

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please fill out a Speaker Request Form and place it in the Speaker Request Box by staff. 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
SPECIAL MEETING
June 23, 2020
AGENDA**

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

- II. **ANNOUNCEMENTS**

- III. **PUBLIC FORUM**

- IV. **TYPE II PUBLIC HEARINGS CONT'D**
 - A. **PLANNING ACTION: #PA-T2-2020-00019**
SUBJECT PROPERTY: Vacant Tax Lots #10104 & #10105 on First Street (North of Lithia Way, Across from the Post Office)
OWNER/APPLICANT: Randy Jones for First Place Partners, LLC
DESCRIPTION: A request to consolidate two vacant lots and construct a new 10,547 square foot, three-story mixed use building as the third and final phase of the First Place subdivision. The building's ground floor will be primarily commercial space, while the second floor will include three one-bedroom residential units and the third floor will have one two-bedroom residential unit. The proposal includes modifications to the common area landscaping and parking configuration to provide more efficient access from the accessible parking to the entrances, and two requests for Exceptions to the Site Development & Design Standards' "Downtown Design Standards" to allow for a staggered street setback and to allow vertical windows installed together in groups of three that are more horizontal than vertical. COMPREHENSIVE PLAN
DESIGNATION: Commercial; ZONING: C-1; ASSESSOR'S MAP: 39 1E 09BA; TAX LOTS: #10104 & #10105

- V. **TYPE III PUBLIC HEARINGS CONT'D**
 - A. **PLANNING ACTION: #PA-T3-2019-00001**
SUBJECT PROPERTY: 1511 Hwy 99 N
OWNER/AGENTS/APPLICANT: Linda Zare/Casita Developments, LLC & Kendrick Enterprise, LLC/ Rogue Planning & Development Services, LLC
DESCRIPTION: A request for Annexation of a 16.87-acre parcel and Zone Change from County RR-5 Rural Residential) to City R-2 (Low Density, Multi-Family Residential) for the properties located at 1511 Highway 99 North. The annexation is to include adjacent railroad property and state highway right-of-way. The application includes conceptual details for the future phased development of 196 apartments (1- and 2-Bedrooms, ranging from 480-701 square feet) in 14 two-story buildings; Outline Plan subdivision and Site Design Review development approvals are not requested here, and would be applied for subsequent to annexation. The application also requests



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).

Note: Anyone wishing to speak at any Planning Commission meeting is encouraged to do so. If you wish to speak, please fill out a Speaker Request Form and place it in the Speaker Request Box by staff. 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.

an Exception to Street Standards to deviate from city standard parkrow and sidewalk improvements to respond to constraints of right-of-way width and existing encroachments. COMPREHENSIVE PLAN DESIGNATION: Multi-Family Residential; ZONING: Existing – County RR-5, Proposed – City R-2; ASSESSOR’S MAP: 38 1E 32; TAX LOT#’s: 1700 & 1702.

VI. ADJOURNMENT



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).

**PACKET MATERIALS
FROM THE
JUNE 9, 2020
MEETING**

**PA-T2-2020-00019
Vacant Lots #10104 & #10105
on First Street**

**APPLICATION SUBMITTALS
& PRESENTATION**

**PA-T2-2020-00019 Vacant
Lots #10104 & #10105
on First Street**

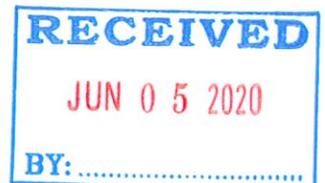
June 9 PC Hearing Testimony

PA-T2-2020-00019

Plaza North

Prepared by Architect Jerome White for
Owner/Applicant Randy Jones
for First Place Partners, LLC

June 5, 2020



EXCEPTION 1

EXEPTION 1

18.4.2.60 DOWNTOWN ASHLAND

C. 2. **Setback**

Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line. Areas having public utility easements or similar restricting conditions shall be exempt from this standard.

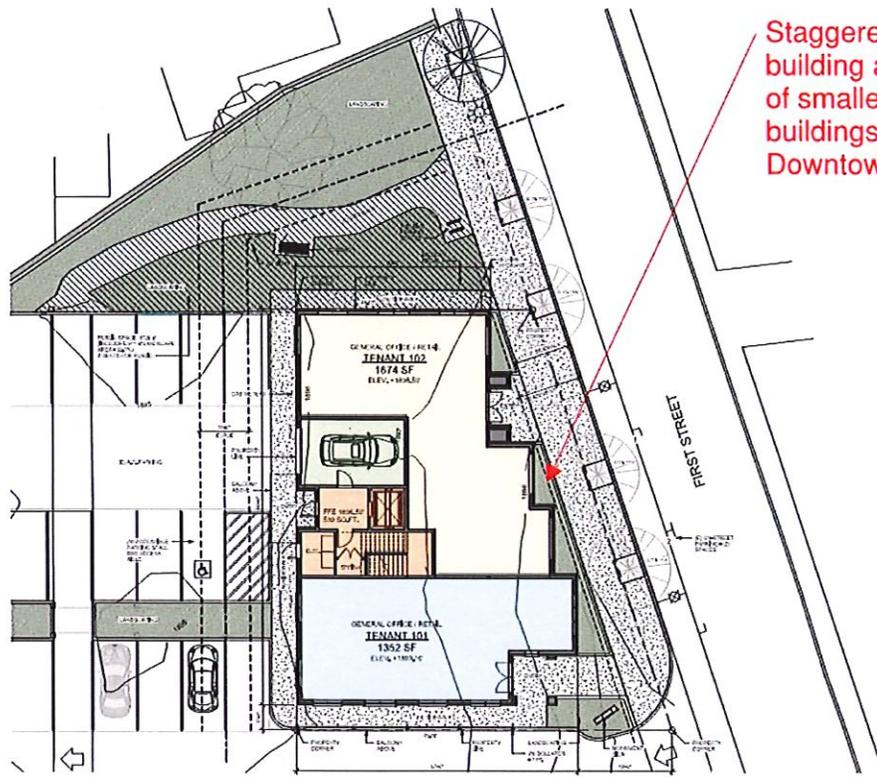
- 2. There is no demonstrable difficulty in meeting the specific requirements but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.**

The unique shape of the lot with the First Street frontage running at an acute angle in respect to the otherwise rectangular parcel and Lithia Way, provided an opportunity to create a stepped façade that works better with the lot shape and creates a more interesting streetscape that creates the appearance of smaller buildings grouped together. This stepping and offsetting of the façade eases the transition between the commercial and residential zones. The design places the corners of each step at or near the First Street sidewalk (up to the Utility easement), steps back a short distance, and then steps again at the point the front wall intersects with the First Street sidewalk. The two main entrances are then recessed from their respective facades, in accordance with the design standards, to emphasize their sense of entry.

We contend that this alternative design better achieves the intent of the Downtown Design Standards as the alternative solution would be to design a building with an odd acute angle (hence another 'flat' façade) at the southeast corner of the building (entrance to subdivision) that is not typically reflected in the Downtown's character. In fact, many of the buildings found in the Downtown are based on their underlying 90-degree property lines where the subject property line is roughly 120 degrees based on the combination of the street and access corridor. As such, the proposed design is based more on the traditional building setting in the downtown and not the shape of the lot.

The purpose Downtown Design Standards was to be as compatible with the Downtown's historic building pattern. With this standard, the purpose was to ensure pedestrians and the users of the public space (i.e. sidewalks) have an opportunity to engage and that activities occurring within the interior spaces are visible through the storefront windows. The concept encourages walking as the opportunity is there to engage with the inside space and make the walk more enjoyable versus along a parking lot or field. In the end, the applicants contend the building still provides that opportunity, but also respects many of the other Downtown standards.





Staggered facade downscales building and creates appearance of smaller pedestrian scale buildings for transition from Downtown zone to Residential

- CONCRETE
- BRICK
- STONE
- GLASS
- EXTERIOR FINISH
- INTERIOR FINISH
- MECHANICAL
- LIGHTING
- FLOOR FINISH

kistler + small + white

SITE REVIEW

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

ENLARGED SITE PLAN

A2



RECEIVED
 JUN 05 2020
 BY:

EXCEPTION 2

C.4. Openings

a. Ground level elevations facing a street shall maintain a consistent proportion of transparency (i.e., windows) compatible with the pattern found in the downtown area. The front elevation includes storefront windows and glass doors similar in size to other storefront windows found in the Downtown.

b. Scale and proportion of altered or added building elements, such as the size and relationship of new windows, doors, entrances, columns, and other building features shall be visually compatible with the original architectural character of the building.

Not applicable as the building is new.

c. **Upper floor window orientation shall primarily be vertical (height greater than width).** Of the building's six front façade 'bays', four have windows on the second and third floors that, when their individual vertical windows are 'ganged' together, may appear more horizontal than they are vertical which requires an exception request according to City Planners. I humbly disagree that this requires an exception, but notwithstanding my disagreement with the need for the exception, the criteria and justification can be found in C. 11. Exception to Standards at the end of this section.

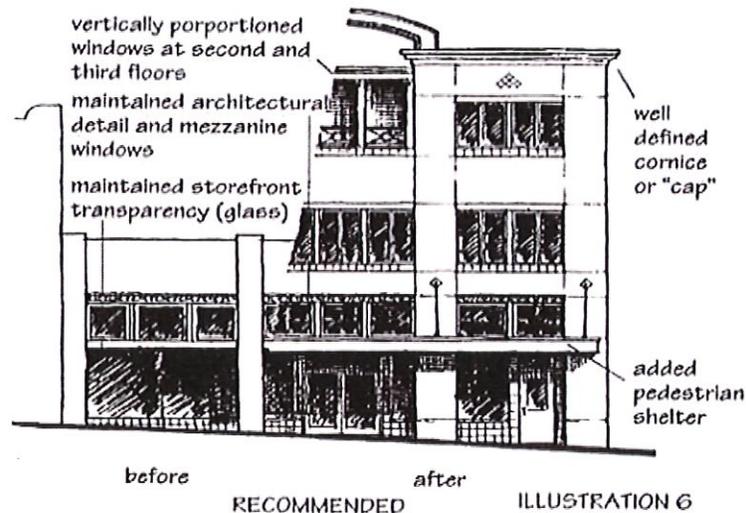


Figure 18.4.2.060.C.6.

The Downtown Ashland Standard for Vertical Rhythms above clearly states "*vertically proportioned windows at second and third floors*" while showing a series of 'ganged' vertical windows that have a horizontal appearance.

d. **Except for transom windows, windows shall not break the front plane of the building.** The second and third floor windows are double hung 'sliding' windows that only open up and down and thereby do not break the front plane of the building.

e. **Ground level entry doors shall be primarily transparent.**

The building's ground level entrance doors will be single lite entrance doors. The windows and doors will be transparent allowing visibility into the building.

EXEPTION 2

18.4.2.61 DOWNTOWN ASHLAND

C. 4. Openings

d. Upper floor window orientation shall primarily be vertical (height greater than width).

- 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.**

We are proposing in this design to create multiple stepped 'bays' along the First Street facade with varying widths, with 'ganged' windows that appear more horizontal than vertical as a group, but that's primarily to retain the rest of the building's window pattern. The design exception is mitigated by the fact the subject windows are divided into three or two 'vertical', historically compatible windows. There are also many examples of historic buildings in downtown Ashland that have two-ganged windows that are visually square and three-ganged windows that are visually horizontal.



Two-ganged visually square



Three-ganged visually horizontal

These windows all have 'vertical' windows ganged together to form a wider grouping that is square or horizontal in appearance. The intent of this code item was to ensure that individual

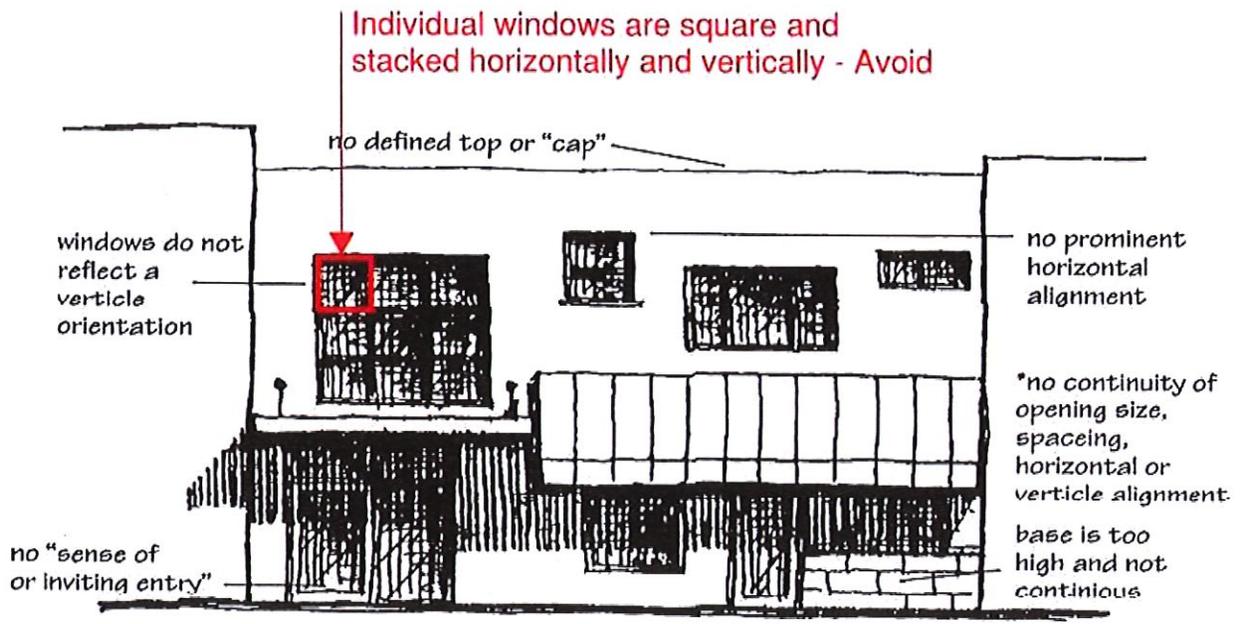


windows were more vertical as shown above.

We believe the proposed design better achieves the purpose and intent of the Downtown Design Standards and Downtown Plan as the slightly more horizontal windows, when ganged within the single bays do not overwhelm the building's architecture, but instead compliment it as described above. In this case, the design maintains the rhythm of openings as desired by the Standards, specifically Section VI-E Horizontal Rhythms. In the end, the Architects feel, bolstered by Historic Commissions input, the design approach taken is superior and accomplishes the Design Standards intent.

The exception requested is the minimum necessary and the applicants have attempted to mitigate the request by designing the subject windows within Plaza North building with vertical window elements to give a more vertical window pattern appearance. The windows chosen for the design are tall, rectangular units with transoms on the first floor, and double hung units on the top two floors. The window widths are primarily 36" and are combined in multiples of two or three. Since the building is a singular design, the window pattern is the same throughout. The glass utilized at the central brick elements are the same "ganged" double hung units with transoms added to provide a special feature for the building.

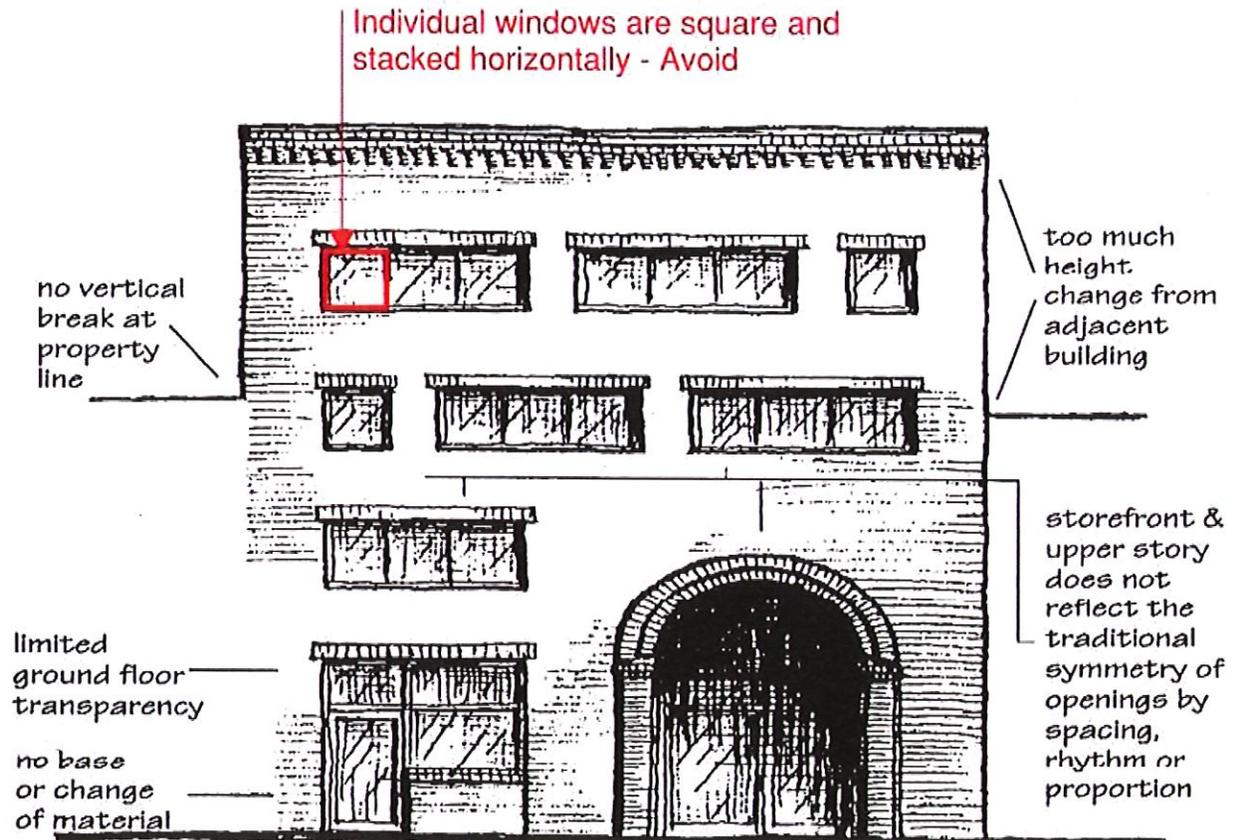




AVOID

ILLUSTRATION 8

Figure 18.4.2.060.C.8.



AVOID

ILLUSTRATION 3

Figure 18.4.2.060.C.3.

Examples in Standards of windows to avoid

RECEIVED
 JUN 05 2020
 BY:



• *East Elevation (First Street):* Consistent with the Downtown Design Standards and the general context of the downtown building pattern, the approach is to orient the building towards First Street with its two ground floor commercial spaces entering directly from First Street and all vehicle access coming from the rear, via the subdivision's common parking lot area. The design respects the scale and proportions of a number of historic buildings in downtown Ashland while incorporating modern materials and details. The front elevation has a variety of recessed and projecting areas to create surface relief and visual interest. Upper floor windows are traditional style double hung style ganged in two and three groupings and the individual windows are proportioned vertically, either structurally or via a window grid system, and are kept to less than 50% of the total surface area. The ground floor windows have a slightly larger surface area to reinforce their commercial nature and the second and third floor windows are smaller with the intent to define a separate use from the first floor. The design acknowledges historic traditions while offering a contemporary interpretation that is compatible within the historic district. Other than three minor deviations, the design is consistent with the adopted Downtown Design Standards. The design is substantially similar to the previous design submitted on November 7, 2014 and that was unanimously approved by the Ashland Historic Commission on December 3, 2014 and then approved through the Type I review process at the December 9 regular meeting of the Planning Commission.



**TYPE II
PUBLIC HEARING
PACKET MATERIALS**

**PA-T2-2020-00019
Vacant Lots #10104 & #10105
on First Street**



PLANNING ACTION: PA-T2-2020-00019

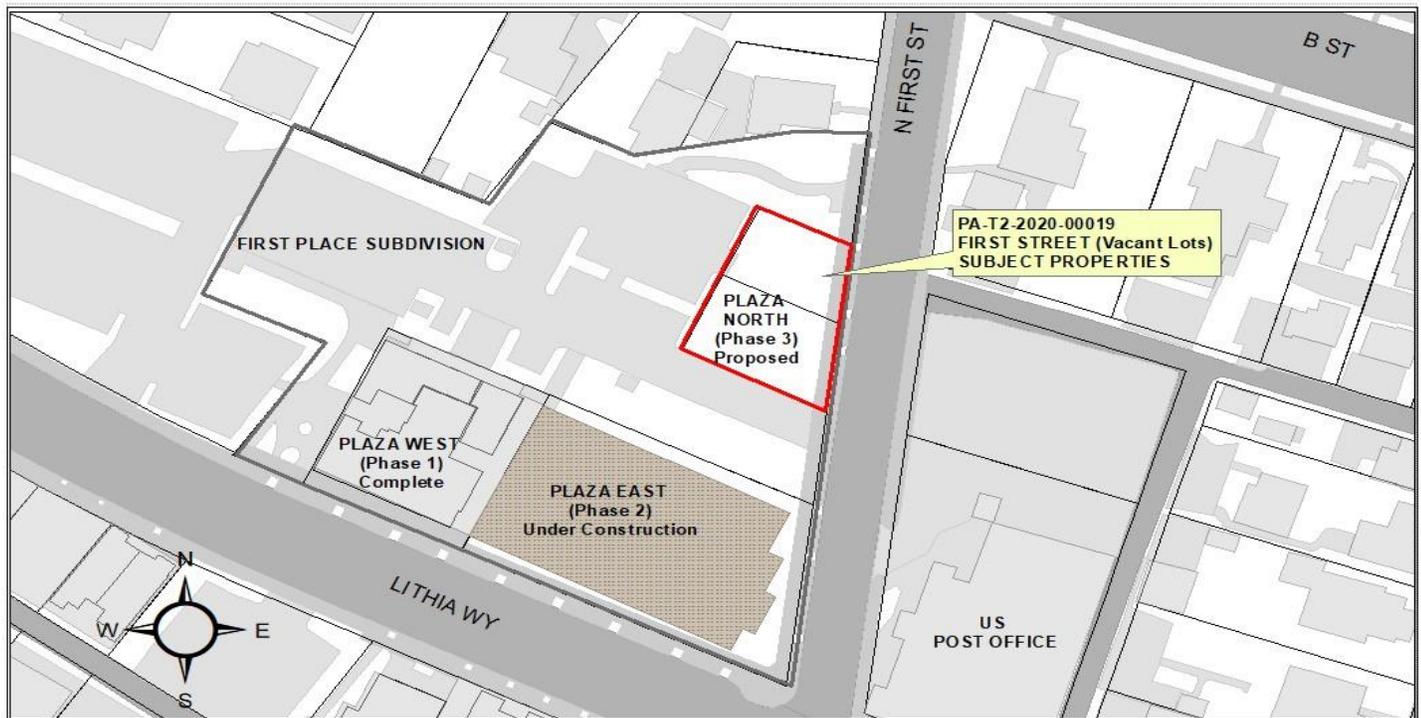
SUBJECT PROPERTY: Vacant Tax Lots #10104 & #10105 on First Street (North of Lithia Way, Across from the Post Office)

OWNER/APPLICANT: Randy Jones for First Place Partners, LLC

DESCRIPTION: A request to consolidate two vacant lots and construct a new 10,547 square foot, three-story mixed use building as the third and final phase of the First Place subdivision. The building's ground floor will be primarily commercial space, while the second floor will include three one-bedroom residential units and the third floor will have one two-bedroom residential unit. The proposal includes modifications to the common area landscaping and parking configuration to provide more efficient access from the accessible parking to the entrances, and two requests for Exceptions to the Site Development & Design Standards' "Downtown Design Standards" to allow for a staggered street setback and to allow vertical windows installed together in groups of three that are more horizontal than vertical. **COMPREHENSIVE PLAN**

DESIGNATION: Commercial; **ZONING:** C-1; **ASSESSOR'S MAP:** 39 1E 09BA; **TAX LOTS:** #10104 & #10105

ASHLAND PLANNING COMMISSION MEETING: *Tuesday June 9, 2020 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 Derek Severson in 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.

Plaza North

PA-T2-2020-00019 requests to construct a new 10,547 square foot, three-story mixed use building on the vacant lots across First Street from the Post Office. The building's ground floor will be commercial space, while the upper two floors will have a total of four residential units. The proposal includes modifications to the common area landscaping and parking to move accessible parking nearer to the building and provide a walkway from this parking to the First Street entrance.



Proposal Details

Proposal

With the request, the First Place subdivision's last two remaining vacant lots (Lots #4 and #5) across from the Post Office would be consolidated, and a new three-story mixed-use building constructed. The application includes two requests for Exceptions to the Site Development & Design Standards' Downtown Design Standards to allow for a staggered street setback to respond to the angled front property line along First Street, and to allow vertical windows to be grouped in two's and three's on the upper floor so that, when considered together, they appear more horizontal than vertical.

Site Description

The two lots here are Lots #4 and #5 of the First Place subdivision, which was originally approved in 2007. Phase I of the subdivision was the applicant's "Plaza West", an 18,577 square foot mixed use building which now contains Pony Espresso Coffeehouse and Washington Federal Bank and 10 residential units, which was approved in 2012. Phase II of the subdivision, the applicant's "Plaza East", was approved in 2019 and is now under construction. When complete, it will include ground floor commercial and 34 units of housing for artist's with the Oregon Shakespeare Festival. The currently proposed "Plaza North" will be the third and final phase of the subdivision.

Landscaping & Trees

Subdivision common areas, landscaping, parking, utilities and sidewalks were installed with the subdivision infrastructure and subsequent first phase. The proposal here will protect the existing street trees which were planted along First Street with the original subdivision work, and will plant new landscaping in the parking lot median behind the building, in the common open space area north of the building, and in planters along First Street.

Plaza North

PA-T2-2020-00019 requests to construct a new 10,547 square foot, three-story mixed use building on the vacant lots across First Street from the Post Office. The building's ground floor will be commercial space, while the upper two floors will have a total of four residential units. The proposal includes modifications to the common area landscaping and parking to move accessible parking nearer to the building and provide a walkway from this parking to the First Street entrance.



Key Issues

Parking

The First Place subdivision includes 55 spaces of surface parking and an additional 27 spaces of parking in private garage space accessed from the shared parking area behind the buildings. The 82 available parking spaces have been allocated between the proposed residential units and commercial spaces in each building, and parking calculations have been provided to demonstrate that the parking as proposed meets the City's off-street parking requirements.

Exceptions

The Downtown Design Standards require buildings to maintain a zero setback from the sidewalk. The building here steps back from the sidewalk in response to the angled front property line, creating six vertical bays which step back from the sidewalk to respond to the angle of First Street. The applicant suggests this eases the transition toward the Railroad District, is more in keeping with the historic character and creates a more engaging streetscape.

The standards also seek upper floor window orientation that is primarily vertical. The applicant proposes vertical windows in groups of two or three within a single bay, which when viewed together seem more horizontal. The applicant asserts that this responds to the building's vertical divisions, compliments its architecture, and maintains the rhythm of openings sought in the standards. The application further suggests that the intent of the standard was to insure that individual windows were more vertical, and includes photos to illustrate similar groupings of vertical windows on historic buildings in the downtown.

Staff Recommendation

Staff recommends that the application be approved with the conditions detailed in the draft findings included in the Planning Commission's June 9, 2020 meeting packet.

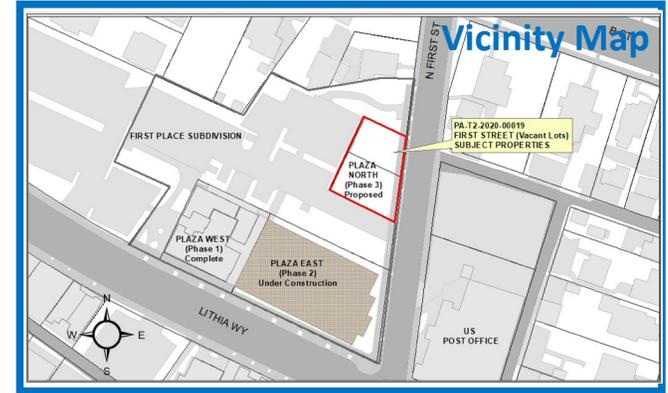
Plaza North @ First Place



From the Post Office



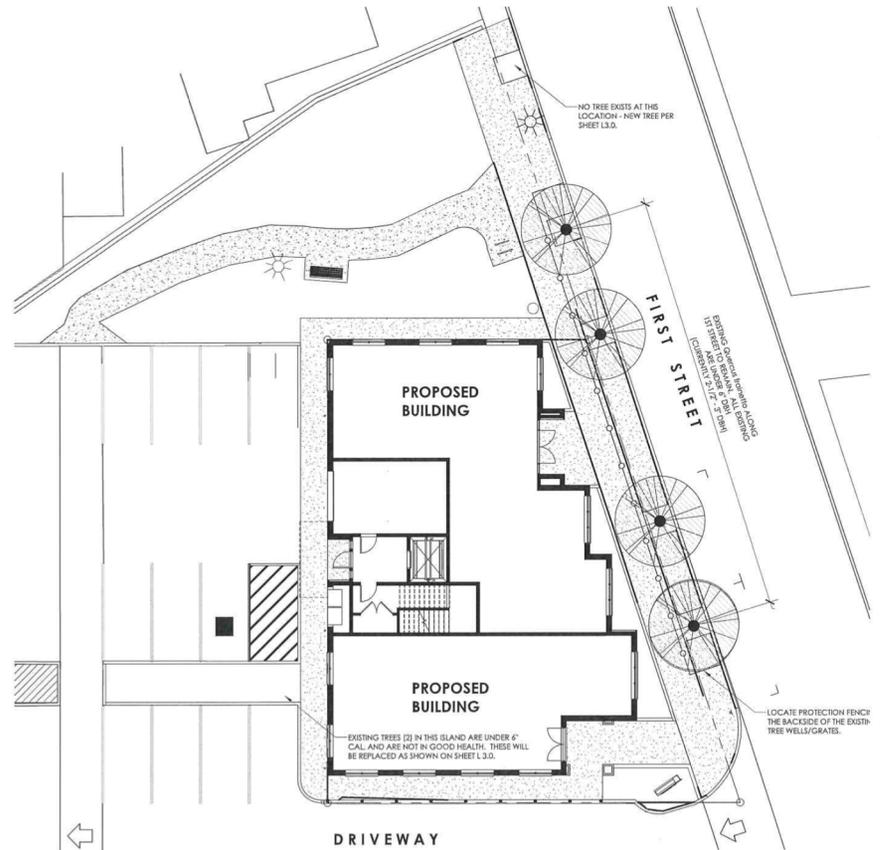
From B Street



From Driveway



From Open Space



As currently proposed...



Previously Approved, Now Expired Design



BEFORE THE PLANNING COMMISSION
July 14, 2020

IN THE MATTER OF PA-T2-2020-00019, A REQUEST FOR SITE DESIGN REVIEW) APPROVAL TO CONSTRUCT THE THIRD AND FINAL PHASE OF THE FIRST) PLACE SUBDIVISION FOR THE PROPERTY LOCATED AT THE CORNER OF) LITHIA WAY AND FIRST STREET. THE PROPOSED PHASE THREE) REQUESTS SITE DESIGN REVIEW APPROVAL TO CONSTRUCT A NEW THREE) STORY, MIXED-USE BUILDING - THE APPLICANT’S “PLAZA NORTH” - ON) LOTS #4 AND #5, TWO VACANT LOTS AT THE NORTHEAST CORNER OF) THE SITE ALONG FIRST STREET, ACROSS FROM THE U.S. POST OFFICE.) THE PROPOSAL INCLUDES CONSOLIDATION OF THE TWO LOTS AND) CONSTRUCTION OF A 10,547 SQUARE FOOT, THREE-STORY MIXED USE) BUILDING INCLUDING GROUND FLOOR COMMERCIAL SPACE AND FOUR) RESIDENTIAL UNITS ON THE UPPER FLOORS. THE APPLICATION) REQUESTS TO MODIFY THE COMMON AREA LANDSCAPING AND PARK-) ING CONFIGURATION TO PROVIDE MORE EFFICIENT ACCESS FROM THE) ACCESSIBLE PARKING TO THE ENTRANCES, AND EXCEPTIONS TO THE) SITE DEVELOPMENT AND DESIGN STANDARDS’ “DOWNTOWN DESIGN) STANDARDS” TO ALLOW A STAGGERED STREET SETBACK AND THE) UPPERFLOOR WINDOWS TO BE INSTALLED IN GROUPS OF THREE WHICH) WHEN VIEWED TOGETHER ARE MORE HORIZONTAL THAN VERTICAL.)

**FINDINGS,
CONCLUSIONS
& ORDERS**

APPLICANT/OWNER: Randy Jones for First Place Partners, LLC)

RECITALS:

- 1) Tax lots 10104 and 10105 of Map 39 1E 09 BA are located on First Street across from the U.S. Post Office, and are Lots #4 and #5 within the First Place Subdivision. Both lots are zoned Commercial (C-1).
- 2) The applicant is requesting Site Design Review approval to construct the third phase of the First Place Subdivision, which is located at the corner of Lithia Way and First Street.

Phase One included the construction of a three-story 18,577 square foot mixed-use building (designated as “Plaza West” by the applicants) with basement parking, commercial space on the first floor, and ten residential units split between the ground, second and third floors. This building was approved for the subdivision’s Lot #1 by the Planning Commission in 2012, is now addressed as 175 Lithia Way, and is occupied by Pony Espresso Coffeehouse Café and Washington Federal Bank.

Phase Two is now under construction and consists of a three-story mixed-use building, the applicant’s “Plaza East”, on Lots #2 and #3 of the subdivision, at the corner of Lithia Way and First Street. The

building is approximately 32,191 square feet, with basement parking, ground floor commercial, and 34 residential units providing artist housing for the Oregon Shakespeare Festival distributed between the ground, second and third floors.

Phase Three proposed here involves a request to consolidate the subdivision's two remaining vacant lots (Lots #4 and #5) to construct a new 10,547 square foot, three-story mixed use building as the third and final phase of the First Place subdivision. The building's ground floor will be primarily commercial space, while the second floor will include three one-bedroom residential units and the third floor will have one two-bedroom residential unit. The proposal includes modifications to the common area landscaping and parking configuration to provide more efficient access from the accessible parking to the entrances, and two requests for Exceptions to the Site Design and Use Standards' Downtown Design Standards to allow for a staggered street setback and to allow vertical windows to be grouped in threes on the upper floor so that they appear to be more horizontal than vertical.

Proposed site improvements are outlined on the plans on file at the Department of Community Development.

- 3) The criteria for Site Design Review approval are described in AMC Chapter 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, 2, or 3, 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;*

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; or*
3. *There is no demonstrable difficulty in meeting the specific requirements for a cottage housing development, but granting the exception will result in a design that equally or better achieves the stated purpose of section 18.2.3090 (Ord. 3147 § 9, amended, 11/21/2017).*

4) On April 15, 2020 Oregon Governor Kate Brown issued Executive Order #20-16 “*Keep Government Working: Ordering Necessary Measures to Ensure Safe Public Meetings and Continued Operations by Local Government During Coronavirus (COVID-19) Outbreak.*” The Governor’s Order required that public bodies hold public meetings by telephone, video, or through some other electronic or virtual means, whenever possible; that the public body make available a method by which the public can listen to or virtually attend the public meeting or hearing at the time it occurs; that the public body does not have to provide a physical space for the public to attend the meeting or hearing; that requirements that oral public testimony be taken during hearings be suspended, and that public bodies instead provide a means for submitting written testimony by e-mail or other electronic methods that the public body can consider in a timely manner.

5) The Planning Commission, following proper public notice, held an electronic public hearing on June 9, 2020. In keeping with Executive Order #20-16, this meeting was broadcast live on local television channel 9 and on Charter Communications channels 180 & 181, and was live-streamed over the internet on RVTV Prime at <https://rvtv.sou.edu>. A copy of the application, including all documents, evidence and applicable criteria relied upon by the applicant, and a copy of the staff report were made available on-line at <http://www.ashland.or.us/Agendas.asp?SectionID=0&CCBID=198> on June 2nd, seven days prior to the hearing. The applicant was required to submit any presentation materials for consideration at the hearing by 3:30 p.m. on Friday, June 5th, and these materials were made available on-line and e-mailed to Commissioners. Those wishing to provide testimony were invited to submit written comments via e-mail to PC-public-testimony@ashland.or.us with the subject line “June 9 PC Hearing Testimony” by 10:00 a.m. on Monday, June 8, 2020, and these comments were made available on-line and e-mailed to Commissioners. The applicant was invited to provide written rebuttal to these public comments by 12:00 noon on Tuesday, June 9th and these arguments were posted on-line and e-mailed to Commissioners in advance of the electronic public hearing. All written testimony received by the deadlines was made available for Commissioners to review before the hearing and has been included in the meeting record. As provided in the Governor’s Executive Order #20-16, no oral public testimony was taken during the hearing. Following the close 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 following index of exhibits, data and testimony is used:

Staff Exhibits lettered with an "S"

Proponent's Exhibits, lettered with a "P"

Opponent's Exhibits, lettered with an "O"

Hearing Minutes, Notices, and 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, and the public testimony and exhibits received electronically.

2.2 The Planning Commission finds that the proposal to construct the third and final phase of the First Place Subdivision for the property located at the corner of Lithia Way and First Street meets all applicable criteria for Site Design Review as described in AMC 18.5.2.050, and that the proposals for Exceptions to the Site Development and Design Standards' "Downtown Design Standards" meet all applicable criteria for an Exception to the Site Development and Design Standards described in AMC 18.5.2050.E.

2.3 The Planning Commission notes that the current application involves the development of the two remaining vacant lots created with the six-lot "First Place" subdivision of the parent parcels approved by the Planning Commission in October of 2012 as PA #2012-01122. In conjunction with that approval, a Site Review permit to construct a three-story 18,577 square foot mixed-use building with a basement consisting of basement parking, commercial and residential space on the first floor and residential space on the second and third floors was approved as Phase I. This building, now called "Plaza West" by the applicants, is complete and occupied with a bank and coffee shop on the ground floor, and a total of ten residential units. The Commission further finds that site infrastructure including most utilities, paving of the driveway and parking areas, sidewalks, street trees, and streetlights were installed along both frontages with completion of the subdivision improvements and the subsequent development of Lot #1 as Plaza West.

The Commission further notes that the proposed Phase Two of the First Place subdivision is now under construction and consists of a three-story mixed-use building, the applicants' "Plaza East", on Lots #2 and #3 of the subdivision, at the corner of Lithia Way and First Street. The building is approximately 32,191 square feet, with basement parking, ground floor commercial, and 34 units of artist housing for the Oregon Shakespeare Festival distributed between the ground, second and third floors.

The Commission finds that the proposed Phase Three of the First Place subdivision development requires Site Design Review approval to construct a new mixed-use building (the applicants’ “Plaza North”) on Lots #4 and #5 at the northeast corner of the site, with both lots fronting on First Street across from the U.S. Post Office parking area. The proposal includes consolidation of the two lots to construct a 10,547 square foot, three-story mixed-use building including ground floor commercial space and four residential units above. The application also includes requests to modify the common area landscaping and parking configuration to provide for more efficient circulation between the accessible parking and the building entrances by moving an accessible parking space nearer to the building and adding a walkway from the space to the First Street entrance, and two requests for Exceptions to the Site Design and Use Standards’ Downtown Design Standards to allow for a staggered street setback and to allow vertical windows to be installed in groups of three on the upper floors in a manner that appears more horizontal than vertical.

2.4 The Planning Commission finds that the proposal involves a mix of permitted commercial uses (retail and office) and residential units. The commercial uses are outright permitted in the Retail Commercial (C-1) district, and residential units are a special permitted use in the district. C-1 zoning regulations require a minimum of 65 percent of the gross floor area of the ground floor of the building be used for permitted or special permitted uses. Here, the proposal designates 81.4 percent of the ground floor area for Plaza North as commercial space, with the remaining 18.6 percent of the ground floor and the full second and third floors dedicated to accommodating the four residential units.

With the current application and the first two phases (Plaza West and Plaza East), 41 units of the parent parcel’s 43-unit residential density will be built on site. The applicants propose to allocate parking between the proposed buildings, and have provided calculations demonstrating how the available 55 spaces of surface parking and 27 garage spaces are to be allocated between the buildings, as illustrated in the table below, along with calculations demonstrating that the 82 parking spaces as allocated will accommodate the proposed commercial and residential uses proposed. e commercial uses in addition to the proposed residential units. The proposed allocations are summarized in the table below.

FIRST PLACE SUBDIVISION ALLOCATIONS			
BUILDING	SURFACE PARKING (55 Spaces Available)	GARAGE PARKING (27 Spaces Available)	RESIDENTIAL UNITS (43-Unit Available Density)
Plaza West (18,577 s.f.)	15	12	10
Plaza East (32,191 s.f.)	26	14	27*
Plaza North (10,547 s.f.)	14	1	4
TOTAL	55	27	41

A condition has been recommended below requiring that revised parking allocation information be provided with each building permit as the commercial tenant spaces develop or tenant occupancies change to verify that the parking allocated will accommodate the parking required for all existing and proposed uses.

The C-1 zoning district does not require standard setbacks from property lines unless a parcel abuts a residential zoning district, in which case a ten-foot per story rear yard setback and a ten-foot side yard setback are required. The Commission finds that as proposed, the building lots here do not directly abut the R-2 residential zoning district to the north, however the common area parcel north of Plaza North abuts the R-2 zoning district and there is at least a 38-foot separation between the residential property and the proposed three-story Plaza North building. Section drawings have been included on the applicant's Sheet A.1 to demonstrate compliance with Solar Access Ordinance "Standard B" for the proposed Plaza North building.

The proposed building height for the Plaza North building is 40 feet, which has been calculated based on an average of the finished grade on all four elevations. 40 feet is the maximum height permitted in the C-1 zone. The landscaping plan provided identifies 16.4 percent of the site as included in landscaped areas, which satisfies both the 15 percent requirement for the C-1 district and the required seven percent landscaping requirement for the parking area.

The bicycle parking requirements in AMC 18.4.3.070 call for at least one bicycle parking space to be provided for every five automobile parking spaces, with fifty percent of these spaces to be covered, and that additional covered bicycle parking spaces be provided for each residential unit. For the 55 surface automobile parking spaces proposed, at least 11 bicycle parking spaces are required to be provided on site and half of these must be covered. Additionally, four covered spaces are required for the three residential units in Plaza North which do not have individual garages. As originally approved, the subdivision proposal identified five "inverted U" racks for ten bicycle parking spaces in the plaza space to the west of Plaza West and three "inverted U" racks for six bicycle parking spaces adjacent to the walkway north of what is to be Plaza North. These eight racks would provide 16 bicycle parking spaces, exceeding the amount required. As currently installed, only three racks for six spaces are in place adjacent to Plaza West and two racks for four spaces are in place near the proposed Plaza North. A total of at least 15 spaces are required, and a total of ten of these must be covered. A condition has been added below to require that the additional bicycle parking and coverage in keeping with the requirements of AMC 18.4.3.070.I & .J be identified in the building permits and installed prior to occupancy of the building proposed here.

In keeping with the requirements of the Site Review Chapter, the application materials provided identify that both the required 15 percent landscaping and seven percent parking lot landscaping are to be provided with completion of the project. The landscaping plans provided include full irrigation plans. A new trash enclosure is illustrated in the parking lot behind Plaza North, and the application further notes that all lights are to be selected and placed to avoid direct illumination of adjacent residential properties. Conditions to ensure that these items are installed and maintained

according to standards have been included below.

The First Place subdivision lies within the Detail Site Review Zone, the Downtown Design Standards Zone, and the Downtown and Railroad historic districts. As a result, the application is subject to the Basic Site Review Standards for Commercial Development, Detail Site Review Standards, Additional Standards for Large Scale Projects, the Downtown Design Standards and Historic District Design Standards. The Planning Commission finds that because site layout, parking, pedestrian and vehicular access and circulation, and landscaping were largely addressed through the 2012 Subdivision and Site Review applications, the current review is focused largely on the design of the proposed new Plaza North building relative to the applicable design standards.

The Commission finds that the proposed building designs meet the Basic Site Review Standards. Plaza North relates well to the First Street frontage. Streetscape and landscape amenities are being provided in conformance with standards. Parking and circulation are placed behind the buildings, and requisite parking lot landscaping and screening are detailed in the plans provided in a manner consistent with the original approvals and minor modifications here. The application recognizes the requirements to address noise and glare, and notes that noise will be within limits typical of the permitted use and will not exceed standards, and that lighting will be appropriately placed and directed to avoid directly illuminating adjacent properties.

The Commission also finds that the Detail Site Review Standards are fully addressed with the proposed Plaza North building. The project is subject to meeting at least a 0.50 Floor Area Ratio (FAR), and the application includes calculations demonstrating that with the full build-out proposed, the subdivision FAR will be at approximately 1.26, while the Plaza North property is at an approximately 2.0 FAR. The building's mass is divided into vertical bays, and it has strong entries from the sidewalk emphasized through design elements. Awnings are not proposed along the First Street façade due to the stepped setbacks and use of landscaped areas, but instead relies on two recessed entries to provide protection from the elements.

The Plaza North building is subject to Large Scale Design Standards, as its floor area is greater than 10,000 square feet. The application explains that the building complies with the 45,000 square foot floor area limitation as applied within the Downtown Design Standards Zone, noting that the proposed building consists of 10,547 square feet of gross floor area.

The proposed building's design incorporates elements to the façade that are articulated to relate to the human scale, with the building's length along First Street divided into six vertical bays in keeping with the historic downtown pattern, with two recessed entrances to provide pedestrians with protection from the elements and relate the building to a more human scale. The Large Scale requirements call for one square foot of plaza or public space to be provided for every 10 square feet of gross floor area. The application notes that the development as proposed, including the floor area of all buildings, will have a combined floor area of 61,551 square feet which would require 6,155 square feet of plaza or public space and that the project includes 6,211 square feet of public plaza space which is in excess of that required. The application also notes that the plaza space provided

incorporates a mix of at least four of the six elements for plazas and public spaces as called for in the standards, with sitting areas, areas that provide sunlight and shade, protection from wind, trees, and potential outdoor eating areas. Trash and recycling facilities are to be provided in an enclosure within the common parking lot behind the building

The Commission further finds that other than the Exceptions requested, which are discussed more fully below, the building's design complies with the Downtown Design Standards. The applicant has proposed multi-story, downtown-style buildings which extend from side lot line to side lot line placed generally at the back of the sidewalk, and which incorporate large street-level windows and transparent doors. The building incorporates horizontal and vertical rhythms through divisions on the façade as required by the standards, and provides for some variation in parapet height to provide the traditional streetscape appearance sought by the standards. The building incorporates varied architectural and material treatments to provide a base for a sense of strength, flat roofs with parapets, and creates a varied streetscape with distinct character which is in keeping with the standards seeking to maintain the traditional rhythms of the historic downtown.

The Planning Commission finds that the proposed building designs are generally in keeping with the height, scale, massing, setbacks, roof forms, and rhythm of openings typical of the surrounding area and sought in the Historic District and Downtown Design Standards.

The Planning Commission finds that public facilities and utilities were installed with the subdivision's infrastructure following the Planning Commission's approval of the project in 2012. These included:

- Some electric infrastructure was extended in association with the 2007 Subdivision approval, and the 2012 subdivision infrastructure work and subsequent development of Plaza West completed the installation of transformers necessary to serve the site and first building. Three-phase electrical service is available to the site, and the Electric Department has previously indicated that there is adequate power available to serve the full development of the property with the extension of the necessary individual services for each of the proposed buildings.
- Existing four-inch water mains are available in both Lithia Way and First Streets, and a new eight-inch water line was extended to provide a connection to B Street as part of the subdivision improvements in 2007. Four-inch laterals were also extended to each of the individual lots with the 2007 subdivision work.
- A six-inch sewer line in First Street was upgraded to eight-inches to serve the project as part of the 2007 subdivision improvements.
- A private 12-inch storm drain line was installed on site, and a new 12-inch public storm drain line was installed in First Street to convey stormwater run-off from the site to the existing storm drain line at B and First Streets as part of subdivision improvements in 2007. With completion of the current request, 16.4 percent of the site is proposed to be landscaped, reducing run-off from the site, which was until the 2007 subdivision improvements entirely covered with pavement and buildings, and a bio-swale is to be installed in the northeastern portion of the common area lot to allow for on-site detention and filtration of stormwater before it enters the city storm sewer system.

- Paved access is provided directly from First Street and to Pioneer Street via an easement through the existing City of Ashland public parking lot. With the subdivision's initial site work in 2007, two curb cuts were removed from Lithia Way and one from First Street in order to comply with city and state requirements for controlled access.
- As part of the 2007 subdivision improvements, the existing public sidewalks along the project perimeter on both Lithia Way and First Street were widened. The installation of street trees, tree grates, irrigation and streetlights complying with downtown streetlight spacing requirements were completed in conjunction with Phase One.
- There is an existing transit stop located along Lithia Way nearby, between First and Second Streets, a short walk from the subject property.

The Planning Commission finds that water, sewer, paved access to and through the development site, electricity, urban storm drainage and adequate transportation to and through the subject property can and will be provided, with site utilities completed with the subdivision infrastructure and individual services to the proposed buildings to be completed under the current request; vehicular access provided from existing fully-improved streets; sidewalks which are to be widened to meet current street standards along Lithia Way; and easements which were provided with the subdivision to increase vehicular and pedestrian connectivity to and through the site. Conditions have been added below to require final electrical service and utility plans for the proposed building for the review and approval of the Planning, Building, Public Works and Electric Departments in conjunction with building permit review.

2.5 The proposed Plaza North building, as the applicants Phase Three, includes two requests for Exceptions to the Site Development and Design Standards' Downtown Design Standards. One of these would allow for a staggered street setback of the building relative to the First Street sidewalk, and the other would allow upper floor windows that are more horizontal than vertical. AMC 18.4.2.060.C.2.a states that, "*Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line... Areas having public utility easements or similar restricting conditions shall be exempt from this standard.*" The proposed Plaza North building steps back from the sidewalk's edge, and the application explains that this is due to the property, which is otherwise rectangular, having an acute angle with First Street. The applicants go on to explain that this provided the opportunity to create a stepped façade that works better with the lot shape and which creates a more interesting streetscape. The design places the corners of each step at or near the First Street sidewalk, steps back a prescribed distance, and then steps again at the point the front wall intersects with First Street sidewalk. The applicant asserts that this stepping of the façade eases the transition from the commercial zone to the residential zone, and further explains that the alternative, a flat façade angled with the street, would be contrary to the character of the downtown. The applicant emphasizes that the design here is based on a traditional building setting in the downtown rather than the shape of the lot. Entrances are recessed in keeping with the standards (AMC 18.4.2.060.C.2.b) to emphasize their respective locations, and landscaping will be provided in the stepped back areas. The applicants argue that the standard, and the majority of buildings in the downtown, are based on a 90 degree frontage and that the proposed design is an attempt to create a more traditional frontage treatment in response to what is roughly a 120 degree angled frontage, and which they believe is consistent with the intent of the

standard in seeking to create an engaging pedestrian streetscape.

The application also requests Exception from AMC 18.4.2.060.C.4.c, which states that “*Upper floor window orientation shall primarily be vertical (height greater than width).*” The applicant asserts that placing two or three vertical windows grouped in a single bay compliments the building’s architecture, which is divided into vertical bays that step down as the building gets closer to the residential zone to the north, and helps to maintain the rhythm of openings sought in the standards. The applicant further suggests that the intent of the standard was to ensure that individual windows were more vertical. The application includes photos to illustrate similar groupings of vertical windows on historic buildings within the downtown.

The Commission concurs, and finds that these windows do not overwhelm the character of the façade. AMC Figure 18.4.2.060.C.1 and C.6, referenced as recommended treatments in the standard, both illustrate similar groupings of vertical windows. The Commission further finds that the efforts to step the building’s façade back with the angled frontage while stepping the building’s mass down as it gets nearer to the adjacent residential neighborhood provide an appropriate and effective transition.

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 to construct the third and final phase of the First Place Subdivision and for Exceptions to the Site Design and Use Standards’ Downtown Design Standards are supported by evidence contained within the whole record.

The project poses a number of challenges in that it involves developing an entire block of the downtown under the same set of standards while maintaining contextual compatibility with a downtown that has developed and evolved organically over more than 150 years, and doing so while managing the transition between the intensity of the downtown core and an historic residential neighborhood literally just over the fence.

During the 2012 review of the original Subdivision application and request for Site Review approval for Plaza West, it was noted that the project could result in a large, prominent downtown site which had stalled with the economy and languished for years developing to a degree beyond that required by city standards while providing increased vehicular and pedestrian connectivity, aesthetic improvements, and a significant reduction in stormwater run-off. It was further suggested that the first proposed building, with ten residential units including one affordable unit, could inject a new vitality into the Lithia Way corridor while at the same time the subdivision could provide for a smooth transition between the intense commercial uses of the downtown and the less intense, residential character of the adjacent neighborhood. With the Plaza West now occupied, Plaza East under construction with workforce housing for Oregon Shakespeare Festival’s artists, and the proposed completion here of Plaza North as the final phase to complete development of the site, the Commission finds that the applicants have

effectively met the challenges posed in designing buildings that, while compatible with one another, their surroundings and various design standards, still manage to maintain strong individual characters that contribute positively to the streetscape and the downtown. Plaza North manages to balance this design compatibility with the buildings along Lithia Way while stepping back with the angle of First Street and down with its slope to blend the entire project smoothly into the Railroad District.

The site layout, parking, pedestrian and vehicular access and circulation, and landscaping were largely completed with the 2012 Subdivision and Site Review approvals, and the current review focuses on the design of Plaza North relative to the applicable design standards. For the Commission, the proposed Plaza North building can be found to satisfy the relevant approval criteria for Site Review and Exception to the Downtown Design Standards and merits approval.

Therefore, based on our overall conclusions, and upon the proposal being subject to each of the following conditions, we approve PA-T2-2020-00019. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then PA-T2-2020-00019 is denied. The following are the conditions and they are attached to the approval:

1. That all proposals of the applicant are conditions of approval unless otherwise modified herein.
2. The windows on the ground floor of the proposed building shall not be tinted so as to prevent views from outside of the building into the interior of the building, and the commercial entrances adjacent to First Street shall remain functional and open to the public during all business hours.
3. That prior to site work, storage of materials or building permit issuance, tree protection measures shall be installed, inspected and approved on site by the Staff Advisor through a Tree Verification Permit.
4. That any necessary construction closure or detouring of the sidewalks shall be approved by the Ashland Engineering and Planning Departments prior to issuance of permits or work in the right-of-way.
5. That a Fire Prevention and Control Plan addressing the General Fuel Modification Area requirements in AMC 18.3.10.100.A.2 of the Ashland Land Use Ordinance shall be provided prior to bringing combustible materials onto the property, and any new landscaping proposed shall comply with these standards and shall not include plants listed on the Prohibited Flammable Plant List per Resolution 2018-028.
6. To obtain priority building permit plan check processing as provided in AMC 15.04.092.2, the applicant shall provide the following documentation with the building permit submittals demonstrating the steps being taken in working towards LEED certification: a) hiring and retaining a LEED Accredited Professional (AP) as part of the project team throughout design and construction of the project; and b) providing the LEED checklist indicating the credits that will be pursued. Building permit submittals must clearly specify the materials, systems and strategies to be used in achieving the credits. A final report shall be prepared by the LEED AP and presented to

the City upon completion of the project verifying that the project has met the LEED standard.

7. Sign permits shall be obtained prior to installation of any new signage. All signage shall be consistent with the requirements of AMC 18.4.7.
8. That prior to the issuance of a building permit:
 - a) The plans submitted for the building permit shall be in conformance with those approved here. 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 Site Review approval shall be submitted and approved prior to issuance of a building permit.
 - b) All easements shall be shown on the building permit submittals.
 - c) That a final drainage plan shall be submitted at the time of a building permit for review and approval by the Engineering, Building, and Planning Divisions. Storm water from all new impervious surfaces and runoff associated with peak rainfalls 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.
 - d) A final utility plan for the project shall be reviewed and approved 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.
 - e) The applicant shall submit a final electric design and distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment for each building. This plan must be reviewed and approved by the Electric Department prior to building permit submittals. Transformers, cabinets and vaults shall be located in areas least visible from the street, while considering the access needs of the Electric Department.
 - f) That mechanical equipment shall be screened from view from First Street. The location and screening of mechanical equipment shall be detailed on the building permit submittals.
 - g) Exterior lighting shall be shown on the building permit submittals and appropriately shrouded so there is no direct illumination of surrounding properties.
 - h) That the building materials and the exterior colors shall be identified in the building permit submittals. The information shall be consistent with the colors, texture, dimensions and shape of materials and building details proposed and approved as part of this land use application. Exterior building colors shall be

muted colors, as described in the application. Bright or neon paint colors shall not be used in accordance with AMC 18.4.2.040.C.4.b in the Detail Site Review Standards.

