

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
April 10, 2018
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. March 13, 2018 Regular Meeting.

- V. **PUBLIC FORUM**

- VI. **UNFINISHED BUSINESS**
 - A. **Approval of Findings for PA-2018-00154, 601 Washington Street.**

- VII. **TYPE II PUBLIC HEARINGS**
 - A. **PLANNING ACTION: PA-2018-00429**
 - SUBJECT PROPERTY: 469 Russell Street**
 - OWNER/APPLICANT: Laz Ayala/KDA Homes, LLC**
 - DESCRIPTION: A request for Site Design Review approval to construct a new 11,296 square foot, two-story mixed-use building at 469 Russell Street. The 5,648 ground floor space is to be used for corporate offices while the second floor will consist of seven residential condominiums ranging in size from 482 to 834 square feet per unit.**
 - COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: E-1; ASSESSOR'S MAP: 39 1E 09AA; TAX LOTS: 2802**

- VIII. **DISCUSSION ITEMS**
 - A. **Planning Commissioner Representative for Transportation Expansion Feasibility Study Project Advisory Committee**

- XI. **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
MINUTES
March 13, 2018

CALL TO ORDER

Chair Roger Pearce called the meeting to order at 7:01 p.m. in the Civic Center Council Chambers, 1175 East Main Street.

Commissioners Present:

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

Staff Present:

Bill Molnar, Community Development Director
Derek Severson, Senior Planner
Dana Smith, Executive Assistant

Absent Members:

Council Liaison:

Dennis Slattery, absent

ANNOUNCEMENTS

Community Development Director Bill Molnar announced the zone change for PA-2017-02129 475 East Nevada would go before the City Council March 20, 2018. Today, staff received an addendum from the applicant requesting flexibility regarding the affordability requirements. The wildfire ordinance was scheduled for review during the March 27, 2018 Study Session. However, the changes were so minor there was no need to meet until it came back as a public hearing. At this time, they were not sure there would be a Study Session March 27, 2018. A non-profit housing advisor was working with the Rogue Credit Union regarding housing on the remainder of the property on Ashland Street.

Commissioner Dawkins added the Council had directed Planning staff during the last Council meeting to bring the Croman Mill site back to the Planning Commission. Mr. Molnar clarified it would take a few months. They would first work on a memorandum of understanding (MOU) with the property owners. Council wanted the Commission to at least evaluate some changes regarding housing on the west side of the area.

AD-HOC COMMITTEE UPDATES - None

CONSENT AGENDA

A. Approval of Minutes

1. February 13, 2018 Regular Meeting.
2. February 27, 2018 Study Session.

Commissioners Miller/Dawkins m/s to approve the minutes of February 13, 2018. DISCUSSION: Commissioner Thompson wanted a clarification in the minutes of February 27, 2018, regarding the balancing test during the Wildfire Lands ordinance discussion. Mr. Molnar explained staff would clarify the language pertaining to the criteria for adjustments regarding balancing wildlife habitat and aesthetics. It seemed there were two approvals. Commissioner Thompson did not think the minutes captured the clarification. Staff would provide some suggested wording later. Commissioner Miller clarified the motion was to approve minutes from the meeting on February 13, 2018, not the meeting February 27, 2018. **Voice Vote: all AYES. Motion passed 7-0.**

Commissioner Thompson/Brown m/s to approve the minutes of February 27, 2018 with clarification. **DISCUSSION:** Commissioner Thompson wanted the last sentence before **UPDATES** on page 5 to read, “Staff would incorporate language regarding fences and revise wording in Section 2-A to clarify the balancing test.” **Voice Vote:** Commissioners Norton, Thompson, Dawkins, Mindlin, and Brown, YES. Commissioner Miller was not present for the meeting and abstained. Motion passed 6-1.

PUBLIC FORUM - None

UNFINISHED BUSINESS

A. Approval of Findings for PA-2017-01911, 181 A Street.

The Commission had no ex parte contacts regarding the matter. Commissioner Dawkins noted he had received comments from individuals who supported his “NO” vote on the issue.

Commissioners Miller/Thompson m/s to approve the Findings for PA-2017-01911, 181 A Street.

Voice Vote: all AYES. Motion passed 7-0.

Commissioner Dawkins reminded the Commission the building at 181 A Street could house a range of outright permitted uses and that marijuana retail was legal.

TYPE III PUBLIC HEARINGS

A. PLANNING ACTION: PA-2018-00154

SUBJECT PROPERTY: 601 Washington Street

OWNER/APPLICANT: South Ashland Business Park LLC

DESCRIPTION: A request for Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park for the property located at 601 Washington Street. The application includes a request for a Conditional Use Permit to allow a watchman’s dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property’s Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).**COMPREHENSIVE PLAN DESIGNATION: Employment; ZONING: Existing – County RR-5, Proposed – City E-1; ASSESSOR’S MAP: 39 1E 14AB; TAX LOT #: 2800.**

Chair Pearce explained the planning action was a combination of Type II and Type III. The proposed annexation and the rezone were both Type III decisions and the Planning Commission would make recommendations to the City Council. The Commission would make conditional decisions on the site review and the exception to the street standards. They would also make conditional decisions on the conditional use permit, the limited use activity permits, the water resources and tree removal permit. It would go to Council as a recommendation. Chair Pearce read aloud the public hearing procedures for land use hearings.

Ex Parte Contact

Commissioners Miller, Norton, Thompson, Dawkins, and Brown declared no ex parte and one site visit. Chair Pearce and Commissioner Mindlin declared no ex parte and both drove past the site separately.

Staff Report

Senior Planner Derek Severson explained the subject property was a 5.38-acre parcel near the curve on Washington Street between Washington and Jefferson Streets. The subject property had the Knoll Creek water resource protection zone. There was a possible wetland identified in the water resource map. Independent Way would

eventually connect from Washington Street to Tolman Creek Road. The City issued a ministerial extension and obtained the right of way. Currently, the City was working on permits with the Oregon Department of Transportation (ODOT), the Department of State Lands (DSL) and the Department of Fish and Wildlife to complete improvements in the creek corridor crossing. In the future Washington Street would extend and connect to Benson Road and Crowson Road. Eventually a railroad crossing identified in the Transportation System Plan (TSP) would connect to the Croman Mill site.

The first of four phases of the South Ashland Business Park included two flexible spaces, light industrial units, and a possible watchmen's quarters and manager's office. The remaining buildings on the interior to the site were flexible space comparable to the buildings along Hersey Street. There would be a driveway system and parking around the site. An office building would be at the south east corner of Washington Street. A stormwater outfall at the northwest corner of the site near the driveway outlet would empty stormwater into the Knoll Creek corridor.

The application included a site section, utility, grading, planting, and tree protection plans. The tree protection plan would currently protect the three Oaks along the driveway. The trees would go into the driveway when the later phase was completed. The applicants proposed to protect the trees and address them when the Phase IV site review happened. The Tree Commission reviewed and supported the application recommending approval as submitted.

Staff had been trying to balance the constraints of the right of way that included the proximity to the freeway. Another issue was the entire improvement was within ODOT's right of way. The Street Standards envisioned Washington Street as an avenue that would include bike lanes in both directions, automobile lanes, sidewalks and park rows. The standard cross section included the potential for a third lane with a median return lane in the middle. Staff did not think that would be appropriate in this location. The cross section required bike lanes in both directions. It was problematic with the freeway. The Avenue function of the street would connect through all of the areas. The Washington, Jefferson, Benson, and Croman areas comprised 77% of the buildable employment land in the Buildable Land Inventory (BLI).

The applicants presented a number of options to address the standards and avenue functions. Options A & B would install a multi-use path or a sidewalk on the property frontage without a park row to buffer pedestrians and bicyclists from the travel lanes. There were concerns not having a buffer along the avenue given avenue speeds and truck traffic. Staff supported Option C. It included a park row and sidewalk although it extended into the wetland. They were recommending that improvement happen with the second phase. The applicants would go through the permitting process at the state and federal level. It was appropriate to mitigate those impacts for the wetland along the creek corridor. The issue was balancing a roadside emergent ditch wetland versus the long-term function of the avenue.

Staff recommended the following:

- An Exception was appropriate to not have sidewalks or park row planting strips on the freeway side of Washington Street.
- Automobile travel lanes and bike lanes were needed in both directions, placed so that no relocation of the guardrail was required.
- Seven-foot landscaped park rows and six-foot sidewalks were needed on the full frontage. They could be installed over the first two phases but completed with the second phase. Wetland impacts could be mitigated in the Knoll Creek corridor.
- Staff would support a compromise if a federal or state wetland permits denial happened and the applicant could not install a park row. The compromise would remove the park row in certain areas to avoid wetland impact. The applicant would plant larger stature trees at the edge of the wetland instead.

Option C was the compromise the applicants were proposing. The sidewalk would go into the wetland along the northern portion of the site. The applicants proposed having the sidewalk go curbside with a full park row on the north end during Phase 1. A park row would exist in a brief section from the south. Instead of a park row by the wetland, the applicants would plant appropriate trees to provide canopy coverage. This configuration would also accommodate a bike lane on the freeway side without relocating the guardrail. It was a reasonable option and it addressed some of the concerns raised.

Another concern was the trip cap the applicants had proposed to address the state transportation planning rule. The cap would limit trips to no more than 910 average daily trips for the uses of the site.

OAR 660-012-0060 Plan & Land Use Regulation Amendments (9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.

- a) **The proposed zoning is consistent with the existing Comprehensive Plan Map designation and the amendment does not change the Comprehensive Plan Map;**
- b) **The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and**
- c) **The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the areas was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.**

Staff could make a finding there was no significant impact on the transportation facilities without imposing the trip cap. The proposed zoning was consistent with the existing Comprehensive Plan and Ashland had an acknowledged Transportation System Plan (TSP). The subject property was not exempted from the urban growth boundary review. The Commission could make a finding that the transportation rule should not apply. In this case, the zone change was not changing the planned city zoning for the property. It was still zoned E-1.

Questions of Staff

Mr. Severson explained the applicants could speak to whether their transportation engineer factored in the proposed improvements during their analysis. The allowance in the TPR was what the City's TSP took into account for development within the urban growth boundary (UGB).

Commission concern commented this one development was pushing beyond the scope of what the facilities could handle in the future. Would it end up being an aggregate impact that would dramatically increase the traffic problem? Mr. Severson explained the improvements in the TSP with Independent Way and extending Washington Street to Benson Way would provide the gridded system to accommodate future growth. This was 80% of the City's buildable lands so there were significant connections. It envisioned avenue level improvements to accommodate growth.

The Commission expressed concern on the changes regarding the distance between the guardrail and wetland. It now appeared there was more than initially presented. Mr. Severson responded the applicants determined they could fit the improvement between the guardrail and the wetland.

Engineering the street would happen in Phase II. The City did not have a formal wetland delineation. The applicants had a wetlands biologist look at the wetland boundary and prepared a preliminary delineation map. They were striving to stay out of the wetland and needed a wetland delineation the state and federal departments would approve prior to Phase II. Condition 12 requested the applicant to provide engineer design drawings before Phase II if Option C was chosen. The applicant would prepare and submit a formal wetland delineation division of state lands and secure the requisite city, state, and federal permits.

Commissioner Mindlin noted a difference in wetland placement from the staff report and the applicant's submittal. Mr. Severson explained Exhibit 9 in the application contained a preliminary delineated map that at this time had not been approved by the state. It looked like the rendering was translated onto the applicant's drawings throughout their application.

Commissioner Brown asked if it adversely affected the project to have the wetland delineation moved to Phase I. Mr. Severson thought it was a reasonable request for the Commission to make.

Commissioner Norton could not find Independent Way in the Comprehensive Plan and wanted to know if it was in the 2012 TSP. The applicants had based their analysis and numbers on the installation of Independent Way. Community Development Director Bill Molnar confirmed the TSP was amended in 2012. At that time, staff amended the transportation and street dedication map and added Independent Way. It was one of many projects anticipated over the next twenty years based on existing Comprehensive Plan designations. Some projects could be phased or certain requirements of facilities could reach a level of capacity before specific improvements would occur.

The second bike lane would go in at the time a full city improvement occurred to the broader corridor. The Planning Commission and City Council could also determine it was more appropriate to have it go in as part of this project instead. As the applicants had proposed in Option C, they wanted to complete two 10-foot travel lanes and one six-foot bike lane. The rest of the improvements would be paid for as a possible City street project or a Local Improvement District (LID). Currently it was not identified in the TSP.

Staff had a concern about potential loss of employment to a conditional use for a storage unit business. The Commission could attach a condition to block that from happening.

Mr. Molnar clarified Condition 8 required both bike lanes to go in at the time of Phase II. Mr. Severson further clarified the applicants had amended that since and were now proposing not to install one bike lane. The Commission could decide what was appropriate.

Applicant's Presentation

Jay Harland/CSA Planning/4497 Brownridge Terrace/Medford, OR/Responded to the TPR question and explained when a transportation impact analysis occurred for a development typically they only looked at existing and funded projects the Public Works Department would build in the foreseeable future. The transportation analysis for the project included Independent Way as one of those projects. Exceeding the mobility standards would happen in the future when additional connectivity was present. For background growth, the traffic engineer used a 1.8% increase in traffic per year. The study extended over 20 years to analyze the intersection performance. Some of that growth was attributable to development occurring consistently with the Comprehensive Plan under the zoning considered for the Comprehensive Plan.

Some of the target employment users for the proposed South Ashland Business Park included:

- Small and expanding manufacturing.
- Prototyping activities.
- Small scale repair.
- Small-scale niche wholesaling.
- Target uses tend to be very price sensitive.
- Absorption Rates is difficult to predict, which creates project risk.

Site plan design would include:

- A respect for the environmental constraints – wetlands and Knoll Creek corridor.
- Orients buildings to the street where environmental constraints allow.

- Minimal parking between the buildings and the street is proposed.
- Rooflines and elevations will create an attractive step-up from north to south.

Building design included:

- Earthen tone color palate will complement environmental features on the site that are being retained.
- Gable rooflines will be attractive as they step up from north to south.
- Split-face block wainscoting will be wainscoting will provide a texture and surface relief from the rest of the metal surface, while creating a product that satisfy price points for the target project users.

Regarding public facility adequacy, there was substantial evidence in the record that demonstrated:

- The applicant's professional transportation engineer prepared a transportation impact analysis (TIA) and that analysis demonstrates that, with the applicant's Trip Cap stipulation to build the project out as a Business Park, adequate transportation facilities exist to serve the project.
- Applicant's Civil Engineer has provided plans and a letter dated January 11, 2018 that stated:
 - Storm Drainage design will not increase storm drainage loading on the down-stream system for the 25-year design storm and a design that satisfies applicable water quality requirements is feasible.
 - The existing 8-inch sanitary sewer line is adequate to serve the project.
 - The existing 8-inch water main in Washington Street is adequate to serve the project.
- Conversations between the applicant and Ashland Power did not identify any supply concerns for this area, but care will need to be taken for power services to optimize tenant services.

The applicant objected to the wetland fill in Option C. Mr. Harland distributed 2-D drawings that showed the increase in wetland area. The back of the sidewalk would require a handrail to prevent pedestrians from falling off the retaining wall. The applicant's wetland consultant flagged the location of the wetland and a surveyor went out and located the flags. The map accurately represented the wetland location. Schott and Associates thought getting the permits to fill the wetland may be impossible to attain. It was common for cities to eliminate a park row and install a retaining wall to avoid impact on the wetland. It was often done from a street standard standpoint.

Washington Street Improvements

- The applicant had developed multiple street improvement options that avoided wetland impacts (as required under state and federal law) while satisfying near-term and long term transportation needs over the last 9 months with City staff.
- All of the options offered by the Applicant would result in adequate transportation facilities for the project.
- Following receipt of the staff report on Tuesday afternoon, the applicant prepared an additional improvement option that would be acceptable to the applicant.

Options A, B and C did not include a retaining wall. In the options with the bike lanes there may have been a small retaining wall on the freeway side but not in the wetland buffer. The staff report and recommendation resulted in Option E:

- The applicant would construct a sidewalk, park row, a curb, a bike lane, and two travel lanes where this cross-section can be achieved without filling any wetlands-leaving room for the city to construct a bike lane and curb west of the ODOT guardrail.
- The applicant would construct a retaining wall at the wetland boundary, a sidewalk, curb, bike land, and two travel lanes leaving room for a future bike lane and curb west of the guardrail.
- The above improvements would be completed as a condition of development prior to Phase 2 of the project.

The applicant requested the following:

- The Planning Commission approve the application with Option A in the initial submittal or Option E, the Washington Street Improvement presented this evening.

- If the Planning Commission believes it needs specific details on its preferred improvement option prior to formal approval, then the applicant requests the Planning Commission provide clear direction to staff on a preferred Washington Street Improvement Option A or E. None of which require any wetland fill. The Commission could leave the record open for fourteen days for this specific purpose.

Questions of the Applicant

Mr. Harland addressed the bike lane adjacent to the freeway and explained even though they designed the option, they did not want to install it due to costs. The retaining wall would cost \$50,000. Typically, developments were required to do a half street improvement. For this project, the half street would include the retaining wall, sidewalk, bike lane, and two travel lanes. It came down to what the applicant was obligated to pay for versus what was a priority for the City. If the City asked the applicants to complete the street improvement and waived SDC charges, most clients would take that offer. It was a question of priority and if the City wanted the SDCs to go to other areas.

The multiuse path would accommodate walking traffic and two-way bike traffic. The retaining wall would go towards the south and eventually catch up with the grade. Removing the park row would significantly reduce or eliminate the retaining wall except south up the hill. The multiuse path was 10-feet. Option A had the multiuse path. Option E did not.

Mr. Harland confirmed the applicant had not yet proposed the preliminary wetland delineation to the state. The wetland delineation process would not affect Phase I. Mr. Severson added Exhibit 9 had the wetland at .148 acres.

Public Testimony

Mark DiRienzo/Ashland/Addressed a letter he submitted into the record. His concern was not just about controlling self-storage. It was employment density. The annexation was an opportunity to enforce employment density. The City needed to approve projects like this and ensure it provided jobs. The project looked like a potential storage facility. If it was an incubator/prototype space, then the applicant should have no issue with conditions that forced it to remain as such. Currently in Ashland, many employment buildings were being rented to people unrelated to the business in the building to store belongings. In E-1 zones, any type of warehousing had to relate to the business on site. That was not happening and enforcement was difficult. He asked the Commission to hold the applicant accountable to keeping the space available for businesses with actual numbers and jobs.

Thomas Kennedy/Ashland/Suspected a large business would go into the location immediately. There were several big truck docking spaces. It also looked like one building. Would small businesses move in and purchase space later? He was concerned about potential truck traffic and the impact it could have on Ashland Street. The potential of 900 trips a day was substantial for that intersection. Even with the connections to Crowson it would be approximately 450 trips a day in an eight-hour period. Another concern was the wetlands and water flow. He wanted more detail on the building design in terms of the docks and whether there would be more traffic than what the applicant implied. Nine hundred trips divided by eight hours broke down to 100 turns on Ashland Street per hour.

Rebuttal by Applicant

Mr. Harland responded to traffic concerns. The truck percentages for the project were based on ones ODOT required for their scoping letter. ODOT did not have any issues with what the applicant submitted.

Evan Archerd/1256 Eagle Mill Road/Provided his background in development. The project would meet the needs of small businesses to locate and grow with reasonable rent. The property would provide "flex" space. They did not want a big business with one owner. However, if someone needed 5,000 square feet and had a viable business for Ashland that would employ people, they would support that effort. The project offered a range of space from 2,000 square feet to 5,000. They were concerned about the wetland area. He was philosophically opposed to filling a wetland. From a business standpoint, they needed a defined outcome. They could not move forward and build Phase I and somehow figure the wetland area out in Phase II. They wanted an option for Washington Street that did

not involve the federal and state governments for approval. This was land owned by ODOT. The revised option provided everything the City would like regarding bike and travel lanes except for 120-feet of the roadway that would have a curbside sidewalk. It was the equivalent of two residential lots. It was a good trade off.

Deliberations & Decision

Commissioner Mindlin thought the freeway side needed a bike lane traveling northbound. She suggested not having a bike lane going south. It would be easy for bike and pedestrian traffic traveling south to turn right onto other streets without crossing traffic. If the Commission agreed, they might be able to negotiate an improvement for the entire street. Mr. Molnar commented there was a couple months before the item went to Council. He was meeting with the Public Works Director about possible cost sharing with the City. The City participating in the bike lane along the freeway was a minor commitment and justified through SDC credits for the project. The System Development Charge Committee recently reconvened. They wanted staff to evaluate the list of improvements. This was a logical one to evaluate.

Commissioner Norton explained currently Jefferson Street and Washington Street did not have bike lanes. There was a 42-foot right of way that allowed for 8-foot parking. The travel lanes were 13-feet wide. A wider travel lane encouraged traffic to go faster. There were no bike lanes but there was a 13-foot travel lane that when cars parked, it slowed traffic. There was a tremendous amount of bike traffic on Jefferson Street and the 13-foot travel lane worked. He liked the idea of one bike lane and removing park rows when there was a retaining wall. Commissioner Miller thought the wider lanes would benefit truck traffic.

Commissioner Norton added the new building for Modern Fan had nothing. It was unimproved. The other Modern Fan building had either a 6-foot or 8-foot sidewalk with a park row following the curve.

Commissioner Miller appreciated the applicant's compromise in Option E. She did not want the wetland disturbed. Commissioner Mindlin noted after Mr. Molnar's comments, she thought Option E worked best. Commission majority supported recommending Option E to Council. It would require bike lanes on both sides of the road and no park row along the fence. The City would try and underwrite the bike lane next to the freeway.

The rezone was an allowed use and consistent with Comprehensive Plan. Commissioner Miller was interested in having something that prohibited using the property for storage. Chair Pearce explained as a Type III legislative approval the Council had a wide range of discretion and could add that as a restriction. Mr. Molnar clarified Council could make it clear one of the key findings for supporting annexation was the potential for employment. If a conditional use permit came up in the future to convert to mini storage, it should come before the Planning Commission in a public hearing. As part of that application, it should address how it will affect employment. There was an aspirational guideline for the Croman Mill site having a target number of employees per 1,000 square feet but it was not codified.

Commissioner Brown addressed the trip cap in Conditions of Approval Item #1. From what Chair Pearce read in their transportation study, except for the existing streets, the only improvement they assumed was the IPCO. The TSP contemplated this use and it fit within the exception in **OAR 660 12060 sub 9**. He did not think a trip cap was necessary. The Commission agreed. Commissioner Brown clarified that item #1 under Conditions would end the sentence at, "...**modify here in,**" and delete language regarding a trip cap.

Mr. Severson confirmed the City had purchased the property for Independent Way. The project would begin soon. For the Tolman Creek Road improvement, they were working on the design and right of way acquisition. Commissioner Thompson was concerned about traffic on the Washington Street and Ashland Street intersection. Independent Way provided an alternative but Tolman Creek Road needed the capacity to absorb additional traffic.

The Commission supported the site design, Option E, and the conditional use permit for the watchmen's quarters. Mr. Severson clarified the limited use permit and activity in the water resource zone was for the outfall in the northwest

corner of the site for storm water drainage. The Commission agreed with the permit and the tree removal permit.

Staff would provide a brief statement in the Findings that the rezone was consistent with the Comprehensive Plan that was found consistent with the goals when adopted.

Commissioners Dawkins/Mindlin m/s to approve PA-2018-00154 and the approval for the annexation of a 5.8-acre parcel, and a zone change from County RR-5 to City E-1; Site Review approval of a phased development of a light industrial business park located at 601 Washington Street. Also approving the request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a possible Wetland on the property; an Exception to Street Standards for the frontage improvement Option E; and approval of the Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.). With the exception of taking out the last part of the sentence in the proposed Condition 1. DISCUSSION: Commissioner Dawkins thought it was a great project and well needed. Commissioner Mindlin added the applicants did a good job meeting the requirements for the road. Commissioner Miller wanted to ensure 8-C conformed with Option E. Mr. Severson responded staff would adjust C-7, C-8, and C-12 in the Findings. They would base the adjustments on Option E and the discussion during the meeting. He confirmed installing a sidewalk in the internal driveway with a different color was already in the Conditions. Chair Pearce wanted it clear the annexation and rezone were recommendations to City Council. The site plan approval and other permits were conditional upon Council enacting that recommendation. **Roll Call Vote: Commissioners Pearce, Brown, Dawkins, Thompson, Norton, Miller, and Mindlin, YES. Motion passed 7-0**

ADJOURNMENT

Meeting adjourned at 9:03 p.m.

*Submitted by,
Dana Smith, Executive Assistant*

BEFORE THE PLANNING COMMISSION
April 10, 2018

IN THE MATTER OF PLANNING ACTION #2018-00154, A REQUEST FOR)
ANNEXATION OF A 5.38-ACRE PARCEL, ZONE CHANGE FROM COUNTY RR-5)
(RURAL RESIDENTIAL) TO CITY E-1 (EMPLOYMENT), AND SITE DESIGN RE-)
VIEW APPROVAL FOR THE PHASED DEVELOPMENT OF A LIGHT INDUSTRIAL)
BUSINESS PARK FOR THE PROPERTY LOCATED AT 601 WASHINGTON ST.)
THE APPLICATION INCLUDES A REQUEST FOR A CONDITIONAL USE PER-)
MIT TO ALLOW A WATCHMAN’S DWELLING; LIMITED USE/ACTIVITY PER-)
MITS WITHIN THE WATER RESOURCE PROTECTION ZONES OF KNOLL CREEK) **FINDINGS,**
AND A POSSIBLE WETLAND ON THE PROPERTY TO CONSTRUCT A STORM-) **CONCLUSIONS,**
WATER OUTFALL AND STREET IMPROVEMENTS; AN EXCEPTION TO STREET) **ORDERS &**
STANDARDS FOR THE FRONTAGE IMPROVEMENTS ALONG THE PROPER-) **RECOMMENDATIONS**
TY’S WASHINGTON STREET FRONTAGE; AND A TREE REMOVAL PERMIT)
TO REMOVE FOUR TREES GREATER THAN SIX-INCHES IN DIAMETER AT)
BREAST HEIGHT(D.B.H.))
)
)
)
OWNER/APPLICANT: South Ashland Business Park LLC)
)
)

RECITALS:

- 1) Tax lot #2800 of Map 39 1E 14AB is located at 601 Washington Street, which is presently outside the city limits, and is zoned RR-5, Jackson County Rural Residential.

- 2) The applicants are requesting Annexation of a 5.38-acre parcel, Zone Change from County RR-5 Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park for the property located at 601 Washington Street. The application includes a request for a Conditional Use Permit to allow a watchman’s dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.). The proposal is outlined in plans on file at the Department of Community Development.

- 3) The criteria for Annexation are described in AMC 18.5.8.050 as follows:

An annexation may be approved if the proposed request for annexation conforms, or can be made to conform through the imposition of conditions, with all of the following approval criteria.

- A.** *The land is within the City's Urban Growth Boundary.*
- B.** *The proposed zoning for the annexed area is in conformance with the designation indicated*

on the Comprehensive Plan Map, and the project, if proposed concurrently with the annexation, is an allowed use within the proposed zoning.

- C. The land is currently contiguous with the present city limits.*
- D. Adequate City facilities for the provision of water to the site as determined by the Public Works Department; the transport of sewage from the site to the waste water treatment plant as determined by the Public Works Department; the provision of electricity to the site as determined by the Electric Department; urban storm drainage as determined by the Public Works Department can and will be provided to and through the subject property. Unless the City has declared a moratorium based upon a shortage of water, sewer, or electricity, it is recognized that adequate capacity exists system-wide for these facilities.*
- E. Adequate transportation can and will be provided to and through the subject property. For the purposes of this section "adequate transportation" for annexations consists of vehicular, bicycle, pedestrian, and transit transportation meeting the following standards.*
 - 1. For vehicular transportation a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street. All streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. The City may, after assessing the impact of the development, require the full improvement of streets adjacent to the annexed area. All streets located within annexed areas shall be fully improved to City standards. Where future street dedications are indicated on the Street Dedication Map or required by the City, provisions shall be made for the dedication and improvement of these streets and included with the application for annexation.*
 - 2. For bicycle transportation safe and accessible bicycle facilities exist, or can and will be constructed. Should the annexation be adjacent to an arterial street, bike lanes shall be provided on or adjacent to the arterial street. Likely bicycle destinations from the project site shall be determined and safe and accessible bicycle facilities serving those destinations shall be indicated.*
 - 3. For pedestrian transportation safe and accessible pedestrian facilities exist or can and will be constructed. Full sidewalk improvements shall be provided on one side adjacent to the annexation for all streets adjacent to the proposed annexed area. Sidewalks shall be provided as required by ordinance on all streets within the annexed area. Where the project site is within a quarter of a mile of an existing sidewalk system, the sidewalks from the project site shall be constructed to extend and connect to the existing system. Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated.*
 - 4. For transit transportation, should transit service be available to the site, or be likely to be extended to the site in the future based on information from the local public*

transit provider, provisions shall be made for the construction of adequate transit facilities, such as bus shelters and bus turn-out lanes. All required transportation improvements shall be constructed and installed prior to the issuance of a certificate of occupancy for any new structures on the annexed property.

