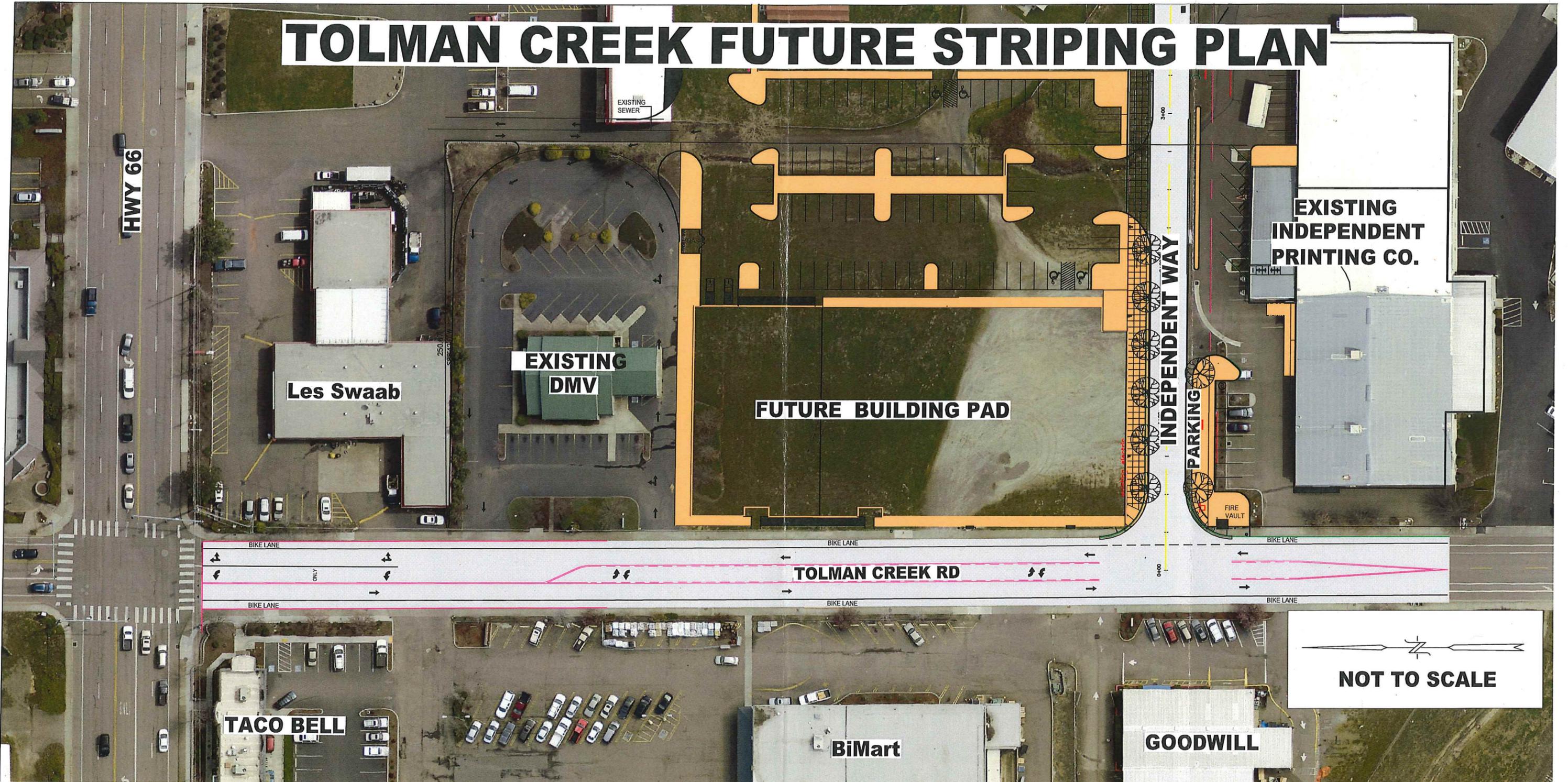
*Kimberly Parducci*

Kimberly Parducci, PE PTOE  
Firm Principal

Attachments: Tolman Creek Proposed Striping Plan

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**City Of Ashland**

# TOLMAN CREEK FUTURE STRIPING PLAN



NOT TO SCALE

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HOUSE

REM EXG TREE

TL 600  
E-1 ZONE

EXISTING  
INDEPENDENT  
PRINTING CO.  
33,820 SF  
34 SPACES REQD

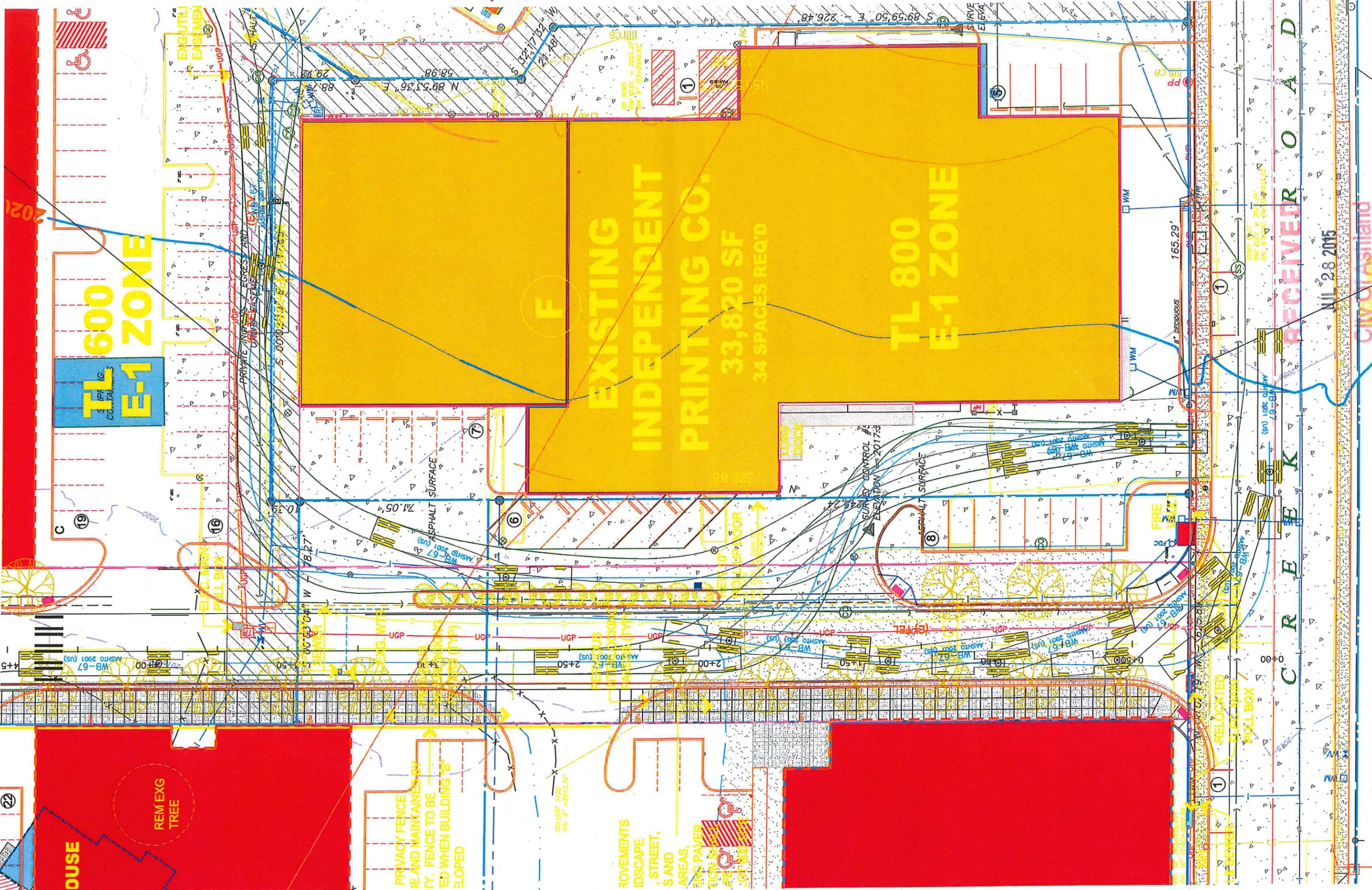
TL 800  
E-1 ZONE

RECEIVER O A D

C R E E K

MIL 28 2015

CITY OF CLASHLAND



2021