- i) Building permit submittals shall identify all required bicycle parking installations. Inverted u-racks shall be used for the bicycle parking, and the building permit submittals shall verify that the bicycle parking spacing and coverage requirements are met in accordance with AMC 18.4.3.070.I & .J. A total of at least 11 bicycle parking spaces shall be provided on the common area of the project, and at least six of these must be covered. An additional four spaces of covered bicycle parking shall be identified and provided to serve the three residential units in Plaza North that do not have individual garages.
 - j) Final solar setback calculations demonstrating that all new construction complies with Solar Setback Standard B in the formula $[(\text{Height} - 16) / (0.445 + \text{Slope}) = \text{Required Solar Setback}]$ and elevations or cross section drawings clearly identifying the highest shadow producing point(s) and the height(s) from natural grade shall be included in building permit submittals.
 - k) Prior to any work within the public rights-of-way, all necessary permits must be obtained from the Public Works/Engineering Department. Prior to the issuance of permits or commencement of any site work in the Oregon Department of Transportation's (ODOT) right-of-way for Lithia Way, the applicant shall provide proof of also having obtained required approvals and permits from ODOT. The applicants shall maintain a vision clearance triangle that complies with ODOT and City of Ashland standards.
 - l) Revised parking allocation information shall be provided with each building permit as the commercial tenant spaces develop and are occupied to verify that the parking allocated is sufficient for the uses proposed.
- 7) That prior to the issuance of a certificate of occupancy:
- a) All landscaping and irrigation shall be installed according to the approved plans, inspected and approved by the Staff Advisor. Landscaping and hardscaping in the common area north of Plaza North which has not been maintained or has been damaged shall be replaced according to the approved plans, and the northernmost street tree on First Street shall be replaced prior to issuance of the certificate of occupancy.
 - b) All bicycle parking shall be installed in accordance with design, placement, coverage and rack standards in AMC 18.4.3.070.I & .J prior to the issuance of the certificate of occupancy. A total of at least 11 bicycle parking spaces are to be provided on the common area of the project, and at least six of these must be covered. An additional four covered bicycle parking spaces shall be provided for the three units in Plaza North which do not have individual garages.
 - c) An opportunity to recycle site of equal or greater size than the solid waste receptacle for each building shall be included in the trash enclosure in accordance

with the Recycling Requirements of AMC 18.4.4.040.

- d) That all exterior lighting shall be directed on the property and shall not directly illuminate adjacent properties.
- e) The requirements of the Building Department shall be satisfactorily addressed, including but not limited to that the mixed-use occupancy is required to be fire sprinkled, that construction may not cross property lines, and that the site and structures are required to meet all accessibility requirements.
- f) The requirements of the Fire Department shall be satisfactorily addressed, including approved addressing; fire apparatus access including angle of approach, necessary easements, and review of any obstructions such as fences or gates; fire flow; fire hydrant distance, spacing, flow and clearance; fire department connection; and a “Knox Box” key box. Fire Department requirements shall be included on the construction documents, and if a fire protection vault is required, the vault shall not be located in the sidewalk corridor.

Planning Commission Approval

July 14, 2020
Date



Planning Division
51 Winburn Way, Ashland OR 97520
541-488-5305 Fax 541-488-6006

ZONING PERMIT APPLICATION

FILE # PA-T2-2020-00019

DESCRIPTION OF PROJECT 3-Story mixed-use (4) dwelling unit residential over (2) commercial spaces. Combine two lots.

DESCRIPTION OF PROPERTY

Pursuing LEED® Certification? YES NO

Street Address 1st Street (Address not assigned) across from United States Post Office

Assessor's Map No. 39 1E 09BA

Tax Lot(s) 10104 & 10105

Zoning C-1

Comp Plan Designation Commercial

APPLICANT

Name Randy Jones Phone (541) 776-1200 E-Mail randy@maharhomes.com

Address 815 Alder Creek Drive City Medford, OR Zip 97504

PROPERTY OWNER

Name First Place Partners, LLC Phone (541) 776-1200 E-Mail randy@maharhomes.com

Address 815 Alder Creek Drive City Medford, OR Zip 97504

SURVEYOR, ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OTHER

Title Architect Name KSW Architects, Jerome White Phone (541) 944-9904 E-Mail jerome@kistlerssmallwhite.com

Address 66 Water Street Suite 101 City Ashland, OR Zip 97520

Title Surveyor Name Polaris Land Surveying Phone (541) 482-5009 E-Mail shawn@polarissurvey.com

Address P.O. Box 459 City Ashland, OR Zip 97520

I hereby certify that the statements and information contained in this application, including the enclosed drawings and the required findings of fact, are in all respects, true and correct. I understand that all property pins must be shown on the drawings and visible upon the site inspection. In the event the pins are not shown or their location found to be incorrect, the owner assumes full responsibility. I further understand that if this request is subsequently contested, the burden will be on me to establish:

- 1) that I produced sufficient factual evidence at the hearing to support this request;
- 2) that the findings of fact furnished justifies the granting of the request;
- 3) that the findings of fact furnished by me are adequate; and further
- 4) that all structures or improvements are properly located on the ground.

Failure in this regard will result most likely in not only the request being set aside, but also possibly in my structures being built in reliance thereon being required to be removed at my expense. If I have any doubts, I am advised to seek competent professional advice and assistance.

Applicant's Signature [Signature]

Date 5-06-2020

As owner of the property involved in this request, I have read and understood the complete application and its consequences to me as a property owner.

Property Owner's Signature (required) [Signature]

Date 5-06-2020

[To be completed by City Staff]

Date Received 5/8/2020

Zoning Permit Type Type 2

Filing Fee \$ 6591.88

RECEIVED

MAY 08 2020

OVER ►►

City Of Ashland

Regan Trapp

From: Jerome White <jerome@kistlersmallwhite.com>
Sent: Monday, May 11, 2020 8:24 AM
To: Regan Trapp
Subject: PLAZA NORTH: Fee calculation

[EXTERNAL SENDER]

$10,547\text{sf} \times \$125.00/\text{sf} \times .005 = \6591.88

Jerome White

kistler small + white architects

66 Water Street Suite 101

Ashland, OR 97520

P 541.488.8200 ext 14

jerome@kistlersmallwhite.com



PLAZA NORTH - FIRSTPLACE SUBDIVISION PHASE 3

05/07/20

AREAS	LOT 1	LOT 2-3	LOT 4-5	COMMON	TOTALS	COMMENTS
AREAS						
LOT AREA	7,943	14,431	5,273	35,411	63,058	
BASEMENT	6,508	11,204	0	0	17,712	Lot 4-5 Changes from previous approval 146 sf increase (was 3480 sf, 57 sf increase (was 3742 sf), 737 sf increase (was 2385 sf), 940 sf increase (was 9,607 sf),
1ST FLOOR	5,794	10,578	3,626	0	19,998	
2ND FLOOR	6,478	10,947	3,799	0	21,224	
3RD FLOOR	6,260	10,947	3,122	0	20,329	
TOTAL	25,040	43,676	10,547	0	79,263	
AREA w/o BASEMENT	18,532	32,472	10,547	0	61,551	
FLOOR AREA RATIO						
PROPOSED	39.7%	69.3%	16.7%	n.a.	125.7%	Lot 4-5 Changes from previous approval was 15.2% was 182.2% No restrictions within Historic Districts
PROPOSED	315.2%	302.7%	200.0%	n.a.	125.7%	
REQUIRED	n.a.	n.a.	n.a.	n.a.	n.a.	
PUBLIC SPACE AREAS						
REQUIRED	1,853	3,247	1,055	0	6,155	Lot 4-5 Changes from previous approval 94 sf increase (was 961 sf) 94 sf increase (was 961 sf) 94 sf increase (was 961 sf) 94 sf decrease (was 150 sf)
PROPOSED ON LOT	0	0	0	0	0	
PROPOSED ON COMMON LOT	1,853	3,247	1,055	56	6,211	
TOTAL FOR LOT	1,853	3,247	1,055	56	6,211	
DIFFERENCE	0	0	0	0	56	
RESIDENTIAL DENSITY (max)						
LOT ACREAGE	0.182 ac	0.331 ac	0.121 ac	0.813 ac	1.448 ac	30 D.U. / acre in C1 District
DWELLING UNITS (D.U.)	10	27*	4	0	41	Proposed Dwelling Units
ALLOWED (D.U.)					43	Allowed D.U.'s based on total area of all lots
DIFFERENCE					-2	
		*(28 x .75) + 6 = 27				
AFFORDABLE UNITS						
REQUIRED	1	0	0	0	1	
GROUND FLOOR USE AREAS						
COMMERCIAL AREA	3800	7064	2951	n.a.	13,815	Lot 4-5 Changes from previous approval 602 sf increase (was 2349 sf), 13.9% increase (was 67.5%), 456 sf decrease (was 1131 sf), 13.9% decrease (was 32.5%), 146 sf increase (was 3480 sf)
% GROUND FLOOR	65.6%	66.8%	81.4%	n.a.	69.1%	
RESIDENTIAL AREA	1994	3514	675	n.a.	6,183	
% GROUND FLOOR	34.4%	33.2%	18.6%	n.a.	30.9%	
TOTAL	5,794	10,578	3,626		19,998	
AUTO PARKING ALLOCATIONS						
PROPOSED PARKING:						
ON-SITE	15 sp	26 sp	14 sp	0 sp	55 sp	Lot 4-5 Changes from previous approval 1 sp increase (was 13 sp), no change 1 sp decrease (was 2 sp), no change
ON STREET				2 sp	2 sp	
BASEMENT / GARAGES	12 sp	14 sp	1 sp	0 sp	27 sp	
TOTAL ALLOCATED	27 sp	40 sp	15 sp	2 sp	84 sp	
REQUIRED PARKING:						
COMMERCIAL - GEN. OFFICE	0.0	4.0	0.0	n.a.	4 sp	Lot 4-5 Changes from previous approval no change 1.7 sp increase (was 6.7 sp), no change no change no change no change no change no change no change 2 sp increase (was 13 sp), 2 sp decrease (was 2 sp)
COMMERCIAL - RETAIL	5.0	12.0	8.4	n.a.	25 sp	
COMMERCIAL - CAFÉ	7.0	0.0	0.0	n.a.	7 sp	
STUDIO < 500 s.f. (1.0/unit)	0.0	18.2	0.0	n.a.	18 sp	
STUDIO > 500 s.f. (1.5/unit)	1.0	3.9	0.0	n.a.	5 sp	
1 BEDROOM < 500 s.f. (1/unit)	0.0	0.0	0.0	n.a.	0 sp	
1 BEDROOM > 500 s.f. (1.5/unit)	10.5	1.9	3.0	n.a.	15 sp	
2 BEDROOM (1.75/unit)	3.5	0.0	3.5	n.a.	7 sp	
3 BEDROOM (2.0/unit)	0.0	0.0	0.0	n.a.	0 sp	
TOTAL REQUIRED	27 sp	40 sp	15 sp	2 sp	82 sp	
DIFFERENCE	0 sp	0 sp	0 sp	2 sp	2 sp	

RECEIVED

MAY 08 2020

City Of Ashland

PLAZA NORTH

FIRST PLACE SUBDIVISION - PHASE 3

SITE REVIEW SUBMITTAL
PROJECT DESCRIPTION & FINDINGS OF FACT



SUBMITTED TO
CITY OF ASHLAND

KISTLER SMALL WHITE ARCHITECTS, LLC.
66 WATER STREET SUITE 101
ASHLAND, OR 97520

MAY 7TH, 2020

RECEIVED
MAY 08 2020
City Of Ashland

I. PROJECT INFORMATION:

PROJECT NAME: "First Place Subdivision – Plaza North"

ADDRESS & LEGAL DESCRIPTION: First Street; Map #391E 09BA, Tax Lots 10104 & 10105.

APPLICANTS & OWNERS:

First Place Partners, LLC
815 Alder Creek Drive
Medford, OR 97504

ARCHITECT:

KSW Architects
66 Water St. Ste. 101
Ashland, OR 97520

SURVEYOR:

Polaris Land Surveying
P.O. Box 459
Ashland, Oregon 97520

LAND USE PLANNING:

KSW Architects
66 Water St. Ste. 101
Ashland, OR 97520

DESIGNER:

Cascade Design Studio
815-B Alder Creek Dr.
Medford, OR 97504

CIVIL ENGINEER:

Marquess & Associates
1120 E. Jackson
Medford, OR 97504

LANDSCAPE ARCHITECT

Terrain Landscape Architect
Hidden Lane
Ashland, OR 97520

COMPREHENSIVE PLAN DESIGNATION:

Commercial

ZONING DESIGNATION:

C-1 (Retail Commercial District)

LOT AREA:

Lot #1:	7,943 sq. ft.	Lots #2 & 3:	14,431 sq. ft.
Lots #4 & 5:	5,273 sq. ft.	Common Area:	35,411 sq. ft.
Total Area:	63,058 sq. ft. (1.44 acres)		

APPLICABLE ORDINANCES:

Site Development and Design Standards	AMC 18.4.2
Non-Residential Development (Basic & Detail)	AMC 18.4.2.040.B&C
Historic District Development Standards	AMC 18.4.2.050
Downtown Ashland Standards	AMC 18.4.2.060
Landscaping, Lighting & Screening Standards	AMC 18.4.4
Site Design Approval Criteria	AMC 18.5.2.050

RECEIVED
MAY 08 2020
City Of Ashland

RESIDENTIAL DENSITY:

Permitted:	43	
Proposed:	29	
Lot #1:	10	(Plaza West)
Lots #2 & 3:	27	(Plaza East)
Lots #4 & 5:	4	(Plaza North)
Affordable:	1	One affordable unit in Plaza West

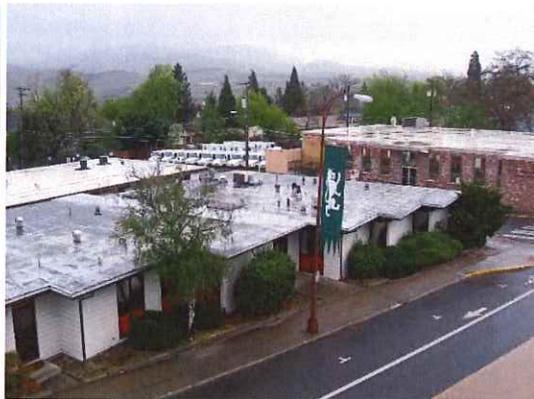
ADJACENT ZONING/ CURRENT USES:

WEST:	C-1;	City Parking Lot
EAST:	C-1;	First Street & U.S. Post Office
SOUTH:	C-1-D;	Lithia Way & Commercial, Professional and Mixed-Use
NORTH:	R-2;	Residential

HISTORY OF SITE: Prior to 2006, the property was used as a Lumber Yard (Copeland Lumber) and an office condominium complex called Tempest Court (see photos below). Between the years of 2006 – 2009, the entitlement activity on this property was fairly active which included a well-publicized denial, changes of ownership, new applications and various approvals from the Planning Commission, followed by permits for building demolition, site excavation, plumbing, electric and right-of-way improvements. Unfortunately, during the final stages of the site’s final preparations, the property was foreclosed upon and sat vacant and in a derelict state of chaos with all previous approvals expired leaving a few items remaining to be completed such as street trees, a few street lights and in some areas the final installation of transformers.



Old Copeland Lumber Buildings



Old Tempest Court (Post Office in background)

In October of 2012, the Ashland Planning Commission approved Planning Action #2012-01122, which included the reconfiguration of property lines and a Site Review Permit to construct a three-story 18,577 sq. ft. mixed-use building. The building has been named “Plaza West” and its construction is now complete (See Photos Below).

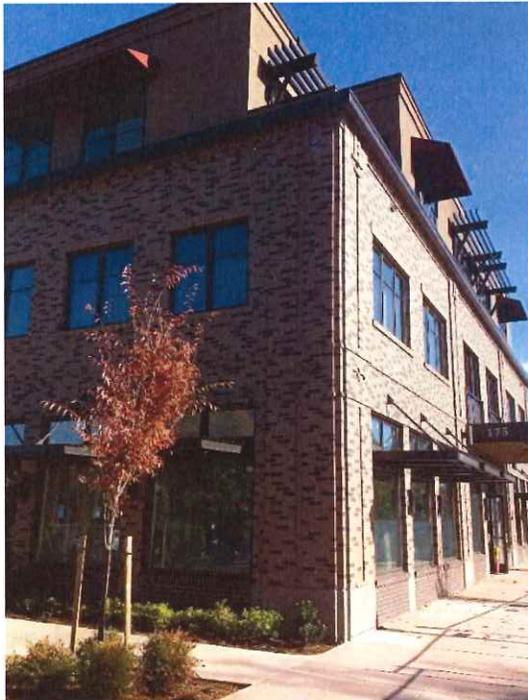
RECEIVED
MAY 08 2020
City Of Ashland



Plaza West

Plaza West includes 3,800 square feet of commercial office / retail space and two residential units on the ground floor, plus four residential units on both second and third floors. Plaza West also included an affordable residential unit and the majority of the subdivision's common area amenities including the plaza space directly to its west (between the City parking lot and the building) and a large breezeway that connects a planned pedestrian path linking lower First Street through various properties and eventually to the upper Hargadine Street Parking lot.

Plaza West



RECEIVED
MAY 08 2020
City Of Ashland



• *East Elevation (First Street):* Consistent with the Downtown Design Standards and the general context of the downtown building pattern, the approach is to orient the building towards First Street with its two ground floor commercial spaces entering directly from First Street and all vehicle access coming from the rear, via the subdivision's common parking lot area. The design respects the scale and proportions of a number of historic buildings in downtown Ashland while incorporating modern materials and details. The front elevation has a variety of recessed and projecting areas to create surface relief and visual interest. Upper floor windows are traditional style double hung style ganged in two and three groupings and the individual windows are proportioned vertically, either structurally or via a window grid system, and are kept to less than 50% of the total surface area. The ground floor windows have a slightly larger surface area to reinforce their commercial nature and the second and third floor windows are smaller with the intent to define a separate use from the first floor. The design acknowledges historic traditions while offering a contemporary interpretation that is compatible within the historic district. Other than three minor deviations, the design is consistent with the adopted Downtown Design Standards. The design is substantially similar to the previous design submitted on November 7, 2014 and that was unanimously approved by the Ashland Historic Commission on December 3, 2014 and then approved through the Type I review process at the December 9 regular meeting of the Planning Commission.



RECEIVED
MAY 08 2020
City Of Ashland

- *South Elevation (facing access drive - visible from Lithia Way):* The south elevation continues the window alignment and material patterns from the front side as the south side is also highly visible from Lithia Way and the one-way street traffic along First Street.



- *North Elevation (facing public plaza – storm water retention pond):* The north elevation also wraps the window alignment and material patterns found on the rest of the building’s four sides. The north elevation will primarily be seen from pedestrians either walking up First Street or through the pedestrian path that extends through the common plaza area adjacent to the building. The north elevation also includes a small deck second floor overlooking the common area.



- *West Elevation (facing rear parking lot):* The west elevation, or ‘rear’ elevation in relation to the 1st Street facing elevation, also matches the material and window patterns found around the rest of the building but is generally more utilitarian as this area serves a garage, pedestrian entry access, and utilities.

Site Design Review Standards - Two Exceptions:

As noted, the proposal does include two minor exceptions from the Downtown Design Standards. In accordance with the Approval Criteria Section 18.5.2.050 E. Exception to the Site Development and Design Standards, exceptions were contemplated with the adoption of the Standards primarily due to the fact the City Council and Downtown Design Standards' Committee understood that each site is unique and that the nature of architecture cannot be too regulated as it would discourage architectural creativity. The two exceptions proposed by this project herein are as follows (Exception criteria and explanation follow at the end of these Findings of Fact):

EXCEPTION 1 - DOWNTOWN ASHLAND SECTION 18.4.2.60 C. 2. Setback states: *“Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line. Areas having public utility easements or similar restricting conditions shall be exempt from this standard.”* The proposed building does step back from the sidewalk's edge at various points, with four corner points touching the easement line behind the sidewalk, primarily due to the fact the property is uniquely shaped with the First Street frontage running at an acute angle with respect to the otherwise rectangular parcel. This provided an opportunity to create a stepped façade that works better with the lot shape and creates a more interesting streetscape by providing for a series of relief steps mandated by other sections of the design standards. The design places the corners of each step at or near the First Street utility easement just behind the sidewalk, steps back a prescribed distance, and then steps again at the point the front wall intersects with the First Street sidewalk. The entrances are then recessed to emphasize their respective locations and strengthen the sense of entry.

EXCEPTION 2 - DOWNTOWN ASHLAND SECTION 18.4.2.61 C.4. Openings states: *“Upper floor window orientation shall primarily be vertical (height greater than width).”* Since the building is a single design, the window pattern (alignment of) is the same from elevation to elevation and from 'bay' to 'bay'. Because there are multiple stepped 'bays' in the east facing First Street facade with varying widths, the combined vertical windows in the second, third, and fourth 'bays' (from right to left) appear more horizontal than vertical when the individual vertical windows are 'ganged' together. This is done primarily to retain the rest of the building's window pattern. The design exception is mitigated by the fact the subject windows are divided into three giving each 'window' a vertical appearance. Within downtown there are a number of historic buildings that 'gang' two or three windows together creating a more horizontal appearance.

Overall, the project Architects, Designers and property owner's desire to design and construct buildings that are everlasting and appreciated for their attractiveness, quality, and compatibility within the Downtown Ashland building environment. The variations and quantity of materials proposed provide for a striking and complex palate of materials. In this regard, the two exceptions requested do not dramatically depart from the code's intended direction, but instead slightly deviate in response to the property's shape. In the end, the applicants believe the overall purpose of the Downtown Design Standards is being met.

RECEIVED
MAY 08 2020
City Of Ashland

Vehicular Access: Similar to Plaza West and Plaza East, vehicular ingress and egress will continue to occur via First Street or through the City’s parking lot fronting Lithia Way and Pioneer Streets. A 22 foot wide Public Access Easement was provided at the time of the subdivision from First Street through the City’s parking lot (over which the applicant holds an access easement). This off-street circulation pattern provides for alternative vehicular movements without adding to unnecessary trips, curb cuts or turning movements within Lithia Way. Vehicular parking spaces are located within the center of the site – primarily screened from the adjacent rights-of-way. The parking spaces will be shared parking spaces with each lot having an allocated amount.

Common Area: In addition to the subdivision’s shared parking arrangement allocated at the time of the property’s subdivision, the project includes shared common area in various locations dispersed throughout the site. These include the “two” plaza spaces to the west of Plaza West, the internal pedestrian breezeway through Plaza West and the bio-swale / meandering pathway at the north end of the property adjacent to First Street and the subject building. *Note: The bio-swale is intended to provide for storm water detention improvements such as filtering roof and parking lot run-off that often includes oil and metal particles. In addition to the bio-swale being a visual and environmental amenity to the project, the bio-swale’s meandering pedestrian path links with the breezeway through Plaza West which eventually aligns with a pathway system leading up to the Hargadine Street public parking lot.*

Lastly, it should be clearly understood that as a subdivision with the common area platted, planned, owned, and maintained under the ownership of the remaining lot owners, the common area’s open space, landscaping and parking lot landscaping is equally owned and equally allocated to each buildable lot so that each lot already meets its minimum landscaping and plaza space requirements required in the C-1 zone and Site Design and Use Standards.

Modified Landscape/Parking Plan: The proposal includes a request to modify a small area of the site’s parking and landscaping plan. This modification is to relocate one of the existing two accessible parking spaces within the north parking area behind the proposed building closer to the building to allow for a shorter distance to the First Street entrances for persons with mobility issues. We are also proposing to add a sidewalk on the north side of the building to further accommodate a shortened accessible route to the First Street entrances. The end result with the proposed modification is an improved site plan layout.

Parking: The previous application (PA-2014-01956) proposed a total of 56 surface parking spaces, with 54 on-site and two parking spaces along First Street as on-street parking credits. The current proposal also proposes 56 open parking spaces.

As such, 55 spaces are proposed to be “open” and an additional 27 are to be located within the footprints of the three buildings. Plaza West has 12 enclosed basement parking spaces, Plaza East will have 14 enclosed basement parking spaces and Plaza North one enclosed parking space for a total of 82 on-site parking spaces. With the two on-street parking credits along First Street, a total of 84 parking spaces are available.

RECEIVED
MAY 08 2020
City Of Ashland

The parking on site and within the buildings has now been fully allocated in this final Phase 3 of the First Place Subdivision.

Basic Parking Table*

Building Name	Commercial Parking Demand (1:350)	Residential Parking Demand (AMC 18.92.030 A.)	Total Parking Demand	Surplus Parking Allocation
Plaza West	3,800 sq. ft. (12)	10 units (15)	27	0
Plaza East	7,064 sq. ft. (16)	34 units (37)	40**	0
Plaza North	2,951 sq. ft. (8.4)	4 units (6.5)	15	0
Total (84 spaces)			82	2

* See Planning Summary on Sheet A1-1 for detailed building area, parking space and use details.

**Planning PA-T2-2019-00010 approved a 65% reduction for the residential parking requirement thereby requiring 40 spaces for Plaza East.

Bike Parking: Bike parking was provided at the time of the subdivision’s improvements and is dispersed throughout the project site. A total of eight bike parking spaces are required based on one space per every five required commercial parking spaces (all residential units have enclosed storage or garage spaces). A six-space bike parking area is located northwest Plaza West and three existing bike spaces are located on the east side of Plaza North.

Ground Floor Area Usage: In accordance with AMC 18.32.025 D., “at least 65% of the total gross floor area, or at least 50% of the total lot area if there are multiple buildings shall be designated for permitted or special permitted uses, excluding residential”. In this case, Plaza North’s ground floor area is 3,626 sq. ft. with 2,951 sq. ft. dedicated to commercial space (81.4%) and 675 sq. ft., including the garage, Lobby, stairwell and elevator, dedicated to residential space (18.6%).

Utilities: All key facilities are available to service the proposed building. The design team has met with all of the utility departments to review and verify if there were remaining issues. The result of the meetings were that adequate City facilities existed, all permits for recent work were applied for and that such work was inspected and approved. Any future installations or modifications to such utilities will be completed under permit.

RECEIVED
MAY 08 2020
City Of Ashland

III. FINDINGS OF FACT:

The following information has been provided by the applicants to help the Planning Staff, Planning Commission and neighbors better understand the proposed project. In addition, 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 Review Chapter 18.72 and Site Review Design Standards.

*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.*

Chapter 18.4.2 BUILDING PLACEMENT, ORIENTATION, AND DESIGN

18.4.2.040 Non-Residential Development

B. Basic Site Review Standards

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...**

COMPLIES: The primary orientation of the building is toward First Street.

- 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.**

COMPLIES: Plaza East and Plaza North combined, including the Common subdivision property between them and to the north of Plaza North, occupy 52% of their combined 307.64-foot First Street frontage. The gap between the two buildings includes landscaping, two pedestrian walkways, and a driveway – all pre-established at the time the subdivision was created. To the north of Plaza North is a storm water retention pond and a Public Space with a pedestrian walkway.

- 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. See Figure 18.42.040.B.1.**

COMPLIES: The two primary ground floor commercial entrances are oriented toward First Street and are clearly visible with recessed entries and shall be open to the public during all business hours excepting in the age of the COVID 19 pandemic.

- 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.**

COMPLIES: Entrances are located within 20 feet of the 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.**

NOT APPLICABLE: Building is not on a corner lot.

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

COMPLIES: An 11 feet sidewalk is currently in place along First Street and will remain.

- 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.**

NOT APPLICABLE

B. 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.

COMPLIES: All of the site's street trees along First Street were installed at the time of Plaza West's construction and, although less than 6 inches diameter at breast height, will be protected by construction fencing running down the sidewalk just behind the existing tree well. (See L1.0 TREE PRESERVATION plan)

B. 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.**

NOT APPLICABLE: The project site is in the Historic District and Detail Site Review overlays.

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

COMPLIES: Existing recycle/refuse disposal area is enclosed and screened pursuant to Chapter 18.4.4.

RECEIVED
MAY 08 2020
City Of Ashland

B. 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.

NOT APPLICABLE: Project is not within riparian zone.

B. 5. Noise and Glare.

Artificial lighting shall meet the requirements of section 18.4.4.050. Compliance with AMC9.08.170.c and AMC 9,08,08,175 related to noise is required.

COMPLIES: The proposed uses permitted in this zone (restaurant, office, retail, residential, etc.) will not generate noise beyond what is legally permitted. The applicants are proposing under canopy lights, strategically located cylindrical wall down-lights, and recessed walkway lights around the south, west, and north elevations. Lighting is designed to comply with Section 18.72.110. Building Owner and Tenants agree to abide by the noise Codes cited.

B. 6. Expansions of Existing Sites and Buildings.

For sites that do not conform to the standards of section 18.2.040 (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: The site conforms to the adopted Site Design Standards and common areas remain in compliance with all conditions of approval. The site is not expanding, and all infrastructure, landscaping, and site work was installed after approval of the subdivision. However, we are modifying and replanting some of the landscape areas that have been damaged during construction of Plaza East. The proposed building on Lots 4 & 5 was designed as part of a three-phased development, previously approved, and now being resubmitted for Site Review.

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 .

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.1a. Plazas and pedestrian areas shall count as floor area for the purposes of meeting the minimum FAR.

COMPLIES: The overall site is 1.44 acres in area with a minimum FAR of .5 or .77 acres of the subject property (31,363 square feet). Plaza West's FAR is 315% of its parcel or 39.7% of the

entire subdivision, including the common area. Plaza East and Plaza North will have an FAR of 303% and 200% respectively for their parcels or 69% and 16.7% of the entire subdivision. In the end, the entire site's FAR will be 125.7%.

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

COMPLIES: The proposed building frontage is roughly 80' but nevertheless, the front façade has multiple offsets, jogs and distinctive changes in the building façade as regulated by the Downtown Design Standards, Section VI-C. The architecture incorporates a number of distinctive elements such as pronounced entrances, changes of materials, windows, various architectural relief components, and horizontal band features. (See sheets A7 – A14)

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

COMPLIES: Because of the building's various stepped 'bays', the walls, windows and doors have a varying distance from the edge of the First Street sidewalk. Nevertheless, the submitted elevations illustrate how the windows and doors comply with the above standard with significantly more than 20% of the street facing façade in glazed windows and doors. (See sheets A7 – A14)

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

COMPLIES: As illustrated with the elevation plans, the proposed building façade provide for various recessed and projecting architectural details, changes in materials as well as surface material changes to give emphasis to the entrances and architectural interest to the building. (See sheets A3, A7, & A11)

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

COMPLIES: The proposed building is part of a master planned subdivision attempting to line Lithia Way and First Street with attractive buildings along the sidewalk that encourage pedestrian activity and streetscape interest. The overall vision of the plan was to create a continuous street façade similar to many of the other buildings found in the Downtown core. (See sheet A1)

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

The proposed design incorporates two recessed covered entrances for rain and sun protection to pedestrians. As a second, lower, order street compared to Lithia Way, First Street is less likely to have tenants that are 'retail' in nature and are more likely to have destination businesses such as offices, banks etc. The intent of this design standard was to provide

RECEIVED
MAY 15 2023
City Of Ashland

protection from the elements of pedestrians for 'window shopping'. And so, we have limited the alcoves to the entries. We believe that this is in keeping with the intent of this standard. (See sheets A3, A7, A11, & A12)

C. 2. Streetscape

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

COMPLIES: A portion of the sidewalk along the front is private property but appearing as public sidewalk space. This area is intended to be wider in order to create a more inviting and comfortable environment for pedestrian usage and congregation. The sidewalk's color will match the color palette required for the Downtown area designating "people" area per the streetscape standard.

- b. A building shall be setback not more than 5 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% of the aggregate building frontage shall be within 5 feet of the sidewalk.**

As noted, the building jogs and steps back from the sidewalk due to the acute angle orientation of the property line. Nevertheless, the triangular areas in the front of the building and the sidewalk are landscaped and include planter areas. Further, considering the property is part of an overall master plan, common areas have been dispersed throughout the property for pedestrian activities. Lastly, the subject building frontage is roughly 80' and the combined street frontage from Plaza West to Plaza East is roughly 240' or 67% of the entire site's building frontage along the 1st Street public sidewalk. (See sheets A2 & A3)

C. 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.**

COMPLIES: The common parking lot has perimeter landscaping buffers designed as a part of the subdivision's master plan. In addition, there is an existing 6-8' cinderblock wall between the neighboring residential property to the east. The subject building is roughly 50' from the nearest adjacent property.

C. 4. Building Materials

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

COMPLIES: The submitted elevations show a building façade with changes in relief greater than 15% of the exterior wall area. (See sheets A11 – A14)

RECEIVED
MAY 08 2020
City Of Ashland

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

COMPLIES: The proposed colors for the building will be primarily earth tone colors. The majority of the building's skin will be concrete masonry units, brick masonry, and cement plaster. Refer to plans for architectural details.

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.

COMPLIES: The proposed building design incorporates elements to the façade that are articulating and within a human scale. There are very distinct changes in mass, recessed entry alcoves, sheltering roofs (decks), and pattern of divisions on the surfaces and windows. (See sheets A11 – A 14)

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

NOT APPLICABLE: The proposed building is within the Downtown Design Standards Zone (see below standard for applicability).

c. Inside the Downtown Design Standards Zone, new buildings or expansions of existing buildings shall not exceed a building footprint area of 45,000 square feet or a gross floor area of 45,000 square feet, including roof top parking, with the following exception. Automobile parking areas locate 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.

COMPLIES: The proposed building is less than 45,000 sq. ft.

D. 2. Public Spaces

a. One square foot of plaza or public space shall be required for every 10 square feet of gross floor area.

COMPLIES: As noted on Sheet A1, the subject building, as well as Plaza West and Plaza East have a combined gross floor area, exclusive of basement, totaling 61,551 square feet

RECEIVED
MAY 6 2024
City Of Ashland

requiring 6,155 square feet (10%) of plaza or public space. The project currently includes 6,211 square feet of public plaza space or a surplus of 56 square feet.

b. A plaza or public spaces shall incorporate at least 4 of the 6 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 & shade.**
- iii. Protection from wind by screens and buildings.**
- iv. Trees – provided in proportion to the space at a minimum of 1 tree per 500 square feet, at least 2 inches in diameter at breast height.**
- v. Water features or public art.**
- vi. Outdoor eating areas or food vendors.**

COMPLIES: The existing plaza space(s) were approved and installed during the construction of Plaza West and are currently installed and in use.

D. 3. Transit Amenities

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

COMPLIES: There is a bus shelter and pull-out along Lithia Way just south of the post office, within approximately 200’ from the subject subdivision. There are no plans to relocate the shelter according to the City’s Transportation Plan and Rogue Valley Transit District (RVTD) staff. In fact, the applicants had been in previous contact with City and RVTD staff during the original subdivision planning stage and during the Site Review phase for Plaza West. To our knowledge there have been no changes to the City’s TP or to RVTD existing shelter location.

18.4.2.050 HISTORIC DISTRICT DEVELOPMENT

B. Historic District Design Standards.

In addition to the standards of part 18.4, the approval authority uses the following standards for new construction, and restoration and rehabilitation of existing buildings within the Historic District overlay.

- 1. Transitional Areas. For projects located at the boundary between zones or overlays, appropriate adjustments to building form, massing, height, scale, placement, or architectural and material treatment may be considered to address compatibility with the transitional area while not losing sight of the underlying standards or requirements applicable to the subject property.**

COMPLIES: Building steps down in height closer to the Residential Zone to the North, and the massing of the building is scaled down using the setback ‘bays.

RECEIVED
MAY 08 2020
City Of Ashland

B. 2. Height. Construct new buildings to a height within the range of historic building heights on and across the street.

COMPLIES: Building is three stories adjacent to the three-story building at Plaza West and steps down in the last bay on the north to two stories as a transition to the Residential zone. The single-story USPS building across First Street is a historic anomaly and is underdeveloped for the City's intended expansion of the downtown district.

B. 3. Scale. Height, width, and massing of new buildings conform to historic buildings in the immediate vicinity.

COMPLIES: The building is in a transition zone between Commercial and Residential zones and strives to seek a balance in scale between the adjacent building in the immediate vicinity. That balance is created by appearing commercial in style and stepping the height (and therefor the scale) as it approaches the residential zone to the north.

B. 4. Massing. Small, varied masses consistent with historic buildings in the immediate vicinity.

COMPLIES: The stepping of the façade into six 'bays' helps this building address the varied masses concept required by this code section.

B. 5. Setback. Front walls of new buildings are in the same plane as facades of adjacent historic buildings.

NOT APPLICABLE: Downtown Ashland Standards supersede this section and require the building to be set at the sidewalk.

B. 6. Roof. Roof shape, pitches, and materials consistent with historic buildings in the immediate vicinity.

COMPLIES: The building has a flat roof like a significant majority the buildings in the overlying Downtown Commercial zone that this building falls within.

B. 7. Rhythm of Openings. Pattern or rhythm of wall to door/window openings on the primary façade or other visually prominent elevation is maintained. Maintain compatible width-to-height ratio of bays in the façade.

COMPLIES: The door/window openings on the First Street façade, and indeed all four facades, maintain a consistent width to height ratio throughout as exhibited in the elevations.

B. 8. Base. A clearly defined base, or platform characteristic of historic buildings in the immediate vicinity.

COMPLIES: The building has a clearly defined concrete masonry base that is like other buildings found in the Downtown District. This base extends from the ground level up to the second floor to further break up the massing through a change in material.

B. 9. Form. Form (i.e., vertical/horizontal emphasis of building) that is consistent with that of adjacent historic buildings.

COMPLIES: Again, the form of this building is consistent with buildings in the overlying Downtown zone.



B. 10. Entrances. Well-defined primary entrances with covered porches, porticos, and other architectural features compatible but not imitative of historic counterparts.

COMPLIES: The two primary entrances facing First Street are set back in alcoves to address the Downtown Design Standards that require that entrances be recessed.

B. 11. Imitation of Historic Features. ...New construction, including additions, that is clearly contemporary in design, which enhances but does not compete visually with adjacent historic buildings.

COMPLIES: This new building is historic in massing and scale but uses modern materials that present a clearly contemporary design.

B. 12. Additions.

NOT APPLICABLE: New construction.

B. 12. Garages. Garage placed behind the primary historic building with access from a side street or alley if available.

COMPLIES: The single car garage door is placed at the rear of the building facing the existing parking lot and does not face First Street.

18.4.2.060 DOWNTOWN ASHLAND

C. Downtown Design Standards.

- 1. Height. Building height shall vary from adjacent buildings, using either "stepped" parapets or slightly dissimilar overall height to maintain the traditional "staggered" streetscape appearance. An exception to this standard would be buildings that have a distinctive vertical division/facade treatment that "visually" separates it from adjacent building.**

The proposed building is a stand-alone building unlike the "common wall" buildings along Lithia Way or Main Street. However, the building does provide three stepped heights primarily to address the building's architecture, solar access and sloping street grade. The 2014 approved design, incorporated five changes in height. We felt that this, in conjunction with the series of setbacks to the façade, created a chaotic design. We are simplifying the design by providing just three steps in height.

- 2. Setback**

- a. Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line. Areas having public utility easements or similar restricting conditions shall be exempt from this standard.**

The applicants are requesting an exception to this standard (*not a Variance*) due to the fact the property is uniquely shaped with the First Street frontage running at an acute angle in respect to the otherwise rectangular parcel. This provided an opportunity to create a stepped façade that works better with the lot shape, creates a more interesting streetscape, and

provides for a more pedestrian scaled street environment. The design places the corners of each step at the utility easement line just 19 inches inside of the First Street sidewalk, steps back a prescribed distance, and then steps again at the point the front wall intersects with the First Street utility easement line. The entries were then recessed to emphasize the 'sense of entry'.

These setbacks create a façade that give the appearance of a series of smaller buildings in bulk and scale that relates to the adjacent residential neighborhood. This feature, combined with the commercial appearance of the building, serves to ease the transition of the property from the higher density commercial zone to the less dense residential zone.

b. Ground level entries are encouraged to be recessed from the public right-of-way to create a "sense of entry" through design or use of materials.

The building has two primary commercial entrances both with features that create a "sense of entry" as envisioned by the Standards, such as recessed covered entrances as well as obvious surface treatments leading to the doors.

c. Recessed or projection balconies, verandas, or other useable space above the ground level on existing and new buildings shall not be incorporated in a street facing elevation.

A balcony is proposed along the side of the building and is not part of the front façade. Also, an upper floor deck is also proposed, but it is enclosed with roof and walls.

C. 3. Width

a. The width of a building shall extend from side lot line to side lot line. An exception to this standard would be an area specifically designed as plaza space, courtyard space, dining space or rear access for pedestrian walkways.

The width of the building extends from side property line to side property line other than where required handicap access occurs along the south side to access the rear parking lot.

b. Lots greater than 80' in width shall respect the traditional width of buildings in the downtown area by incorporation a rhythmic division of the facade in the building's design.

The two lots are intended to be consolidated into a single lot with roughly 89' of frontage along First Street. As such, the Architect has designed the building with multiple vertical 'bays' that reflect the forced step back issue noted previously. The vertical 'bays', along with strong horizontal components make for an attractive traditional façade. The façade honors the traditional rhythmic divisions by dividing the façade into six 'storefronts' that provides for a more pedestrian scale.

RECEIVED
MAY 08 2020
City Of Ashland

C. 4. Openings

a. **Ground level elevations facing a street shall maintain a consistent proportion of transparency (i.e., windows) compatible with the pattern found in the downtown area.** The front elevation includes storefront windows and glass doors similar in size to other storefront windows found in the Downtown.

b. **Scale and proportion of altered or added building elements, such as the size and relationship of new windows, doors, entrances, columns, and other building features shall be visually compatible with the original architectural character of the building.**

Not applicable as the building is new.

c. **Upper floor window orientation shall primarily be vertical (height greater than width).** Of the building's six front façade 'bays', four have windows on the second and third floors that, when their individual vertical windows are 'ganged' together, may appear more horizontal than they are vertical which requires an exception request according to City Planners. I humbly disagree that this requires an exception, but notwithstanding my disagreement with the need for the exception, the criteria and justification can be found in C. 11. Exception to Standards at the end of this section.

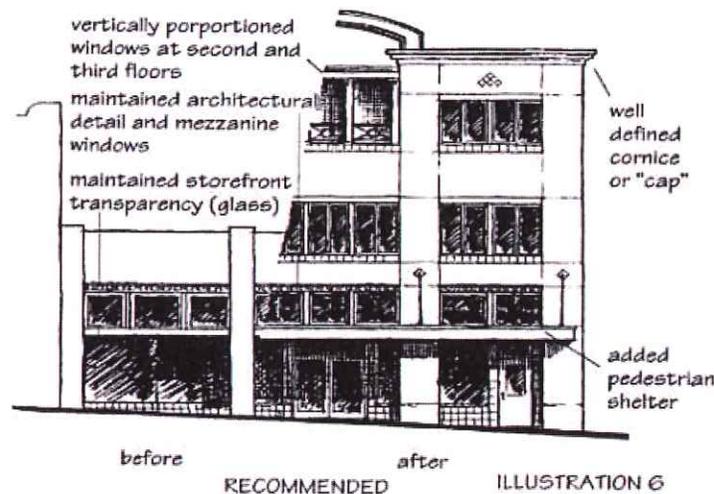


Figure 18.4.2.060.C.6.

The Downtown Ashland Standard for Vertical Rhythms above clearly states “*vertically proportioned windows at second and third floors*” while showing a series of ‘ganged’ vertical windows that have a horizontal appearance.

d. **Except for transom windows, windows shall not break the front plane of the building.** The second and third floor windows are double hung ‘sliding’ windows that only open up and down and thereby do not break the front plane of the building.

e. **Ground level entry doors shall be primarily transparent.** The building's ground level entrance doors will be single lite entrance doors. The windows and doors will be transparent allowing visibility into the building.

RECEIVED
MAY 08 2020
City Of Ashland

- f. **Windows and other, features of interest to pedestrians such as decorative columns or decorative corbeling shall be provided adjacent to the sidewalk. Blank walls adjacent to a public sidewalk is prohibited.**

The building's architecture provides for a variety of architectural interest such as the variation of materials, a corbeled horizontal band at the top of the concrete masonry 'base', multiple bays, sloped projecting window sills, distinct header above windows and doors, and the staggering setbacks of the 'bays'. The building will have transparent windows and doors on the ground level facing First Street and therefor are not blank.

C. 5. Horizontal Rhythms

- a. **Prominent horizontal lines at similar levels along the street 's street front shall be maintained.**

The submitted elevations show a mixed-use building with prominent horizontal lines reinforced by the horizontal alignment of windows on each floor, and horizontal cornice treatments at the top of the 'base' and at parapets.

- b. **A clear visual division shall be maintained between ground level floor and upper floors.**

The proposed building facades show a clear visual division between the ground floor and two upper floors. The division is created due to the horizontal elements such as the difference in ground floor height vs. upper floors, change in materials and colors, window alignment and awnings.

- c. **Buildings shall provide a foundation or base, typically from ground to the bottom of the lower windowsills, with changes in volume or material, to give the building a "sense of strength".**

The design of the building base is shown extending the full height of the first floor, but the standard is written more as a recommendation ("typically"). In this case, due to the change in grade at the building perimeter and the multiple floor elevations needed to meet accessibility requirements, a truncated base at the lower window sills is not a practical or viable solution. Instead, a material has been chosen for the first story, a ground faced concrete block that will suggest a cut stone look, and provide the desired "sense of strength". Quarried stone has been utilized as a base extending the height of the first story in other historical buildings in the past not only in Ashland, but other main street environments and accomplishes the same intent. The 'ground face' concrete masonry block will have a distinct separation from the materials used on the upper floors by use of a double stepped corbel at the concrete masonry top that continues around the entire exterior of the building. The full height base will better address the varying grades and first floor heights that occur on this unique site.

RECEIVED
MAY 08 2020
City Of Ashland

C. 6. Vertical Rhythms

- a. **New construction or storefront remodels shall reflect a vertical orientation, either through actual volumes or the use of surface details to divide large walls, to reflect the underlying historic property lines.**

Plaza North's vertical bays reflect the vertical rhythms intended by this standard. The vertical bays, combined with the horizontal elements noted previously, provide for a very traditional and attractive main street building within the Downtown.

- b. **Storefront remodeling or upper-story additions shall reflect the traditional structural system of the volume by matching the spacing and rhythm of historic openings and surface detailing.**

C. 7. Roof Forms

Sloped or residential style roof forms are discouraged in the downtown area unless visually screened for the right-of-way by either a parapet or a false front. The false front shall incorporate a well-defined cornice line or "cap" along all primary elevations.

The elevation drawings show a stepping parapet wall with defined "cornices" generally consistent with other buildings found in the Downtown area.

C. 8. Materials

- a. **Exterior building materials shall consist of traditional building materials found in the downtown area including block, brick, painted wood, smooth stucco, or natural stone.**

The exterior building materials are consistent with building materials found within the Downtown core with most of the building's skin being 'ground face' concrete masonry, cement plaster (stucco), and brick masonry.

- b. **To add visual interest, buildings are encouraged to incorporate complex "paneled" exteriors with columns, framed bays, transoms, and windows to created multiple surface levels.**

The proposed design incorporates multiple surface materials for added visual interest as well as a framed entrance, recessed and projecting entrances, transom windows, etc.

C. 9. Awnings, Marquees or Similar Pedestrian Shelters

- a. **Awnings, marquee, or similar pedestrian shelters shall be proportionate to the building and shall not obscure the building's architectural details. If mezzanine or transom windows exist, awning placement shall be placed below the mezzanine or transom windows where feasible...**

Awnings are proposed on the south façade and on the east facing façade at the brick masonry

'bays' and are proportioned to not obscure architectural details.

- b. Except for marquees - similar pedestrian shelters such as awnings shall be placed between the pilasters.**

No awnings are proposed at the first floor east facing façade along First Street.

- c. Sidewalk coverings along storefronts shall have prominent horizontal lines at similar levels as illustrated...**

Plaza North's prominent horizontal lines are maintained by the windows and cornices. No awnings or sidewalk coverings are proposed primarily due to the building's design configuration.

C. 10. Other

- a. Non-street or alley facing elevations are less significant than street facing elevations. Rear and sidewalls of buildings should therefore be fairly simple, i.e., wood, block, brick, stucco, cast stone, masonry clad, with or without windows.**

The rear elevations are relatively simple compared to the First Street façade. However, the north, south, and west facing façade's design maintains a respectful appearance as it is visible from adjacent neighbors and the parking lot. In addition, considering the location of the site, its welcoming pedestrian pattern and the likely high volume of pedestrian activity, the design incorporates rear and side second and third story balconies that provide a "sense of security" for pedestrians, customers, tenants and employees accessing to and through the site.

- b. Visual integrity of the original building shall be maintained when altering or adding building elements. This shall include such features as the vertical lines of columns, piers, the horizontal definition of spandrels and cornices and, and other primary structural and decorative elements.**

Not applicable as the property is currently vacant.

- c. Restoration, rehabilitation, or remodeling projects shall incorporate, whenever possible, original design elements that were previously removed, remodeled, or covered over.**

Not applicable as the property is currently vacant.

- d. Parking lots adjacent to the pedestrian path are prohibited (Refer to Design and Use Standards, Section II-D, for Parking Lot Landscaping and Screening Standards). An exception to this standard would be paths required for handicapped accessibility.**

The project does exactly what this standard is attempting to create; replace unattractive surface parking lots that previously existed with attractive buildings along the sidewalk that encourage pedestrian activity.

- e. Pedestrian amenities such as broad sidewalks, surface details on sidewalks, arcades, alcoves, colonnades, porticoes, awnings, and sidewalk seating shall be provided where**

RECEIVED
MAY 08 2020
City Of Ashland

possible and feasible.

The proposed building virtually incorporates all these elements.

- f. **Uses which are exclusively automotive such as service stations, drive-up windows, auto sales, and tire stores are discouraged in the downtown. The city shall use its discretionary powers, such as Conditional Use Permits, to deny new uses, although improvements to existing facilities may be permitted.**

The proposal does not include any uses that are automotive in nature or would require a Conditional Use Permit. The planned uses for the building include professional offices, retail, and residential space.

C. 11. Exception to Standards.

An exception to the Downtown Design Standards may be granted pursuant to 18.5.2.050.E Exception to the Site Development and Design Standards.

Two Exceptions are being requested:

18.4.2.60 DOWNTOWN ASHLAND C. 2. Setback

- a. Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line. Areas having public utility easements or similar restricting conditions shall be exempt from this standard.

18.4.2.60 DOWNTOWN ASHLAND C. 4. Openings

- c. Upper floor window orientation shall primarily be vertical (height greater than width).

Chapter 18.4.4 LANDSCAPING, LIGHTING, AND SCREENING

18.4.4.030 Landscaping and Screening

- A. General Landscape Standard. All portions of a lot not otherwise developed with buildings, accessory structures, vehicle maneuvering areas, parking, or other approved hardscapes shall be landscaped pursuant to this chapter.**

WILL COMPLY: Most of the site was previously landscaped in Phase 1 during the construction of Plaza West. Landscaping behind Plaza West will be installed this winter during completion of construction. The remaining landscaping, as shown on the submitted Landscape Plans, will be installed with this project.

- B. Minimum Landscape Area and Coverage. All lots shall conform to the minimum landscape area standards of the applicable zoning district (see Table 18.2.5.030.A - C for residential zones and Table 18.2.6.030 for non-residential zones). Except as otherwise provided by this chapter, areas proposed to be covered with plant materials shall have plant coverage of not less than 50 percent coverage within one year and 90 percent coverage within five years of planting.**

RECEIVED

MAY 08 2020

City Of Ashland

COMPLIES: As noted on Sheet A1, the subdivision will have 10,745 sq. ft. or 17% of the entire subdivision coverage in landscaped area.

C. Landscape Design and Plant Selection. The landscape design and selection of plants shall be based on all the following standards:

COMPLIES: Landscaping, as shown on Sheet L3.0, meets the requirements of sections 1-6.

D. Tree Preservation, Protection, and Removal. See chapter 18.4.5 for Tree Protection and Preservation and chapter 18.5.7 for Tree Removal Permit requirements.

COMPLIES: Although no existing trees on site are of the diameter to be protected, including the existing street trees, they will be protected according to sheet L1. Tree Preservation.

E. Street Trees. The purpose of street trees is to form a deciduous canopy over the street. The same effect is also desired in parking lots and internal circulation streets; rows of street trees should be included in these areas where feasible.

COMPLIES: Tree grates and street trees were installed in accordance with the ordinance in place at the time of installation of the subdivision improvements. One tree was not installed along First Street (furthest north) and will be installed as part of this project.

F. Parking Lot Landscaping and Screening. Parking lot landscaping, including areas of vehicle maneuvering, parking, and loading, shall meet the following requirements.

COMPLIES: The project site follows items 1 and 2 of this code sections as follows:

The property abutting the rear and side property is screened by a 6' to 8' concrete masonry wall and a minimum 5' landscape strip, and for most of the property a much greater width.

Approximately 8% of the parking area consists of landscaping with approximately three trees per seven parking spaces to provide parking lot shading.

Most of the parking lot's trees were installed at the time Plaza West was completed and the existing parking lot upgraded. The trees were chosen by a professional Landscape Architect with the intent to provide shade and a canopy effect over parked automobiles. All trees were chosen from the City's adopted street tree list which included a variety of tree species recommended for parking lots and urban environments.

The project's parking areas are screened from the adjacent rights-of-way by the buildings and landscaping.

All new trees to be planted near a hard surface area will be setback at least 2'. All new or revised landscaping will be installed by a licensed local landscaping company familiar with the above standard.

The proposed parking lot landscaping plans were completed by a professional landscape architect with the intent to provide for an attractive landscaped site that also complies with the above standard.

RECEIVED
MAY 08 2020
City Of Ashland

All the previously approved landscaping was installed by a licensed local landscaping company familiar with the above coverage requirements. Any new or modified landscape areas will also be installed in accordance with the above standard.

The existing and proposed landscape plan shows the parking lot landscaping being evenly distributed throughout the parking lot. All landscaping has and will continue to be installed by a licensed local landscaping company familiar with the above standard.

All parking lot landscaping and screening was installed at the time of the original subdivision construction. It is our understanding that Planning Staff used this project as an example when they were revising ordinance sections relating to parking, landscaping, and screening.

G. Other Screening Requirements. Screening is required for refuse and recycle containers, outdoor storage areas, loading and service corridors, mechanical equipment, and the City may require screening other situations, pursuant with the requirements of this ordinance.

1. Recycle and Refuse Container Screen. Recycle and refuse containers or disposal areas shall be screened from view by placement of a solid wood fence or masonry wall five to eight feet in height to limit the view from adjacent properties or public rights-of-way. All recycle and refuse materials shall be contained within the screened area.

COMPLIES: Construction of Plaza East includes the construction of a large enclosed trash/recycle area that will be shared by Plaza North.

2. Outdoor Storage. Outdoor storage areas shall be screened from view, except such screening is not required in the M-1 zone.

NOT APPLICABLE: No outdoor storage is proposed.

3. Loading Facilities and Service Corridors. Commercial and industrial loading facilities and service corridors shall be screened when adjacent to residential zones. Siting and design of such service areas shall reduce the adverse effects of noise, odor, and visual clutter upon adjacent residential uses.

NOT APPLICABLE: No loading facilities or service corridors are proposed.