- F.** *For all residential annexations, a plan shall be provided demonstrating that the development of the entire property will ultimately occur at a minimum density of 90 percent of the base density for the zone, unless reductions in the total number of units is necessary to accommodate significant natural features, topography, access limitations, or similar physical constraints. The owner or owners of the property shall sign an agreement, to be recorded with the county clerk after approval of the annexation, ensuring that future development will occur in accord with the minimum density indicated in the development plan. For purposes of computing maximum density, portions of the annexed area containing undevelopable areas such as wetlands, floodplain corridor lands, or slopes greater than 35 percent, shall not be included.*
- G.** *Except as provided in 18.5.8.050.G.7, below, annexations with a density or potential density of four residential units or greater and involving residential zoned lands, or commercial, employment or industrial lands with a Residential Overlay (R-Overlay) shall meet the following requirements.*
- 1. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.*
 - a. Ownership units restricted to households earning at or below 120 percent the area median income shall have an equivalency value of 0.75 unit.*
 - b. Ownership units restricted to households earning at or below 100 percent the area median income shall have an equivalency value of 1.0 unit.*
 - c. Ownership units restricted to households earning at or below 80 percent the area median income shall have an equivalency value of 1.25 unit.*
 - d. Ownership or rental units restricted to households earning at or below 60 percent the area median income shall have an equivalency value of 1.5 unit.*
 - 2. As alternative to providing affordable units per section 18.5.8.050.G.1, above, the applicant may provide title to a sufficient amount of buildable land for development complying with subsection 18.5.8.050.G.1.b, above, through transfer to a non-profit (IRC 501(3)(c) affordable housing developer or public corporation created under ORS 456.055 to 456.235.*
 - a. The land to be transferred shall be located within the project meeting the standards set forth in 18.5.8.050.G, subsections 4 - 6.*

- b. *All needed public facilities shall be extended to the area or areas proposed for transfer.*
 - c. *Prior to commencement of the project, title to the land shall be transferred to the City, an affordable housing developer which must either be a unit of government, a non-profit 501(C)(3) organization, or public corporation created under ORS 456.055 to 456.235.*
 - d. *The land to be transferred shall be deed restricted to comply with Ashland's affordable housing program requirements.*
3. *The affordable units shall be comparable in bedroom mix and housing type with the market rate units in the development.*
- a. *The number of bedrooms per dwelling unit in the affordable units within the residential development shall be in equal proportion to the number of bedrooms per dwelling unit in the market-rate units within the residential development. This provision is not intended to require the same floor area in affordable units as compared to market-rate units. The minimum square footage of each affordable unit shall comply with the minimum required floor based as set forth in Table 18.5.8.050.G.3.*

Table 18.5.8.050.G.3

<i>Unit Type</i>	<i>Minimum Required Unit Floor Area (Square Feet)</i>
<i>Studio</i>	<i>350</i>
<i>1 Bedroom</i>	<i>500</i>
<i>2 Bedroom</i>	<i>800</i>
<i>3 Bedroom</i>	<i>1,000</i>
<i>4 Bedroom</i>	<i>1,250</i>

- b. *The required on-site affordable units shall be comprised of the different unit types in the same proportion as the market dwelling units within the development.*
4. *A development schedule shall be provided that demonstrates that that the affordable housing units per subsection 18.5.8.050.G shall be developed, and made available for occupancy, as follows.*

- a. *That 50 percent of the affordable units shall have been issued building permits prior to issuance of a certificate of occupancy for the last of the first 50 percent of the market rate units.*
 - b. *Prior to issuance of a building permit for the final ten percent of the market rate units, the final 50 percent of the affordable units shall have been issued certificates of occupancy.*
5. *That affordable housing units shall be distributed throughout the project*
 6. *That affordable housing units shall be constructed using comparable building materials and include equivalent amenities as the market rate units.*
 - a. *The exterior appearance of the affordable units in any residential development shall be visually compatible with the market-rate units in the development. External building materials and finishes shall be substantially the same in type and quality for affordable units as for market-rate units*
 - b. *Affordable units may differ from market-rate units with regard to interior finishes and materials provided that the affordable housing units are provided with comparable features to the market rate units, and shall have generally comparable improvements related to energy efficiency, including plumbing, insulation, windows, appliances, and heating and cooling systems.*
7. *Exceptions to the requirements of 18.5.8.050, subsections G.2 – G.5, above, may be approved by the City Council upon consideration of one or more of the following.*
 - a. *That an alternative land dedication as proposed would accomplish additional benefits for the City, consistent with the purposes of this chapter, than would development meeting the on-site dedication requirement of subsection 18.5.8.050.G.2.*
 - b. *That an alternative mix of housing types not meeting the requirements of subsection 18.5.8.050.G.3.b would accomplish additional benefits to the City consistent with this chapter, than would the development providing a proportional mix of unit types.*
 - c. *That the alternative phasing proposal not meeting subsection 18.5.8.050.G.4 provided by the applicant provides adequate assurance that the affordable housing units will be provided in a timely fashion.*
 - d. *That the distribution of affordable units within the development not meeting subsection 18.5.8.050.G.5 is necessary for development of an affordable housing project that provides onsite staff with supportive services.*

- e. *That the distribution of affordable units within the development as proposed would accomplish additional benefits for the city, consistent with the purposes of this chapter, than would development meeting the distribution requirement of subsection 18.5.8.050.G.5.*
 - f. *That the materials and amenities applied to the affordable units within the development, that are not equivalent to the market rate units per subsection 18.5.8.050.G.6, are necessary due to local, State, or Federal Affordable Housing standards or financing limitations.*
8. *The total number of affordable units described in this section 18.5.8.050.G shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction or similar legal instrument shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. Properties providing affordable units as part of the annexation process shall qualify for a maximum density bonus of 25 percent.*

H. *One or more of the following standards are met.*

- 1. *The proposed area for annexation is to be residentially zoned, and there is less than a five-year supply of vacant and redevelopable land in the proposed land use classification within the current city limits. "Redevelopable land" means land zoned for residential use on which development has already occurred but on which, due to present or expected market forces, there exists the likelihood that existing development will be converted to more intensive residential uses during the planning period. The five-year supply shall be determined from vacant and redevelopable land inventories and by the methodology for land need projections from the Housing Element of the Comprehensive Plan.*
- 2. *The proposed lot or lots will be zoned CM, E-1, or C-1 under the Comprehensive Plan, and that the applicant will obtain Site Design Review approval for an outright permitted use, or special permitted use concurrent with the annexation request.*
- 3. *A current or probable public health hazard exists due to lack of full City sanitary sewer or water services.*
- 4. *Existing development in the proposed annexation has inadequate water or sanitary sewer service, or the service will become inadequate within one year.*
- 5. *The area proposed for annexation has existing City water or sanitary sewer service extended, connected, and in use, and a signed consent to annexation agreement has been filed and accepted by the City.*
- 6. *The lot or lots proposed for annexation are an island completely surrounded by lands within the city limits.*

4) The criteria for a Zoning Map Amendment are described in AMC 18.5.9.020 as follows:

- A. **Type II.** *The Type II procedure is used for applications involving zoning map amendments consistent with the Comprehensive Plan map, and minor map amendments or corrections. Amendments under this section may be approved if in compliance with the Comprehensive Plan and the application demonstrates that one or more of the following.*
1. *The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan.*
 2. *A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances.*
 3. *Circumstances relating to the general public welfare exist that require such an action.*
 4. *Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.*
 5. *Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G.*
 6. *The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions.*
- B. **Type III.** *It may be necessary from time to time to make legislative amendments in order to conform with the Comprehensive Plan or to meet other changes in circumstances or conditions. The Type III procedure applies to the creation, revision, or large-scale implementation of public policy requiring City Council approval and enactment of an ordinance; this includes adoption of regulations, zone changes for large areas, zone changes requiring comprehensive plan amendment, comprehensive plan map or text amendment, annexations (see chapter 18.5.8 for annexation information), and urban growth boundary amendments. The following planning actions shall be subject to the Type III procedure.*
1. *Zone changes or amendments to the Zoning Map or other official maps, except where minor amendments or corrections may be processed through the Type II procedure pursuant to subsection 18.5.9.020.A, above.*

2. *Comprehensive Plan changes, including text and map changes or changes to other official maps.*
3. *Land Use Ordinance amendments.*
4. *Urban Growth Boundary amendments.*

5) The criteria for Site Design Review approval are described in AMC 18.5.2.050 as follows:

- A. ***Underlying Zone:*** *The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*
- B. ***Overlay Zones:*** *The proposal complies with applicable overlay zone requirements (part 18.3).*
- C. ***Site Development and Design Standards:*** *The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*
- D. ***City Facilities:*** *The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.*
- E. ***Exception to the Site Development and Design Standards.*** *The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.*
 1. *There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.;*
or
 2. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

6) The criteria for a Conditional Use Permit are described in AMC 18.5.4.050.A as follows:

A Conditional Use 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.

1. *That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan*

- policies that are not implemented by any City, State, or Federal law or program.*
2. *That adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the development, and adequate transportation can and will be provided to the subject property.*
 3. *That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone, pursuant with subsection 18.5.4.050.A.5, below. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone.*
 - a. *Similarity in scale, bulk, and coverage.*
 - b. *Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*
 - c. *Architectural compatibility with the impact area.*
 - d. *Air quality, including the generation of dust, odors, or other environmental pollutants.*
 - e. *Generation of noise, light, and glare.*
 - f. *The development of adjacent properties as envisioned in the Comprehensive Plan.*
 - g. *Other factors found to be relevant by the approval authority for review of the proposed use.*
 4. *A conditional use permit shall not allow a use that is prohibited or one that is not permitted pursuant to this ordinance.*
 5. *For the purposes of reviewing conditional use permit applications for conformity with the approval criteria of this subsection, the target uses of each zone are as follows.*
 - a. **WR and RR.** *Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.*
 - b. **R-1.** *Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.*
 - c. **R-2 and R-3.** *Residential use complying with all ordinance requirements, developed at the density permitted by chapter 18.2.5 Standards for Residential Zones.*
 - d. **C-1.** *The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50 floor to area ratio, complying with all ordinance requirements.*
 - e. **C-1-D.** *The general retail commercial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 1.00 gross floor to area ratio, complying with all ordinance requirements.*
 - f. **E-1.** *The general office uses listed in chapter 18.2.2 Base Zones and Allowed Uses, developed at an intensity of 0.35 floor to area ratio, complying with all ordinance requirements; and within the Detailed Site Review overlay, at an intensity of 0.50*

floor to area ratio, complying with all ordinance requirements.

- g. **M-1.** *The general light industrial uses listed in chapter 18.2.2 Base Zones and Allowed Uses, complying with all ordinance requirements.*
- h. **CM-C1.** *The general light industrial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.50 gross floor to area ratio, complying with all ordinance requirements.*
- i. **CM-OE and CM-MU.** *The general office uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area, complying with all ordinance requirements.*
- k. **CM-NC.** *The retail commercial uses listed in chapter 18.3.2 Croman Mill District, developed at an intensity of 0.60 gross floor to area ratio, complying with all ordinance requirements.*
- l. **HC, NM, and SOU.** *The permitted uses listed in chapters 18.3.3 Health Care Services, 18.3.5 North Mountain Neighborhood, and 18.3.6 Southern Oregon University District, respectively, complying with all ordinance requirements.*

7) The criteria for a Tree Removal Permit are described in AMC 18.5.7.040.B as follows:

- 1. **Hazard Tree.** *A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.*
 - b. *The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

- 2. **Tree That is Not a Hazard.** *A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.*
 - a. *The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.*
 - b. *Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.*
 - c. *Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The*

City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.

- d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.*
- e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.*

8) The criteria for a Limited Activities and Uses Permit are described in AMC Section 18.3.11.060.D as follows:

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.*

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

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

10) The Planning Commission, following proper public notice, held a public hearing on March 13, 2018 at which time testimony was received and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission approved the application, contingent upon the City Council's ultimate approval of the requested Annexation, subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes, orders and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, Miscellaneous Exhibits lettered with an "M"

SECTION 2. FINDINGS & CONCLUSIONS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the staff report, public hearing testimony and the exhibits received.

2.2 The Planning Commission finds that the proposal for Annexation, Zoning Map Amendment, Site Design Review, Conditional Use Permit, Limited Activity/Use Permit, Tree Removal Permit and Exception

to Street Standards approvals meets all applicable criteria for Site Design Review approval described in AMC 18.5.2.050; for a Conditional Use Permit described in AMC 18.5.4.050.A; for a Limited Use/Activity Permit described in AMC 18.3.11.060.D; for a Tree Removal Permit as described in AMC 18.5.7.040.B; and for Exception to Street Standards as described in AMC 18.4.6.020.B.1. The Planning Commission further finds that the requested Annexation and Zoning Map Amendment meet the applicable criteria in AMC 18.5.8.050 and AMC 18.5.9.020.

2.3 The Planning Commission finds that the approval standards for an Annexation require that the subject property be located within the City's Urban Growth Boundary, that the proposed zoning for the annexed area be in conformance with the Comprehensive Plan Map designation, that the applicant obtain Site Design Review approval for an outright permitted or special permitted use concurrently with annexation, and that the land be currently contiguous with the present City limits. In this instance, the subject property is located within the Urban Growth Boundary and is contiguous with the existing city limits boundary on three sides. The requested zoning is consistent with the site's Comprehensive Plan designation of "Employment" and Site Design Review is requested for buildings which would contain outright permitted uses.

The Commission finds that the requested annexation complies with the applicable approval standards, and the re-zoning is consistent with the Comprehensive Plan designation of the property and is in keeping with the Economy Goal 7.07.030 of the Comprehensive Plan which strives "*to ensure that the local economy increases in its health, and diversifies in the number, type and size of businesses consistent with the local social needs, public service capabilities and the retention of a high quality environment.*" The Commission finds that the approximately 72,000 square foot flexible space light industrial development described will have similar benefits to the economy as have the developments along Hersey Street which provide options for a variety of businesses to establish themselves and grow in Ashland.

The Commission further finds that annexation requests must demonstrate that adequate public facilities can and will be provided to and through the subject property. With three recent annexations in the immediate vicinity, for Oak Street Tank and Steel, Brammo Motorsports and Modern Fan, utilities in the area have had recent upgrades and there are eight-inch water and sanitary sewer lines in place within the Washington Street right-of-way. The application explains that the applicants have engaged Thornton Engineering, Inc. to evaluate public facilities and prepare preliminary utility plans for the project which have been provided as the applicants' "Exhibit 7" and on Page 3.3 of the applicants' atlas. Thornton's materials indicate that based on research and analyses completed, the stormwater management facilities, sanitary sewer facilities, and water service facilities are adequate in condition, capacity and location to serve the proposed development on the subject property. Individual utilities are discussed in the application as follows:

- **Water:** The application notes that there is an existing eight-inch water main within the Washington Street right-of-way. The applicants propose to connect to the existing main and stub individual services to the proposed buildings, and each building is to have its own meter. Industrial buildings are to be served from the north while the office building will connect at the southeast corner of the site.
- **Sanitary Sewer:** The application notes that there are existing mains within the Washington Street right-of-way. One of the mains runs along the eastern project boundary; the office building is

proposed to connect to this line. The other main is on the project's north boundary. The applicants propose to run a new eight-inch private sewer line along the western circulation driveway to the north and tie into the public sanitary sewer in this location.

- **Storm Drainage:** The application notes that, with the exception of the office building proposed at the southeast corner of the site, all new impervious surfaces are proposed to drain to Knoll Creek at the northwest corner of the project. Thornton Engineering's designs propose a Contech Stormwater Quality Manhole or similar structure to detain water prior to releasing it onto an engineered outflow structure designed to minimize velocities and prevent erosion and scour where the storm drainage converges with the main channel of Knoll Creek. The office building is relatively small and the applicants propose to discharge its low volume storm water into the existing ditch that feeds the possible wetland along Washington Street.
- **Electric:** The application explains that there is existing electric at the property line where Washington Street turns to the south. The applicants plan to replace the vault at this location with a new vault and create a public utility easement along the project's easterly circulation drive to extend power from the north to the south. The power will tie back in at the existing vault on Washington Street in the southeastern corner of the site.

The Commission finds that the applicants civil engineer has provided preliminary drawings addressing the siting of utilities for the project, and conditions have been recommended below to require that final electric, utility and storm drainage plans be provided for the review and approval of the Public Works, Electric, Planning and Building Departments prior to submittal of building permit plans.

The Planning Commission finds that annexations are required to provide necessary transportation facilities to and through the subject property, and transportation facilities must address all modes including motor vehicle, bicycle, pedestrian and transit. To satisfy transportation facility requirements for motor vehicles, annexation standards require that, at a minimum, a 20-foot wide paved access exists, or can and will be constructed, along the full frontage of the project site to the nearest fully improved collector or arterial street and that all streets adjacent to the annexed area shall be improved, at a minimum, to a half-street standard with a minimum 20-foot wide driving surface. Annexation standards further provide that the city may, after assessing the impact of the development, require full improvement of streets adjacent to the annexed area while all streets located within the annexed areas are to be fully improved to City standards.

The Commission finds that Washington Street is considered to be a commercial collector street or avenue under the adopted Transportation System Plan (TSP). The City of Ashland Street Standards call for ten-foot travel lanes, six-foot bike lanes, a six-inch curb, five-foot commercial hardscape park rows with street trees in tree grates, and eight-foot sidewalks. The application explains that the city's standard avenue frontage improvements, even without a parkrow planting strip and sidewalk on the freeway side, will simply not fit between the water resource protection zone of the possible wetland on the property and the freeway guardrail.

The applicants proposed improvements for the property's Washington Street frontage are detailed in their "Exhibit 6." The applicants assert that the city's complete avenue street cross-section cannot be completed without large scale filling of the wetland and/or further encroachment toward the freeway, noting that at the narrowest point there is only approximately 45½ feet between the freeway guardrail and the wetland

itself, and only 25½ feet between the guardrail and the wetland buffer. While the applicants recognize that Washington Street’s classification as an Avenue is reasonable and Washington Street is the logical street to provide north-south connectivity in the area, they assert that the numerous connections that contribute to this functionality are likely to occur many years in the future and that from a traffic use and activity standpoint, Washington Street is much more like a local street in that it lacks transit service and currently has some of the lowest travel demand for bicycles and pedestrians in the city. In terms of vehicle trips, the applicants note that existing average daily trips (ADT) for motor vehicles are at 345 and the applicants Transportation Impact Analysis (TIA) only anticipates them to grow to about 1,350 ADT by 2034. The applicants attribute the low travel demand for all modes to isolated employment areas that are primarily industrial in nature with a limited amount of office and commercial uses.

The applicants suggest that travel volumes now and in the near future do not necessitate separate, dedicated bicycle lanes. They suggest that the TSP does not identify a project that would create bicycle lanes on the existing portion of Washington Street, so it could be 20 years before bicycle lanes would create a connected system. They further suggest that there is no need for a planting strip and sidewalk on the freeway (east) side since it is adjacent to the freeway where there will be no connectivity or driveways possible along that side. The applicants further emphasize that the segment of Washington Street that fronts on the property has a parallel route for pedestrians and bicyclists along Jefferson Street, which has sidewalks on both sides.

The applicants’ Exhibit 6 presents four options for frontage improvements on Washington Street, noting that their Transportation Engineer finds that any of the three options will provide safe and adequate transportation facilities for the roadway users in current and future traffic scenarios. The options proposed include:

- **Applicants Option A** – The applicants Option A would provide pedestrian and bicycle facilities on the west side of Washington Street in the form of a ten-foot wide multi-use path directly behind the curb. This would extend approximately 12-feet into the wetland buffer area and maintains the remainder with an approximate 3:1 slope which is similar to existing slopes. The applicants suggest that this is the only option that would provide a “complete street” to accommodate two-way bicycle and pedestrian traffic and would not require any environmental permitting and only minimal review by ODOT because it stays entirely within the existing guardrail. The applicants suggest that the design does not preclude future widening for bicycle lanes because the 12 additional feet could be added in the future without a massive retaining wall on the freeway side, although some retaining wall and guardrail relocation would be necessary. The applicants suggest that this future widening would not be expected to be cost-prohibitive in the future.
- **Applicants’ Option B** – The applicants’ Option B is the City’s standard cross-section with the parkrow planting strip removed and the centerline located to avoid wetland filling. The applicants would construct all improvements west of the guard rail including two travel lanes, the southbound bicycle lane, and the west sidewalk. The applicants note that this option does not encroach into the wetland itself, but that the buffer would need to be graded at an approximately 1 to 1.5 slope to avoid wetland filling. They suggest that until the northbound bicycle lane is added, the street would be incomplete, but would be adequate to serve local needs in the interim and that future widening for a bicycle lane on the east side of the street would not be expected to be cost-prohibitive.

- **Applicants’ Option C** – The applicants’ Option C is the City’s standard cross-section, which they note would require substantial wetland filling. The applicants suggest that this option may have a difficult time demonstrating compliance with State and Federal regulatory requirements. The applicants suggest that this option would be dependent upon the City performing design work, obtaining required environmental permits to fill the wetland, and installing any required wetland mitigation. The applicants indicate they would agree to construct the cross-section shown by Thornton Engineering as Option C including both travel lanes, and the requisite improvements west of the travel lanes.
- **Applicants’ Option D** – This option is not proposed and is provided for illustration purposes only to show the extent of grade problems with the standard cross-section sited to minimize any wetland impacts. The applicants note that this option would result in an eight- to ten-foot retaining wall adjacent to and directly above the freeway on-ramp and would still place part of the sidewalk within the wetland buffer.

The applicants note that their Options A and B relocate the right-of-way green space behind the sidewalk for this road segment to retain as much wetland protection zone as possible, while Option C shifts the improvements seven feet further into the wetland buffer to accommodate a planter strip. Exceptions to Street Standards require a demonstration that the facilities and resultant connectivity proposed are equal or superior to those required under the standards; that the exceptions requested are the minimum necessary to alleviate the difficulty, and that the exceptions are consistent with the purpose and intent of the Street Standards. The Commission finds that over the long term a ten-foot multi-use path mixing pedestrians with two-way bicycle traffic immediately adjacent to an avenue as illustrated in Option A, or placing pedestrians on a curbside sidewalk immediately adjacent to an avenue as illustrated in Option B, both without the benefit of a park row and street trees to provide a buffer from anticipated truck traffic at avenue speeds, cannot be found to be equal or superior when users of all modes are considered. The Commission further finds that park row planting strips with street trees between the sidewalk and roadway provide benefits not merely as “right-of-way greenspace” but serve “to buffer pedestrians and adjacent land uses from traffic, enhance street image and neighborhood character, calm motor vehicle traffic speeds, and enhance neighborhood identity or sense of place (AMC 18.4.6.040.D.17).”

During the March 13th hearing, Planning staff explained that under the city’s street standards, “avenues are intended to provide concentrated pedestrian, bicycle, transit, and motor vehicle access from neighborhoods to neighborhood activity centers and boulevards. Avenues are similar to boulevards, but are designed on a smaller scale. Design should provide an environment where walking, bicycling, using transit, and driving are equally convenient and facilitates the avenue’s use as a public space. A two-lane or three-lane configuration can be used depending on the number of trips generated by surrounding existing and future land uses.” Staff further detailed the future connectivity envisioned in the Transportation System Plan which include project #R25, the extension of Independent Way to provide an east-west connection between Tolman Creek Road and Washington Street; project #R29, the extension of Washington Street to the south to connect with the Crowson and Benson area; and project #X2 which envisions a new railroad crossing from Washington’s current terminus into the Croman Masterplan area. Staff further discussed that during the most recent Buildable Lands Inventory Update, the Washington, Jefferson, Benson and Croman areas comprised 90 acres of the city’s 117.25 acres of

buildable employment lands or roughly 76 percent. Staff suggested that the Washington/Jefferson/Benson employment area, much of which is outside the current city limits but within the Urban Growth Boundary (UGB), will see significant local job and housing growth in the near future. This area consists of approximately 45 acres, including the commercial/employment area along Ashland Street and Tolman Creek Road, and is the city's second largest employment center after the downtown. These 45 acres developed to an approximate Floor Area Ratio of 0.35 and an employment density of 20 employees per acre will equate to approximately 686,070 square feet of building floor area and 900 employees ultimately being served in this vicinity.

The Commission finds that an Exception is appropriate to not have sidewalks or parkrow planting strips on the freeway side of Washington Street, but that automobile travel lanes and bicycle lanes are needed in both directions, and should be placed so that no relocation of the guardrail will be required. In addition, the Commission finds that seven-foot landscaped parkrow and six-foot sidewalk are needed on the full frontage, completed with the second phase, with the exception that the park row planting strip could be removed in those areas where necessary to avoid wetland impact, with larger stature trees to be placed at the wetland edge in those areas to offset the canopy that standard street tree placement would provide. In response to these parameters, the applicants presented an “**Option E**” during the hearing which provided bicycle lanes, travel lanes, and a sidewalk with parkrow for all but 140 feet of the frontage where the parkrow would be removed to avoid impacts to the wetland.

The project proposes two driveway access points to Washington Street. The main project access will be located at the northwest corner of the site. This driveway will serve the industrial flex-space buildings in the project, which constitute the majority of the development. The small office building proposed for the southeast corner of the site in a later phase will have its own access to Washington Street because it is separated from the rest of the site by the possible wetland. There is an unimproved flag pole for the neighboring tax lot to the south (Tax Lot #100) that separates the subject property from the Modern Fan II development (Tax Lot #200). There is a retaining wall on the north boundary of Tax Lot #200 which makes it impractical to utilize a single consolidated driveway for all three properties, however the applicants note that they would accept a condition of approval that the final design for the driveway access for the office building project in Phase ## be configured to allow for cross access to the flag driveway for Tax Lot #100. A condition to this effect has been included below.

The Commission further finds that Kelly Sandow PE, of Sandow Engineering, LLC has evaluated the transportation impacts of the proposal, and her transportation impact analysis (TIA) is provided as the applicants' “Exhibit 5.” Key findings of the TIA include:

- All of the intersections studied meet mobility standards through the year 2023 with the development of the proposed 72,606 square foot business park;
- The proposed E-1 zoning will generate more traffic than the existing Rural Residential zoning, triggering the need for Transportation Planning Rule analysis.
- The intersections of Ashland Street at the I-5 northbound ramps, Ashland Street at the I-5 southbound ramps, and Ashland Street at Normal Avenue do not meet the applicable mobility standards for the year 2034 background conditions.
- The “worst case” development potential under the proposed E-1 zoning will worsen the year

2034 intersection performance to not meet standards. In lieu of mitigation, the applicants note that a trip cap could be imposed to limit daily trips to the level of traffic generated by the proposed development scenario, i.e. no more than the 910 ADT anticipated to be generated by the proposed watchman quarters and 72,606 square feet of light industrial space. Under such a trip cap, all intersections projected to operate within the applicable mobility standards will continue to meet applicable standards and all intersections projected to exceed applicable mobility standards will operate no worse than the 2034 background conditions, with no further mitigation needed.

In considering the proposed trip cap, the Planning Commission finds that the Transportation Planning Rule in OAR 660-012-0060 “*Plan & Land Use Regulation Amendments*” provides that a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met:

- (a) *The proposed zoning is consistent with the existing Comprehensive Plan Map designation and the amendment does not change the Comprehensive Plan Map;*
- (b) *The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and*
- (c) *The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.*

The Planning Commission finds that in the case, the proposed E-1 zoning is consistent with the Comprehensive Plan Map “Employment” designation and the proposed amendment does not result in a change to the Comprehensive Plan Map. The Commission further finds that the City has a Transportation System Plan (TSP) which was adopted and acknowledged in 2012 and that the proposed E-1 zoning is consistent with that considered for the subject property in the TSP, and that the area subject to the zoning map amendment was not exempted from this rule at the time of a previous Urban Growth Boundary (UGB) amendment. As such, the Commission finds that the proposed zoning map amendment does not significantly affect existing or planned transportation facilities, and no trip cap is necessary.

2.4 The Planning Commission finds that, as detailed in AMC 18.5.9.020, Zone Changes may be processed as a Type II procedure when they are consistent with the Comprehensive Plan. In this instance, the requested zone change is consistent with the property’s “Employment” Comprehensive Plan designation. The approval criteria for a Type II Zone Change, where the Zone Change is consistent with the existing Plan designation, require that one or more of the following be demonstrated:

- 1) The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan;
- 2) A substantial change in circumstances has occurred since the existing zoning or Plan designation was proposed, necessitating the need to adjust to the changed circumstances;
- 3) Circumstances relating to the general public welfare exist that require such an action;

- 4) Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G;
- 5) Increases in residential zoning density of four units or greater on commercial, employment, or industrial zoned lands (i.e., Residential Overlay), will not negatively impact the City's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25 percent of the proposed base density as affordable housing consistent with the approval standards set forth in subsection 18.5.8.050.G; and
- 6) The total number of affordable units described in 18.5.9.020.A, subsections 4 or 5, above, shall be determined by rounding down fractional answers to the nearest whole unit. A deed restriction, or similar legal instrument, shall be used to guarantee compliance with affordable criteria for a period of not less than 60 years. 18.5.9.020.A, subsections 4 and 5 do not apply to Council initiated actions. In terms of these criteria, in staff's view #4 dealing with the provision of affordable housing seems the most relevant.

The Planning Commission finds that the requested zone change and associated development of the property is consistent with the Comprehensive Plan's "Employment" designation of the property and with the Economy Goal of the Comprehensive Plan which strives for a healthy economy, diverse in the number, size and types of businesses. The Commission further finds that the 72,000 square foot flexible space light industrial development described will be beneficial for Ashland's economy, as have similar developments along Hersey Street which provide an option for a variety of businesses to establish themselves and grow in Ashland.

2.5 The Planning Commission finds that the proposal requests Site Design Review approval for the phased development of a light industrial/flexible space business park which when completed will consist of approximately 72,606 square feet of "flexible space" light industrial development accommodating small manufacturing and fabrication activities. The applicants are requesting approval for the first phase here, which includes the watchman quarters and two industrial units in a 3,156 square foot building fronting on Washington Street on the northern portion of the site and Building Group 1, a 15,944 square foot flexible space building. The applicants will also complete rough grading and underground utility installation for the rest of the site in keeping with the proposed master plan with Phase 1. Future building designs for the later phases will require Site Design Review approvals of their own, but the plan here establishes the preliminarily planned orientations, footprints, and site circulation.

The first criterion for Site Design Review approval is that, "*The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*" The Planning Commission finds that the property is more than 100 feet from a residential zone, and as such has no minimum setbacks, and further finds that the buildings will be no more than 40 feet in height as allowed in the E-1 zone. The proposed light industrial, manufacturing, fabrication and office uses described in the application are outright permitted uses within the E-1 zoning district.

The second criterion for Site Design Review approval is that, “*The proposal complies with applicable overlay zone requirements (part 18.3).*” In this instance, the Commission finds that the subject property includes some areas that are within the Water Resources Protection Zones overlays. These areas are addressed in the discussion of Limited Uses and Activities below. The Commission further finds that the property is not proposed for inclusion in other overlay zones.

The third approval criterion is that, “*The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*” The Commission finds that the subject property will be located within the Basic Site Review Zone and is subject to the Basic Site Review Standards in AMC 18.4.2.