WASHINGTON STREET

EXISTING SUPER EIGHT MOTEL  
C-1 ZONE  
TL 100

2000

40' SETBACK LINE  
FROM CENTERLINE  
OF RIPARIAN WAY

TL 500  
E-1 ZONE

2010

2000

FUTURE

EXG BARN  
FUTURE BUILDING PAD

EXISTING SEWER

TRASH

POSSIBLE STORM WATER  
DEFLECTION WITHIN  
WB LANDSCAPE ISLAND

2010

F  
EXISTING INDEPENDENT PRINTING CO

(2017.10) BLD COR

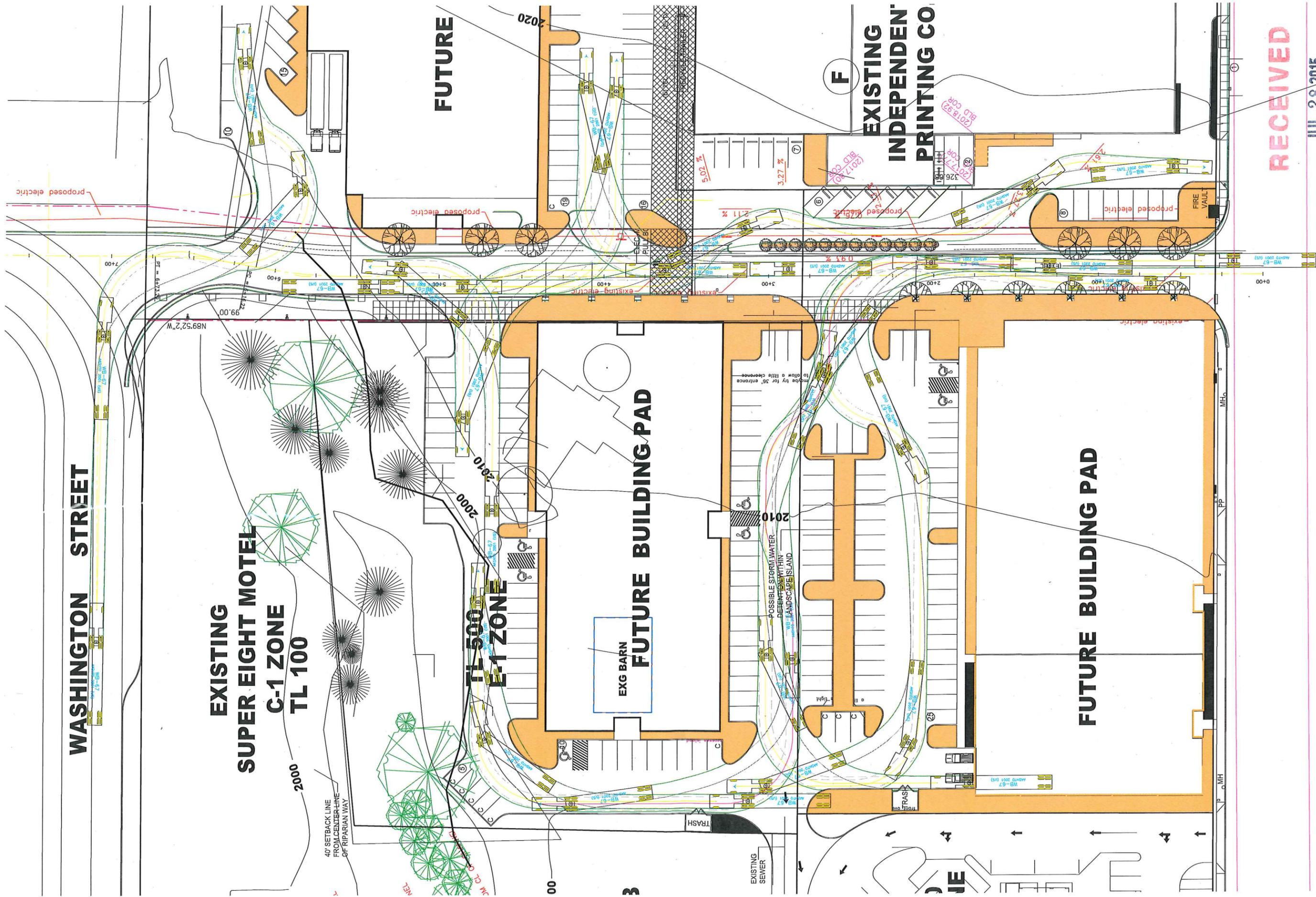
(2018.92) BLD COR

FUTURE BUILDING PAD

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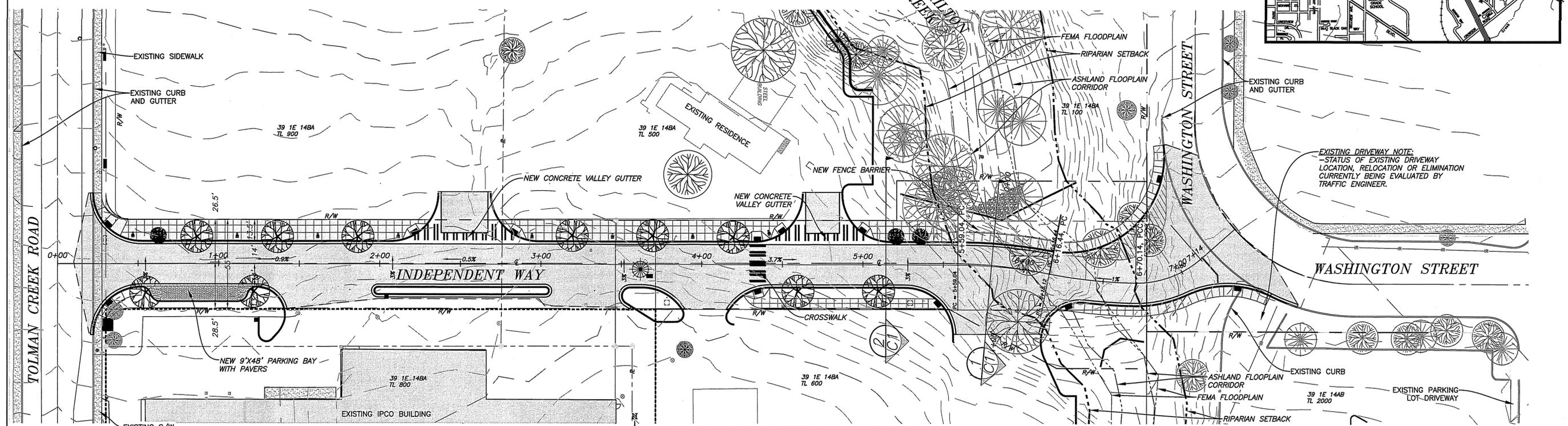
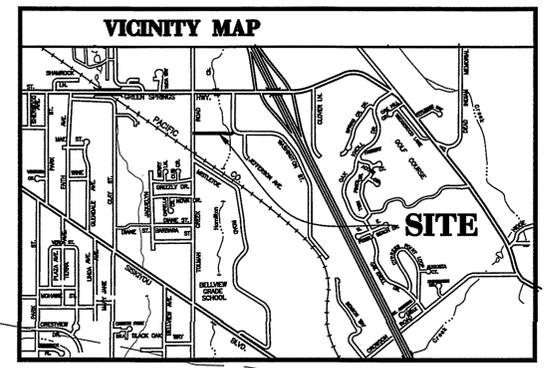
City Of Ashtand



