

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  
STUDY SESSION  
September 25, 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. **PUBLIC FORUM**
  
- V. **UNFINISHED BUSINESS**
  - A. Approval of Findings for PA-T2-2018-00001, 449-459 Russell Street.
  - B. Alan Harper Introduction and Presentation on Views from Communities Around the World
  - C. Confirm Planning Commission Retreat date May 11, 2019
  - D. Confirm term limits for Commission Chair
  
- VI. **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).

**BEFORE THE PLANNING COMMISSION**  
**September 25, 2018**

IN THE MATTER OF PLANNING ACTION PA-T1-2018-00001, A REQUEST FOR )  
SITE DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW 22,469 SQUARE )  
FOOT, TWO-STORY MIXED-USE BUILDING AT 449-459 RUSSELL ST. THE )  
APPLICATION PROPOSES TO MODIFY THE ORIGINAL SUBDIVISION APPROV-) )  
AL BY CONSOLIDATING THE TWO LOTS INTO A SINGLE PROPERTY. THE )  
PROPOSED BUILDING WILL INCLUDE A MIX OF OFFICE AND LIGHT MANU-) )  
FACTURING SPACE ON THE GROUND FLOOR. THE SECOND FLOOR IS PRO-) )  
POSED TO CONSIST OF TEN TWO- BEDROOM RESIDENTIAL CONDOMIN-) )  
IUMS RANGING IN SIZE FROM 814 TO 1,094 SQUARE FEET. THE APPLICA-) )  
TION INCLUDES AN EXCEPTION TO THE SITE DEVELOPMENT AND DESIGN )  
STANDARDS BECAUSE THE ENTRANCES ALONG RUSSELL STREET ARE )  
PLACED MORE THAN 20 FEET BACK FROM THE RIGHT-OF-WAY. THE )  
SPACE BETWEEN THE BUILDING ENTRANCES AND THE RIGHT-OF-WAY IS )  
PROPOSED TO BE AN OUTDOOR PLAZA SPACE. )  
)  
)  
OWNER/APPLICANT: Laz Ayala/KDA Homes, LLC )  
)  
)

**FINDINGS,  
CONCLUSIONS  
& ORDERS**

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**RECITALS:**

- 1) Tax lots #2800 and #2801 of Map 39 1E 09 AA are located at 449 and 459 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 22,469 square foot mixed-use building on the properties located at 449 Russell Street and 459 Russell Street, Lots 1 and 2 of the Falcon Heights Subdivision. The application proposes to modify the original subdivision approval by consolidating the two lots into a single property. The proposed building will include a mix of office and light manufacturing space on the ground floor. The second floor is proposed to consist of ten two-bedroom residential condominiums ranging in size from 814 to 1,094 square feet. The application includes an Exception to the Site Development and Design Standards because the entrances along Russell Street are placed more than 20 feet back from the right-of-way. The space between the building entrances and the right-of-way is proposed to be a 3,213 square foot outdoor plaza space. 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 August 14, 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"

## 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. An Exception to the Site Development and Design Standards requested with regard to the relationship between the building’s entrances and the right-of-way is discussed under 2.7 below.

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 partly 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 application indicates that the building will comply with Standard A, and the applicants’ sheet “A0.3 Shadow Study” illustrates that the building has been designed with a Standard A setback in mind. 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 6-inch 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 across the street on Lot #6 and the recently approved building on Lot #3.”*

The Commission also 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 0.8644 acres in size and thus has a base density of 12.97 dwelling units (**0.8644 acres x 15 dwelling units/acre = 12.9665978 dwelling units**). The proposal is for ten two-bedroom units which complies with the allowed base density.

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 11,241 square feet with the only area to be used by the second floor residents limited to the stairwell and elevator which are roughly 300 square feet or less than three percent of the ground floor area. The Commission therefore 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 only one exceptions to the Site Development and Design Standards has been requested. Section 2.7 below addresses the exception request.

With regard to the Basic Site Review standards, 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 applicants assert 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 and has been designed to face the primary street, proposed public plaza space and public sidewalk. They further note that the entrance is designed to be clearly visible, functional and will remain open to the public during typical business hours. 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 also finds that the application materials provided include landscaping and site plans identifying a screened trash and recycling area. 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 0.86 acres in size, or 37,655 square feet, and has a total proposed floor area of 22,482 square feet, for a Floor Area Ratio (F.A.R.) of 0.60, not including the plaza space or any pedestrian areas, which exceeds the minimum requirement for a 0.50 F.A.R. The applicant notes that the building frontage has a variety of jogs and other distinctive changes in the façade for the purpose of creating an attractive street façade, 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 five-foot by five-foot 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 plaza space between the building and the street will enhance the "people" area and make the building more pleasant for both visitors and residents.