The application explains that the project contains five multi-tenant buildings, of which only two abut Washington Street: the Phase 1 office with watchman quarters and the Phase 4 office building. The Commission finds that each of these is oriented to the street and has no parking located between the buildings or the street; parking is behind and to the side of the buildings. The other three buildings are separated from the street by the wetland. Building Group 1 has the entrances for the end unit oriented to the street although no access is possible due to the wetland, while the other tenant entries face the driveways.

AMC 18.4.2.040.B calls for a building façade or multiple facades to occupy a large majority of a project’s street frontage, and to avoid designs which incorporate gaps between building frontages. In this case, the Planning Commission finds that roughly 55 percent of the site’s frontage is encumbered by water resource protection zones for creeks and wetlands, with the remaining frontage split in two between an area at the north frontage and another on the east frontage. The proposed plan places buildings at the street in each of these locations, where driveways have also been located. All of the area between the proposed buildings is taken up with wetland and related landscaping.

The Commission finds that both buildings with street frontage have entrances oriented to the street, located within 20 feet of the street, with stairs leading from the sidewalk directly to the entries. The remaining units are interior to the site and cannot be located adjacent to the right-of-way due to the wetland. The applicants further suggest that with the exception of the Phase 4 office building, the remaining buildings are intended for industrial use and would have little need for public pedestrian access.

The Commission finds that projects adjacent to a designated creek protection area are to incorporate the creek into the design while maintaining required setbacks and buffering and complying with applicable water quality protection standards. Developers are to plant native riparian plants in and adjacent to creek protection zones. The applicants explain that the plan minimizes impacts to the drainage and includes riparian plantings in any area impacted by construction and complies with water quality protection standards. The Commission finds that the standard seeks to have creeks more incorporated into site planning as a project amenity for tenants which enables tenants to engage the creek corridor, and a condition has been included below to require that the application for Phase 2 include a revised site plan which better incorporates the creek into the site design through means such as pedestrian access points, an unpaved trail and a small patio/seating area.

The application includes parking calculations identifying a parking demand of 73 spaces for the development as proposed, and 84 parking spaces are proposed including seven accessible parking spaces of which two are to be van accessible. The Commission finds that the limited additional parking proposed provides a measure of flexibility to respond to the variety of potential uses which might occur over the life of the development. With 73 automobile spaces required, 15 bicycle parking spaces are required and one-half of these must be covered. The Commission finds that the applicants have proposed to provide 18 bicycle spaces distributed around the site, and 11 of these are to be covered satisfying the requirements of the ordinance.

The Pedestrian Access and Circulation standards in AMC 18.4.3.090 call for a continuous walkway system within the development which provides safe, direct and convenient connections providing for pedestrian connectivity within the development. The applicants suggest that because the project is made up of several multi-tenant building and does not have primary building entrances, but rather separate entrances to each tenant space, and typically relies only on automobile and truck access regular pedestrian access is not anticipated to be needed as pedestrian movements are expected to be only from related parking spaces to the individual tenant space and as such no internal pedestrian circulation is proposed. The applicants emphasize that roll-up doors will be used for deliveries to each space, and it is not practical to provide walkways that are interrupted every 20 feet with door. They conclude that this configuration is typical and appropriate for a light industrial park and as such meets the standard. The Commission finds that the standard is intended to enable someone to easily walk to a workplace or to circulate on site from a space at the southeast corner to the office at the northwest corner, and requires that pedestrian facilities be provided. The Commission has accordingly included a condition below to require a revised site plan which addresses these standards. The Commission finds that, at minimum, this could be addressed by providing a materially-distinct pedestrian walkway within the proposed driveway system to support pedestrian circulation from the office and along the driveway connecting to each of the buildings.

The Planning Commission finds that the application includes a grading plan with calculations illustrating that at least 50 percent of the parking and circulation area is surfaced in concrete or shaded with new tree canopy to address the standards of AMC 18.4.3.080.B.5.00

The fourth Site Design Review criterion is that, “The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.” These items have been addressed completely in the Annexation section above.

2.6 The Planning Commission finds that AMC Table 18.2.2.030 “Uses Allowed by Zone” provides that a dwelling for a caretaker or watchman requires a Conditional Use Permit (CUP) in the E-1 zone. The application materials provided explain that the applicants have not made a final decision whether to build a caretaker or watchman’s quarters, but are requesting a CUP be approved so they can construct watchman’s quarters if the ownership ultimately decides it is desirable for the project.

The applicants emphasize that the watchman quarters will have no effect on the scale, bulk or coverage of the project as the space, if not utilized this way would be used as additional office space. As such, the

applicants assert the watchman's quarters will likely reduce vehicle trips because an on-site staff person would not need to travel to and from the workplace. The application further suggests that the watchman quarters would have no appreciable impact on air quality, noise, light or glare, or upon the development of adjacent properties, versus either development of the property as flex space as proposed or office space as envisioned in the target use of the zone.

The Planning Commission finds that prior to the most recent Unified Land Use Ordinance update, watchman quarters were not addressed in the Ashland Municipal Code and were generally considered as a reasonable accessory use to certain primary industrial uses (*e.g. Caldera Brewing was approved with upstairs quarters for the brewmaster to live on-site in order to allow after hours monitoring of the brewing process*). The Commission further finds that on-site watchman quarters will have no greater adverse material impact on the livability of the impact area than would the implementation of the primary use by itself and could have the added benefit of providing "eyes on the street" in an area without much human presence afterhours.

2.7 The Planning Commission finds that there are two Water Resource Protection Zones on the subject property.

The Planning Commission finds that the property's western boundary is traversed by Knoll Creek, an intermittent or ephemeral stream with a Water Resource Protection Zone consisting of the stream itself and a buffer extending 30 feet upland from the centerline of the stream on both sides. Knoll Creek does not have an associated floodplain. The applicants indicate that their surveyor James Hibbs has determined the extent of the protection zone on the site, and that through most of this reach of the stream there are no encroachments in the protection zone. However, at the north end of the property, the applicants propose to construct a stormwater outfall structure as the only "Limited Use/Activity" within the stream's protection zone.

The Planning Commission further finds that AMC 18.3.11.060.B classifies the construction of a storm water outfall discharging treated storm water from an adjacent developed area as a limited activity and use, provided that the discharge meets local, state, and federal water quality regulations. AMC 18.3.11.060. D requires that limited activities: be located as far away from the stream as practicable, designed to minimize intrusion into the protection zone, and disturb as little surface area as practicable. Limited activities are to be designed, located and constructed to minimize excavation, grading, impervious surfaces, loss of native vegetation, erosion, and other adverse impacts on the stream. Excavation, grading, installation of impervious surfaces, and removal of native vegetation is to be avoided on stream beds, banks within bank full stage, wetlands and areas of slopes over 25 percent except where no practicable alternative exists, or where necessary to construct public facilities or to ensure slope stability. This section also specifically requires that storm drain systems be designed, located and constructed to avoid exposure to floodwaters, and to avoid accidental discharges into the stream.

The application materials explain that the outfall will disturb approximately 0.02 acres and is necessary in this location as the only logical place to drain stormwater from the site. The outfall has been engineered so that stormwater will pass through a treatment manhole prior to entering the protection zone outfall structure.

The Commission finds that the limited use and activity criteria require that the stream channel and riparian habitat be restored through the implementation of a mitigation plan prepared in accordance with the standards and requirements in AMC section 18.3.11.110 “*Mitigation Requirements*,” and that long-term conservation, management and maintenance of the protection zone be ensured through the preparation and recording of a management plan as described in AMC subsection 18.3.11.110.C. The applicants are proposing to mitigate the protection zone impacts through the prescriptive option in AMC section 18.3.11.110, and a plan detailing the proposed mitigation has been prepared by the project landscape architect John Galbraith. Conditions requiring final mitigation and management plans be provided for the review and approval of the Staff Advisor prior to the issuance of a building permit have been included below.

The Planning Commission further finds that Ashland’s adopted “Water Resources” map identifies a Possible Wetland (PW) along the property’s east property line at the edge of the Washington Street right-of-way. This possible wetland is identified as “W11”. Possible wetland is a designation for wetlands not classified as locally significant on Ashland’s Local Wetland Inventory (LWI). For possible wetlands, the water resource protection zone consists of all lands identified to have wetland presence on a wetland delineation plus all lands within 20 feet of the wetland’s upland edge.

Possible wetland W11 is described in the LWI as a roadside emergent wetland dominated by meadow foxtail, with lesser amounts of blue wild rye, birdsfoot-trefoil and catchweed bedstraw. While not deemed to be locally significant in the inventory, this wetland is connected to the Knoll Creek drainage by the roadside drainage ditch at its downstream end. The LWI notes that the wetland boundary is defined by the change to upland grasses on the property. The applicants’ “Exhibit 9” provided with the application is a draft Wetland Delineation map prepared by Schott & Associates, Inc.

AMC Section 18.3.11.060 provides for “*The location and construction of public streets... and utilities deemed necessary to maintain a functional system and upon finding that no other reasonable, alternate location outside the Water Resource Protection Zone exists. This ordinance, the Comprehensive Plan, Transportation System Plan, adopted utility master plans, and other adopted documents shall guide this determination.*” Public street and utility installation is considered a limited activity and use. The Planning Commission finds that in this instance, Washington Street is classified as an avenue in the adopted Transportation System Plan and the Street Design Standards in AMC 18.4.6.040 set forth the specific improvements determined necessary to support the functions of an avenue within the street system. The application includes several options for frontage improvements in seeking to address necessary street improvements to the degree possible while minimizing impacts to both the wetland and its buffer, and requests an Exception to Street Standards in order to reduce the extent of the street improvements and thereby limit impacts to the wetland. The Planning Commission finds that the applicants’ “Option E” presented at the hearing, which generally provides for motor vehicle and bicycle lanes in each direction, and sidewalks and park rows on the property side of the street with only a short section of curbside sidewalk proposed to avoid wetland impacts provides the best balance of improvements support the functionality of an avenue and encourage users of all modes. This will necessitate disturbance into the wetland water resource protection zone, which the Commission finds could be appropriately mitigated within the stream bank water resource protection zone of Knoll Creek elsewhere on the property.

The Commission finds that the requirements of land use approval are clear that for annexation approval, the applicants must demonstrate that they can and will provide adequate transportation to city standards to and through the subject property, and where transportation improvements require other permitting the burden is on the applicants to obtain the necessary approvals of a wetland delineation and any resulting permits. Conditions of approval are included recommended below requiring that prior to the second phase of the development, the applicants provide engineered design drawings for the required frontage improvements consistent with the proposed Option E, prepare and submit a formal wetland delineation and obtain any required city, state and federal permits should any required work impact the delineated wetland, and complete appropriate mitigation within the Knoll Creek corridor on the subject property.

In applications for the Modern Fan II property to the south, the Division of State Lands (DSL) indicated that stormwater flows feeding this wetland needed to be maintained with development, and conditions of approval were included to require that the storm drainage plan incorporate necessary water quality, retention, and wetland flow maintenance requirements prior to building permit submittals. A similar condition has been included below.

2.8 The Planning Commission finds that the application includes a Tree Protection and Removal Plan and associated narrative prepared by Certified Arborist and Landscape Architect John Galbraith of Galbraith & Associates, Inc. as the applicants "Exhibit 10." Exhibit 10 identifies 22 trees on the subject property which are six-inches in diameter at breast height (d.b.h.) or greater. All of these are Oregon white oaks (*quercus garryanna*) located along the Knoll Creek corridor, and of these 22 trees, six are proposed for removal while the remaining 16 are to be preserved and protected with development of the property.

The application requests permits to remove Trees #4, #6, #7 and #9, and proposes to mitigate their removals with Oregon white oaks planted along the driveway near the Knoll Creek corridor. The arborist asserts that all of these trees would be hazardous if the development were constructed around them, as most have severe dieback as the result of fire damage. The application emphasizes that large limbs have died, large areas of the cambium layers have been destroyed and one tree (#9) has erosion under the root flare. Photos are included with the application documenting these conditions.

The application explains that because the site's oaks are in generally poor to fair health and are relatively mature, the size of the trees' protection zones has been calculated by measuring the trees' diameters at 4½-feet above the ground and multiplying the diameter in inches by 1½ to arrive at a protection zone radius in feet. So, a ten-inch diameter oak tree would have a 15-foot radius for its protection zone. A Tree Protection Plan illustrating the required protection zones for the trees to be preserved has been provided as Sheet L1 in Exhibit 10.

The Planning Commission finds that the Ashland Tree Commission reviewed the application's Tree Protection and Landscaping Plans at its March 8, 2018 regular meeting and recommended that the application be approved as presented. The Planning Commission further finds that the fire which impacted the property in 2010 severely damaged or killed trees on the property, and that Trees #1 and #2 are dead and will be removed. The Commission further finds that Trees #4, #6, #7 and #9 are in poor condition and are located in the area proposed for development, and that their removals are merited. The

Commission also finds that three of the trees identified to be preserved and protected (#15, #18 and #21) are located within the driveway area of the third phase of the development, and that the applicants have proposed to preserve and protect them here and to revisit them with the application for the third phase.

2.9 The Planning Commission finds that the City's adopted Comprehensive Plan has previously been acknowledged as being consistent with Oregon's Statewide Planning Goals & Guidelines, and that the current request is consistent with the property's existing Comprehensive Plan designation.

The Commission conditionally approves the requested Zone Change from County RR-5 (Rural Residential) to City E-1 (Employment); Site Design Review approval for the phased development of a light industrial business park; Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property to construct a stormwater outfall and street improvements; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.) for Planning Action #2008-00154, subject to City Council approval of the requested Annexation. The Council may wish to formally adopt the Planning Commission's conditional approvals prior to acknowledgment of the Annexation by the Oregon Department of Land Conservation and Development (DLCD) by adopting these findings as well, or could alternatively send the conditional approvals back to the Planning Commission for final approval following acknowledgment.

SECTION 3. DECISION

3.1 The application includes a request for the Annexation of a 5.38-acre parcel, Zone Change from County RR-5 (Rural Residential) to City E-1 (Employment), and Site Design Review approval for the phased development of a light industrial business park consisting of approximately 72,000 square feet of light industrial, manufacturing and fabrication space for the property located at 601 Washington Street. The application also includes a request for a Conditional Use Permit to allow a watchman's dwelling; Limited Use/Activity Permits to construct a stormwater outfall and street improvements within the Water Resource Protection Zones of Knoll Creek and a Possible Wetland on the property; an Exception to Street Standards for the frontage improvements along the property's Washington Street frontage; and a Tree Removal Permit to remove four trees greater than six-inches in diameter at breast height (d.b.h.).

The Commission finds that the proposed building designs are appropriate for the area's employment and light manufacturing designation and are consistent with the city's Basic Site Review standards. The materials proposed reflect a utilitarian design comprised of off-white standing seam metal roofing, beige horizontal metal siding and a textured brown split face block base. The Commission finds the project overall to be well-thought out and to address a need for incubator spaces within the community. The application is generally a straightforward one with the primary issue being determining the appropriate frontage improvements which balance the street's role as an avenue with a right-of-way constrained by a roadside wetland and proximity to the freeway. In the Commission's assessment, the street's role as a major collector serving the Washington/Jefferson/Benson employment area, with avenue-level truck traffic and travel speeds, ultimately necessitates full sidewalk and parkrow improvements with street trees, and bike lanes, to provide a street which will accommodate and encourage users of all travel modes as the

area fully develops. For the Commission, the applicants' "Cross-Section E" addresses these needs well while managing to minimize the impacts to the wetland by meandering the sidewalk to curbside for a short, approximately 140 linear foot section, and the applicants' efforts in designing the street are much appreciated.

The requested annexation complies with the applicable approval standards, and is consistent with the Comprehensive Plan designation of the property and with the Economy Goal of the Comprehensive Plan which strives for a healthy economy, diverse in the number, size and types of businesses. The Commission supports the annexation request and believes that the 72,000 square foot flexible space light industrial development described will be beneficial for Ashland's economy, as have similar developments along Hersey Street which provide an option for a variety of businesses to establish themselves and grow in Ashland. Overall, the Commission finds that application merits approval, and further recommends that the City Council approve the Annexation request.

Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Annexation, Zoning Map Amendment, Site Design Review approval, Exception to Street Standards, Conditional Use Permit, Limited Use/Activity Permit, and Tree Removal Permit is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, the Planning Commission recommends in favor of the Council's approval of the requested Annexation, and we further approve the Zoning Map Amendment, Site Design Review, Exception to Street Standards, Conditional Use Permit, Limited Use/Activity Permit and Tree Removal components of Planning Action #2018-00154 subject to the Council approval of the Annexation. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2018-00154 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicants shall be conditions of approval unless otherwise modified herein.
- 2) That the plans submitted for the building permit shall be in substantial conformance with those approved as part of this application. If the plans submitted for the building permit are not in substantial conformance with those approved as part of this application, an application to modify this Site Review approval shall be submitted and approved prior to issuance of a building permit.
- 3) That a sign permit shall be obtained prior to installation of any new signage. Signage shall meet the requirements of Chapter 18.4.7.
- 4) That prior to any work within the Oregon Department of Transportation (ODOT) right-of-way, the applicants shall obtain any necessary permit approvals from ODOT. The applicants shall provide evidence of permit approval, including copies of all approved plans, for all work to be done within ODOT right-of-way prior to the commencement of work.

- 5) That prior to work in the City of Ashland right-of-way, the applicants shall obtain any necessary permit approvals from the City of Ashland Public Works Department. The applicants shall obtain all required inspection approvals for work completed within the City right-of-way.
- 6) That all recommendations of the Tree Commission from their March 8, 2018 regular meeting shall be conditions of approval where consistent with the applicable regulations and standards, and with final approval by the Staff Advisor.
- 7) That the applicants shall obtain required land use approvals, as well as any necessary federal or state approvals, for the remaining phases of the development including but not limited to Site Design Review approvals for Phase 2, 3 and 4 buildings; Limited Use/Activity Permits for frontage improvements within the wetland water resource protections zone for W11; and Tree Removal Permits for Trees #15, #18 and #21 in Phase 3. The current approval is limited to the improvements specifically associated with Phase 1 and the conceptual approval of the site master plan, with the recognition that limited grading and utility installations will occur with Phase 1 to lay the groundwork for later phases.
- 8) That prior to the submittal of a building permit:
 - a) Building permit submittals shall include identification of all easements, including public and private utility easements, fire apparatus access easements, and a conservation easement or other similar recorded development restriction to perpetually protect the portion of the Knoll Creek stream bank water resources protection zone and the wetland water resource protection zone on the property according to the requirements of AMC Section 18.3.11.110.C.8.
 - b) A final stormwater drainage plan, including any details of on-site detention for storm water and necessary water quality mitigation, shall be submitted for the review and approval of the Planning, Building, and Engineering Divisions. The drainage plan shall also demonstrate that stormwater flows into the existing roadside wetland will be retained at their current levels to ensure the continuing recharge of the wetland.
 - c) Engineered construction drawings for the required improvements along the property's Phase 1 Washington Street frontage, from the existing terminus of the sidewalk at the northwest corner of the site to the eastern extent of the proposed watchman quarters building shall be provided for review and approval by the Oregon Department of Transportation and the City of Ashland's Planning and Engineering Departments prior to the issuance of the Phase 1 building permit or any work within the street right-of-way or pedestrian corridor. Engineered construction drawings for the remaining frontage, from the watchman quarters building to the southeast corner of the site, shall be provided for review and approval with the Phase 2 Site Design Review application. The required improvements shall be consistent with the applicants Option E including paved ten-foot motor vehicle travel lanes, six-foot bike lanes, six-inch curb, gutter, a seven-foot landscaped parkrow with irrigated street trees, a six-foot sidewalk and city standard streetlights for the property's Washington Street frontage with the exception of an approximately 140-foot length where the sidewalk shall be installed curbside to avoid

impacts to the possible wetland on site. The final engineered designs shall include details of the transition from the existing curbside sidewalk at the northwest of the property. Any additional right-of-way necessary to accommodate these city standard avenue improvements shall be provided through a right-of-way dedication if deemed necessary by the Public Works/Engineering Department. The applicants shall obtain necessary approvals from the Oregon Department of Transportation (ODOT) for improvements within the ODOT right-of-way and necessary federal, state and local permits for work in the wetland water resource protection zone based on a formal wetland delineation prior to installation of those improvements.

- d) A final utility plan for the project shall be submitted for review and approval by the Planning, Engineering and Building Divisions prior to issuance of a building permit. The utility plan shall include the location of connections to all public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Utility installations, including any necessary fire protection vault, shall be placed outside of the pedestrian corridor, and necessary public utility easements on the property shall be shown on the building permit submittals.
 - e) The applicant shall submit an electric distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. With annexation, the property will no longer be served by Pacific Power and Light; service will be provided by the City's municipal electric utility and the necessary services to make this transition will need to be installed at the applicant's expense. This plan shall be reviewed and approved by the Planning, Engineering and Electric Departments prior to building permit submittal. Transformers and cabinets shall be located outside of the pedestrian corridor, in those areas least visible from the street while considering the access needs of the Electric Department.
 - f) The building permit plan submittals shall include lot coverage calculations including all building footprints, driveways, parking, and circulation areas. These plans shall demonstrate that at least 15 percent of the site is surfaced in landscaping, and that at least seven percent of the parking lot area is provided in required parking lot landscaping, as required in the Site Design & Use Standards.
 - g) The building permit plan submittals shall include and sample exterior building colors and materials for review and approval of the Staff Advisor. The exterior building materials and paint colors shall be compatible with the surrounding area and consistent with those described in the application materials.
- 9) That prior to the issuance of a building permit:
- a) The applicant shall provide a final Tree Preservation and Protection Plan consistent with the requirements of AMC 18.4.5.030 incorporating any recommendations of the Tree

Commission from their March 8, 2018 meeting, where consistent with applicable standards and with final approval by the Staff Advisor.

- b) That a Verification Permit in accordance with 18.4.5.050 shall be applied for and approved by the Ashland Planning Division prior to removal of any trees from the site, and prior to site work, storage of materials and/or issuance of a building permit. The Verification Permit is to inspect the on-site identification of trees to be removed and the installation of tree protection fencing to protect the trees to be retained. The tree protection fencing shall be installed according to the approved Tree Protection and Removal Plan, inspected and approved by the Staff Advisor prior to site work, storage of materials and/or issuance of a building permit. In conjunction with the Tree Verification, silt fencing or other measures to delineate and protect the Water Resource Protection Zones on site shall be installed, inspected and approved as well.
- c) The applicant shall provide a revised Landscape/Irrigation Plan which addresses the recommendations of the Tree Commission from their March 8, 2018 meeting where consistent with applicable standards and with final approval of the Staff Advisor, and also addresses the Water Conserving Landscaping Guidelines AMC 18.4.4.030.I, including irrigation controller requirements to allow multiple/flexible calendar programming. The revised landscape plan shall specifically identify mitigation trees on a one-for-one basis to offset the trees being removed.
- d) All exterior lighting shall be appropriately shrouded so as not to permit direct illumination of any adjacent land. Lighting details, including a scaled plan and specifications detailing shrouding, shall be submitted to the Staff Advisor for review and approval with the building permit submittals.
- e) At the time of building plan submittal, final bike rack details and shelter details shall be submitted for review and approval by the Staff Advisor. The building permit submittals shall verify that the bicycle parking design, spacing, and coverage requirements are met in accordance with AMC Section 18.4.3.070.
- f) Mechanical equipment shall be screened from view from Washington Street. The locations of mechanical equipment and any associated screening shall be shown on the site plan and elevations in the building permit submittals.
- g) That the buildings shall meet Solar Setback B in accordance with AMC Section 18.70.040.B. The building permit submittals shall demonstrate compliance with Solar Setback B and shall include solar calculations with shadow producing point(s) and height to natural grade clearly illustrated and labeled.
- h) The requirements of the Building Division shall be satisfactorily addressed.
- i) The requirements of the Ashland Fire Department shall be satisfied including: approved addressing; fire apparatus approach, access, turn-around and associated easements; fire

flow; fire department connection; fire sprinklers and fire hydrants where applicable; key box installation; hydrant clearances; high-piled storage requirements; and that any gates, fences, or other impediments to required fire apparatus access width approved by Ashland Fire and Rescue shall be addressed in the permit submittals and implemented on site prior to the issuance of an occupancy permit. Final determinations of fire hydrant distance, fire flow, and fire apparatus access requirements are to be based upon plans submitted for building permit review.

- j) A revised site plan detailing the proposed phased installation of buildings, parking, and driveways detailing the extent of improvements proposed to be installed with each phase, including street frontage improvements, shall be provided for the review and approval of the Staff Advisor.
 - k) A revised site plan addressing the pedestrian access and circulation requirements of AMC 18.4.3.090. At a minimum, this would include a materially-distinct pedestrian walkway within the proposed driveway system to support pedestrian circulation from the office, along the driveway connecting to each of the buildings.
 - l) That the applicants shall provide a final management plan, including any easements, providing for the long-term conservation, management and maintenance of the Knoll Creek Water Resource Protection Zone as detailed in AMC 18.3.11.110.C prior to the issuance of a building permit.
 - m) That a final size- and species-specific mitigation plan consistent with the requirements of AMC 18.3.11.110.B.1. including irrigation details and details of the selection and placement of landscape materials to mitigate the area impacted by the storm water outfall installation 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 of the certificates of occupancy for Phase 1.
- 10) That prior to the issuance of a certificate of occupancy:
- a) That the screening for the recycling and refuse disposal areas shall be installed in accordance with the requirements of AMC 18.4.4.040, inspected and approved by the Staff Advisor.
 - b) All required parking areas shall be paved and striped according to the approved plan.
 - c) All landscaping and the irrigation systems shall be installed in accordance with the approved plan, inspected and approved by the Staff Advisor prior to the issuance of a certificate of occupancy.
 - d) That street trees, one per 30 feet of street frontage, shall be installed along the frontage of the development in accordance with the approved final landscaping plan and prior to

issuance of the certificate of occupancy. All street trees shall be chosen from the adopted Street Tree List and shall be installed in accordance with the specifications noted in Section E of the Site Design and Use Standards. The street trees shall be irrigated.

- e) That required bicycle parking spaces with a minimum of 50 percent sheltered from the weather shall be installed according to the approved plan, inspected, and approved by the Staff Advisor prior to issuance of a certificate of occupancy.
- 11) That the application for **Phase 2** shall include a revised Site Plan that better incorporates the creek into the site design through means such as pedestrian access points, unpaved trail installation and a small patio/seating area.
- 12) That in conjunction with the application for **Phase 2**, the applicants shall provide engineered design drawings for the required frontage improvements along Washington Street consistent with Option E; prepare and submit a formal wetland delineation to the Division of State Lands; obtain any necessary city, state and federal permits for the frontage improvements in the wetland water resource protection zone based on the delineation; and complete appropriate mitigation within the Knoll Creek corridor on the subject property.
- 13) That the final design for the **Phase 4** office building at the southeast corner of the property shall be configured to allow for cross access to the flag driveway for Tax Lot #100 to the south. Cross easements providing for use of this access shall be provided prior to the issuance of a certificate of occupancy for this building.

Planning Commission Approval

April 10, 2018
Date



PLANNING ACTION: PA-2018-00429

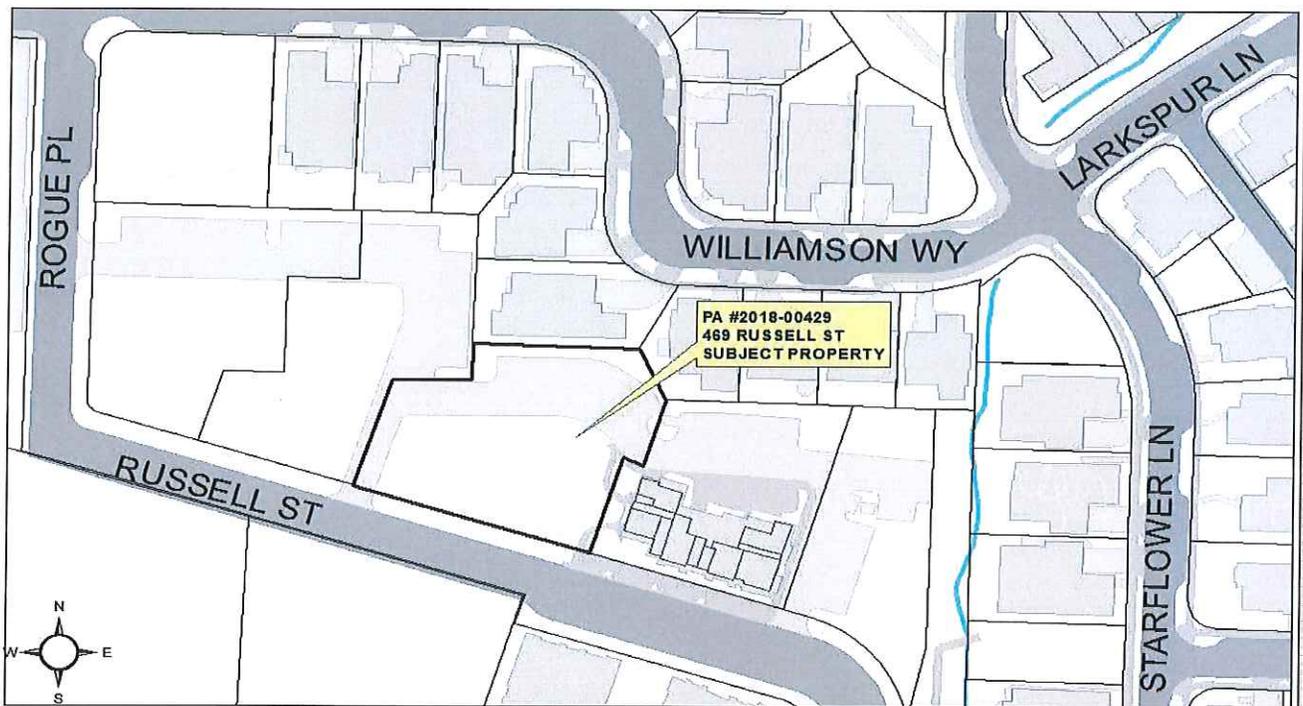
SUBJECT PROPERTY: 469 Russell Street

OWNER/APPLICANT: Laz Ayala/KDA Homes, LLC

DESCRIPTION: A request for Site Design Review approval to construct a new 11,296 square foot, two-story mixed-use building at 469 Russell Street. The 5,648 ground floor space is to be used for corporate offices while the second floor will consist of seven residential condominiums ranging in size from 482 to 834 square feet per unit. **COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 09AA; **TAX LOTS:** 2802

NOTE: The Ashland Tree Commission will also review this Planning Action on **Thursday, April 5, 2018 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

ASHLAND PLANNING COMMISSION MEETING: *Tuesday, April 10, 2018 at 7:00 PM, Ashland Civic Center, 1175 East Main Street*



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.
- E. **Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
 1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
 2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

469 Russell Street Staff Report

PA #2018-429 - Site Design Review approval for a new two-story, mixed use 11,296 square foot building at 469 Russell Street with ground-floor commercial and seven second floor residential units.