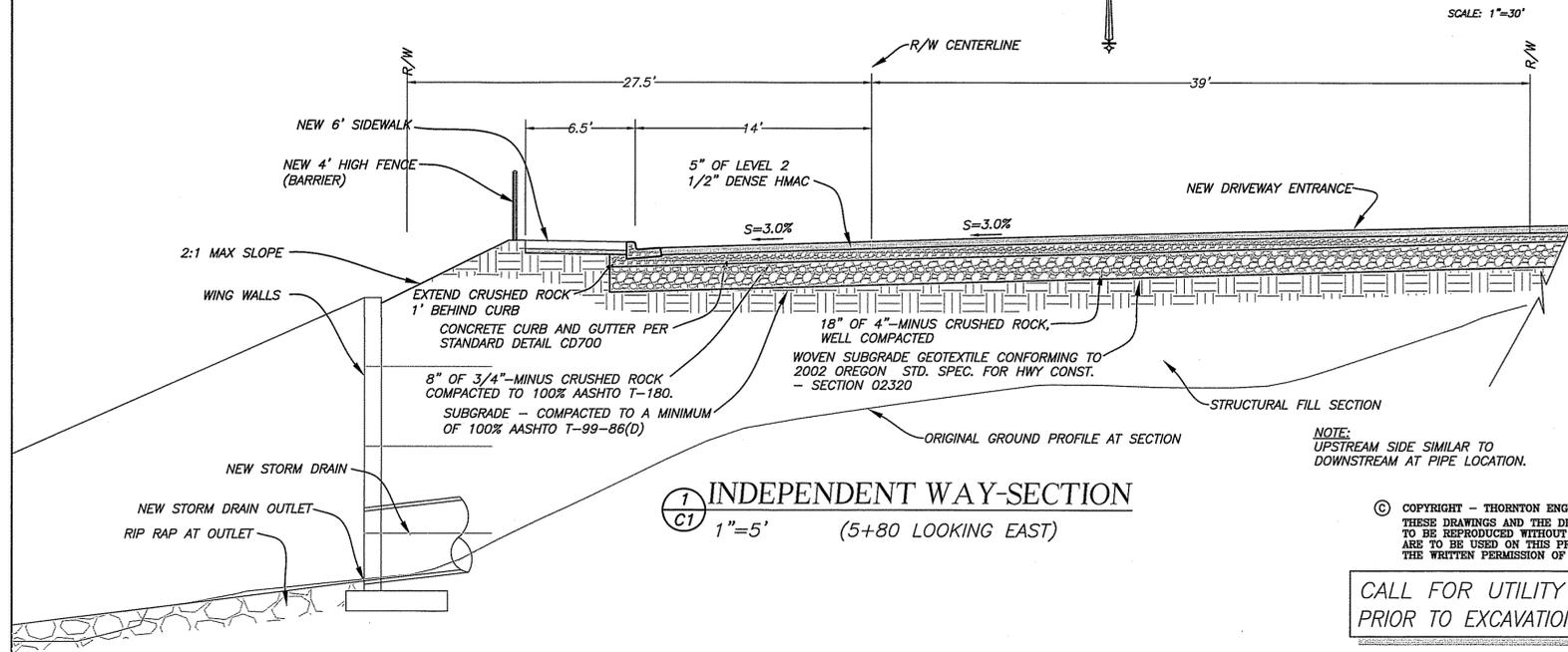


# INDEPENDENT WAY

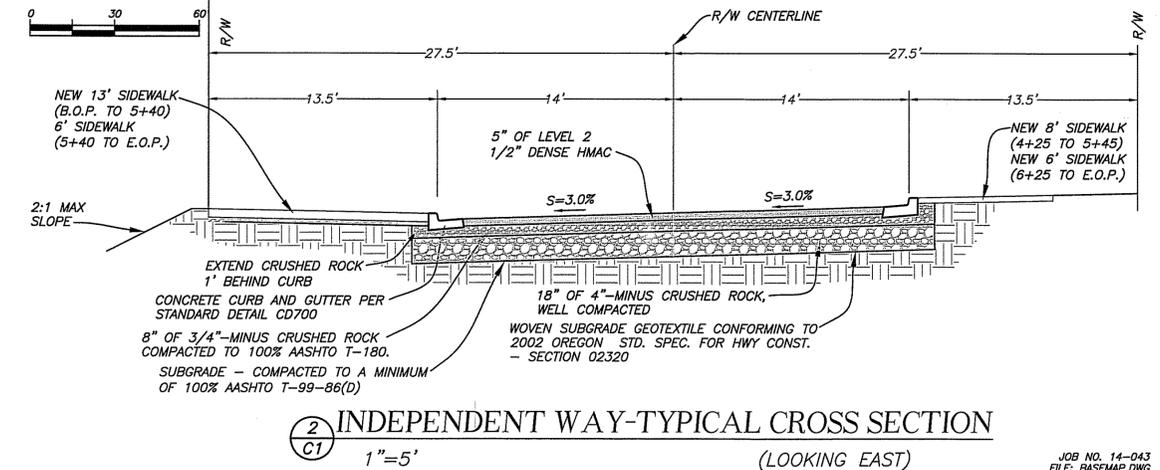
## A PROPOSED PUBLIC STREET LOCATED IN: 39 1E 14BA, T.L.'s #500, #600 & #900 ASHLAND, JACKSON COUNTY, OREGON



**PRELIMINARY SITE PLAN - INDEPENDENT WAY**



**1 INDEPENDENT WAY-SECTION**  
1"=5' (5+80 LOOKING EAST)

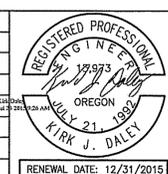


**2 INDEPENDENT WAY-TYPICAL CROSS SECTION**  
1"=5' (LOOKING EAST)

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PRIOR TO EXCAVATION - 1-800-332-2344**

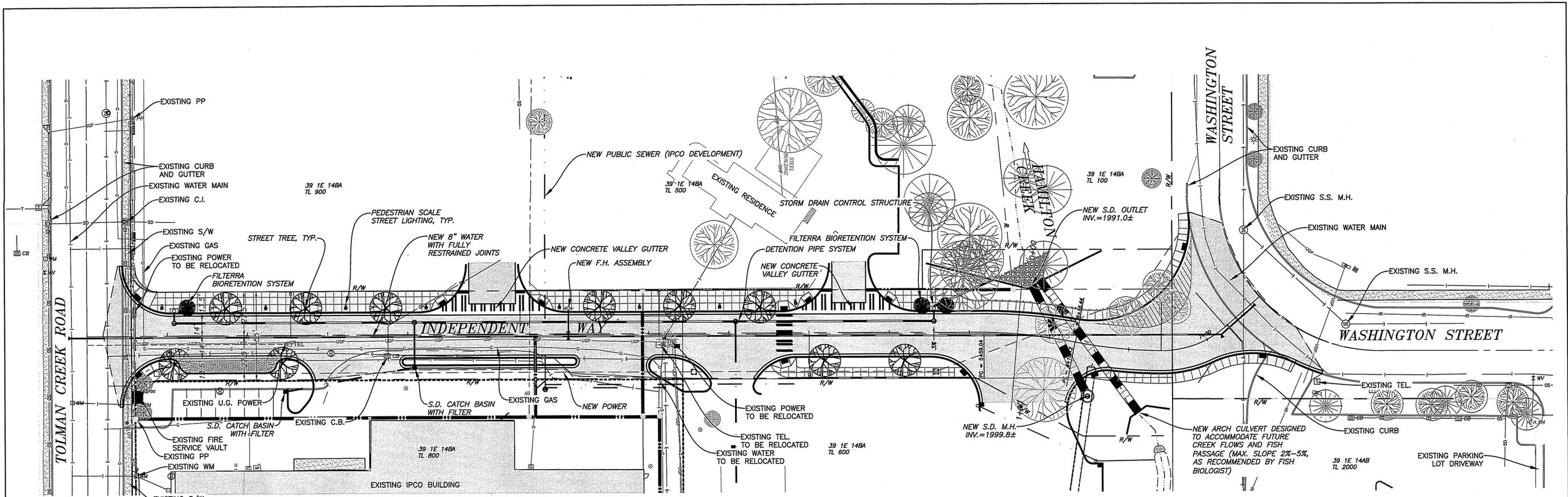
DRAWN:	kjd
DATE:	7/24/2015
REVISIONS:	



**THORNTON ENGINEERING INC.**  
p.o. box 476 • 260 north 3rd street  
jacksonville, oregon 97530  
(541) 899-1489 (541) 899-3419 fax

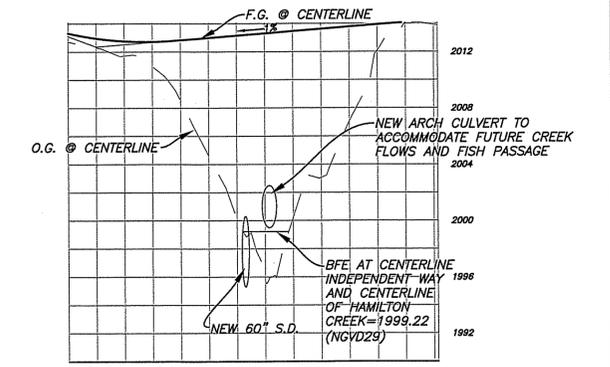
**PRELIMINARY SITE PLAN**

INDEPENDENT WAY  
TOLMAN CREEK ROAD TO WASHINGTON STREET  
ASHLAND, OREGON



**PRELIMINARY UTILITY PLAN - INDEPENDENT WAY**

SCALE: 1"=30'