4. Mechanical Equipment. Mechanical equipment shall be screened by placement of features at least equal in height to the equipment to limit view from public rights-of-way, except alleys, and adjacent residentially zoned property. Mechanical equipment meeting the requirements of this section satisfy the screening requirements in 18.5.2.020.C.4.

a. Roof-mounted Equipment. Screening for roof-mounted equipment shall be constructed of materials used in the building's exterior construction and include features such as a parapet, wall, or other sight-blocking features. Roof-mounted solar

RECEIVED
MAY 08 2020
City Of Ashland

collection devices are exempt from this requirement pursuant to subsection 18.5.2.020.C.4.

COMPLIES: Roof mounted equipment is to be located towards the center of the roof and is screened from view by parapets.

b. Other Mechanical Equipment. Screening for other mechanical equipment (e.g., installed at ground level) include features such as a solid wood fence, masonry wall, or hedge screen.

NOT APPLICABLE: There is no ground level equipment proposed.

H. Irrigation. Irrigation systems shall be installed to ensure landscape success. If a landscape area is proposed without irrigation, a landscape professional shall certify the area can be maintained and survive without artificial irrigation. Irrigation plans are reviewed through a Ministerial process at the time of building permit submittals.

COMPLIES: Irrigation has been designed by a profession Landscape Architect and will be installed by a licensed landscape contractor to ensure success of this landscaping. The existing landscaping, installed in 2015, has a proven record of success.

I. Water Conserving Landscaping.

The following standards are intended to conserve water while encouraging attractive landscaping. Further, requirements are aimed at reducing water demand when water is most scarce, during the dry late summer months when water reserves are low.

COMPLIES: Irrigation has been designed by a profession Landscape Architect and will be installed by a licensed landscape contractor to ensure success of this landscaping. The existing landscaping, installed in 2015, has a proven record of success.

18.4.4.040 Recycling and Refuse Disposal Areas

COMPLIES: The previously approved trash/recycle enclosure on site will be constructed with the Plaza North building.

18.4.4.050 Outdoor Lighting

COMPLIES: Existing parking lot lighting was installed with the subdivision and complies with this code. New wall lighting will be directed downward and will not project onto the neighboring residential property. Recessed wall lights will be installed that project light down to the sidewalk to light the sidewalks along the south, west, and north sides of the building.

18.4.4.060 Fences and Walls

NOT APPLICABLE: Existing fences were previously installed at the time of the subdivision construction and comply with this standard. No new fences are proposed.

RECEIVED
MAY 08 2020
City Of Ashland

Chapter 18.5.2 SITE DESIGN REVIEW

Section 18.5.2.050 Approval Criteria

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.

COMPLIES: As exhibited by the design drawings and as described in these Findings of Fact, the proposed project complies with all the applicable standards for the C-1 Commercial Zone.

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

COMPLIES: The following overlay zones apply to this project: 18.3.12.030 Detail Site Review Overlay, 18.3.12.040 Downtown Design Standards Overlay, and 18.3.12.050 Historic District Overlay. All requirements of these overlay zones have or will be complied with as described in these Findings of Fact and the design drawings submitted for approval.

- 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.

COMPLIES: As exhibited by the design drawings and as described in these Findings of Fact, the proposed project complies with all the applicable standards detailed in the Site Development and Design Standards.

- 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.

COMPLIES: All key facilities are available to service the proposed lots and were installed during the completion of the subdivision or are currently being installed as part of the ongoing construction for Plaza North (Fire Vault). The applicants have met with all the utility departments to verify if there were any capacity issues. The results of the meeting were that adequate City facilities are available to the subject site

- 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, 2, or 3, below, are found to exist.

Two exceptions are being requested from the Downtown Ashland design standards.

They are as follow:

RECEIVED
MAY 08 2020
City Of Ashland

EXEPTION 1

18.4.2.60 DOWNTOWN ASHLAND

C. 2. **Setback**

Except for arcades, alcoves and other recessed features, buildings shall maintain a zero setback from the sidewalk or property line. Areas having public utility easements or similar restricting conditions shall be exempt from this standard.

- 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.**

The unique shape of the lot with the First Street frontage running at an acute angle in respect to the otherwise rectangular parcel and Lithia Way, provided an opportunity to create a stepped façade that works better with the lot shape and creates a more interesting streetscape that creates the appearance of smaller buildings grouped together. This stepping and offsetting of the façade eases the transition between the commercial and residential zones. The design places the corners of each step at or near the First Street sidewalk (up to the Utility easement), steps back a short distance, and then steps again at the point the front wall intersects with the First Street sidewalk. The two main entrances are then recessed from their respective facades, in accordance with the design standards, to emphasize their sense of entry.

We contend that this alternative design better achieves the intent of the Downtown Design Standards as the alternative solution would be to design a building with an odd acute angle (hence another 'flat' façade) at the southeast corner of the building (entrance to subdivision) that is not typically reflected in the Downtown's character. In fact, many of the buildings found in the Downtown are based on their underlying 90-degree property lines where the subject property line is roughly 120 degrees based on the combination of the street and access corridor. As such, the proposed design is based more on the traditional building setting in the downtown and not the shape of the lot.

The purpose Downtown Design Standards was to be as compatible with the Downtown's historic building pattern. With this standard, the purpose was to ensure pedestrians and the users of the public space (i.e. sidewalks) have an opportunity to engage and that activities occurring within the interior spaces are visible through the storefront windows. The concept encourages walking as the opportunity is there to engage with the inside space and make the walk more enjoyable versus along a parking lot or field. In the end, the applicants contend the building still provides that opportunity, but also respects many of the other Downtown standards.

EXEPTION 2

RECEIVED
MAY 08 2020
City Of Ashland

18.4.2.61 DOWNTOWN ASHLAND

C. 4. Openings

d. Upper floor window orientation shall primarily be vertical (height greater than width).

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.

We are proposing in this design to create multiple stepped 'bays' along the First Street facade with varying widths, with 'ganged' windows that appear more horizontal than vertical as a group, but that's primarily to retain the rest of the building's window pattern. The design exception is mitigated by the fact the subject windows are divided into three or two 'vertical', historically compatible windows. There are also many examples of historic buildings in downtown Ashland that have two-ganged windows that are visually square and three-ganged windows that are visually horizontal.



Two-ganged visually square



Three-ganged visually horizontal

These windows all have 'vertical' windows ganged together to form a wider grouping that is square or horizontal in appearance. The intent of this code item was to ensure that individual windows were more vertical as shown above.

RECEIVED
MAY 08 2023
City Of Ashland

We believe the proposed design better achieves the purpose and intent of the Downtown Design Standards and Downtown Plan as the slightly more horizontal windows, when ganged within the single bays do not overwhelm the building's architecture, but instead compliment it as described above. In this case, the design maintains the rhythm of openings as desired by the Standards, specifically Section VI-E Horizontal Rhythms. In the end, the Architects feel, bolstered by Historic Commissions input, the design approach taken is superior and accomplishes the Design Standards intent.

The exception requested is the minimum necessary and the applicants have attempted to mitigate the request by designing the subject windows within Plaza North building with vertical window elements to give a more vertical window pattern appearance. The windows chosen for the design are tall, rectangular units with transoms on the first floor, and double hung units on the top two floors. The window widths are primarily 36" and are combined in multiples of two or three. Since the building is a singular design, the window pattern is the same throughout. The glass utilized at the central brick elements are the same "ganged" double hung units with transoms added to provide a special feature for the building.

RECEIVED
MAY 08 2020
City Of Ashland

jerome@kistlersmallwhite.com

From: chris maharhomes.com <chris@maharhomes.com>
Sent: Wednesday, May 6, 2020 3:58 PM
To: Jerome White
Cc: 'Fred Gant'
Subject: Fw: Thank you for your LEED Project Registration

Jerome,
In case you did not receive this LEED registration, here it is again.

Chris Brown
Project Manager
Mahar Homes Inc.
815 Alder Creek Dr.
Medford, Oregon 97504
Cell: 541-625-3470
chris@maharhomes.com

From: LEED Info <leedinfo@usgbc.org>
Sent: Wednesday, May 6, 2020 1:45 PM
To: chris maharhomes.com <chris@maharhomes.com>
Subject: Thank you for your LEED Project Registration

[U.S. Green Building Council]<<http://www.usgbc.org>>
[http://www.usgbc.org/Docs/Archive/Embedded_Images/Docs6241.gif]
[http://www.usgbc.org/Docs/Archive/Embedded_Images/Docs6237.jpg]
[https://www.usgbc.org/sites/all/assets/logos/leed_logo_gray.gif] <<http://www.leedonline.com>>

Dear Chris Brown,

Your LEED project has been successfully registered in LEED Online.

Project ID : 1000131213
Project Title : Plaza North
Project Rating System : LEED v4 O+M: MF
Registration Type : Individual Project
Registration Date : 05/06/2020
Project Location : Ashland,OR,US,97520

RECEIVED
MAY 08 2020
City Of Ashland

You may now log into LEED Online to manage your project and begin the application process. The first time you log in, you will be presented with a set of 'Getting Started' information that will help you kick off the certification process. Further technical LEED assistance is available through the following resources:

- The help section of LEED Online
- LEED Resources & Tools : <https://www.usgbc.org/leed>
- LEED Reference Guides :
www.usgbc.org/guides<<https://www.usgbc.org/store?Category=%5B%22Study+guides%22%2C%22Integration+guides%22%2C%22LEED+case+studies%22%2C%22Reference+guides%22%2C%22Journals%22%5D>>
- Subscribe to LEED Update, a quarterly e-newsletter from USGBC and GBCI :
<https://www.usgbc.org/account/subscriptions>
- LEEDuser, a third-party resource that offers a variety of supplemental LEED advice:
<https://leeduser.buildinggreen.com>

If you experience any problems, please contact the Green Business Certification Inc. (GBCI) at:

Phone : 1-800-795-1746

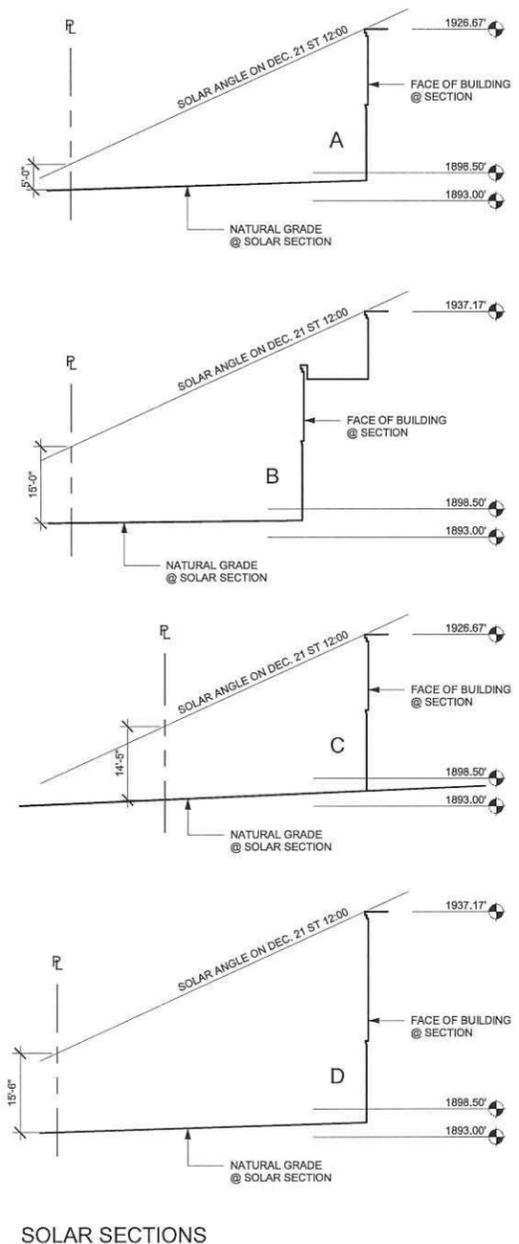
Email : <http://www.gbci.org/contact><<http://www.gbci.org/contact>>

Please note, only projects registered through LEED Online v3 will be visible in your LEED Online v3 project list. If you have previously registered a project under LOv2, you will only be able to access those projects in LEED Online v2.

Thank you,
GBCI

This is an automatically generated email. Please do not reply to this message.

[http://www.usgbc.org/Docs/Archive/Embedded_Images/Docs6238.jpg]



SOLAR SECTIONS

COMBINED BUILDING AREAS:

BASEMENT	17,712 sf
1st FLOOR	13,891 sf
2nd FLOOR	21,224 sf
3rd FLOOR	20,329 sf
TOTAL AREA	79,360 sf

PUBLIC SPACE REQUIREMENT:

TOTAL BUILDING AREA*	61,551 sf
AREA REQUIRED (10%)	6,155 sf
AREA PROVIDED ON LOT 1	0 sf
AREA PROVIDED ON LOTS 2-3	0 sf
AREA ON COMMON LOT	6,211 sf
TOTAL PUBLIC SPACE**	6,211 sf

*EXCLUDES UNCONDITIONED BASEMENT PARKING
**PUBLIC SPACE SURPLUS FOR FUTURE BUILDINGS

PROPOSED F.A.R. ALLOCATIONS:

BUILDING	AREA*	F.A.R.**
LOT 1	25,040 sf	39.7%
LOT 2	26,400 sf	41.9%
LOT 3	17,276 sf	27.4%
LOT 4	6,482 sf	10.2%
LOT 5	4,115 sf	06.5%
TOTAL	79,293 sf	125.7%

*NOT INCLUDING BASEMENT AREAS
**F.A.R. RELATIVE TO TOTAL LOT AREA, NO RESTRICTIONS IN HISTORIC DISTRICT

LANDSCAPE REQUIREMENT:

LOT AREA	63,058 sf
PARKING LOT AREA	19,521 sf
AREA PROPOSED	9,967 sf
15% OF LOT	9,459 sf
DIFFERENCE	+508 sf

IMPERVIOUS SURFACES:

LOT AREA	63,058 sf
PERVIOUS AREAS:	10,335 sf
LANDSCAPE	410 sf
CRUSHED ROCK PAVING	10,745 sf
TOTAL PERVIOUS	11,155 sf

PERCENTAGE PERVIOUS	17.0%
IMPERVIOUS AREAS:	52,903 sf
BUILDING COVERAGE	19,998 sf
CONCRETE PAVING	12,570 sf
ASPHALT PAVING	19,521 sf
TOTAL IMPERVIOUS	52,089 sf
PERCENTAGE IMPERVIOUS	83.0%

RESIDENTIAL DENSITY:

LOT	ACREAGE	DWELLING UNITS
LOT 1	0.182 AC	10
LOT 2	0.181 AC	13
LOT 3	0.150 AC	14
LOT 4	0.071 AC	2
LOT 5	0.050 AC	2
COMMON	9.813 AC	N/A
TOTAL	1.448 AC	41*

*30 D.U./AC IN C-1 DISTRICT ALLOWED D.U. = 43

AFFORDABLE UNITS REQUIRED: 2
AFFORDABLE UNITS PROVIDED: 2

PROPOSED LOT AREAS & PARKING ALLOCATIONS:

LOT	AREA	PARKING*
LOT 1	7,943 sf	27 Sp
LOT 2-3	14,431 sf	40 Sp
LOT 4-5	5,273 sf	15 Sp
COMMON	0 sf	0 Sp
TOTAL	35,411 sf	84 Sp

TOTAL LOT AREA: 63,058 sf

*INCLUDES BASEMENT PARKING COUNTS.

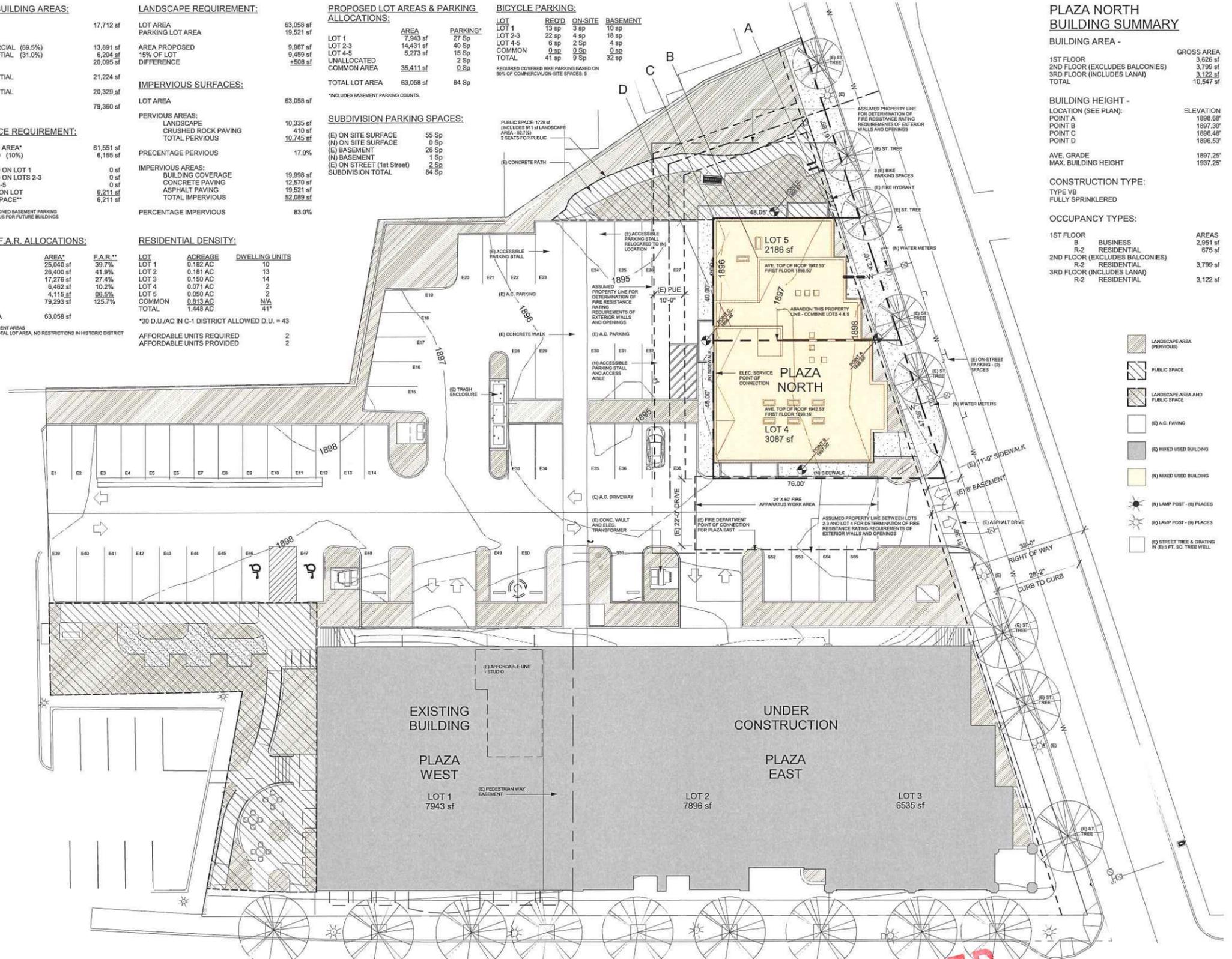
SUBDIVISION PARKING SPACES:

(E) ON SITE SURFACE	55 Sp
(N) ON SITE SURFACE	0 Sp
(E) BASEMENT	26 Sp
(N) BASEMENT	1 Sp
(E) ON STREET (1st Street)	2 Sp
SUBDIVISION TOTAL	84 Sp

BICYCLE PARKING:

LOT	REQD	ON-SITE	BASEMENT
LOT 1	13 sp	3 sp	10 sp
LOT 2-3	22 sp	4 sp	18 sp
LOT 4-5	6 sp	2 sp	4 sp
COMMON	0 sp	0 sp	0 sp
TOTAL	41 sp	9 sp	32 sp

REQUIRED COVERED BIKE PARKING BASED ON 5% OF COMMERCIAL/SITE SPACES: 5



PLAZA NORTH BUILDING SUMMARY

BUILDING AREA -	GROSS AREA
1ST FLOOR	3,626 sf
2ND FLOOR (EXCLUDES BALCONIES)	3,759 sf
3RD FLOOR (INCLUDES LANAI)	3,122 sf
TOTAL	10,547 sf

BUILDING HEIGHT -	ELEVATION
LOCATION (SEE PLAN):	
POINT A	1898.68'
POINT B	1897.30'
POINT C	1896.48'
POINT D	1896.53'
Ave. GRADE	1897.25'
MAX. BUILDING HEIGHT	1937.25'

CONSTRUCTION TYPE:
TYPE VB
FULLY SPRINKLERED

1ST FLOOR	AREAS
B BUSINESS	2,951 sf
R-2 RESIDENTIAL	675 sf
2ND FLOOR (EXCLUDES BALCONIES)	AREAS
R-2 RESIDENTIAL	3,799 sf
3RD FLOOR (INCLUDES LANAI)	AREAS
R-2 RESIDENTIAL	3,122 sf

- LANDSCAPE AREA (PERVIOUS)
- PUBLIC SPACE
- LANDSCAPE AREA AND PUBLIC SPACE
- (E) A.C. PAVING
- (M) MIXED USED BUILDING
- (N) MIXED USED BUILDING
- (L) LAMP POST - (B) PLACES
- (L) LAMP POST - (B) PLACES
- (S) STREET TREE & GRATING
- (N) 5 FT. SQ. TREE WELL

kistler + small + white

SITE REVIEW
5.7.2020

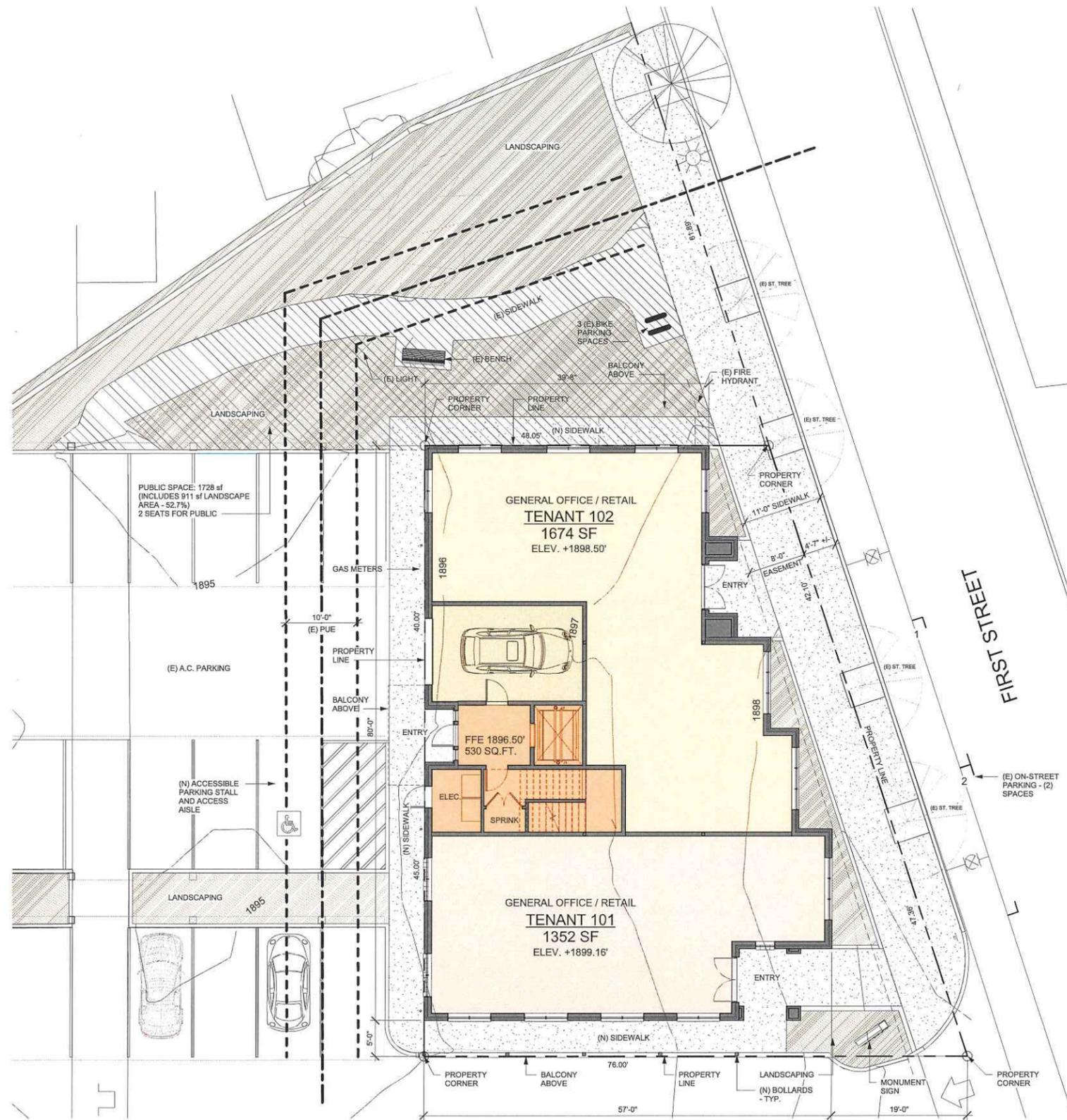
PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City of Ashland

SCALE: 1/16" = 1'-0"
8'-0" 16'-0" 32'-0" 64'-0"

OVERALL SITE PLAN

A1



- LANDSCAPE AREA (PERVIOUS)
- PUBLIC SPACE
- LANDSCAPE AREA AND PUBLIC SPACE
- (E) A.C. PAVING
- (E) MIXED USED BUILDING
- (N) MIXED USED BUILDING
- (N) LAMP POST - (E) PLACES
- (E) LAMP POST - (E) PLACES
- (E) STREET TREE & GRATING
(N) 5 FT. SQ. TREE WELL

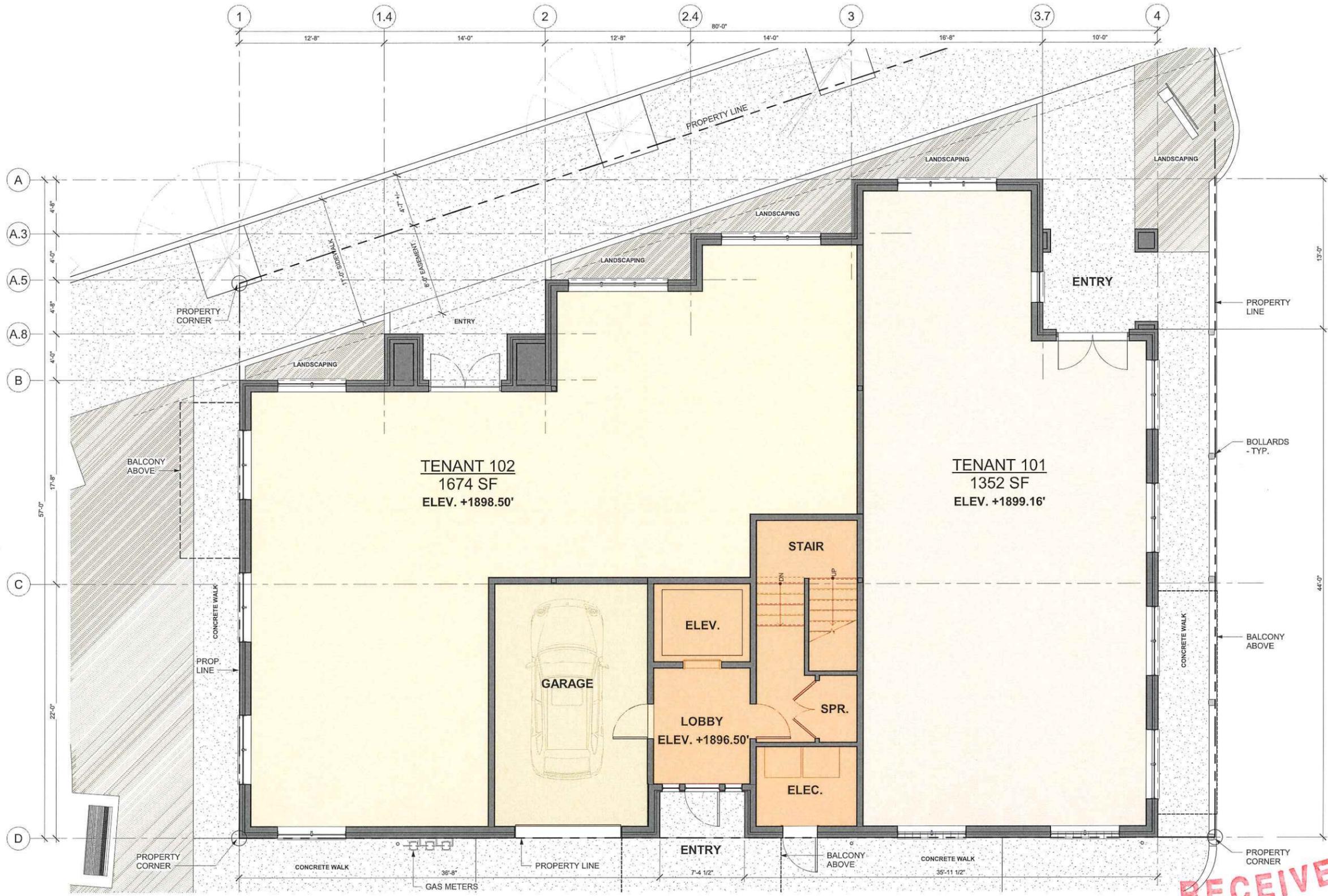
kistler +
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City of Ashland ENLARGED SITE PLAN

A2



- LEGEND
- GENERAL OFFICE / RETAIL
 - GENERAL OFFICE / RETAIL
 - RESIDENTIAL
 - RESIDENTIAL CIRCULATION

kistler + small + white

SITE REVIEW
5.7.2020
3,626 SQUARE FEET

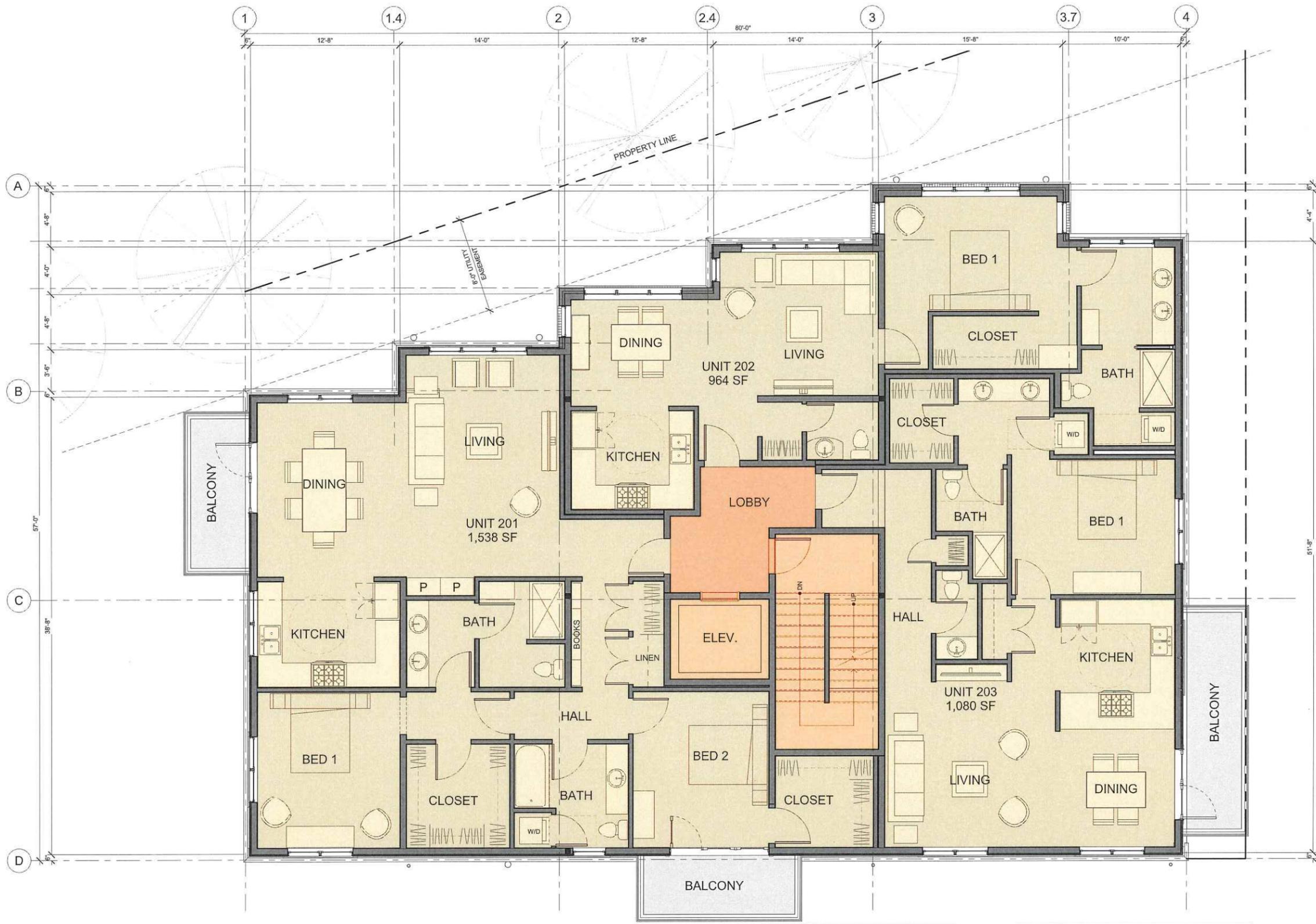
PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED

MAY 08 2020

City Of Ashland





- LEGEND
- GENERAL OFFICE / RETAIL
 - GENERAL OFFICE / RETAIL
 - RESIDENTIAL
 - RESIDENTIAL CIRCULATION

RECEIVED

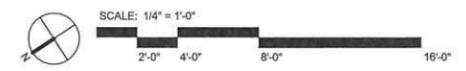
MAY 08 2020

City Of Ashland

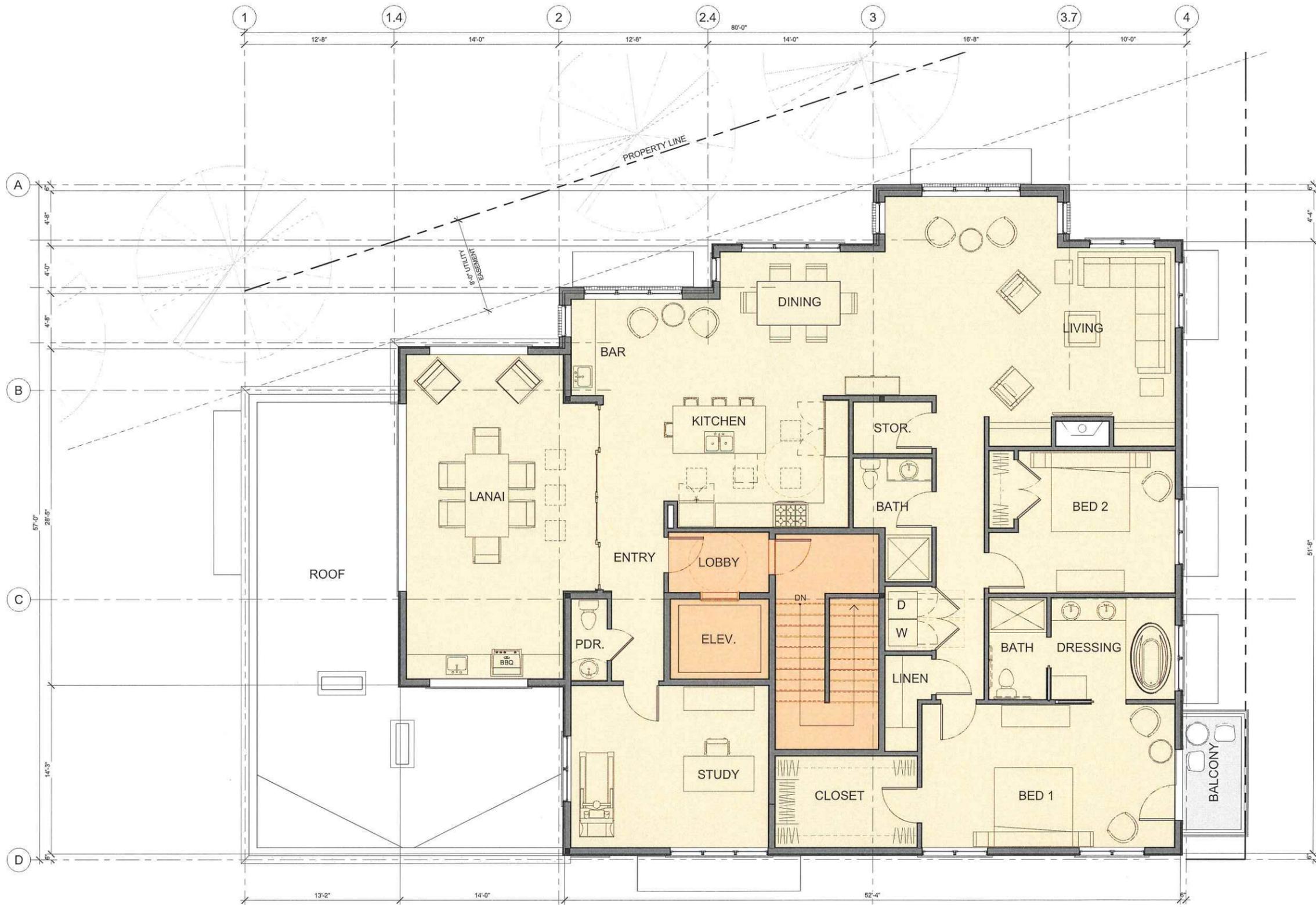
kistler + small + white

SITE REVIEW
5.7.2020
3,799 SQUARE FEET

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3



PLAN - LEVEL 2 **A4**



- LEGEND
- GENERAL OFFICE / RETAIL
 - GENERAL OFFICE / RETAIL
 - RESIDENTIAL
 - RESIDENTIAL CIRCULATION

RECEIVED

MAY 08 2020

City Of Ashland

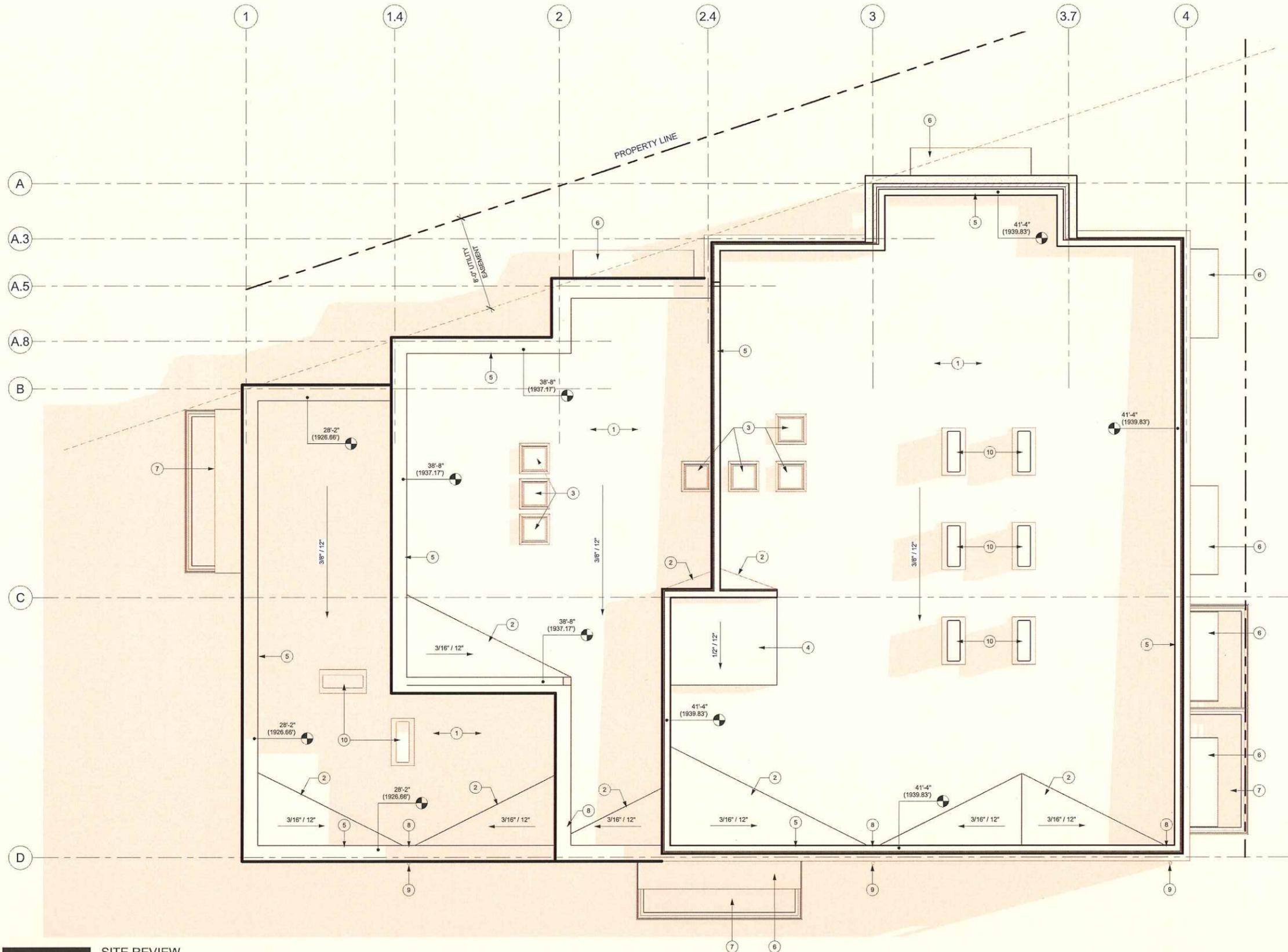
**kistler +
small
+white**

SITE REVIEW
5.7.2020
3,122 SQUARE FEET

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3



PLAN - LEVEL 3 A5



- KEYNOTES - ROOF PLAN**
- 1 PVC MEMBRANE ROOFING
 - 2 CRICKET
 - 3 SKYLITE
 - 4 ELEVATOR PENTHOUSE
 - 5 PARAPET
 - 6 AWNING BELOW
 - 7 BALCONY BELOW
 - 8 ROOF SCUPPER THROUGH PARAPET
 - 9 DOWNSPOUT
 - 10 HVAC CONDENSING UNIT

kistler +
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City Of Ashland
SCALE: 1/4" = 1'-0"
2'-0" 4'-0" 8'-0" 16'-0"

KEYNOTES - EXTERIOR ELEVATIONS ← ①

- 1 BRICK VENEER
- 2 CEMENT PLASTER STUCCO
- 3 GROUND FACE CMU VENEER
- 4 ALUMINUM CLAD WOOD WINDOW
- 5 ALUMINUM STOREFRONT ENTRY
- 6 SHEET METAL COPING
- 7 INSULATED METAL GARAGE DOOR
- 8 BALCONY WITH STEEL TUBE GUARD RAIL
- 9 ELECTRICAL SERVICE CABINET
- 10 BRICK SOLDIER COURSE LINTEL
- 11 FINISH GRADE
- 12 GAS METERS
- 13 CANVAS AWNING - COLOR T.B.D.
- 14 OPEN



RECEIVED
MAY 08 2020
City Of Ashland

kistler+
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

FIRST STREET ELEVATION

A7

KEYNOTES - EXTERIOR ELEVATIONS ← ①

- 1 BRICK VENEER
- 2 CEMENT PLASTER STUCCO
- 3 GROUND FACE CMU VENEER
- 4 ALUMINUM CLAD WOOD WINDOW
- 5 ALUMINUM STOREFRONT ENTRY
- 6 SHEET METAL COPING
- 7 INSULATED METAL GARAGE DOOR
- 8 BALCONY WITH STEEL TUBE GUARD RAIL
- 9 ELECTRICAL SERVICE CABINET
- 10 BRICK SOLDIER COURSE LINTEL
- 11 FINISH GRADE
- 12 GAS METERS
- 13 CANVAS AWNING - COLOR T.B.D.
- 14 OPEN



kistler +
small
+ white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City Of Ashland

SOUTH ELEVATION

A8

KEYNOTES - EXTERIOR ELEVATIONS ← ①

- 1 BRICK VENEER
- 2 CEMENT PLASTER STUCCO
- 3 GROUND FACE CMU VENEER
- 4 ALUMINUM CLAD WOOD WINDOW
- 5 ALUMINUM STOREFRONT ENTRY
- 6 SHEET METAL COPING
- 7 INSULATED METAL GARAGE DOOR
- 8 BALCONY WITH STEEL TUBE GUARD RAIL
- 9 ELECTRICAL SERVICE CABINET
- 10 BRICK SOLDIER COURSE LINTEL
- 11 FINISH GRADE
- 12 GAS METERS
- 13 CANVAS AWNING - COLOR T.B.D.
- 14 OPEN



RECEIVED
 MAY 08 2020
 City Of Ashland

kistler+
 small
 +white

SITE REVIEW
 5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

WEST ELEVATION

A9

KEYNOTES - EXTERIOR ELEVATIONS ← ①

- 1 BRICK VENEER
- 2 CEMENT PLASTER STUCCO
- 3 GROUND FACE CMU VENEER
- 4 ALUMINUM CLAD WOOD WINDOW
- 5 ALUMINUM STOREFRONT ENTRY
- 6 SHEET METAL COPING
- 7 INSULATED METAL GARAGE DOOR
- 8 BALCONY WITH STEEL TUBE GUARD RAIL
- 9 ELECTRICAL SERVICE CABINET
- 10 BRICK SOLDIER COURSE LINTEL
- 11 FINISH GRADE
- 12 GAS METERS
- 13 CANVAS AWNING - COLOR T.B.D.
- 14 OPEN



kistler+
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City Of Ashland

NORTH ELEVATION

A10



RECEIVED
MAY 08 2020
City Of Ashland

kistler +
small
+ white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

SOUTH - EAST VIEW

A11



RECEIVED
MAY 08 2020
City Of Ashland

kistler +
small
+ white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

NORTH - EAST VIEW

A12



RECEIVED
MAY 08 2020
City Of Ashland

kistler+
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

SOUTH - WEST VIEW

A13



RECEIVED
MAY 08 2020
City Of Ashland

kistler+
small
+white

SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

NORTH - WEST VIEW

A14



TYPICAL WALL SECTION 3
3/8" = 1'-0"

PARTIAL ELEVATION 2
3/8" = 1'-0"

TYPICAL WALL SECTION 1
3/8" = 1'-0"

kistler + small + white

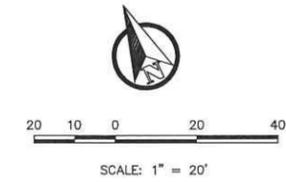
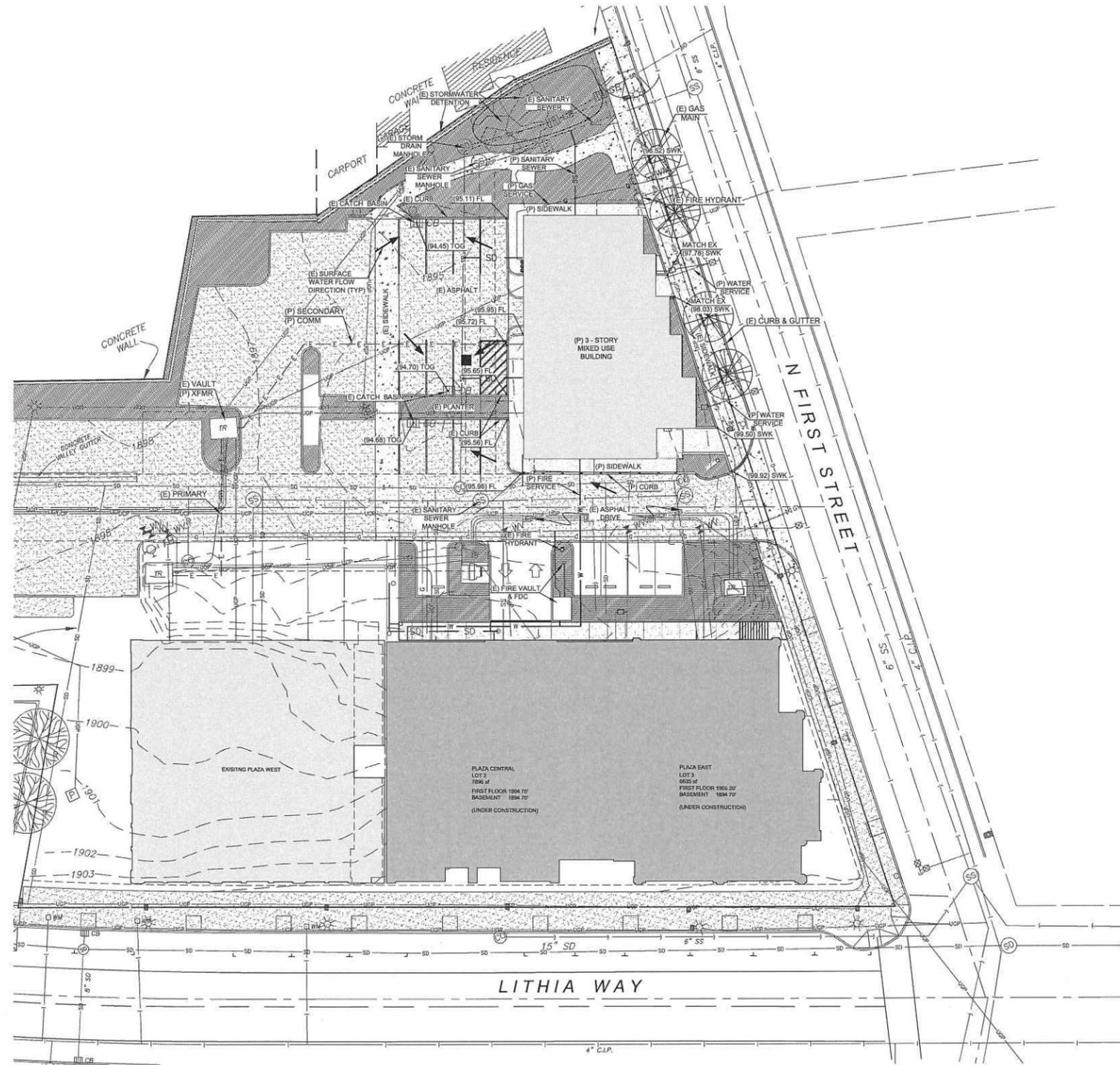
SITE REVIEW
5.7.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED
MAY 08 2020
City Of Ashland

WALL SECTION & ELEVATION

A15



STORMWATER NOTES:

1. STORMWATER FROM NEW BUILDING SITE WILL BE DETAINED AND TREATED IN EXISTING STORMWATER FACILITY THAT WAS DESIGNED WITH CAPACITY FOR COMPLETE PROJECT SITE.
2. ROOF DRAINS FROM NEW BUILDING WILL BE PIPED INTO THE EXISTING STORM DRAIN PIPING BEFORE IT ENTERS STORMWATER DETENTION FACILITY.

UTILITY NOTES:

1. DOMESTIC WATER SERVICE FOR THE NEW BUILDING WILL BE PROVIDED BY AN EXISTING PUBLIC WATER MAIN RUNNING ALONG N. 1ST STREET. THE METER SIZE FOR THE NEW BUILDINGS WILL BE DETERMINED DURING FINAL DESIGN OF THE PROJECT.
2. FIRE SERVICE FOR SPRINKLERS WILL BE PIPED FROM EXISTING VAULT ON ADJACENT PROJECT SOUTH OF NEW BUILDING.
3. SANITARY SEWER SERVICE FOR THE NEW BUILDING WILL TAP INTO THE EXISTING SANITARY SEWER MAIN ALONG THE NORTH SIDE OF THE PROPERTY.
4. ELECTRIC SERVICE WILL COME FROM EXISTING TRANSFORMER LOCATED IN THE LANDSCAPE AREA WEST OF NEW BUILDING. AN UNDERGROUND SERVICE WILL BE RUN TO BUILDING.
5. THERE ARE EXISTING TELEPHONE AND CATV UTILITIES RUNNING OVERHEAD ALONG THE FRONTAGE OF THE PROPERTY. CONNECTIONS TO THESE UTILITIES WILL BE COORDINATED WITH THE INDIVIDUAL SERVICE PROVIDER DURING THE FINAL PROJECT DESIGN PHASE.