Proposal Details

Site Description/History

The subject property is Lot #3 of the seven-lot Falcon Heights Subdivision, which was approved in 2002 and modified in 2003. Utilities, parking, common area landscaping and street improvements were installed in 2003. Lot 4/479 Russell was developed in 2007, and Lot 6/474 Russell Street is under construction now. The remaining lots (#1, #2 and #5) are vacant.

Proposal

The proposed mixed-use building is 11,296 square feet and two-stories. The 5,648 ground floor space is to be used for corporate offices while the second floor will consist of seven residential condominiums ranging in size from 482 to 834 square feet per unit. 18 off-street parking spaces will be placed behind the building.

Landscaping & Trees

Existing perimeter landscaping will be upgraded, and new landscaping and street trees will be installed adjacent to the building. No tree removal is proposed.

Key Issues

Parking Management Strategies

As proposed 22 spaces are required. 18 off-street spaces are proposed, with two on-street credits and a two-space mixed-use parking credit to address remaining demand. This equates to an overall reduction of 15.48 percent to the required parking. In staff's view, this is an appropriate use of the allowed parking management strategies and is consistent with credits granted on other lots in the subdivision.

Building & Site Design

Overall, staff believes that the building design and site planning are well thought-out and address the applicable design standards, and that the proposed plaza spaces relates well to the site and adjacent property.

On-Going Landscape Maintenance

The application recognizes some landscaping is not well-maintained and proposes upgrades. A condition is recommended to require that existing subdivision landscaping on Lot #3 which has died or been removed be replaced prior to occupancy.

Staff Recommendation

Staff recommends approval of the application with the conditions detailed in the attached *draft findings*.

BEFORE THE PLANNING COMMISSION

April 10, 2018

IN THE MATTER OF PLANNING ACTION #2018-00429, A REQUEST FOR SITE DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW 11,296 SQUARE FOOT, TWO-STORY MIXED-USE BUILDING AT 469 RUSSELL STREET. THE 5,648 SQUARE FOOT GROUND FLOOR SPACE IS TO BE USED FOR CORPORATE OFFICES WHILE THE SECOND FLOOR WILL CONSIST OF SEVEN RESIDENTIAL CONDOMINIUMS RANGING IS SIZE FROM 482 TO 834 SQAURE FEET PER UNIT.

)
)
) **DRAFT**
) **FINDINGS,**
) **CONCLUSIONS,**
) **& ORDERS**
)
)
)
)

OWNER/APPLICANT: Laz Ayala/KDA Homes, LLC

RECITALS:

- 1) Tax lot #2802 of Map 39 1E 09 AA is located at 469 Russell Street within the E-1 Employment zoning district and the Detail Site Review and “R” Residential overlays.
- 2) The applicants are requesting Site Design Review approval to construct a new 11,296 square foot, two-story mixed-use building at 469 Russell Street, which is Lot #3 of the Falcon Heights Subdivision. The 5,648 ground floor space is to be used for corporate offices while the second floor will consist of seven residential condominiums ranging in size from 482 to 834 square feet per unit. The proposal is outlined on plans on file at the Department of Community Development.
- 3) The criteria for Site Design Review approval are described in **AMC 18.5.2.050** as follows:
 - A. **Underlying Zone:** *The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.*
 - B. **Overlay Zones:** *The proposal complies with applicable overlay zone requirements (part 18.3).*
 - C. **Site Development and Design Standards:** *The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*
 - D. **City Facilities:** *The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.*
 - E. **Exception to the Site Development and Design Standards.** *The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.*

1. *There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.;
or*
2. *There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.*

4) The Planning Commission, following proper public notice, held a public hearing on April 10, 2018 at which time testimony was received and exhibits were presented. Subsequent to the closing of the hearing, the Planning Commission **approved** the application subject to conditions pertaining to the appropriate development of the site.

Now, therefore, the Planning Commission of the City of Ashland finds, concludes and recommends as follows:

SECTION 1. EXHIBITS

For the purposes of reference to these Findings, the attached index of exhibits, data, and testimony will be used.

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, Miscellaneous Exhibits lettered with an "M"

SECTION 2. CONCLUSORY FINDINGS

2.1 The Planning Commission finds that it has received all information necessary to make a decision based on the Staff Report, public hearing testimony and the exhibits received.

2.2 The Planning Commission finds that the proposal for Site Design Review approval meets all applicable criteria for Site Design Review approval described in Chapter 18.5.2.050.

2.3 The Planning Commission finds that the first approval criterion for Site Design Review is that, *“The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot*

coverage, building height, building orientation, architecture, and other applicable standards.” The application materials provided note that all of the applicable provisions of the property’s E-1 zoning from AMC 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 are being complied with, and no exceptions or variances are requested.

The Commission further finds that the subject property’s underlying zone is E-1 (Employment) and within this zone, there is no minimum lot area, width, or depth; no minimum front, side or rear yard area except where abutting a residential zone to the side or rear; no maximum lot coverage; and no minimum residential density. The subject property abuts residential zones to the rear along the north property line and as such AMC 18.2.6.030 requires that a ten-foot per story rear yard be provided. In addition, as part of the creation of the subdivision, the original applicant agreed to a “Standard A” solar setback between the subdivision and the residential properties to the north. The proposed two-story building is 52 feet 5 inches from the north property line at the closest point, and the applicants’ sheet “A0.3 Shadow Study” demonstrates that the building complies with a required 67-foot setback from the northern property line in keeping with “Standard A” solar access. Russell Street is not classified as an arterial street, and as such no arterial setback requirements come into play. The maximum building height is limited to 40 feet, and the proposed 32-foot maximum height here complies with the applicable E-1 height limit.

2.4 The Planning Commission finds that the second Site Design Review approval criterion is that, *“The proposal complies with applicable overlay zone requirements (part 18.3).”* The application materials explain that the proposal complies with the Residential Overlay regulations found in AMC 18.3.13.010, including but not limited to commercial and residential ground floor ratios as well as permissible residential densities. The applicants emphasize that the *“project is for an attractive and well thought-out mixed use development that will not only provide the City with needed small unit housing and new office space close to the downtown core, but is also in keeping with the original subdivision’s envisioned concept plans and is contextually compatible with the existing building on Lot #4 and the two new buildings under construction on Lot #6 across the street.”*

The Commission finds that for properties within the E-1 zoning district’s Residential Overlay, residential development is allowed at a density of 15 dwelling units per acre. The application materials provided explain that the property is 0.44 acres in size and thus has a base density of 6.6 dwelling units (**0.44 acres x 15 dwelling units/acre = 6.6 dwelling units**). The proposal is for three one-bedroom studio units which will be less than 500 square feet, and thus count as only $\frac{3}{4}$ units for density purposes, and four two-bedroom units, which equates to 6.25 units and therefore complies with the property’s allowed 6.6 dwelling unit base density [**(3 x 0.75 units) + 4 units = 6.25 dwelling units**].

The Commission further finds that within the Residential Overlay zone, AMC 18.2.3.130.B.1 provides that, *“If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.”* The application explains that the proposal involves a single building, and that the ground floor will be 5,648 square feet with the only area to be used by the second floor residents limited to the stairwell and elevator which are roughly 350 square feet or six percent of the ground floor area. The Commission finds that the ground floor

commercial/residential split complies with the standard.

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

The Commission finds that the application materials assert that the proposal complies with the applicable Site Development and Design Standards of AMC Chapter 18.4, and that no exceptions to the Site Development and Design Standards are requested.

With regard to the Basic Site Review standards, the Commission finds that the application materials note that the site’s parking areas sits behind the proposed building and will be screened from the front of the property by the building. The applicant that the proposed building occupies the majority of the streetscape.

The Commission further finds that the applicant explains that the building’s primary commercial entrance is located on the ground level adjacent to the public sidewalk, and the applicants explain that the design will accommodate an array of uses including commercial offices and service businesses that will benefit from the design and access to public sidewalks. The proposal includes a public sidewalk built to current city street standards, and street trees selected from the approved street tree list are to be installed at one per 30 feet of frontage.

The Commission finds that the application materials provided include landscaping and site plans identifying a screened trash and recycling area, and the applicant further notes that all site and building lighting will meet requirements not to directly illuminate adjacent properties and noise ordinance requirements as well. The applicant emphasizes that they have an interest in minimizing any typical nuisance issues related to lighting or noise in order to provide the expected quality of living to the project’s residents.

With regard to the Detail Site Review Overlay standards, the Planning Commission finds that the site is 0.44 acres in size, or 19,306 square feet, and has a total proposed floor area of 11,296 square feet, for a Floor Area Ration (F.A.R.) of 0.58, not including the plaza area, which exceeds the minimum requirement for a 0.50 F.A.R. The applicant notes that the buildings’ frontages have a variety of jogs and other distinctive changes in the façade for the purpose of creating an attractive streetscape, and that the walls facing the street and plaza area will have displays, windows and doorways for at least 20 percent of the wall area. The buildings’ working areas, pedestrian entrances and display areas are to be transparent while

also addressing current building code and conservation standards relating to energy efficiency. The applicant explains that the buildings incorporate lighting and changes in mass, surface and finish to give emphasis to the entrances, and that the buildings' elevations illustrate awnings between windows and vertical forms of the building that not only accentuate the building's design, but also protect pedestrians from the rain and sun, and will provide a minimum seven-foot covered area (awning and recessed entry) at entries for pedestrians to assemble. The applicant further notes that the buildings will front onto a 13-foot sidewalk with street trees planted in irrigated tree wells that, along with the building awnings, provide relief from inclement weather and in return promote walking and 'people areas', and explains that the design of the common space to the east of the building and the rear plaza space, will enhance the "people" area and make the building more pleasant for both visitors and residents.

The Commission finds that the building is to be placed within five feet of the sidewalk as required in the Detail Site Review standards, and that the landscape plan includes landscaping between the existing driveway and the neighboring residences to the north. The applicants note that the landscaping and irrigation in these areas were installed with the subdivision infrastructure in 2003-2004 and have since matured, but that in some areas the landscaping has been vandalized or has died, and that any missing landscaping materials will be replaced prior to occupancy to ensure that required sight-obscuring screening is maintained. A condition to this effect has been added below. The application materials point out that the building materials include changes in relief for at least 15 percent of the exterior wall area, and that bright paint colors or significant amounts of glass are not to be incorporated in the buildings' facades.

In terms of the Additional Standards for Large Scale Developments in AMC 18.4.2.040.D., the Commission finds that the proposed building has been designed to divide large building masses into heights and sizes that relate to human scale, and that the design incorporates changes in building masses, has sheltering awnings and recessed entrances, and includes a distinct pattern of divisions on surfaces. In addition, the design includes windows, small scale lighting and trees that will be planted along the property's frontage.

The Commission further finds that the subject property is outside the Downtown Design Standards Overlay, and as such is subject to standards which limit the building area and length. The application explains that the total square footage of the proposed building is 11,296 square feet, and the property frontage is 125 lineal feet, and as such the buildings comply with the standards limiting their footprints and areas to less than 45,000 square feet and their lengths to no more than 300 feet.

The Commission finds that the project was designed with a roughly 2,000 square foot plaza, and that the building's floor area is 11,296 square feet. As such, the plaza space represents roughly 18 percent of the floor area, which exceeds the minimum ten percent plaza space requirement. The applicant emphasizes that the plaza was designed to serve multiple purposes ranging from a view corridor, a break in the building mass, a place for gathering and recreation, a wind break, and an area for seating, dining and general relaxation for both the commercial and residential tenants. The plaza incorporates four of the required

elements for plaza space – sitting spaces, a mixture of sunlight and shade, protection from wind, and trees. The applicant goes on to explain that there are roughly eight formal seats in the plaza area as proposed, where only three are required, and that all of the seats will be at least 16-inches in height and 30-inches in width. The plaza area also includes six shade trees, all of which will be at least two-inches in diameter when planted. The Planning Commission finds that the existing building to the east at 479 Russell Street has a small plaza space at its southwest corner, along the street, and that there is landscaping, a pedestrian path and stormwater detention along the property line between the two buildings, and that the applicants’ proposed placement of their plaza space on the side and rear of the building will relate well to these existing improvements.

The Commission finds that the applicant has provided the following parking calculations to address the city’s parking requirements, which are detailed in AMC 18.4.3.040:

469 Russell Street – Mixed-Use

3 One-bedroom residential units (< 500 sq. ft.) @ 1 space per unit	=	3 spaces
4 Two-bedroom residential units (> 500 sq. ft.) @ 1¾ spaces per unit	=	7 spaces
5,648 sq. ft. of general office @ 1 space per 500 sq. ft.	=	11.296 spaces
Total Parking Required	=	21.296 spaces

Total Parking Required:	21.296 spaces
Surface Parking Provided (Off-Street):	18 spaces
On-Street Parking Credit Requested:	2 spaces
Mixed-Use Parking Credit Requested:	1.296 spaces
Total Off-Street Parking Provided:	21.296 spaces with 3.296 credits

The Commission finds that a total of 11 parking spaces were installed as part of the subdivision’s original infrastructure installation, and that the applicant proposes to construct seven additional off-street parking spaces. As detailed above, the total parking required is 21.296 spaces, and a total of 18 off-street spaces are proposed. The applicant has requested to meet the additional 3.296 space parking requirement through the parking management strategies found in AMC 18.4.3.060 which provide that the off-street parking requirements may be reduced by up to 50 percent through on-street parking credits, alternative vehicle parking credits, mixed or joint use credits where it can be shown that the peak demand for the individual uses is off-set and does not materially overlap, transportation demand management plan credits, or transit facilities credits.

The Commission finds that these credits allow for a maximum combined reduction in parking demand of 50 percent; the combined reduction requested here is approximately 15.48 percent ($3.296/21.296 = 0.15477$). For the adjacent property at 479 Russell Street, the Planning Commission approved a one-space on-street parking credit and allowed an additional two-space reduction in the parking requirement through

an 11 percent mixed-use parking credit as it was determined that the peak demand of the ground floor commercial space and the five-residential units above was materially offset to a degree to merit the reduction. For 474 Russell Street, the building under construction across the street, a 23.71 percent reduction was granted combined a four space on-street parking credit and a 4.7 space reduction in parking demand for the off-set in peak parking demand of the ground floor commercial and second-story residential uses. The Commission finds that the credit requested seems reasonable as the peak demand for the commercial and residential uses is likely to be materially off-set, and this reduction is consistent with other credits granted for buildings within the development.

The Commission finds that the required bicycle parking for the proposal includes nine required covered bicycle parking spaces for the seven residential units, and at least three bicycle parking spaces for the commercial space, with at least two of these spaces to be covered. The applicant has proposed to provide 12 covered bicycle parking spaces to address the combined commercial and residential bicycle parking requirement. All proposed bicycle parking spaces are to be designed in compliance with the Bicycle Parking Design Standards noted in AMC 18.4.070 and will be placed under cover at the northwest corner of the building.

The Commission finds that the subject property's parking lot is pre-existing, and was constructed in 2003-2004 in conjunction with the other subdivision improvements. The curbing, drainage, landscaping area, irrigation conduit, asphalt thickness, etc. met the Building and Planning standards at the time, and the applicant intends to utilize the parking lot as originally constructed, completing the necessary landscaping and irrigation improvements shown in the landscape plans, and does not propose to bring the parking lot into compliance with the recently adopted parking area design requirements from AMC 18.4.3.080.B.5, which would require substantial modifications to the parking lot's surfacing and stormwater drainage provisions.

2.6 The Planning Commission finds that the fourth criterion for Site Design Review approval is that, *"The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property."* The application materials indicate that all key facilities are available to service the proposed buildings and were installed during the subdivision's initial construction in 2003-2004. The application further explains that all utilities to service the buildings are available within the adjacent Russell Street right-of-way or are already stubbed to the property, but that if necessary, services will be installed at the time of construction in accordance with Ashland Public Work Standards. The applicant indicates that in meetings with the various city utilities, it has been indicated that adequate City facilities are available to serve the subject property.

The Commission further finds that planning staff have noted that in discussing the available public facilities with the Public Works, Fire and individual utility departments they have determined the following:

- **Water** – There is an eight-inch water main in Russell Street, and the applicant will need to extend services and pay any applicable service and connection fees required for any new water services installed as part of this project. The Fire Department has also indicated that because the project is mixed-use, monitored fire sprinklers will be required.
- **Sanitary Sewer** – There is an eight-inch sanitary sewer main in Russell Street and an eight-inch main in Rogue Place.
- **Electricity** – The Electric Department has indicated that capacity was sufficient at the time of the subdivision, and that the applicants will need to work with the Electric Department to arrive at a final service plan addressing the service needs of the proposed building and its tenants.
- **Urban Storm Drainage** – The Public Works Department noted that stormwater issues were considered in the subdivision infrastructure installation, and there is a 12-inch storm sewer main in Russell Street.
- **Paved Access & Adequate Transportation** – Russell Street is a commercial neighborhood collector street, and was improved to city street standards as part of the subdivision infrastructure installation, with the exception of sidewalks and street trees which were to be installed as each lot develops. The street standards call for a five-foot hardscape parkrow with tree well with irrigated street trees and an eight- to ten-foot sidewalk. The applicant has proposed to meet these standards with the installation of a 13-foot sidewalk corridor.

With the construction of subdivision infrastructure, a pedestrian bridge over Mountain Creek was constructed to provide a link for pedestrian connectivity to the adjacent residential subdivision (Mountain Creek Estates) and down through the subdivision via Thimbleberry Lane to the North Mountain Park area. A future street connection will extend Russell Street to connect with Clear Creek Drive as part of the adopted street dedication map for the area, and the original subdivision's developer was required to sign in favor of a Local Improvement District (L.I.D.) to participate in the cost of constructing a future railroad crossing at Fourth Street.

The application materials include a Transportation Impact Analysis review prepared by Alex Georgevitch Consulting. In his review, Alex Georgevitch, P.E. concludes that the site is estimated to generate approximately 11 trips during both the A.M. and P.M. peak hours, and further notes that there will be a less than 1.4 percent increase in PM Peak Hour traffic on East Hersey Street in 2034 and a ½ percent increase in PM Peak Hour traffic along North Mountain Avenue in the same period. Georgevitch indicates that these volumes are very low and would not in his opinion warrant analysis of any signalized or stop controlled intersections or turn lanes. As such, he does not believe that a traffic impact analysis is merited.

The Planning Commission finds that existing public facilities and utilities are in place and available to serve the project, and have been preliminarily identified on the Site Plan provided and discussed in the narrative. Utilities and street improvements were largely installed with the subdivision: water service, sanitary sewer and storm drainage are available in Russell Street, and the applicant has indicated that services will be extended as necessary to connect to the proposed buildings. Conditions have been included below requiring that final electrical distribution, utility, storm drainage, and street improvement plans be provided for review and approval prior to building permit submittal, and that any fees for necessary service upgrades or connection to address specific service requirements for the proposed buildings be paid for prior to permit issuance.

2.7 The Planning Commission finds the final criterion for Site Design Review approval provides that the Planning Commission may approve Exceptions to the Site Development and Design Standards of part 18.4 if certain circumstances are found to exist. In this instance, the Planning Commission finds that no Exceptions have been requested with the current application.

2.8 The Ashland Tree Commission reviewed the applicants' proposed landscaping plan at their regular meeting on April 5, 2018 and recommended approval of the application as presented/with conditions.

2.9 The Planning Commission finds that utilities and street improvements were largely installed with the subdivision creating the lot, and that the applicant proposes to complete these by extending services to the buildings proposed and installing city standard frontage improvements. No Exceptions or Variances are requested, and the Commission finds that the proposed new buildings seem to have been designed with city standards in mind, with their primary orientation to the street rather than to parking areas, and a visible, functional and attractive entrance oriented to Russell Street and accessed directly from the sidewalk. Parking is located behind the building and surface parking will be visible from the second-story windows. The Commission finds that with the conditions attached below, the proposal seems well-suited to the standards, the site and the vicinity.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Site Design Review approval for a new two-story mixed-use building at 469 Russell Street is supported by evidence contained within the whole record.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve Planning Action #2018-00429. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2018-00429 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant shall be conditions of approval unless otherwise specifically modified herein.
- 2) That the plans submitted for the building permit shall be in conformance with those approved as part of this application. If the plans submitted for the building permit are not in conformance with those approved as part of this application, an application to modify this approval shall be submitted

- and approved prior to the issuance of a building permit.
- 3) That the recommendations of the Ashland Tree Commission from their April 5, 2018 meeting, where consistent with the applicable ordinances and standards and with final approval of the Staff Advisor, shall be conditions of approval unless otherwise modified herein.
 - 4) That prior to the installation of any signage, a sign permit shall be obtained. All signage shall meet the requirements of the Sign Ordinance (AMC 18.4.7).
 - 5) That all requirements of the Fire Department shall be satisfactorily addressed, including approved addressing; commercial fire apparatus access including angle of approach and any necessary easements; provisions for firefighter access pathways; fire flow; fire hydrant clearance; fire department connection (FDC); fire extinguishers; a Knox key box; and monitored fire sprinklers for mixed-use buildings.
 - 6) That mechanical equipment shall be screened from view from Russell Street, and the location and screening of all mechanical equipment shall be detailed on the building permit submittals.
 - 7) That the front business entrance(s) adjacent to Russell Street shall remain functional and open to the public during all business hours, and the windows on the ground floor shall not be tinted so as to prevent views from outside of the building into the interior of the building.
 - 8) That building permit submittals shall include:
 - a) The identification of all easements, including but not limited to public or private utility or drainage easements, mutual access easements, fire apparatus access easements, and public pedestrian access easements.
 - b) The identification of exterior building materials and paint colors for the review and approval of the Staff Advisor. Colors and materials shall be consistent with those described in the application and very bright or neon paint colors shall not be used.
 - c) Specifications for all exterior lighting fixtures. Exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
 - d) Revised Landscape, Irrigation and Tree Protection Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address: 1) The recommendations of the Tree Commission from their April 5, 2018 meeting where consistent with applicable criteria and standards, and with final approval by the Staff Advisor; 2) required size and species specific replacement planting details and associated irrigation plan details, including the requirements for programmable automatic timer controllers and a maintenance watering schedule with seasonal modifications; 3) lot coverage and required landscaped area calculations, including all building footprints, driveways, parking, and circulation areas, and landscaped areas. Lot coverage shall be limited to no more than 85 percent, and the calculations shall demonstrate that the requisite 15 percent landscaping and seven percent parking lot landscaping are provided.
 - e) Stormwater drainage, grading and erosion control plans for the review and approval of the Engineering, Building and Planning Departments. The stormwater plan shall address Public Works/Engineering standards requiring that post-development peak flows do not exceed pre-development levels. Any necessary drainage improvements to address the site's stormwater shall be provided at the applicants' expense. Storm water from all new impervious surfaces and run-off associated with peak rainfall events must be collected on site and channeled to the city storm water collection system (*i.e., curb gutter at public*

street, public storm pipe or public drainage way) or through an approved alternative in accordance with Ashland Building Division policy BD-PP-0029. On-site collection systems shall be detailed on the building permit submittals.

- f) A final utility plan for the project for the review and approval of the Engineering, Planning and Building Divisions. The utility plan shall include the location of any necessary connections to public facilities in and adjacent to the development, including the locations of water lines and meter sizes, sewer mains and services, manholes and clean-outs, storm drainage pipes and catch basins. Meters, cabinets, vaults and Fire Department Connections shall be located outside of pedestrian corridors and in areas least visible from streets, sidewalks and pedestrian areas, while considering access needs. Any necessary service extensions or upgrades shall be completed by the applicant at applicant's expense.
- g) An electric design and distribution plan including load calculations and locations of all primary and secondary services including any transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric, Engineering, Building and Planning Departments prior to the issuance of excavation or building permits. Transformers, cabinets and vaults shall be located outside the pedestrian corridor in areas least visible from streets, sidewalks and pedestrian areas, while considering the access needs of the Electric Department. Any necessary service extensions or upgrades shall be completed at the applicant's expense.
- h) That the applicants shall provide engineered plans for the installation of city-standard street frontage improvements for the full frontage of the subject property, including five-foot width hardscape parkrows with irrigated street trees, eight-foot sidewalks, and city-standard pedestrian scale street lighting for the review of the Planning and Public Works/Engineering Departments. If necessary to accommodate city standard street frontage improvements, the applicant shall dedicate additional right-of-way or provide public pedestrian access easements. Any necessary easements or right-of-way dedications shall be submitted for the review and approval of the Planning and Public Works/Engineering Departments.
- i) Identification or required bicycle parking, which includes 12 covered bicycle parking spaces as proposed by the applicants. Inverted u-racks shall be used for the outdoor bicycle parking, and all bicycle parking shall be installed in accordance with the standards in 18.4.3.070.I, inspected and approved prior to the issuance of the certificate of occupancy. The building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met.
- j) That the building permit drawings shall clearly demonstrate that an area of at least seven feet in depth is provided at the front entries to provide pedestrians with protection from rain and sun as required in AMC 18.4.2.040.C. This depth may be met by a combination of any entry recess and the depth of an awning or other covering.
- k) Solar setback calculations demonstrating that all new construction complies with Solar Setback Standard A as required in the subdivision approvals. Calculations shall be in the formula **$[(\text{Height} - 6) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$** and elevations or cross section drawings shall be provided clearly identifying the highest shadow producing point(s) and the height(s) from natural grade.

- 10) That prior to the issuance of the building permit, the commencement of site work including staging or the storage of materials:
- a) That all necessary building permits fees and associated charges, including permits and connections fees for new, separate, underground electrical services to each proposed unit, and system development charges for water, sewer, storm water, parks, and transportation shall be paid.
- 11) That prior to the final approval of the project, signature of the final plat or issuance of a certificate of occupancy:
- a) All hardscaping including the sidewalk corridor, parking lot and driveway; landscaping; and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. Any landscaping or other screening from the original subdivision landscaping plan which has died or been removed shall be replaced to insure that the required sight-obscuring screening is maintained.
 - b) All utility service and equipment installations shall be completed according to Electric, Engineering, Planning, and Building Departments' specifications, inspected and approved by the Staff Advisor.
 - c) Sanitary sewer laterals, water services including connection with meters at the street, and underground electric services shall be installed according to the approved plans to serve all units prior to signature of the final survey plat or issuance of a certificate of occupancy.
 - d) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent residential properties.
 - e) All required street frontage improvements, including but not limited to the sidewalk, parkrow with irrigated street trees spaced at one tree per 30 feet of frontage, and street lighting, shall be installed under permit from the Public Works Department and in accordance with the approved plans, inspected and approved by the Staff Advisor.
 - f) The CC&Rs for the Homeowner's Association or similar maintenance agreement shall be provided for the review and approval of the Staff Advisor prior to signature of the final survey plat. This agreement shall describe the responsibility for the maintenance of all common use-improvements including landscaping, driveways, planting strips and street trees. The CC&Rs must state that deviations from the approved plan shall be considered a violation of the Planning Application approval and therefore subject to penalties described in the Ashland Municipal Code.
 - g) Screening for the trash and recycling enclosure shall be installed in accordance with the Site Design and Use Standards, and an opportunity to recycle site of equal or greater size than the solid waste receptacle shall be included in the trash enclosure as required in AMC 18.4.4.040.
 - h) 12 required covered bicycle parking spaces shall be installed according to approved plan, inspected and approved by the Staff Advisor.