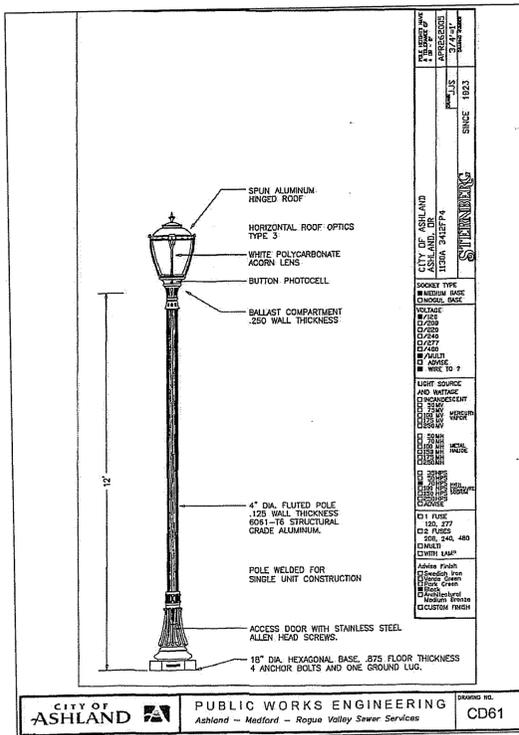


**PRELIMINARY PROFILE - INDEPENDENT WAY**  
SCALE: 1"=60' (HORIZ.)  
1"=6' (VERT.)

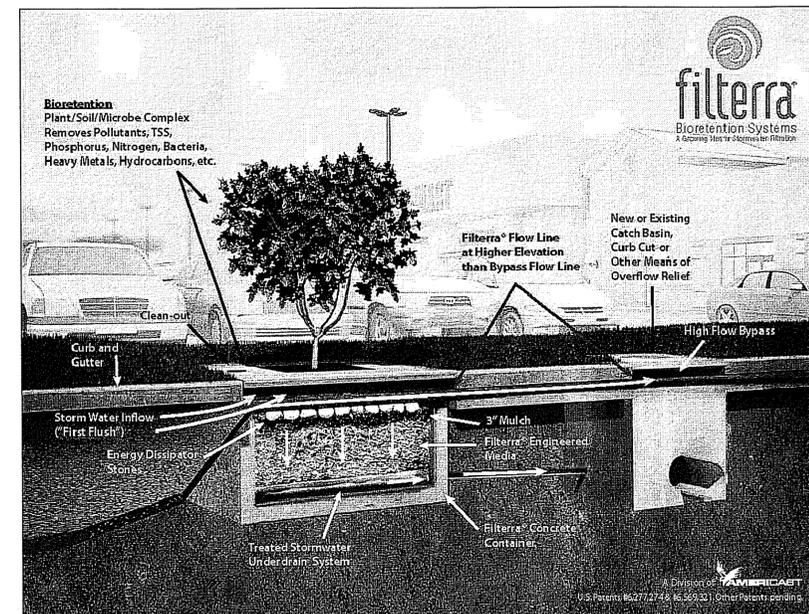
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JOB NO. 14-043  
FILE: BASEMAP.DWG

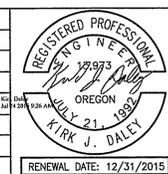


**PEDESTRIAN SCALE STREET LIGHT DETAIL SCHEMATIC**



**FILTERRA BIORETENTION SYSTEM DETAIL SCHEMATIC**

DRAWN:	kjd
DATE:	7/24/2015
REVISIONS:	

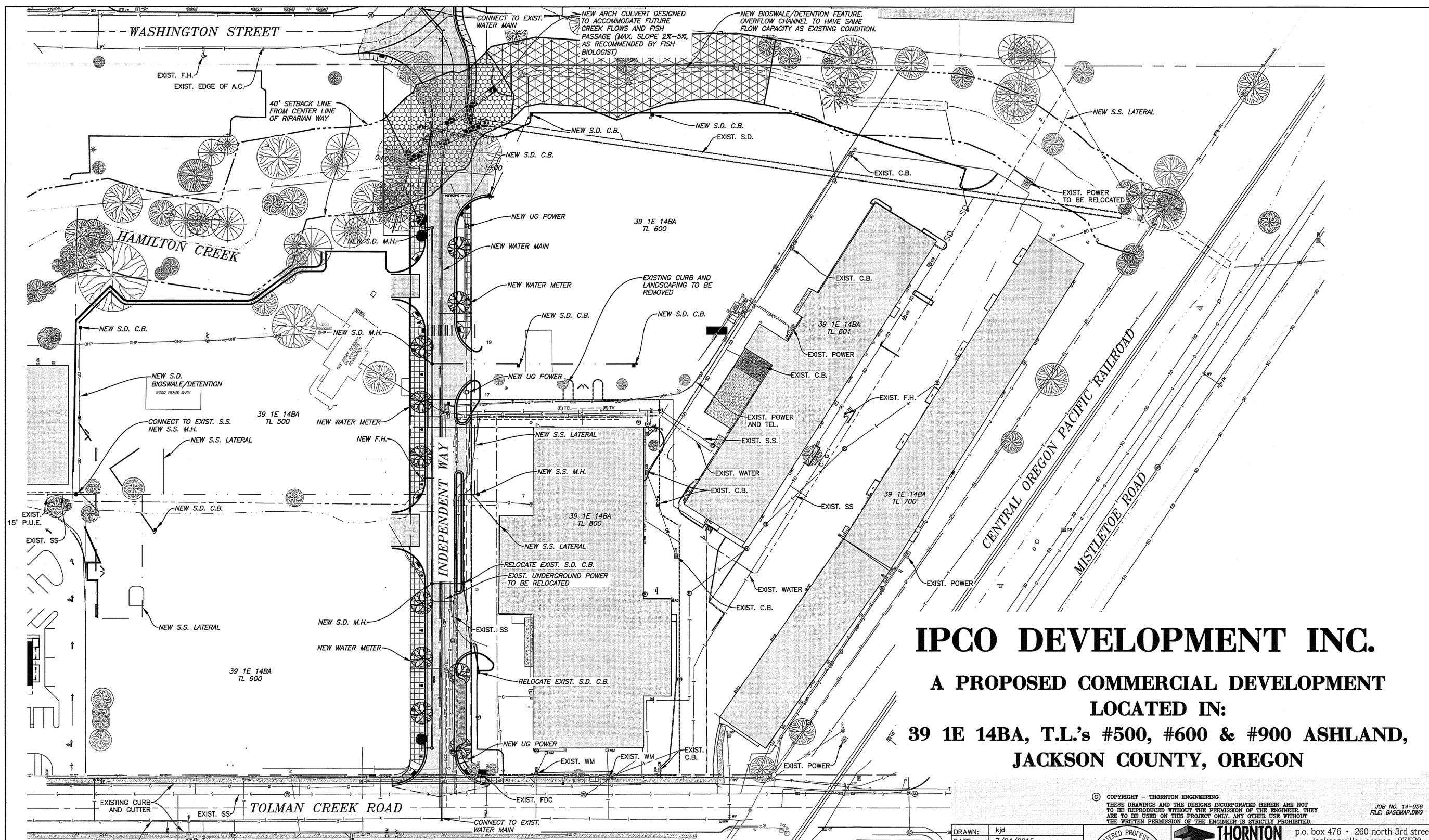


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jacksonville, oregon 97530  
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**PRELIMINARY UTILITY PLAN**

INDEPENDENT WAY  
TOLMAN CREEK ROAD TO WASHINGTON STREET  
ASHLAND, OREGON

SHEET  
**2**



# IPCO DEVELOPMENT INC.

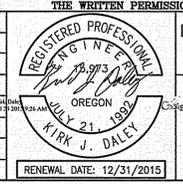
A PROPOSED COMMERCIAL DEVELOPMENT  
 LOCATED IN:  
 39 1E 14BA, T.L.'s #500, #600 & #900 ASHLAND,  
 JACKSON COUNTY, OREGON

SITE REVIEW UTILITY PLAN - IPCO DEVELOPMENT INC.