LEGEND OF ABBREVIATIONS

- (E) - EX EXISTING FEATURE
- (P) PROPOSED FEATURE
- (96.00) EXISTING GRADE
- FL FLOW LINE
- TOG TOP OF GRATE
- SWK SIDEWALK

ADD 1300.00 TO ELEVATIONS TO GET ACTUAL ELEVATION

MAI Project Number: P20-9062
 P: 541-772-7115
 F: 541-779-4079
 1120 East Jackson
 PO Box 490
 Medford, OR, 97501



SITE REVIEW
4.16.2020

PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

RECEIVED

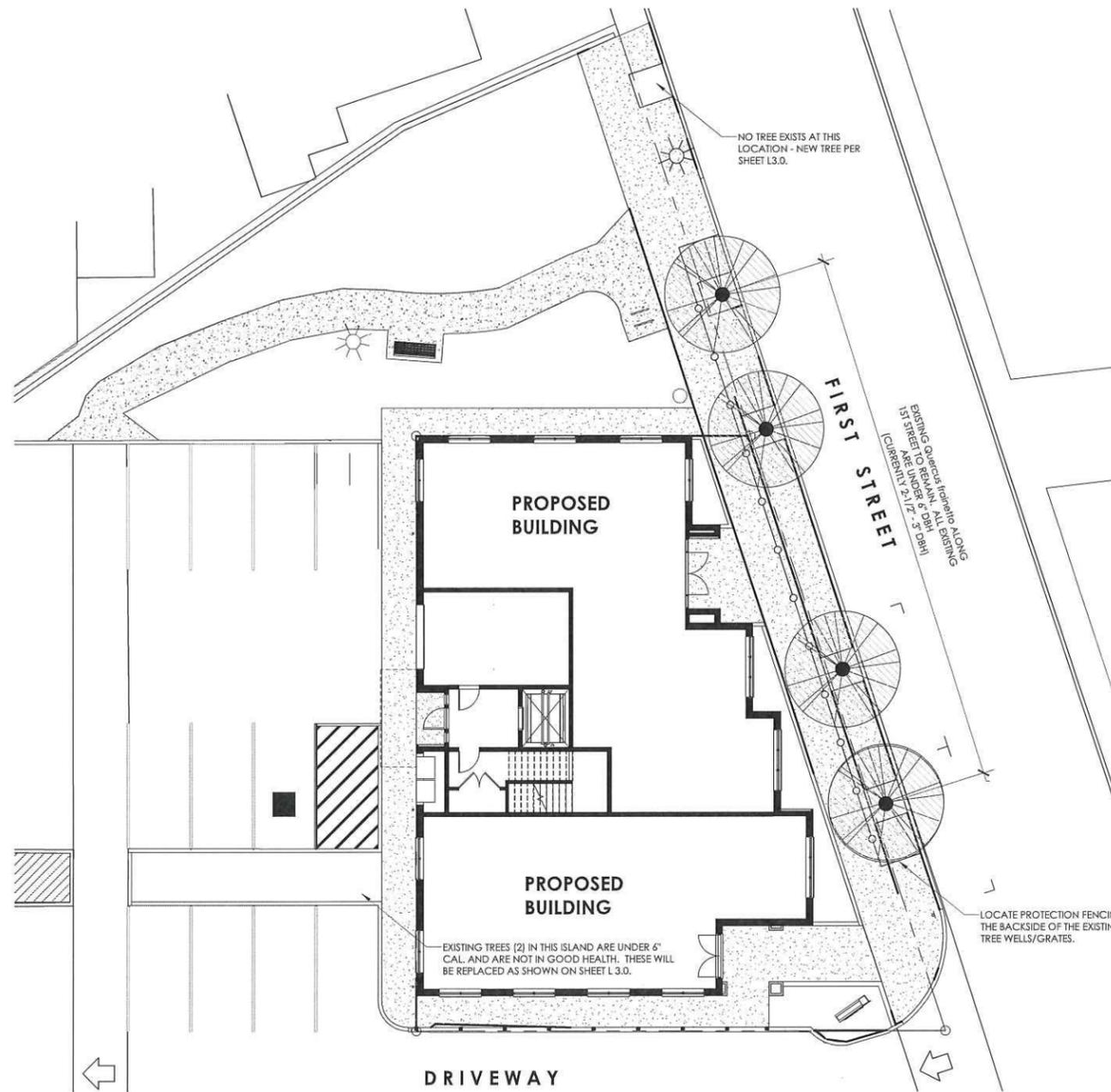
MAY 08 2020

City Of Ashland

CONCEPTUAL GRADING & DRAINAGE PLAN

C1

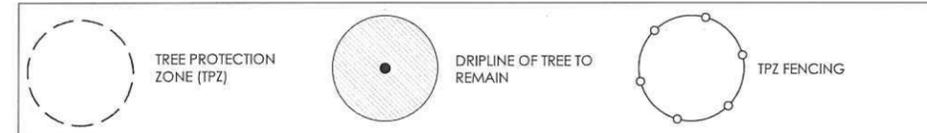
S:\Projects\2020\20200415\20200415_P03_20200415_C01_SitePlan.dwg, 4/16/2020 11:58:41 AM, 11



TREE PROTECTION AND REMOVAL NOTES

1. PRIOR TO DELIVERING EXCAVATION EQUIPMENT OR COMMENCING ANY CONSTRUCTION ACTIVITIES ON THE SITE, THE GENERAL CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR A PRE-CONSTRUCTION MEETING WITH THE LANDSCAPE ARCHITECT AND EXCAVATION SUPERVISOR PRIOR TO COMMENCING ANY WORK ON THE SITE. THE LANDSCAPE ARCHITECT SHALL BE NOTIFIED BY THE CONTRACTOR 48 HRS. IN ADVANCE FOR ALL SITE VISITS REQUESTED. CONTRACTOR SHALL OBTAIN WRITTEN APPROVAL FROM THE OWNER'S REPRESENTATIVE THAT CONSTRUCTION MAY BEGIN AFTER ALL OF THE DESCRIBED FENCING IS IN PLACE. FENCING SHALL REMAIN IN PLACE UNTIL THE PROJECT IS COMPLETED.
2. FENCES MUST BE ERECTED TO PROTECT TREES TO BE PRESERVED AS SHOWN IN DIAGRAM. FENCING SHALL BE 6' TALL TEMPORARY CHAIN LINK PANELS INSTALLED WITH METAL CONNECTIONS TO ALL PANELS AREA INTEGRATED. THESE FENCES SHALL BE INSTALLED SO THAT IT DOES NOT ALLOW PASSAGE OF PEDESTRIANS AND/OR VEHICLES THROUGH IT. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCES ARE TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE PERMISSION OF THE LANDSCAPE ARCHITECT.
3. CONSTRUCTION TRAILERS, TRAFFIC AND STORAGE AREAS MUST REMAIN OUTSIDE FENCED TREE PROTECTION ZONES AT ALL TIMES. SEE DETAIL #1 'TREE PRESERVATION FENCING' FOR ADDITIONAL REQUIREMENTS.
4. ALL PROPOSED UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANSVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREE ROOTS. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IF ANY PROJECT PLANS CONFLICT WITH THIS REQUIREMENT.
5. NO MATERIALS, EQUIPMENT, SPOIL, OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED, OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
6. NOTIFY THE LANDSCAPE ARCHITECT IF TREE PRUNING IS REQUIRED FOR CONSTRUCTION CLEARANCE.
7. IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION, NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY. ALL DAMAGE CAUSED BY CONSTRUCTION TO EXISTING TREES SHALL BE COMPENSATED FOR BY THE OFFENDING PARTY, BEFORE THE PROJECT WILL BE CONSIDERED COMPLETE.
8. WATERING SCHEDULE: WATERING PROTECTED TREES SHALL FOLLOW THESE STANDARDS, HOWEVER PERIODS OF EXTREME HEAT, WIND, RAINFALL OR DROUGHT MAY REQUIRE MORE OR LESS WATER THAN RECOMMENDED IN THESE NOTES.
 - A. MOST SPECIES: 1 TIME PER MONTH DURING IRRIGATION SEASON (USUALLY MARCH THROUGH SEPTEMBER)
 - B. QUERCUS/OAK: DEEP WATER IN MAY AND SEPTEMBER, DO NOT WATER DURING OTHER MONTHS. FOR OAKS ALREADY IN THE VICINITY OF IRRIGATED CONDITIONS, AUTOMATIC SPRINKLERS OR REGULAR WATERING SHALL NOT BE ALLOWED TO SPRAY ON OR WITHIN 3 FEET OF THE TRUNK. THE WATER SHALL NOT BE ALLOWED TO POOL OR DRAIN TOWARDS THE TRUNK.
 - C. WATERING METHOD: HAND WATERING SYSTEMS, RECOMMENDED FOR TREES THAT ARE PART OF A DEVELOPMENT PROJECT THAT MUST BE WATERED TO INSURE TREE SURVIVAL DURING THE COURSE OF CONSTRUCTION UNTIL AUTOMATIC IRRIGATION IS INSTALLED.
9. EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED ON THE UPHILL SIDE OF THE TREE PROTECTION ZONE TO PREVENT SILTATION AND/OR EROSION WITHIN THE TREE PROTECTION ZONE.
10. BEFORE GRADING, PAD PREPARATION, OR EXCAVATION FOR THE FOUNDATIONS, FOOTINGS, WALLS, OR TRENCHING, ANY TREES WITHIN THE SPECIFIC CONSTRUCTION ZONE SHALL BE ROOT PRUNED 1 FOOT OUTSIDE THE TREE PROTECTION ZONE BY CUTTING ALL ROOTS CLEANLY AT A 90 DEGREE ANGLE TO A DEPTH OF 24 INCHES. ROOTS SHALL BE CUT BY MANUALLY DIGGING A TRENCH AND CUTTING EXPOSED ROOTS WITH A SAW, VIBRATING KNIFE, ROCK SAW, NARROW TRENCHER WITH SHARP BLADES, OR OTHER APPROVED ROOT-PRUNING EQUIPMENT.
11. ANY ROOTS DAMAGED DURING GRADING OR CONSTRUCTION SHALL BE EXPOSED TO SOUND TISSUE AND CUT CLEANLY AT A 90 DEGREE ANGLE TO THE ROOT WITH A SAW. PLACE DAMP SOIL AROUND ALL CUT ROOTS TO A DEPTH EQUALING THE EXISTING FINISH GRADE WITHIN 4 HOURS OF CUTS BEING MADE.
12. IF TEMPORARY HAUL OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROAD BED OF 6 - 8 INCHES OF WOOD MULCH OR GRAVEL SHALL BE CREATED TO PROTECT THE SOIL. THE ROAD BED MATERIAL SHALL BE REPLISHED AS NECESSARY TO MAINTAIN A MIN. 6 INCH DEPTH.
13. SPOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
14. NO BURN PILES OR DEBRIS PILES SHALL BE PLACED WITHIN THE TREE PROTECTION ZONE. NO ASHES, DEBRIS, OR GARBAGE MAY BE DUMPED OR BURIED WITHIN THE TREE PROTECTION ZONE.
15. MAINTAIN FIRE-SAFE AREAS AROUND FENCED AREA. ALSO, NO HEAT SOURCES, FLAMES, IGNITION SOURCES, OR SMOKING IS ALLOWED NEAR MULCH OR TREES.
16. DO NOT RAISE THE SOIL LEVEL WITHIN THE DRIP LINES TO ACHIEVE POSITIVE DRAINAGE, EXCEPT TO MATCH GRADES WITH SIDEWALKS AND CURBS, AND IN THOSE AREAS, FEATHER THE ADDED TOPSOIL BACK TO EXISTING GRADE AT APPROXIMATELY 3:1 SLOPE.
17. REMOVE THE ROOT WAD FOR EACH TREE THAT IS INDICATED ON THE PLAN AS BEING REMOVED.
18. EXCEPTIONS TO THE TREE PROTECTION SPECIFICATIONS MAY ONLY BE GRANTED IN EXTRAORDINARY CIRCUMSTANCES WITH WRITTEN APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO ANY WORK COMMENCING.
19. AS A PROTECTIVE MEASURE TO COMPENSATE FOR CONSTRUCTION IMPACTS, TWO TO SIX WEEKS PRIOR TO CONSTRUCTION, ALL RETAINED TREES SHOWN ON THIS PLAN SHALL RECEIVE AN APPLICATION OF MYCOAPPLY ALL PURPOSE SOLUBLE PER MANUFACTURER'S INSTRUCTIONS. THIS MYCORRHIZAE PRODUCT IS A SPECIALLY FORMULATED NATURAL ROOT BIOSIMULANT WHICH ENHANCES THE ABSORPTIVE SURFACE AREA OF THE TREES' ROOT SYSTEMS. THIS PROMOTES AND IMPROVES NUTRIENT AND WATER UPTAKE CAPABILITIES OF THE REMAINING ROOT STRUCTURE. DISTRIBUTE MYCOAPPLY EVENLY WITHIN THE ACTIVE ROOT ZONE OF RETAINED TREES. APPLY 30 GALS. OF SOLUTION PER TREE 6" DBH AND GREATER, A MINIMUM OF 4" BELOW SOIL SURFACE IN QUANTITIES OF 1/2 GALLON AT EACH POINT OF APPLICATION. LOCATE THE ACTIVE ROOT ZONES WITH LANDSCAPE ARCHITECT PRESENT. MYCOAPPLY IS AVAILABLE FROM MYCORRHIZAL APPLICATION, INC., PHONE (541) 476-3985.

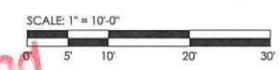
TREE PROTECTION PLAN LEGEND



RECEIVED

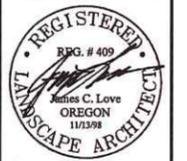
MAY 08 2020

City Of Ashland



PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

FIRST STREET
Ashland, Oregon



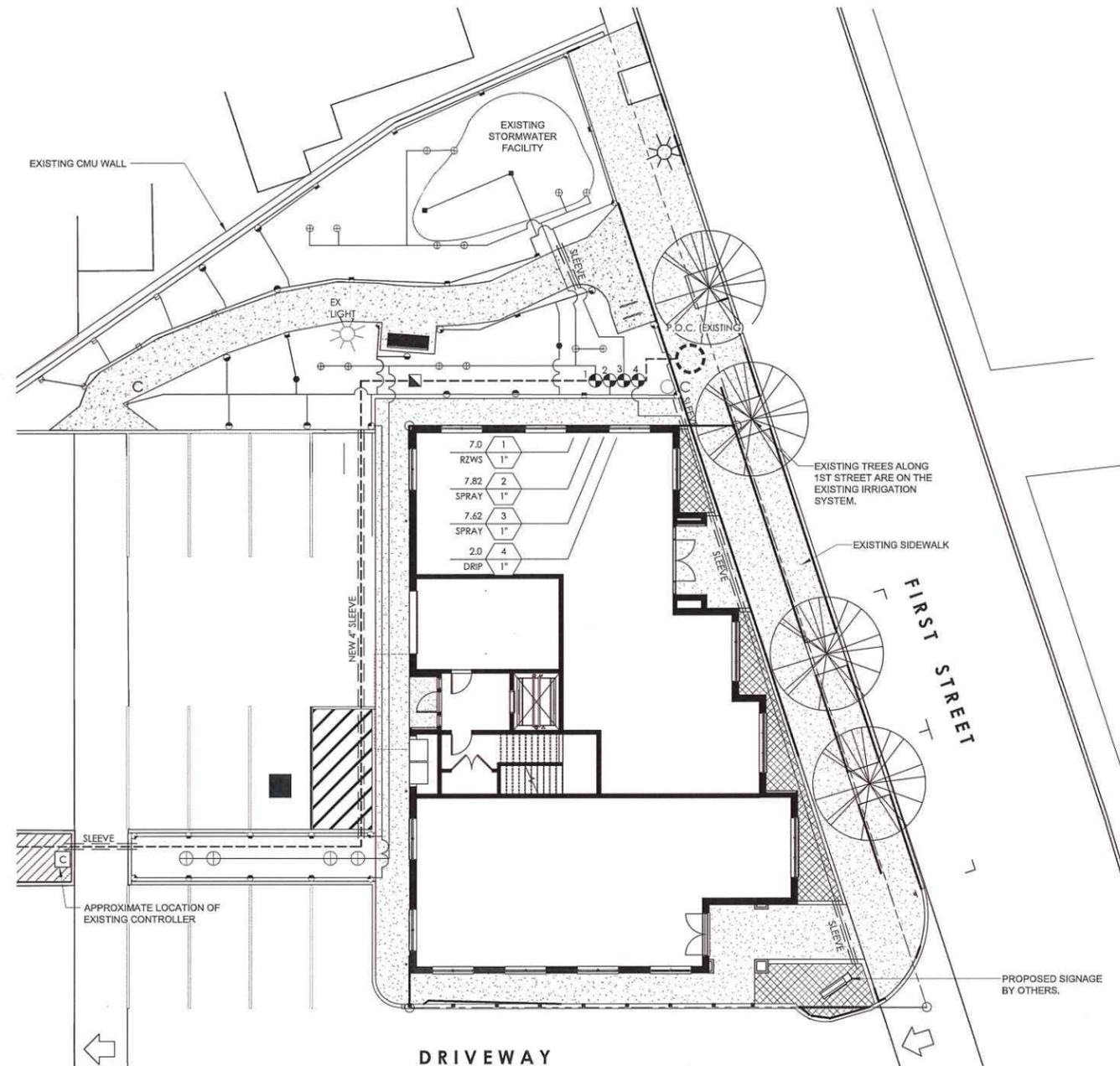
REVISIONS		
#	DATE	DESCRIPTION

PROJECT STATUS

TREE PRESERVATION

L 1.0

PROJECT NO. 2020
05.07.2020
TEAM: JCL



IRRIGATION PLAN LEGEND

SYMBOL	DESCRIPTION
	HUNTER ICV-101G (SPRAY)
	HUNTER PCZ-101 (DRIP)
	MAIN LINE: SCH 40 PVC (EXISTING 1-1/2"; VERIFY IN FIELD)
	LATERAL LINES SHALL BE SCH 40 1" PVC (UNLESS OTHERWISE NOTED)
	SLEEVES - 4" SCH 40
	QUICK COUPLING VALVE - HUNTER 44RC
	CONTROLLER: EXISTING CONTROLLER TO BE USED. VERIFY MODEL ON SITE DURING PRE-BID.
	ZONE ID
	GPM APPLICATION
	VALVE SIZE
	P.O.C. POINT OF CONNECTION - CONNECT TO EXISTING 1-1/2" MAINLINE (VERIFY SIZE IN FIELD)
	DRIP IRRIGATION: HUNTER PLD-04-12 (12" ROW SPACING)

IRRIGATION SPRAY HEAD KEY

SYMBOL	DESCRIPTION	MODEL ("")	NOZZLE	RAD.	FLOW RATE (GPM)
	1/2" FULL	HUNTER PRS30	MP-ROTATOR 1000	8'	0.11, 0.21, 0.44
	3/4" FULL	HUNTER PRS30	MP-ROTATOR 1000	10'	0.135, 0.27, 0.54
	1" FULL	HUNTER PRS40	MP-ROTATOR 1000	14'	0.19, 0.38, 0.75
	END, CENTER	HUNTER PRS40	MP-ROTATOR STRIP	STRIP	0.19, 0.38
	RZWS	HUNTER RZWS-18-25-CV			0.25

- IRRIGATION NOTES**
- THE CITY OF ASHLAND TO REVIEW AND APPROVE ALL LANDSCAPE RELATED ITEMS PRIOR TO BEGINNING LANDSCAPE INSTALLATION.
 - MAINTAIN AT JOB SITE ONE (1) COPY OF DRAWINGS, SPECIFICATIONS, ADDENDA, AND APPROVED SHOP DRAWINGS, CHANGE ORDERS, AND OTHER PROJECT DOCUMENTS.
 - RECORD ACTUAL LOCATION OF ALL CONCEALED COMPONENTS, PIPING SYSTEM, CONDUIT AND SLEEVE LOCATIONS. KEEP THIS DOCUMENT CURRENT. DO NOT PERMANENTLY CONCEAL ANY WORK UNTIL REQUIRED INFORMATION HAS BEEN RECORDED. FURNISH TWO (2) COPIES OF RECORD DRAWINGS TO THE OWNER. REDUCE ONE COPY OF RECORD DRAWING TO FIT INSIDE CONTROLLER LID. LAMINATE REDUCED COPY.
 - ALL WORK SHALL BE INSTALLED BY COMPETENT WORKMEN EXPERIENCED IN TRADE IN A NEAT AND ORDERLY MANNER ACCEPTABLE TO THE OWNER'S REPRESENTATIVE.
 - CONFORM TO ALL PERTINENT CODES AND REGULATIONS. COMPLY WITH THE LATEST RULES OF THE NATIONAL ELECTRICAL CODE AND THE AMERICAN MASTER PLUMBERS CODE.
 - VERIFY THAT FIELD CONDITIONS ARE AS INDICATED ON DRAWINGS. NOTIFY THE OWNER'S REPRESENTATIVE IF DISCREPANCIES ARE OBSERVED.
 - NOTIFY OWNER'S REPRESENTATIVE 48 HOURS IN ADVANCE OF ALL SITE OBSERVATION VISITS REQUIRED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL BE PRESENT AT EACH SITE OBSERVATION VISIT. REQUIRED VISITS INCLUDE: PRESSURE TEST AFTER MAINLINE LAID, AFTER NON-PRESSURIZED LINES PRIOR TO BACKFILL, AND FINAL OPERATION OF ALL IRRIGATION STATIONS INCLUDING HEAD TO HEAD COVERAGE.
 - IRRIGATION PIPE: HEADS, VALVES, BACKFLOW DEVICE AS NOTED ON LEGEND.
 - VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO BEGINNING WORK.
 - PIPING LAYOUT IS DIAGRAMMATIC ONLY. ROUTE PIPING IN PLANTERS AND AVOID UTILITIES AND STRUCTURES. LAYOUT SHALL FOLLOW AS CLOSELY AS PRACTICAL THE SCHEMATIC DESIGN ON THE DRAWINGS. MAKE NO SUBSTANTIAL CHANGES WITHOUT PRIOR APPROVAL FROM THE OWNER'S REPRESENTATIVE.
 - ALL LATERAL PIPE SHALL BE 1" IN SIZE UNLESS OTHERWISE INDICATED ON THE PLAN.
 - COORDINATE ALL IRRIGATION EQUIPMENT LOCATIONS WITH OTHER CONTRACTORS. NOTIFY THE OWNER'S REPRESENTATIVE IF CONFLICTS ARE ENCOUNTERED.
 - ALL SPRINKLER HEADS ALONG SIDEWALKS SHALL BE TWO INCHES FROM SIDEWALKS.
 - PIPE DEPTH - LATERAL LINES - 12 INCH MINIMUM; MAINLINE - 18 INCH MINIMUM.
 - BOTTOM OF TRENCHES AND BACKFILL MATERIAL SHALL BE FREE OF ROCKS, CLODS, AND OTHER SHARP OBJECTS. SNAKE PIPE FROM SIDE TO SIDE AT TRENCH BOTTOM TO ALLOW EXPANSION.
 - DO NOT INSTALL HEADS UNTIL LINES HAVE BEEN THOROUGHLY FLUSHED AND PRESSURE TESTED.
 - SHUT OFF VALVES ARE REQUIRED AT EACH POINT OF CONNECTION, VALVE BOX, AND AT EVERY LOCATION WHERE THE MAINLINE PASSES UNDER 20 FEET OF PAVEMENT.
 - A MANUAL DRAIN MUST BE INSTALLED AT THE LOW SPOT OF EACH ZONE. THE DRAIN SHOULD BE A BRASS MANUAL ANGLE VALVE WITH "T" STEM. DRAINS LOCATED ON LATERAL LINES SHALL BE 1" SIZE.
 - COORDINATE WIRE AND CONDUIT LOCATIONS BETWEEN ELECTRIC CONTROL VALVES AND THE ELECTRIC CONTROLLER.
 - UPON COMPLETION OF ALL SYSTEMS, THE CONTRACTOR SHALL PERFORM A COVERAGE TEST TO DETERMINE THAT WATER IS BEING APPLIED CORRECTLY AND ADEQUATELY TO ALL PLANTINGS. CHANGE ANY HEADS, NOZZLES, OR ORIFICES AS MAY BE REQUIRED TO PROVIDE COVERAGE AS INDICATED ON THE DRAWINGS. PROMPTLY ADJUST HEADS TO KEEP WATER OFF BUILDINGS AND STRUCTURES WITH MINIMAL SPRAY ON PAVED SURFACES.
 - ALL SPRAY HEADS ADJACENT TO HARDSCAPE TO BE ON 6" POP-UPS. ALL OTHER SPRAY HEADS TO BE ON 12" POP-UPS.
- SLEEVING:**
- CONTRACTOR SHALL VERIFY SLEEVING LOCATIONS AND COORDINATE WITH THE OWNER'S REPRESENTATIVE. SLEEVES ARE TO BE PROVIDED BY GENERAL CONTRACTOR.
 - COORDINATE THE INSTALLATION OF ELECTRICAL SERVICE AND CONDUIT TO THE LOCATION OF THE PROPOSED IRRIGATION CONTROLLER.



PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3
FIRST STREET
Ashland, Oregon



REVISIONS

#	DATE	DESCRIPTION

PROJECT STATUS

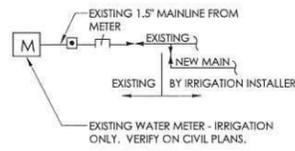
LANDSCAPE IRRIGATION

L 2.0

PROJECT NO. 2020
05.07.2020
TEAM: JCL

RECEIVED
MAY 09 2020
City of Ashland

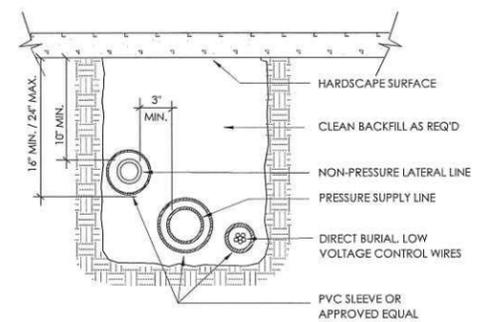




POINT OF CONNECTION TO EXISTING SYSTEM

- EXISTING PRESSURE REGULATOR VALVE
- EXISTING 1.5" DOUBLE CHECK VALVE
- 1.5" ISOLATION BALL VALVE
- 1.5" IRRIGATION P.O.C. STUB INTO LANDSCAPING BY OTHERS

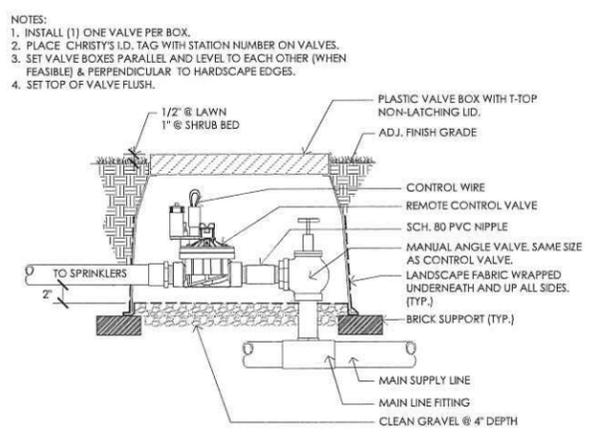
1 IRRIGATION POINT OF CONNECTION
Scale: N.T.S.



NOTES

- THE INDICATED MIN. LINE DEPTHS APPLY TO BOTH TRENCH AND SLEEVE APPLICATIONS.
- COORDINATE INSTALLATION OF PIPING AND WIRES UNDER VEHICULAR PAVEMENT AREAS WITH OTHER TRADES.
- ALL SLEEVES TO BE 4" SCH 40 PVC UNLESS OTHERWISE APPROVED.
- ALL SLEEVES TO RUN 12" (MIN.) PAST EDGE OF HARDSCAPE. TAPE ENDS OF SLEEVES UPON INSTALLATION AND STAKE ENDS IF BACKFILLING OCCURS PRIOR TO IRRIGATION WORK.

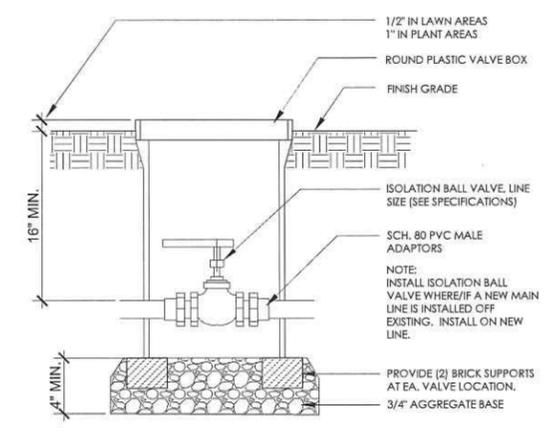
2 SECTION - TRENCHING / SLEEVEING @ PAVING
Scale: N.T.S.



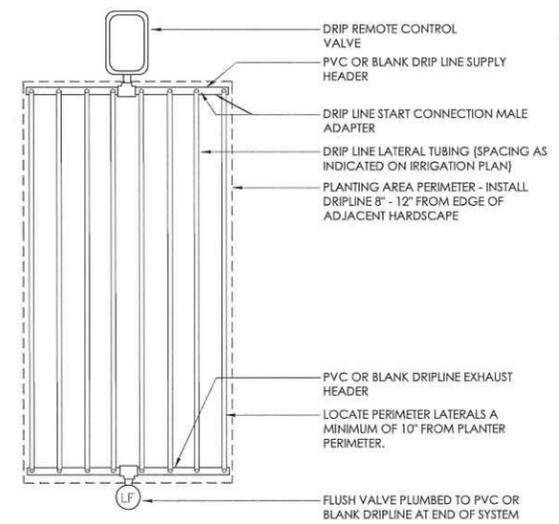
NOTES:

- INSTALL (1) ONE VALVE PER BOX.
- PLACE CHRISTY'S I.D. TAG WITH STATION NUMBER ON VALVES.
- SET VALVE BOXES PARALLEL AND LEVEL TO EACH OTHER (WHEN FEASIBLE) & PERPENDICULAR TO HARDSCAPE EDGES.
- SET TOP OF VALVE FLUSH.

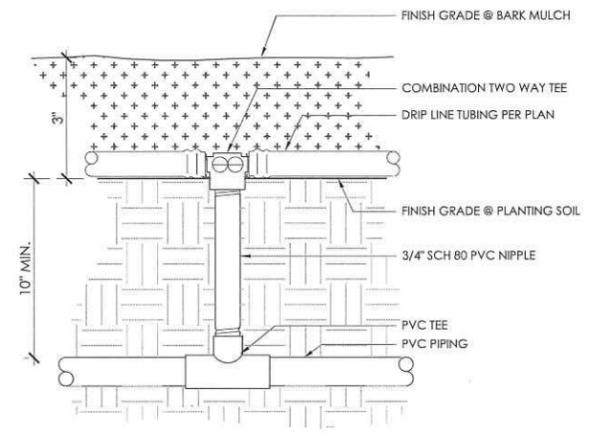
3 SECTION - REMOTE CONTROL VALVE
Scale: N.T.S.



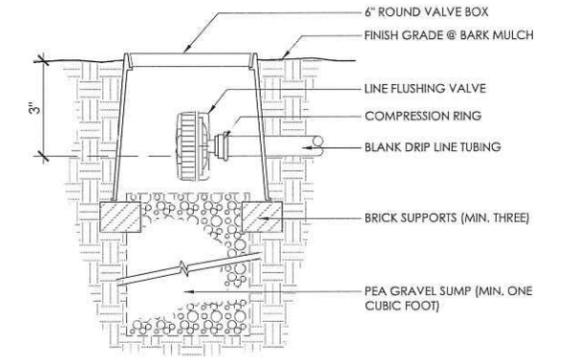
4 SECTION - ISOLATION BALL VALVE
Scale: N.T.S.



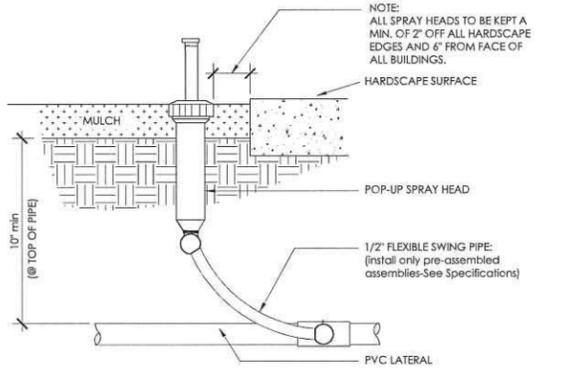
5 PLAN DIAGRAM - LANDSCAPE DRIP LINE LAYOUT
Scale: N.T.S.



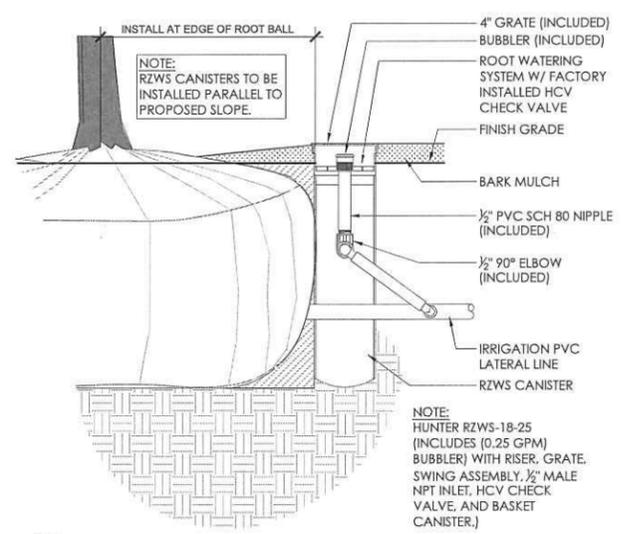
6 SECTION - DRIP LINE SOURCE CONNECTION
Scale: N.T.S.



7 SECTION - DRIP LINE FLUSH VALVE
Scale: N.T.S.



8 SECTION - POP-UP SPRAY HEAD
Scale: N.T.S.



9 SECTION: RZWS WATERING SYSTEM
Scale: 3" = 1'-0"



PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3
FIRST STREET
Ashland, Oregon



REVISIONS	#	DATE	DESCRIPTION

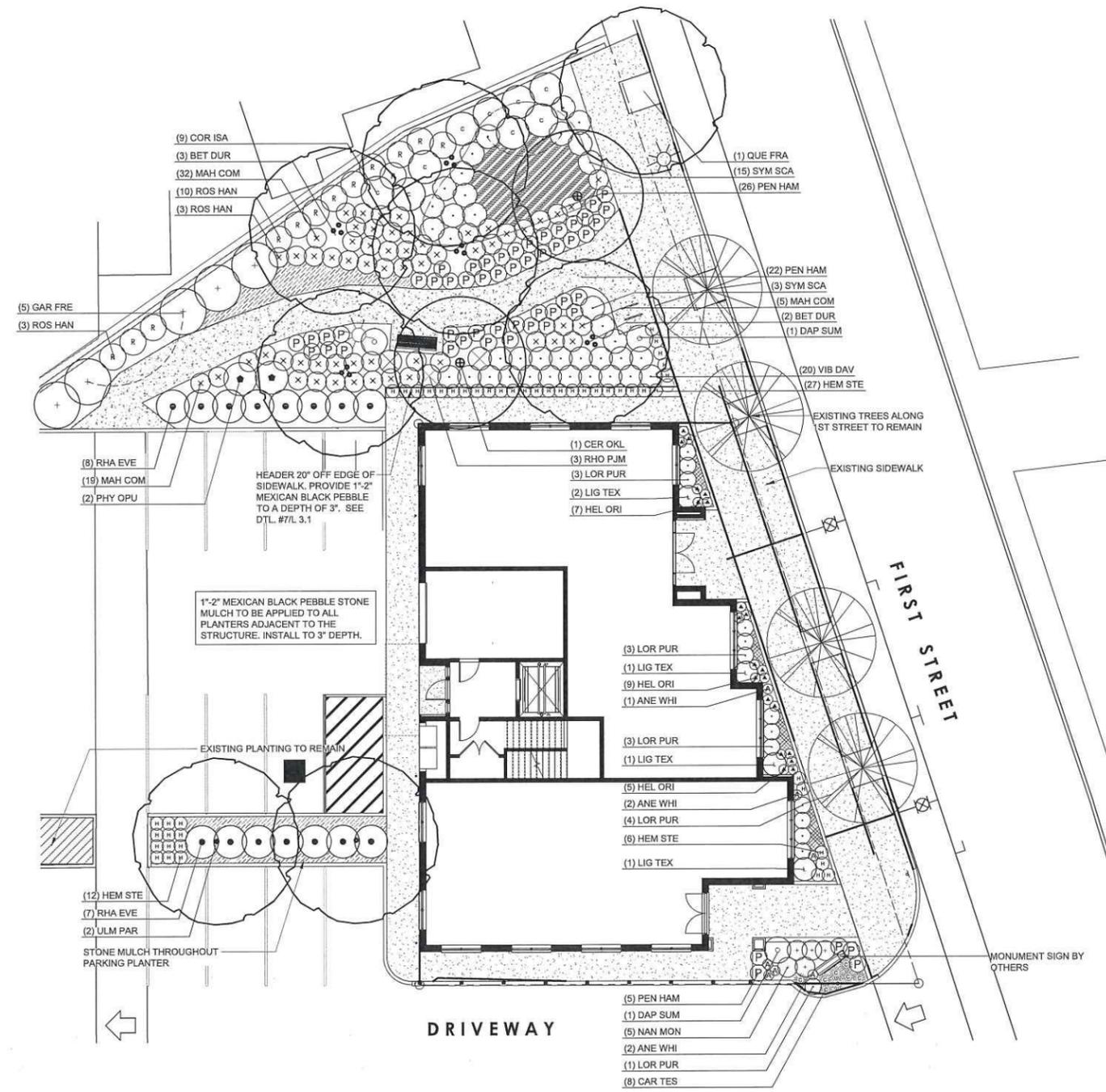
PROJECT STATUS

IRRIGATION DETAILS

L 2.1

PROJECT NO. 2020
05.07.2020
TEAM: JCL

RECEIVED
MAY 08 2020
City of Ashland



PLANT LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
TREES			
BET DUR	Betula nigra 'Dura Heat'	Dura Heat River Birch	2" cal./muff
CER OKL	Cercis reniformis 'Oklahoma'	Oklahoma Redbud	36" box
QUE FRA	Quercus frainetii 'Schmid'	Forest Green Oak	2" cal.
ULM PAR	Ulmus parvifolia	Chinese Elm	2" cal.
SHRUBS			
CAR TES	Carex testacea	Orange New Zealand Sedge	1 gal.
COR ISA	Cornus sericea 'Isanti'	Isanti Redtwig Dogwood	5 gal.
DAP SUM	Daphne transatlantica 'Summer Ice'	Summer Ice Daphne	5 gal.
GAR FRE	Garrya fremontii	Fremont Silk-tassel	5 gal.
HEM STE	Hemerocallis x 'Stella de Oro'	Stella de Oro Daylily	1 gal.
LIG TEX	Ligustrum japonicum 'Texanum'	Waxleaf Privet	5 gal.
LOR PUR	Loropetalum chinense 'Purple Daydream'	Purple Daydream Fringe Flower	5 gal.
MAH COM	Mahonia aquifolium 'Compacta'	Compact Oregon Grape	1 gal.
NAN MON	Nandina domestica 'Monla'	Sienna Sunrise	5 gal.
PEN HAM	Pennisetum alopecuroides 'Hameln'	Dwarf Fountain Grass	1 gal.
PHY OPU	Physocarpus opulifolius 'Monlo'	Diabola Ninebark	3 gal.
RHA EVE	Rhamnus californica 'Eves Case'	Eves Case Coffeeberry	5 gal.
RHO PJM	Rhododendron 'PJM'	PJM Rhododendron	5 gal.
ROS HAN	Rosa rugosa 'Hansa'	Hansa Rugosa Rose	2 gal.
RIB SAN	Ribes sanguineum	Red Flowering Currant	3 gal.
SYM SCA	Symphoricarpos 'Scarlet Pearl'	Scarlet Pearl Snowberry	3 gal.
VIB DAV	Viburnum davidii	David Viburnum	5 gal.
GROUNDCOVER			
	Juncus patens	California Gray Rush	4" pot
	Liriope muscari	Lilyturf	18" o.c.
	Rubus calycinoideus	Creeping Bramble	18" o.c.
			24" o.c.

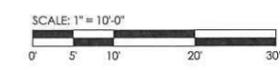
NOTE: MATURE COMPOST SHALL BE ADDED TO THE TOPSOIL OF LANDSCAPING AREAS AT A RATE OF THREE CUBIC YARDS OF COMPOST PER 1,000 SQUARE FEET OF LANDSCAPING AREA TO BE PLANTED.

- GENERAL LANDSCAPE NOTES**
- ALL LANDSCAPE PLANTING AREAS SHALL RECEIVE CLEAN, SANDY LOAM TOPSOIL TO A MINIMUM DEPTH OF 12" OR AS NOTED ON THE PLAN. ADDITIONALLY, ALL PLANTING AREAS WILL BE PREPARED PER THE PROCEDURES AS OUTLINED IN THE ASHLAND LAND USE ORDINANCE CHAPTER 18.4.4.030.
 - ALL PLANTING AREAS SHALL RECEIVE 3" OF UNSETTLED ORGANIC MULCH IN PLANTER AREAS BEYOND 5' FROM THE FACE OF ANY BUILDING. ALL PLANTING AREAS WITHIN 5' OF A BUILDING SHALL RECEIVE 3" OF 1"-2" MEXICAN BLACK PEBBLE STONE.
 - ALL PLANTING AREAS SHALL BE TREATED WITH A GRANULAR PRE-EMERGENT HERBICIDE SUCH AS SIRFLAN PRO, OR OTHER COMMERCIAL GRADE PRE-EMERGENT.
 - THE NUMERICAL TEXT QUANTITY OF PLANTS SHOWN ON THE PLAN ARE FOR THE IN-FIELD CONVENIENCE OF THE INSTALLER. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND INSTALLING THE QUANTITY OF PLANT MATERIALS THAT ARE GRAPHICALLY SHOWN ON THE PLAN. QUANTITIES AND SIZES OF PLANTS SHALL NOT BE ALTERED WITHOUT WRITTEN PERMISSION FROM THE OWNER'S REPRESENTATIVE.
 - ALL PLANT MATERIAL SHALL BE WARRANTED FOR TWELVE (12) MONTHS UPON COMPLETION OF PLANTING. THE INSTALLING CONTRACTOR SHALL SUBMIT WRITTEN NOTICE TO THE OWNER'S REPRESENTATIVE INDICATING THAT PLANTING HAS BEEN COMPLETED.
 - ALL PLANTING AREAS SHALL BE SERVED BY A DESIGNATED 3/4" DOMESTIC WATER METER AND A CITY OF ASHLAND APPROVED BACKFLOW PREVENTION DEVICE.
 - THE IRRIGATION SYSTEM WILL PROVIDE A FULLY AUTOMATIC IRRIGATION CONTROLLER THAT WILL MEET THE REQUIREMENTS AS NOTED IN THE ASHLAND LAND USE ORDINANCE CHAPTER 18.4.4.030.

RECEIVED

MAY 08 2020

City Of Ashland



PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3

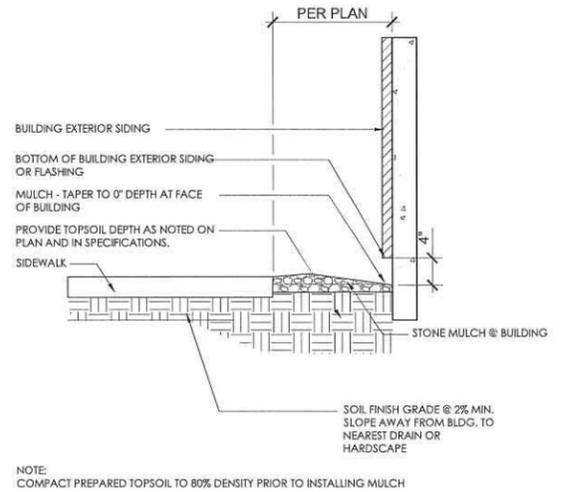
FIRST STREET
Ashland, Oregon



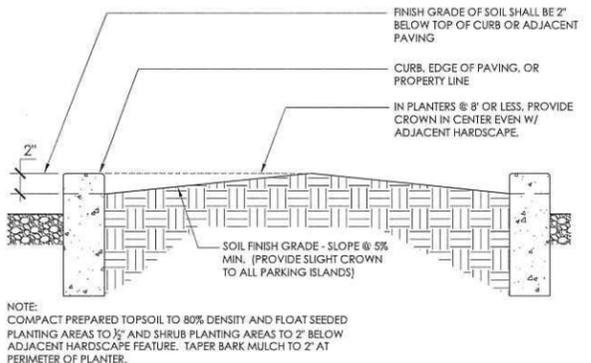
REVISIONS
DATE DESCRIPTION

PROJECT STATUS
LANDSCAPE PLANTING

L 3.0
PROJECT NO. 2020
05.07.2020
TEAM: JCL

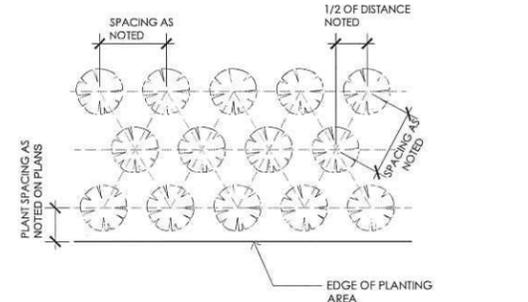


1 SECTION - SOIL PROFILE @ BUILDING FACE
Scale: 1"= 1'-0"
X-SOIL-02.DWG

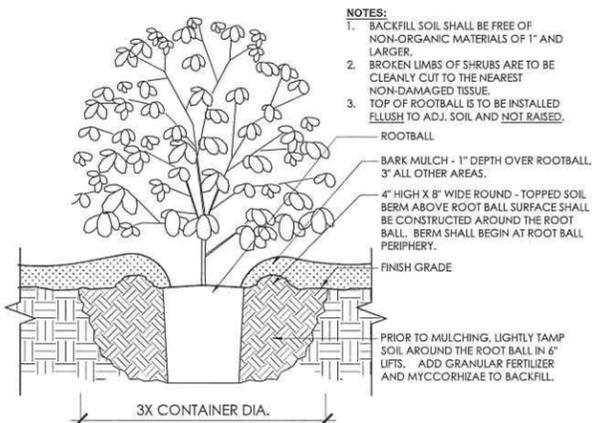


2 SECTION - SOIL PROFILE IN ISOLATED PLANTERS
Scale: 1"= 1'-0"
D-SOIL-01.DWG

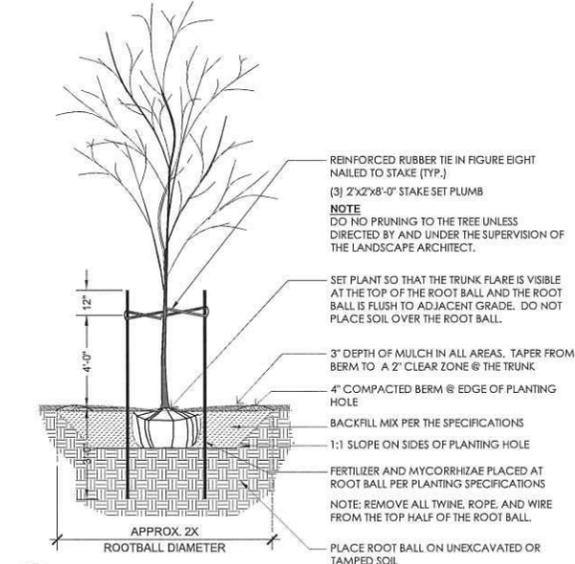
PLANT SPACING	MULTIPLICATION TABLE X FACTOR
12" O.C.	1.156 (X AREA)
18" O.C.	0.513
24" O.C.	0.288
30" O.C.	0.184
36" O.C.	0.128
48" O.C.	0.072



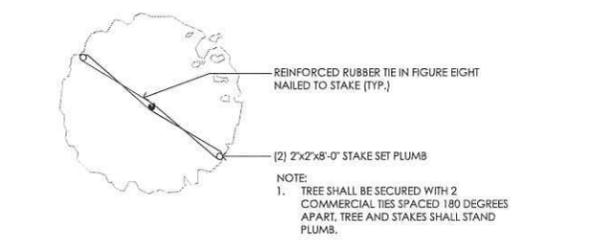
3 SECTION: GROUNDCOVER PLANTING LAYOUT
Scale: N.T.S.
D-GRND-01.DWG



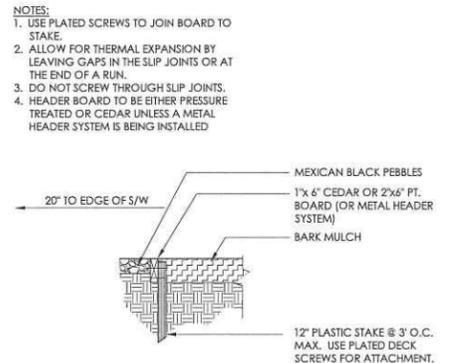
4 SECTION: SHRUB PLANTING
Scale: 1"= 1'-0"
D-SHRUB-01.DWG



5 SECTION - TREE PLANTING
Scale: 1/2"= 1'-0"
D-TREE-08.DWG



6 SECTION - HEADER BOARD @ SIDEWALK
Scale: N.T.S.
X-HEADERBOARD-01.DWG



6 SECTION - HEADER BOARD @ SIDEWALK
Scale: N.T.S.
X-HEADERBOARD-01.DWG



PLAZA NORTH - FIRST PLACE SUBDIVISION PHASE 3
FIRST STREET
Ashland, Oregon



REVISIONS

#	DATE	DESCRIPTION

PROJECT STATUS
PLANTING DETAILS
L 3.1

PROJECT NO. 2020
05.07.2020
TEAM: JCL

RECEIVED
MAY 08 2020
City Of Ashland

**PACKET MATERIALS
FROM THE
JUNE 9, 2020
MEETING**

**PA-T3-2019-00001
1511 HWY 99 N**

**APPLICANT'S
REBUTTAL**

**PA-T3-2019-00001
1511 HWY 99 N**

Robert Kendrick
Casita Developments LLC
Grand Terrace

June 9, 2020

Letter of Rebuttal to Scott Knox Letter Dated June 5, 2020 and reference clarification and correction of fact in Robert Kendrick's letter of May 12, 2020

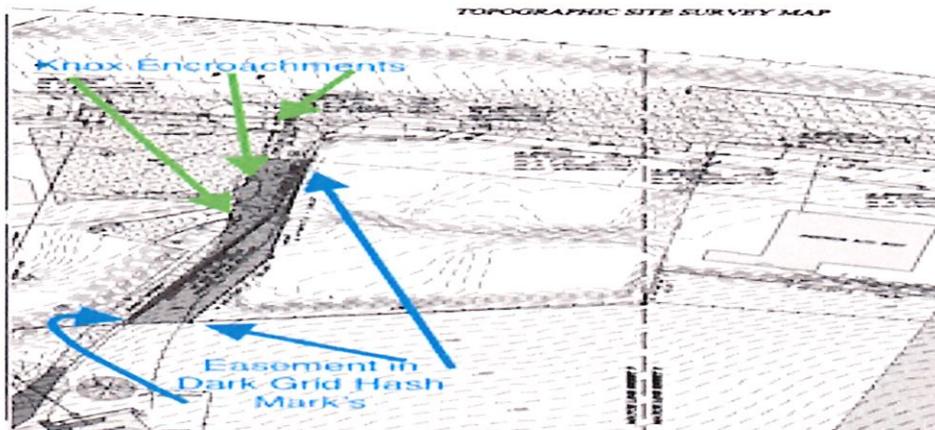
Re: Grand Terrace Development PA-T3-2019-001

Dear Commissioners

1. Mr. Knox denies encroachment into the easement. Below is the ALTA Survey section where the easement is Legally located. The easement was narrowed 5 to 6 feet by Mr. Knox's development of the Storage Facility with the installation of block walls and other structural materials. At the driveway access point to Hwy 99 landscaped mounds and signs further narrow the easement. This is documented by Polaris Survey. Mr. Knox stated he set the driveway a significant way back from the easement, this is not correct. I'm sure this wasn't done on purpose, but they will have to be removed.

2. Mr. Knox also argues my he couldn't to choose a different entry point and says there are two different property owners and he couldn't do that. The owner entity names are different but both are under Mr. Knox personal name so he is the owner of both properties. I met with Mr. Knox last year and he acknowledge that he encroached into the easement, so it is very baffling why he is now denying it, even in the face of the survey.

Please see attached copy of Survey and imprinted one below



Thank you
Robert Kendrick
Casita Development LLC



Robert Kendrick
PA T3-2019-00001
June 9, 2020

RESPONSE TO THE TRANSPORTATION COMMISSION

Objectives for Goal #1: GREEN TEMPLATE

ASHLANDS GRAND TERRACE AGRIFOOD plan is to develop a working farm, Farm House and functioning Barn for use of residents. Our green template is the development of a AGRIFOOD.

By the production of food on site the average piece of produce is shipped 1,500 miles (2,400 km) before it reaches the plate. Eating seasonal foods that require less processing in combination with transporting products over shorter distances can lead to lower greenhouse gas emissions. Local foods are often produced using organic methods, which can lower emissions associated with petroleum-based fertilizers.

Compact development and open-space preservation can help protect water quality by reducing the amount of paved surface and by allowing natural lands to filter rainwater and runoff before they reach drinking-water supplies.

Below are the benefits of a AGRIFOOD which talk to and meets the standards outlined in GOAL 1, A GREEN TEMPLATE

From the URBAN LAND INSTITUTE

AGRIFOODS CULTIVATING BEST PRACTICES

Around the world, communities face pressing health challenges related to the built environment. Through the Building Healthy Places Initiative, launched in 2013, ULI is leveraging the power of ULI's global networks to shape projects and places in ways that improve the health of people and communities. Learn more and connect with Building Healthy

Benefits of Agrihood Development

Agrihoods offer proven financial, health, and environmental benefits—to the stakeholders involved in their implementation, to surrounding communities, and to the planet.

Agrihoods present a competitive edge.

Of U.S. residents, 73 percent consider access to fresh, healthy foods to be a top or high priority when deciding where to live.

Interviews with agrihood project leaders show that including food-production spaces in residential or mixed-use developments can be less expensive to build and operate than certain other amenities, such as golf courses.

Agrihoods promote health and social interaction. A community farm can be the centerpiece of a development, and associated programming and educational opportunities can foster community social ties. Studies show that people who have satisfying relationships are happier, have fewer health issues, and live longer. Farms in communities provide residents with access to fresh produce, supporting positive health outcomes.



Agrihoods can support an attractive return on investment. Many studies find as much as a 15 to 30 percent increase in the value of properties adjacent to parks and open space, which can include working farms.

Agrihoods can provide environmental benefits. Clustering development around working farms allows developers and communities to conserve productive farmland and natural areas and to mitigate increases in impervious surfaces.

Agrihoods create jobs and support the local economy. Growing and selling food locally keeps food dollars in the community and provides jobs for farmers.

Agrihoods are growing. The number of agrihoods in North America has been expanding in recent years. As of 2018, ULI has identified projects in 27 U.S. states and Canadian provinces.

GOAL #2 Travel Safety

2E. ODOT has worked with the project team, the City, and our Transportation expert who together developed a working solution for the traffic from the development and onto the Hwy that meets the safety standards of the Oregon Transportation Department.

GOAL #3

Developing the AGRIBOOD will meet this goal as explained above.

3B. Travel options are Bus, Bicycle, on Site Electric Cars, and multiple walking and biking paths on site, and off site.

3C. Noted

3D. The installation and development of a RVTB bus stop at the entrance of the community is a significant achievement that meets high density development housing Transit Oriented Development, that will encourage the use of Public Transit and eliminating the use of vehicles.

3E. Bike paths are being developed on site and off through the development of bike lanes and 3100 lineal feet of sidewalk improvements to safely walk to the North and South.

GOAL #4

Incorporation of the RVTB terminal at the development entrance with facilities and lighting will greatly encourage the use of public transit to all parts of the City.

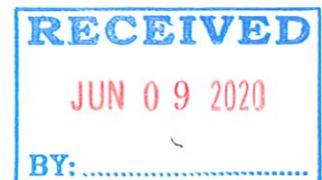
4C. Pedestrian facilities will be ADA compliant.

4G. Comprehensive development of different modes of travel will be walking, biking, bus and car. Electric cars will be provided on site for use locally for those in need.

GENERAL

The development of a AGRIBOOD will be a one of 27 such developments in the nation as well as being a Transit Oriented development.

"transit-oriented housing will probably reduce total vehicle travel at the regional level, compared to the counterfactual where that housing was not built or was built in a more sprawling location. Granting reductions in trip generation for the transit-oriented nature of that housing is certainly a step in the right direction, but fundamentally it is misleading to think that such transit-oriented housing generates any



trips at all at a regional scale. A more reasonable starting point is to consider that new development is just as likely to reduce traffic, air pollution, and greenhouse gas emissions as it is to increase them."
Adam Millard-Ball from the University of Santa Cruz

Critical to creating transit-oriented communities is that ridership is highest among low to moderate income households, this promotes transit ridership, and creates a more vibrant, transit-oriented community. It should be further noted that typical households in auto-dependent neighborhoods spend about 25 percent of their income on transportation costs, but this number drops to 9 percent in neighborhoods with a variety of mobility options. Although the TIA indicates volumes of traffic, this development will greatly reduce traffic within the Transit District.

Bike facilities, shared vehicles, electric charging infrastructure, will be installed on site, Compact development and open-space preservation can help protect water quality by reducing the amount of paved surface and by allowing natural lands to filter rainwater and runoff before they reach drinking-water supplies, permeable parking lots will be placed over top of the 100 foot wide easement which is called the Billings Syphon, bike path and trail development, solar, and storm water filtration systems are already in the civil plans. Community gardens are now elevated to AGRIFOOD for the health of the community and the earth.

Ingress/Egress:

All safety measures available from and approved by ODOT will be incorporated into all full access areas.

Pedestrian connectivity:

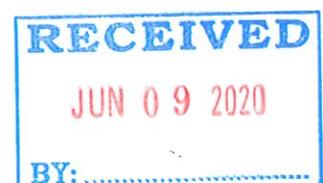
This is fully designed into the development. Physical barriers have been requested from ODOT but they feel it isn't safe and disapproved the displays and designs we provided for such items because they felt it was unsafe for bicyclist. We can talk to them again, but all the sidewalks are under the design criteria of ODOT and not the developers or the City.

Concern over pedestrian and cyclist safety: We asked ODOT if it was possible to reduce the speed limits, but they said the traffic will slow down just by what they call Traffic Culture. From their experience with the installation of sidewalks, bike paths and people walking down the highway creates a culture of safety and that drivers will slow down when they see sidewalks and pedestrians.

Bicycle connectivity: A northbound bike facility is not under the developer's power but was discussed with ODOT. They feel there isn't enough ODOT property on the opposite side of the Highway for these improvements. Of course, if we could do it we would. ODOT has stated that after the development is installed and road study will be conducted and at that time it will be determined if the speed should be reduced. Concurrently the knowledge they have of Traffic Culture under these circumstances should help with the speed and make it safer.

Transit connectivity: There will be Bus Stop at the entrance and there is no need to walk uphill to the next Bus Stop. The Northbound Bus Stop is a 9-minute walk with a safe crosswalk and traffic light. From the studies completed within the city at large this development ranks in the top 10% of most accessible in terms of the time it takes to get to both North and South bound bus stops.