Planning Commission Approval

April 10, 2018

Date

“FALCON III – A MIXED-USE DEVELOPMENT”



**A PROPOSAL FOR
A SITE REVIEW PERMIT
TO CONSTRUCT A TWO-STORY MIXED-USE BUILDING
WITHIN AN EMPLOYMENT (E-1) ZONING DISTRICT
(FALCON HEIGHTS SUBDIVISION, LOT #3)**

**SUBMITTED TO
CITY OF ASHLAND**

**FOR
KDA HOMES, LLC
604 FAIR OAKS COURT
ASHLAND, OR 97520**

**BY
URBAN DEVELOPMENT SERVICES, LLC.
604 FAIR OAKS COURT
ASHLAND, OR 97520**

RECEIVED
MAR 01 2018
City Of Ashland

MARCH 2ND, 2018

I. PROJECT INFORMATION:

PROJECT NAME: "Falcon III" (Falcon Heights, Lot #3)

APPLICANT:
KDA Homes, LLC
604 Fair Oaks Court
Ashland, OR 97520

ARCHITECT
Oregon Architecture
132 W. Main Street
Medford, OR 97501

LANDSCAPE DESIGN
Madara Design, Inc.
2994 Wells Fargo Road
Central Point, OR 97502

LAND USE PLANNING:
Urban Development Services, LLC
604 Fair Oaks Court
Ashland, OR 97520

ENGINEER:
CEC Engineering
132 W. Main Street
Medford, Oregon 97501

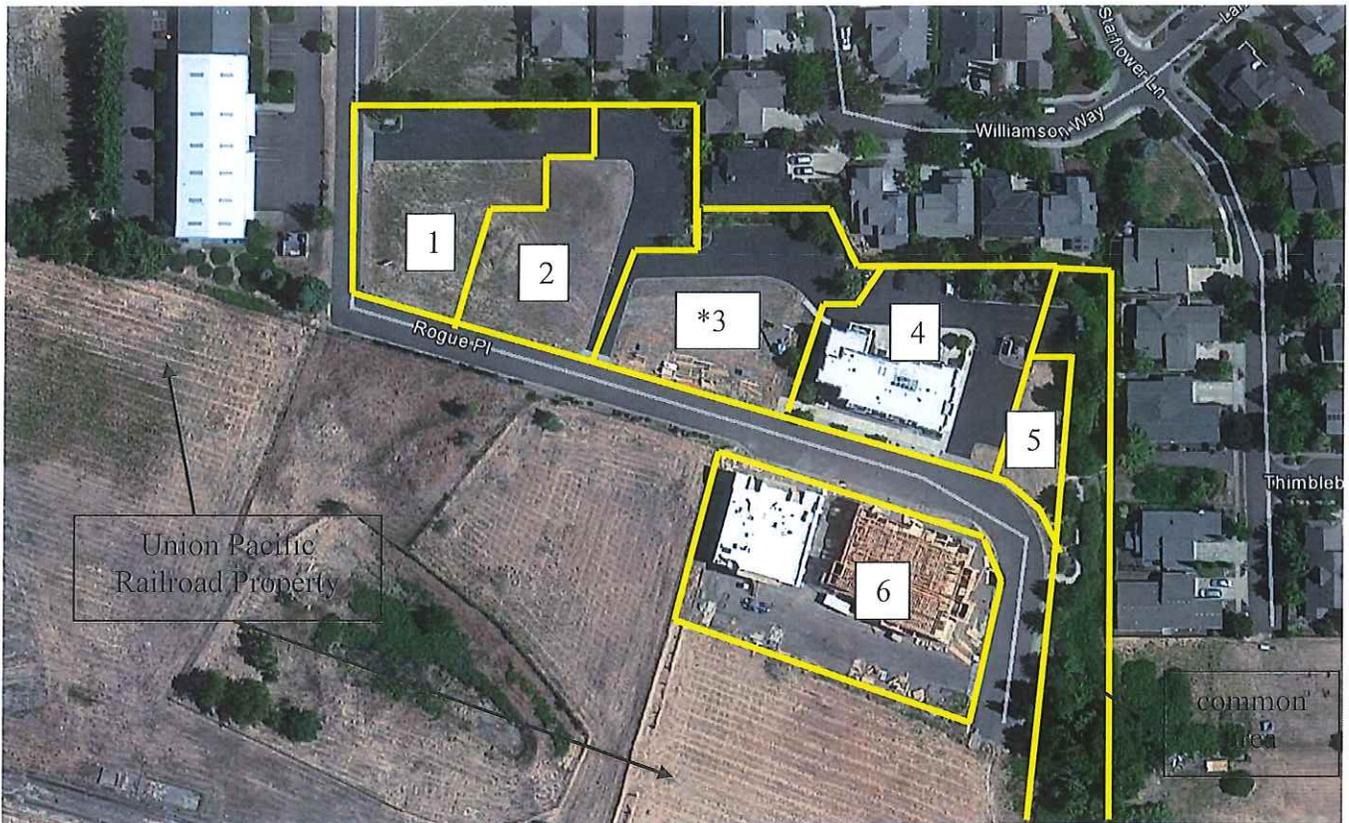
ATTORNEY OF RECORD
Huycke, O'Connor, Jarvis
823 Alder Creek Drive
Medford, OR 97504

PROJECT ZONING: As illustrated in the inserted Zoning Map (below), the property is zoned Employment (E-1) with a Residential Overlay. The subject property is regulated by the Ashland Municipal Code, Chapters 18.2.6 (Zoning), 18.3.13 (Residential Overlay) and 18.4.2 (Site Design Standards, Non-Residential Development – Basic, Detail & Large Scale design standards).



City Zoning Map

RECEIVED
MAR 01 2018
City Of Ashland



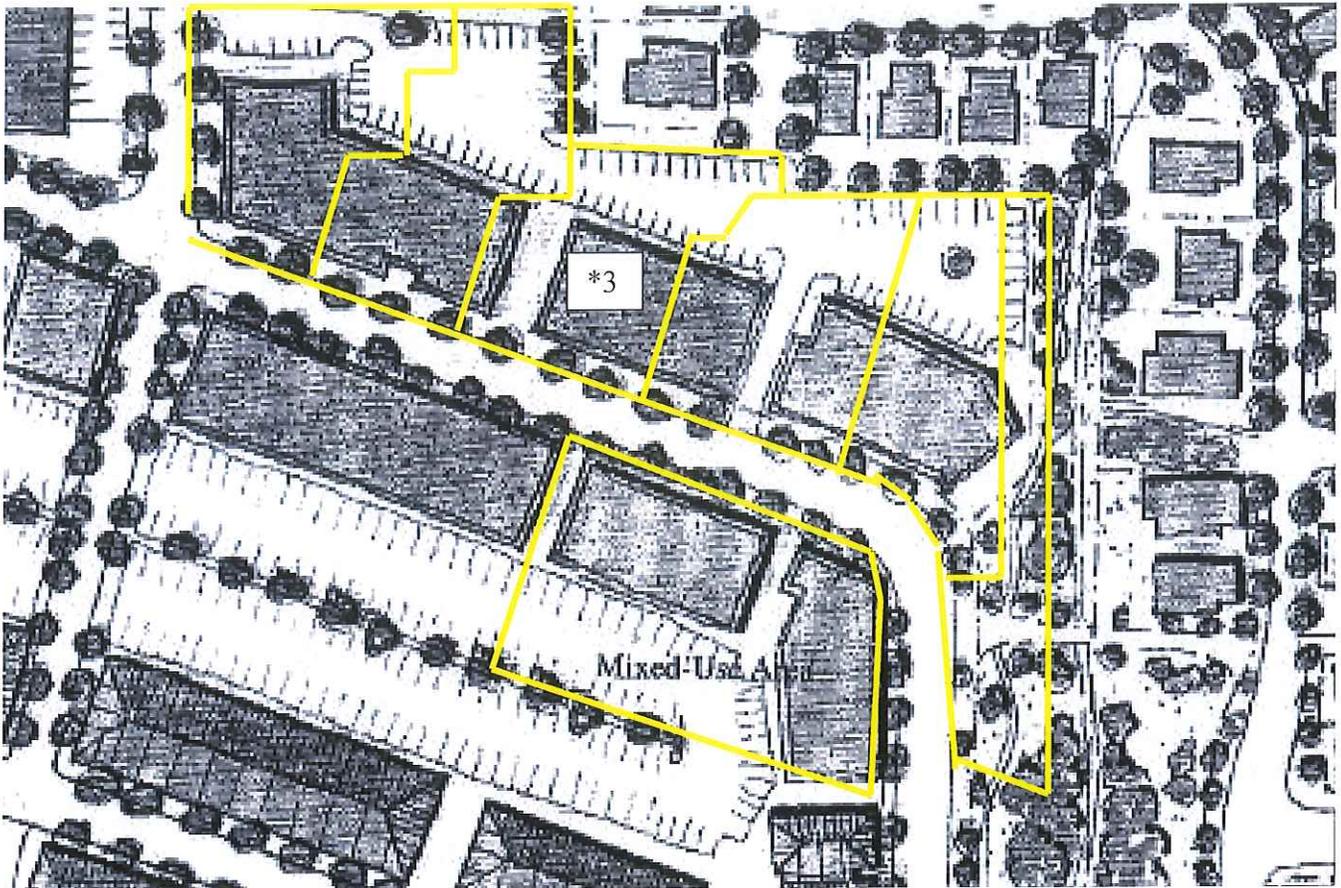
Falcon Heights Subdivision

PROPERTY BACKGROUND: *In 1991* a proposal was made for the development of not only the subject property, but also the residential properties to the north. The proposal was initially approved by the Planning Commission; however, a neighborhood group appealed the decision to the City Council and eventually to the Land Use Board of Appeals (LUBA). The project was remanded back to the City and a mediation process was initiated. The result of the mediation produced a mixture of land use types from Single-Family Suburban Residential (R-1-3.5) along Heresy Street, Medium Density (R-2) along Williamson Way and Employment with a Residential Overlay (E-1) along Rogue Place. The R-1-3.5 and R-2 properties have been divided, sold, constructed upon and occupied. A total of 27 single-family 22 multi-family parcels were developed.

In 2001, the City completed a “draft” Master Plan for the Railroad Property (now Union Pacific’s). The subject property was included in the plan where it identified conceptual street layouts, street designs, street connections, building placements and designs. The Master Plan was never officially adopted, but from the plan came the current street layout now adopted as part of the City’s Transportation System Plan as well as certain building and lot configurations (see insert below).

In 2002, the property was part of a 13-lot subdivision, but modified in 2003 to seven lots. The seven lot subdivision was then recorded with various improvements including roads, electrical, storm water, bio-swales, sewer, sidewalks, street lights and parking areas installed. The property, in its existing condition today, is generally how it has been since 2004. All of the properties have been reasonably maintained over the years primarily due to the subdivision’s Owner’s Association.

RECEIVED
 MAR 01 2018
 City Of Ashland
 3 | Page



Railroad Master Plan – 2001

In 2006, an application was made for the first building within the subdivision on Lot #4, a two-story mixed-use building consisting of 7,762 square feet comprised of business professional office space, retail on the ground floor and five residential condominiums on the second floor (see insert above). At the time of its approval, parking was added to the rear of the building, mixed-use parking credits were granted and an on-street parking credit was granted.



Subject Site

479 Russell Street – Lot #4

RECEIVED

MAR 01 2010

In December of 2015, the Planning Commission approved a Site Review Permit to allow the construction of two mixed-use buildings, connected by a sky-walk bridge, on the property across the street, 474 Russell Street, Lot #6 (Planning Action #2015-01284). Building “A” is 8,688 square feet consisting of ground floor offices and garages and four residential condominiums on the second floor. Building “B” is 12,617 square feet consisting of ground floor offices and garages and six residential condominiums on the second floor. In April of 2017, a Conditional Use Permit to allow the four second floor units within Building “A” to be used for short-term corporate rental housing (hotel/motel) (Planning Action 2017-00016). The subject buildings are currently under construction, expected to be completed and occupied in May of 2018 (see photo below).



474 Russell Street – Under Construction (2.28.18)

PROPERTY DESCRIPTION: The property is located at 469 Russell Street and is a vacant .44 acre parcel zoned E-1 with a Residential Overlay. The property is generally rectangular in shape with an approximate 4% south to north grade. As previously described, the site’s parking lot (storm water drain, paving and curbing) have been installed as well as the site’s perimeter curbing, street lights, fire hydrants and transformer boxes. A common open space area, improved as a function storm water dry creek bed facility exists along the east side of the property, between the subject property and the existing building on Lot #4. Parking lot landscaping exists along the north side of the property where it abuts neighboring residences. Some landscaping updates will be necessary as some plants have died or have been vandalized since 2002. Finally, the subject vacant property is well liked by neighboring property owners and tenants due to its semi-improved state where they can comfortably let their dogs roam around the vacant property and the abutting railroad property without too much concern.

PROJECT PROPOSAL: The applicants are requesting a Site Review Permit to construct an 11,296 square foot commercial office building on Lot #3 of the Falcon Heights Subdivision. The ground floor space will be used as corporate offices consisting of 5,648 square feet and the second floor will consist of seven small residential condominium units ranging in size from 482 to 834 square feet with an average of 677 square feet. A 2,002 square foot plaza space is shown along the east and north side of the building, adjacent to the subdivision’s common open space dry creek bed – which is intended to be enhanced and updated as part of the project’s landscape plan.

Zoning & Railroad District Master Plan: In addition to the design standards, the project complies with the City’s E-1 zoning standards for rear parking, number of parking spaces, setbacks, solar access, building heights, etc. Further, the subdivision’s original design and concepts clearly follow the 2001 Railroad District Master Plan (draft) as illustrated above on Page #4. In addition, suggestions within the master plan, such as “two or more building story’s are encouraged”, follow the provisions of the zoning code which allow up to 40’, plus a 5’ parapet. In this development’s case, the tallest points of the building are roughly 28’ to 32’ – well under the permitted threshold.



Proposed Street Facing Elevation

Building Architecture: The building’s architecture is not only a reflection of certain mass, scale and material components of the adjacent building to the east and the two buildings under construction across the street, but also in accordance with the regulations noted in the Basic, Detail and Large Scale design standards (Site Design & Use Standards). Such standards do *not* require a certain design style such as Downtown Ashland, but do require large building masses to be divided into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of surfaces, windows, trees, and small scale lighting. In this proposal’s case, the building has been articulated in both mass, volume and material and no one wall is a voided plane. Each wall includes symmetrically balanced components for a positive streetscape rhythm. In this regard, the applicants and

Architect have amended elevations multiple times in an attempt to make sure the design complements the existing buildings, but is also a building that expands the architecture and palate of colors and materials for future buildings planned for the Falcon Heights Mixed-Use Subdivision.

Residential Units: The proposed seven residential units are smaller than typical residential condominiums in Ashland primarily for three reasons. First, the permitted density of the property is 6.6 dwelling units, but because there are multiple units less than 500 sq. ft., by code the units are considered .75 units for calculation purposes and thus the seven units (482, 492, 492, 775, 832, 832 and 834 square feet – 3 studios / four two-bedroom) equate to a 6.25 density factor. Second, the applicant desires to provide housing for some of his employees as a benefit and the more units available, the better the opportunity to attract and maintain qualified employees. Third, in reading the City of Ashland’s 2012 Housing Needs Analysis and 2007 Rental Needs Analysis, both documents emphasize the need for smaller units, specifically in the studio and one-bedroom unit sizes. As such, the applicants concur there will be a demand in Ashland for the smaller units and for all of the reasons stated is willing to make the investment.

Parking: A total of 11 “unmarked” parking spaces are currently provided on-site and another 7 parking spaces are proposed to be added. An additional five parking spaces are located along the lot’s Russell Street frontage (AMC 18.4.3.060 A.), two of which will be requested as on-street parking credits, for a total of 20 parking spaces.

Note: The property’s parking lot is pre-existing, constructed in 2003/2004 with all of the improvements for curbing, drainage, landscaping area, irrigation conduit, asphalt thickness, etc. meeting Building and Planning standards. That said, the applicants intend to utilize the parking lot as originally constructed, but complete the necessary landscaping and irrigation improvements, as well as some landscape “updating”, as shown on the landscape plans.

In accordance with AMC, Table 18.4.3.040 – Automobile Parking Spaces by Use, the project’s parking demand is as follows:

3 One-bedroom Residential Units	< 500 sq. ft.	1 space per unit	= 3 spaces required
4 Two-bedroom Residential Units	> 500 sq. ft.	1.75 spaces per unit	= 7 spaces required
5,648 sq. ft. General Office		1 space per 500 sq. ft.	= 11.29 spaces required

Total parking spaces required:	=	21.29 (22 parking spaces)
Total provided on-site:	=	18 parking spaces (includes one handicap space)
Requested on-street credits:	=	2 of 5 parking spaces
Requested on-site mixed use credits	=	2 of 18 parking spaces
Total parking spaces provided per Parking Management Strategies:	=	22

RECEIVED
 MAR 01 2018
 City Of Ashland

Per AMC 18.4.3.060 A. and C. (Parking Management Strategies), the codes allow parking credits for on-street parking spaces in order to reduce the required off-street parking spaces up to 50%. In this case, the applicant is only requesting 2 of the 5 on-street spaces, which is roughly 9% of the required off-street

spaces. In addition, in the event that several users occupy a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for the several uses computed separately *unless* it can be shown that the peak parking demands are offset, in which case the mixed-use credit may reduce the off-street parking requirement by a percentage equal to the reduced parking demand, not to exceed 50%. In this case, the applicants are requesting two-mixed use parking credits as the offices typically operate during the daytime and residential parking is typically in demand in the evenings. As such, the parking demand for the subject two uses are generally two distinct periods throughout the day and of the two requested mixed-use credits, it represents only a 9% credit.

Bike Parking Required / Proposed: A total of 12 covered bike parking spaces will be provided – one for each one-bedroom residential unit (3), 1.5 for each two-bedroom unit (4) and one for every five required office parking spaces (3) for a total requirement of 10 bike parking spaces. Generally, 50% of the spaces are required to be covered, but in this case, 100% of the spaces will be covered. Further, all bike parking spaces will be designed in compliance with the Bicycle Parking Design Standards noted in AMC 18.4.070 and specifically the covered bike standards as illustrated in Figure 18.4.3.070.I.10 a. and b. of the Ashland Municipal Code.

Signs: The buildings' signage is intended to be mounted on the front of the building and within the window areas of the front façade. Prior to installation, permits for any signage will be applied for in accordance with AMC 18.4.7.020 B. and all standards for commercially zoned signs will be in accordance with AMC 18.4.7.080.

Solar Access: The proposal complies with the City's adopted Solar Access Ordinance, AMC 18.4.8, specifically a Class "A" standard which is the City's residential solar classification. However, during the initial planning of the subdivision, the developer committed to the neighbors to the north that "all" of the commercial lots within the subdivision would be deed restricted to a Class "A" standard. As such, the subject building has been designed to meet the Class "A" standard as illustrated on the submitted plans.

Trash & Recycling: In accordance with 18.4.4.040 G., the project's trash and recycling area is to be within a combined enclosure, 5' in height, accessed from the rear parking lot. The enclosed structure is aligned directly with the driveway's opening for easy access allowing for convenient and quick service by Ashland Recology. The enclosure provides screening from all adjoining neighbors.

Neighborhood Outreach: On March 21st, 2018, a neighborhood meeting is to be held with the adjoining neighbors to address neighborhood questions. The applicants have met with the neighbors on a couple of previous occasions and aware of most concerns which primarily relate to views, lights, heights, construction noise and use. At the meeting the applicant, Land Use Planner and Architect will be present to answer any questions.

Commercial Occupant & Future Building Owner: The subject property and building is to be purchased and the ground floor space occupied by NatureWise. Founded in 2011 by owner, CEO, and longtime Ashland resident, DavidPaul Doyle, NatureWise is a natural health supplements and organic ashwagandha energy drink company. Recently, an article on NatureWise appeared in *Ashland Daily Tidings*.

RECEIVED
MAR 01 2018
City Of Ashland

NatureWise's energy drinks come in five organic flavors and are available at the Ashland Food Co-op and Shop'n Kart. 2018 goals include expanded retail distribution of energy drinks and also retail and online distribution of health supplements. NatureWise is a pioneer of mobile transparency, as well as a 2018 finalist in the industry-wide NEXTY Award in the category of Best Condition-Specific Supplement for the Ashwagandha Herbal Blends supplement.

NatureWise reached \$18 million in sales in 2017, and the company has recently expanded its staff to support its projected 2018 growth. The company owns its suite of offices at 184 Clear Creek Drive and leases additional office space at 149 Clear Creek Drive, as well as 108 East Hersey Street. Manufacturing is located nearby in Washington and California.

The company's culture is built upon five foundational values that guide relations inside the company, as well as with business partners, vendors, neighbors, and the surrounding community: ownership, service, growth, passion, and honesty. The company makes significant ongoing gifts to support Ashland-based Permaculture Institute of North American (PINA) and international NGO, Vitamin Angels, which combats malnutrition globally.

CONCLUSION: The applicants contend the proposal is another positive example of Ashland's land use planning efforts. The opportunity to build a mixed-use building without exceptions or variance and providing the Ashland real estate market with additional commercial and residential options is encouraging. The applicants also believe the addition of adding 3 studio units of less than 500 sq. ft. and 4 small two bedroom units is a positive contribution to Ashland's housing market. As noted in the City's 2012 Housing Needs Analysis and 2007 Rental Needs Analysis, both documents emphasize the need for smaller units, specifically in the studio and one-bedroom unit sizes.

Finally, the applicants and design team are excited about bringing forth a building design that makes a positive contribution to the public street. In what could have been a very mediocre building and site plan design, similar to the various manufacturing and office buildings to the west of the subject site, the proposed buildings are oriented to the street, enhance a shared open space area located between Lots #3 and #4 and creates a positive outdoor plaza space for the benefit of the employees and residences of the building. Overall, the streetscape elevation includes a significant amount of glazing and architectural components that emphasize creativity, but also neighborhood compatibility.

RECEIVED

MAR 01 2018

City Of Ashland

II. FINDINGS OF FACT:

The required *findings of fact* have been provided to ensure the proposed project meets the requirements and procedures outlined in the Ashland Municipal Code (AMC) pertaining to the site's zoning, applicable overlay zones, site development and design regulations. The application is to be processed as a Type II Planning Action based on the Ashland Municipal Code (AMC) 18.5.2.030 B and D. and subject to AMC Chapter 18, specifically Sections 18.2.3.130 (Dwellings in Non-Residential Zones), 18.2.6.030 (Unified Standards for Non-Residential Zones), 18.3.13.010 (Residential Overlay Regulations), 18.4.2.040 (Non-Residential Development), 18.4.2.040 B. (Basic Site Review Standards); 18.4.2.040 C. (Detail Site

Review), 18.4.2.040 D. (Large Scale Standards), 18.4.3 (Parking, Access & Circulation), 18.4.4 (Landscaping, Lighting & Screening), 18.4.8 (Solar Access) and 18.5.2.050 (Site Review Criteria).

*For clarity reasons, the following documentation has been formatted in "outline" form with the City's approval criteria noted in **BOLD** font and the applicant's response in regular font. Also, there are a number of responses that are repeated in order to ensure that the Findings of Fact are complete.*

18.2.3.130 Dwelling in Non-Residential Zone

Where dwellings are allowed in non-residential zones, they are subject to all of the following requirements.

A. Dwellings in the E-1 zone are limited to the R-overlay zone. See chapter 18.3.13 Residential Overlay.

The subject property is within an E-1 Residential Overlay Zone as noted on the inserted map on Page #2 of this document.

B. Dwellings in the E-1 and C-1 zones shall meet all of the following standards:

1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.

The proposal is for a single building on one site that will eventually be platted as condominiums sharing and maintaining the site's common improvements. Along with the condominium plat, CC&R's and Bylaws will be included in accordance with State of Oregon Condominium Statutes.

The ground floor the building is 5,648 square feet and the only area of the ground floor utilized by the second floor residences is the stairwell and elevator which is roughly 350 square feet or 6% of the ground floor area.

2. Residential densities shall not exceed 15 dwelling units per acre in the E-1 zone, 30 dwelling units per acre in the C-1 zone, and 60 dwelling units per acre in the C-1-D zone. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.

The property is .44 acres in size and has a base density of 6.6 dwelling units. The proposal is for three one bedroom studios and four two-bedroom units. As noted, units less than 500 sq. ft. are calculated as .75 which calculates based on the above provisions to be a total of 6.25 dwelling units.

3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the underlying zone.

RECEIVED
MAR 01 2018
City of Ashland

The proposed residential uses have been designed to comply with the underlying E-1 zoning standards. However, it should be noted the original developer and the adjacent neighbors to the north agreed on a more stringent Solar Access factor and thus the subject building's 2-story height is roughly one entire floor less than what it could be.

4. Off-street parking is not required for residential uses in the C-1-D zone.

Not applicable

5. Where the number of residential units exceeds ten, at least ten percent of the residential units shall be affordable for moderate-income persons in accord with the standards of section 18.2.5.050. The number of units required to be affordable shall be rounded down to the nearest whole unit.

Not applicable as the proposed density is 6.25 dwelling units.

18.2.6.030 Unified Standards for Non-Residential Zones

18.2.6.030 Unified Standards for Non-Residential Zones -		EMPLOYMENT ZONE (E-1)
Residential Density	15 du/ac	complies
Lot Area, Width, Depth or Lot Coverage	There is no minimum lot area, width or depth, or maximum lot coverage; or minimum front, side or rear yard, except as required to comply with the special district and overlay zone provisions of part 18.3 or the site.	complies
Setback Yards (feet)	There is no minimum front, side, or rear yard required, except where buildings on the subject site abut a residential zone, in which case a side of not less than 10 ft and a rear yard of not less than 10 ft per story is required.	complies
Building Height ^{2&3} – Maximum (feet)	40 ft	complies
Landscape Area – Minimum (% of developed lot area)	15%	complies
<i>³Parapets may be erected up to five feet above the maximum building height; see also, 18.4.4.030.G.4 for mechanical equipment screening requirements, and 18.5.2.020 for Site Design Review for mechanical equipment review process.</i>		

18.3.13.010 Residential Overlay Regulations



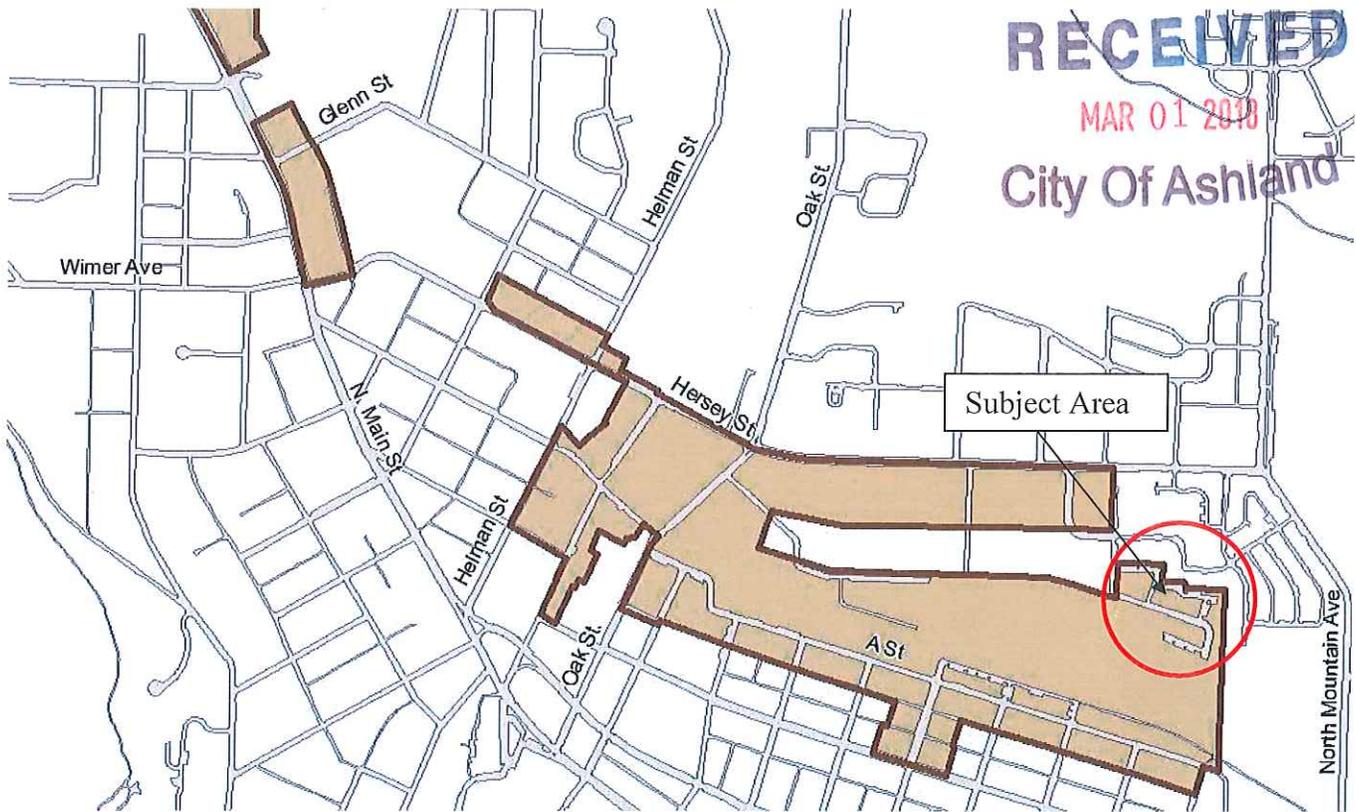
Note: The standards below appear to be duplicating the standards noted in 18.2.3.130, above, but there are differences. Nevertheless, the purpose of these Findings of Fact is to ensure the application meets all of the applicable criteria and development standards.

C. Requirements. The Residential overlay requirements are as follows.

1. If there is one building on a site, ground floor residential uses shall occupy not more than 35 percent of the gross floor area of the ground floor. Where more than one building is located on a site, not more than 50 percent of the total lot area shall be designated for residential uses.

The proposal is for a single building on one site that will eventually be platted as condominiums sharing and maintaining the site's common improvements. Along with the condominium plat, CC&R's and Bylaws will be included in accordance with State of Oregon Condominium Statutes.

The ground floor of the building is 5,648 square feet and the only area of the ground floor utilized by the second floor residences is the stairwell and elevator which is roughly 350 square feet or 6% of the ground floor area.



AMC 18.3.13.010 Residential Overlay Map (1 of 2)

2. Residential densities shall not exceed 15 dwelling units per acre. For the purpose of density calculations, units of less than 500 square feet of gross habitable floor area shall count as 0.75 of a unit.

The property is .44 acres in size and has a base density of 6.6 dwelling units. The proposal is for three one bedroom studios and four two-bedroom units. As noted, units less than 500 sq. ft. are calculated as .75 which calculates based on the above provisions to be a total of 6.25 dwelling units.

3. Residential uses shall be subject to the same setback, landscaping, and design standards as for permitted uses in the E-1 District.

The proposed residential uses have been designed to comply with the underlying E-1 zoning standards.

4. If the number of residential units exceeds ten, then at least 10 percent of the residential units shall be affordable for moderate-income persons in accord with the standards established by resolution of the City Council through procedures contained in the resolution. The number of units required to be affordable shall be rounded down to the nearest whole unit.

Not applicable as the proposed density is 6.25 dwelling units.

RECEIVED

MAR 01 2018

City Of Ashland

18.4.2.040 Non-Residential Development

A. Purpose and Intent. Commercial and employment developments should have a positive impact upon the streetscape. For example, buildings made of unadorned concrete block or painted with bright primary colors used to attract attention can create an undesirable effect upon the streetscape.

The proposal clearly has a positive impact upon the streetscape with its varying use of materials, colors and large store-front windows. The buildings have been designed in context with the neighboring mixed-use buildings with the long-term goal of creating a cohesive and enjoyable street to work or live on.

Landscaping and site design for commercial and employment zones is somewhat different from that required for residential zones. The requirement for outdoor spaces is much less. The primary function is to improve the project's appearance, enhance the City's streetscape, lessen the visual and climatic impact of parking areas, and to screen adjacent residential uses from the adverse impacts which commercial uses may cause.