SCALE: 1"=40'

CALL FOR UTILITY LOCATE 48 HOURS  
 PRIOR TO EXCAVATION - 1-800-332-2344

DRAWN:	kjd
DATE:	7/24/2015
	REVISIONS



THORNTON ENGINEERING INC. p.o. box 476 • 260 north 3rd street  
 jacksonville, oregon 97530  
 (541) 899-1489 (541) 899-3419 fax

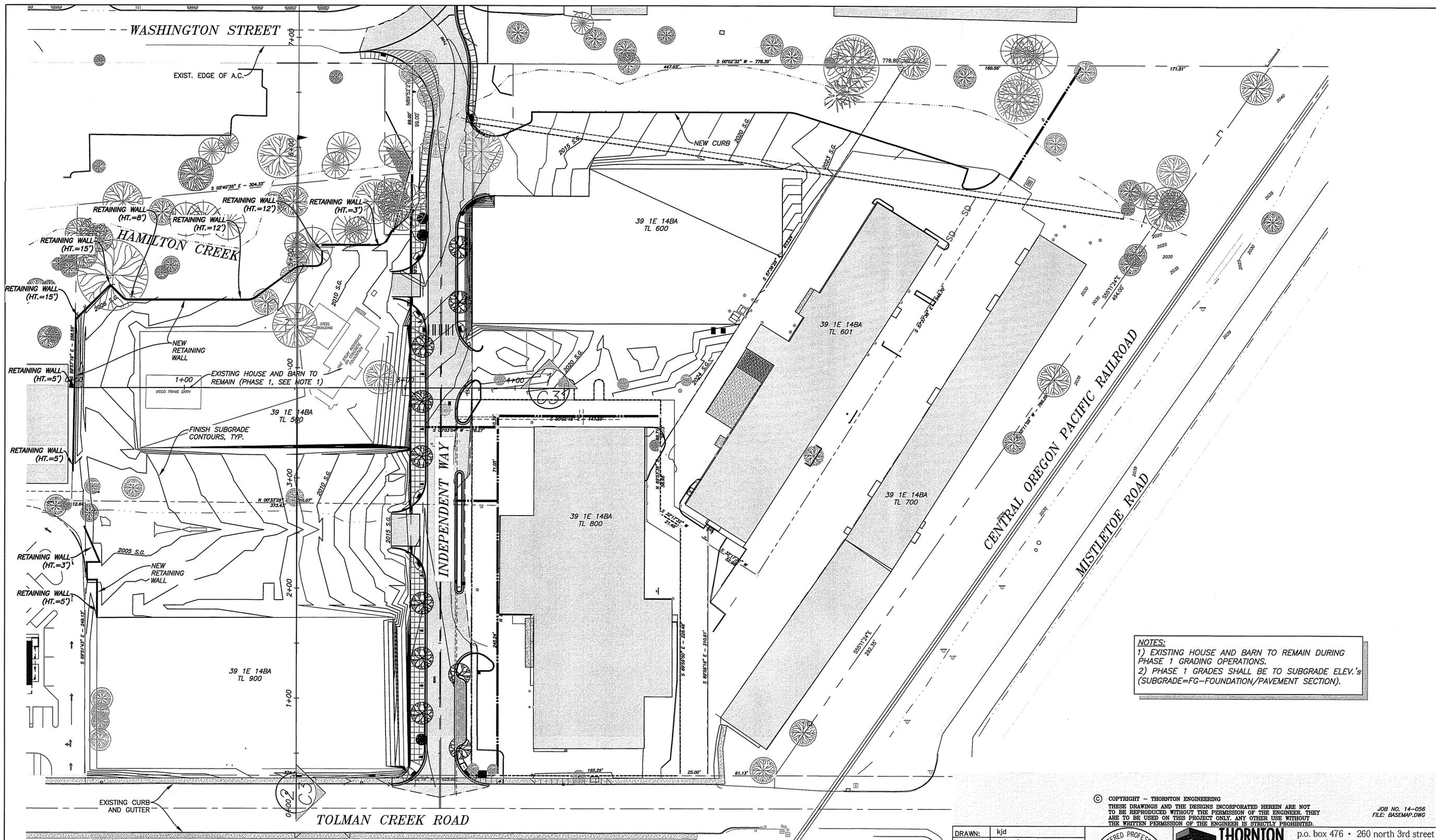
SITE REVIEW UTILITY PLAN

IPCO DEVELOPMENT INC.  
 TOLMAN CREEK ROAD  
 ASHLAND, OREGON

SHEET C1

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 JOB NO. 14-056  
 FILE: BASEMAP.DWG

RENEWAL DATE: 12/31/2015



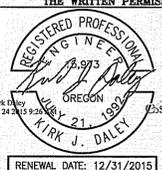
**NOTES:**  
 1) EXISTING HOUSE AND BARN TO REMAIN DURING PHASE 1 GRADING OPERATIONS.  
 2) PHASE 1 GRADES SHALL BE TO SUBGRADE ELEV.'S (SUBGRADE=FG-FOUNDATION/PAVEMENT SECTION).

**SITE REVIEW GRADING PLAN - IPCO DEVELOPMENT INC.**

SCALE: 1"=40'

CALL FOR UTILITY LOCATE 48 HOURS PRIOR TO EXCAVATION - 1-800-332-2344

DRAWN:	kjd
DATE:	7/24/2015
REVISIONS:	



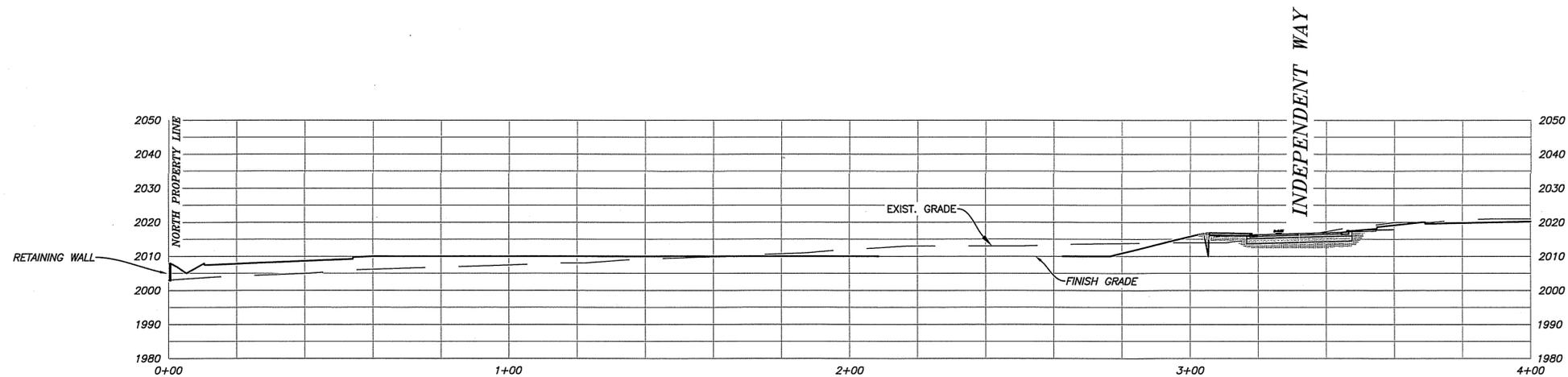
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 jacksonville, oregon 97530  
 (541) 899-1489 (541) 899-3419 fax