Thank you
Robert Kendrick



Robert Kendrick
Casita Developments LLC
Project response June 9,2020

ASHLANDS GRAND TERRACE AGRIHOOD

The Existing Farmhouse and Barn



Valley Views from the Site



Redeveloped Barn and Produce Area



Redeveloped House & Activity Area



Open area's around Farm House



Proposed walking trails in Forest

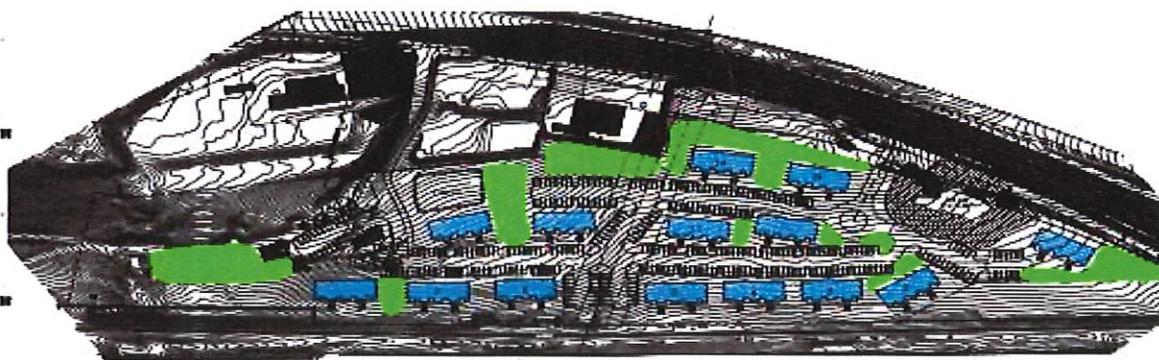


RECEIVED
JUN 09 2020
BY:

OLD HOME SITE WITH BARN AND BUILDINGS



BUILDING SITE PLAN WITH OPEN SPACE AND GARDENS AND FARMS (more to be included)



RECEIVED
JUN 09 2020
BY:

HISTORIC PICTURE OF FARMS ORCHARDS AND FORESTED AREA



IN THIS LEFT-HAND CORNER
BETWEEN THE HIGHWAY AND RAIL ROAD
IS THE OLD FARM LAND AND FOREST?
AND THE NEW
REINCARNATED
ASHLANDS GRAND TERRACE AGRIHOOD

RECEIVED
JUN 09 2020
BY:

WRITTEN TESTIMONY

PA-T3-2019-00001
1511 HWY 99 N

From: [tamaragfoley](#)
To: [Planning Commission - Public Testimony](#)
Subject: Affordable/Workforce Housing - Kendrick Enterprise's Grand Terrace Apts.
Date: Thursday, June 04, 2020 10:52:23 AM

[EXTERNAL SENDER]

I became aware of a proposed multi-family affordable housing development only last night. The development is Grand Terrace Apartments / Developer=Robert Kendrick Enterprise's LLC. I'd like to support this developer's vision:

I spent 4 years with ACCESS (the Community Action Agency of Jackson County). My position there was as Housing Specialist -- i was a house-hunter for those participants in our rental assistance programs. I cannot tell you how frustrating finding affordable housing is in this county. I shopped Craigslist daily and saw prices climb out of reach every single day. The waitlists at the Housing Authority of Jackson County are years long. I even went so far as to create a mailing to non-owner-occupied property owners to try to catch their attention before their rentals went public (to give our participants a fighting chance for a housing opportunity). It is a brutal, competitive market. have been to myriads of housing forums in our county and heard other's frustration with the housing stock. All agencies can tell stories of the need for affordable housing.

I applaud Robert Kendrick's vision for Grand Terrace Apartments. I hope that you will encourage such development.

Thank you,

Tamara Foley
971.255.2462

Sent from my Boost Mobile Phone



From: Alaya M. Ketani
To: Planning Commission - Public Testimony
Subject: Ashland
Date: Thursday, June 04, 2020 7:36:05 PM

[EXTERNAL SENDER]

Ashland needs affordable housing. Please consider wisely Grand Terrace, by Robert Kendrick, Kendrick Enterprise LLC.

Thank you.

Kindly ~

Alaya Ketani

"A Woman in harmony with her Spirit is like a river flowing. She goes where she will without pretense and arrives at her destination prepared to be herself and only herself."

Alaya Ketani, CHT CFT CPC

541~292~2945

*Depth Hypnotherapist and Neuroscience Specialist,
Specialized Expertise for Highly Sensitive and Empathic Traits,
Empowerment, Peak Performance & Mind Mastery Trainer,
HeartMath Biofeedback Practitioner,
EFT, Archetypes, Multiple Advanced Certifications.*

*Founder and Executive Director of Keeping Ashland Women Safe Task Force, K.A.W.S.
Ashland, Grants Pass and Bandon Offices*

Host "Empower Your Life" Radio

Host "Tune Into Your Life" Podcast

Senior-Level Conflict Resolution Mediator

Former Co-Chair Jackson County Council Against Domestic and Sexual Violence

www.empoweringhypnotherapy.com

<https://www.facebook.com/EmpoweringHypnotherapy>

www.keepingashlandwomensafe.com



Scott G. Knox D.V.M
3700 Fieldbrook Ave.
Medford, OR 97504
541-601-3331
Scottgib56@gmail.com

June 5, 2060

planning@ashland.or.us
PC-public-testimoney@ashland.or.us

RE: Clarification and corrections of fact in Robert Kendrick's letter of May 12, 2060
Grand Terrace Development PA-T3-2019-00001

Dear Commissioners:

This is a brief letter is to clarify and correct some facts as indicated in Robert Kendricks letter of response submitted May 12, 2020. It is important that everyone has accurate information.

- 1) Mr Kendrick states that I encroached on and narrowed the easement in question by building walls and a "Landscape Mound" . There is no mound and those structures now present with the exception of an easily moved sign actually date back to the 1960's when Dr. van Dijk developed the property. I have in no way encroached on the easement by building any structures and subsequently narrowing the easement. The driveway and easement area is essentially unchanged for several decades. This was developed long before this property was included in the Urban Growth boundary. . I actually developed my storage units set a significant distance back from the surveyed easement as the drive going up the hill to the residence was incorrectly located NW of the easement and sits on my property outside of the easement. This again dates back to the 1960's.
- 2) Mr. Kendrick feels that I somehow should have chosen a different entry to my storage units possibly using the Veterinary Hospital property. These are two separate business with separate land ownership. It obviously would make no sense to access storage units through another businesses parking area when the storage unit property had its own access. I developed an entrance to the storage units that did not encroach on the easement and has worked quite well.

Thank you for your attention and time in this matter. Again, I felt it was important that all Parties have the full and correct information.

Respectfully ,

Scott Knox D.V.M.



Transportation Commission Comments

**PA-T3-2019-00001
1511 HWY 99 N**

Memo

CITY OF
ASHLAND

Date: June 8, 2020
From: Scott Fleury PE, Interim Public Works Director
To: Planning Commission
RE: Grand Terrace Annexation-Transportation Commission Comments

Background:

Below is a series of comments generated by the Transportation Commission with respect to the Grand Terrace Development project and its associated connection to the local transportation network. In addition, numerous goals with focused objectives were established in the 2013 Transportation System Plan. These goals and objectives have been included for reference as they are important and should be wholly considered when new development enters the planning process as part of the system of approvals.

TSP Goals:

Goal #1:

Create a “green” template for other communities in the state and nation to follow.

Objectives for Goal 1:

1B. Expand active transportation infrastructure to include features that encourage non-auto travel. Potential features include bicycle boulevards, bicycle lanes, wider bicycle trails, and improved lighting for bicycles and pedestrians.

1D. Develop plans for pedestrian-oriented, mixed land-use activity centers with an active transportation focus and green infrastructure.

1E. Identify ways to reduce carbon impacts through changes to land use patterns and transportation choices to make travel by bicycle, as a pedestrian and by transit more viable.

1G. Implement environmentally responsible or green design standards.

Goal #2:

Make safety a priority for all modes of travel.

Objectives for Goal 2:

2E. Recommend appropriate means for managing state highways and major arterials to meet local and through traffic needs in terms of mobility, access, and safety.

Goal #3:

Maintain small-town character, support economic prosperity and accommodate future growth.

Objectives for Goal 3:

3B. Consider modal equity when integrating land use and transportation to provide travel options for system users.

3C. Identify opportunities, guidelines and regulations for bicycle, pedestrian and transit supportive land uses within the City of Ashland.

3D. Identify transportation projects or system adjustments that improve development potential and support increased mixed use development within the current Urban Growth Boundary.

3E. Identify adjustments to transportation and land use codes and regulations that will facilitate higher density developments in transit corridors, and shorter trip length and non-motorized modes of travel throughout the City of Ashland.

Goal #4:

Create a system-wide balance for serving and facilitating pedestrian, bicycle, rail, air, transit, and vehicular traffic in terms of mobility and access within and through the City of Ashland.

Objectives for Goal 4:

4C. Upgrade pedestrian facilities to ADA compliant standards.

4G. Create a comprehensive transportation system by better integrating active transportation modes with transit and travel by auto.

Transportation Commission Comments:

General:

The Grand Terrace project has the potential for adding vehicular traffic and creating congestion, or it could provide a sustainable development showcase that aligns with Ashland's values developed as goals and objectives in the Transportation System Plan and the Climate Energy Action Plan. It is on an established transit line. There is great potential for bike facilities, shared vehicles, electric charging infrastructure, permeable parking lots, bike path and trail development, not to mention solar and other sufficiency's, like stormwater filtration systems and community gardens. Pedestrian and bicyclist scale lighting needs to be considered along the project length in order to provide safety for these modes at night.

Speed:

Speed reduction along this part of 99 needs to be considered (to Valley View) along with the physical/environmental changes that facilitate a driver to slow down.

(see comment regarding speed associated with bicycle connectivity below)

Speed reduction needs to consider the potential queuing increased at Valley View and Highway 99 intersection.

Ingress/Egress:

There is concern about egress from the proposed driveway location, specifically a left-hand turn movement heading northbound with limited site distance along with potential right-hand ingress movements occurring into the development. Appropriate signage and striping should be considered and installed to reduce conflicts and make drivers aware.

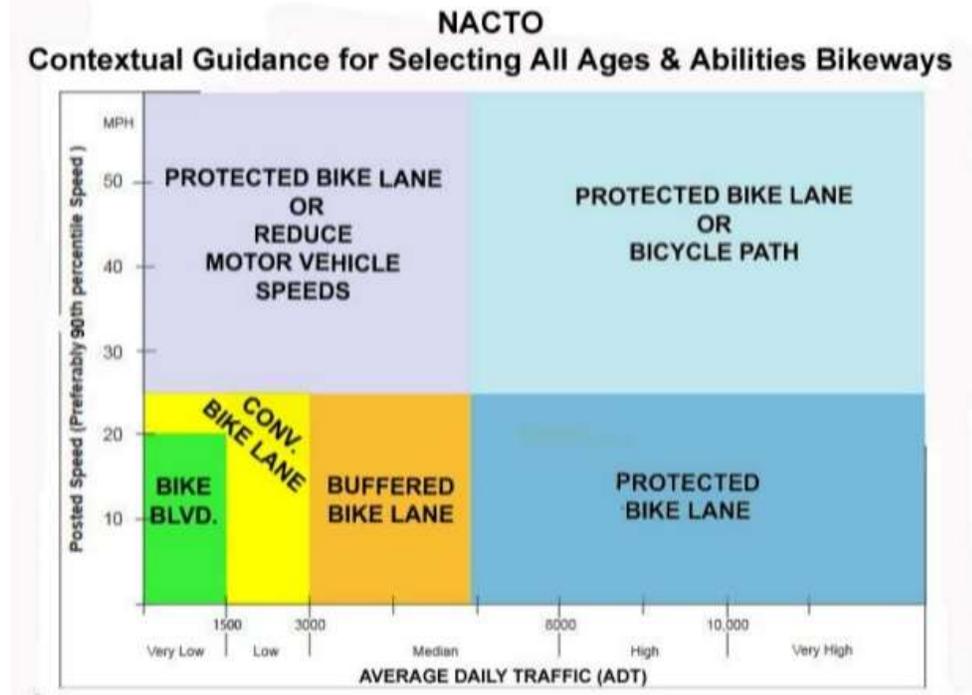
Pedestrian connectivity:

The pedestrian connection is adequate (southbound) as proposed, but safety is still a concern and speed reduction should be considered along the corridor to the intersection with Valley View. In addition, a physical barrier is needed to separate the southbound bike lane and sidewalk from the traffic lane. If width is a problem, better to slightly narrow the sidewalk/parkrow to accommodate a physical barrier. (See NACTO guidance chart below for a separated facility based on speed/volume).

Concerns regarding the increased density and its effects on pedestrian/cyclist safety, in particular crossing the highway near or in front of the project.

Bicycle connectivity:

Bicycle connectivity is minimally adequate southbound; northbound is problematic as this requires dangerous merging with auto traffic to access the left turn lane into the property. Reduction of the speed limit to 35 mph and/or crosswalk would provide safety needed. Current standards associated with the speed and volume of the roadway in the current condition call for a protected bike facility, not just a striped buffer. If left-hand turn egress for cyclists cannot be improved a contraflow bike facility should be considered northbound to the protected signal crossing.



Transit connectivity:

Southbound would be minimally adequate with upgrading of flag stop at North Main (Ashland Mine Road) to at least signed stop. (I was walked, and it does fall – barely – within five minutes even for a senior walking uphill.) However, the proposed dedicated stop in front of property is preferred if bus merging can be accommodated. Again, this would greatly benefit from reduction of speed limit to 35 mph.

Transit connectivity northbound is very problematic. Existing stop at Valley View is too far away. Crossing safely to access flag stop at North Main (Ashland Mine Road) requires significant upgrading of the crosswalk and median refuge facility. If striping and flashing signal cannot be assured, I am not certain that signage and new median refuge would be adequate. Accordingly, public transit use with current RVTD transit model (full size buses only) would likely be limited. Significant public transit use in both directions would require new transit models, likely on flexible routes and employing smaller vehicles able to turn around at or enter into the property.

**PACKET
MATERIALS**

**PA-T3-2019-00001
1511 HWY 99 N**



PLANNING ACTION: PA-T3-2019-00001

SUBJECT PROPERTY: 1511 Highway 99 North and Adjacent Railroad Property and State Highway Right-of-Way

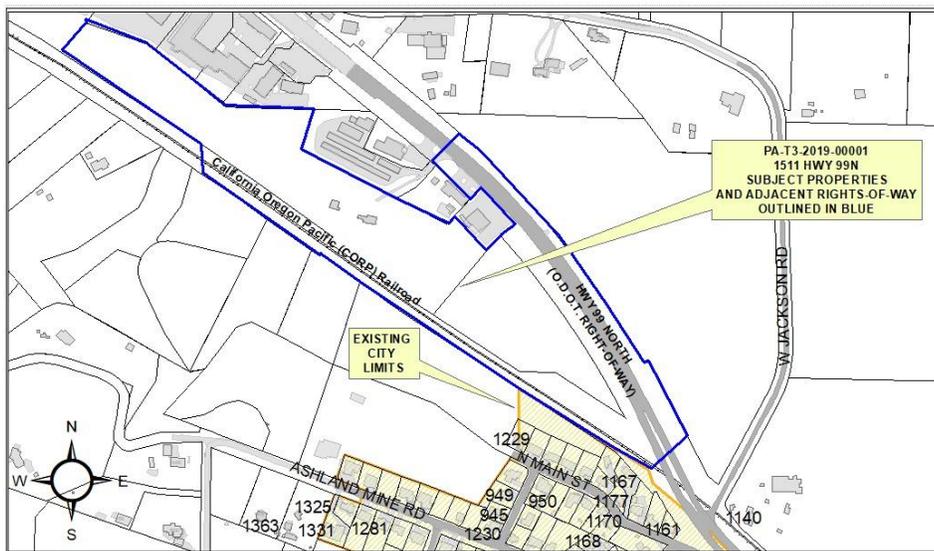
OWNER: Linda Zare

AGENTS: Casita Developments, LLC & Kendrick Enterprise, LLC

APPLICANT: Rogue Planning & Development Services, LLC

DESCRIPTION: A request for Annexation of a 16.87-acre parcel and Zone Change from County RR-5 Rural Residential) to City R-2 (Low Density, Multi-Family Residential) for the properties located at 1511 Highway 99 North. The annexation is to include adjacent railroad property and state highway right-of-way. The application includes conceptual details for the future phased development of 196 apartments (1- and 2-Bedrooms, ranging from 480-701 square feet) in 14 two-story buildings; Outline Plan subdivision and Site Design Review development approvals are not requested here, and would be applied for subsequent to annexation. The application seeks exception from the city's street design standards to deviate from city standard parkrow and sidewalk improvements in some areas to respond to constraints of right-of-way width and existing encroachments. **COMPREHENSIVE PLAN DESIGNATION:** Multi-Family Residential; **ZONING:** Existing – County RR-5, Proposed – City R-2; **ASSESSOR'S MAP:** 38 1E 32; **TAX LOT#s:** 1700 & 1702.

ELECTRONIC ASHLAND PLANNING COMMISSION MEETING: *Tuesday June 9, 2020 at 7:00 PM*



Notice is hereby given that a PUBLIC HEARING with respect to the ASHLAND LAND USE ORDINANCE on the above described request will be conducted electronically by the ASHLAND PLANNING COMMISSION on the meeting date and time shown above. In keeping with the Governor's *Executive Order #20-16*, this meeting will be held electronically. You can watch the meeting on local channel 9, on Charter Communications channels 180 & 181, or you can stream the meeting via the internet by going to rvtv.sou.edu and selecting 'RVTV Prime'.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, or failure to provide sufficient specificity to afford the decision makers 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, including all documents, evidence and applicable criteria relied upon by the applicant, and a copy of the staff report will be available on-line at <http://www.ashland.or.us/Agendas.asp?SectionID=0&CCBID=198> seven days prior to the hearing. Anyone wishing to provide testimony can submit comments via e-mail to PC-public-testimony@ashland.or.us with the subject line "June 9 PC Hearing Testimony" by 10:00 a.m. on Monday, June 8, 2020. Written testimony received by this deadline will be available for Commissioners to review before the hearing and will be included in the meeting minutes.

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 application, please feel free to contact Senior Planner Derek Severson at 541-488-5305 or via e-mail to derek.severson@ashland.or.us.

ANNEXATIONS - Approval Criteria and Standards (AMC 18.5.8.050)

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

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

- 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.

EXCEPTION TO STREET STANDARDS (AMC 18.4.6.020.B.1)

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

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

RE: GRAND TERRACE DEVELOPMENT. ANNEXATION REQUEST

HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>

Thu 2020-05-28 04:17 PM

To: Robert Kendrick <bobk213@icloud.com>; Derek Severson <derek.severson@ashland.or.us>**Cc:** GRIFFIN Jeremiah M <Jeremiah.M.GRIFFIN@odot.state.or.us> 2 attachments (7 MB)

RR445_1.pdf; RR160.pdf;

[EXTERNAL SENDER]

Hi Bob,

ODOT has no objection to an annexation of Highway 99 to provide contiguity between the Grand Terrace Development and the City of Ashland boundary. We would ask that the entire width of the Highway Right of Way be annexed rather than to the centerline, as this will simplify future operations and maintenance of the roadway.

I should note that that our survey team pointed out that ODOT has an easement to cross the CORP Railroad Right of Way, rather than underlying fee ownership.

Best regards,

Micah

Micah Horowitz, AICP
ODOT Region 3 | Senior Transportation Planner
100 Antelope Road, White City, OR 97503
p: 541.774.6331 | c: 541.603.8431
e: micah.horowitz@odot.state.or.us

If you agree, I will send a reply to the applicant stating ODOT does not object to an annexation (request the entire roadway be annexed rather than half-centerline), but that our internal research indicates ODOT has an easement across the rail line rather than underlying fee ownership. Please let me know if you would like to discuss in greater detail.

> -----Original Message-----

> From: Robert Kendrick <bobk213@icloud.com>

> Sent: Thursday, May 21, 2020 4:31 PM

> To: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>; Robert J Kendrick <bobk213@icloud.com>; Derek Severson <derek.severson@ashland.or.us>

> Subject: GRAND TERRACE DEVELOPMENT. ANNEXATION REQUEST

>

> TO; Micha Horowitz ODOT

> Re; GRAND TERRACE

> FROM; Bob Kendrick

> Owner developer Hwy 99

> Casita Development Ilc

>

> As you may know we are before the planning commission for the annexation of the Grand Terrace Development project which is in the UGB of Ashland and immediately adjacent to and on Hwy 99.

>

> A notice of annexation was mailed out last month which included the properties of "the project", and the Rail Road. In order for the Project to get contiguity to the City, the City needs to redraw the boundaries of the City around the RR in order to make my project and the UGB contiguous to the City. The RR returned a negative response.

>

> It just recently came to the city's attention that the RR was not within the City boundary. The entire UGB of the City is in jeopardy due to this lack of contiguity. Without my land and the ODOT portion adjacent to me the entire northern section of the city will not be able to grow north, and therefore putting the City's UGB in jeopardy.

>

> By deliberations with the city I've been asked to reach out to ODOT to request an annexation of the ODOT highway adjacent to the Project site. In prior discussions it was mentioned that an annexation of the Highway in this area was acceptable.

>

> If you could help with this request i would appreciate it. Please contact me at this email or phone below.

>

> Best regards,

> Bob Kendrick

> Kendrick Enterprise Ilc

> 541-944-0131

June 9th Planning Commission Meeting Testimony

Suzanne Zapf <suzannezapf@hotmail.com>

Wed 2020-05-27 11:36 AM

To: Planning Commission - Public Testimony <PC-public-testimony@ashland.or.us>

[EXTERNAL SENDER]

This email is regarding the Annexation of a 16.87-acre and conceptual details for the future phased development of 196 apartments in 14 two-story buildings (Planning Action PA-T3-2019-00001).

I am concerned about the additional automobile traffic and resulting safety issues on Rte. 99 created by the proposed 196 additional units. Specifically, I am concerned about the traffic turning onto Rte. 99 from the development, and the traffic turning off of Rte. 99 into the development. If you assume that each housing unit has 1.5 cars, this adds 294 cars to the area. If you assume that each car is used 1x per day, and each car uses the intersection on Rte 99 twice (to exit and re-enter development), this is 588 additional DAILY automobile "turning interactions" with Rte 99.

I am also concerned about pedestrians from this development crossing Rte 99; The Human Bean and Dutch Bros on the opposite side of the street may be a big draw for residents of this 196 apartment complex, and crossing Rte. 99 to purchase a beverage with the current configuration of Rte 99 would be hazardous.

Thank you for hearing my objections to this annexation and 196 unit development.

Suzanne Zapf
541-492-4443

Re: June 9th Planning Commission Meeting Testimony

Diane Knox <dynorth@gmail.com>

Wed 2020-05-27 11:56 AM

To: Suzanne Zapf <suzannezapf@hotmail.com>

Cc: Planning Commission - Public Testimony <PC-public-testimony@ashland.or.us>

[EXTERNAL SENDER]

Well said! Let's hope our voices will have the impact we want. Do you know any of the owners of the adjacent properties to yours? Think you might enlist them to comment as well? We have encouraged the neighboring businesses to comment as well.

All the best,

Diane and Scott

On Wed, May 27, 2020, 11:36 AM Suzanne Zapf <suzannezapf@hotmail.com> wrote:

This email is regarding the Annexation of a 16.87-acre and conceptual details for the future phased development of 196 apartments in 14 two-story buildings (Planning Action PA-T3-2019-00001).

I am concerned about the additional automobile traffic and resulting safety issues on Rte. 99 created by the proposed 196 additional units. Specifically, I am concerned about the traffic turning onto Rte. 99 from the development, and the traffic turning off of Rte. 99 into the development. If you assume that each housing unit has 1.5 cars, this adds 294 cars to the area. If you assume that each car is used 1x per day, and each car uses the intersection on Rte 99 twice (to exit and re-enter development), this is 588 additional DAILY automobile "turning interactions" with Rte 99.

I am also concerned about pedestrians from this development crossing Rte 99; The Human Bean and Dutch Bros on the opposite side of the street may be a big draw for residents of this 196 apartment complex, and crossing Rte. 99 to purchase a beverage with the current configuration of Rte 99 would be hazardous.

Thank you for hearing my objections to this annexation and 196 unit development.

Suzanne Zapf

541-492-4443

**PACKET MATERIALS
FROM THE
MAY 12, 2020
MEETING**

**PA-T3-2019-00001
1511 HWY 99 N**

PA-T3-2019-00001
1511 HWY 99

Applicant's Submittals
& Presentations
(Received 5/8/20)



May 8, 2020

RE: 2019-0001_T3

Annexation and Zone Change for the Property at 1511 Hwy. 99 N
Grand Terrace

Dear Planning Commissioners and Planning Division Staff,

This letter is intended to provide additional information for the record addressing the information that has been received by the City of Ashland and is provided for the Planning Commission May 12 Hearing in lieu of a 15 minute applicant presentation.

Contiguous Property:

The contiguity issue is not resolved at this point. The applicant and the City of Ashland have been in communication with the representatives of Genessee-Wyoming, the track owners, and Central Oregon and Pacific Railroad (CORP).

Contiguity and the railroad is of major concern for the applicant and it should be a major concern for the City of Ashland as the Railroad's position could prevent Ashland's Long-Range Planning and Comprehensive Planning Efforts since the 1980s from ever being realized. If the Railroad refuses annexation, it appears that the Comprehensive Plan, the Housing Needs Analysis, Economic Development Plans, Regional Problem Solving efforts, Normal Avenue Neighborhood among others would need to be revised to alter Ashland's growth areas to not include out-of-city Railroad Properties.

The representative of the Railroad have requested detailed information as to what impacts there are to the railroad when their property is annexed. The attached map was shared with Genessee-Wyoming Real estate Division Manager in January 2020. This issue is still being worked through and should not impact the Planning Commission Recommendations since the City Council is the approval authority.

Access Easement and Driveway Construction:

One of the accesses to the property is provided by a 30-foot wide ingress access easement. This is the secondary access with the primary access directly from the highway.

Adequate transportation can be provided to the nearest public street (Hwy 99 N) via the use of the easement. The proposal does not include the creation of any new public rights-of-way, public or private streets, nor the creation of a private driveway. As per the code 18.5.8.050.E.1. the improvement of the public street (Hwy. 99 N) to city standards is requested.



The proposal seeks to improve the driveway within the easement area above and beyond the minimum improvement standards of a 20-foot paved width as required when driveways are greater than 50-feet in length and access more than seven parking spaces (AMC 18.4.3.080.D.3.) through the development of a driveway with street like features as required in AMC 18.4.3.080.4., which is most similar to a Shared Street standards. References to Shared Street are for illustrative purposes only because as stated in the application materials, no public streets or private streets are proposed nor is the dedication of public right-of-way, public streets or private streets or driveways required.

The driveway on the north end of the development (accessed via the existing driveway) would be widened within the easement area to accommodate the proposed improvements. The driveway is not proposed as the primary access as presented in the letter from Mr. Knox's attorney. The northern driveway is intended to be a secondary access. The Ashland Municipal Code 18.4.3.080. Access Regulations for Multi-Family Developments, C. 3.d. requires that all multi-family developments which will have automobile trip generation in excess of 250 vehicle trips per day shall provide at least two driveway access points to the development. There are more than 250 vehicle trips per day thus two driveways are required. In the event that it would be allowed, the applicant would be willing to reduce access to the north driveway to emergency vehicle or emergency vacation of the property by the tenants. Further, the municipal code requires driveways be shared (AMC 18.4.3.080.C.4) for developments where access to arterials is limited and for multi-family developments.

Joe Kellerman, Hornecker Cowling LLP provided the attached assessment of the easement. The issues raised by Mr. Knox and his Attorney appear to be moot points as the Knox property is the servient easement holder and the encroachments into the easement that at present restrict the width are created and maintained by Mr. Knox.

The "intent" of the easement expressed in the letter from the Van Dijk's is not founded in the actual easement language. Additionally, in 1989, the subject property was within the City of Ashland Urban Growth Boundary Area as a future City of Ashland, Low-Density, Multi-Family Residential Comprehensive Plan area.

Traffic Impact Analysis:

ODOT has provided a preliminary review of the Transportation Impact Analysis (TIA) and has provided formal review comments to the project team and to the City of Ashland. There are some minor suggestions and considerations to be made, for example the barrier and five-foot sidewalk under the trestle will be six-foot sidewalk with no barrier and the bus pull out taper needs to be increased. Both of these items will be addressed on the Civil Engineering documents that get submitted with the Site Design Review of the apartment complex development.

Both driveways will be permitted as full movement driveways. This means Right in and Right out / Left in and Left out turning movements are allowed and no restrictions will be imposed.



Frontage Improvements:

The proposal makes every attempt to provide sidewalk and landscape park row to the city of Ashland and ODOT standards from the connection at Schofield to and through the property that demonstrates compliance.

Public sidewalk, landscape park row, bicycle lane and other physical improvements to the Hwy. 99 right-of-way have been reviewed by the Oregon Department of Transportation (ODOT), and the Public Works Department. Where the Ashland standards need exception is to not provide landscape parkrow for the entirety of the sidewalk improvements, ODOT standards require an eight-foot curbside sidewalk, which is proposed.

An email was received by Mr. Brian LeBlanc of Anderson Autobody regarding the frontage improvements along his street frontage and questioning their location on his property. Based on a review by the project surveyor (Polaris Land Surveying, surveyed subject property, Anderson Autobody property and Mr. Knox's property) there is no encroachment of the proposed sidewalks and right-of-way improvements encroaching upon Anderson Autobody property.

Conclusion:

The project team finds that the continuity issue needs to be further explored and seeks legal advice from the city on the validity of the comprehensive plan maps when there is no connection to the city limits due to the presence of the railroad.

The proposal demonstrates compliance with the standards for annexation of the last, large acre multi-family residentially zoned land provided on in the city's urban growth boundary. The proposed conceptual plans are generally consistent with applicable standards, and other than minor considerations with respect to the street standards, it can be found that with the requested exception to the street design standards as addressed in the application Findings of Fact and the Staff Report. The project team believes that it can be found that adequate vehicle, pedestrian, bicycle and transit facilities can be provided to service the annexed area.

Many of the annexation criteria require concurrence of the Public Works Director, additionally, there has been verbal agreements regarding the extension of services and how to address the overlapping service district for the disposal of sanitary sewer and stormwater sewer. It is the property owners desire to have staff from Public Works present at the hearing to address any concerns regarding the proposed public infrastructure.

Thank you,

Amy

Amy Gunter



Rogue Planning & Development Services, LLC

Amygunter.planning@gmail.com

ATTACHMENTS:

EXHIBIT A: Powerpoint presentation

EXHIBIT B: Joe Kellerman, Attorney with Hornecker Cowling LLP letter regarding easement (attached as Exhibit D to letter)

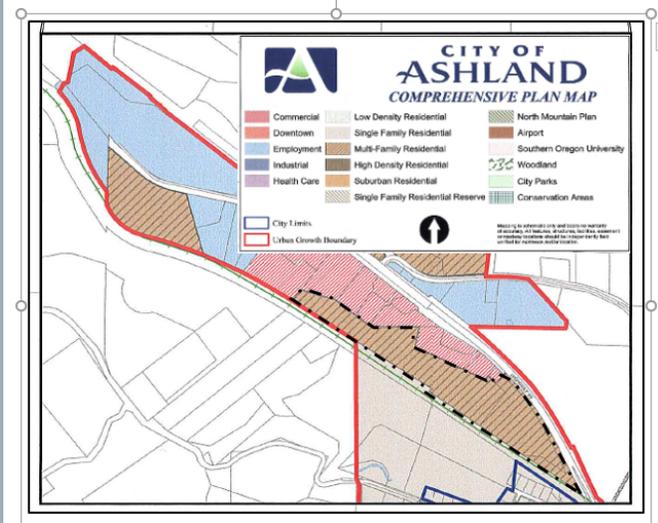
EXHIBIT C: ODOT TIA Review, Dated May 7, 2020

GRAND TERRACE

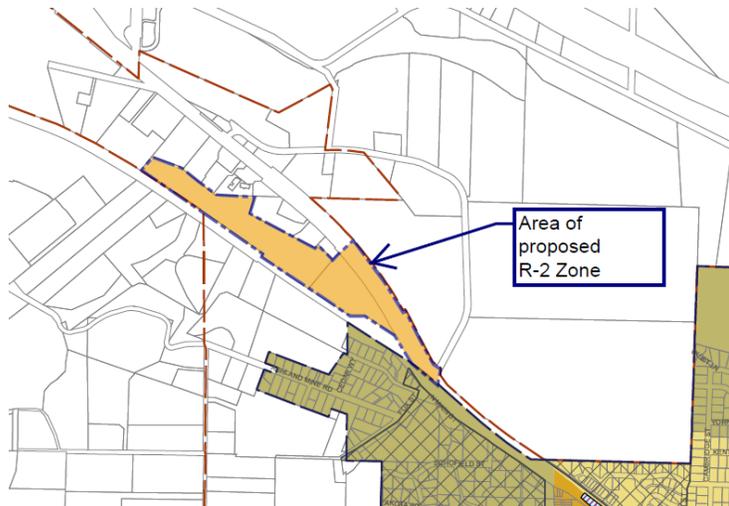
ANNEXATION AND SITE DESIGN REVIEW
FOR THE PROPERTY AT 1511 HWY. 99 N



ZONING AND COMPREHENSIVE PLAN



PROPOSED ZONING MAP



DENSITY

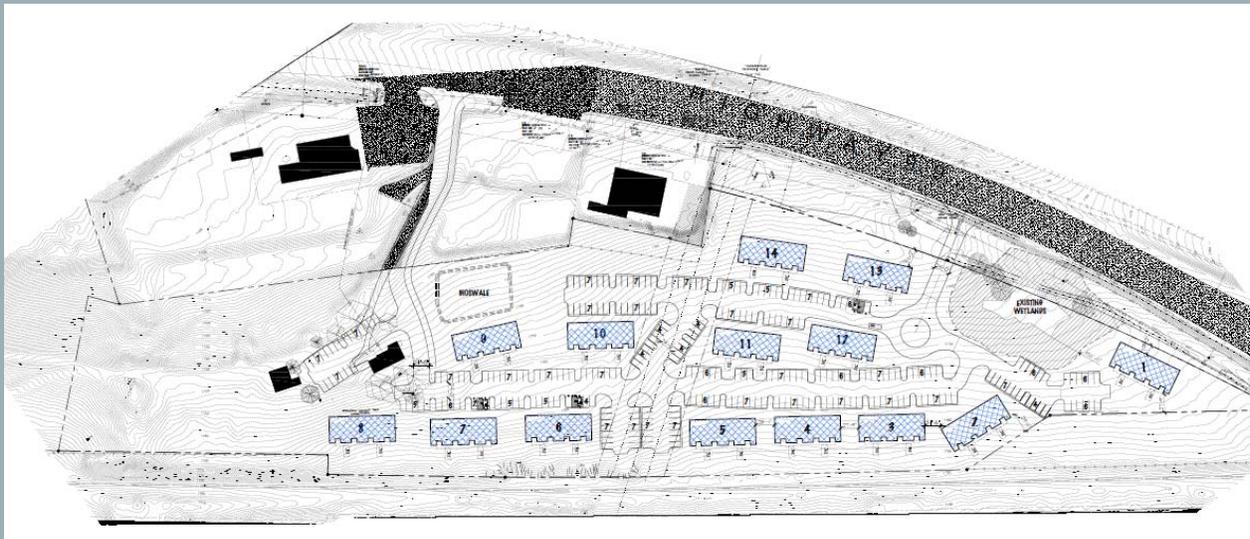
- 18.5.8.050 F. requires that all residential annexations provide a plan demonstrating that development occur at a minimum density that is 90 percent of the base density in the zone **unless a reduction in the total number of units is necessary to accommodate significant natural features, topography, access limitations, or similar constraints.**
- 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.

The following section discusses the number of affordable housing units based on the base density. This section noted above though, provides that a reduction in the number of units is allowed due to physical constraints, and access limitations. Both of these apply to this property. The applicant argues that the density as described in 18.5.8.050.F determines the number of affordable units as described in the following section.

- I. The total number of affordable units provided to qualifying buyers, or to qualifying renters, shall be equal to or exceed 25 percent of the base density as calculated using the unit equivalency values set forth herein.

The project team contends that it was not intended that the number of affordable housing units be determined based on a density standard that is not achievable due to physical and access constraints that restrict the actual number of dwelling units able to be constructed.

CONCEPTUAL DEVELOPMENT PLAN

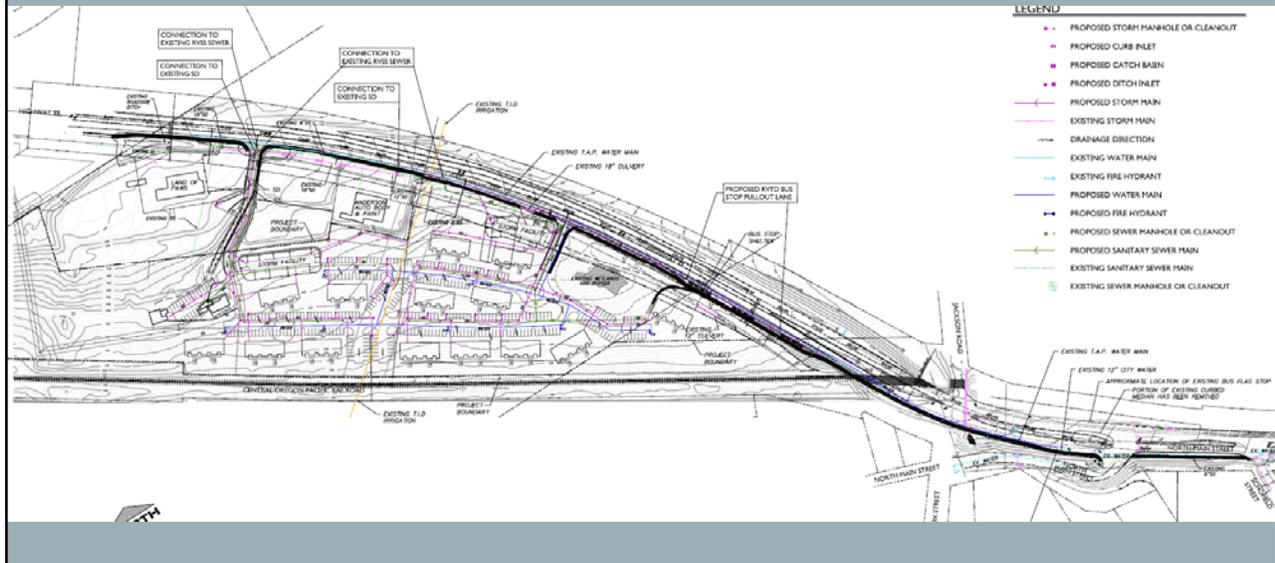


ADDITIONAL HOUSING IS NEEDED





PUBLIC INFRASTRUCTURE



TRANSPORTATION IMPACT ANALYSIS

Kelly Sandow PE, of Sandow Engineering, LLC has evaluated the impacts of the proposal.

Key findings of the TIA include – these are addressed in the Technical Memorandum and the TIA Review Response Letter from ODOT dated May 7, 2020:

- The TIA shows all studied intersections (Hwy 99N at South Valley View, Highway 99N at Jackson Road, North Main Street at Jackson Road, North Main Street at Maple Street, and Hwy 99N at the project access points) will meet the mobility standards through the Year 2034 with the addition of the traffic associated with anticipated development of the subject property.
- The addition of development traffic will not substantially increase queuing conditions over the background conditions.
- All site driveways are projected to operate safely and efficiently.
- The TIA recommends that Highway 99N be restriped to include a left-turn lane for vehicles entering the site.
- The TIA review by ODOT concludes that the Transportation Planning Rule (TPR) has been met.

OREGON DEPARTMENT OF TRANSPORTATION

 Oregon
 Department of Transportation
 Eugene Planning and Programming
 100 Assembly Drive
 Salem, OR 97331
 Phone: (541) 774-6299

March 7, 2020

Mr. Derek Severson
 City of Ashland - Community Development
 51 Walnut Way
 Ashland, OR 97529

RE: PA-TS-2019-00001, 1511 Highway 99 North

Dear Mr. Severson,

Thank you for providing the Oregon Department of Transportation (the "Department" or "ODOT") with the opportunity to provide comments associated with the zone change and rezoning of approximately 16.87 acres at 1511 Highway 99 North ("Subject Property"). ODOT has worked with the City and the applicant to try to find solutions which work for all parties. Please find our comments below regarding this proposal.

- ODOT has reviewed the Traffic Impact Analysis ("TIA") prepared by the Sandow Engineering and believe that it satisfies the requirements of the Transportation Planning Rule (OAR 600-012).
- The proposed combined two pullout has satisfactory width, striping, and exit taper. The entrance taper requires an 8:1 taper rate and should be extended slightly from the 65' on sheet C-4 to approximately 80'.
- ODOT is amenable to the proposed median cut north of the intersection of N Main St. and Highway 99. A striped crosswalk would not be appropriate at this location given traffic speed and sight visibility.
- ODOT will require a hydraulic report demonstrating the proposal will not adversely affect State facilities. We understand this will be conducted during the final engineering phase of the project, after Planning Commission. As such, approval of PA-TS-2019-00001 should be conditioned on written approval from ODOT of a satisfactory hydraulics report.
- ODOT is satisfied with the proposed sidewalk and bike facilities with the exception of the sidewalk under the bridge which should be at least 6' in width.
- Approval should be conditioned on the applicant obtaining a reservation indenture, access permits and site utility permits from ODOT. The applicant may begin these processes by contacting Julie Straggs at Julie.Straggs@odot.oregon.gov.

Please feel free to contact me at Michal.Horowitz@odot.oregon.gov or 541-774-6331 should you have any questions or concerns.

Sincerely,
Michal Horowitz
 Michal Horowitz, ACP
 Senior Transportation Planner

 Oregon Department of Transportation
RIGHT OF WAY PROPERTY MANAGEMENT

APPLICATION TO USE OR PURCHASE REAL PROPERTY

Name: Robert J Kendrick
 Company Name: Casilla Development LLC
 Address: 152 West Dodge Way
 Division Phone: 5418461311 E-mail Phone: 607th
 E-mail Address: rjk@casilla.com

Reasons for applying: Please indicate what you intend to do with the property. Use additional pages and attach to the application if you need more space.

The subject property is elevated approximately 2-5 feet above the adjacent highway and in the areas we intend to install sidewalks and parkways alongside the highway. A driveway will be built that enters a new residential apartment community that is planned. The subject property is landlocked between the apartment community and the sidewalks. The subject property is less than 50 to 10 feet in width in these areas. We would like to reduce the height and landscape the area so it beautifies the highway & apartment community.

Please indicate your interest:

Lease
 Buy or permit to beautify the area and landscape and maintain it.
 Short term rental
 Permit (limited uses, landscaping, grazing, access etc.)

With this application, please attach a tax map, assessment information, and a copy of the last zoning deed. You may obtain this at any local title company or the county assessor's office. Highlight the boundaries of the property you are interested in. Also include deeds, other maps or any documentation that may assist us in determining the property you are seeking to use or buy.

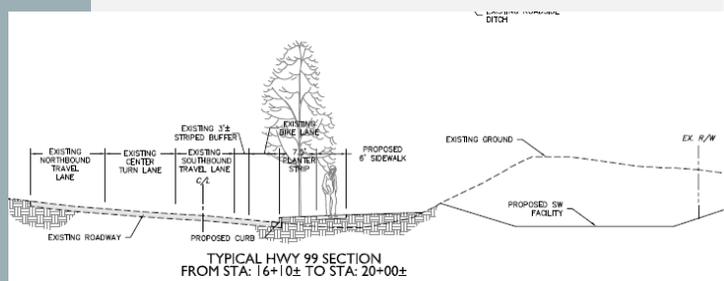
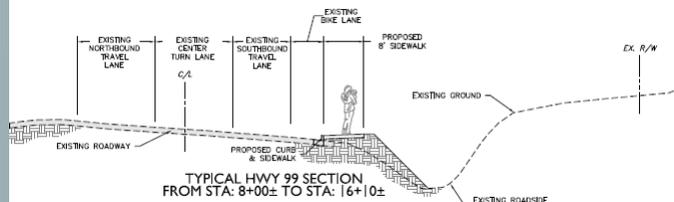
Signature: _____ Date: _____

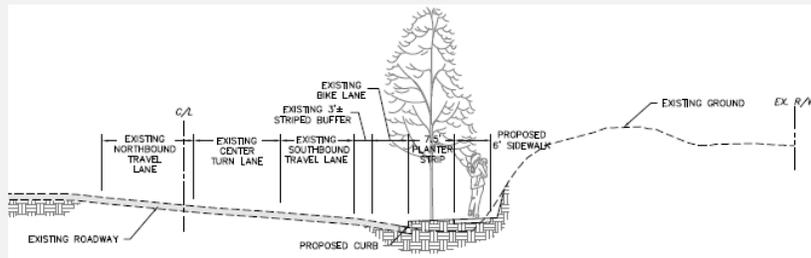
RETURN THIS SIGNED APPLICATION WITH ATTACHMENTS TO:
 ODOT Technical Leadership Center
 Alts Property Management Unit
 6040 Fairview Industrial Dr SE MS#2
 Salem, OR 97302

SIDEWALK, PARK ROW, BIKE LANE IMPROVEMENTS

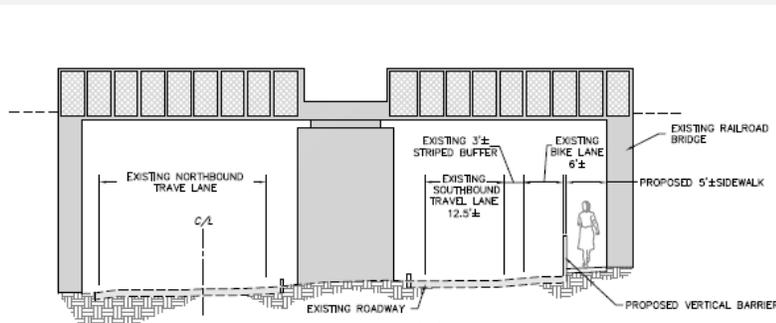
There are numerous variations in the topography, roadside improvements, uses of the frontage, etc. along the frontage of the property and within the public right-of-way for the highway frontage

The proposal seeks to come as close to the City of Ashland Street Standards and comply with ODOT standards when considering the topography and adjacent improvements. The proposed improvements will provide additional measures of traffic calming and provide a safer pedestrian environment than presently found in the area.

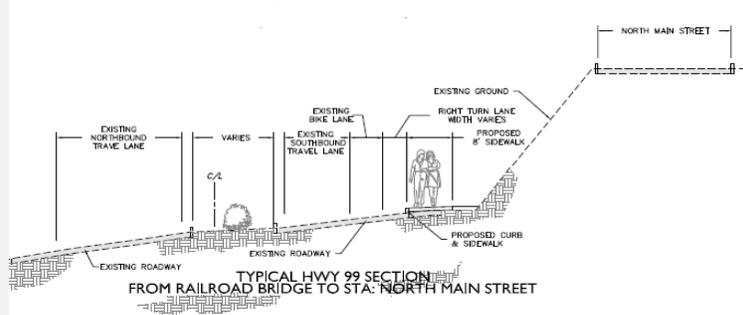




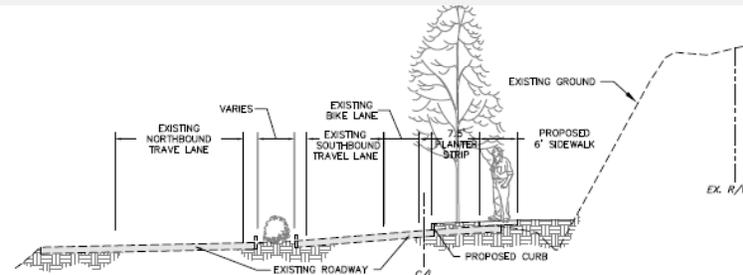
TYPICAL HWY 99 SECTION
FROM STA: 20+00± TO STA: 27+25±



HWY 99 SECTION
@ RAILROAD BRIDGE



TYPICAL HWY 99 SECTION
FROM RAILROAD BRIDGE TO STA: NORTH MAIN STREET



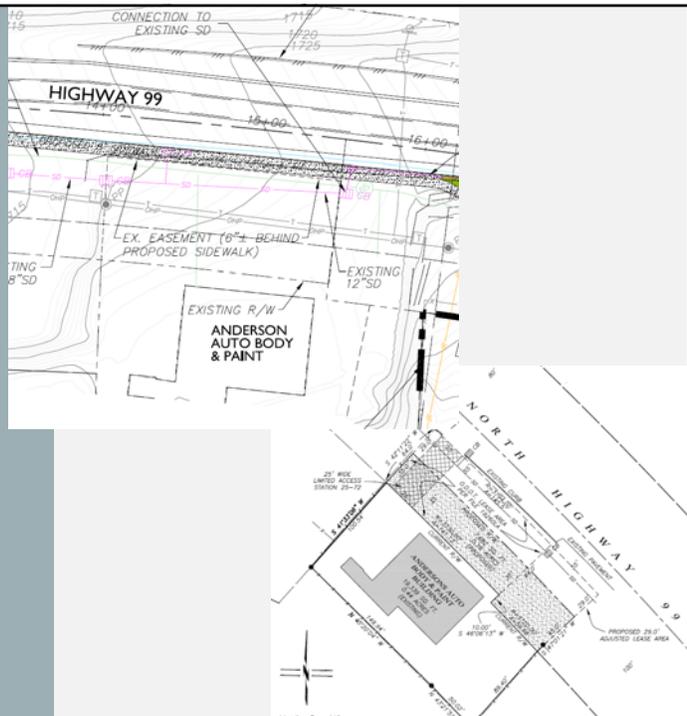
TYPICAL HWY 99 SECTION
FROM NORTH MAIN STREET TO SCHOFIELD STREET

ANDERSON AUTOBODY FRONTAGE

Concern that the improvements were encroaching onto Anderson Autobody property were raised.

All sidewalk improvements are outside of the private property area and are approximately six-inches outside of the easement that extends from Anderson Autobody into the ODOT ROW.

In the event that public utilities within the easements along the frontage of the property are impacted, they will be restored to pre-construction condition.



EASEMENT

With respect to the Mutual Access Easement and [the letter](#) submitted by Mr. Knox from Mr. Van Dijk.

"The easement at issue here is an express easement for ingress and egress."

It is unambiguous and without any expression of any limitation on the extent of use to be afforded the realty benefitted by the easement.

Van Dijk executed recorded documents specifically reserving and benefitting the applicant's property with the rights under the easement and made no mention of any limitation on any contemplated or proposed use of the created easement.

If the words of an easement, viewed in the context of the entire document, clearly express the purpose of the easement, then a court will look no further for its intended use. See *Watson v. Banducci*, 158 Or App 223, 230, 973 P2d 395 (1999).

Here the easement is clear-- ingress and egress which is exactly what applicant proposes.

Any statement to the contrary by Van Dijk, Knox or anyone else for that matter is inadmissible parol evidence and may not be considered. See generally "If the terms conveying an easement are unambiguous, the terms control the uses thereafter permissible, and parol evidence will not be considered. *Gorman v. Jones*, 232 Or 416, 375 P2d 821 (1962)".

Knox may use his land burdened by the easement so long as it "is consistent with, and does not unreasonably interfere with, the rights of the easement owner. See *State, By & Through Dep't of Fish & Wildlife v. Kortege*, 84 Or App 153, 158, 733 P2d 466, rev den, 303 Or 534 (1987)."

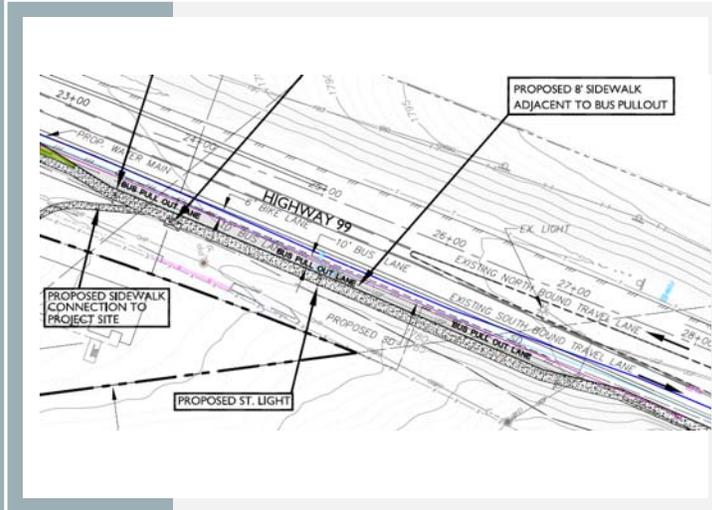
But he may not unreasonably interfere with the rights afforded applicant's realty for ingress and egress purposes. His interest in using his land encumbered by the easement must give way if there is a conflict between Knox's desired use of realty and the easement holder.

That is why the easement holder/applicant's realty is deemed the dominate estate and Knox's realty is deemed the servient tenement/estate.

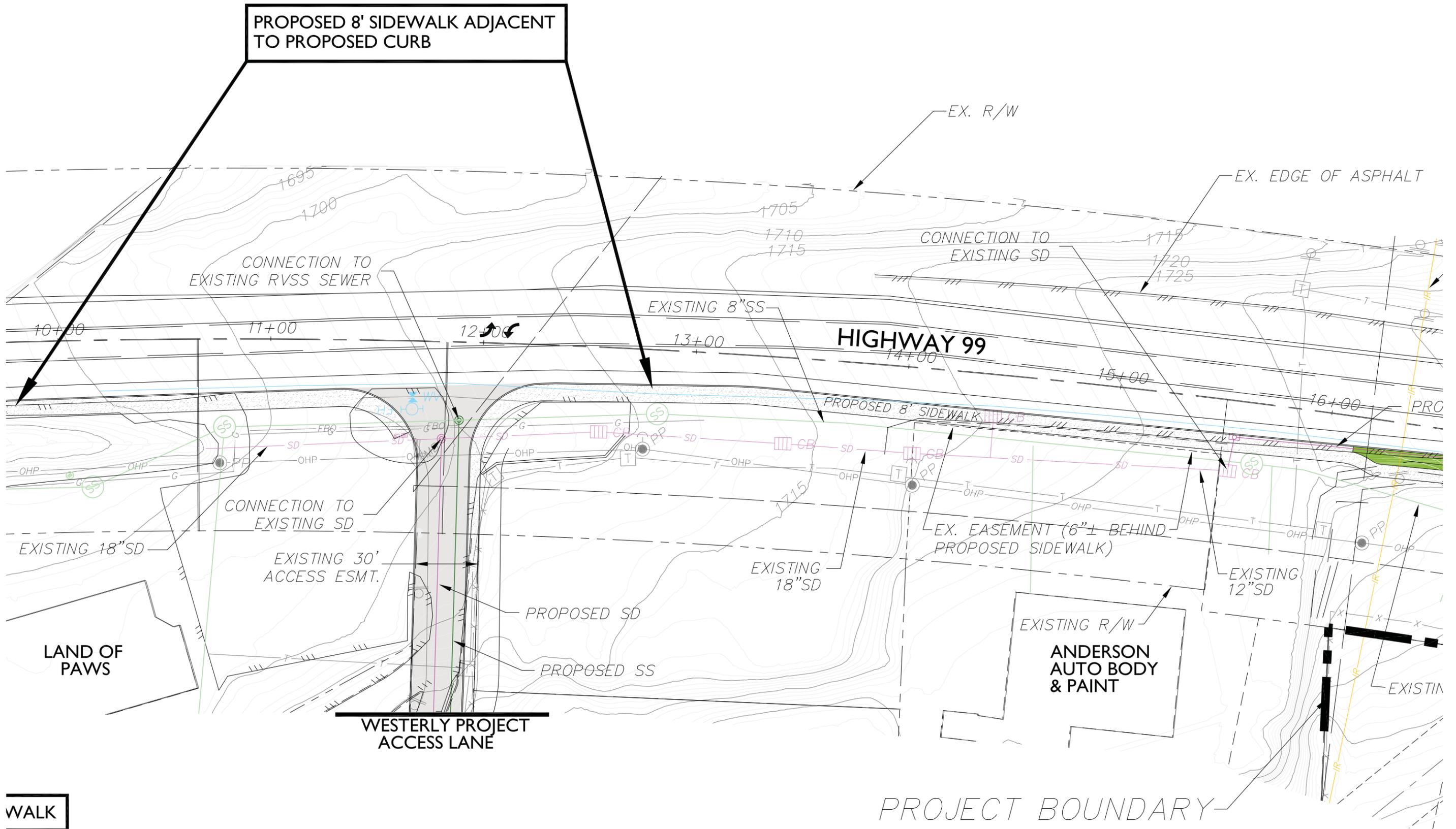
- The use of the existing easement by the proposed development is prohibited by the written word nor by the "intent" as expressed by the van Dijk's. When the easement was granted the area was within the Comprehensive Planned Urban Growth Boundary and designated as multi-family. If the intent was to restrict the access to the single-family residence, that should have been recorded.
- Additionally, according to the property owner's attorney, the Knox Property is not the owner of the easement and is the servient user.
- Staged photos should not be included in the record as evidence of the impacts of the proposed multi-family residential development of the subject property.