The design team contends the proposal enhances the streetscape and with the installation of added landscaping and building placement along the sidewalk will lessen the visual and climatic impact of parking areas. Also, because the previous property owners installed the parking areas, installed the infrastructure, pre-planted the landscaping around the perimeter and agreed to reduce the building heights within the subdivision to Class "A" solar access standards, the most restrictive class, the typical adverse impacts commercial uses may cause on a neighboring residence have been clearly mitigated.

One area in which Ashland's commercial differs from that seen in many other cities is the relationship between the street, buildings, parking areas, and landscaping. The most common form of modern commercial development is the placement of a small buffer of landscaping between the street and the parking area, with the building behind the parking area at the rear of the parcel with loading areas behind the building. This may be desirable for the commercial use because it gives the appearance of ample parking for customers. However, the effect on the streetscape is less than desirable because the result is a vast hot, open, parking area which is not only unsightly but results in a development form which the City discourages.

The alternative desired in Ashland is to design the site so that it makes a positive contribution to the streetscape and enhances pedestrian and bicycle traffic. The following development standards apply to commercial, industrial, non-residential and mixed-use development. The application of the standards depends on what area of the City the property is located. Generally speaking, areas that are visible from highly traveled arterial streets and that are in the Historic District are held to a higher development standard than projects that are in manufacturing and industrial area.

The project site is not within a Historic District. However, the project planning for this development, including the initial site and street layout phase, has clearly attempted to make a positive contribution to the streetscape as well as the residential neighborhood it abuts. As the subdivision and adjoining properties develop and the City continues to enforce its Transportation Plan objectives with connected streets and positive multi-modal developments, the subject property and the properties within the vicinity will continue to make a positive contribution towards Ashland's livability.

RECEIVED

MAR 01 2018

City Of Ashland

18.4.2.040 B. Basic Site Review Standards

Except as otherwise required by an overlay zone or plan district, the following requirements apply to commercial, industrial, non-residential and mixed-use development pursuant to section 18.5.2.020.

1. Orientation and Scale.

a. Buildings shall have their primary orientation toward the street and not a parking area. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or to one side.

The site's parking area sits behind the proposed building and will be screened from the front of the property by the building.

b. A building façade or multiple building facades shall occupy a large majority of a project's street frontage as illustrated in Figure 18.4.2.040.B, and avoid site design that incorporates extensive gaps between building frontages created through a combination of driveway aprons, parking areas, or vehicle aisles. This can be addressed by, but not limited to, positioning the wider side of the building rather than the narrow side of the building toward the street. In the case of a corner lot, this standard applies to both street frontages. Spaces between buildings shall consist of landscaping and hard durable surface materials to highlight pedestrian areas.

In keeping with the above standard, the proposed building façade occupies the majority of the streetscape.

c. Building entrances shall be oriented toward the street and shall be accessed from a public sidewalk. The entrance shall be designed to be clearly visible, functional, and shall be open to the public during all business hours.

The building's primary entrance has been designed to face the primary street and its public sidewalk. The entrance is designed to be clearly visible, functional, and will remain open to the public during typical business hours.

d. Building entrances shall be located within 20 feet of the public right of way to which they are required to be oriented. Exceptions may be granted for topographic constraints, lot configuration, designs where a greater setback results in an improved access or for sites with multiple buildings, such as shopping centers, where other buildings meet this standard.

Other than the residential entrance, the buildings' primary commercial entrance is located on the ground level adjacent to the public sidewalk.

e. Where a building is located on a corner lot, its entrance shall be oriented toward the higher order street or to the lot corner at the intersection of the streets. The building shall be located as close to the intersection corner as practicable.

RECEIVED

MAR 01 2018

City Of Ashland

Not applicable

f. Public sidewalks shall be provided adjacent to a public street along the street frontage.

The proposal includes a public sidewalk, in accordance with the City's Street Design Standards and the Subdivision's originally conceived plan along the Russell Street frontage.

g. The standards in a-d, above, may be waived if the building is not accessed by pedestrians, such as warehouses and industrial buildings without attached offices, and automotive service stations.

Although warehouses and some industrial/manufacturing uses are permitted in the E-1 zone, the applicants have designed the building to accommodate an array of uses which include commercial office and service businesses that will benefit from an attractive building design and accessible public sidewalks.

2. Streetscape. One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.

In accordance with AMC 18.4.4.030 E., one street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street.

3. Landscaping.

a. Landscape areas at least ten feet in width shall buffer buildings adjacent to streets, except the buffer is not required in the Detail Site Review, Historic District, and Pedestrian Place overlays.

The property is within the Detail Site Review Overlay and not subject to the standard.

b. Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.

The attached landscaping and site plans identify a screened recycling and refuse area.

4. Designated Creek Protection. Where a project is proposed adjacent to a designated creek protection area, the project shall incorporate the creek into the design while maintaining required setbacks and buffering, and complying water quality protection standards. The developer shall plant native riparian plants in and adjacent to the creek protection zone.

RECEIVED

Not applicable as the property does not abut a designated creek protection area.

MAR 01 2018

5. Noise and Glare. Artificial lighting shall meet the requirements of section 18.4.4.050. Compliance with AMC 9.08.170.c and AMC 9.08.175 related to noise is required.

City of Ashland

Site and building lighting will meet the requirements of AMC 18.4.4.050 as well as adopted building codes and any noise will comply with AMC 9.08.175. The applicants have an interest in minimizing any typical nuisance issues related to lighting or noise in order to provide a desirable quality of living to the project's residents. All lighting will be down-lit so as to minimize any potential glare from adjoining properties.

6. Expansion of Existing Sites and Buildings. For sites that do not conform to the standards of section 18.4.2.040 (i.e., nonconforming developments), an equal percentage of the site must be made to comply with the standards of this section as the percentage of building expansion. For example, if a building area is expanded by 25 percent, then 25 percent of the site must be brought up to the standards required by this document.

Not applicable as the property is currently vacant.

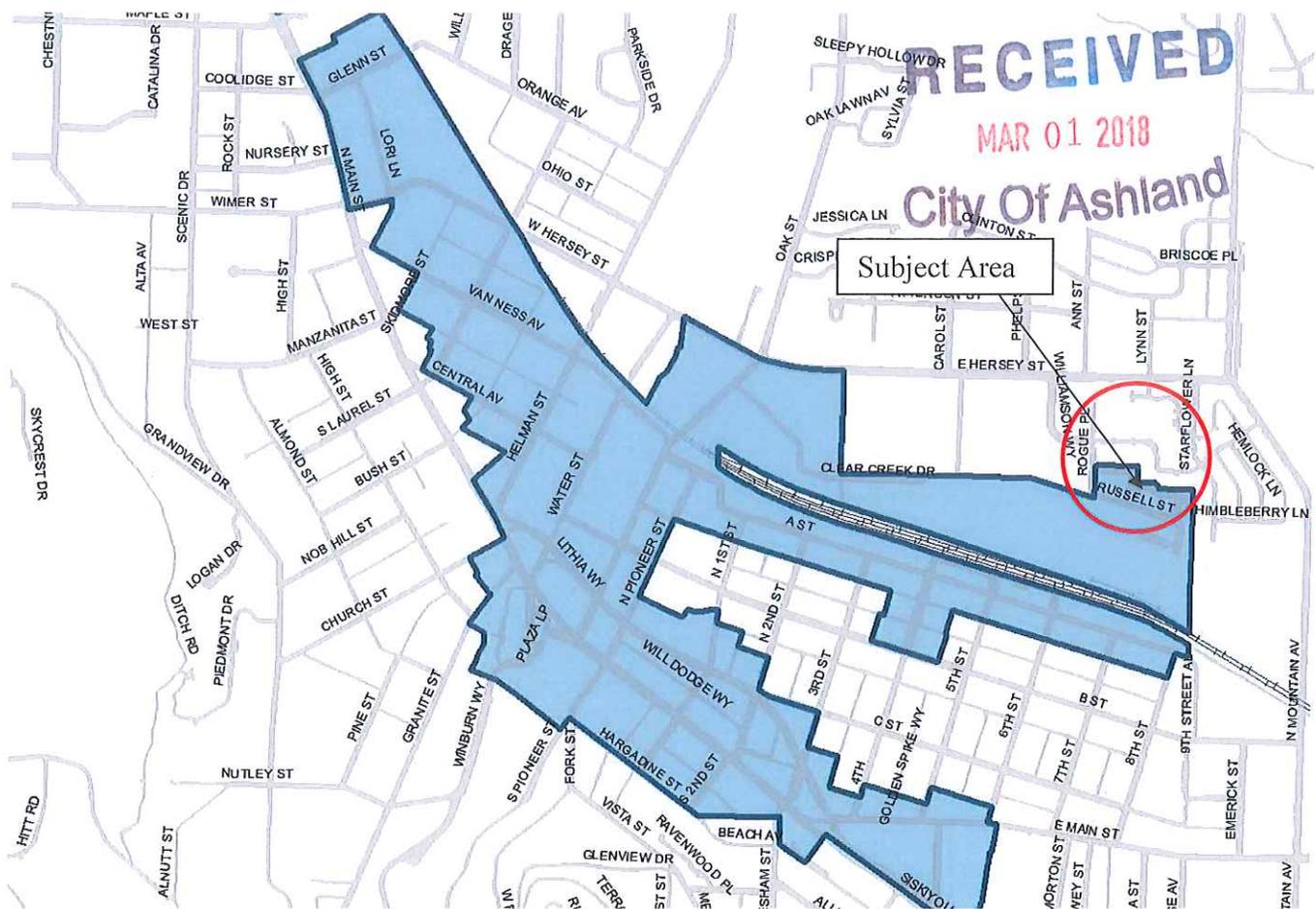
18.4.2.040 C. Detailed Site Review Standards

Development that is within the Detail Site Review overlay shall, in addition to the complying with the standards for Basic Site Review in 18.4.2.040.B, above, conform to the following standards. See conceptual site plan of detail site review development in Figure 18.4.2.040.C.1 and maps of the Detail Site Review overlay in Figures 18.4.2.040.C.2-5.

1. Orientation and Scale.

a. Developments shall have a minimum Floor Area Ratio (FAR) of 0.50. Where a site is one-half an acre or greater in size, the FAR requirement may be met through a phased development plan or a shadow plan that demonstrates how development may be intensified over time to meet the minimum FAR. See shadow plan example in Figure 18.4.2.040.C.1.a. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR.

The site is .44 acres in size (19,306 sq. ft.) and the proposed building has a total floor area of 11,296 sq. ft. for a .58 FAR, not including the identified plaza space or any pedestrian areas.



AMC 18.4.2.040.C.2 Detail Site Review Overlay Map (1 of 4)

b. Building frontages greater than 100 feet in length shall have offsets, jogs, or have other distinctive changes in the building façade.

The subject building’s frontage has a variety of jogs and other distinctive changes in the building façade for the purpose of creating an attractive street façade.

c. Any wall that is within 30 feet of the street, plaza, or other public open space shall contain at least 20 percent of the wall area facing the street in display areas, windows, or doorways. Windows must allow view into working areas, lobbies, pedestrian entrances, or displays areas. Blank walls within 30 feet of the street are prohibited. Up to 40 percent of the length of the building perimeter can be exempted for this standard if oriented toward loading or service areas.

The building walls facing the street all have windows of at least 20% in display, windows and doorways. The buildings’ working areas, pedestrian entrances and display areas will be transparent, but also address current building code and conservation standards relating to energy efficiency.

d. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.

The buildings' incorporate lighting and changes in mass, surface and finish giving emphasis to the entrances.

e. Infill or buildings, adjacent to public sidewalks, in existing parking lots is encouraged and desirable.

RECEIVED

MAR 01 2018

City Of Ashland

The application complies with this standard.

f. Buildings shall incorporate arcades, roofs, alcoves, porticoes, and awnings that protect pedestrians from the rain and sun.

The building elevations illustrate a plane of awnings between windows and other vertical forms of the building that not only accentuate the building's design, but also protect pedestrians from the rain and sun. All awnings and doorway areas create a minimum of 7' cover area for pedestrians to assemble which a policy is recently created by the Ashland Planning Commission.

2. Streetscape.

a. Hardscape (paving material) shall be utilized to designate "people" areas. Sample materials could be unit masonry, scored and colored concrete, grasscrete, or combinations of the above.

The building will front onto a 13' wide sidewalk with street trees planted within irrigated tree wells that along with the building awnings provide relief from inclement weather and in return promote walking and "people" areas. Further, the design of the integration of the common open space to the east of the building and the plaza space at the rear will enhance the "people" area and make the building more pleasant for pedestrians and residences.

b. A building shall be setback not more than five feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas, or for a required public utility easement. This standard shall apply to both street frontages on corner lots. If more than one structure is proposed for a site, at least 65 percent of the aggregate building frontage shall be within five feet of the sidewalk.

The application complies with the above standard.

3. Buffering and Screening.

a. Landscape buffers and screening shall be located between incompatible uses on an adjacent lot. Those buffers can consist of either plant material or building materials and must be compatible with proposed buildings.

b. Parking lots shall be buffered from the main street, cross streets, and screened from residentially zoned land.

The landscape plan includes landscaping between the existing driveway and the neighboring residences to the north. The landscaping and irrigation in these areas have existed since 2003/2004 and have matured in that time. In some areas the landscaping has been vandalized and/or died but will be replaced by the applicant prior to occupancy.

RECEIVED

MAR 01 2018

City of Ashland

4. Building Materials.

a. Buildings shall include changes in relief such as cornices, bases, fenestration, and fluted masonry for at least 15 percent of the exterior wall area.

The building materials include changes for relief for at least 15 percent of the exterior wall area.

b. Bright or neon paint colors used extensively to attract attention to the building or use are prohibited. Buildings may not incorporate glass as a majority of the building skin.

Bright paint colors or significant amounts of glass are not to be incorporated in the building's facades.

18.4.2.040 D. Additional Standards for Large Scale Projects

In the Detail Site Review overlay, developments that are greater than 10,000 square feet in gross floor area or contain more than 100 feet of building frontage shall, in addition to complying with the standards for Basic (18.4.2.040.B) and Detail (18.4.2.040.C) Site Review, above, conform to the following standards. See conceptual elevation of large scale development in Figure 18.4.2.040.D.1 and conceptual site plan of large scale development in Figure 18.4.2.040.D.2.

1. Orientation and Scale.

a. Developments shall divide large building masses into heights and sizes that relate to human scale by incorporating changes in building masses or direction, sheltering roofs, a distinct pattern of divisions on surfaces, windows, trees, and small scale lighting.

The proposed building has been designed to divide large building masses into heights and sizes that relate to human scale. The design incorporates changes in building masses, have sheltering awnings and recessed entrances and include a distinct pattern of divisions on surfaces. The design includes windows, small scale lighting and street trees to be planted along the frontage.

b. Outside of the Downtown Design Standards overlay, new buildings or expansions of existing buildings in the Detail Site Review overlay shall conform to the following standards.

- i. Buildings sharing a common wall or having walls touching at or above grade shall be considered as one building.**
- ii. Buildings shall not exceed a building footprint area of 45,000 square feet as measured outside of the exterior walls and including all interior courtyards. For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.**
- iii. Buildings shall not exceed a gross floor area of 45,000 square feet, including all interior floor space, roof top parking, and outdoor retail and storage areas, with the following exception.**

Automobile parking areas located within the building footprint and in the basement shall not count toward the total gross floor area. For the purpose of this section, basement means any floor level below the first story in a building. First story shall have the same meaning as provided in the building code.

iv. Buildings shall not exceed a combined contiguous building length of 300 feet.

The subject property is outside the Downtown Design Standards Overlay. The combined square footage is 11,296 square feet and its frontage 125 lineal feet.

2. Public Spaces.

a. One square foot of plaza or public space shall be required for every ten square feet of gross floor area, except for the fourth gross floor area.

The project has been designed with a plaza area of roughly 2,000 square feet or 18% of the building's gross floor area whereas only 10% is required (1,130 sq. ft.) by code. The plaza is designed to serve multiple purposes ranging from a view corridor, a break in the building mass, a place for gathering and recreation, wind break, seating, possible dining area and general relaxation area for both the commercial and residential tenants.

b. A plaza or public spaces shall incorporate at least four of the following elements.

- i. **Sitting Space** – at least one sitting space for each 500 square feet shall be included in the plaza. Seating shall be a minimum of 16 inches in height and 30 inches in width. Ledge benches shall have a minimum depth of 30 inches.
- ii. **A mixture of areas that provide both sunlight and shade.**
- iii. **Protection from wind by screens and buildings.**
- iv. **Trees** – provided in proportion to the space at a minimum of one tree per 500 square feet, at least two inches in diameter at breast height.
- v. **Water features or public art.**
- vi. **Outdoor eating areas or food vendors.**

The plaza incorporates four of the above elements – sitting spaces, mixture of sunlight and shade, protection from wind and trees. There are roughly eight formal seats where only three are required. All of the seats will be at least 16 inches in height and 30 inches in width. The plaza area also includes shade trees, all of which will be 2” dbh when planted.

3. Transit Amenities. Transit amenities, bus shelters, pullouts, and designated bike lanes shall be required in accordance with the Ashland Transportation Plan and guidelines established by the Rogue Valley Transportation District.

In review of the City's Transportation System Plan and through discussions with the Rogue Valley Transportation District, there are no planned services for this area.

18.5.2.050 Site Review Permit – Approval Criteria

RECEIVED

MAR 01 2018

CITY OF ASHLAND

An application for Site Design Review shall be approved if the proposal meets the criteria in subsections A, B, C, and D below. The approval authority may, in approving the application, impose conditions of approval, consistent with the applicable criteria.

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.

To the best of the applicant's and design team's knowledge, all of the applicable provisions of the property's E-1 zone (Chapter 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 are being complied with. No exceptions or variances are proposed with this development.

B. Overlay Zones. The proposal complies with applicable overlay zone requirements (part 18.3).

The proposal complies with the Residential Overlay for this site which is regulated by AMC Chapter 18.3.13.010, including but not limited to commercial and residential ground floor ratios as well as permissible residential densities. The project is for an attractive and well thought-out mixed use development that will not only provide the City with needed small unit housing and new office space close to the downtown core, but is also in keeping with the original subdivision's envisioned concept plans and is contextually compatible with the existing building on Lot #4 and the two new buildings across the street on Lot #6.

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.

The proposal complies with the applicable Site Development and Design Standards of AMC Chapter 18.4, as addressed above. To the best of the applicant's and design team's knowledge, no exceptions to the Site Development and Design Standards are proposed with this application.

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.

All key facilities are available to service the proposed buildings and were installed during the subdivision's initial construction in 2003/2004. All utilities to service the buildings are within the adjoining rights-of-way and stub to the property or if necessary, will be installed at the time of construction in accordance with Ashland Public Work Standards. The applicant, Planning Agent and

project Civil Engineer have met with the various utility departments to verify if there were any capacity issues. The results of the meetings were that adequate City facilities are available to the subject site. Further, a Traffic Engineer was obtained to review traffic related issues and it was concluded that based on the low volume of vehicle trips and proximity to multimodal facilities and services, a traffic impact analysis was not necessary.

E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.

1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or

2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

To the best of the applicant's and design team's knowledge, no exceptions are proposed with this application as they relate to the City's Site Development and Design Standards.

RECEIVED
MAR 01 2018
City Of Ashland

Alex Georgevitch Consulting

642 Faith Avenue
Ashland, OR 97520
Email: alexg@andrelix.com

Phone: (541) 210-8473
FAX/Voice: (541) 482-8934

February 25, 2018

Mrs. Maria Harris, Planning Manager
City of Ashland Planning Division
51 Winburn Way
Ashland, OR 97520

RE: Traffic Impact Analysis Review for 469 Russell Street Mixed Use Building

Dear Mrs. Harris:

KDA Homes has retained my services to determine if a traffic impact analysis should be required for their proposed development located at 469 Russell Street. The building site is Lot 3 of Falcon Heights, a Planned Community recorded in 2005. The proposed building is two stories with approximately 5,648 square feet of commercial on the bottom floor and seven (7) residential condos on the second floor.

Existing Traffic Conditions

The project is located at 469 Russell Street located in the northern quadrant of Ashland and southwest of the intersection of North Mountain Avenue and East Hersey Street. Lower order streets surround the development with connectivity to both North Mountain Avenue and East Hersey Street via Williamson Way, Starflower Lane, and Larkspur Lane. Both East Hersey Street and North Mountain Avenue are listed in the current Transportation System Plan (TSP) as major corridors (Avenues). Their intersection is all way stop controlled and is shown to operate at Level of Service (LOS) B during the PM Peak Hour. Current day delay is shown to be 10.2 seconds and future year 2034 delay only increases to 13.0 seconds, still LOS B.

Traffic volumes along East Hersey Street are only 265 PM Peak hour approaching the intersection with North Mountain Avenue in 2034. North Mountain Avenue has a low PM Peak Hour volume as well with 165 vehicles approaching southbound and 375 vehicles northbound.

Major intersection west of the development also operate well within standard. East Hersey Street at Oak Street operates at LOS B in 2034. The other major street located to the south is North Mountain Avenue at East Main Street and it operates at LOS B in 2034 as well. Both intersections are over half a mile from the development.

RECEIVED

MAR 01 2018

City Of Ashland

Both North Mountain Avenue and East Hersey Street have bicycle and pedestrian facilities. All lower order streets to the site have sidewalks along all built frontages and will eventually be served by full sidewalks. Just to the east of the site is a multi-use path and small bridge for bicycle and pedestrian access to the residential subdivision to the east and provides full pedestrian and bicycle access to Thimbleberry Lane which connects to North Mountain Avenue.

Estimated Trip Generation

Estimates of daily vehicle trip ends for the proposed development were based on empirical observations at similar developments. These observations are summarized in the standard reference *Trip Generation, 9th Edition*, published by the Institute of Transportation Engineers.

The proposed development is anticipated to include 7 new residential condos and approximately 5,648 square feet of commercial office in a two-story configuration with access to Russell Street and Rogue Place via an existing parking lot that is already build and provides cross access to lots 1 through 3 of Falcon Heights. The overall building is anticipated to generate 96 daily trips; 11 PM Peak Hour trips; and 11 AM Peak Hour trips. The full trip generation is listed in the tables below as well as the detailed and summary trip generations reports attached.

Proposed Trip Generation Estimates for Residential					
Townhouse/Condo (ITE Code 230)	Trips/Dwelling Unit (DU)	No. DU	Trips		
			Total	Enter	Exit
				50%	50%
Daily	5.81	7	41	21	20
				75%	25%
PM Peak Hour	0.52	7	4	3	1
				33%	67%
AM Peak Hour	0.44	7	3	1	2

Proposed Trip Generation Estimates for Commercial Office					
General Office (ITE Code 730)	Trips/Thousand Square Feet (TSF)	No. TSF	Trips		
			Total	Enter	Exit
				50%	50%
Daily	11.03	5.6	55	28	27
				14%	86%
PM Peak Hour	1.49	5.6	7	1	6
				87%	13%
AM Peak Hour	1.56	5.6	8	7	1

RECEIVED
 MAR 01 2018
 City Of Ashland

Proposed Trip Generation Totals			
Time Period	Trips		
	Total	Enter	Exit
		50%	50%
Daily	96	49	47
		36%	64%
PM Peak Hour	11	4	7
		73%	27%
AM Peak Hour	11	8	3

Estimate Trip Distribution and Assignment

The site trip distribution is based upon existing traffic counts as well as engineering judgment and knowledge of the area. During the PM Peak hour volumes split approximately 65% to East Hersey Street and 35% to North Mountain Avenue.

The site is estimated to generate approximately 11 PM Peak hour trips and 11AM Peak hour trips coming or going from the site. Both the AM and PM Peak hour will increase total trips along East Hersey Street by 7 peak hour trips and North Mountain Avenue by 4 peak hour trips. This represents less than 1.4% of PM Peak Hour traffic along East Hersey Street in 2034 (525 PM Peak Hour trips from attached figure 5-5 from the adopted TSP) and approximately 0.5% of PM Peak Hour traffic along North Mountain Avenue (740 PM Peak Hour trips).

Recommendation

The proposed mixed-use building will generate 11 PM Peak hour and 11 AM Peak hour trips on a daily basis. This volume is very low and would not warrant an analysis at any signalized or stopped controlled intersection near the project following typical best practices of between 25 and 100 peak hour trips as a threshold for analysis. Critical movements entering and exiting the site are very low and do not warrant turn lane analysis. All surrounding major intersections currently operate well within the requested LOS D and continue to operate well below LOS D in 2034 according to the adopted transportation system plan.

The site is well served by multimodal facilities. Sidewalks exist around all frontages and continue into downtown; schools; shopping; Siskiyou Boulevard where there is transit that serves the entire Rogue Valley; and Southern Oregon University. Both East Hersey Street and North Mountain Avenue have bike lanes that tie into a regional bicycle network that also serves the entire Rogue Valley.

Based on the low vehicles volumes generated in the peak hours and the proximity to multimodal facilities and services I do not recommend requiring a traffic impact analysis for this project. Further, no alternative access is being proposed as the driveways for the proposed development and parking lots have already been built with the Falcon Heights Planned Community.

RECEIVED

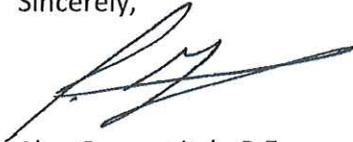
MAR 01 2018

City Of Ashland

February 25, 2018

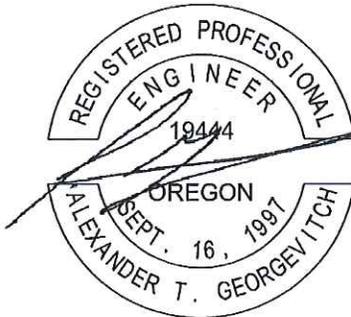
Thank you and if you have any comments or questions, please let me know at your earliest convenience.

Sincerely,



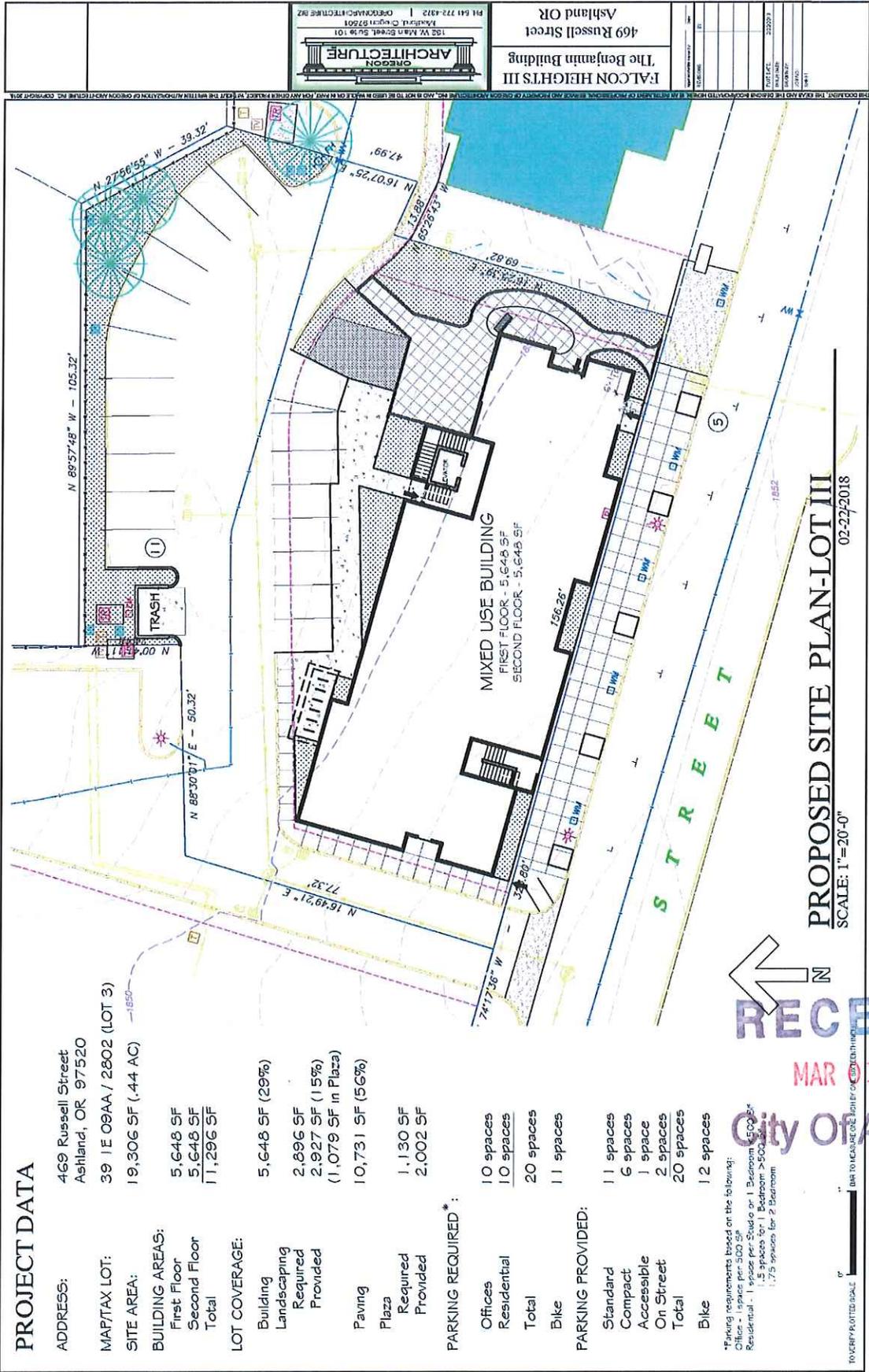
Alex Georgevitch, P.E.