**SITE REVIEW GRADING PLAN**

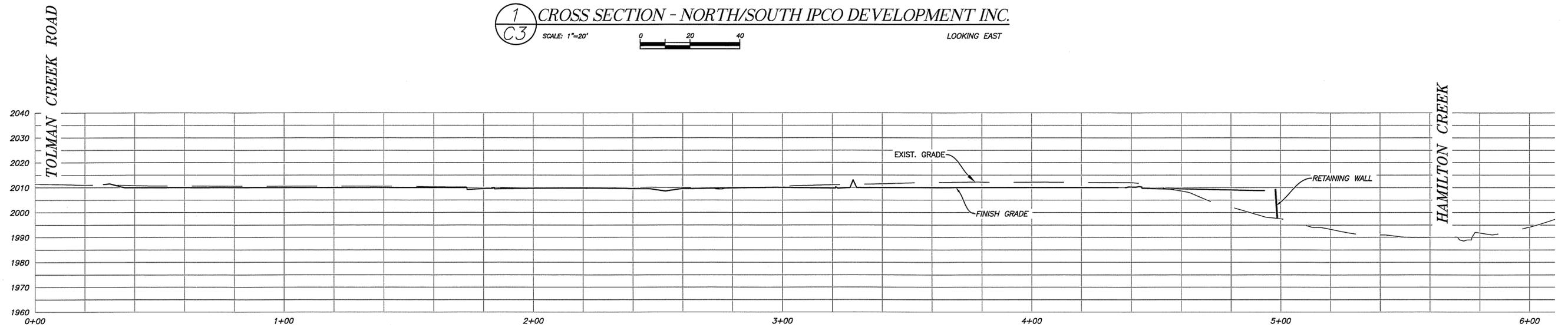
IPCO DEVELOPMENT INC.  
 TOLMAN CREEK ROAD  
 ASHLAND, OREGON

SHEET C2

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1 CROSS SECTION - NORTH/SOUTH IPCO DEVELOPMENT INC.  
 C3 SCALE: 1"=20' 0 20 40 LOOKING EAST

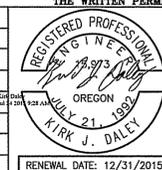


2 CROSS SECTION - EAST/WEST IPCO DEVELOPMENT INC.  
 C3 SCALE: 1"=20' 0 20 40 LOOKING NORTH

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**SITE REVIEW CROSS SECTIONS** SHEET  
**C3**

IPCO DEVELOPMENT INC.  
 TOLMAN CREEK ROAD  
 ASHLAND, OREGON

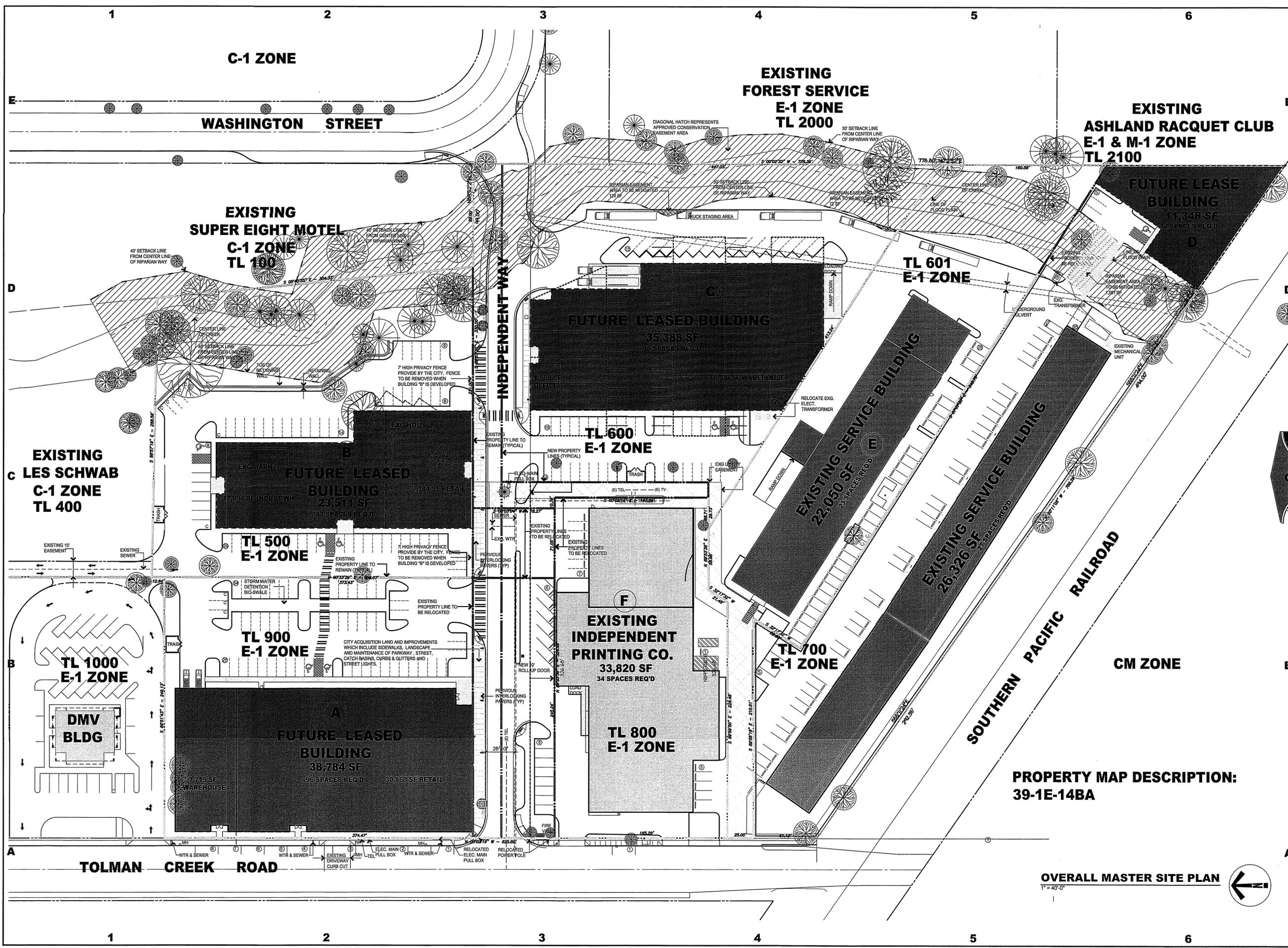
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PROJECT CODE: CODE-2003  
CAD DWG FILE: A-101.DWG  
DRAWN BY: JN  
CHECKED BY: WDR  
PROJECT DATE: 24 JULY 2014  
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SHEET TITLE:  
**SITE PLAN SCHEME #29**

**A-101**  
SHEET 1 OF 00  
IPCO Site Development Inc  
2012 Master Plan



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# Staff Report Addendum

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DATE: August 11, 2015

TO: Ashland Planning Commission

FROM: Brandon Goldman, Senior Planner

RE: Continuation of the July 28, 2015 Planning Commission Public Hearing regarding the Normal Neighborhood Plan.

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At the July 28, 2015 Planning Commission meeting, the Commission held a public hearing on proposed amendments to the Comprehensive Plan, Comprehensive Plan Map, Transportation System Plan, and Ashland Land Use Ordinance to implement the Normal Neighborhood Plan. The Commission deferred action to the Commission's next available meeting in order to continue deliberations and forward recommendations to the City Council. The Council is scheduled to hold a public hearing on September 1, 2015.

Please refer to the July 28, 2015 Staff Report for the project background, description of site and proposal, and discussion of project impact. There have been no changes to the Normal Neighborhood Plan following the July 28, 2015 meeting. At the prior meeting Staff presented changes to the plan that were made by the Normal Neighborhood Plan Working Group following the City Council's update on December 2, 2014. The City Council directed staff to amend the Normal Neighborhood Plan's implementing ordinances to incorporate the selected recommendations of the Normal Neighborhood Working Group, and to present the updated plan to the Planning Commission, Transportation Commission, and Parks Department for comment. The City Council is seeking comments regarding the changes that were made to the plan by the Working Group subsequent to the Planning Commission's original review and public hearing (4/08/2014).

The modifications to the Plan that were incorporated by the Working Group include the following:

- Modifications to the proposed zoning
- Modifications to the street dedication map
- Modifications to the mobility section of the Normal Neighborhood Plan Framework to address timing of East Main Street and RR Crossing improvements
- Modifications to the Land Use Ordinance to allow a minor amendment process for non-resource open space adjustments
- Modifications to the Housing and Land Use section of the Normal Neighborhood Plan to include conceptual illustrations of preferred site planning elements and a summary of characteristics that future developments should address (pgs 9-11).

The first three items in the bulleted list above were presented to the Planning Commission at a study session on March 31, 2015 and are outlined below in greater detail. The last two items listed above were incorporated into the Plan and implementing ordinances based on the Working Group's direction during their May, 2015 meetings and had not been previously reviewed by the Planning Commission.