ROGUE VALLEY TRANSIT DISTRICT

The proposed south bound bus pull out area, the transit stop and the improvements were reviewed by RVTD and ODOT. The standards differ slightly between the two organizations and a minor modification is necessary, but overall, RVTD supports the proposal.



PROPOSED 8' SIDEWALK ADJACENT TO PROPOSED CURB



WALK

PROJECT BOUNDARY

PROPOSED LAND SALE

LYING SITUATE IN
 SOUTHWEST QUARTER SECTION 32
 TOWNSHIP 38 SOUTH, RANGE 1 EAST
 WILLAMETTE MERIDIAN
 JACKSON COUNTY, OREGON

FOR

Dave Anderson
 1383 North Highway 99
 Ashland, Oregon

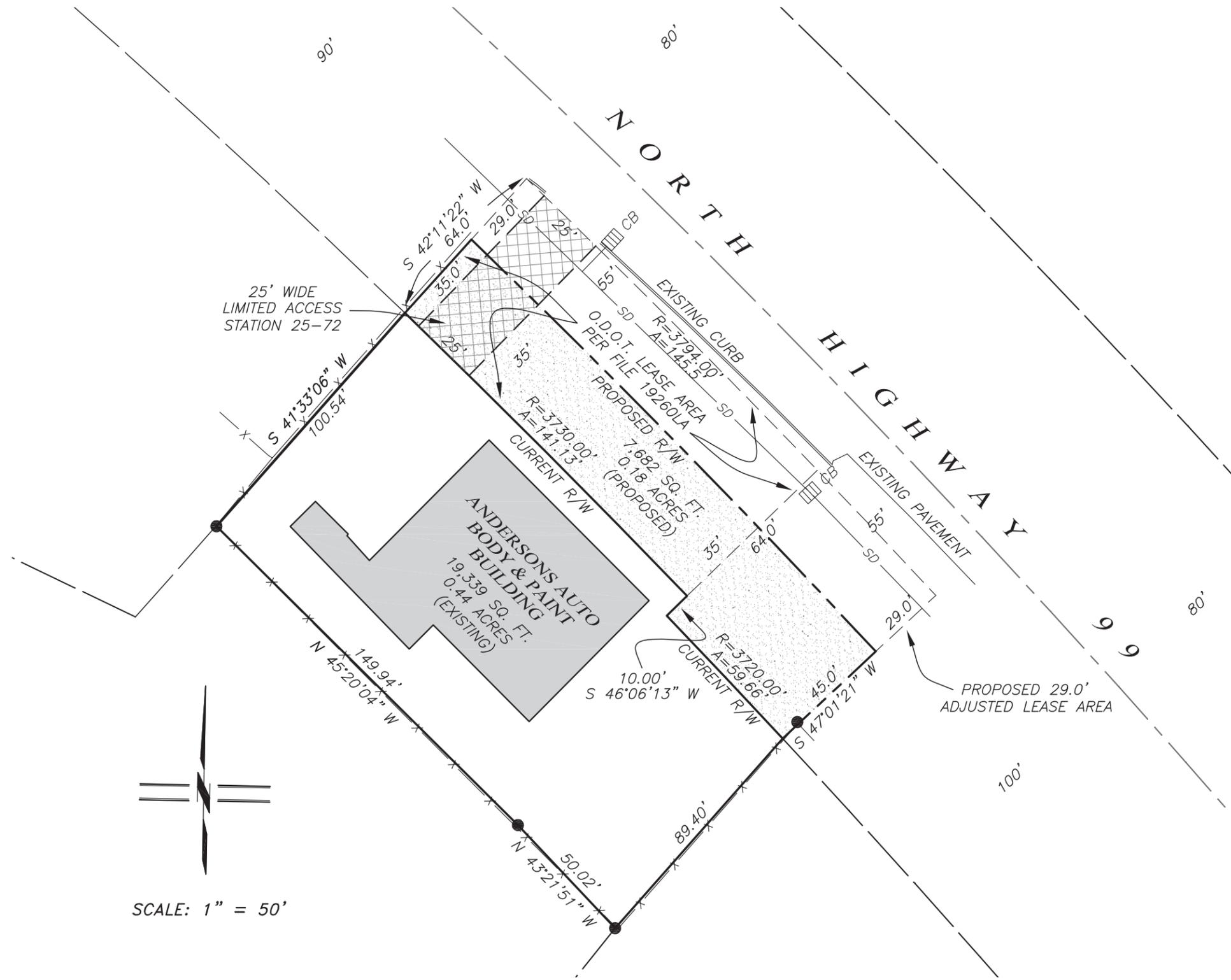
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 14, 1998
 SHAWN KAMPMANN
 02883 LS

RENEWAL DATE: 6/30/2017

SURVEYED BY:
POLARIS LAND SURVEYING LLC
 P.O. BOX 459
 ASHLAND, OREGON 97520
 (541) 482-5009

DATE: NOVEMBER 20, 2015
 PROJECT NO. 226-04



Assessors Map No. 38 1E 32, Tax Lot 1900

POLARIS LAND SURVEYING



Oregon

Kate Brown, Governor

Department of Transportation
Region 3 Planning and Programming
100 Antelope Drive
White City, Oregon 97503
Phone: (541) 774-6299

March 7, 2020

Mr. Derek Severson
City of Ashland – Community Development
51 Winburn Way
Ashland, OR 97529

RE: PA-T3-2019-00001, 1511 Highway 99 North

Dear Mr. Severson,

Thank you for providing the Oregon Department of Transportation (the “Department” or “ODOT”) with the opportunity to provide comments associated with the zone change and annexation of approximately 16.87 acres at 1511 Highway 99 North (“Subject Property”). ODOT has worked with the City and the applicant to try to find solutions which work for all parties. Please find our comments below regarding this proposal.

- i. ODOT has reviewed the Traffic Impact Analysis (“TIA”) prepared by the Sandow Engineering and believe that it satisfies the requirements of the Transportation Planning Rule (OAR 660-012).
- ii. The proposed southbound bus pullout has satisfactory width, striping, and exit taper. The entrance taper requires an 8:1 taper rate and should be extended slightly from the 65’ on sheet C.4 to approximately 80’.
- iii. ODOT is amenable to the proposed median cut north of the intersection of N Main St. and Highway 99. A striped crosswalk would not be appropriate at this location given traffic speed and sight visibility.
- iv. ODOT will require a hydraulic report demonstrating the proposal will not adversely affect State facilities. We understand this will be conducted during the final engineering phase of the project, after Planning Commission. As such, approval of PA-T3-2019-00001 should be conditioned on written approval from ODOT of a satisfactory hydraulics report.
- v. ODOT is satisfied with the proposed sidewalk and bike facilities with the exception of the sidewalk under the trestle which should be at least 6’ in width.
- vi. Approval should be conditioned on the applicant obtaining a reservation indenture, access permits and misc./utility permits from ODOT. The applicant may begin these processes by contacting Julee Scruggs at Julee.Y.Scruggs@odot.state.or.us.

Please feel free to contact me at Micah.HOROWITZ@odot.state.or.us or 541-774-6331 should you have any questions or concerns.

Sincerely,

Micah Horowitz

Micah Horowitz, AICP
Senior Transportation Planner

PUBLIC COMMENTS

PA-T3-2019-00001
1511 Hwy 99

5/8/20

To: Ashland Planning department
Planning Action: PA-T3-2019-0001

My Name is LeAnn Ahlbrecht, DVM. I own Animal Medical Hospital located at 1525 Hwy 99 N. I am writing in response to the apartment complex that is being proposed. I have significant concerns related to this project.

My first and main concern is the amount of traffic flow this new complex is going to create. If I am understanding correctly, there will be a sidewalk brought down all the way from town to connect to the existing sidewalk in front of the car dealerships. This means there will be curb cuts and all that traffic will now funnel through a single space. The new complex at a minimum will add over 800 trips per day in addition to As You Store It traffic and my business traffic. It is already quite difficult to exit the parking lot at peak times of the day. I have many elderly clients, clients who accidentally let their dogs off leash and children in my parking lot at any given time. Most likely 60% of the residents of the new complex will be working in Medford, which means they will cut across my parking lot.

Secondly, it is a blind corner coming down hwy99 from Ashland to Talent. People are often driving past the speed limit. We have seen many accidents over the years. I myself was hit on my motorcycle by someone making a left hand turn across the traffic in 2018. Looking at their diagram of where they are planning to exit and enter the complex, it is going to be of great concern. With the increase in traffic flow, there will be accidents due to the blind corner.

Lastly, the proposed amount of parking doesn't appear adequate for the most likely number of renters. This means that I will most likely get overflow parking in my lot. We already have issues with the number of spaces available for my own clientele. Getting delivery trucks in and out, having enough staff parking and ebb and flow of client vehicles will greatly be impacted by this development.

I strongly urge you to reassess the safety of the proposed ingress and egress. I have worked here for over 30 years. I have seen too many accidents. I know they will be greatly increased with the numbers of vehicles that will be using the same space.

Sincerely,
LeAnn Ahlbrecht
Animal Medical Hospital
541-482-2786



Scott G Knox D.V.M.
3700 Fieldbrook Ave.
Medford, OR 97504
541-601-3331
Scottgib56@gmail.com



May 8, 2020

planning@ashland.or.us

City of Ashland

Attn: Planning Dept.

RE: Written Objections and Comments

Grand Terrace Development PA-T3-2019-00001

Dear Commissioners:

I am the owner of Knox veterinary Properties LLC, 1525 Hwy 99 N. and Knox Storage LLC 1515 Hwy 99N. located adjacent to the subject property. I owned and operated Animal Medical Hospital at this location from 1988 until just recently and retained ownership of the veterinary Hospital building. I lease the hospital building to Dr. Ahlbrecht who now operates the practice and employs over 10 people. I also lease space to Land of Paws, a pet grooming business. In addition, I operate As U Stor It, a mini storage facility on my property. All three of these businesses are long standing, successful, growing enterprises.

I am not opposed to development in my area whether it be housing, homes or other businesses. I do however, believe development must be smart, well thought out and not cause an undue burden on surrounding businesses especially as it relates to their clients and patrons ability to safely and conveniently access these businesses.

I was not involved or consulted with the design of this project, nor was I initially notified of this proposed development. I have significant concerns with the ability of current and future clientele to safely access my properties, as well as those businesses who lease from me, my neighboring businesses and the potential apartment residents

I know that most or all of you visited the site a few months ago. I would encourage you to visit again with focus on how current business traffic of approximately 250 trips per day plus the proposed 1400 to 1800 trips (depending upon number of units built) can safely ingress and egress from Hwy 99N. Current traffic already slows down two to three times per day due to queuing at Maple St intersection and other issues. I understand that I, my clients, or the employees are not traffic engineers but we all have experienced daily difficulties getting safely onto or off the highway in a safe and timely manner. This is of course without the additional 700 plus trips that will likely come through my business property. In addition, all three of these business experience much of their traffic during peak hours.

I understand that the entrance and egress through my property is represented to be a secondary access point but since the TIA indicates 60% of the traffic going north towards Medford, it is likely that a large percentage of the traffic in and out of the projects will prefer and use this North access. The apartment residents will of course use the access they choose no matter what the initial planning suggested. Due to this, I have personally suggested to the developer and planning staff that the entrance on my end be strictly used as an emergency access only.

There have been numerous serious accidents on Hwy 99 in front of my properties as clients have tried to ingress or egress. These have usually been rear ending type accidents with extensive auto damage and injuries. I personally was hit from behind attempting to turn into the veterinary clinic. I sustained injuries and my truck

was totaled. These accidents in front of the veterinary clinic are not indicated in the TIA as apparently only intersection accidents are noted. With the level of projected development and traffic from this housing project, there will be extensive queuing in the turn lanes out in front of my property as well as my neighboring businesses to the south as clients attempt to turn off the highway. This will lead to more of the same type of accidents as the turn lane backs up and autos are coming downhill entering that lane.

With the queuing in the turn lanes on the highway, clients of the Animal Medical Hospital, Land of Paws, As U Stor It, and the apartment residents attempting to egress onto Hwy99 will queue up on the business properties, jamming the Animal Medical Hospital Parking area and blocking access to AS U Stor It and Land of Paws entrance. These factors will cause significant difficulties for patrons. This will no doubt result in loss of future business as clients do not feel safe or wish to wait in lines on an uncontrolled highway or in the chaos of a jammed parking or entrance area. This was not addressed in the TIA as this was not a part of the scope of their study. Those of us who work there and live with these challenges on a daily basis understand what this will mean as a daily burden and the impact on traffic safety and consequently loss of business.

Unfortunately, the recently submitted rendering of proposed sidewalks is very incomplete and does not reflect the reality of existing curb cuts there. The only curb cut shown is the entrance to the development. No other entrances and curb cuts are noted. The Animal Medical entrance, Paradise Supply, and Anderson Auto Body entrances are not indicated. This grossly oversimplifies the problems for vehicle, bicycle and pedestrian traffic. I understand that ODOT has indicated there is not enough pedestrian traffic to warrant a flashing crosswalk or signal. Having also lived on North Main Street for 20 plus years and attempted to cross the highway anywhere from TC Chevrolet into town on foot is quite a daunting and dangerous endeavor. Again, I understand that I am not a traffic engineer, but from years of experience in that area of Hwy 99, I have little to no doubt there will be significant serious pedestrian involved accidents without some type of controlled or lit crosswalk. I believe painted crosswalk lines on the pavement will not suffice for pedestrian safety.

The applicant has noted on several occasions that traffic will naturally calm with development. While this may be usually true, I do not believe it will happen in this area without significant intervention such as a traffic light. As autos travel north under the railroad bridge on Hwy 99 they will still have the impression they are leaving town due to expanse of hills and the farmland to the northeast and the topography of the highway with high berms to the south. The development will not be visible from the northbound traffic on highway 99 until vehicles are approaching Anderson Auto Body and the North entrance to the development. At this time with the nature of the steep downhill and the rural feel, speeds will naturally increase as they do now. As speeds naturally increase some vehicles will be slowing quickly to access the turn lanes that are frequently queuing up. Rear end type accident that could push the struck auto out into the southbound traffic are very likely to happen. This type of accident has happened in front of the Animal Medical Hospital previously and is quite violent. I understand, am not a traffic engineer but I have travelled this road daily or more for over 34 years and have experienced the current level of difficulty. Add 1400 to 1800 more trips daily plus additional pedestrians and cyclists and there inevitably will be serious accidents and injuries.

In conclusion, I am not opposed to development, but believe it must be well thought out, be safe and not cause undue burden on the existing businesses. I believe that common sense should prevail and decisions should not be made solely based on studies or models. The development as proposed, will cause a significant and undue burden on the existing business, nor does it provide for safe, sensible and adequate traffic, bicycle and pedestrian facilities. Therefore, I request that you not recommend the annexation and zone change.

Respectfully,

Scott G. Knox D.V.M.



ATTORNEYS AT LAW

□

MEDFORD OFFICE

823 Alder Creek Drive
Medford, OR 97504-8900
541-772-1977
Fax 541-772-3443

ASHLAND OFFICE

320 East Main Street
Suite 209
Ashland, OR 97520-6801
541-482-8491
Fax 541-772-3443

office@medfordlaw.net
www.medfordlaw.net

□

Partners

Darrel R. Jarvis
Sydnee B. Dreyer
Erik J. Glatte*
Erik C. Larsen

Associates

Jacquelyn Bunick
Garrett West

*Also admitted in Idaho

Writer's Direct E-mail:
sbd@medfordlaw.net

Writer's Assistant:
Juleianna Schilter

May 11, 2020

SENT VIA E-MAIL

City of Ashland
Attn: Planning Department
planning@ashland.or.us

**RE: SUPPLEMENTAL WRITTEN OBJECTIONS AND COMMENTS
GRAND TERRACE DEVELOPMENT PA-T3-2019-00001**

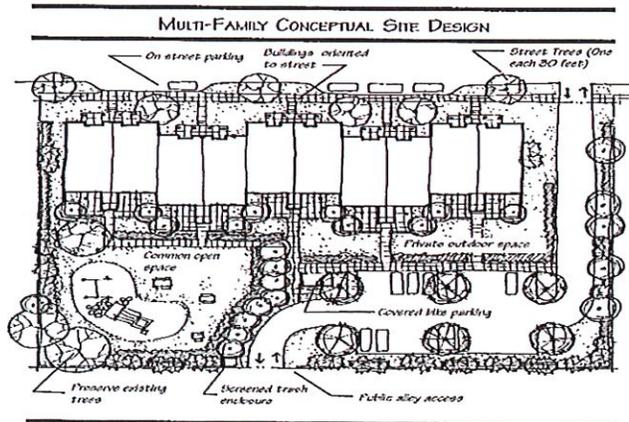
Dear Commissioners:

Our office represents Knox Veterinary Properties, LLC, and Knox Storage, LLC, the owners of properties located at 1515 and 1525 Highway 99N, adjacent to the subject property. My clients' properties are home to the following long-standing Ashland businesses: As-U-Stor-It Mini Storage; Animal Medical Hospital; and Land of Paws. The purpose of this letter is to provide supplemental written testimony for the Commission's consideration at its May 12 meeting.

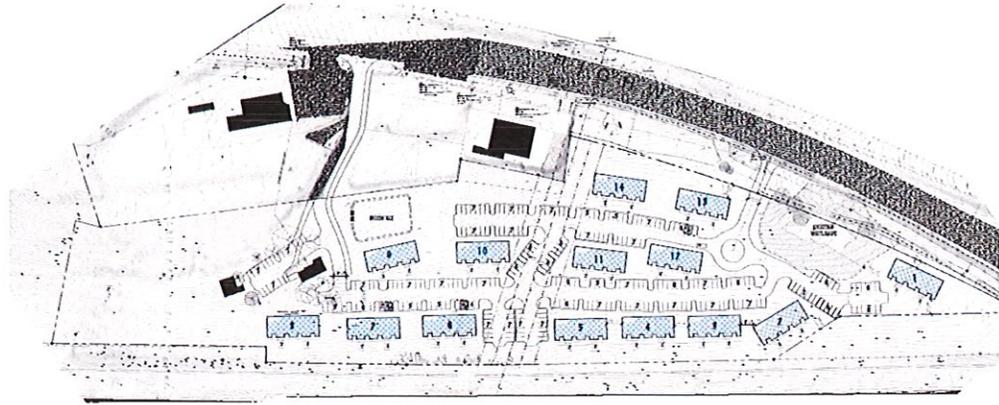
1. Access.

With respect to access, both staff and the applicant find that public streets are not required to access the subject property; a private 20-foot driveway is sufficient. As argued below, a 20-foot driveway is not the appropriate standard for the north access.

ALUO 18.4.3.080.C.3.d. provides that multi-family developments which generate greater than "250 vehicle trips per day shall provide **at least two driveway access points**" (emphasis added). An example of such access is depicted in Figure 18.4.2.030 Multi-Family Conceptual Site Design. As depicted, those "driveways" serve a project which abuts a public street or alley.



In contrast, the subject property does not abut a public street at its northern terminus; it takes access from the highway through intervening properties.



There are multiple factors which necessitate that the northerly access meet street standards. First, the code provides that a multi-family project should provide “at least two” driveway approaches for a project which will generate more than 250 trips. In this case, the application presents only two driveways for a project that will generate between 1448 – 1857 trips, well above the minimum standard of 250 trips. This project faces additional challenges in that the northerly access is lengthy (more than 165 feet), bisects existing commercial developments, is steep, and directs traffic to uncontrolled accesses onto a state highway through a busy commercial parking lot. Based on the nature and location of this project, a narrow private driveway is not consistent with the intent of the City’s access standards which is “to provide safe and effective access and circulation for pedestrians, bicyclists, and vehicles.” ALUO 18.4.3.010.

Similarly, ALUO 18.4.3.D.3 provides that access to parking areas of “**seven parking spaces**” shall be 20 feet in width and constructed to “facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety...”. These are minimum standards for projects with as few as 7 parking spaces. The subject application will serve up to 1857 vehicle trips per day and provides parking for at least 196 units. It is difficult to understand how such a long narrow driveway, along steep terrain, through an existing busy parking lot for commercial businesses can adequately facilitate the flow of traffic “with due regard to pedestrian and vehicle safety.”

Lastly, allowing a northerly “driveway” is inconsistent with the City’s street standards and leads to an absurd result in that it allows a project generating up to 1857 trips to provide less adequate access than projects that generate far fewer trips. For example, a private drive, which is also 20-feet in width and has a maximum slope of 15%, can serve no more than 100 average daily trips, or 3 units

(Table 18.4.6.040.F fn4) but the north “driveway” can have up to 20% slopes, and can serve up between 196 - 251 units.

Allowing a north driveway is also inconsistent with standards for streets otherwise required in multi-family zones which, for example, would require a street with parking on both sides, and right-of-way width between 50-57 feet, with curb to curb paving width between 25-28 feet. ALUO 18.4.6.040.G.4. But here, the application proposes access along a 20-foot driveway, without requirements for parking or sidewalks. Such an interpretation is not consistent with the City’s access requirements, nor designed to ensure safe access for vehicles and pedestrians.

Reviewing these provisions in the context of the Figure 18.4.2.030 Multi-Family Conceptual Site Design above, a driveway approach was not likely contemplated in circumstances such as these where the project does not abut the public street at the northerly access. Allowing a “driveway” at the north access creates an absurd result in which smaller projects with better access to a street must comply with more stringent city street standards, but a large development with no northerly street frontage, can accommodate up to 1857 trips via a narrow private driveway. (See Johnson v. Star Machinery Co., 270 Or 694, 705 (1974) (“When, however, a literal application of the language [of a statute] produces an absurd or unreasonable result, it is the duty of the court to construe the act, if possible, so that it is a reasonable and workable law and not inconsistent with the general policy of the legislature.”))

Based on the foregoing the Planning Commission should find that given the topography, location and size of this project, a driveway would not provide adequate transportation to/from the subject property at the north access.

2. Easement.

For the record, the applicant argues that the intent of the grantor of the easement is irrelevant in part because the easement was granted in 1989, at which time the subject property was within the City of Ashland UGB as a future area for Low-Density, Multi-Family Residential land. In fact, the easement was originally granted in 1966, and recorded in the official records of Jackson County on January 1, 1966 as Document No. 66-01495.

Sincerely,

JARVIS, DREYER, GLATTE & LARSEN, LLP

s/ Sydnee B. Dreyer
SYDNEE B. DREYER

SBD:jas

**APPLICANT'S
REBUTTAL**

**PA-T3-2019-00001
1511 HWY 99 N**

Robert Kendrick,
Developer Casita Development LLC
May 12, 2020
Grand Terrace Development Hwy 99

Rebuttal to Knox Properties and Sydnee B. Dreyer, attorney for Knox

Part 1: Rebuttal to Knox Properties

Knox Properties LLC argues the project wasn't thought out or planned well and there will be a higher level of traffic, incur extensive queuing, and envisions greater traffic than reported in the Traffic Impact Analysis. Mr. Knox is unaware of the nature of high density "transit oriented" housing developments and the concerns Mr. Knox and his colleagues argued are fear based and unrealistic.

Through conscientious and deliberate planning, the Grand Terrace community is a 196-unit development enhanced with walking trails, pedestrian trails, bike paths, open space and parks, including a Heritage Center recognizing the historical nature of the past by incorporating a renewed Farm House and Barn on the property. Grand Terrace has 16.7 acres including some organic farmland, forested land, community gardens, open space allowing for biking and walking as a primary mode of transportation while underpinning a pastoral feel of the neighborhood along with beautiful open valley views.

In recognizing the past and rebuilding the existing Farm House and Barn we will be embracing the natural relationship between the environment and sustainable, healthy living. As a high density Transit Oriented Development RVTD is overjoyed with the opportunity to install a Bus Stop at the main entrance for South Bound travel, while two North Bound Bus Stops are easy walks away, one with traffic control lights. As a high density development Grand Terrace will have access to safe and convenient Rapid Transit that will rank this development with a high level of users, as one of the most accessible within the City.

" transit-oriented housing will probably reduce total vehicle travel at the regional level, compared to the counterfactual where that housing was not built or was built in a more sprawling location. Granting reductions in trip generation for the transit-oriented nature of that housing is certainly a step in the right direction, but fundamentally it is misleading to think that such transit-oriented housing generates any trips at all at a regional scale. A more reasonable starting point is to consider that new development is just as likely to reduce traffic, air pollution, and greenhouse gas emissions as it is to increase them."

Adam Millard-Ball from the University of Santa Cruz

Mr. Knox also argues that it will be unsafe getting on and off the highway, and that the traffic will enter on and off his property, use his exit area, cause more accidents, cause him a loss of business and create difficulties for his clients.

Mr. Knox is mostly accurate as to the existing danger, and the cause is from the non-conforming 50 foot paved entrance under his use. Grand Terrace and Mr. Knox's legal access entrance is blocked with landscaping and signage and is now too narrow for use coming off the highway. The favored entrance is the larger accessible non-conforming paved entry. The combination of U-Turns and regular traffic coming onto the Knox properties through the non conforming driveway makes this a very dangerous condition and encourages motorist to use the area for making U-Turns both from the North and the South.

With the installation and widening of the legal access point the dangerous situation that exist now will be removed and the newer development will make the access safer for all users, including those driving on the Highway.



Mr. Knox also mentioned the speed along the highway and how unsafe the highway will be by adding more cars exiting on and off the development. We asked ODOT if it was possible to reduce the speed limits but they said the traffic will slow down just by what they call Traffic Culture. From their experience with the installation of sidewalks, bike paths and people walking down the highway creates a culture of safety and that drivers will slow down when they see sidewalks and pedestrians.

Mr. Knox also argues the access easement is too steep and refers to the easement as his land but when splitting his lot and developing storage units he designed the entrance off the access easement driveway rather than designing a newer entry from his existing lot. He opted to maximize the remainder lot but sacrificed a steeper and narrower driveway instead. Concurrent with that development Mr. Knox encroached into the easement several feet with block walls. The entrance off the Highway was further narrowed by his installation of a Sign and a large Landscape mound, this came to our attention through our ALTA survey and our surveyor Polaris Survey notification.

The combinations of intentional encroachments and narrowing our access driveway and entrance, deliberately locating the Storage Complex access point within the easement rather than choosing a separate area then encouraging the use of a dangerous non conforming 50 foot driveway all runs contrary to his argument that "common sense should prevail" in lieu of studies and models in engineering the traffic on our development.

If we were to adopt the common sense approach Mr. Knox uses in developing, then his judging us as negligent would be appropriately called for.

The Grand Terrace development integrates work force housing on a transit route for Downtown Ashland to the South and Medford to the North where city jobs are an easy ride, walk, bike ride away making this Transit Oriented community an asset to our community and our environment.

Critical to creating transit-oriented communities is that ridership is highest among low to moderate income households, this promotes transit ridership, and creates a more vibrant, transit oriented community

It should be further noted that typical households in auto-dependent neighborhoods spend about 25 percent of their income on transportation costs, but this number drops to 9 percent in neighborhoods with a variety of mobility options. Although the TIA indicates volumes of traffic, this development will greatly reduce traffic within the Transit District.

This is a Workforce Housing development and the savings from rent and traffic modes plus cost efficient housing designs allows these families to save, spend more money in the local economy, and spend on essential services such as healthcare. These benefits are not just individual, but societal as well, as they place less strain on social services and resources.

Mr. Knox has many fears but in all realty the benefits from this development will most likely rotate toward Mr. Knox and in the end he will become a happy beneficiary of the byproducts of this development and make him a real advocate for housing, even if it is in his neighborhood.

"Truth is stranger than fiction, but it is because fiction is obliged to stick to possibilities, Truth isn't." Mark Twain

Part II: Rebuttal to: Sydnee Dreyer

1. Ms. Dreyer argues that the driveway takes access from the intervening properties is incorrect and not a matter of fact. The driveway doesn't take access from other intervening properties but is a continuous route that is unrestricted and non exclusive and it takes access from the Highway which is a Public Right of Way.



The commercial properties belong to Knox LLC and the subject property all enjoy the rights to use a mutual access easement.

2. The argument that the northerly access should meet street standards because there are greater amount of car trips than written in the code which calls for projects that have greater than 250 trips be required "two" points of egress. The code doesn't add additional access points above two if the trips exceed the 250 mark, this is only a baseline for safety of ingress and egress. Is Ms. Dreyer arguing that for each 250 car trips a driveway should be added. It's a superfluous argument.

AMC 18.4.3.080.C.3.d. requires all multi-family developments which have a trip generation of 250 vehicles (~30 units) provide two driveway access points. The proposal complies. The code does not require a driveway access point for every 250 vehicle trips.

3. Ms. Dreyer argues the northerly driveway should meet Street Standards because it is more than 165 feet and too long. This access is a Shared Driveway as noted in Municipal Code Section 18.6.1.030 Definitions. A shared driveway is a driveway used to access two or more lots or parcels. The code requires driveways that are greater than 50-feet in length to be improved to flag driveway standards. The proposed improvements provide for street like features as required by AMC 18.4.3.080.B.4.

4. Ms. Dreyer argues that the driveway bisects existing commercial developments but that is not true, the driveway is an egress and ingress access point for the commercial developments vehicular traffic.

5. The argument the driveway is steep isn't relevant at this point since the developer will grade the driveway to the required code standards at development time. Additionally, the existing driveway grades are between 13 to 15 percent which is less than the maximum driveway grade allowed by code. The grade of the driveway will be altered some with the proposed construction and will demonstrate compliance with the grading standards at that time.

6. The suggestion that 1857 cars will be lined up on a tiny long driveway is a nothing but fiction and will never happen. If there are only 200 + parking spaces with cars where did the other 1600 cars come from?

7. AMC 18.4.6. speaks to the Public Facilities. Within this section of code, when and where the dedication of public streets are required is addressed. In this case, the public street is Hwy. 99. The proposed improvements are consistent with the public facility standards excepting the locations where street improvement exceptions are sought for the sidewalks along the Hwy.

AMC 18.4.6.040.D. speaks to connectivity standards for developments when there are no physical constraints, barriers to the development of connected streets. Due to the lack of adjacent public streets to connect too, topographical constraints and the railroad, public street dedication is not required within the development. Consistent with AMC 18.4.6.040. E.2. if public street dedication was required, they would not be connected to other public streets due to physical constraints and the adjacent developments.

8. Ms. Dreyer is arguing the Northern access should be "street" and not a driveway but a public street dedication is only required under AMC 18.4.6.040.C.1, Dedicated Public Streets Required. All streets serving four units or greater, and which are in an R-1, RR and WR zone, must be dedicated to the public and shall be developed to the Street Standards of this section.

Also: The parking area and the driveway accesses proposed are consistent with the standards of AMC 18.4.2.030 for the development of multi-family housing that is subject to the Site Design Review standards. The number of parking spaces proposed is based on the number of bedrooms. The parking lot and the driveway are designed in accordance with 18.4.3.080. AMC 18.4.3.080. B.4 The shared driveway that is a



legal point of driveway access via the easement and the driveway is proposed with street-like features but it is not a public street nor is it required to be a public street.

9. Easement: Ms. Dreyer argues the intent written by Mr. Van Dijk is relevant.

Review by Applicant Attorney:

Casita Developments llc
153 Will Dodge Way
Ashland Oregon 97520

Re: PA-T3-2019-00001, 1511 Highway 99 North
Grand Terrace Development
Mutual Access Easement

Dear Bob

With respect to the Mutual Access Easement and the letter submitted by Mr. Knox from Mr. Van Dijk.

“The easement at issue here is an express easement for ingress and egress.”

It is unambiguous and without any expression of any limitation on the extent of use to be afforded the realty benefitted by the easement.

Van Dijk executed recorded documents specifically reserving and benefitting the applicant’s property with the rights under the easement and made no mention of any limitation on any contemplated or proposed use of the created easement.

If the words of an easement, viewed in the context of the entire document, clearly express the purpose of the easement, then a court will look no further for its intended use. See *Watson v. Banducci*, 158 Or App 223, 230, 973 P2d 395 (1999).

Here the easement is clear-- ingress and egress which is exactly what applicant proposes.

Any statement to the contrary by Van Jijk, Knox or anyone else for that matter is inadmissible parol evidence and may not be considered. See generally “If the terms conveying an easement are unambiguous, the terms control the uses thereafter permissible, and parol evidence will not be considered. *Gorman v. Jones*, 232 Or 416, 375 P2d 821 (1962)”.

Knox may use his land burdened by the easement so long as it “is consistent with, and does not unreasonably interfere with, the rights of the easement owner. See *State, By & Through Dep’t of Fish & Wildlife v. Kortge*, 84 Or App 153, 158, 733 P2d 466, rev den, 303 Or 534 (1987).”

But he may not unreasonably interfere with the rights afforded applicant’s realty for ingress and egress purposes. His interest in using his land encumbered by the easement must give way if there is a conflict between Knox’s desired use of realty and the easement holder.

That is why the easement holder/applicant’s realty is deemed the dominate estate and Knox’s realty is deemed the servient tenement/estate.

Joseph E. Kellerman
Hornecker Cowling LLP
14 North Central, Ste 104
Medford, OR 97501

Respectfully submitted by:
Robert Kendrick
Casita Development LLC
Grand Terrace Development
May 12, 2020



**STAFF REPORT
APPLICATION**

**PA-T3-2019-00001
1511 HWY 99 N**

Memo

DATE: May 12, 2020
TO: Ashland Planning Commission
FROM: Derek Severson, *Senior Planner*
RE: Grand Terrace Annexation

During the Planning Commission's initial public hearing for the Grand Terrace annexation proposal back in November, a number of issues were identified by the Planning Commission as needing to be further addressed by the applicant. The Planning Commission continued the matter, and asked that the applicant work with the Oregon Department of Transportation (ODOT) and Rogue Valley Transportation District (RVTD) to address some outstanding transportation items and then take the proposal back to the Transportation Commission for a recommendation before returning to the Planning Commission.

The item was scheduled to be heard by the Transportation Commission in March, however with the COVID-19 pandemic and associated emergency declarations by the city and state, the March Transportation Commission meeting was canceled and subsequent advisory commission meetings have been suspended indefinitely. Staff believed it was prudent at this point to bring the matter back to the Planning Commission for an evidentiary hearing to consider how each of the identified issues has been addressed, and identify where Commissioners believe more attention is still needed. It is not staff's intent that a decision be made at the meeting tonight, but rather that Commissioners have a chance to refamiliarize themselves with the proposal and the issues as they currently stand after six months, to provide any feedback, and to schedule the matter for a later meeting if Commissioners believe it is appropriate to do so at this stage.

The issues identified by the Planning Commission are summarized below, along with a summary of the applicant's response for each to date and any staff comments:

- **CONTIGUITY & THE RAILROAD PROPERTY**

During the initial public hearing it was noted that the property was separated from the city by railroad property which is not considered to be right-of-way and as such the property cannot be found to be "*currently contiguous*" to the city as required in AMC 18.5.8.050.C. There was some discussion of the possibility of extending a "cherry stem" of Highway 99 right-of-way from the existing city limits to connect the property to the city limits.



Applicant Response

In a January 28, 2020 letter responding to the outstanding issues, the applicant notes that railroads have historically been a quasi-public entity and that railroad right-of-way intersecting streets or highway has never prevented annexations as the railroad was built for public use similar to highway right-of-way, rather than as private land for development purposes. This letter and its associated exhibits also speak to the history of donation land claims in the vicinity. The applicant has also indicated that they are attempting to communicate with the railroad to obtain consent to annexation.

Staff Comments

The surveying unit from the Oregon Department of Transportation (ODOT) has provided deed records indicating that the Highway 99 corridor under the railroad overpass crosses the railroad property via easement and as such, ODOT granting a "cherry stem" connection of their right-of-way along the property frontage is not an option to resolve the issue.

In considering this issue, staff notes that AMC 18.5.8.060 provides that *"When an annexation is initiated by a private individual, the Staff Advisor may include other parcels of property in the proposed annexation to make a boundary extension more logical and to avoid parcels of land which are not incorporated but are partially or wholly surrounded by the City. The Staff Advisor, in a report to the Planning Commission and City Council, shall justify the inclusion of any parcels other than the parcel for which the petition is filed. The purpose of this section is to permit the Commission and Council to make annexations extending the City's boundaries more logical and orderly."*

Staff would further note that ORS 222.170 discusses ***"Annexation by consent before public hearing or order for election"*** in subsection 4, noting that ***"Real property... or railroad... shall not be considered when determining the number of owners, the area of land or the assessed valuation required to grant consent to annexation under this section unless the owner of such property files a statement consenting to or opposing annexation with the legislative body of the city on or before a day described in subsection (1) of this section."***

Based on the above, the current hearing was re-noticed as including both the state highway right-of-way and the railroad property abutting the property. This notice was sent to representatives of the railroad. Subsequent to mailing of the hearing notice, representatives of the railroad contacted staff via e-mail (see attached April 29, 2020 e-mail from CORP Railroad representative Chad Mullarkey) to indicate that, *"Without having more information to go off of the railroad does not intend to allow its property to be annexed and does not approve of any developments that include railroad property at this time."* Staff have e-mailed and left voicemail with an explanation of the situation seeking further discussion and are awaiting a response. At this point, this issue has not been resolved.

- **AFFORDABILITY**

Several of the Planning Commissioners noted that the affordability requirement for annexations in AMC 18.5.8.050.G does not provide for the exclusion of unbuildable areas from the base density used in calculating the required number of affordable units. Commissioners asked that the applicant address the affordability requirements based on the language in the Land Use Ordinance.



Applicant Response

The applicant asserts that while the Municipal Code requires that the number of affordable housing units be determined by the base density of the property, where substantial areas of the property are undevelopable it should exclude those areas. The applicant further emphasizes that the Oregon Revised Statutes in ORS 660-008-005 defines buildable land to mean “*residentially designed land within the urban growth boundary, including both vacant and developed land likely to be redeveloped that is suitable, available and necessary for residential uses.... Land is generally considered suitable and available unless it: a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7; b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5,6,15,16,17 or 18; c) Has slopes of 25 percent or greater; d) Is within the 100-year flood plan; or e) Cannot be provided with public facilities.*” The applicant emphasizes that buildable land is considered in preparing the city’s Buildable Lands Inventory (BLI), that the Housing Element of the Comprehensive Plan notes that density should decrease with an increase in slope to avoid excessive erosion and hillside cuts (Policy 17), and minimum density standards in AMC 18.2.5.080.B and 18.5.8.050.F provide for reductions in minimum densities for significant natural features. The applicant argues that physically constrained areas are not considered to be buildable lands and as such should not be considered as part of the area for development for purposes of calculating density. Here, a substantial area of the property has slopes of more than 35 percent, riparian drainages and wetlands that will prevent the extension of infrastructure and construction of dwellings and should be excluded from density calculations.

Staff Comments

In staff’s assessment, the issue for the Commission in November was not whether unbuildable lands were to be excluded from base density and minimum density calculations. AMC 18.5.8.050.F is clear in requiring a demonstration that development, “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 issue raised by Commissioners back in November was that AMC 18.5.8.050.G.1 reads, “*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.*” There is no clear provision for a reduction in the base density when calculating the number of required affordable units for annexations as there is in calculating the minimum density requirement. Staff would note that City regulations require that constrained lands (hillsides, water resource protection zones for streams and wetlands, and lands with significant natural features) be excluded from development and historically these lands have been excluded from the affordability calculations as well as from the minimum density.

TRANSPORTATION ISSUES

- **Existing Easement**

Planning Commissioners asked that the applicant provide evidence that the existing 30-foot wide mutual access easement in place near the veterinary hospital will support the eventual access proposed in the conceptual development plan in terms of its width, location, any restrictions in easement language and ability to accommodate accessible improvements.



Applicant Response

The applicant has indicated that access to the property is provided by a 30-foot wide ingress access easement and notes that there are no reservations or limits noted upon the easement. The applicant further explains that there is a 25-foot wide right of access to the highway from the easement, and that the applicant's attorney has reviewed the easement and found no restrictions. The applicant has included a survey noting the easement area along with the easement language.

Staff Comments

Multi-family zoned property is not required to provide dedicated public streets with development. City standards in AMC 18.4.3.080.D.3 require that, *"Parking areas of more than seven parking spaces shall be served by a driveway 20 feet in width and constructed to: facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety; be clearly and permanently marked and defined; and provide adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner."* In addition, AMC 18.4.4.030.F.2.a requires that areas for vehicle maneuvering, parking and loading have a five-foot wide landscaped screening strip where abutting a property line. A 30-foot width would accommodate a 20-foot driveway with five feet of landscaping on each side.

- **Street Lighting**

The Planning Commissioners requested that the application include details for street-lighting to increase pedestrian safety along the corridor, with particular focus on the driveway locations. Planning staff have also suggested that the applicant consider how they might more clearly delineate the northern driveway entrance at the street for drivers in conjunction with proposed frontage improvements.

Applicant's Response

The applicant's January 28, 2020 response letter indicates that an ODOT-standard cobra style street light or City-standard pedestrian-scaled streetlight will be placed near the improved driveway apron. In addition, Exhibits C.3 and C.4 illustrate a total of five additional lights to be installed along the property frontage.

Staff Comments

The applicant has provided details of lighting placement along the frontage.

- **Southbound RVTB Bus Stop**

Planning Commissioners asked that the applicant work with RVTB and ODOT to provide design details for a southbound RVTB bus stop on the subject property's frontage which would likely need to include a pull-out, shelter with lighting, sidewalk, accessible loading pad and accessible route to the site, any necessary retaining, and a merge lane for the bus to re-enter the travel lane at an appropriate speed.

Applicant

The applicant notes that the project team has met with RVTB and its Bus Stop Committee, and a new, southbound bus pull-out lane, bus stop pad and future electric conduit to provide low voltage power is proposed to be provided south of the main driveway entrance to the site.



Staff Comments

The applicant's Exhibit C.4 illustrates the proposed bus pull-out lane, shelter and street light placement, and a proposed walkway connecting from the shelter onto the project site. It appears that this issue has been addressed.

- **Bicycle & Pedestrian Connectivity to Northbound RVTD Stop/s**

The Planning Commissioners asked that the applicant address safe bicycle and pedestrian connectivity to the existing northbound RVTD "flag stop" located south of the railroad bridge likely to include an *enhanced crossing* from the flag stop across Highway 99N, and also asked that the applicant address ODOT's previous recommendation for an extra-wide shared use path generally from the *enhanced crossing* to the southern driveway on site. (The approval criteria for annexation include that, "*Likely pedestrian destinations from the project site shall be determined and the safe and accessible pedestrian facilities serving those destinations shall be indicated (AMC 18.5.8.050.E.3).*")

Applicant Response

In the January 28, 2020 letter, the applicant notes that there are two northbound RVTD stops within 1,800 to 2,00 feet of the property. The first is near the intersection of North Main Street and Highway 99N, and the applicant emphasizes that it is a legal pedestrian crossing. The applicant indicates that in conversation with ODOT traffic engineers, while they support that the intersection is a pedestrian crossing, it cannot be marked with new striping, rapid flash beacons (RRFB's) or similar because the number of pedestrian crossings of the highway, volume of pedestrians, volume of vehicle traffic and vehicle speeds to rise to the threshold for allowing a marked crossing. The applicant further indicates that ODOT does support a median refuge at the intersection of North Main and Highway 99N along with "Pedestrian Crossing" signage, and notes that the median in this area that would have provided a pedestrian refuge was recently removed to better enable vehicles crossing at this intersection. A smaller median is in place south of the intersection, but improvements would be necessary to create an adequate pedestrian refuge.

The other northbound stop is near the intersection of Valley View Road and Highway 99N. This is a signaled intersection with a painted crosswalk in place on three of the four legs of the crossing.

The applicant emphasizes that the subject property and its proximity to both northbound stops and the new proposed southbound stop are within Transit Supportive Areas in the RVTD 2040 Transit Master Plan as the property is within the "quartermile walkshed" from transit stops. This consists of areas that are within a typical five-minute walk at a normal walking pace. The applicant concludes that like most areas in the community, there is not a northbound and southbound bus stop along the property frontage and this does not prevent commuters from crossing Highway 99N (or Siskiyou Boulevard or Highway 66) to access transit stops where they are not directly connected via a crosswalk or signalized intersection.

Staff Comments

In conversations with ODOT staff, they have indicated that they do not believe any new pedestrian crossings of Highway 99 are appropriate given the speeds, traffic volumes, sight and stopping distances when weighed against the anticipated number of pedestrians.

Staff have not seen designs drawings for any potential improvements to the existing median at the intersection of North Main Street and Highway 99N to provide pedestrian refuge and signage.



- **Exception to Street Standards/Curbside Sidewalks**

At least one Planning Commissioner has questioned whether Exceptions to the Street Design Standards are merited, and others have inquired whether a curbside sidewalk is appropriate adjacent to a 45 MPH travel lane. Staff have recommended that the applicant more clearly articulate the basis for the requested Exceptions to not provide standard parkrow in terms of the on-site conditions in specific sections of the roadway (*i.e. based on available right-of-way, topography, existing constraints, etc.*).

Applicant Response

In the January 28, 2020 response letter, the applicant speaks to frontage improvements, explaining that along the entire frontage of the subject property a standard sidewalk and parkrow configuration is proposed except where the installation of the bus pull-out lane and bus shelter instead necessitate an eight-foot curbside sidewalk. The applicant discusses specific sidewalk sections in terms of the station numbers on the civil drawings.

- **Stations 1-16 (North of Land of Paws):** An 8-foot curbside sidewalk is proposed. The applicant explains that there is a large roadside ditch and private property belonging to Anderson Autobody which prevent parkrow installation, and this curbside sidewalk will connect to existing curbside sidewalk to the north.
- **Stations 16-23:** A 3-foot bike buffer, 6-foot bike lane, 7-½ foot parkrow, and 6-foot sidewalk are proposed along this section of the property frontage.
- **Stations 23-27:** A bus pull-out lane, bus stop and 8-foot curbside sidewalk are proposed along this section of the property frontage. Parkrow here has been replaced by the bus pull-out lane.
- **Station 27-34:** A 3-foot bike buffer, 6-foot bike lane, and 8-foot curbside sidewalk are proposed. The applicant explains that this section is physically constrained by a steep roadside embankment and by the railroad trestle.
- **Station 34 – Schofield/North Main:** A 6-foot bike lane, 7½ -foot parkrow and 6-foot sidewalk are proposed in this section.

Staff Comments

The applicant here has explained the improvements proposed and where/why exceptions to city standards are needed.

- **Speed reduction**

Based on the Planning Commission discussion, staff have also suggested that it may be in the applicant's interest to discuss the possibility of a speed reduction on the Highway 99 North corridor from Valley View Road south into Ashland as one means of addressing pedestrian safety and the ability of the RVTB buses to merge back into traffic from a stop.

Applicant

The applicant notes that ODOT is the authority on highway markings for pedestrian crossings and for highway speed limits, and at this time there is not enough justification for speeds to be lower. The applicant indicates that with a change in roadside culture through annexation and development, driving habits can change. They suggest that after improvements are made, a formal speed study to seek a reduction in highway speeds can be undertaken and eventually, if speeds are reduced and pedestrian volumes increase, potential marked crossings could be approved by ODOT.



Staff Comments

Speed reduction would ultimately require an application to ODOT after which they would conduct a zonal analysis and a decision would ultimately come from the state traffic engineer.

- **Traffic Impact Analysis (TIA)**

ODOT had previously provided comment (October 25, 2019) on the Grand Terrace TIA, noting among other things that they had observed queuing significantly greater than that noted in the TIA for both the OR99 & Valley View and the Main & Maple intersections.

Applicant Response

The applicant's traffic engineer, Kelly Sandow, P.E., has submitted a technical memorandum in response to ODOT's original review comments. In the January 28, 2020 letter from the applicant responding to outstanding issues, the applicant notes that ODOT has provided preliminary review comments on the technical memorandum to the applicant team with minor suggestions, but that generally there were no major issues or concerns to require additional TIA data or off-site intersection improvements. The applicant has provided a February 24, 2020 e-mail from Wei (Michael) Wang, P.E. & M.S., the Region 3 Interim Access Management Engineer with ODOT which indicates that ODOT had reviewed the technical memorandum and had no further review comments at this time.

Staff Comments

In speaking with ODOT staff, they have indicated that at this point, ODOT has given their final sign-off to the TIA with the addition of the technical memorandum. Formal written comments to this effect from ODOT have not been provided, however ODOT has been notified of the upcoming electronic meeting on May 12th, and may provide additional written comments prior to May 12th.

Next Steps

Staff believes that at this stage, it would be helpful for the Planning Commissioners to weigh in on the above issues. From there, the Commission might either continue discussions and deliberation to a date certain, or identify the outstanding areas where they believe further information from the applicant is needed.

Supporting Information:

- **Packet Materials Provided for May 12 Meeting**
 - 2020-0504 E-mail from Amy Gunter re: ODOT TIA comments
 - 2020-0504 Written Submittal from Sydnee Dryer for neighbor Scott Knox
 - 2020-0429 E-Mail and Attachment from CORP Railroad Representative Chad Mullarkey
 - 2020-0428 E-Mail from Anderson Autobody
 - 2020-0228 Severson e-mail re: ODOT update
 - 2020-0203 Applicant's TIA Response Technical Memo
 - 2020-0128 Applicant's Letter Responding to PC Issues
 - 2020-0107 ODOT Survey Unit Materials re: Railroad Right-of-Way
 - 2020-0106 E-mail from Barbara Allen
 - 2019-1112 Exhibits Submitted during November PC Hearing



- **Link to the October 2019 Planning Commission Packet:** http://www.ashland.or.us/files/2019-10-08_PC_Packet-web.pdf
NOTE: This hearing was postponed to November at the applicant's request but packet material was distributed via the link above.
- **Link to the November 2019 Planning Commission Packet:** http://www.ashland.or.us/files/2019-11-12_PC_Packet_web.pdf
- **Link to the November 2019 Planning Commission Video:**
https://videoplayer.telvue.com/player/w9sPsSE7vna3XTN_39bs1rEXjVWF0kfP/media/525050?fullscreen=false&showtabssearch=true&autostart=true&jwsource=cl
- **Link to the March 2020 Transportation Commission Packet:**
https://www.ashland.or.us/files/TC_Packet_3.19.20.pdf
NOTE: This hearing was canceled to the COVID-19 emergency declaration, but packet material was distributed via the link above. The packet includes new transportation-related Information provided by the applicant since the initial Planning Commission hearing including:



Fwd: Grand Terrace - Revised Civil Plans

Amy Gunter <amygunter.planning@gmail.com>

Mon 2020-05-04 12:08 PM

To: Robert Kendrick <bobk213@icloud.com>

Cc: Derek Severson <derek.severson@ashland.or.us>

[EXTERNAL SENDER]

Derek,

I believe this has been shared previously. I've asked for a formal TIA response a number of times but do not have new information as of yet.

Amy Gunter

Rogue Planning & Development Services

541-951-4020

www.rogueplanning.com

This communication, including any attachments hereto or links contained herein, is for the sole use of the intended recipient(s) and may contain information that is confidential or legally protected. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of this communication is prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail message and delete the original and all copies of the communication, along with any attachments from your system.

----- Forwarded message -----

From: **WANG Wei * Michael** <Wei.WANG@odot.state.or.us>

Date: Mon, Feb 24, 2020 at 4:45 PM

Subject: RE: Grand Terrace - Revised Civil Plans

To: kellysandow@sandowengineering.com <kellysandow@sandowengineering.com>, ODOT Region 3 Development Review <R3DevRev@odot.state.or.us>, Amy Gunter <amygunter.planning@gmail.com>

Cc: FITZGERALD William <William.FITZGERALD@odot.state.or.us>, HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>

Kelly,

ODOT staff have reviewed the attached Grand Terrace TIA response to ODOT comments 2/3/2020.

We have no further comments at this time.

Wei (Michael) Wang P.E. & M.S. | Region 3 Interim Access Management Engineer

ODOT Region 3 / District 8 | 100 Antelope Rd. | White City, OR 97503

Phone: (541) 774.6316 | Fax: (541) 774.6349 | Email: Wei.Wang@odot.state.or.us

From: kellysandow@sandowengineering.com <kellysandow@sandowengineering.com>
Sent: Wednesday, February 12, 2020 3:14 PM
To: ODOT Region 3 Development Review <R3DevRev@odot.state.or.us>; 'Amy Gunter' <amygunter.planning@gmail.com>
Cc: WANG Wei * Michael <Wei.WANG@odot.state.or.us>; FITZGERALD William <William.FITZGERALD@odot.state.or.us>
Subject: RE: Grand Terrace - Revised Civil Plans

Hi Micah, that's is my fault. I had other emails from that day get returned undeliverable (two days later) but since I didn't hear back on this one I assumed it went through. Attached is the response.

-kelly

KELLY SANDOW PE

SANDOWENGINEERING

Cell: 541.513.3376

Email: kellysandow@sandowengineering.com

Office: 160 Madison St. Suite A Eugene, Oregon 97402

Web: sandowengineering.com

Oregon DBE/WBE/ESB Certified: #8760

From: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us> **On Behalf Of** ODOT Region 3 Development Review
Sent: Wednesday, February 12, 2020 3:11 PM
To: 'Amy Gunter' <amygunter.planning@gmail.com>
Cc: WANG Wei * Michael <Wei.WANG@odot.state.or.us>; FITZGERALD William <William.FITZGERALD@odot.state.or.us>; Kelly Sandow <kellysandow@sandowengineering.com>
Subject: RE: Grand Terrace - Revised Civil Plans

Hi Amy – wanted to quickly touch base with you. Michael is still waiting for a revised version of the TIA which addresses the queuing discrepancy, and we just want to make sure you are aware we haven't received this.

Best regards,
Micah

From: Amy Gunter <amygunter.planning@gmail.com>
Sent: Monday, January 27, 2020 4:49 PM
To: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>
Cc: WANG Wei * Michael <Wei.WANG@odot.state.or.us>; FITZGERALD William <William.FITZGERALD@odot.state.or.us>; Kelly Sandow <kellysandow@sandowengineering.com>
Subject: Re: Grand Terrace - Revised Civil Plans

Thank you for the update.

Amy

Amy Gunter

Rogue Planning & Development Services

541-951-4020

www.rogueplanning.com

This communication, including any attachments hereto or links contained herein, is for the sole use of the intended recipient(s) and may contain information that is confidential or legally protected. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of this communication is prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail message and delete the original and all copies of the communication, along with any attachments from your system.

On Mon, Jan 27, 2020 at 4:48 PM HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us> wrote:

Hi Amy, I believe Michael Wang and Kelly are still working through some items related to the syncho files. We will be glad to provide an/letter once the TIA review has been completed.

Best regards,

Micah

From: Amy Gunter <amygunter.planning@gmail.com>
Sent: Monday, January 27, 2020 4:18 PM
To: HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us>
Cc: MORRIS Michael L <Michael.L.MORRIS@odot.state.or.us>; FITZGERALD William <William.FITZGERALD@odot.state.or.us>; Kelly Sandow <kellysandow@sandowengineering.com>
Subject: Re: Grand Terrace - Revised Civil Plans

Hello Micah,

Has ODOT completed the review of the TIA?

Is there a written response that can be provided to the property owner?