Attachments: Site Plan
Trip Generation Summary
Driveway volumes



RENEWAL DATE: 06/30/2019

RECEIVED
MAR 01 2018
City Of Ashland



PROJECT DATA

ADDRESS: 469 Russell Street
Ashland, OR 97520

MAP/TAX LOT: 39 1E 09AA / 2802 (LOT 3)

SITE AREA: 19,306 SF (4.4 AC)

BUILDING AREAS:
First Floor 5,648 SF
Second Floor 5,648 SF
Total 11,296 SF

LOT COVERAGE:
Building 5,648 SF (29%)
Landscaping Required 2,896 SF
Landscaping Provided 2,927 SF (15%)
(1,079 SF in Plaza)
Paving 10,731 SF (56%)
Plaza Required 1,130 SF
Plaza Provided 2,002 SF

PARKING REQUIRED*

Offices 10 spaces
Residential 10 spaces
Total 20 spaces
Bike 11 spaces

PARKING PROVIDED:

Standard 11 spaces
Compact 6 spaces
Accessible 1 space
On Street 2 spaces
Total 20 spaces
Bike 12 spaces

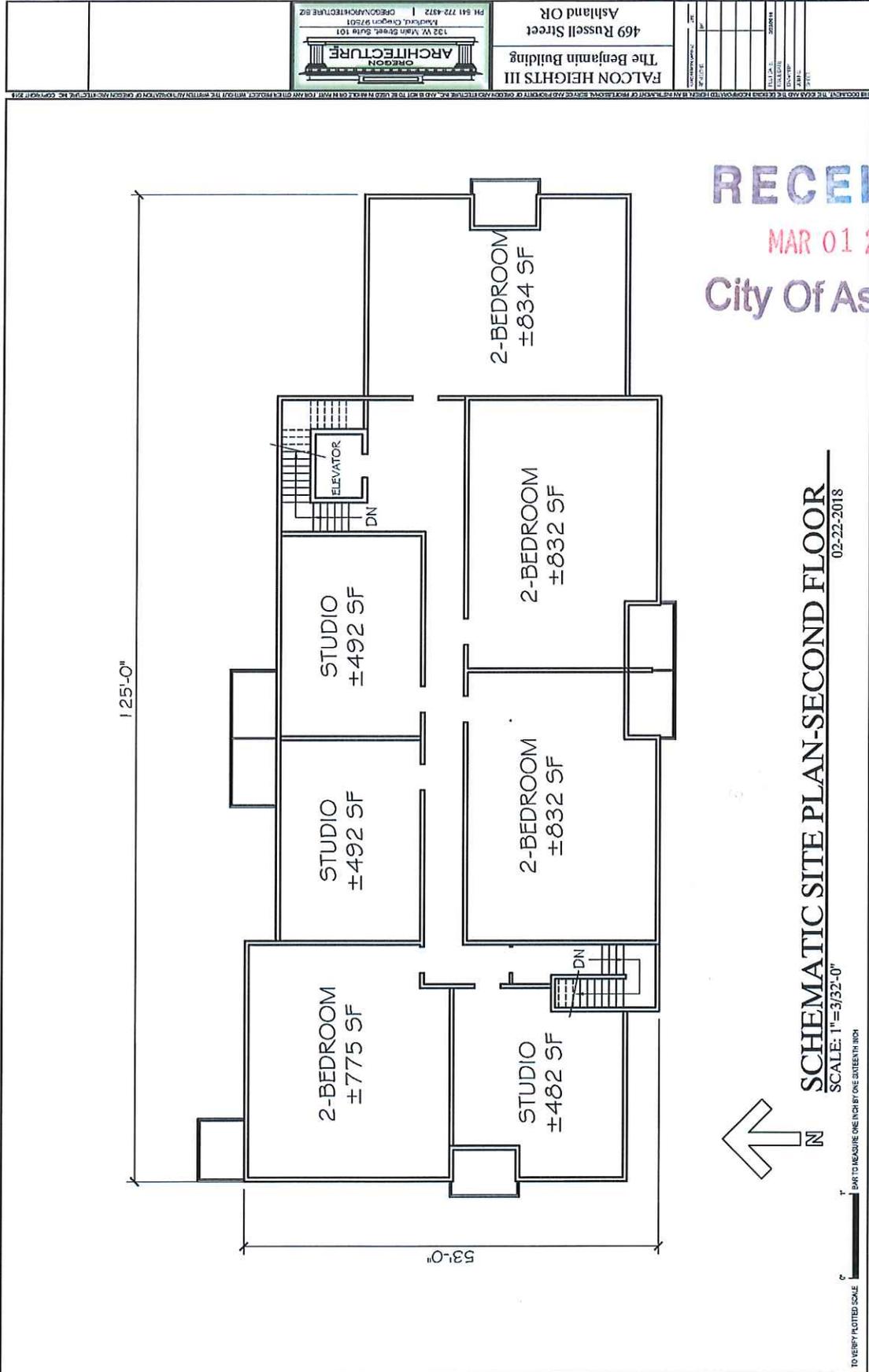
*Parking requirements based on the following:
Office - 1 space per 500 SF
Residential - 1 space per Studio or 1 Bedroom 450 SF
1.5 spaces per 1 Bedroom >500 SF
1.75 spaces per 2 Bedroom

RECEIVED
MAR 01 2018
City of Ashland

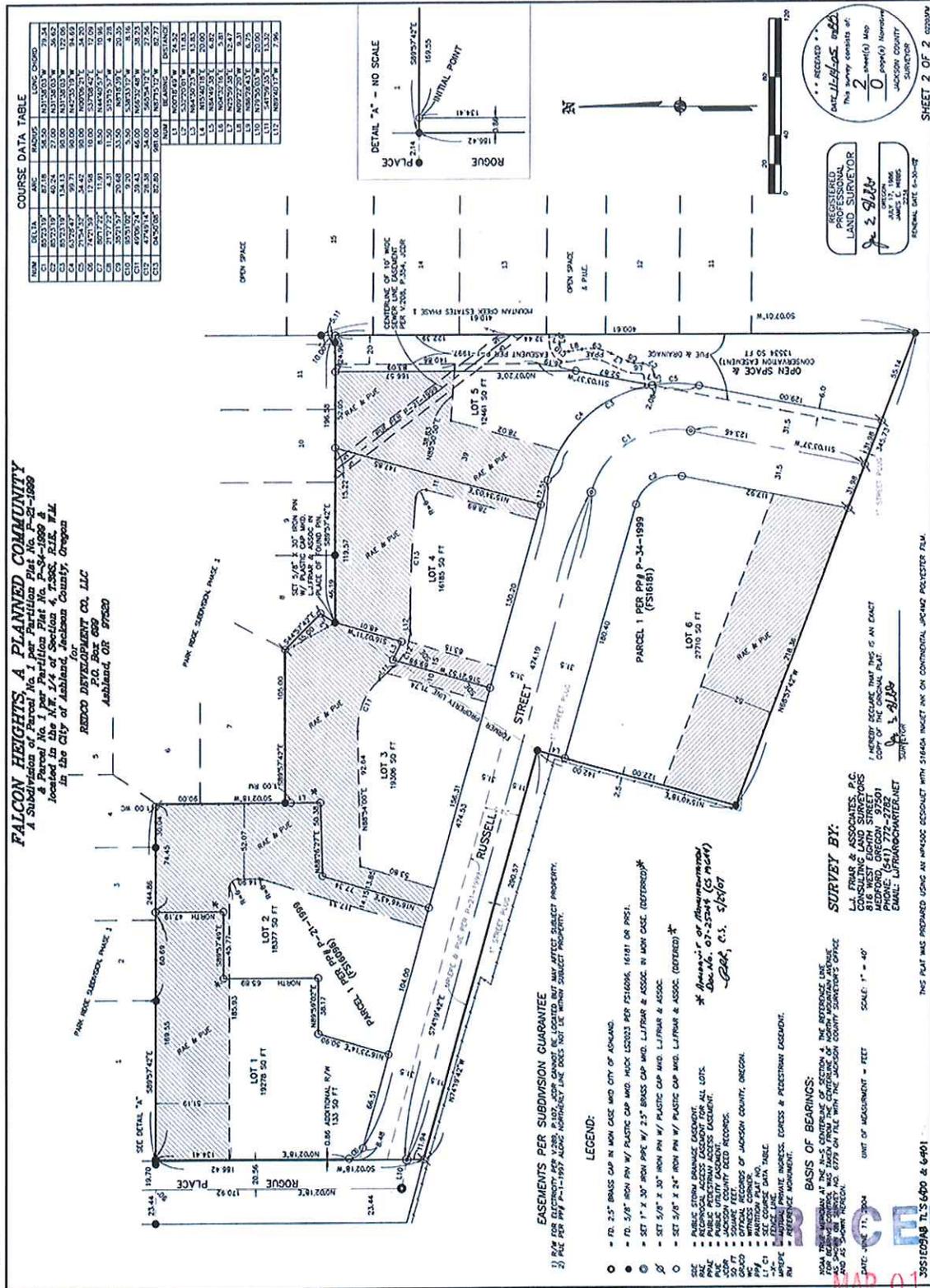
PROPOSED SITE PLAN-LOT III
SCALE: 1"=20'-0"
02-22-2018

TALCON HEIGHTS III
469 Russell Street
Ashland OR

ARCHITECTURE
183 W. Main Street, Suite 101
Ashland, Oregon 97520
PH: 541.772.4312 | OFFICE@TALCONARCHITECTURE.COM



18965



141/60

SHEET 2 OF 2

18965

RECEIVED
MAR 01 2018
City Of Ashland

Detailed Land Use Data
For 7 Dwelling Units of Second Floor Residential Condo
(230) Residential Condominium/Townhouse

Open Date: 2/25/2018
 Analysis Date: 2/25/2018

Project: 18-001

Day / Period	Total Trips	Pass-By Trips	Avg Rate	Min Rate	Max Rate	Std Dev	Avg Size	% Enter	% Exit	Use Eq.	Equation	R2
Weekday Average Daily Trips Source : Trip Generation Manual 9th Edition	41	0	5.81	1.53	11.79	3.11	179	50	50	False	$\text{Ln}(T) = 0.87 \text{Ln}(X) + 2.46$	0.8
Weekday AM Peak Hour of Generator Source : Trip Generation Manual 9th Edition	3	0	0.44	0.15	0.97	0.68	196	19	81	False	$\text{Ln}(T) = 0.82 \text{Ln}(X) + 0.15$	0.8
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 9th Edition	3	0	0.44	0.15	1.61	0.69	213	17	83	False	$\text{Ln}(T) = 0.8 \text{Ln}(X) + 0.26$	0.76
Weekday PM Peak Hour of Generator Source : Trip Generation Manual 9th Edition	4	0	0.52	0.18	1.24	0.75	199	64	36	False	$T = 0.34(X) + 35.87$	0.82
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 9th Edition	4	0	0.52	0.18	1.24	0.75	205	67	33	False	$\text{Ln}(T) = 0.82 \text{Ln}(X) + 0.32$	0.8
Saturday Average Daily Trips Source : Trip Generation Manual 9th Edition	40	0	5.67	1.17	11.4	3.1	209	50	50	False	$T = 3.62(X) + 427.93$	0.84
Saturday Peak Hour of Generator Source : Trip Generation Manual 9th Edition	3	0	0.47	0.14	0.93	0.71	228	54	46	False	$T = 0.29(X) + 42.63$	0.84
Sunday Average Daily Trips Source : Trip Generation Manual 9th Edition	34	0	4.84	1.36	8.56	2.71	209	50	50	False	$T = 3.13(X) + 357.26$	0.88
Sunday Peak Hour of Generator Source : Trip Generation Manual 9th Edition	3	0	0.45	0.16	1.07	0.7	228	49	51	False	$T = 0.23(X) + 50.01$	0.78

RECEIVED
 MAR 01 2018
 City Of Ashland

Detailed Land Use Data
For 5 Gross Floor Area 1000 SF of First Floor Office
(710) General Office Building

Open Date: 2/25/2018
 Analysis Date: 2/25/2018

Project: 18-001

Day / Period	Total Trips	Pass-By Trips	Avg Rate	Min Rate	Max Rate	Std Dev	Avg Size	% Enter	% Exit	Use Eq.	Equation	R2
Weekday Average Daily Trips Source : Trip Generation Manual 9th Edition	55	0	11.03	3.58	28.8	6.15	197	50	50	False	$\ln(T) = 0.76 \ln(X) + 3.68$	0.81
Weekday AM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 9th Edition	8	0	1.56	0.6	5.98	1.4	222	88	12	False	$\ln(T) = 0.8 \ln(X) + 1.57$	0.83
Weekday PM Peak Hour of Adjacent Street Traffic Source : Trip Generation Manual 9th Edition	7	0	1.49	0.49	6.39	1.37	215	17	83	False	$T = 1.12(X) + 78.45$	0.82
Saturday Average Daily Trips Source : Trip Generation Manual 9th Edition	12	0	2.46	0.59	14.67	2.21	75	50	50	False	$T = 2.03(X) + 31.75$	0.64
Saturday Peak Hour of Generator Source : Trip Generation Manual 9th Edition	2	0	0.43	0.16	1.77	0.72	90	54	46	False		
Sunday Average Daily Trips Source : Trip Generation Manual 9th Edition	5	0	1.05	0.19	7.33	1.43	75	50	50	False		
Sunday Peak Hour of Generator Source : Trip Generation Manual 9th Edition	1	0	0.16	0.06	1.37	0.44	90	58	42	False		

RECEIVED
 MAR 01 2018
 City Of Ashland

Trip Generation Summary

Alternative: Alternative 1

Phase:

Project: 18-001

Open Date: 2/25/2018

Analysis Date: 2/25/2018

ITE	Land Use	Weekday Average Daily Trips			Weekday AM Peak Hour of Adjacent Street Traffic			Weekday PM Peak Hour of Adjacent Street Traffic		
		* Enter	Exit	Total	* Enter	Exit	Total	* Enter	Exit	Total
230	Second Floor Residential Condo 7 Dwelling Units	21	20	41	1	2	3	3	1	4
710	First Floor Office	28	27	55	7	1	8	1	6	7
5	Gross Floor Area 1000 SF									
	Unadjusted Volume	49	47	96	8	3	11	4	7	11
	Internal Capture Trips	0	0	0	0	0	0	0	0	0
	Pass-By Trips	0	0	0	0	0	0	0	0	0
	Volume Added to Adjacent Streets	49	47	96	8	3	11	4	7	11

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

Total Weekday PM Peak Hour of Adjacent Street Traffic Internal Capture = 0 Percent

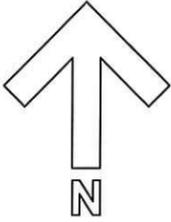
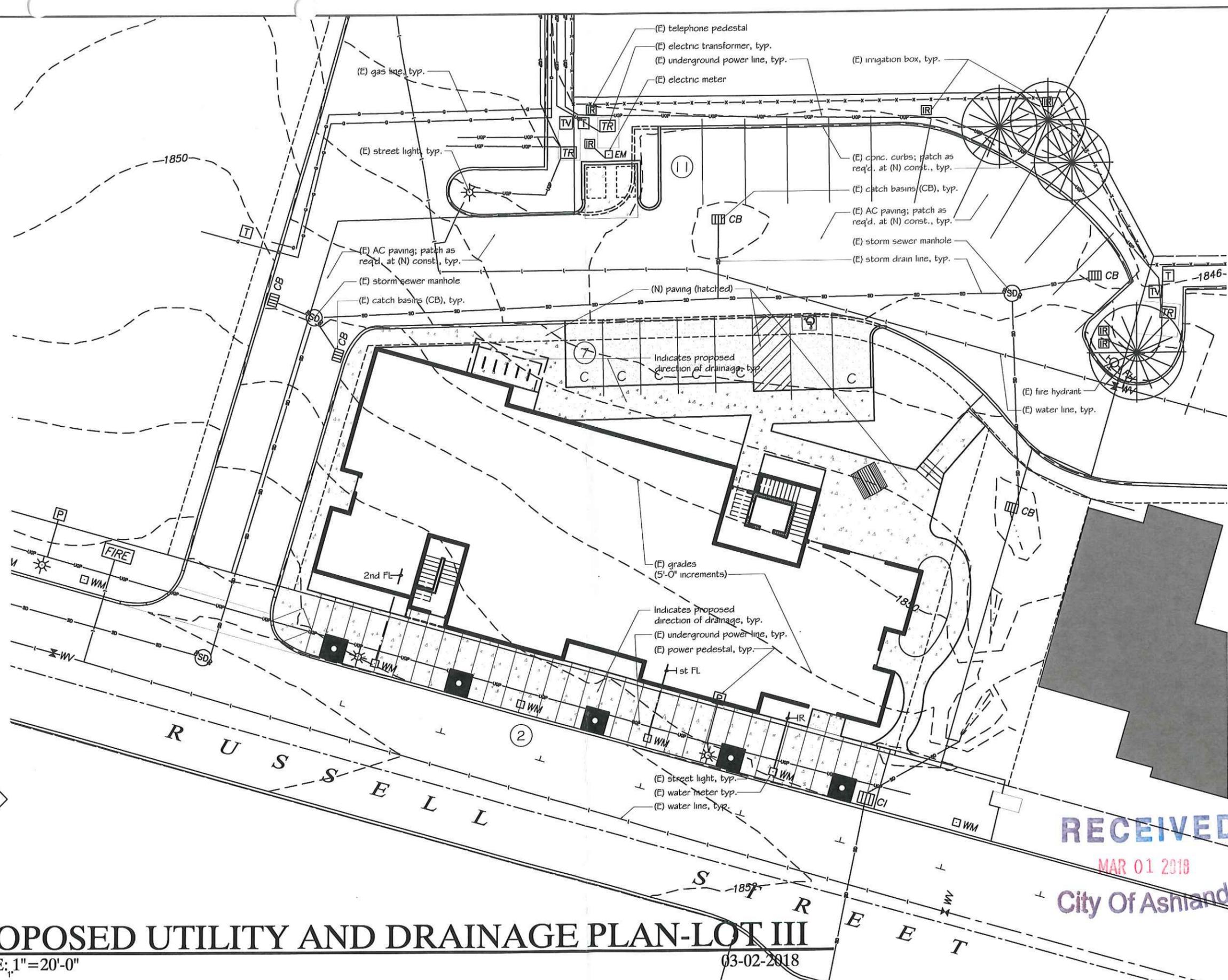
* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 9th Edition, 2012
TRIP GENERATION 10, TRAFFICWARE, LLC

RECEIVED

MAR 01 2018

City Of Ashland



PROPOSED UTILITY AND DRAINAGE PLAN-LOT III

SCALE: 1" = 20'-0"

03-02-2018

TO VERIFY PLOTTED SCALE BAR TO MEASURE ONE INCH BY ONE SIXTEENTH INCH

RECEIVED
MAR 01 2018
City of Ashland

OREGON ARCHITECTURE
132 W. Main Street, Suite 101
Medford, Oregon 97501
PH: 541-772-4372 | OREGONARCHITECTURE.BIZ

FALCON HEIGHTS III
The Benjamin Building
469 Russell Street
Ashland OR

THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE INC. AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE INC. COPYRIGHT 2018.

Approved for the Owner By	Date
REVISIONS	BY
PLOT DATE:	3/1/2018
ISSUE DATE:	
DRAWN BY:	
JOB NO.:	
SHEET	

A0.2
UTILITY AND DRAINAGE PLAN



Madara Design Inc
 Landscape Architecture, Design & Consultation
 2994 Wells Fargo Rd
 Central Point, OR 97502
 541-664-7065
 madaradesign@yahoo.com

RECEIVED
 MAR 01 2018
 City of Ashland

Project Description:
Falcon Heights III
 The Benjamin Building
 Project Location:
 469 Russell Street Ashland, Oregon 97520
 ADDRESS LINE 2
 Parcel MAP: 39 1E 09AA and TAX LOT: 2802

Approved for the Owner By:	Date:
REVISIONS	BY
PLOT DATE:	3/01/2018
ISSUE DATE:	
DRAWN BY:	
JOB NO.:	
SHEET	

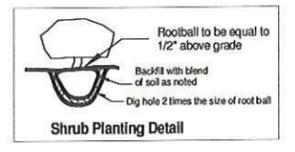
L-1.1

PLANT LIST

Quantity	Common Name	Botanical Name	Size
Trees			
1	Chesnut, Red Horse	Aesculus x carnea 'O'Neill Red'	1 1/2"
2	Maple, Japanese Green Select	Acer palmatum	25g
5	Oak, Crimson Spire	Quercus robur 'Crimschmidt'	1 1/2"
Shrubs			
9	Abelia, Kaleidoscope	Abelia 'Kaleidoscope'	3g
67	Ajuga, Royal Burgundy	Ajuga reptans 'Royal Burgundy'	4" pots
33	Heather, Darley Dale	Erica purpurascens 'Darleyensis'	2g
4	Rhododendron, Chionoides	Rhododendron 'Chionoides'	5g
10	Rhododendron, Lemon Drop	Rhododendron 'Lemon Drop'	5g
9	Viburnum, David	Viburnum davidii	3g
Ground Cover / Grasses			
23	Grass, Little Kitten	Miscantus sinensis 'Little Kitten'	1g
9	Kinnikinnick, Emerald Carpet	Arctostaphylos 'Emerald Carpet'	1g

PLANTING

- Plant material to be provided in accordance with species, sizes and quantities indicated below. Substitutions to be made with the approval of landscape architect.
- No planting to proceed until irrigation system is fully functioning in the area to be planted.
- All plant holes to be dug 2 times the volume of their root ball size. Backfill shall consist of 1/3 organic mulch, 2/3 top soil, micronutrient supplement and 16-16-16 fertilizer as follows:
 1gal 1oz
 3-5gal 2oz
 larger 4oz
- Plant upright and face to give best appearance or relationship to plants, structures and predominant viewing angle. Trees are to be planted so as to be straight up and down without the assistance of staking. Staking is solely for support against outside forces.
- Loosen and remove twine binding and burlap from around top of each root ball. Scarify root balls of plants exhibiting a root bound condition, being careful not to damage the root balls integrity. Stake and guy trees immediately after this work.
- Place and compact backfill soil mixture carefully to avoid injury to roots, and fill all voids.
- When hole is 2/3 filled with soil, completely soak and allow water to soak away at least two times or more, as necessary to completely water individual plants.
- Guarantee plant materials and related workmanship of installation, beginning after written acceptance of work, for one year.
 A. Replace plant material not surviving or in poor condition during guarantee period.
 B. Perform all replacement work in accordance with original specifications at no additional cost to Owner.
 C. Damage or loss of plant materials due to vandalism, freezing or acts of neglect by others, is exempt from Contractor's replacement responsibility.



GENERAL CONSTRUCTION NOTES

- General preparation of site to include:
 A. Eradication of weeds through the certified application of herbicides, allowing adequate time for kill.
 B. Removal, from site, of all existing surface rock in planting beds.
 C. All shrub beds to be finish raked to a smooth condition prior to mulching.
 D. Medium dark mulch to be placed in all shrub beds to a depth of 3"
 E. Sod lawn to be Perennial Ryegrass Blend or equal as determined by Landscape Architect.
- INCLUDE 365 DAYS OF MAINTENANCE from the day of acceptance. Including but not limited to:
 A. Maintain planting areas in a healthy, weed free condition through a minimum of bi-weekly visits.
 B. Replace any material showing signs of stress.
 C. Monitor irrigation for correct timing.
 D. Provide owner with complete list of instructions for continued care.
- Provide owner with complete list of instructions for continued care. Any changes are the responsibility of the contractor to co-ordinate with the owners representative.

GRADING

- All planting beds to be excavated to a minimum depth of 12" or deeper as determined by surrounding concrete and hardscapes. Excavation to continue until contacting native soil. Non-native soil to include gravel, rock and debris greater than 1 1/2" in size, and heavy clay soil. Final excavation not to exceed 18" below surrounding hardscapes.
- Fill all planters spaces with approved topsoil. Fill with sufficient excess to allow for 25% compaction. Fill planters so as to achieve a final grade within 3" of the top of the nearest hard surface or concrete.
- Placement of any soil to be done in coordination with suitable weather condition so as to prevent damage to soil structure.
- Sub-grading and final grade to consist of a smooth even grade, no undulation greater than plus or minus 1" within any 10 lineal feet of distance.
- All sub-grades to be adequately firm without being overly compacted.
- Once subgrade is established the Landscape Contractor is to add mature compost at a rate of 3 cu yds per 1,000 sq ft. and then rip to blend with top soil to a depth of 8". Compost may be achieved through the use of approved pre-blended top soil.
- Finish grade in shrub areas to be a smooth even grade mounded 3" high in the middle of beds and ending 3" below surrounding areas. All finish grading to promote positive drainage away from structures and to be done in such a way as to eliminate puddling or collection of water.

SEE CIVIL ENGINEERS DRAWINGS FOR GRADES

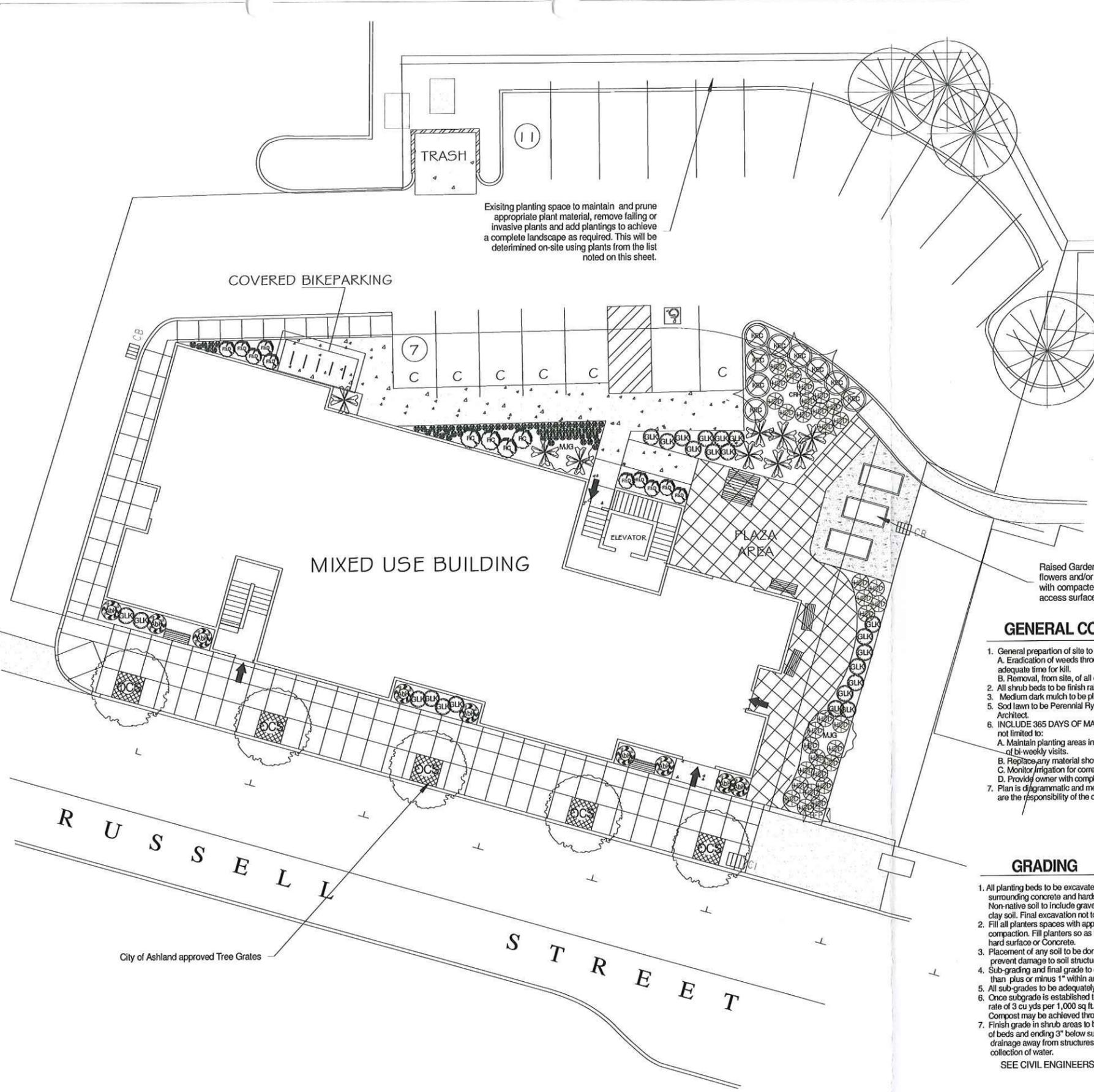
IRRIGATION DETAILS

- An automatic irrigation system to be provided for all plant materials areas following the specifications outlined on these plans and in accordance with industry standards. System is intended to perform at 10 gpm and 50 psi. Confirm on-site before proceeding.
- All materials are to be new and in original condition.
- Install an approved double check valve per local and state requirements.
- Place manual drain valves as needed at low points in mainline to insure complete drainage during winter shut down.
- Mainline should be located in area with least conflict with surrounding utilities. Mainline location on plan for ease of interpretation.
- Control wires, 18ga minimum, to be located below all piping in any ditch.
- All drip zones to use PVC laterals to locate a point of connection in each individual planting bed.
- Shrub areas to be irrigated by drip irrigation
 A. All surface drip tubing to be Rain Bird XFD In-line Drip Tubing to be buried a range of 3-5" and held down every 5' with J-stakes. Use the pattern described in the Typical Drip Tubing Layout. Layout to comprise drip tubing laced beginning 12" in from any perimeter hardscape and in equal parallel lines 18" OC thereafter.
 C. All Drip zones to include a 150 mesh filter and 30psi pressure regulator
- Raised planters are to have a separate control zone as well as a hose bib for individual water needs.
- Sleeving to be provided under all hardscapes by general contractor for irrigation purposes.
- Contractor responsible for any and all safety, security of materials and damage caused by the contractor to existing facilities during the course of installation.
- Irrigation system to be guaranteed against defective material or workmanship for one year from the date of final acceptance. Damage or loss due to vandalism, freezing or acts of neglect by others, is exempt from Contractor's replacement responsibility after completion and acceptance of installation.
- Provide owner with an accurate as-built locating all valves, wire splices, main line and any sleeving.
- Use provided irrigation schedule as a base-line and adjust only as needed for varying weather conditions staying within the general scheme provided. See schedule provided elsewhere.
- Provide owner with complete set of written instructions for operation of sprinkler system including spring start up, clock operation, and winterization.
- Walk owner through the entire system describing the operating instructions.