The Commission also finds that while the building is to be placed more than five feet from the sidewalk, the space between the building and sidewalk is to be used for pedestrian activities such as plaza space as provided for 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 22,482 square feet, and the frontage is 182 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 also finds that the project was designed with a roughly 4,000 square foot plaza, and that the building's floor area is 22,482 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 general layout accommodates siting in various locations (benches, seating wall, planter seats) while retaining an open, central plaza to accommodate assembly. The plaza will incorporate “in-laid concrete art” in the form of a maze which will also serve as control joints to limit concrete cracking; the applicants note that the final design has not been fully developed and will be finalized during construction as the forms are installed but will create a two-tone colored maze. The applicant goes on to explain that the design includes more than the minimum four requisite plaza elements, as it incorporates sitting spaces, a mixture of areas of sun and shade, outdoor eating areas, protection from wind by buildings, and art in the form of the proposed in-laid concrete maze.

Section 18.4.3.080.E.6 requires that a sight-obscuring fence, wall or hedge between five and six feet high measured from the high grade side be provided as a buffer to an adjacent residential zone. The applicants have indicated that they are willing to comply with this standard, and a condition is included below to require that a revised landscaping plan addressing the required buffer be provided with the building permit, and that the proposed buffering measures be installed according to the approved plan, inspected and approved by the Staff Advisor prior to final approval or issuance of a certificate of occupancy.

The Planning Commission finds that the applicants have provided the following parking calculations to address the city's parking requirements, which are detailed in AMC 18.4.3.040:

**449-459 Russell Street – Mixed-Use**

10 Two-bedroom residential units @ 1.75 space per unit	=	<b>17.5 spaces</b>
11,228 sq. ft. of general office @ 1 space per 500 sq. ft.	=	<b>22.456 spaces</b>

**Total Parking Required** = **39.956 spaces**

<b>Total Parking Required:</b>	<b>39.956 spaces (40 spaces)</b>
<b>Surface Parking Provided (Off-Street):</b>	<b>39 spaces (including two ADA-accessible)</b>
<b>On-Street Parking Credit Requested:</b>	<b>1 space</b>
<b>Mixed-Use Parking Credit Requested:</b>	<b>0 spaces</b>
<b>Total Off-Street Parking Provided:</b>	<b>40.0 spaces with 1 credit</b>

The Commission further finds that a total of 29 parking spaces were installed as part of the subdivision's original infrastructure installation, and that the applicant proposes to construct ten additional off-street parking spaces. As detailed above, the total parking required is 40 spaces, and a total of 39 off-street spaces are proposed. The applicant has requested to meet address the remaining one space of required parking through an on-street parking credit which is one of the parking management strategies provided for in AMC 18.4.3.060. The applicants note that while nine spaces are available along the two properties' street frontages they have attempted requests for on-street parking credits or other management strategies in case the ground floor office space uses are ever proposed to intensify to retail or medical office use. If this is the case, the applicants recognize that a future owner would have to modify the site to provide more parking or propose additional parking management strategies. The applicants have also noted that all parking spaces originally provided as part of the subdivision are open and available to tenants and customers from all lots within the subdivision.

The Commission finds that the parking managements strategies allow for a maximum combined reduction in parking demand of 50 percent; the combined reduction requested here is approximately 2.39 percent ( $0.956/39.956 = 0.023926319$ ). For adjacent properties, parking management strategies combining mixed-use credits and on-street parking credits have allowed for reductions in required parking ranging from 11 to 23 percent. The Commission finds that the single on-street credit requested here seems reasonable given that there are nine on-street spaces available along the properties' frontages, and that the peak demand for the commercial and residential uses is likely to be materially off-set to some degree. The Commission also finds that the shared use of parking throughout the subdivision further supports the requested minimal, single-space reduction to the off-street parking requirements.

The Planning Commission also finds that the required bicycle parking for the proposal includes 15 required covered bicycle parking spaces for the ten proposed two-bedroom residential units, and at least five bicycle parking spaces for the proposed office space, with at least three of these spaces to be covered. The applicants have proposed to provide 18 covered bicycle parking spaces on the north side of the building, with the two remaining un-covered spaces to be provided between the plaza and the sidewalk 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.

The Commission further 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 has not proposed to bring the parking lot into compliance with the more 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. An exception to these standards is discussed under section 2.7 below.

**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 has noted that in discussing the available public facilities with the Public Works, Fire and individual utility departments they have determined the following:

- **Water** – There are eight-inch water mains in place in the adjacent rights-of-way for Russell Street and Rogue Place, and another eight-inch water main is in place along the northern property line. 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 although anticipated loads may have changed based on the level of development proposed here. 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 an 18-inch storm sewer main in Russell Street, along with 12-inch mains in Rogue Place and along the northern property line.

- **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 wells, five-foot by five-foot city-standard tree grates, and 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 21 trips during both the A.M. and P.M. peak hours, and further notes that there will be a less than 2.6 percent increase in PM Peak Hour traffic on East Hersey Street in 2034 and a 0.9 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.

Based on the above information, 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 that 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.