Thank you,

Amy

Amy Gunter

Rogue Planning & Development Services

541-951-4020

www.rogueplanning.com

This communication, including any attachments hereto or links contained herein, is for the sole use of the intended recipient(s) and may contain information that is confidential or legally protected. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, dissemination, distribution or use of this communication is prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail message and delete the original and all copies of the communication, along with any attachments from your system.

On Mon, Jan 20, 2020 at 11:03 PM Amy Gunter <amygunter.planning@gmail.com> wrote:

Hello Micah,

Thank you very much for meeting with us regarding the Grand Terrace annexation proposal. I have attached the revised Civil drawings that accommodate the bus pull out and sidewalk modifications.

Could you send provide a summary at your earliest convenience of ODOTs opinion regarding pedestrian improvements in the form of RFB/HAWK/striping to get bus riders to N bound stops? I've informed staff that vehicle volumes and speeds are too high and pedestrian volumes to low to warrant making those improvements but think that an official opinion is more appropriate than my own.

They did tell me the median was removed to provide a vehicle safety lane typical of a three-lane road configuration.

Also, checking the status of the TIA review.

Thank you,

Amy Gunter

**JARVIS,
DREYER,
GLATTE &
LARSEN, LLP**

ATTORNEYS AT LAW

MEDFORD OFFICE

823 Alder Creek Drive
Medford, OR 97504-8900
541-772-1977
Fax 541-772-3443

ASHLAND OFFICE

320 East Main Street
Suite 209
Ashland, OR 97520-6801
541-482-8491
Fax 541-772-3443

office@medfordlaw.net
www.medfordlaw.net

Partners

Darrel R. Jarvis
Sydney B. Dreyer
Erik J. Glatte*
Erik C. Larsen

Associates

Jacquelyn Bunick
Garrett West

*Also admitted in Idaho

Writer's Direct E-mail:
sbd@medfordlaw.net

Writer's Assistant:
Juleianna Schilter

May 4, 2020

Via Email Only planning@ashland.or.us

City of Ashland
Planning Commission
Attn: Planning Department

**RE: Written Objections
PA-T3-2019-00001**

1511 Highway 99 North – Linda Zare/Casita Developments, LLC

Dear Commissioners:

Our office represents Knox Veterinary Properties, LLC, and Knox Storage, LLC, the owners of properties located at 1515 and 1525 Highway 99N, adjacent to the subject property. My clients' properties are home to the following long-standing Ashland businesses: As-U-Stor-It Mini Storage; Animal Medical Hospital; and Land of Paws.

While my clients do not oppose increased density and affordable housing within the City, any such development must comply with City code and ensure that the burdens upon traffic and safety to existing development is well-planned and adequately provided for. My clients have significant concerns regarding the proposed annexation, specifically, lack of contiguity; inadequate transportation facilities; scope of access easement; and safety.

Lack of Contiguity

To approve an annexation, the City must find that the land sought to be annexed is "currently contiguous with the present city limits." AMC 18.5.8.050.C. Although the LUO does not define contiguous, a review of historic property records indicates that the subject property is not contiguous to City limits.

The City's comprehensive Plan Map clearly shows that the City limits terminate on the south side of the railroad tracks; they do not abut the applicant's property. The railroad property is owned by a private railroad corporation, CORPS. *See Oregon Rail Study 2010.* It is not public right-of-way. In fact, per that agreement dated April 6, 1955 between the railroad and the State, the railroad granted the State an easement of construction of Highway 99 "across Railroad's property." *Exhibit A.* Said agreement was signed and accepted by a representative of the State of Oregon and indicates that when Highway 99 was constructed, the state was granted an easement for the highway, across private property, but public right-of-way was not dedicated to the State.

As noted, the LUO does not define contiguous. However, we look to state law from which a City's authority to annex derives, for further definition:

When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city **and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water**. Such territory may lie either wholly or partially within or without the same county in which the city lies. ORS 222.111 (Emphasis added).

The applicant contends that the railroad tracks should be deemed quasi-public property and as such could be considered public right of way for purposes of contiguity. There is no legal authority provided by the applicant for converting such private property rights to public right-of-way and such an interpretation is inconsistent with **basic rules of statutory construction**.

In this first level of analysis, the text of the statutory provision itself is the starting point for interpretation and is the best evidence of the legislature's intent. State v. Person, supra, 316 Or at 590; State ex rel Juv. Dept. v. Ashley, 312 Or 169, 174, 818 P2d 1270 (1991). In trying to ascertain the meaning of a statutory provision, and thereby to inform the court's inquiry into legislative intent, the court considers rules of construction of the statutory text that bear directly on how to read the text. Some of those rules are mandated by statute, including, for example, the statutory enjoiner "not to insert what has been omitted, or to omit what has been inserted." ORS 174.010. Others are found in the case law, including, for example, the rule that words of common usage typically should be given their plain, natural, and ordinary meaning. See State v. Langley, 314 Or. 247, 256, 839 P2d 692 (1992) (illustrating rule); Perez v. State Farm Mutual Ins. Co., 289 Or. 295, 299, 613 P2d 32 (1980) (same).

Also, at the first level of analysis, the court considers the context of the statutory provision at issue, which includes other provisions of the same statute and other related statutes. Southern Pacific Trans. Co. v. Dept. of Rev., supra, 316 Or at 498; Sanders v. Oregon Pacific States Ins. Co., 314 Or. 521, 527, 840 P2d 87 (1992). ... PGE v. BOLI, 317 Or 606, 610-11 (1993).

The Land Use Ordinance requires that land sought to be annexed be “currently contiguous” to City limits. “Contiguous” is generally defined as “to touch on all sides . . . touching along boundaries . . . next or adjoining with nothing similar intervening...” Contiguous, Webster’s Third New International Dictionary (unabridged), 492 (2002).

Per the rules of statutory construction, the City must not “insert what has been omitted, or to omit what has been inserted.” ORS 174.010. In interpreting a statute, the City must consider the “context of the statutory provision at issue, which includes other provisions of the same statute and other related statutes.” *Id.* ORS 222.111 provides that property is contiguous to City limits if it is separated by public right-of-way. Had the legislature intended contiguity to extend across private railroad tracks, it could have expressly included such a provision as many other states have done. (E.g. Georgia Code § 36-36-20 deems property contiguous if separated by “[a]ny right of way of a railroad or other public service corporation which divides the municipal boundary and any area proposed to be annexed”). It did not do so.

Based on the foregoing, the applicant’s property is not contiguous to City limits as the private railroad property has not been annexed into the City and therefore this application does not comply with the code requirement that the property be “currently contiguous.” As such, this application should be denied.

Inadequate Access

The applicant’s project proposes only two accesses for a maximum of 251 residential units¹. The northerly access is proposed along a 30-foot wide private access easement across land owned by Knox Storage, LLC and is constrained by existing development. Usage of this private easement as a primary access to the subject property will cause significant issues with traffic, queuing, interference with existing business traffic, and cannot be shown to comply with City street standards, as discussed in further detail below.

A. Application Cannot Meet City Road Standards.

The applicant must establish that “[a]dequate transportation can and will be provided to and through the subject property.” ALUO 18.5.8.050.E. For purposes of that section, the applicant must establish that for “vehicular transportation a 20-foot wide driving surface” will be provided to the “nearest

¹ The applicant’s Traffic Impact Analysis (TIA) relies upon 251 dwelling units as that is the maximum number of units permitted for this property. As the application does not include applications for Outline Plan and Site Design Review, for purposes of discussion the maximum density is presumed.

fully improved collector or arterial street.” *Id.* at E.1. Further all streets must be “fully improved to City standards.” *Id.*

Although the applicant has not filed concurrent applications for Outline Plan and Site Design Review at this time, there is insufficient evidence in the record that the applicant can comply with City road standards as to the north access. Given that the applicant does not own the land over which subject easement runs, the applicant does not have legal authority to dedicate this land to the City for road purposes. ORS 105.170 provides that an easement is a nonpossessory interest in the land that entitles the easement holder to use another’s land. However, the grant of reasonable use of an easement does not give the use “dominion over the land upon which the easement lies” which remains with the “servient landowner”. Clark v. Kuhn, 171 OrApp 29, 33 (2000). With respect to dedications of land, Oregon Courts have held that a landowner must consent before their land can be dedicated to the public for a right of way as a dedication of land for public right of way is ‘an appropriation of land by the owner for a public use.’ (emphasis added) Mid-Valley Res., Inc. v. Foxglove Properties, LLP, 280 Or. App. 784, 789, 381 P.3d 910, 914 (2016), quoting Dayton v. Jordan, 279 Or.App. 737, 746, 381 P.3d 1031, 2016 WL 4013747 (2016) (quoting Security & Invest. Co. v. Oregon City, 161 Or. 421, 432, 90 P.2d 467 (1939)).

Because the applicant does not have legal authority to dedicate this land to the City for public right-of-way, the only road that the applicant could legally propose would be a private drive. A private road is “a street in private ownership, not dedicated to the public, which serves 3 or less units” and serves 100 or fewer ADT. ALUO Table 18.4.6.040.F. fn. 4; ALUO 18.4.6.040.G.5. As noted above, ADT is projected to be 1857, which far exceeds the maximum capacity of a private street. As such, the applicant cannot provide adequate transportation facilities.

Even if, for the sake of argument, the City were to condition annexation upon the applicant’s ability to provide a compliant public street, (to which my client has no intention of agreeing to) there is insufficient evidence in the record that the project can comply with any of the City’s public street standards for the north access. For example, a neighborhood street is only permitted in multi-family zones if parking is provided on both sides of the street, which requires significantly more right-of-way than is contained in the easement, and/or available due to existing development. *Id.* at G.4. Such a street would require right-of-way width between 50-57 feet, with curb to curb paving width between 25-28 feet.

While a shared street requires 25-feet of right of way without sidewalks, the applicant proposes a sidewalk, which must be between 5-6 feet in width. As noted, given topography, the access will likely require retaining walls and it

does not appear there is enough width to accommodate a shared street with retaining walls and sidewalk. Additionally, a shared street provides only 12-feet of paved travel lanes. The current easement in its existing condition is paved in widths varying from 11-14'.

As the photos in Exhibit B provide, such a narrow street would cause significant back-up/queuing as a result of the mini-storage driveway. Further, the ALUO states that shared streets are “designed to encourage socializing with neighbors, outdoor play for children, and creating comfortable spaces for walking and biking” and that sidewalks are not required as “[p]edestrians can share the travel lane and easily negotiate these low use areas. Refuge areas are to be provided within the right of way to allow pedestrians to step out of the travel lane when necessary.” Again, given the ADT proposed for this project this would be a high use area. Further, the access road intersects with a busy driveway approach, as well as the mini-storage driveway, and its terminus is along an existing parking lot for a busy veterinary practice that sees approximately 70 incoming vehicles every day. Based on the foregoing, the City cannot find that this street would provide safe passage to pedestrians given its “low use”. Rather, a shared street in this location would likely result in unsafe conditions for pedestrians, emergency vehicles attempting to respond to an emergency, and access.

Again, as the applicant does not own the subject property, the record contains insufficient evidence that adequate transportation can be provided. As such, this criterion for annexation has not be met.

B. Queuing Issues.

As noted, the easement is fairly steep with slopes ranging up to approximately 15%, with steep slopes on either side of the paved access which will likely require retaining walls, and is bisected by the driveway for the mini-storage facility, and existing business parking for the veterinary clinic. *See Exhibit C Aerial Map.* The private easement has uncontrolled access onto the state highway, with vehicles proposed to turn left into, and out of, the subject property. Attached at *Exhibit B* are photos of vehicles queuing along the easement to take access to Highway 99, which has been provided for illustrative purposes.

According to the TIA, 251 dwelling units will generate 1857 average daily trips (ADT). *TIA*, p. 5. (Even if the future application is reduced to 196 units, ADT would equate to approximately 1448). Per the TIA, the AM peak hour is 114 trips; the PM peak hour is 134. *Id.* at 14.

The TIA provides that queuing of vehicles at the north access would consist of 1-2 vehicles during PM peak hours. *TIA*, p. 24. However, as acknowledged by

the applicant's agent, that analysis is under "ideal" modeling conditions, and does not take into account fairly routine "bumps" resulting in traffic queuing due to buses, pedestrians, garbage trucks, deer, etc. *Letter from Amy Gunter to Planning Commission*, dated 1-28-2020, p. 2.

In fact, ODOT notes in its comments that there is significantly more queuing at studied intersections than recognized in the TIA. ODOT's Access Management Engineer finds that: "ODOT staff observed existing queuing issue at OR 99 & Valley View Intersection at least 700 feet and the queuing issue at the Main and Maple Intersection over 3500 feet. The TIA only show[s] 95th Percentile queuing of 250 feet at the OR 99 & Valley View and 350 feet at the Main & Maple". *Technical Memorandum from Wei Wang, P.E. & M.S., ODOT*, p. 1. Again, this is because the models are based on "ideal" traffic movement and do not account for real-world traffic delays on Highway 99, particularly during AM/PM peak hours in which 20 vehicles from the north access are anticipated to turn left out of the property, with an additional 5 vehicles turning left into the north access (*See TIA*, Table 7). Further, existing businesses generate on average 243 incoming vehicles per day at the north access as follows: Animal Medical Hospital 126; Land of Paws 68; and As-U-Stor-It 49 (vehicles and trailers). As a result, wait times to turn left out of, or into, this property will often exceed the ideals calculated in the model.

Additionally, there are likely conflicts with the storage facility driveway which is short and narrow and provides regular access to vehicles and RVs via a locked gate which only allows access to one vehicle at a time. At times when multiple vehicles are coming and going to/from the facility, it causes queuing into the easement area, which would create safety concerns and delays. Photos of such access in and out of the storage facility are attached at *Exhibit B* for illustrative purposes. Even if the paved width of the travel lanes is widened, those persons accessing the storage facility are likely to routinely block one lane of traffic on the access easement given the design of that driveway and the nature of the business traffic.

C. Historic Use of Easement.

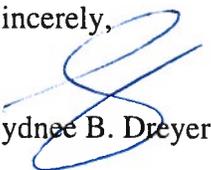
Though the applicant proposes to use this narrow/steep access easement up to 251 new residential units, when the easement was originally granted it was intended to provide access to a few farm residences at most. Attached hereto as *Exhibit C* is a letter from Dr. Leo J. van Dijk, the prior owner of the subject property who granted this access easement who states that the grant of easement was intended to provide access to one residence and never contemplated expanded use for 196 apartment units. The proposed use far exceeds any reasonable use that was contemplated at the time the easement was granted, or the physical location was designed for, and given topography and surrounding

development, problems are likely to develop with significant traffic along what should essentially be a private driveway.

Conclusion

In summary, the subject annexation/zone change application should be denied as the applicant has failed to establish that the property is currently contiguous to City limits as required by the ALUO. Further, there is not substantial evidence in the record to find that adequate transportation facilities can and will be provided given the ownership of the north access, requirements of the ALUO, as well as its location, topography, and existing development constraints.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sydnee B. Dreyer". The signature is stylized with a large, looping initial "S".

Sydnee B. Dreyer

RAILROAD COMPANIES
FILE NO. 445

THIS AGREEMENT, made this 6th day of April, 1955, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein called "Railroad," and STATE OF OREGON, acting by and through its State Highway Commission, herein called "State";

RECITALS:

By indenture of even date herewith Railroad granted to State an easement for the construction, reconstruction, maintenance and use of a highway by means of an underpass, hereinafter called "structure," across Railroad's property near Ashland, in Jackson County, Oregon, in the location shown within red lines on the attached print of Railroad's Shasta Division Drawing SH-74 Sheet No.A, dated October 29, 1954, hereto attached and made a part hereof.

The parties hereto desire to set forth in this instrument their understandings and agreements relating to the construction and maintenance of said structure and the changes made necessary during the construction thereof.

AGREEMENT:

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. State shall secure any necessary permission and authority for the construction, reconstruction, maintenance and use of said structure from the Public Utilities Commissioner of Oregon.
2. State, at its expense, shall furnish, or cause to be furnished, all labor, materials, tools and implements and perform all work of constructing said structure, except as herein otherwise provided. Said structure shall be constructed in a manner so as to accommodate Railroad's tracks in accordance with plans and specifications which shall be subject to the approval of the parties hereto.
3. State, at its own expense, shall construct a trestle, including substructure and stringers with necessary bracing over said highway and perform the necessary grading for a shoofly track in the locations shown by red lines on the print of Railroad's Shasta Division Drawing 9257, Sheet 2 C, Revised November 2, 1954, hereto attached and made a part hereof.

Railroad, at its expense, shall perform the following work in connection with said shoofly track and said structure:

- (a) Furnish, lay and later remove necessary track material, including ties and deck for trestle for the temporary shoofly track in the location shown by red line on the attached print of said drawing No.9257;
- (b) install and later remove temporary track connections between Railroad's main line and said shoofly track;
- (c) remove and later replace Railroad's main line track at said location;
- (d) place the deck on the extended highway underpass;
- (e) provide necessary changes and protection for Railroad's signal line; and
- (f) furnish such representatives, watchmen, flagmen and engineer-inspectors as Railroad deems necessary to protect and safeguard property, engines, trains and cars at said location during the period of construction of said structure.

State agrees to reimburse Railroad for all cost and expense incurred by Railroad in connection with the construction of said structure, including, but not limited to Items (a) to (f), inclusive, as set forth herein.

All work to be done hereunder by Railroad shall be done only by its employees working under railroad labor agreements and shall be done on a force account basis, the cost thereof to be paid to Railroad by State in the manner hereinafter set forth.

All expenses incurred by Railroad for which State is obligated to reimburse Railroad hereunder, including all work incidental to such work but not specifically mentioned herein, shall be subject to the provisions of General Administrative Memorandum No. 299 of the Bureau of Public Roads, Department of Commerce, and any amendments of or supplements to said order.

The parties hereto agree that no benefits will accrue to Railroad pursuant to the provisions of the Federal Aid to Highways Act of 1944 and General Administrative Memorandum No. 325 of the Bureau of Public Roads, Department of Commerce, due to the construction

or use of said structure inasmuch as no existing important grade crossing is closed.

4. The estimated cost of the work to be performed by Railroad, at the expense of State, is herein set forth and summarized as follows:

(1)	Place deck on 155' structure	\$ 6,250
(2)	Construct shoofly	5,100
(3)	Signal work	1,350
(4)	Place deck on extended highway underpass	4,000
(5)	Restore main track	1,340
(6)	Remove deck from shoofly structure	1,500
(7)	Engineer-inspector	7,400
(8)	Flagging	300
(9)	Vacation allowance	480
(10)	Railroad retirement & Unemployment Tax	1,000
(11)	Public Liability & Property Damage Insurance	650
(12)	Material handling	250
(13)	Accounting (billing)	1,480
	Total	<u>\$31,100</u>
(14)	Less Salvage	3,660
	Net Total	<u>\$27,440</u>

Railroad shall submit all bills to State for payment of work performed by Railroad on the basis of items set forth in the above estimate and shall submit its final bill on the same basis to cover the actual cost of items of work performed by Railroad; provided, however, that the cost of flagmen, watchmen and representatives to protect railroad property and trains due to the operations of State's contractor shall be segregated in Railroad's billing to State from all other costs billed to State under this agreement. Subject to the next succeeding paragraph of this section, State agrees to pay Railroad the cost of such work within thirty (30) days of receipt of such bills from Railroad.

In the event the total amount of the estimate is exceeded, State shall not be obligated to reimburse Railroad for such excess unless and until such excess expenditure shall have been approved by State in writing. Railroad shall not be obligated to incur any expenditures in excess of the above estimate until the receipt of

such written approval of State.

5. All work contemplated in this agreement shall be performed in a good and workmanlike manner to the satisfaction of the parties hereto and each portion shall be promptly commenced by the party hereto obligated to do the same and thereafter diligently prosecuted to conclusion in its logical order and sequence.

The books, papers, records and accounts of the parties hereto, so far as they relate to the items of expense for labor and materials or are in any way connected with the work herein contemplated, shall at all reasonable times be open to inspection and audit by the agents and authorized representatives of the parties hereto.

6. After the completion of the work herein contemplated the cost of maintenance of the grade separation shall be borne as follows: (1) Railroad shall bear the cost of maintenance of the structure, which includes the girders, deck, and track structure, and the abutments thereto; (2) State shall bear the cost of the maintenance of the highway roadbed, slopes, pavement, surfacing, shoulders and drainage.

7. In the event any of the work herein contemplated to be done upon or adjacent to the right of way and property of Railroad should be let to contractors by State, such contractors shall be satisfactory to Railroad as to their responsibility and ability to perform the work under and across the property and tracks of Railroad and no such work shall be begun until such contractors shall have first entered into a written agreement with Railroad, substantially in the form of draft hereto attached and marked "Exhibit A."

State shall furnish, or require its contractor to furnish, to Railroad the original of each policy covering Protective Public Liability Insurance and Protective Property Damage Liability Insurance in the amount specified in said "Exhibit A," and conforming to the requirements of Works Program General Memorandum No. 32, which

contractor is required to furnish for and in behalf of Railroad.

State shall also furnish, or require its contractors to furnish, to Railroad a certified copy of each of the policies of insurance, showing that its contractor has provided for Contractor's Public Liability and Property Damage Liability Insurance, as provided for in Works Program General Memorandum No. 32, which insurance shall provide for the same limits as specified for Protective Public Liability and Property Damage Liability Insurance to be furnished for and in behalf of Railroad.

8. This agreement shall inure to the benefit of and be binding upon the successors and assigns of Railroad and upon the assigns of State.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their officers thereunto duly authorized and their respective seals to be hereunto affixed, as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By J. W. ...
President

Attest: T. F. ...
Assistant Secretary

STATE OF OREGON, acting by and through its State Highway Commission,

By _____
Chairman

By Charles ...
Commissioner

By M. M. ...
Commissioner

APPROVED: [Signature]
Asst. State Highway Engineer

APPROVED AS TO FORM: [Signature]
Chief Counsel

[Signature]
Assistant Counsel

ATTEST: [Signature]
Secretary

Form Approved:

Contract Attorney

2-18-53

EXHIBIT "A"

THIS AGREEMENT, made this _____ day of _____, 195____,
 between SOUTHERN PACIFIC COMPANY, a corporation, hereinafter called
 "Railroad," and _____
 _____,
 hereinafter called "Contractor";

WITNESSETH:

WHEREAS, Railroad and State of Oregon, acting by and through
 its State Highway Commission, hereinafter called "State," have en-
 tered into or will enter into an agreement providing that State shall
 undertake the construction of an ^{underpass} ~~overhead~~ highway crossing structure
~~overhead~~ ^{beneath} and across the tracks and property of Railroad at Ashland ,

Jackson County, Oregon, said agreement pro-
 viding that State shall cause its contractor to enter into an agree-
 ment with Railroad substantially in the form of an exhibit attached
 thereto; and

WHEREAS, on the _____ day of _____, 195____,
 State entered into a contract with Contractor covering the construct-
 ion of said overhead structure, which contract provides that Con-
 tractor shall enter into an agreement with Railroad.

NOW, THEREFORE, it is understood and agreed as follows:

Contractor, in advance of performing any work under said
 contract between State and Contractor, shall furnish evidence to
 State that, with respect to the operations Contractor or any of
 Contractor's subcontractors perform, Contractor has provided for and
 in behalf of Railroad regular Protective Public Liability Insurance
 providing for a limit of not less than \$200,000 for all damages
 arising out of bodily injuries to or death of one person, and, sub-
 ject to that limit for each person, a total limit of \$400,000 for all
 damages arising out of bodily injuries to or deaths of two or more
 persons in any one occurrence caused or arising out of the operations
 of the Contractor or Contractor's subcontractor or subcontractors

2-16-53

on the project, and regular Protective Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to or destruction of property in any one occurrence caused or arising out of the operations of the Contractor or Contractor's subcontractor or subcontractors on the project, and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to or destruction of property during the policy period. The policy evidencing the Public Liability Insurance above provided shall not contain any exclusion of or otherwise limit the coverage of said policy with respect to Railroad's liability for deaths of or injuries to its own employees as a result of any act or omission of the State, its contractors or subcontractors in connection with work performed under said contract between State and Contractor. The policy evidencing the Property Damage Insurance shall not contain any exclusion or otherwise limit the coverage of Railroad's liability for loss of or destruction of property in its care, custody or control as a result of any act or omission of State, its contractors or subcontractors in connection with work performed under said contract between State and Contractor.

Contractor shall furnish to Railroad the original policies of insurance, for and in behalf of Railroad, providing, with respect to operations Contractor or any of Contractor's subcontractors perform, insurance in the amounts as aforesaid, and certified copies of policies of insurance showing that Contractor has, with respect to operations Contractor or any of Contractor's subcontractors perform, provided for Contractors' Public Liability and Property Damage Liability Insurance, which insurance shall provide for the same limits as specified for Protective Public Liability and Property Damage Insurance to be furnished for and in behalf of Railroad, as hereinabove provided for; which Policies shall be subject to the approval of Railroad.

2-16-53

The insurance hereinabove specified shall be carried by Contractor until all work required to be performed upon or adjacent to the right of way and property of Railroad, under the terms of said contract between the State and Contractor, is satisfactorily completed, as evidenced by the formal acceptance by State. Such insurance shall be non-cancellable and non-alterable for any cause whatsoever (including failure to pay premiums), either by the Contractor or by the insurance company, without 30 days' written notice to State and to Railroad as to the cancellation and without prior written approval of the Railroad as to alteration. In the event the said insurance is cancelled as herein provided, the Contractor shall provide other insurance of the same class and for the same purposes and subject to the same conditions as provided herein. Said other insurance shall become effective not later than the time of cancellation of the prior insurance and shall cover the unexpired period of the term herein required.

Contractor shall comply with the rules and regulations of Railroad or the instructions of its representatives in relation to the proper manner of protecting the tracks and property of Railroad and the traffic moving on such tracks, as well as the wires, signals and other property of Railroad, its tenants or licensees at and in the vicinity of the work during the period of construction, including the removal of tools, implements, equipment and other materials as herein provided. Contractor, subject to the supervision and control of Railroad's Chief Engineer, or other designated officer, shall perform Contractor's work in such manner and at such times as that said work shall not endanger or interfere with the safe operation of the tracks and property of Railroad and the traffic moving on such tracks, as well as wires, signals and other property of Railroad, its tenants or licensees at or in the vicinity of the work.

Contractor further agrees that upon completion of the work

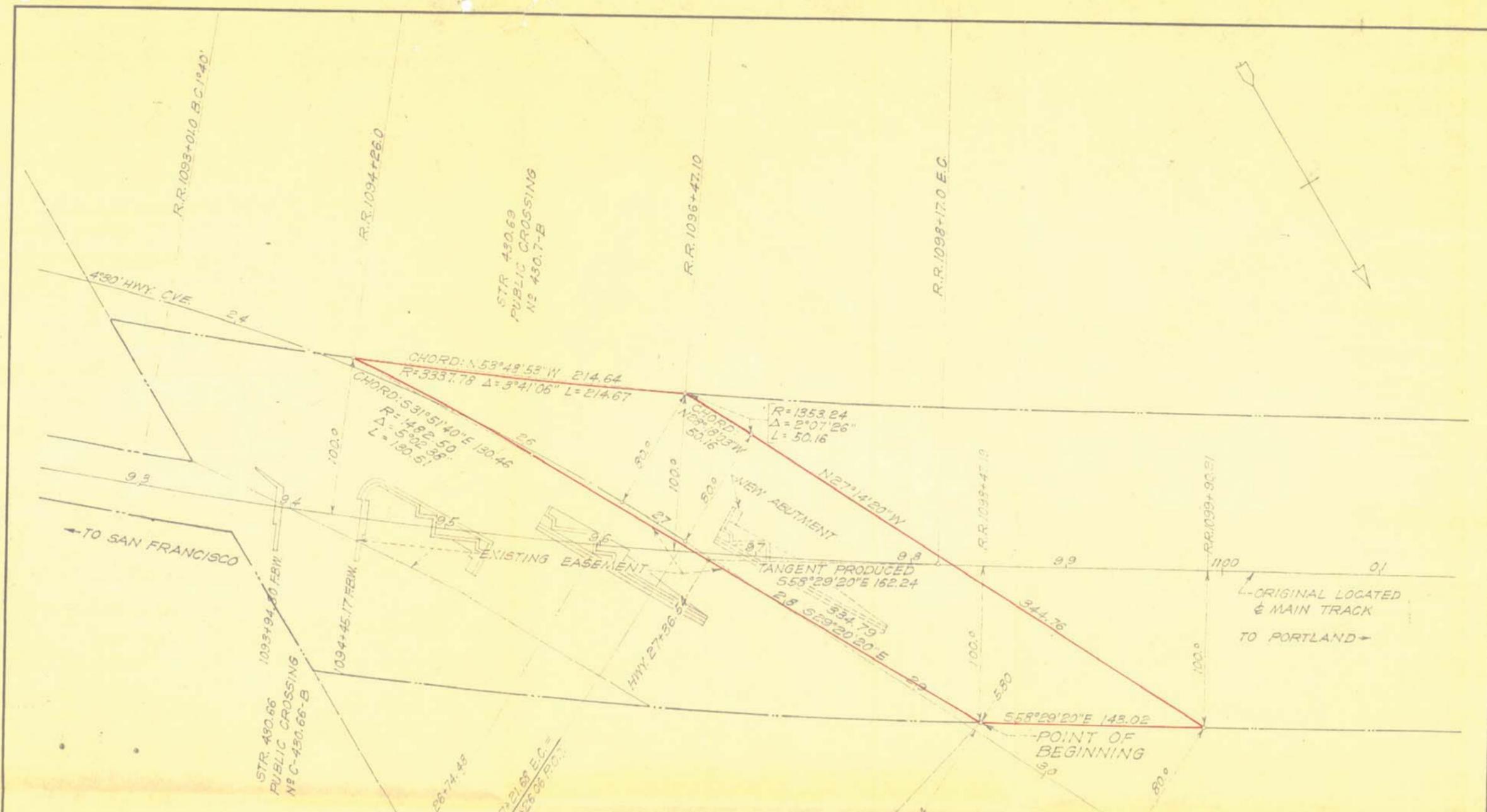
2-16-53

covered by said contract between said State and said Contractor, Contractor will promptly remove from the premises of said Railroad all of Contractor's tools, implements, equipment and other materials, whether brought upon said premises by Contractor, or any subcontractor, employee or agent of Contractor or any subcontractor, and cause said premises to be left in a clean and presentable condition.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By _____



NOTE:
 EXISTING EASEMENT COVERED BY
 AGREEMENT DATED APRIL 20, 1934
 DOC. AUD. N2 36219 (ALSO ASSIGNED
 DEED AUD. N2 20196)
 BEARINGS GIVEN THEREIN AS S 29° 03' E
 & S 31° 40' 20" E ARE IDENTICAL TO BEARINGS
 SHOWN HERE AS S 29° 20' 20" E & S 31° 51' 40" E

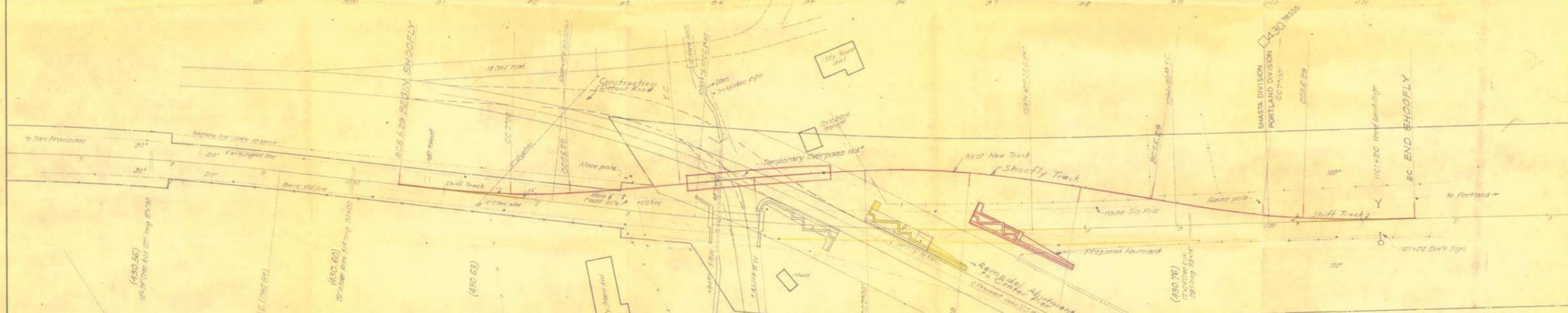
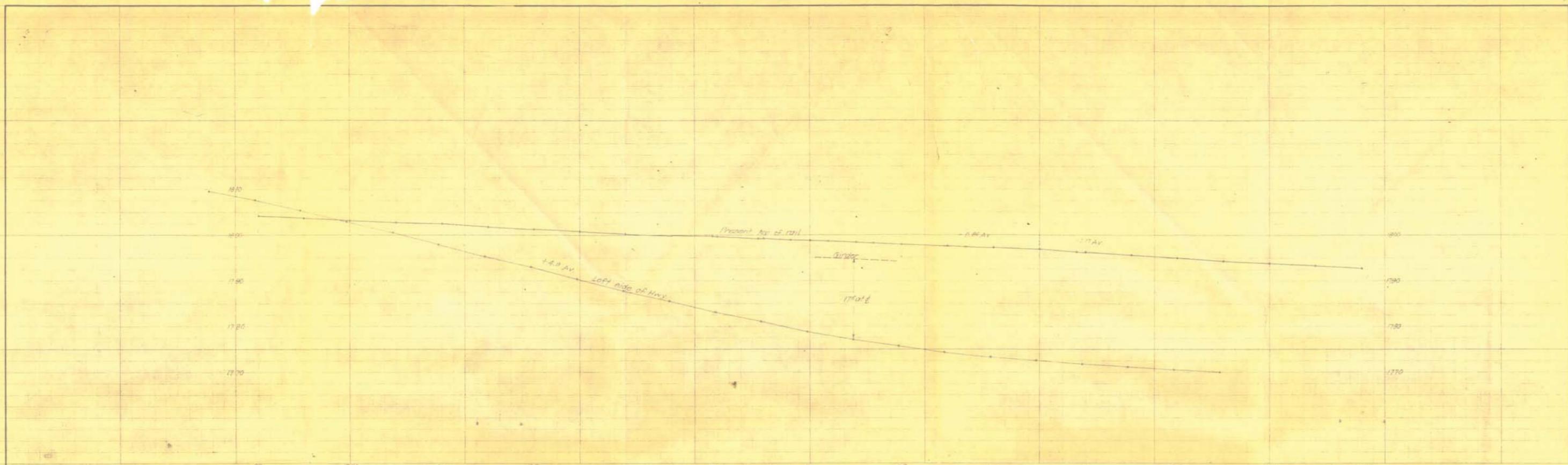
LEGEND
 - - - SOUTHERN PACIFIC CO. RIGHT OF WAY LINES
 RED: LIMITS OF EASEMENT: AREA 0.770 A. ±

SOUTHERN PACIFIC COMPANY
 PACIFIC LINES
 ASHLAND
 JACKSON COUNTY, OREGON
 EASEMENT TO OREGON STATE HIGHWAY
 COMMISSION

SCALE: 1"=50' OCT. 29, 1954

SHASTA DIVN.
 DRAWING SH-74
 SHEET NO. A

DRAWER



LEGEND
 — RAILROAD RIGHT OF WAY LINES
 — RED: NEW WORK
 — YELLOW: TO BE MOVED OR REMOVED

Proposed Speed on Shoofly: 30/20
 Superelevation: 2 3/4" - 7" C/c.
 Length Spirals: 121'
 Minimum Reversing Tangent: 80'

(430.66) 50' through plate girder
 Over about Underpass
 Built 1918
 Public Drawing W.C. 48785-B
 (County Road)
 B.C.S. 5-29

(430.69) 65' through plate girder
 Over about Underpass
 Built 1915
 Public Drawing W.C. 48787-B
 (Public Drawing 48787-B)

SOUTHERN PACIFIC COMPANY
 PACIFIC LINES
ASHLAND
 Shoofly for Construction of Additional
 Subway Span - Highway US 99
 LINE "C"
 (From C.E. Drg. 30927, Sh. 1, Rev. 9-1-54)
 Scale 1" = 50' June 25, 1954
 Rev. 11-2-54
 SHASTA DIV'N
 DRYG 3257
 SHEET 2 C





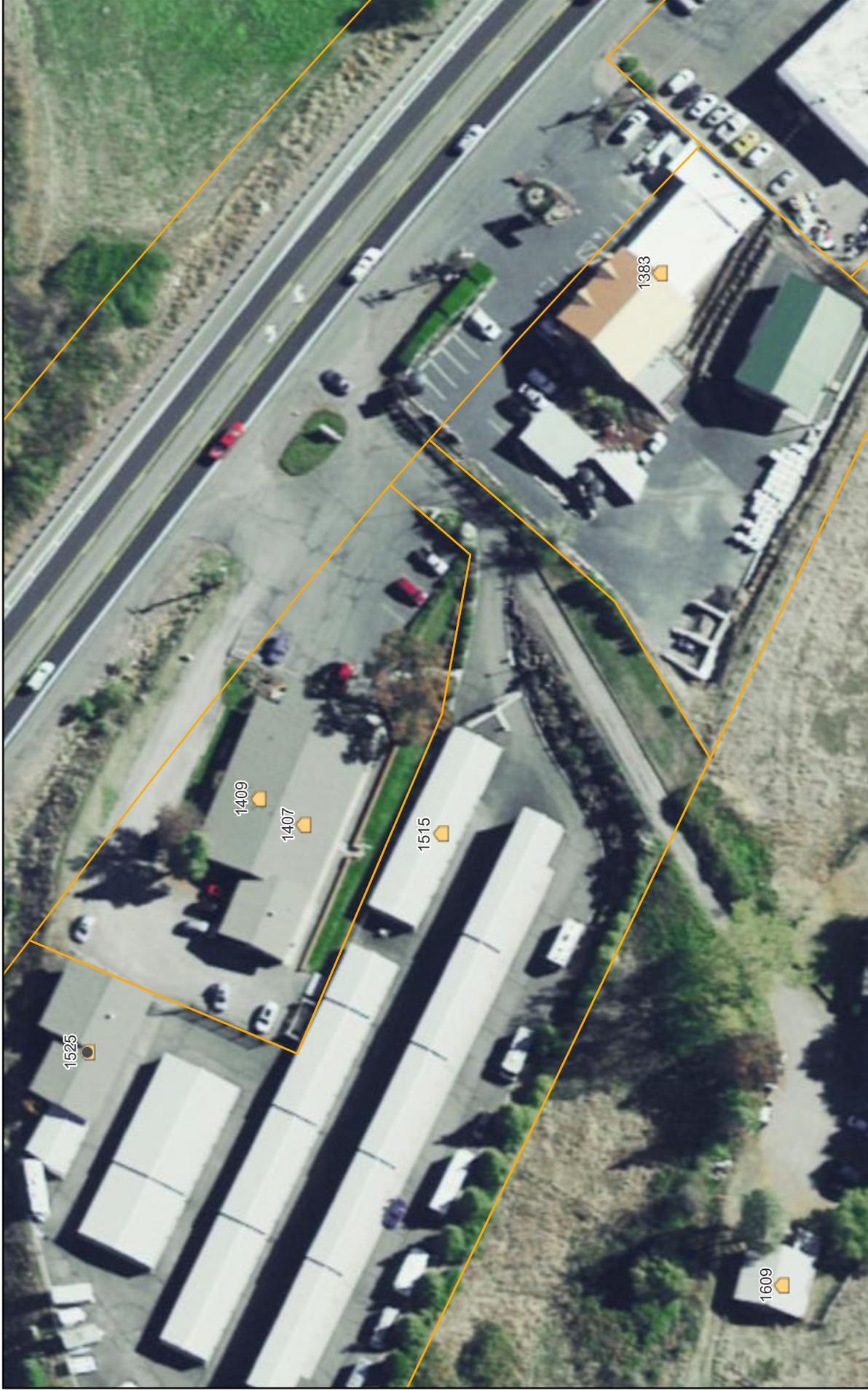








ArcGIS Web Map

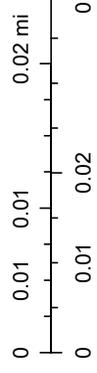


4/21/2020, 3:14:47 PM

 Tax Lots

 Site Address Point

1:1,128



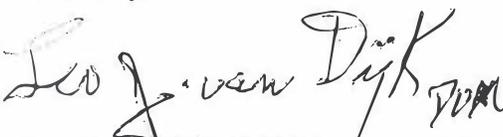
Leo J. van Dijk D.V.M.
78041 Allegro Ct.
Palm Desert, CA. 92211
11/21/2019

Scott Knox D.V.M.
Owner: Knox Veterinary Properties
3700 Fieldbrook Ave
Medford, OR 97504

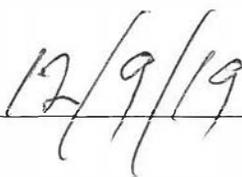
Dear Scott Knox D.V.M.:

This letter is in response to your inquiries concerning my intent for use of the easement that transects your property (tax lot 1704) to the property I sold to Ben and Linda Zare' (tax lot 1700). I understand that this property is now under consideration by the Ashland Planning Commission for incorporation into the City of Ashland for an apartment development. The intention of this easement was for access to the house above. I also raised cattle on the property and wished to have access to the "Zare" property for the cattle. I did not envision that it would be used for 196 apartments. I did not intend its use for that level of traffic or density, nor did I intend to burden your current property with high levels of traffic through that easement from an apartment complex.

Sincerely,


Leo J. van Dijk D.V.M.

Date: _____



Fw: City of Ashland Notice - Planning Action PA-T3-2019-00001

Derek Severson <derek.severson@ashland.or.us>

Wed 2020-04-29 09:55 AM

To: Bill Molnar <bill.molnar@ashland.or.us>; Maria Harris <maria.harris@ashland.or.us>

 1 attachments (326 KB)

20200429124304304.pdf;

FYI... Word from the Railroad that they don't consent to being annexed...

- **Derek**

Derek Severson, *Senior Planner*
City of Ashland, Department of Community Development
51 Winburn Way, Ashland, OR 97520
PH: (541) 552-2040 **FAX:** (541) 552-2050 **TTY:** 1-800-735-2900
E-MAIL: derek.severson@ashland.or.us

This e-mail transmission is the official business of the City of Ashland, and is subject to Oregon's public records laws for disclosure and retention. If you've received this e-mail in error, please contact me at (541) 552-2040. Thank you.

From: Chad Mullarkey <chad.mullarkey@gwrr.com>
Sent: Wednesday, April 29, 2020 09:52 AM
To: Derek Severson <derek.severson@ashland.or.us>; Planning Commission - Public Testimony <PC-public-testimony@ashland.or.us>
Cc: John Bullion <john.bullion@gwrr.com>; Amy Slay <Amy.Slay@gwrr.com>
Subject: City of Ashland Notice - Planning Action PA-T3-2019-00001

[EXTERNAL SENDER]

Hello Derek – I am writing in response to the attached notice that we received from the City of Ashland. After reviewing it, there is language included within that states “annexation is to include adjacent railroad property.”

In this specific scenario, what does annexation mean exactly and how does the railroad’s property fit into this plan. Without having more information to go off of, the railroad does not intend to allow its property to be annexed and does not approve of any developments that include railroad property at this time.

We will need detailed information about how this impacts railroad property and railroad operations so that we can further review the proposed plans.

Please get back with us as in the very near future.

Thanks,

Chad Mullarkey
Senior Manager - Real Estate
Genesee & Wyoming Railroad Services, Inc.
13901 Sutton Park Drive South, Suite 270

Jacksonville, FL 32224

(904) 900-6257

chad.mullarkey@gwrr.com





PLANNING ACTION: PA-T3-2019-00001

SUBJECT PROPERTY: 1511 Highway 99 North and Adjacent Railroad Property and State Highway Right-of-Way

OWNER: Linda Zare

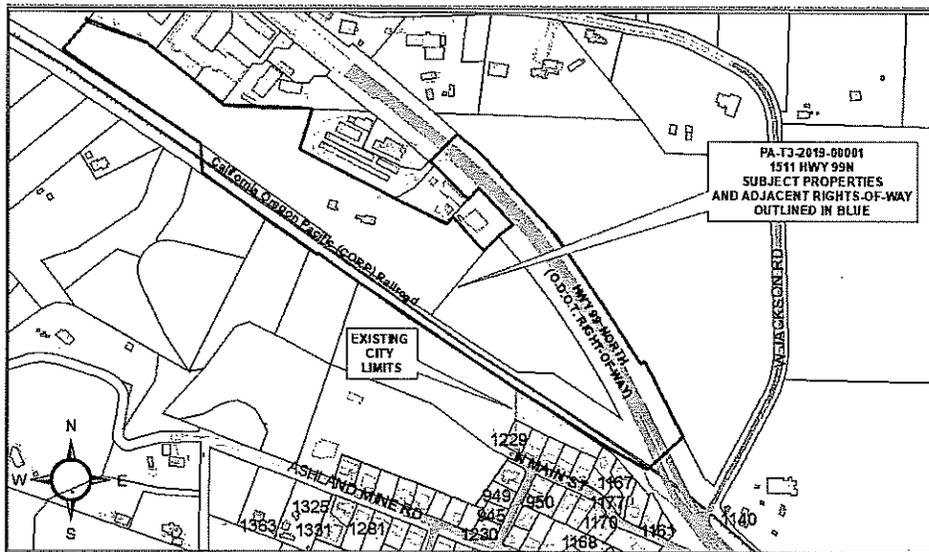
AGENTS: Casita Developments, LLC & Kendrick Enterprise, LLC

APPLICANT: Rogue Planning & Development Services, LLC

DESCRIPTION: A request for Annexation of a 16.87-acre parcel and Zone Change from County RR-5 Rural Residential) to City R-2 (Low Density, Multi-Family Residential) for the properties located at 1511 Highway 99 North. The annexation is to include adjacent railroad property and state highway right-of-way. The application includes conceptual details for the future phased development of 196 apartments (1- and 2-Bedrooms, ranging from 480-701 square feet) in 14 two-story buildings; Outline Plan subdivision and Site Design Review development approvals are not requested here, and would be applied for subsequent to annexation. The application also requests an Exception to Street Standards to deviate from city standard parkrow and sidewalk improvements to respond to constraints of right-of-way width and existing encroachments.

COMPREHENSIVE PLAN DESIGNATION: Multi-Family Residential; **ZONING:** Existing – County RR-5, Proposed – City R-2; **ASSESSOR’S MAP:** 38 1E 32; **TAX LOT#’s:** 1700 & 1702.

ELECTRONIC ASHLAND PLANNING COMMISSION MEETING: Tuesday May 12, 2020 at 7:00 PM



Notice is hereby given that a PUBLIC HEARING with respect to the ASHLAND LAND USE ORDINANCE on the above described request will be conducted electronically by the ASHLAND PLANNING COMMISSION on the meeting date and time shown above. In keeping with the Governor’s Executive Order #20-16, this meeting will be held electronically. You can watch the meeting on local channel 9, on Charter Communications channels 180 & 181, or you can stream the meeting via the internet by going to <http://www.rvtv.sou.edu> and selecting ‘RVTV Prime’.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, or failure to provide sufficient specificity to afford the decision makers 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, including all documents, evidence and applicable criteria relied upon by the applicant, and a copy of the staff report will be available on-line at <http://www.ashland.or.us/Page.asp?NavID=17902> seven days prior to the hearing. Anyone wishing to provide testimony can submit comments via e-mail to PC-public-testimony@ashland.or.us with the subject line “May 12 PC Hearing Testimony” by 3:30 p.m. on Monday, May 11, 2020. Written testimony received by this deadline will be available for Commissioners to review before the hearing and will be included in the meeting minutes. This meeting will be conducted as an evidentiary hearing to update the Planning Commission on new information regarding issues identified during their initial consideration of the application in November of 2019. The Planning Commission will not make a decision at this evidentiary 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 application, please feel free to contact Senior Planner Derek Severson at 541-488-5305 or via e-mail to derek.severson@ashland.or.us.

ANNEXATIONS - Approval Criteria and Standards (AMC 18.5.8.050)

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

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

- 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.

ZONING CHANGE - TYPE III PROCEDURE (AMC 18.108.060.A & B)

A. 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 for legislative amendments.
2. Comprehensive Plan Map Changes or changes to other official maps, except for legislative amendments.
3. Annexations.
4. Urban Growth Boundary Amendments

B. Standards for Type III Planning Actions.

1. Zone changes, zoning map amendments and comprehensive plan map changes subject to the Type III procedure as described in subsection A of this section may be approved if in compliance with the comprehensive plan and the application demonstrates that one or more of the following:
 - a. The change implements a public need, other than the provision of affordable housing, supported by the Comprehensive Plan; or
 - b. 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; or
 - c. Circumstances relating to the general public welfare exist that require such an action; or
 - d. Proposed increases in residential zoning density resulting from a change from one zoning district to another zoning district, will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G); or
 - e. 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 of Ashland's commercial and industrial land supply as required in the Comprehensive Plan, and will provide 25% of the proposed base density as affordable housing consistent with the approval standards set forth in Section 18.106.030(G).

The total number of affordable units described in sections D or E 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. Sections D and E do not apply to council initiated actions.

SITE DESIGN AND USE STANDARDS (AMC 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.

EXCEPTION TO STREET STANDARDS (AMC 18.4.6.020.B.1)

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

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

low income housing project

Brian LeBlanc <brian@andersonautobody.com>

Tue 2020-04-28 03:49 PM

To: planning <planning@ashland.or.us>

[EXTERNAL SENDER]

Hello,

We'd like to alert the commission to the commercial output of our business and its effect on the new housing development. We're an OSHA and DEQ compliant company located in Jackson county, right on the edge of Ashland but situated just below the housing development. Our concern is a possible sidewalk being planned to go through our parking lot which we won't allow without payment as well as future complaints due to the operation of our business. If these concerns are warranted for the meeting, please let us know and we'll speak on it at that point.

[Thank you, Brian](#)

541-488-3635

Anderson Auto Body and Paint
1383 HWY 99 N.
Ashland, OR 97520



Virus-free. www.avg.com



Grand Terrace Annexation ODOT update

Derek Severson <derek.severson@ashland.or.us>

Fri 2020-02-28 10:20 AM

To: Scott Fleury <scott.fleury@ashland.or.us>; Paula Brown <paula.brown@ashland.or.us>; Bill Molnar <bill.molnar@ashland.or.us>

Cc: Derek Severson <derek.severson@ashland.or.us>

 1 attachments (257 KB)

Grand Terrace TIA Response to ODOT Comments 2.3.20 sgn.pdf;

Bill, Paula and Scott,

I spoke with Micah from ODOT about Kendrick's "Grand Terrace" annexation on Wednesday afternoon. The conversation didn't yield much, but the high points were:

- Generally, Micah indicated that after discussing with the applicant team that ODOT does not believe that any new crossings are appropriate given the speeds, traffic volumes, and sight and stopping distances when weighed against the anticipated number of pedestrians.
- The applicants provided a technical memo in response to issues ODOT had raised with the TIA. I'm attaching the memo here. Micah said that at this point, ODOT has given their final sign-off on the TIA with the addition of this memo.
- Micah said that site drainage and hydrology are still outstanding issues that have not been addressed to ODOT's satisfaction - given that storm water will be handled in their right-of-way - and Kendrick's team is requesting that they be allowed to defer these to the creation of civil drawings in conjunction with the development of the site. If that winds up being the case, ODOT is requesting to be kept in the loop when civil drawings are provided.
- The applicant has also been pushing to place the water quality/detention swales for the development in the ODOT right-of-way. ODOT says they are holding firm that these facilities need to be placed on the private property. (*We didn't discuss the potential for Kendrick to simply buy the area of right-of-way he needs from ODOT, but I believe those discussions are happening.*)

I let Micah know that we were planning on this coming back to the Transportation Commission in March and to the Planning Commission in April and told him I'd send him my staff memo for the Transportation Commission meeting when it was ready. He is going to provide us with written comments from ODOT for inclusion in the Transportation Commission packet.

- Derek

Derek Severson, *Senior Planner*

City of Ashland, Department of Community Development

51 Winburn Way, Ashland, OR 97520

PH: (541) 552-2040 **FAX:** (541) 552-2050 **TTY:** 1-800-735-2900

E-MAIL: derek.severson@ashland.or.us

This e-mail transmission is the official business of the City of Ashland, and is subject to Oregon's public records laws for disclosure and retention. If you've received this e-mail in error, please contact me at (541) 552-2040. Thank you.



January 28, 2020

RE: 2019-0001_T3

Annexation and Zone Change for the Property at 1511 Hwy. 99 N
Grand Terrace

Dear Planning Commissioners and Planning Division Staff,

This letter is intended to provide additional information for the record addressing the Planning Commissioners questions and concerns raised at the November 12, 2019 Planning Commission Public Hearing.

Contiguous Property:

The property owner and the applicant has relied on adopted city of Ashland adopted maps and comprehensive plans to create the proposal for annexation. The urban growth boundary in the area was created by and adopted by the city of Ashland. The comprehensive plan and maps were adopted by the state of Oregon showing the urban growth boundary extending across railroad property. The property owner and the applicant used the city's maps to meet the burden of proof that the property is contiguous with the city limits due to the historical precedent that annexations across railroad property is allowed. This issue lies with the City's Comprehensive Plans and adopted maps which include a substantial area of the city's future growth where contiguity cannot be demonstrated.

The railroad has historically throughout the state of Oregon been considered a quasi-public entity and never in the history of Ashland or other Oregon jurisdictions has the railroad intersecting existing streets and / or the highway prevented annexations. The railroad was built for the benefit for the public use similar to the roadway and not as private land for development purposes.

The subject property and all adjacent properties are part of Donation Land Claims (DLC) prior to December 1, 1850. The property and adjacent properties all existed prior to the development of the railroad. The railroad obtained bargain and sale deeds granted by property owners along the proposed line of the railroad in 1883. The attached map and property schedule provide the details of the acquisition. The area of the property and contiguous area in question is highlighted on Exhibits A. Based on the attached map of DCL 1855, certified in 1929, the "Road to Yreka" appears in generally the same location as the highway today. The Oregon Highway Department obtained right-of-way through license agreement for the "relocated" centerline of OR Hwy99 in 1934.



The Oregon Revised Statutes 222.111 (1) allows for the boundaries of the city to be extended through the annexation of territory that is not within a city, and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water.

A map demonstrating the extension of the city limits along the north side of the ODOT right-of-way and the subject property rezoned as R-2 is attached (Exhibit B).

Representatives for Oregon Department of Transportation supported annexation of the entirety of the highway right-of-way where the property abuts the highway frontage.

Access Easement:

Access to the property is provided by a 30-foot wide ingress access easement. The easement area is noted on an attached survey of the adjacent property through which the easement is provided. There are no reservations or limits noted upon the legal access easement. There is a 25-foot wide right of access to the highway from the easement. The property owner's attorney has reviewed the easement and found no restrictions. Attached Exhibit D.

Traffic Impact Analysis:

ODOT has provided a preliminary review of the Transportation Impact Analysis (TIA) and has provided comments to the project team. There are some minor suggestions and considerations to be made, but generally, there were no major issues or concerns that require additional TIA data or off-site intersection improvements.

Based on site visits, preliminary review of speeds, a full access driveway on the southside of the property will be permitted. The driveway on the north end of the development (accessed via the existing driveway) would be widened with the easement area to accommodate improvements, is already a full movement driveway. This driveway is shared with the adjacent business. There is a 25-foot wide right of access to the highway at this location. The right of access driveway apron will be improved to ODOT Standards. A standard cobra style streetlamp and/or a 14-foot tall, pedestrian scaled streetlight will be provided placed near the intersection of the improved driveway apron and the highway right-of-way. The exact location of the streetlight will be determined based on the final driveway approach layout and required improvements.

In discussions with the Traffic Engineer, Kelly Sandow PE, owner and principal engineer at Sandow and Associates, the Traffic Impact Analysis uses Syncro to model the traffic. The models are based on "ideal" traffic conditions and assesses the movement of the vehicles through the intersections. The model does not account for traffic impacts from "bumps" that are caused by a bus, pedestrian traffic, garbage trucks, deer crossings, etc. These somewhat random slowdowns in the daily traffic flow, at times causes traffic congestion. Random events such as a bus or the garbage truck cannot be modeled. There is some



accounting for “random events” and their impact on the highway traffic timing that was factored into the TIA. These included increasing the number of pedestrians crossing at the intersections to increase the highway wait time at the lights. Also, the duration of the green light time was decreased on the highway to slow the model.