Backflow device 1" Wilkins 350
 Double check valve assembly.

LANDSCAPE PLAN

Scale 1" = 20'



Existing planting space to maintain and prune appropriate plant material, remove failing or invasive plants and add plantings to achieve a complete landscape as required. This will be determined on-site using plants from the list noted on this sheet.

Raised Garden Planters for flowers and/or vegetables with compacted gravel access surface.

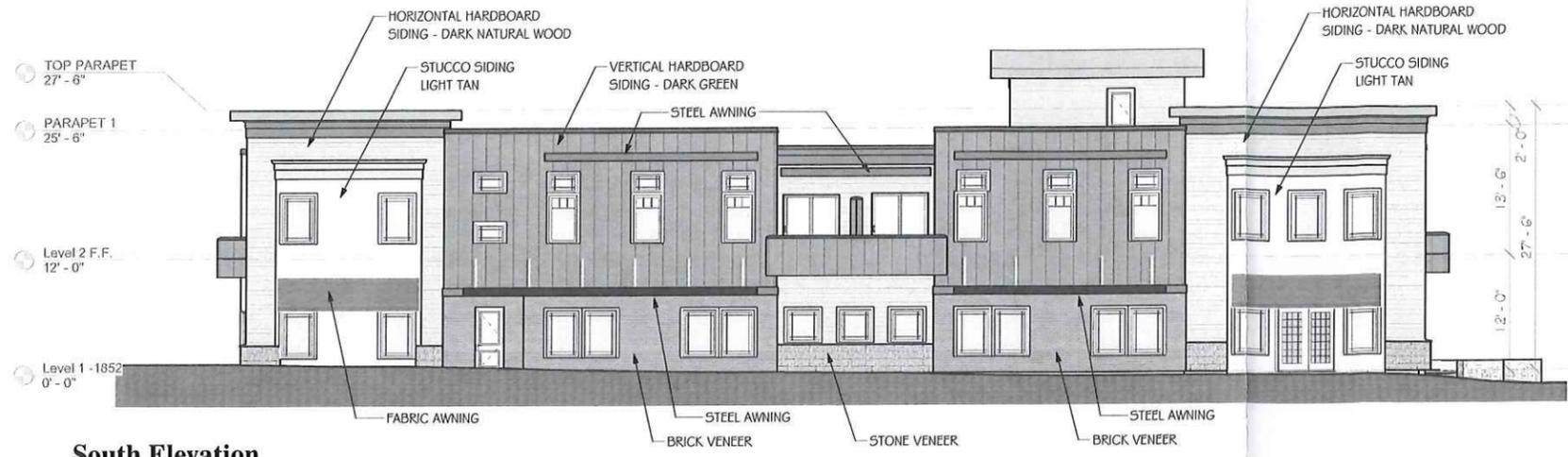
City of Ashland approved Tree Grates

TO VERIFY SCALES 0" 1" BAR SHOULD MEASURE ONE INCH BY ONE SIXTEENTH INCH

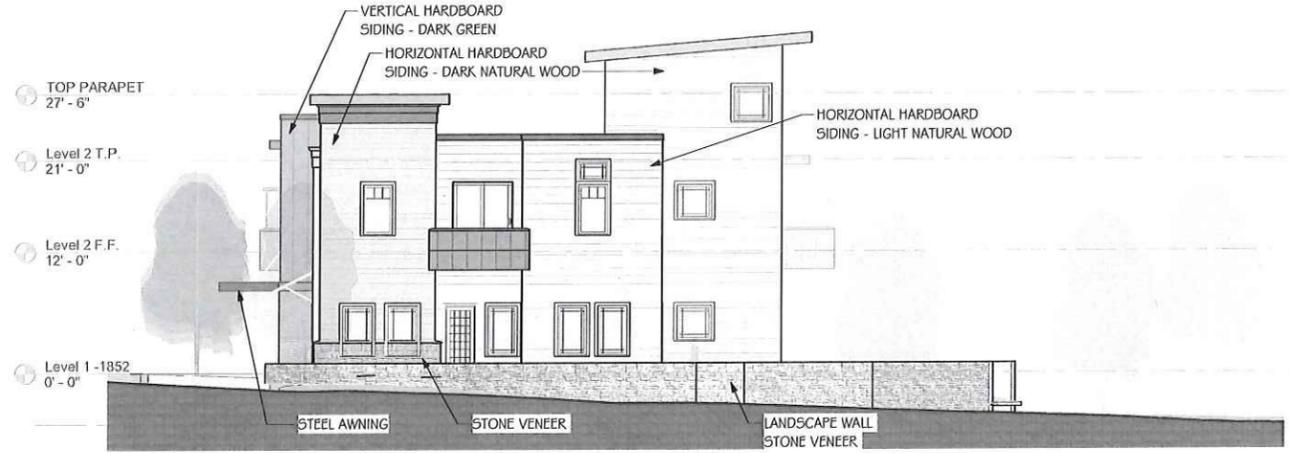
THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE, INC. AND IS NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE, INC. COPYRIGHT 2017.

Building Facade

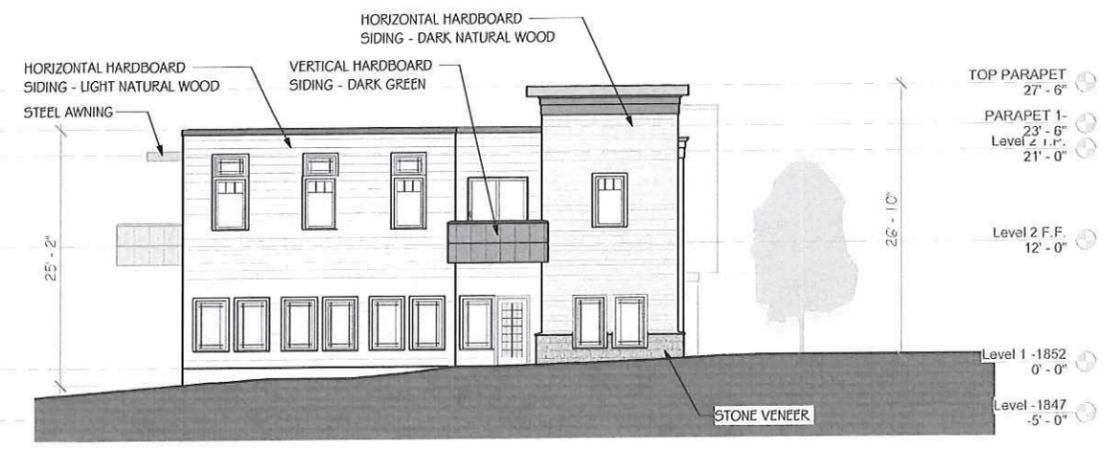
Window Size	SqFt	Qty.	Sum of Window
(3.5x5) =	17.5	23	402.5
(3x5) =	15	8	120
(3x2) =	6	8	48
(6x6) =	40	3	120
(3.5x3.5) =	12.25	3	36.75
			727.25
Total Building Frontage			3606.37
Min 20%			721.274
Difference			-5.976



South Elevation
1/8" = 1'-0"



East Elevation
1/8" = 1'-0"



West Elevation
1/8" = 1'-0"



North Elevation
1/8" = 1'-0"

TO VERIFY SCALES 0" 1" BAR SHOULD MEASURE ONE INCH BY ONE SIXTEENTH INCH.

THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE INC., AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE INC. COPYRIGHT 2018.

ARCHITECTURE
 132 W. Main Street, Suite 101
 Medford, Oregon 97501
 PH. 541 775-4372 | OREGONARCHITECTURE.BIZ

Proposed Mixed Use Development:
FALCON HEIGHTS III
The Benjamin Building
 Project Location:
 469 Russell Street Ashland, Oregon 97520
 Envtl. MAP: 39 1E 09AA and TAX LOT: 2802

Approved for the Owner By: _____ Date: _____
 REVISIONS BY: _____
 PLOT DATE: 02/19/18
 ISSUE DATE: Issue Date
 DRAWN BY: Author
 JOB NO.: _____
 SHEET: **A2.0**
 Elevations

RECEIVED

MAR 01 2018

City Of Ashland



South East 3D View



South West 3D View



North West 3D View

RECEIVED
 MAR 01 2018
 City Of Ashland



132 W. Main Street, Suite 101
 Medford, Oregon 97501
 PH. 541 772-4372 | OREGONARCHITECTURE.BIZ

Proposed Mixed Use Development:
FALCON HEIGHTS III
 The Benjamin Building
 469 Russell Street, Ashland, Oregon 97520
 Parcel: MAP: 39 1E 09AA and TAX LOT: 2802

Approved for the Owner By: _____ Date: _____

REVISIONS	BY

PLOT DATE: 02/22/18

ISSUE DATE: Issue Date

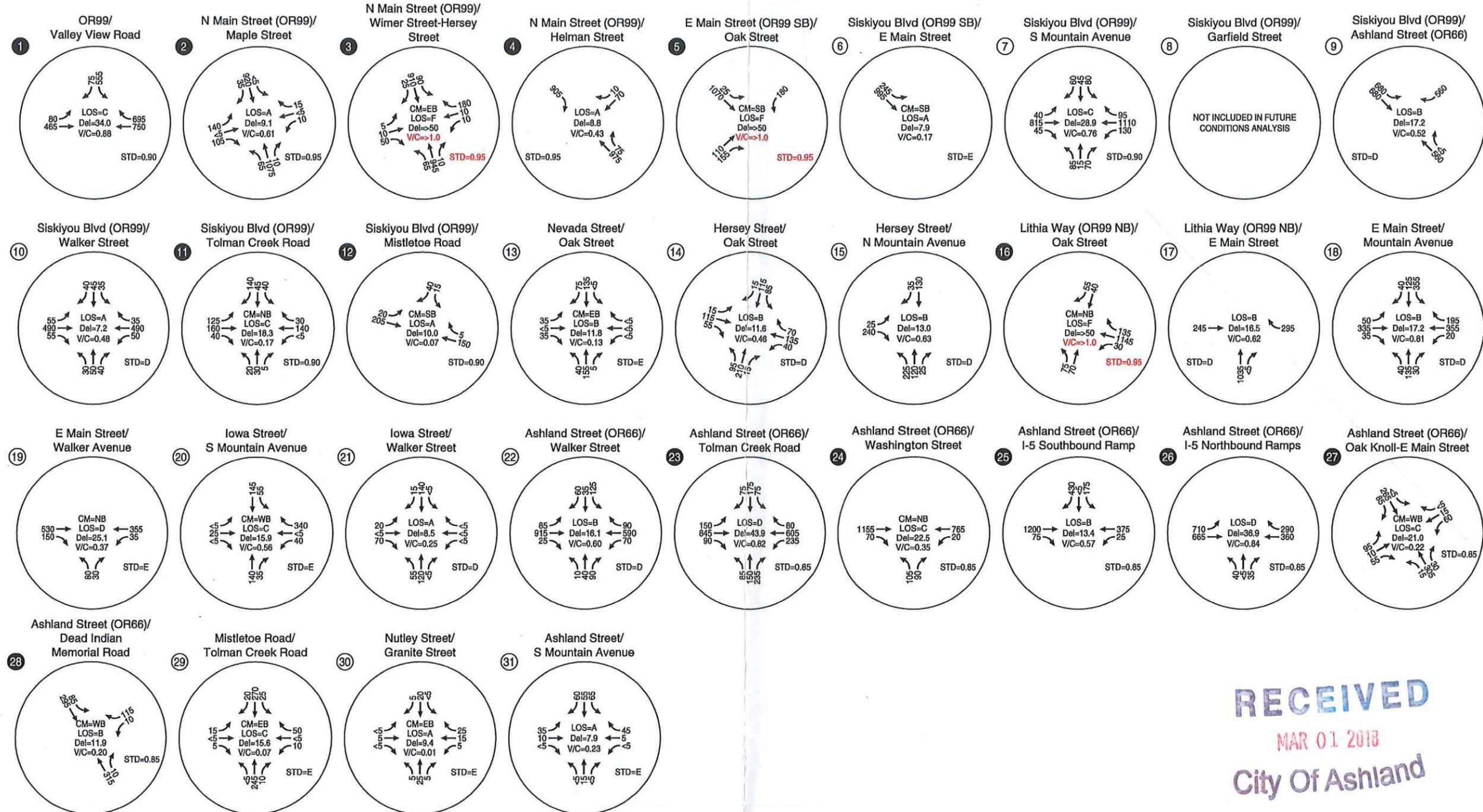
DRAWN BY: Author

JOB NO: _____

SHEET

A2.1
 Unnamed

THIS DOCUMENT, THE IDEAS AND THE DESIGNS INCORPORATED HEREIN, IS AN INSTRUMENT OF PROFESSIONAL SERVICE AND PROPERTY OF OREGON ARCHITECTURE INC., AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT, WITHOUT THE WRITTEN AUTHORIZATION OF OREGON ARCHITECTURE INC. COPYRIGHT 2018.



RECEIVED
MAR 01 2013
City of Ashland

CM = CRITICAL MOVEMENT (UNSIGNALIZED)
 LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)
 Del = INTERSECTION AVERAGE CONTROL DELAY (SIGNALIZED)/CRITICAL MOVEMENT CONTROL DELAY (UNSIGNALIZED)
 V/C = CRITICAL VOLUME-TO-CAPACITY RATIO
 STD = OPERATIONAL STANDARD

Year 2034 Future No-Build Traffic Conditions Weekday PM Peak Hour



Figure 5-5

PUBLIC TRANSPORTATION EXPANSION FEASIBILITY STUDY

SCOPE OF WORK

This project scope of work describes how Nelson\Nygaard will deliver the Public Transportation Expansion Feasibility Study. The goal of the Project is to evaluate the mobility needs of residents, employees and visitors in the City of Ashland, and how public transportation might best meet those needs today and in the future. Outcomes of the project will be a flexible set of strategies the City may consider for public transportation, and actions and partners needed to implement those strategies.

All deliverables described in the tasks below include a draft and final version. The final version will include changes reflecting one set of comments and revisions from the City of Ashland Project Manager or designated project participants.

A successful project relies upon the buy-in from community stakeholders and decision makers. Nelson\Nygaard and the City of Ashland will convene two new groups and use the Ashland City Council and Transportation Commission throughout the project to act as a sounding board:

1. **Technical Advisory Committee** – This project-specific group will review deliverables and technical work, and will include the key agencies who affect or are affected by public transportation. This group would be convened three times and will have project-level decision-making responsibility. Members may include but not be limited to city planning staff, a Transportation Commission member, a Planning Commission member, Rogue Valley Transportation District staff, and Southern Oregon University staff.
2. **Ashland City Transportation Commission** -This group meets monthly and consists of seven commissioners dedicated to transportation issues. This group would be convened twice and be advertised to stakeholders and the public. A public workshop preceding the Transportation Commission meetings will allow the community to comment on the content that will be presented to the commission. This group will be advisory and provide comments to Ashland staff on draft materials.
3. **Ashland City Council** – This policy body hosts study sessions twice per month. The consultant will present to the City Council twice. This group will review draft materials and ensure conclusions meet City expectations.

Definitions:

Project – Ashland Public Transportation Expansion Feasibility Study

Project Manager – City of Ashland Project Manager

Project Team – City staff and consultant team to manage day-to-day study tasks

Consultant – Nelson\Nygaard Consulting Associates

TAC –Project Advisory Committee

TC – Ashland Transportation Commission

CC – Ashland City Council

TASK 1 PROJECT MANAGEMENT AND OVERSIGHT

1.1 – Kickoff meeting

Nelson\Nygaard will facilitate a project kickoff meeting with the consultant team and the City of Ashland staff. The purpose of this meeting is to:

- Establish administrative and communication procedures
- Discuss initial project goals and objectives
- Discuss work plan scope and schedule

- Create stakeholder focus group and interview contact list
- Obtain data and information for technical analysis
- Visit locations of relevance to the project

1.2 – Project phone meetings

Nelson\Nygaard will set up bi-weekly Project Team phone meetings of up to 1-hour in duration throughout the project period. The purpose of the calls will be to review current project work, discuss key questions or issues, review upcoming tasks, and share comments on recent deliverables or other work products.

1.3 - Website information and project updates

Nelson\Nygaard will provide project summary information for a webpage that will provide a platform for stakeholders to learn about the project. Nelson\Nygaard will work with the City to determine a website hosting service that best meets the project needs (i.e. City website or 3rd party). Nelson\Nygaard will provide website design that will facilitate regular updates. The updates will be provided at four project milestones and in coordination with stakeholder outreach tasks (dates are approximate):

- Project start (March 2018)
- Existing Conditions and Needs Assessment (May 2018)
- Strategy Development (August 2018)
- Transit Expansion Feasibility Study (November 2018)

Deliverables

- Nelson\Nygaard
 - Kickoff meeting agenda; Kickoff meeting facilitation; Kickoff meeting notes including a summary of action items
 - Website creation; four sets of project information and documents
 - Data and information request
 - Bi-weekly call agenda and meeting notes
- City of Ashland
 - Kickoff meeting facility; Kickoff meeting invitations as needed; Kickoff meeting site visit itinerary

TASK 2 EXISTING CONDITIONS AND NEEDS ASSESSMENT

The purpose of this task is to understand typical travel patterns, assess existing transportation services, and understand the existing public transportation and pedestrian infrastructure. Nelson\Nygaard will use technical transportation analysis (see task 2.1), conversations with key stakeholders, and an online survey. Nelson\Nygaard and the City will coordinate efforts with the Rogue Valley Transportation District's (RVTD) Transit Master Plan.

2.1 – Transportation analysis

This task will help the project team understand typical origins and destinations for people traveling to, from and in Ashland. The task will establish a baseline for the market for transit. Nelson\Nygaard will:

- Create a combined population and employment density map using U.S. Census Bureau and/or Portland State University population and employment data, noting changes or trends evident from previous land use density analysis.
- Collect and analyze relevant origin and destination analysis from the Rogue Valley Metropolitan Planning Organization (MPO) travel demand model, to the extent available and applicable; data will be presented in tabular or graphic format showing travel demand into, out of and within the City of Ashland.
- Analyze RVTD public transportation trip origins and destinations and any rider survey data available.
- Assess existing public transportation services, based on information available from RVTD, including service hours, frequency, revenue hours, revenue miles, ridership, operating cost, vehicle type, bus stop amenities, and fare policies.
- Inventory available transportation network companies and taxis, carsharing, carpooling, bikesharing, and any local incentive programs to use public transportation.

- Summarize pedestrian and bicycle infrastructure conditions from previously completed reports, noting connections to bus stops. The City of Ashland will provide updates to existing pedestrian and bicycle infrastructure conditions.

2.2 – Stakeholder Group Meetings

Understanding transit needs requires talking to people who ride buses today, people who don't ride, and stakeholder who represent community interests. Nelson\Nygaard will create a stakeholder invitation list in tandem with the project team during Task 1.1 Kickoff meeting. We typically group stakeholders by common interests or by geography. Examples include education, major employers(e.g. DAREX), Southern Oregon University, social service organizations, older adults, City staff, medical facilities, or neighborhood groups.

We envision up to three stakeholder meetings, with 5-15 participants per meeting. Nelson\Nygaard will provide a meeting guide, introductory narrative for emails, letters, cards, or websites, facilitate the meetings, and summarize results. The City of Ashland will assist in distributing invitations. Nelson\Nygaard will schedule meetings with the Stakeholder Groups as available over one or two trips scoped for Task 2.

2.3 – Public and Rider Outreach

Input from community stakeholders will be complemented by feedback from bus riders and the general public in Ashland. RVTD plans to survey Route 10 passengers in May 2018. To reduce duplication of effort, the team will use the data from RVTD's surveys to understand rider travel patterns and needs.

It can be difficult to attract interest in surveys or public meetings. Therefore, Nelson\Nygaard will set up project stations at two community destinations or events where people will already gathered. Nelson\Nygaard will provide informational material such as boards or summary sheets about the project. Nelson\Nygaard will ask people where they travel, opinions about public transportation, and travel preferences that influence what makes them want to ride the bus, and what prevents them from using it. Potential events may include:

- Ashland Market (Tuesdays 8:30 am-1:30 pm starting in Spring 2018)
- Southern Oregon University or location on campus (Spring Semester starts April 2, 2018)
- Rogue Community College Medford
- Ashland Plaza (will reach bus riders and the general public)

The Consultant will time the meetings to complement, rather than overlap or compete with public involvement activities related to the RVTD Transit Master Plan. The TAC representatives and City staff will guide the project team in identifying the best meeting and event dates.

2.4 – TAC meeting #1

Nelson\Nygaard will facilitate one meeting with the TAC in Task 2. The TAC will include key stakeholders related to the project goals.

The goal of the TAC meeting will be to orient members to the project scope, schedule, and project team; and to get input on the project vision and goals, public transportation needs and opportunities, findings to date, other potential participants, and potential public transportation expansion strategies. The meeting outcomes will be a refined project schedule as needed, data sources, consensus on vision and goals, and information or data on needs and opportunities.

2.5 – TC Meeting #1

Nelson\Nygaard will facilitate a meeting with the TC in Task 2, at its regularly scheduled meeting. The goal of the meeting will be orient the TC members to the project schedule and team, to verify the project vision and goals, and collect information on transportation needs and opportunities. Meeting outcomes will be consensus on the vision and goals, and further information on needs and opportunities.

The City may elect to provide a 2-hour informational session to the public before the meeting; Nelson\Nygaard will provide staff to support the session, and informational materials to be produced/printed by City staff. Nelson\Nygaard will facilitate a presentation and discussion with the Transportation Commission, discussing project findings to date, public transportation needs and opportunities, project vision and goals, and potential project participants.

2.6 Technical Memorandum #1 Existing Conditions and Needs Assessment

Nelson\Nygaard will write a technical memorandum documenting the analysis and outreach conducted in Task 2. The memorandum will include the project team's conclusions about City of Ashland transportation and land use in relation to the project's goals and objectives.

Deliverables

- Nelson\Nygaard
 - Technical Memorandum #1 summarizing transportation analysis, surveys, focus groups, and interview findings
 - Facilitate up to 3 stakeholder group meetings
 - Facilitate TAC meeting #1 in Ashland and create meeting notes
 - Facilitate TC meeting #1 in Ashland and create meeting notes
 - Facilitate public events #1, #2
 - Create informational material needed for public workshop and TC open house session
- City of Ashland
 - Contact list compilation and survey distribution
 - Updates to pedestrian and bicycle infrastructure condition assessment
 - Request and facilitate data sharing with RVT, Southern Oregon University, Rogue Valley Council of Governments/ MPO and other stakeholders
 - Arrange logistics for TAC meeting #1
 - Arrange logistics for TC meeting #1
 - Print materials needed for public open house session, as needed.

TASK 3 STRATEGY DEVELOPMENT AND EVALUATION

This task will build from past and ongoing planning efforts by presenting public transportation strategies in ways that let stakeholders and decision-makers assess strategy benefits and costs.

3.1 – Strategy development

Nelson\Nygaard will identify strategies in three groups:

- operating (e.g. routes and schedules),
- capital (e.g. vehicles and bus stations), and
- programs (e.g. transportation options).

Nelson\Nygaard will base strategies on stakeholder input collected in Task 2, past bus service, and past plans. The Nelson\Nygaard team will develop and propose potential new strategies, pulling examples from industry best practices and innovative approaches in other cities today.

This task will allow the team to more fully explore specific expansion alternatives based on stakeholder interest such as ride-hailing services and vehicles using electric, hybrid electric or other propulsion systems. These assessments will include approximate unit and operating costs in the most common iterations. Some new or innovative strategies may have less quantitative data available, for which the team will provide more broad estimates and identify ways for stakeholders to stay informed of future opportunities.

3.2. – Funding scan

Nelson\Nygaard will summarize potential funding sources, partnerships and methods to support the city's implementation plan. The funding information will include sources accessible by the City of Ashland, and sources used by RVT and other partner agencies to support public transportation services. The funding information will provide information for stakeholders to understand public transportation funding opportunities and constraints.

3.3 – Strategy evaluation

Nelson\Nygaard will summarize strategies to help stakeholders understand the tradeoffs, or costs and benefits, of each strategy. The specific data or performance measures will be determined with the project team to ensure the analysis

answers questions unique to Ashland's transportation goals, stakeholder interests, and plans, as identified in Task 2. Performance measure examples include:

- Estimated quantitative descriptions such as route frequency, hours of service, and travel times.
- Quantitative measures such as jobs and residents within one-quarter mile of stops, cost, ridership effects, and vehicle emissions available from sketch planning tools.
- Qualitative measures such as travel time reliability, safety and security, and traveler comfort.

3.4 – TAC Meeting #2

The Nelson\Nygaard team will use the evaluation information to facilitate discussions with the TAC about which strategies are well-suited to the City's long-term mobility goals. Strategies considered feasible based on costs and preliminary operating plans will be carried forward to the implementation phase for more detailed analysis and strategy development.

3.5 – City Council Meeting #1 (Study Session)

The City Council is an important sounding board for this project, to ensure that City leaders' vision for the City's transportation system aligns with the findings and potential strategies considered. Nelson\Nygaard, in partnership with city staff, will present a summary of the project and record comments and questions to guide strategy development and research. The goal of the meeting will be to introduce the City Council to the project goals and schedule, and collect information about priority public transportation needs and resources. Outcomes will be agreement on project vision and goals, and direction on strategies of most interest for the Study.

3.6 – Technical Memorandum #2 Strategy Development and Evaluation

Nelson\Nygaard will document strategy development, evaluation and stakeholder feedback in Technical Memorandum #2. The Memorandum will include the project team's conclusions about the analysis and feedback as it relates to the project goals. The memorandum will identify public transportation expansion strategies that best meet City and project goals.

Deliverables

- Nelson\Nygaard
 - Technical Memorandum #2 Service Options, summarizing task analysis conducted in Tasks 3.1 through 3.4 (Draft Memo may have placeholder for Stakeholder Input if memo is distributed prior to PAC meeting #2)
 - Facilitate TAC meeting #2 in Ashland and create meeting notes
 - Facilitate CC meeting #1 in Ashland and create meeting notes
- City of Ashland
 - Arrange logistics for City Council meeting
 - Arrange logistics for TAC meeting

TASK 4 PUBLIC TRANSPORTATION EXPANSION FEASIBILITY STUDY

The final task will be for the Nelson\Nygaard team to provide estimated costs, phases, strategic partners, and other resources and processes needed to implement public transportation strategies.

4.1 - Public Transportation Expansion Feasibility Study

The implementation plan will include operating, capital, and programmatic categories, reflecting annual and one-time costs, funding resources, and other requirements. The Nelson\Nygaard team will provide up- to-date and detailed public transportation funding information. The Nelson\Nygaard team envisions the results of this task to provide a clear vision and set of priorities or goals the public transportation system in Ashland should achieve over a long-term period (10+ years). The results will include individual public transportation strategies to carry forward in future planning and budgeting processes.

Nelson\Nygaard will create a Public Transportation Expansion Feasibility Study Executive Summary documenting analysis and results from the project tasks. The executive summary will be combined with Technical Memoranda #1 and #2 as attachments or exhibits, to create a full project report. The executive summary will provide a short and non-technical summary of the Feasibility Study strategies, potential funding and costs, outreach conducted as part of the planning process, and an implementation plan describing how the City will pursue the strategies in the near future and key resources to implement those strategies.

4.2 – TAC Meeting #3

The third TAC Meeting will be an opportunity for the committee to review the findings to date, changes to strategy evaluation results developed after TAC Meeting #2, and a draft of the Public Transportation Expansion Feasibility Study Executive Summary. The TAC comments will guide development of the Draft Final Executive Summary before presentation to the City Council.

4.3 – TC Meeting #2

It is important to circle back with stakeholders to discuss the plan findings and validate results from the strategy evaluation. Nelson\Nygaard will present the final plan to the Transportation Commission. The Commission meeting will include a 2-hour open information session beforehand, allowing interested stakeholders time to learn about the project work, share comments and information, and ask questions. The Commission members will have an opportunity to learn about and comment on potential strategies and information describing them in the Draft Executive Summary. The goal of the TC meeting will be to introduce strategies and next steps to pursue strategies. Meeting outcomes will be information and questions to review with City staff for possible inclusion in the Final Plan.

4.4 – City Council Meeting #2

The City Council meeting #2 will be a presentation of the Draft Final Feasibility Study. The Council will review the Executive Summary. Nelson\Nygaard will facilitate the presentation in partnership with City staff, and a discussion about potential strategies, key partners, and next steps. The goal of the City Council meeting will be to introduce strategies and next steps to pursue strategies. Meeting outcomes will be information and questions to review with City staff for possible inclusion in the Final Plan.

The City of Ashland staff will be responsible for guiding the resulting Study through the City Council adoption process.

Task deliverables include:

- Nelson\Nygaard
 - Draft and Final Public Transportation Expansion Feasibility Study
 - TAC meeting #3
 - TC meeting and workshop #2
 - CC meeting #2
- City of Ashland
 - Arrange logistics for TAC meeting #3
 - Arrange logistics for TC meeting #2
 - Arrange logistics for CC meeting #2

OUTREACH SCHEDULE AND BUDGET

Nelson\Nygaard expects to complete the outreach meetings in Ashland in six trips. The trips, expected schedule and staff are described in Table 1. The budget is shown in Table 2.

Table 1: Stakeholder outreach schedule

PURPOSE	DATE	ATTENDING
Task 1 Project Kickoff		
1.1 – Kickoff meeting and site visits	March 1-2 day	Jamey, Stephanie, Paul
Task 2 Existing Conditions and Needs Assessment		
2.2 – Stakeholder group interviews	April	Jamey, Paul
2.3 – Public event table #1	3 days	
2.4 – TAC #1		
2.2 – Stakeholder group interviews (as needed)	May	Jamey, Paul

2.3 – Public event table #2	2 days	
2.5 – TC #1 +workshop (standard schedule)		
Task 3 Strategy Development and Evaluation		
3.4 – TAC #2	July	Jamey, Stephanie
3.5 – CC #1	2 days	
Task 4 Public Transportation Expansion Feasibility Study		
4.2 – TAC #3	September (week 1)	Jamey, Paul
4.3 – TC #2 +workshop (special schedule)	2 days	
4.4 – CC #2	November 1 day	Jamey