## Land Use Framework

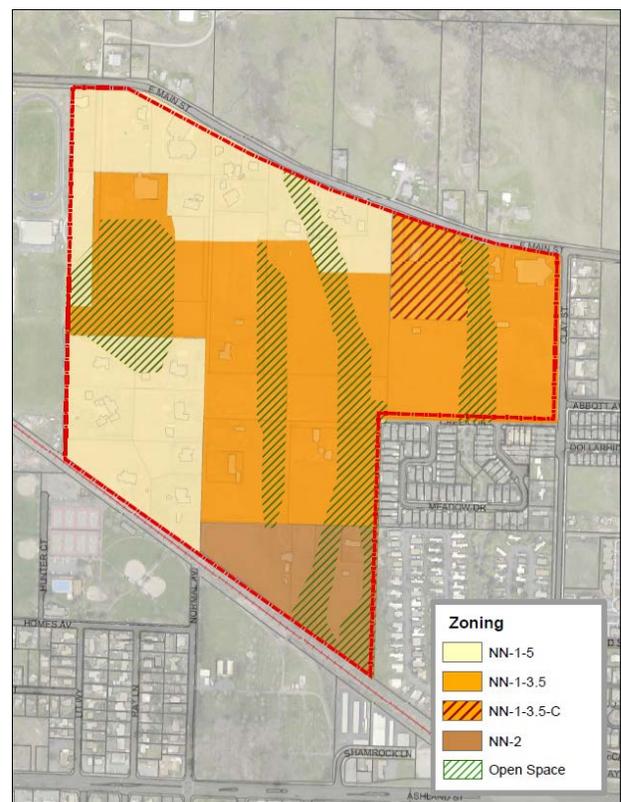
In the final plan and proposed land use ordinance these recommendations of the working group have been incorporated which include the following:

- Changing the originally proposed land zoning designations to be more consistent with the zoning of adjacent land within the City Limits
- Using zoning labels and housing densities that are comparable to those used in the rest of the city while recognizing the Normal Neighborhood (NN) district
- Maintain the option for neighborhood serving businesses and services close to East Main St near the northeast corner of the plan area (NN-1-3.5-C).
- Locating higher density development (NN-2) near the railroad tracks and within a relatively short distance to local businesses, transit stops along Ashland St., parks and community facilities.
- Locating lower density development along East Main Street to protect the existing viewshed and maintain a gradual transition between rural and urban areas.



Previously Proposed Land Use Designations (4/2014)

Zone	Density
NN-01	5 units per acre
NN-02	10 units per acre
NN-03	15 units per acre
NN-03C	15 units per acre + mixed-use



Revised Land Use Designations (7/2015)

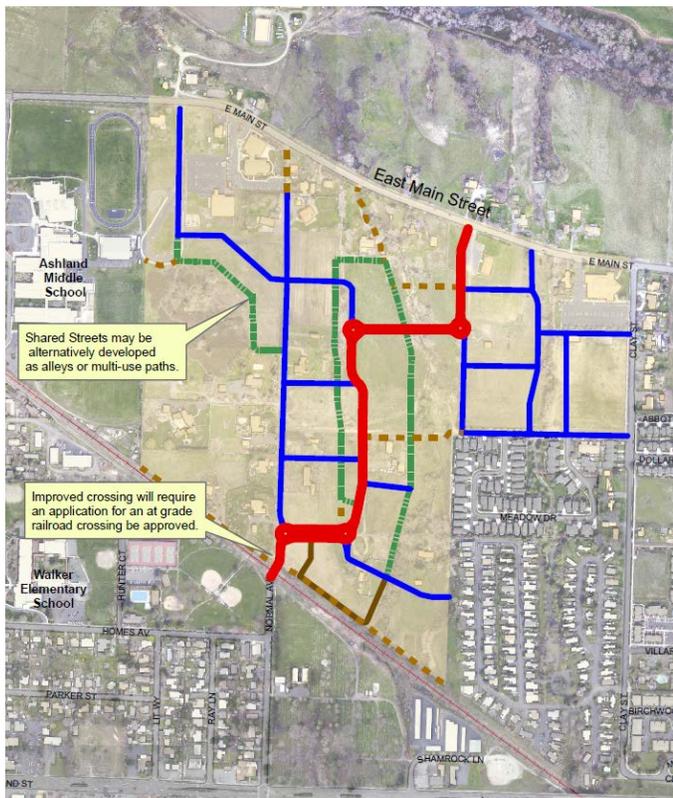
Zone	Density
NN-1-5	4.5 units per acre
NN-1-3.5	7.2 units per acre
NN-1-3.5-C	7.2 units per acre + mixed-use
NN-2	13.5 units per acre



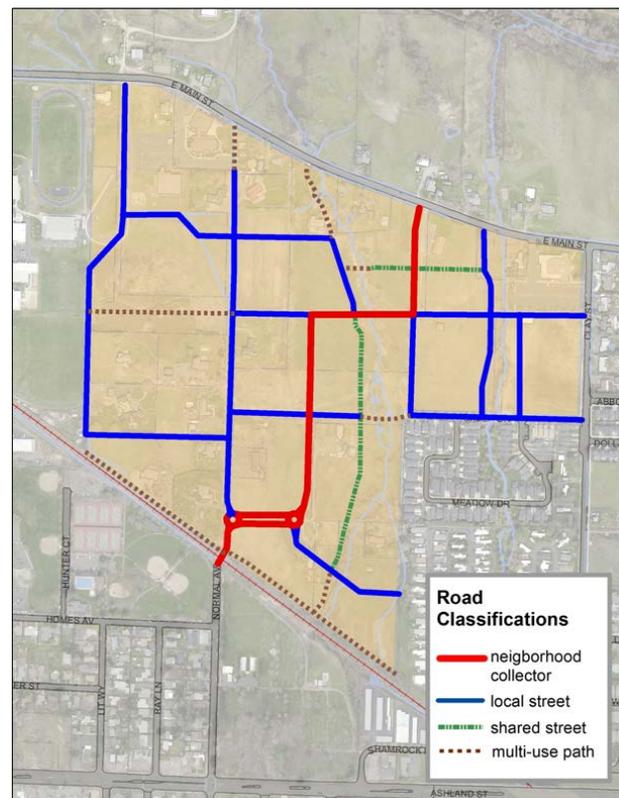
### Transportation Framework

The Normal Neighborhood Plan Working Group had a number of specific recommendations relating to the future transportation system which have been incorporated into the neighborhood plan as follows:

- o The internal transportation system’s local street network should incorporate multiple connections with East Main Street as shown, and maintain the Normal Collector as designated in the draft plan. Additional connections to East Main Street or Clay Street, which are not shown in the proposed Street Framework, should require a major amendment to the Plan.
- o Internal local streets should be aligned to provide a more standardized grid pattern, including a reduction in offset intersections and straight east-west connections.
- o Pedestrian and bicycle pathways are critical, especially as a means to connect residents with the middle school and the existing bike path.
- o External transportation improvements, including the railroad crossing and improvements to East Main Street are integral and should proceed in concert with development. The mobility section of the Plan Framework newly includes narrative stating that the City could consider a phased improvement approach and the formation of an Advanced Financing District as part of future annexation proposals.
- The extent of improvements needed along East Main Street would ultimately be determined by a Transportation Impact Analysis submitted with a proposed development application. With a phased approach it is anticipated that when the first new intersection with East Main is created at least 250’ on either side of that intersection should be fully improved to include a sidewalk, parkrow, bike lanes and a center turn lane. The plan stipulates a pedestrian and bicycle path connecting to the Middle School should also be improved at that initial phase.



Previously proposed Transportation Network (4/2014)



Revised Transportation Network (3/2015)



### Open space

The Planning Commission’s report dated April 22, 2014 expressed that the provision of open space within the plan area has environmental, recreational, and aesthetic value to the neighborhood. The Normal Neighborhood working group concurred with this sentiment and as such the Planning Commission’s originally proposed recommendation to amend the Normal Neighborhood Plan Framework’s Greenway and Open Space chapter to further emphasize the community value of open space retention has been included in the framework document with the following introductory statement (page 13).