With regard to the placement of entrances relative to the right-of-way, the Planning Commission finds that section 18.4.2.040.B.1.d requires that, "*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.”* The applicants contend that the proposed design improved circulation for those with disabilities, provides for inviting entrances, creates a break in the streetscape and has a surface area consistent with the public sidewalk. The applicants further explain that in considering development options, they looked at a north-facing plaza which made for a more uncomfortable outdoor space during much of the year as it would have been shaded, cold and windy, and was also too private for a plaza space where the intent is to be visible and accessible to the public even though it is on private property. In response to the Exception criteria, the applicants recognize that there is not a demonstrably difficulty in meeting the specific standard, but they suggest that granting the exception will result in a design which equally or better achieves the stated purpose of the standards. The applicants strongly contend that the plaza on the south side of the building, between the building and the sidewalk, will be much more usable throughout the year and provide a type of space that can be used for many purposes such as small meetings, group gatherings or public assembly when compared to a plaza hidden behind the building (as was the plaza space for the building on Lot #3). The applicants also contend that the design of the building is attractive with inviting and well-planned interior and exterior spaces that could be utilized in a variety of ways. They emphasize that the plaza space is to be visually open to the public, will have a number of seating areas and shaded areas, and will complement the building’s architectural design. The applicants conclude that the proposed plaza space is roughly 967 square feet larger than required by code and that if it were located behind the building, the additional space would likely wind up as storage, additional parking or under-utilized landscaping. In considering this exception, the Planning Commission finds that a larger, more inviting and prominent public space within the Falcon Heights subdivision will supplement the individual plaza areas and provide benefits both by enlivening the streetscape and supporting a sense of neighborhood identity. The plaza space as proposed provides a mixture of the requisite public space elements sought in the standards: sitting spaces, protection from wind by buildings, areas of sunlight and shade, trees, and public art in the form of a scored concrete color-differentiated maze artistic element within the plaza surface, and could readily accommodate outdoor eating and/or food vendors.

With regard to the parking lot treatment, the Planning Commission finds, as it did for the adjacent Lot #3, that section 18.4.3.080.B.5 requires that parking areas of more than seven spaces minimize the adverse microclimatic impacts of the parking through design and materials by utilizing light-colored paving, using at least 50 percent porous paving materials or providing 50 percent of the parking area shaded with trees or solar carports, and capturing and treating stormwater run-off in landscaped medians and swales. The Commission further finds that this standard has taken effect subsequent to the subdivision approval and the installation of the subdivision infrastructure, including parking. There is a landscaped swale off of the parking lot between the existing building at 479 Russell Street and the proposed building on the adjacent Lot #3 at 469 Russell Street, and an existing storm drain line with catch basins is in place in the driveway and parking areas behind Lots 1,2,3 and 4. The Commission also finds that modification of the existing parking surfacing or drainage facilities to comply with this new standard would pose a difficulty given that the parking and underlying infrastructure are in place and in use as originally approved, and reliance on the existing facilities is the minimum necessary to alleviate this difficulty and will not substantially negatively impact adjacent properties given that microclimatic impacts will be minimized by the location of the existing improvements on the north (shady side) of the building, the presence of the existing

drainage swale between subdivision buildings, and the landscaping to be restored and maintained.

**2.8** The Planning Commission finds that in considering the landscape plans for development of the subdivision, the Ashland Tree Commission recommended that the applicants look at ways to provide more soil volume with larger tree wells, that the tree trunks should be wrapped to provide protection from sun damage, and that the street trees should be watered regularly for two to three years to ensure they can fully establish themselves.

**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. The proposed new building has been designed with city standards in mind, with the primary orientation to the street rather than to parking areas; visible, functional and attractive entrances oriented to Russell Street and accessed via a new large south-facing plaza space to be placed between the building and 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 The Planning Commission concludes that based on the record of the Public Hearing on this matter, the proposal for Site Design Review approval for a new two-story mixed-use building at 449-459 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, the Planning Commission approves Planning Action #T2-2018-00001. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action #2018-T1-00001 is denied. The following are the conditions 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 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).
- 4) 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.
- 5) 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.

- 6) 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.
- 7) 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 and Irrigation Plans shall be provided for the review and approval of the Staff Advisor with the building permit submittals. These revised plans shall address:
    - 1) 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;
    - 2) details of the fence, wall or hedge installations proposed to provide the requisite five- to six-foot buffer between zones;
    - 3) details of the final placement of the refuse and recycling enclosure which provide a minimum 30-foot separation from adjacent residential properties;
    - 4) 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 with city standard five-foot by five-foot square metal tree grates, 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 18 covered and two uncovered bicycle parking spaces as proposed by the applicants. Inverted u-racks shall be used for the outdoor bicycle parking, and 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 proposed by the applicants. Calculations shall be in the formula **[(Height – 6)/(0.445 + Slope) = 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.
- 8) 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.
- 9) 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; required buffers between zones, and the irrigation system shall be installed according to the approved plan, inspected, and approved by the Staff Advisor. Any landscaping or other screening required on the subject property in the subdivision's landscaping plan which has died or been removed shall be replaced to insure that the required sight-obscuring screening

- and buffer between zones is provided and 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) 20 required covered bicycle parking spaces shall be installed according to approved plan, inspected and approved by the Staff Advisor.

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Planning Commission Approval

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September 25, 2018  
Date