*The Normal Neighborhood’s distinctive character is shaped by the presence of prominent open spaces and natural areas. The preservation of these neighborhood defining features is central to the success of the neighborhood plan as they ensure the protection of fragile ecosystems, provide passive recreational opportunities where people can connect with nature, protect scenic views considered important to the community, protect future development from flood hazards, and preserve community character and quality of life by buffering areas of development from one another. The permanent establishment of interconnected open spaces and contiguous conservation areas as proposed in the Open Space Framework is essential to promote and maintain high quality residential development which is appropriate to the distinct character of the neighborhood.*

The neighborhood areas designated as future open space are largely consistent in shape, size and locations of previously designated floodplains, riparian corridors, wetlands, and wetland buffer areas within the plan area. Further as the plan envisions the use of these open spaces for habitat preservation, passive recreation, and preservation of scenic views the boundaries of these spaces address the proposed street pattern to retain accessibility by the neighborhood residents.



Previously proposed Open Space Network (4/2014)



Revised Open Space Network(7/2015)



As proposed in the draft Land Use Ordinance as recommended by the Working Group, in the future event that a Department of State Lands (DSL) approved wetland delineation differs from the boundaries presented in the 2007 Local Wetland Inventory an applicant could apply for a minor plan amendment to alter the Open Space Network Map to reflect the then current delineation. As such, a revised delineation showing a decrease in a regulated wetland area could result in a reduction in designated open space area within the district.

**Planning Commission July 28<sup>th</sup> items for further discussion**

In addition to the revisions to the plan that were made by the Working Group as described above, the Planning Commission identified the following issues during discussions on July 28, 2015 that they would like to further address in formulating final recommendations to be presented to the City Council.

**Housing**

- Commissioners discussed allowing greater flexibility for “clustered housing” within the proposed single family zone (NN-1-5). The City’s current performance standards options for subdivisions within R-1 zones, and the NN-1-5 zone as proposed, would presently allow single family units to be clustered around a common green consistent with the general concept for clustered housing as presented in the plan. However such a NN-1-5 development approved through the Performance Standards subdivision process would retain the lower residential base density than typical pocket neighborhoods, and would have individual household parking located adjacent to each home unless an exception to parking standards was requested and approved
- Allowing Pedestrian Cluster Housing as a permitted use within the Single-Family zoning designation ( NN-1-5) would newly allow such developments to utilize provisions for consolidated parking, however the density of the development would remain consistent with the NN-1-5 zone. If recommended by the Planning Commission such a change would require the following amendments:
  - Amending Table 18.3.4.040 Land Use Descriptions to list this use as “Permitted” (P) under NN-1-5
  - Amending the Normal Neighborhood Plan Framework housing types description for Pedestrian-Oriented Clustered Residential Units (pg.8) to newly include NN-1-5 as a zoning classification that permits such units.

**Transportation**

- Broaden the Shared Street description to allow this new street type to be applied in areas other than those that are physically constrained .
  - The existing description reads as follows:  
*Shared Street*  
*Provides access to residential in an area in which right-of-way is constrained by natural features, topography or historically significant structures. The constrained right-of-way prevents typical bicycle and pedestrian facilities such as sidewalks and bicycle lanes. Therefore, the entire width of the street is collectively shared by pedestrians, bicycles, and autos. The design of the street should emphasize a slower speed environment and provide clear physical and visual indications the space is shared across modes.*
  - To broaden the applicability of this street type the Planning Commission could recommend amendments to this section:  
*Provides access to residential in an area in which right-of-way is constrained by natural features, topography or historically significant structures. ~~The~~ Shared streets may additionally be used in*



*circumstances where ~~constrained right of way does not prevents typical bicycle and pedestrian facilities such as sidewalks and bicycle lanes, a slower speed street, collectively shared by pedestrians, bicycles, and autos, is a functional and preferred design alternative.~~ Therefore, the entire width of the street is collectively shared by pedestrians, bicycles, and autos. The design of the street should emphasize a slower speed environment and provide clear physical and visual indications the space is shared across modes.*

- Elimination of wording that indicates the use of alleys and rear lanes reduces pavement:
  - The only current reference to the impact of alleys upon reduced pavement in the presently proposed framework document is located in the mobility section of the framework within the description of alleys (pg 28): *“the narrow street section of rear lanes reduces the extent of impervious surfaces in the Normal Neighborhood and supports wetland and stream health”*. If recommended by the Planning Commission, and approved by Council, this section could be revised to eliminate that specific sentence within the alley description.
  - In a prior version of the framework (2/25/2014) it additionally stated on page 16 of the mobility section *“The use of rear lanes helps to reduce the extent of paved areas, and will support a complete grid of finely-grained urban blocks.”* In subsequent versions of the framework, including the version currently proposed, this language was modified as follows: *“The use of rear lanes helps to support a complete grid of finely-grained urban blocks, and provide access to garages and backyards.”*

### **Open Space – Wetland Delineations**

- The proposed Land Use Ordinance (LUO ch.18.3.4) would allow an applicant to apply for a minor amendment to the plan in order to alter the Open Space Network Map to reflect the DSL approved wetland delineation. The early drafts of the proposed LUO previously reviewed by the Planning Commission had required a major amendment to the plan to reduce the area of a designated Open Space. The Planning Commission could forward a recommendation to reinstate the major amendment provision, and only allow for minor amendments when the area of open space provided is not reduced, or alternatively could recommend additional ordinance language to clarify the factors to be considered in approving a minor amendment to reduce open space.
- The current land use code (18.5.2.050) permits an exception to standards through a minor amendment 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.*
- Should the commission elect to recommend modifying the minor amendment process staff would recommend the following revisions:



- Amend the Normal Neighborhood District Site Development and Design Standards(18.3.4.060) to directly reference the language in the framework document , and to include a stated purpose for open space within a new section as follows:

18.3.4.060 A

5. Conformance with Open Space Network Plan

New developments must provide open space consistent with the design concepts within the Greenway and Open Space chapter of the Normal Neighborhood Plan Framework and in conformance with the Normal Neighborhood Plan Open Space Network Map. The open space network will be designed to support the neighborhood’s distinctive character and provide passive recreational opportunities where people can connect with nature, where water resources are protected, and where riparian corridors and wetlands are preserved and enhanced.

- a. The application demonstrates that equal or better protection for identified resources will be ensured through restoration, enhancement, and mitigation measures.
- b. The application demonstrates that connections between open spaces are created and maintained providing for an interlinked system of greenways.
- c. The application demonstrates that open spaces function to provide habitat for wildlife, promote environmental quality by absorbing, storing, and releasing stormwater, and protect future development from flood hazards.
- d. The application demonstrates that scenic views considered important to the community are protected, and community character and quality of life are preserved by buffering areas of development from one another.

## Recommendations

A Planning Commission recommendation for approval of Ordinance #1(as presented, or with specific recommended changes) would affect the following:

- Recommend the Ashland Comprehensive Plan Map be amended to create a designation for the Normal Neighborhood Plan District
- Recommend the Introduction and Definitions, and Housing Element of the Comprehensive Plan be amended to incorporate the Normal Neighborhood district and land use classifications as proposed.
- Recommend the Normal Neighborhood Plan Framework document be included as a supporting document to the City’s Comprehensive Plan, with recommended changes to the mobility and open space chapters as incorporated by the Working Group, or as amended by the Planning Commission recommendation.

A Planning Commission recommendation for approval of Ordinance #2(as presented, or with specific recommended changes) would affect the following:

- Recommend the Transportation System Plan be amended to incorporate the Normal Neighborhood Street network as proposed:
  - Amend the Street Dedication Map (TSP Figure 10-1) to incorporate the plan area’s proposed Street Network, and reclassification of Normal “Avenue” to be a Neighborhood Collector.



- Amend the Planned Intersection and Roadway Improvement Map (TSP Figure 10-3) to include East Main Street as a Planned Roadway Project.
- Amend the Planned Bikeway Network Map (TSP Figure 8-1) to incorporate the planned multi-use trails within the Normal Neighborhood Plan.
- Amend the Street Design Standards to incorporate the Shared Street classification.

A Planning Commission recommendation for approval of Ordinance #3 (as presented, or with specific recommended changes) would affect the following:

- Recommend the Land Use ordinance be amended to include the Normal Neighborhood District Chapter (18.3.4) including the Normal Neighborhood Plan Zoning Classification map, and Site Development and Design Standards as proposed, or as amended by the Planning Commission recommendation.

The Planning Commission's recommendations relating to the revisions to the neighborhood plan's proposed land use designations, conservation and open space designations, street network, and draft land use ordinance will be forwarded to the City Council for consideration on September 1, 2015.