The TIA calculated vehicle trips based on a potential unit count of up to 251. This is less than the density of the total property area calculated before the removal of the unbuildable areas of the property, and would not impact the traffic modeling.

As noted, the final analysis of the Traffic Impact Analysis (TIA) has not been completed, ideally this information will be provided before the public hearing and can confirm that no off-site intersections improvements will be necessary. The property and the area of the current urban growth boundary which includes the subject property with R-2 zoning were included in the city’s Transportation System Plan and the future traffic impacts were accounted for.

Oregon Department of Transportation is the authority on the highway intersection markings for pedestrian crossings and highway speeds. At this time, there is not enough justification for speeds to be lower, or for the existing pedestrian crossings to be modified.

With a change in roadside culture through the annexation and development of the property, driving habits change. After the improvements are made, a formal speed study to seek a reduction of the highway speeds can be undertaken. Eventually, if the speeds are reduced and ideally pedestrian volumes increased, support potential for marked crossings can be approved from ODOT.

Frontage Improvements:

The proposal makes every attempt to provide sidewalk and landscape park row to the city of Ashland and ODOT standards from the connection at Schofield to and through the property that demonstrates compliance. There are substantial roadside factors that prevent complete compliance. As addressed in the findings addressing the exception to street standards, when considering the exception to street standards criteria, and the steep embankment adjacent to the highway surface and adjacent, off site highway improvements, the exception to street standards is warranted. Along the entire frontage of the subject property where abutting the ODOT right-of-way, standard parkrow, sidewalk is proposed excepting in the locations of the bus pull out lane and bus shelter area where an eight-foot curbside is proposed.

The revised Civil Engineering Plans are provided (Exhibit C (C.1-C.4)). The plans detail the public improvements. Beginning at Station #1 to Station #16, north of Land of Paws, an eight-foot wide curbside sidewalk is proposed. This complies with ODOT standards for curbside sidewalk and exceeds city of Ashland standards for curbside sidewalks. There is a large roadside ditch and private property (Anderson Autobody) that prevent installation of a sidewalk and parkrow. Additionally, this curbside sidewalk



connects to the existing curbside sidewalks that extend north to the intersection of Valley View Road and HWY 99N. Station #16 to Station #23, a six foot wide sidewalk and seven and one half foot parkrow, six-foot bike lane with three-foot bike lane buffer from the vehicle travel lane is proposed. At Station #23, the extended RVTB bus stop pull out lane for a southbound bus stop is proposed. This extends to Station #27+. Within the bus stop pull out, an eight-foot wide curbside sidewalk is proposed. From Station #27+ to approximately Station #34, an eight-foot wide curbside sidewalk, six-foot bike lane and where present, three-foot bike land buffer is proposed. This portion of the property frontage is physically constrained with a steep roadside embankment, railroad property, constraints of the width of the railroad trestle. From Station #34 to the intersection of Schofield Street and North Main Street a six-foot sidewalk and seven- and one-half foot planting strip and six-foot bike lane is proposed.

In the areas where the standard city sidewalks and parkrows cannot be installed due to the presence of steep roadside embankments and/or lack of public right-of-way or other private property encroachments by the adjacent properties not under the ownership of the property proposed for annexation, an eight-foot wide curbside sidewalk is proposed. This is a larger standard than required by Ashland codes, and complies with the standard from ODOT.

Public sidewalk, landscape park row, bicycle lane and other physical improvements to the Hwy. 99 right-of-way have been reviewed by the Oregon Department of Transportation (ODOT), and the Public Works Department. Where the Ashland standards need exception is to not provide landscape parkrow for the entirety of the sidewalk improvements, ODOT standards require an eight-foot curbside sidewalk, which is proposed.

Public Transit:

The project team has met with representatives from Rogue Valley Transit District (RVTB) and has met with the RVTB Bus Stop Committee. A new, southbound bus pull out lane, bus stop pad and future electric conduit to provide low voltage power is provided to the south of the proposed main driveway entrance to the site.

There are two North bound stops present within approximately 1,800 – 2,000 feet from the property. The first north bound stop that is nearest is on the east side of the highway, near the intersection of North Main Street and the highway. This is a legal, pedestrian crossing.

According to ODOT Traffic Engineers, they support that the intersection is a pedestrian crossing, but it cannot be marked with striping, Rapid Flashing Beacon (RRFB) or similar. This is because the pedestrian crossing of the highway, volume of pedestrians, volume of vehicle traffic and vehicle speeds does not rise to the thresholds for allowing marked crossing. ODOT does support a median refuge at the intersection of North Main and the highway and “pedestrian crossing” signage. The median that was recently removed would have provided pedestrian refuge. There is a smaller median south of the intersection, improvements would be necessary to create a adequate pedestrian refuge.



The other north bound stop is nearer the intersection of Valley View Road and the highway. This crossing is a signaled intersection with painted cross walk.

The subject property and the proximity to both north bound stops and the new south bound stop are within the Transit Supportive Areas in the RVTD 2040 Transit Master Plan. The property is within the “Quartermile Walkshed” from transit stops. The quarter-mile walkshed consists of areas that are within a typically five-minute walk at a normal walking space. Like most of the community, there is not a south bound and a north bound bus stop along the frontage of the property. This does not prevent commuters from crossing HWY 99N, Siskiyou Boulevard, HWY 66, from accessing transit stops where not directly connected via a crosswalk or signaled intersection.

See attached map for the Transit Supported area from the RVTD 2040 Transit Master Plan (EXHIBIT E).

Residential Density:

The project team finds that the municipal code requires that the number of housing units is determined by the base density of the property, but should in cases where substantial areas are undevelopable exclude the property area that is considered undevelopable or unbuildable areas.

We believe it can be found that the proposed density of the property is based on the Oregon Revised Statutes for what is defined as “Buildable Land” and what is defined as buildable land in the Buildable Lands Inventory of the City of Ashland.

Oregon Revised Statutes (ORS 660-008-005):

Buildable Land means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered suitable and available unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

The 2011 Buildable Lands Inventory provides an analysis of the “net buildable acres” that excludes restricted hazard areas and restricted resource protection areas. The city’s own buildable lands analysis excludes hazard areas, before determining the availability of buildable land for the purposes for determining whether an adequate supply of buildable land is available for housing and business development. That would appear to be based on the element of base density.



Furthermore, according to the Housing Element of the Comprehensive Plan, Policy 17: Development standards shall be used to fit development to topography, generally following the concept that density should decrease with an increase in slope to avoid excessive erosion and hillside cuts.

The density standards found in AMC 18.2.5.80.B. state that...the density in the R-2 and R-3 zones shall be computed by dividing the total number of dwelling units by the acreage of the project, including land dedicated to the public and subject to the exceptions below. The exceptions are to the minimum density standards which provide for the protections of floodplains, streams, land drainages, wetlands, and/or steep slopes.

The municipal code in section 18.5.8.050 F. requires that all residential annexations provide a plan demonstrating that development occur at a minimum density that is 90 percent of the base density in the zone unless a reduction in the total number of units is necessary to accommodate significant natural features.

The guiding documents of the city including the Comprehensive Plan, and the Buildable Lands Inventory speak to protections of natural areas when computing density.

There are exceptions provided that allow for minimum densities to be reduced when there are physical constraints, such as those listed in the ORS which do not allow for development and should not be considered part of the area of development for the purposes of calculating density.

A substantial area of the property having more than 35 percent slopes, riparian drainages, and wetlands, that prevent construction of dwelling units and infrastructure and other site developments necessary for residential development. In reviewing the municipal code, the 2011 Buildable Lands Inventory, and the Oregon Revised Statutes definition of what is buildable, it would be prudent that these unbuildable areas should to be excluded from the base density calculations. In the event they are not, there are physical constraints on the property that allow for exceptions to the minimum density standard.

The proposed layout demonstrates how with limited height (not allowing multi-family residential along a transit corridor to be more than two and one-half story or 35-feet whichever is less) and limited physical area of development due to the areas of severe constraints provides a substantial area of new, much needed multi-family residential dwellings that complies can be developed.

Lastly, we find that in previous annexation and / or zone change requests that involved land that was physically constrained, the area of constraint was excluded from the base density calculations. Attached is a portion of the 2004 Planning Commission decision, affirmed by the City Council decision that a wetland area reduced the lot area for the purposes of calculating density. The resulting number of affordable housing units was based upon the reduced density, not the total project area. This property has developed as an affordable housing complex by the Jackson County Housing Authority, ultimately



modifying the original approval. In addition, the density of a recently approved rezoning of RR-5 property at 475 E Nevada Street was reduced base density. In the approval findings, it is recognized that the density is reduced based on excluding areas that are unbuildable. These are two examples of recent decisions that appear to clearly permit the density of the property and the resulting required affordable housing units to be based on the areas excluding the constrained land. The proposal is consistent with similar approvals with respect to density calculations.

At this time, the number of proposed units and achieving the minimum density of the property based on excluding the areas that are unbuildable is met with the current layout of 182 dwelling units per unit count for density standards purposes with 196 actual residential units. There are solutions to this issue that include revising the lot area through a property line adjustment or an increase in the number of units and the number of parking spaces. The solution will need to be determined based upon further discussion with the Planning Commission.

Conclusion:

The project team finds that the continuity issue needs to be further explored and seeks legal advise from the city on the validity of the comprehensive plan maps when there is no connection to the city limits due to the presence of the railroad.

The proposal demonstrates compliance with the standards for annexation of the last, large acre multi-family residentially zoned land provided on in the city's urban growth boundary. The proposed conceptual plans are generally consistent with applicable standards, and other than minor considerations with respect to the street standards, it can be found that with the requested exception to the street design standards as addressed in the application Findings of Fact and the Staff Report. The project team believes that it can be found that adequate vehicle, pedestrian, bicycle and transit facilities can be provided to service the annexed area.

Many of the annexation criteria require concurrence of the Public Works Director, additionally, there has been verbal agreements regarding the extension of services and how to address the overlapping service district for the disposal of sanitary sewer and stormwater sewer. It is the property owners desire to have staff from Public Works present at the hearing to address any concerns regarding the proposed public infrastructure.

Thank you,

Amy

Amy Gunter
Rogue Planning & Development Services, LLC
Amygunter.planning@gmail.com



ATTACHMENTS:

EXHIBIT A: Railroad Property Schedule and Map; DLC map

EXHIBIT B: Easement and Survey of easement

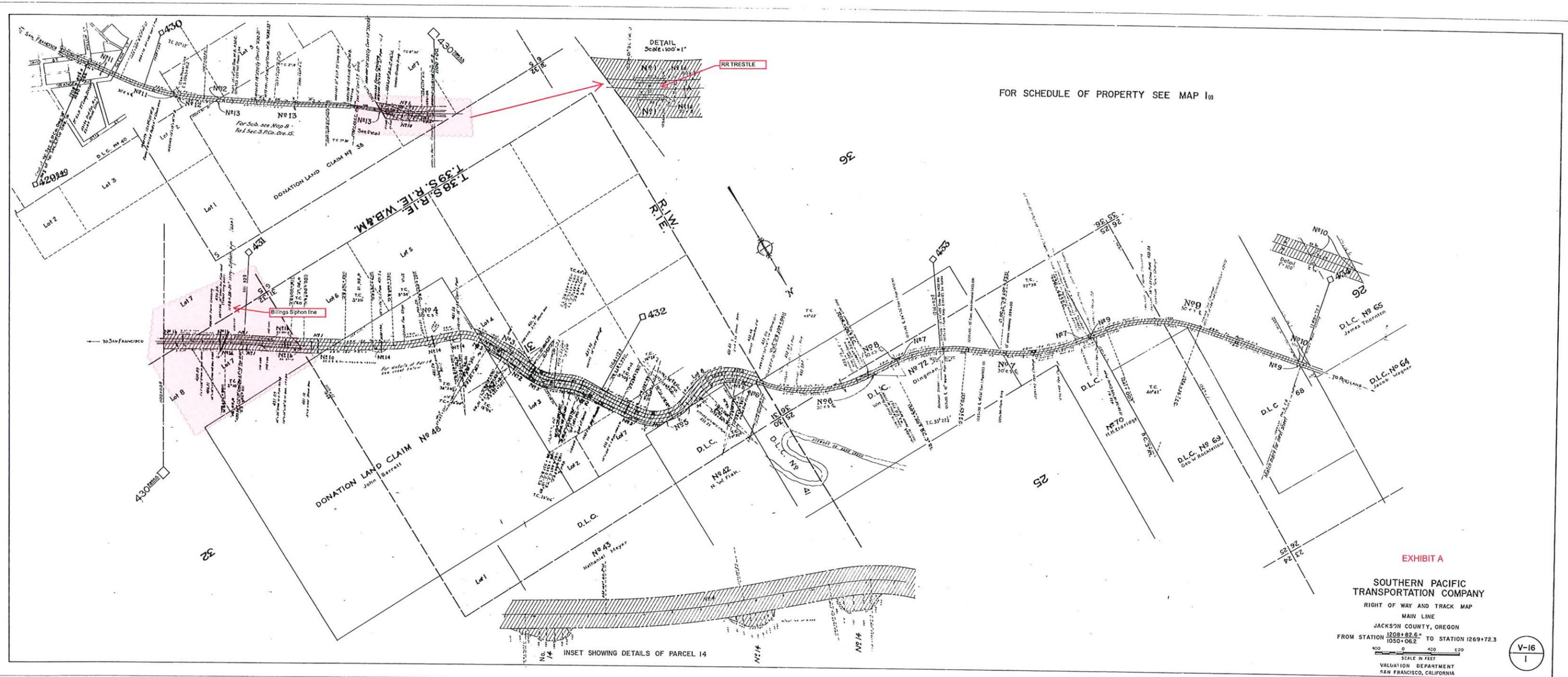
EXHIBIT C: Civil Engineering Plans (C.1 – C.4)

EXHIBIT D: Draft Zoning Map

EXHIBIT E: RVTD Transit Master Plan Transit Supportive Areas - 2042

EXHIBIT F: ODOT Email re. RRFB Beacon and intersection crossing

EXHIBIT G: Findings for 380 Clay Street (PA2004-141)

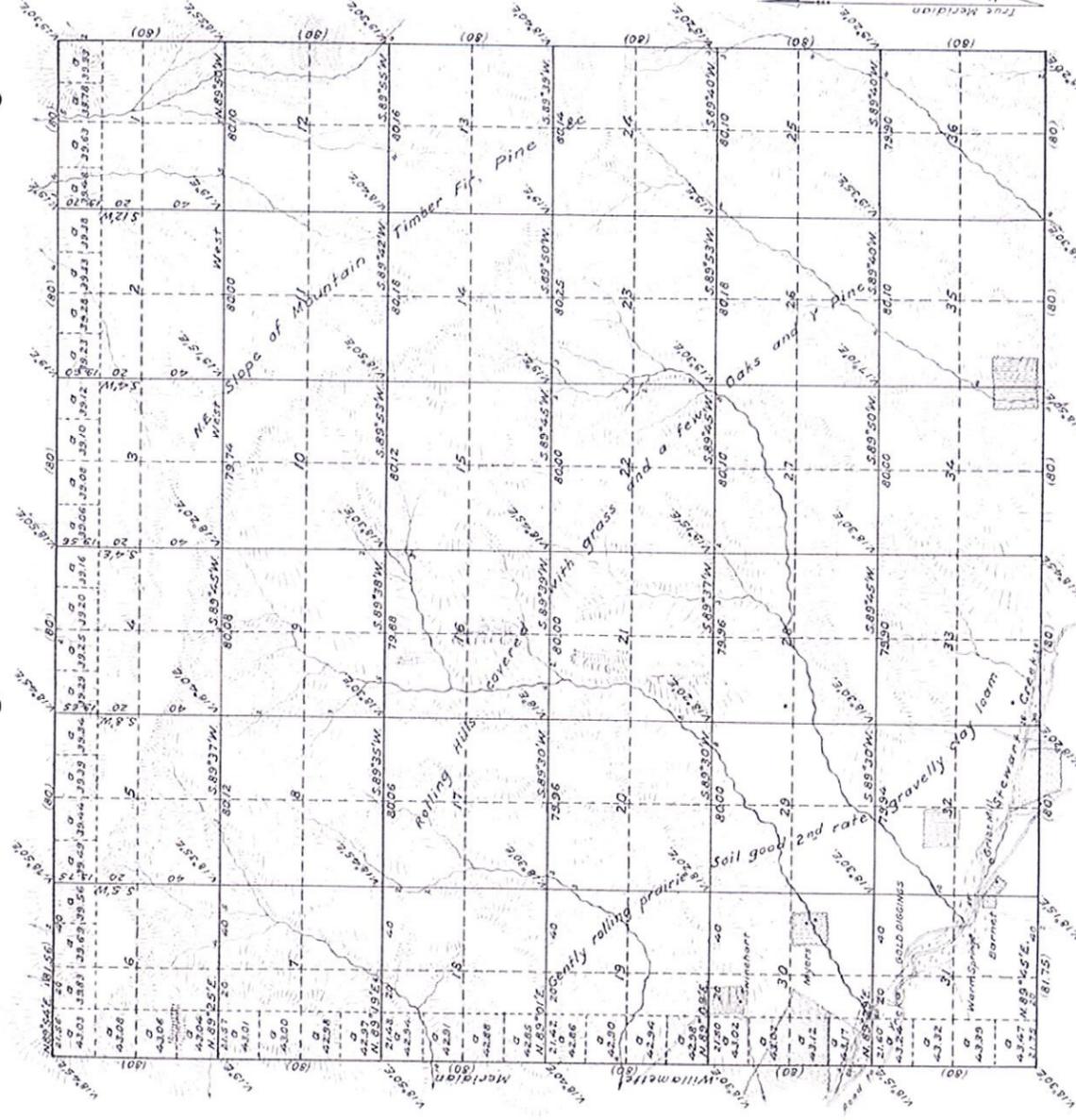


FOR SCHEDULE OF PROPERTY SEE MAP I₀₀

EXHIBIT A
**SOUTHERN PACIFIC
 TRANSPORTATION COMPANY**
 RIGHT OF WAY AND TRACK MAP
 MAIN LINE
 JACKSON COUNTY, OREGON
 FROM STATION 1208+82.6 TO STATION 1269+72.3
 SCALE IN FEET
 VALUATION DEPARTMENT
 SAN FRANCISCO, CALIFORNIA

V-16
 1

Township No 38 South, Range No 1 East, Willamette Meridian, Oregon.



Survey designated	By whom surveyed	Contract No.	Date	Amount of surveys	When checked in the
Township Lines	Ives & Hyde	39	Jan'y 4 th , 1854	Miles chains links	Sur. Gen's accounts
Subdivisions	Ives & Hyde	39	Jan'y 4 th , 1854	12 01 75	4 th of 1854
Total number of Acres	75,099.27			60 06 75	1 st of 1855

The above map of Township No. 38 South, of Range No. 1 East, of the Willamette Meridian, Territory of Oregon, is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.

(Signed)
C. R. Gardner,
Surv. Gen. of Oregon.

EXHIBIT A
Public Survey Office,
Portland, Oregon,
December 11, 1859.
I certify the above to be a
correct copy of the original
plat on file in this office.

(Signed)
Joseph A. Sawyer
Office Chief and Engineer.



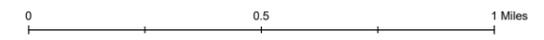
Scale 40 chains to an inch



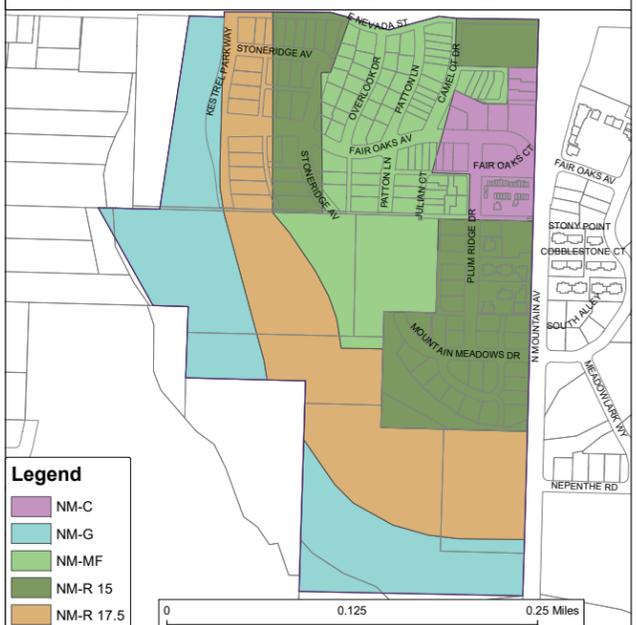
Zoning Map

- City Limits
- Urban Growth Boundary
- P-overlay
- Airport Overlay
- Freeway Overlay
- Residential Overlay
- Taxlots
- C-1
- C-1-D
- E-1
- HC
- M-1
- NM
- R-1-10
- CM
- R-1-3.5
- R-1-5
- R-1-7.5
- R-2
- R-3
- RR-5
- RR-1
- SO
- WR
- WR-20

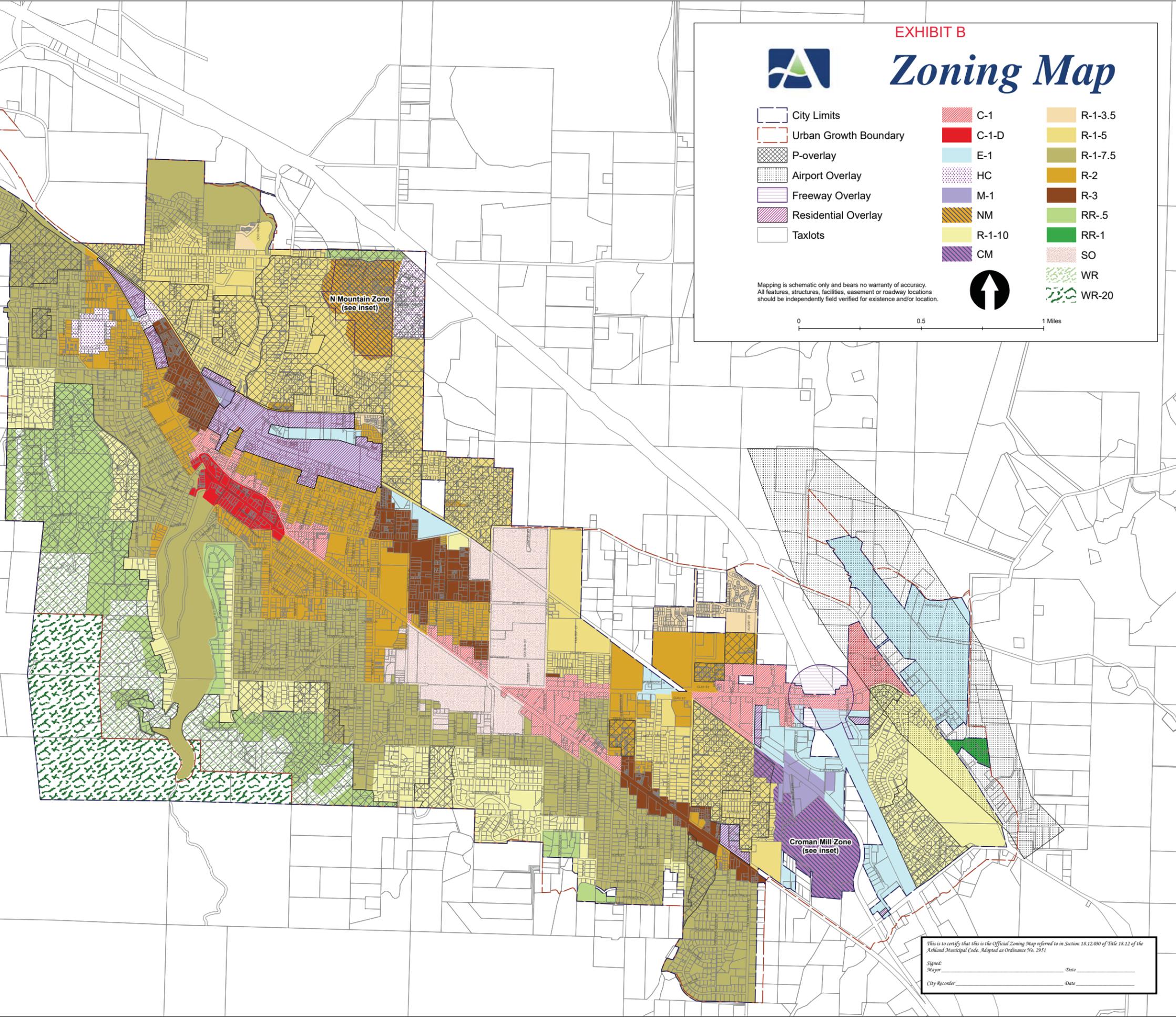
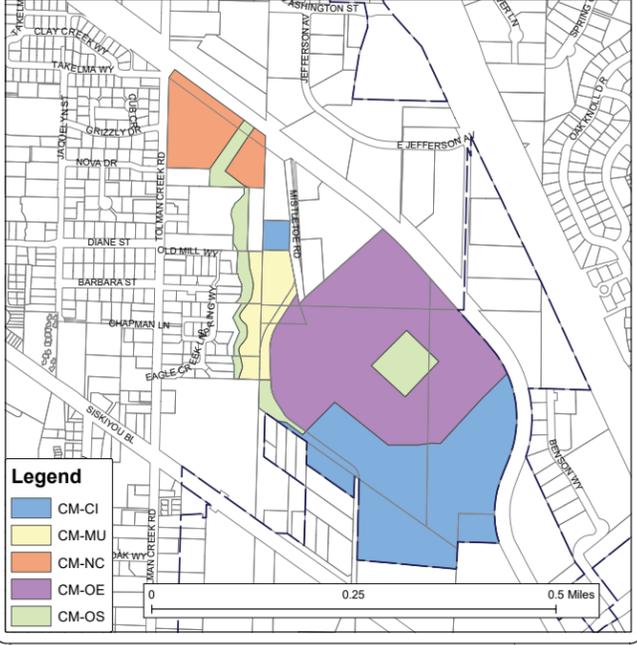
Mapping is schematic only and bears no warranty of accuracy. All features, structures, facilities, easement or roadway locations should be independently field verified for existence and/or location.



North Mountain Zoning Overlay Detail



Croman Mill Zoning Overlay Detail



This is to certify that this is the Official Zoning Map referred to in Section 18.12.030 of Title 18.12 of the Ashland Municipal Code, Adopted as Ordinance No. 2951

Mayor: _____ Date: _____

City Recorder: _____ Date: _____

CONCEPT PLANS FOR GRAND TERRACE

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

LEGEND

- PROPOSED STORM MANHOLE OR CLEANOUT
- PROPOSED CURB INLET
- PROPOSED CATCH BASIN
- PROPOSED DITCH INLET
- PROPOSED STORM MAIN
- EXISTING STORM MAIN
- DRAINAGE DIRECTION
- EXISTING WATER MAIN
- EXISTING FIRE HYDRANT
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED SEWER MANHOLE OR CLEANOUT
- PROPOSED SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MAIN
- EXISTING SEWER MANHOLE OR CLEANOUT

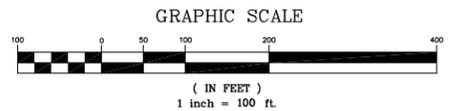
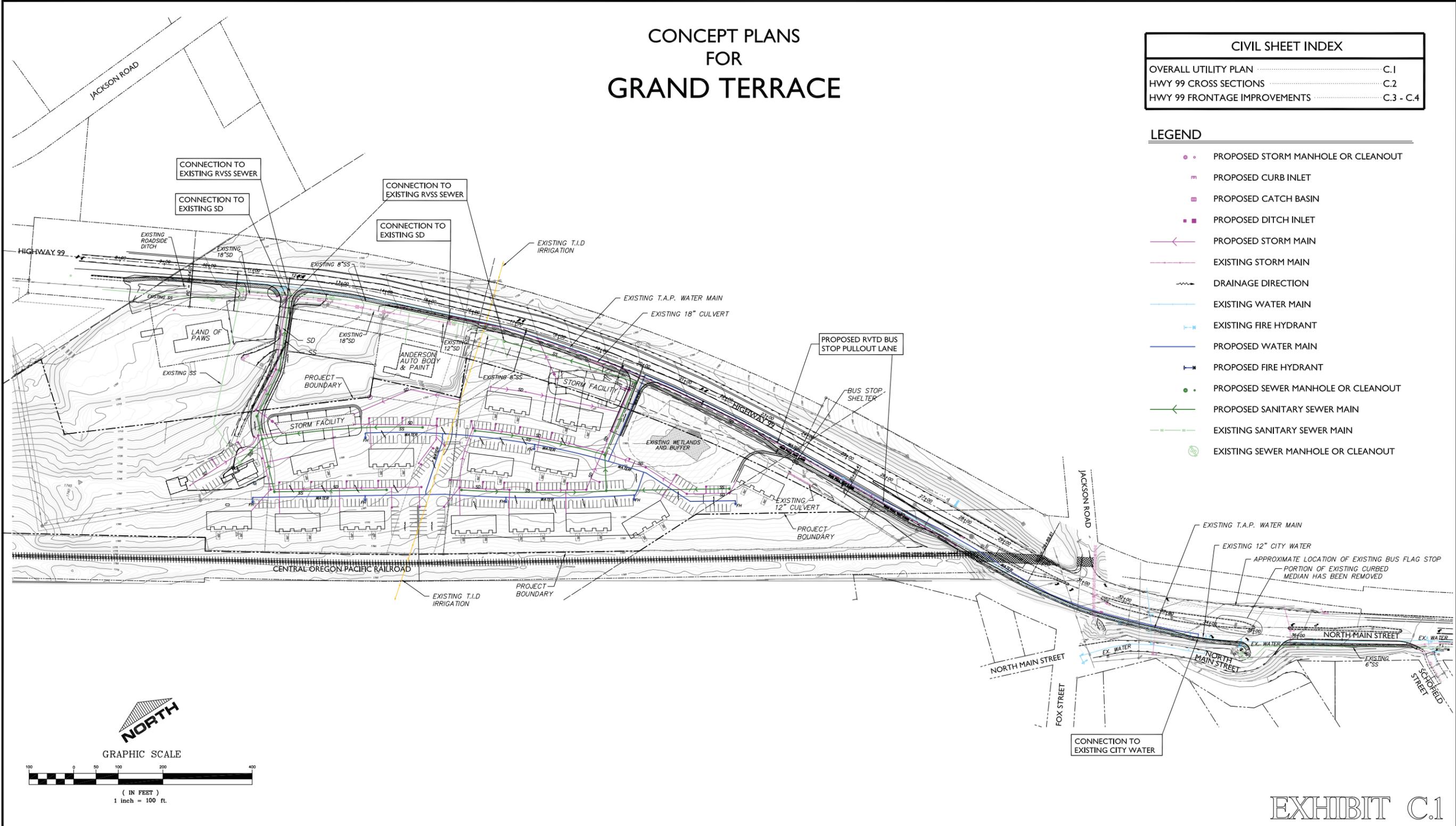
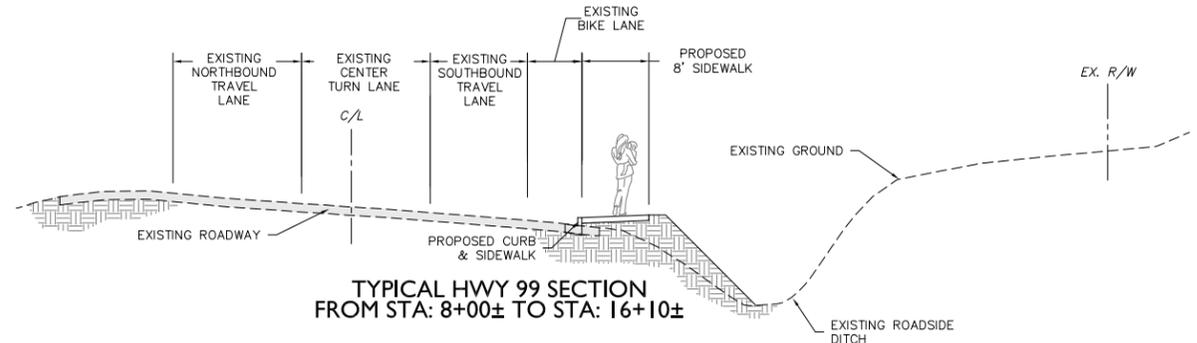
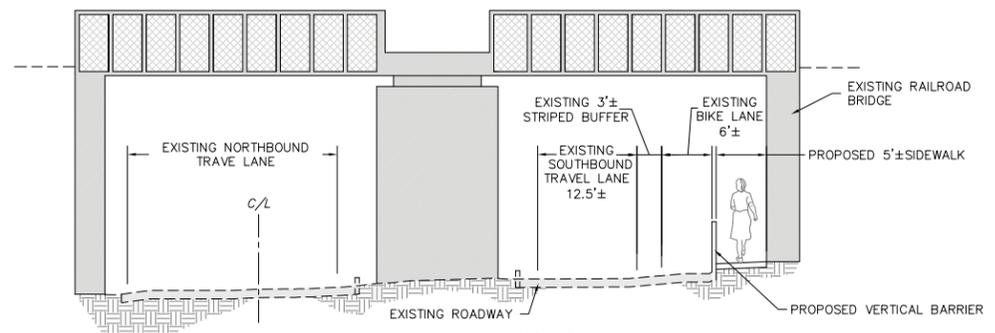


EXHIBIT C.1

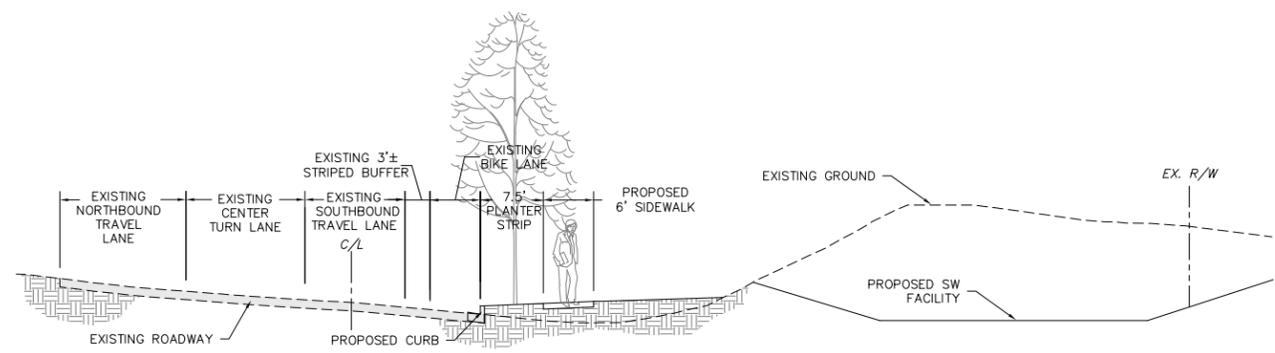
	<p style="font-size: 8pt;">P.O. BOX 1724 - MEDFORD, OREGON 97501 PH. (541) 779-5268</p>	DRAWN BY: NBK	DATE: 09/19	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: 8pt;">NO.</th> <th style="font-size: 8pt;">REVISION</th> <th style="font-size: 8pt;">DATE</th> <th style="font-size: 8pt;">BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	REVISION	DATE	BY																		<p style="font-weight: bold;">CITY OF ASHLAND</p> <p style="font-weight: bold;">GRAND TERRACE CONCEPTUAL OVERALL UTILITY PLAN</p>	PROJECT NO.
		NO.	REVISION		DATE	BY																					
CHECKED BY: AMB, MWK	DATE: 09/19	DATE:	DATE:	DATE:	DATE:	DRAWING NO.																					



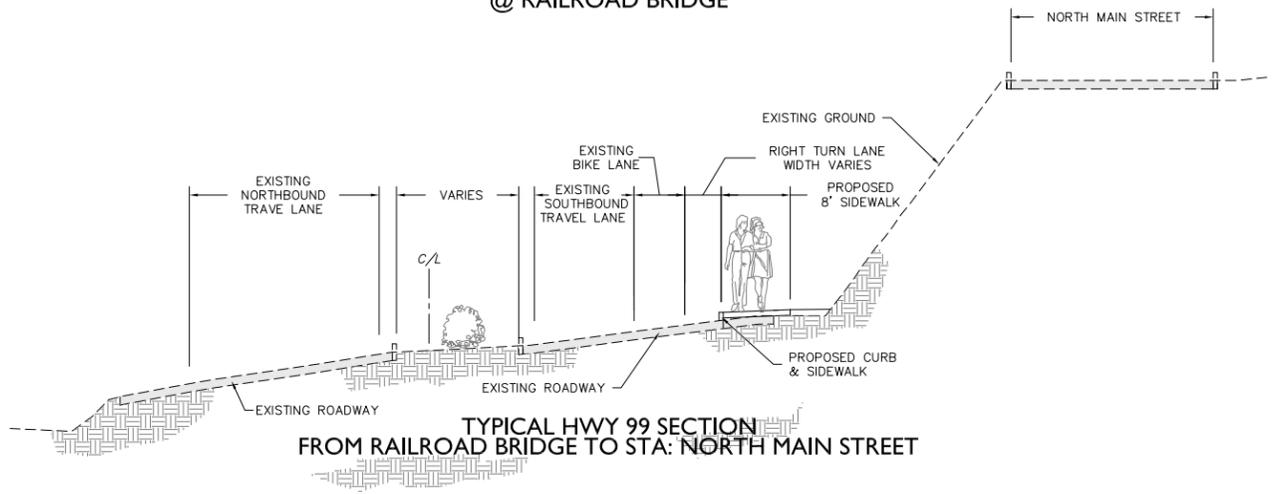
TYPICAL HWY 99 SECTION
FROM STA: 8+00± TO STA: 16+10±



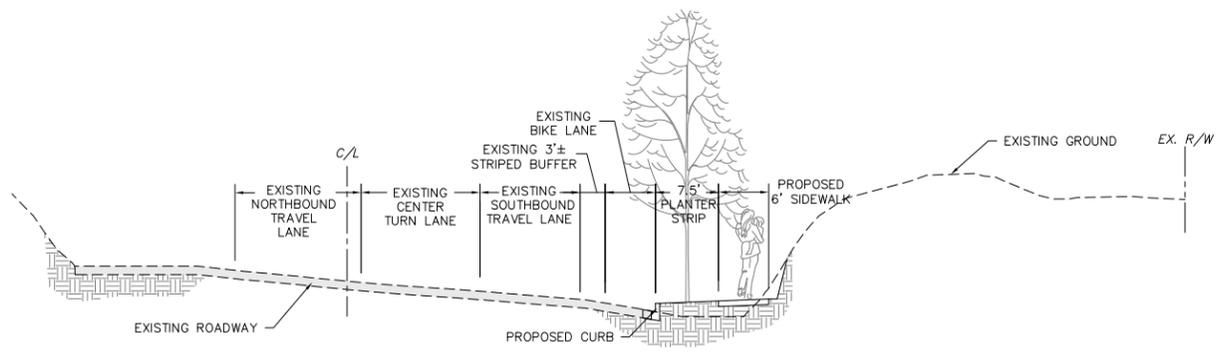
HWY 99 SECTION
@ RAILROAD BRIDGE



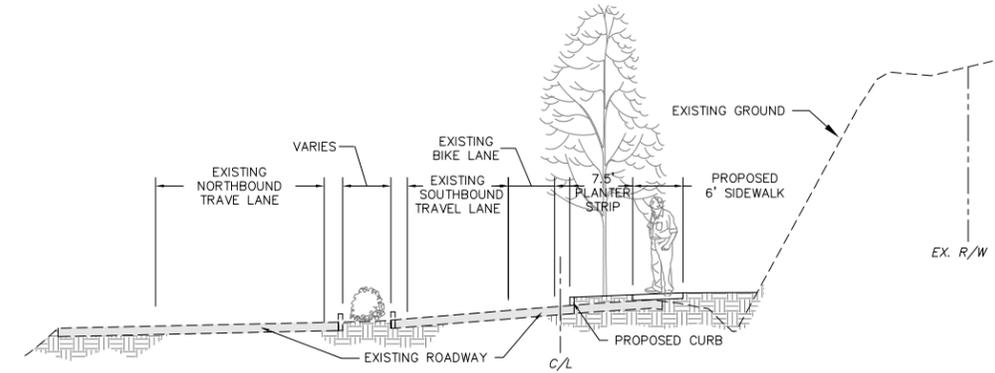
TYPICAL HWY 99 SECTION
FROM STA: 16+10± TO STA: 20+00±



TYPICAL HWY 99 SECTION
FROM RAILROAD BRIDGE TO STA: NORTH MAIN STREET



TYPICAL HWY 99 SECTION
FROM STA: 20+00± TO STA: 27+25±



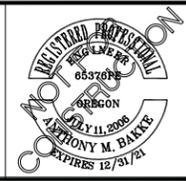
TYPICAL HWY 99 SECTION
FROM NORTH MAIN STREET SCHOFIELD STREET

EXHIBIT C.2

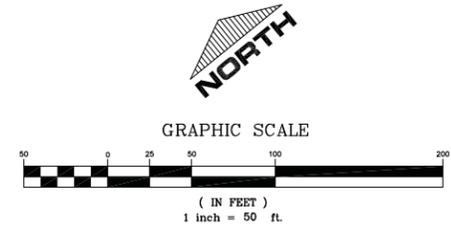


DRAWN BY:	NEK	DATE:	09/12
CHECKED BY:	AMB, MWK	DATE:	09/12
		DATE:	
		DATE:	
		DATE:	

NO.	REVISION	DATE	BY



CITY OF ASHLAND	
GRAND TERRACE CONCEPTUAL HIGHWAY 99 FRONTAGE CROSS SECTIONS	PROJECT NO. DRAWING NO.



- LEGEND**
- PROPOSED SIDEWALK
 - PROPOSED PARK STRIP
 - PROPOSED STORM MANHOLE OR CLEANOUT
 - PROPOSED CURB INLET
 - PROPOSED CATCH BASIN
 - PROPOSED DITCH INLET
 - PROPOSED STORM MAIN
 - EXISTING STORM MAIN
 - DRAINAGE DIRECTION
 - EXISTING WATER MAIN
 - PROPOSED WATER MAIN
 - EXISTING FIRE HYDRANT
 - PROPOSED FIRE HYDRANT
 - PROPOSED SEWER MANHOLE OR CLEANOUT
 - PROPOSED SANITARY SEWER MAIN
 - EXISTING SANITARY SEWER MAIN
 - EXISTING SEWER MANHOLE OR CLEANOUT

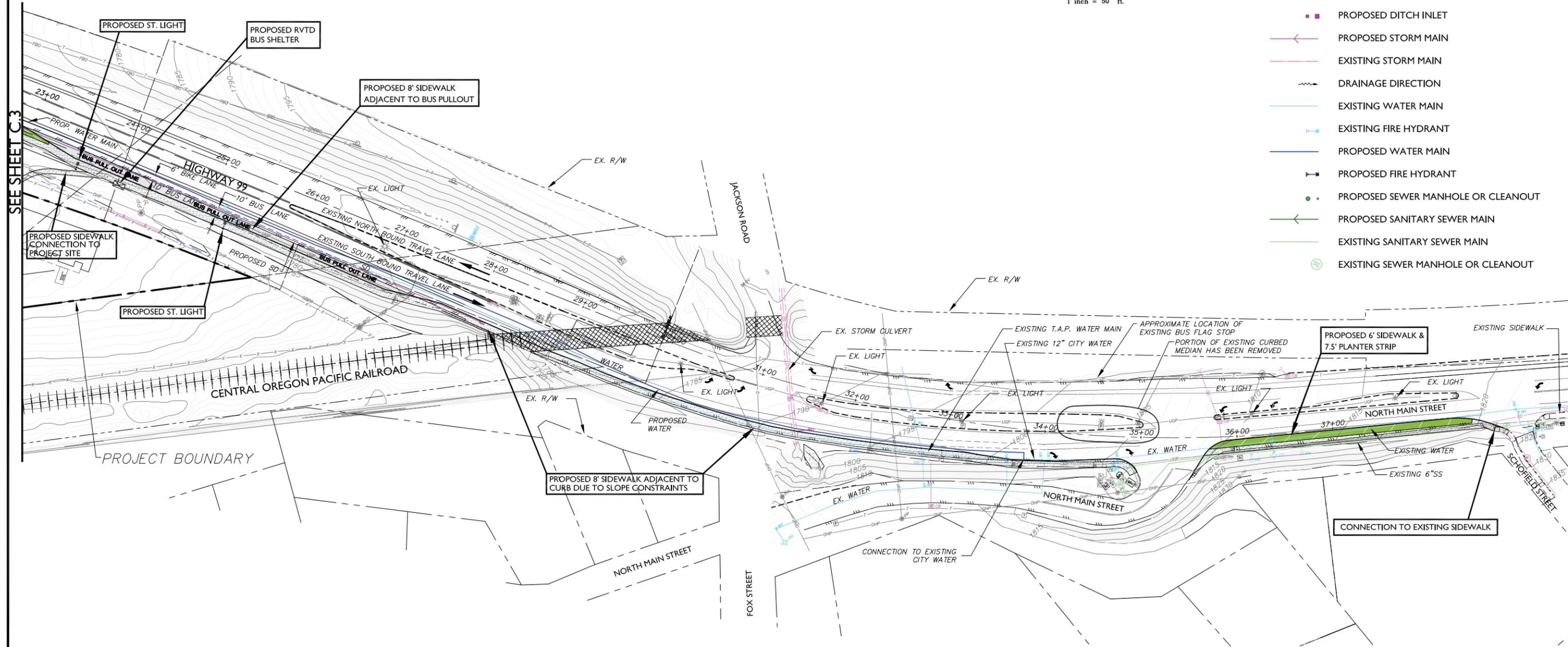
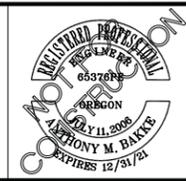


EXHIBIT C.4



BY: NBK	DATE: 09/19
BY: AMB, MWK	DATE: 09/19
	DATE:
	DATE:
	DATE:

NO.	REVISION	DATE	BY



CITY OF ASHLAND

GRAND TERRACE
HIGHWAY 99
CONCEPTUAL
FRONTAGE IMPROVEMENTS

PROJECT NO.

DRAWING NO.

89-08907

10⁰⁰
10³⁰

WARRANTY DEED
Tenants by Entirety

KNOW ALL MEN BY THESE PRESENTS, that LEO J. vanDIJK and MARIANNE O. vanDIJK, husband and wife, as Grantors, convey and warrant to LEO J. vanDIJK and MARIANNE O. vanDIJK, husband and wife, as Grantees, the following described real property free of encumbrances except as specifically set forth herein:

See Attached Exhibit "A"

There is no consideration given for this conveyance as the conveyance is being made for the purpose of documenting a minor land partition by Grantors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

IN WITNESS WHEREOF, the Grantors have executed this instrument this 19th day of January 1989.

Leo J. van Dijk

LEO J. vanDIJK
Marianne O. van Dijk

MARIANNE O. vanDIJK

STATE OF OREGON)
) ss.
County of Jackson)

The foregoing instrument was acknowledged before me this 18 day of January, 1989, by LEO J. vanDIJK and MARIANNE O. vanDIJK.

Penny Henry

PENNY HENRY
NOTARY PUBLIC - OREGON
My Commission Expires 11/1/90

Notary Public for Oregon
My Commission Expires: _____

After Recording Return To:
Ben Lombard, Jr.
P.O. Box 1090
Ashland, OR 97520

Mail Tax Statements To:
Leo J. vanDijk
Marianne O. vanDijk
1609 Jackson Road
Ashland, OR 97520

EXHIBIT D

BEN LOMBARD, JR.
ATTORNEY AT LAW
P.O. BOX 1090
ASHLAND, OR 97520
(503) 482-9481

89-08907

A tract or parcel of land situated in the Southwest quarter of Section 32, Township 38 South, Range 1 East and the Northwest quarter of Section 5, Township 39 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon and being more fully described as follows: Commencing at the Southeast corner of Donation Land Claim No. 48, Township 38 South, Range 1 East of the W.B. & M; thence South 46°28'51" West, 835.06 feet to a found 1/2 inch iron pipe 2 inches below ground surface, for the TRUE POINT OF BEGINNING; thence North 41°34'29" East, 89.285 feet to a 1/2 x 24 inch galvanized iron pipe situated in the Southwesterly right of way line of the relocated Pacific Highway; thence Southeasterly along the arc of a 3,718.629 (State Highway Record= 3,719.719 feet) foot radius curve to the right, the radial bearings 'in and out' are South 47°03'01.0" West and South 60°56'40.6" East (the central angle is 13 degrees 53 minutes and 39.6 seconds) 901.775 feet to a point of tangency; thence South 28°49'42" East along said Highway right of way line, 29.39 feet, more or less, to a point in the Northeasterly right of way line of the Southern Pacific Railroad; thence leaving said State Highway right of way line, North 58°23'04" West along said railroad right of way line (deed record North 58°23' West, 461.26 feet to a point on the Southerly line of Section 32) 348.09 feet to a point in that boundary line common to Section 32, Township 38 South, Range 1 East and Section 5, Township 39 South, Range 1 East, said Base, Meridian, County and State; thence South 89°39'27" West (deed record West, 173.0 feet) along said common section line, 151.14 feet to a point 20.0 feet from the centerline of the existing railroad tracks, when measured Northeasterly of and normal therefrom (deed record 20.0 feet from the railroad centerline, measured at right angles from said centerline); thence North 58°23'04" West (deed record North 56°53' West) 439.50 feet to a 1/2 x 24 inch galvanized iron pipe situated at a point of curvature; thence leaving said railroad right of way line, North 38°38'29" East, 351.73 feet to the point of beginning. Containing 5.06 Acres, more or less.

RESERVING THEREFROM, an easement for the purpose of ingress and egress over and across a strip of land situated 15.0 feet on each side of, when measured normal therefrom, the following described centerline; Commencing at a found 1/2 inch iron pipe, 2 inches below ground surface, which bears South 46°28'51" West, 835.06 feet from the Southeast corner of Donation Land Claim No. 48, Township 38 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon; thence South 38°38'29" West, 19.17 feet to the TRUE POINT OF BEGINNING; thence South 89°52'29" East along said ingress and egress centerline, 145.38 feet to a point in the Southwesterly right of way line of the relocated Pacific Highway and there terminating.

FURTHER RESERVING THEREFROM, such additional amount of land for easement purposes on the southerly side of the foregoing described easement as may be required by law for ingress and egress to the property served by the foregoing described easement in the event said property is further subdivided or partitioned by the owners thereof.

Subject to any and/or easements and/or rights of way of record and those apparent on the land.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

11:25 MAY 2 1989 A.M.

KATHLEEN S. BECKETT
CLERK and RECORDER

[Signature] Deputy

EXHIBIT D

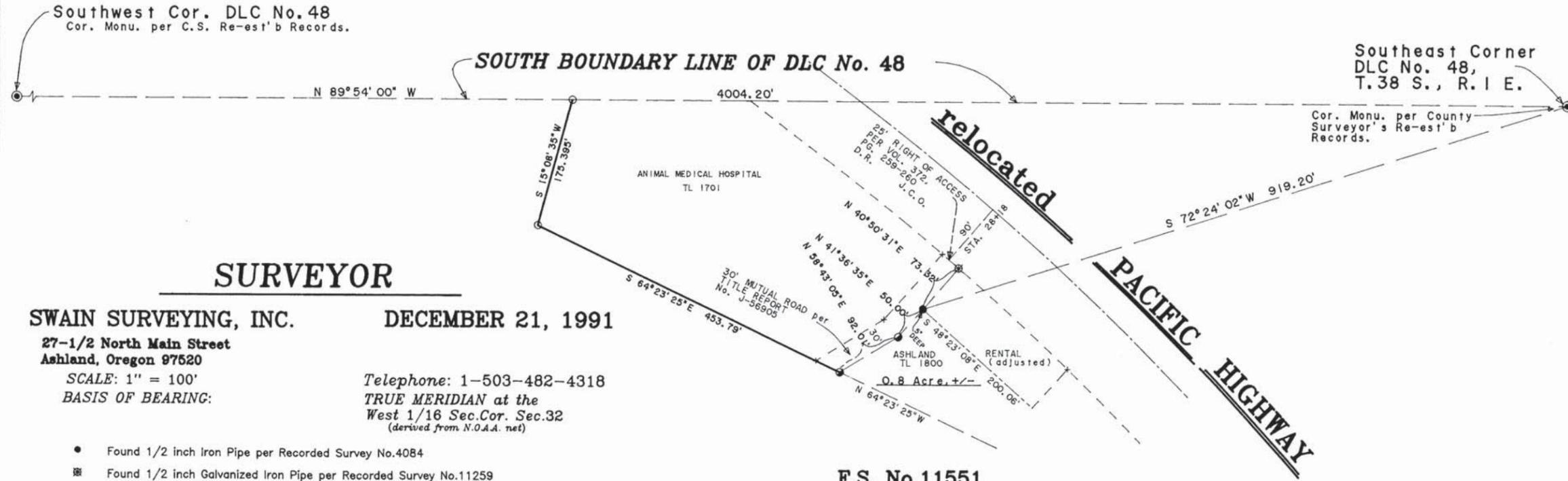
EXHIBIT No. "A"

MAP of SURVEY

located in
Southwest Quarter of Section 32, T.38 S., R. 1 E.,
Willamette Base and Meridian,
JACKSON COUNTY OREGON

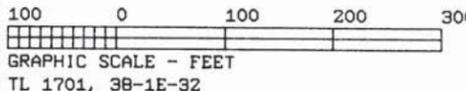
Leo and Marianne van Dijk

1609 Jackson Road
Ashland, Oregon 97520

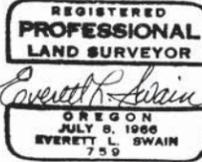


SURVEYOR
SWAIN SURVEYING, INC. **DECEMBER 21, 1991**
 27-1/2 North Main Street
 Ashland, Oregon 97520
 Telephone: 1-503-482-4318
 SCALE: 1" = 100'
 BASIS OF BEARING: TRUE MERIDIAN at the West 1/16 Sec. Cor. Sec. 32 (derived from N.O.A.A. net)

- Found 1/2 inch Iron Pipe per Recorded Survey No.4084
- Found 1/2 inch Galvanized Iron Pipe per Recorded Survey No.11259
- Found 3/4 inch Iron Pipe with tack in plug marked: SWAIN LS 759 per Recorded Survey No.11551
- Set 1/2 x 24 inch Galvanized Iron Pipe with yellow plastic plug marked: SWAIN LS 759.



•• RECEIVED ••
 Date 12-29-91 By [Signature]
 This survey consists of:
 - sheets: Map
 - panels: Narrative
 JACKSON COUNTY SURVEYOR



F.S. No.11551

EXHIBIT D
 Job: LD 1230T
 File: LD 1230T1



Amy Gunter <amygunter.planning@gmail.com>

Grand Terrace - Revised Civil Plans

HOROWITZ Micah <Micah.HOROWITZ@odot.state.or.us> Fri, Jan 24, 2020 at 8:48 AM
To: Amy Gunter <amygunter.planning@gmail.com>
Cc: "West, Paige" <pwest@rvtd.org>, Sean Eisma <seisma@rvtd.org>, MARMON Jenna <Jenna.MARMON@odot.state.or.us>, BOARDMAN Jennifer <Jennifer.BOARDMAN@odot.state.or.us>, MORRIS Michael L <Michael.L.MORRIS@odot.state.or.us>, FITZGERALD William <William.FITZGERALD@odot.state.or.us>

Hi Amy – per ODOT Traffic:

RRFB cannot be used with the minimal pedestrian volume. We can support a unmarked pedestrian crossing with a median refuge and signing as an alternative.

Best regards,

Micah

Micah Horowitz, AICP

ODOT Region 3 | Senior Transportation Planner

100 Antelope Road, White City, OR 97503

p: 541.774.6331 | e: micah.horowitz@odot.state.or.us

[Quoted text hidden]

EXHIBIT F

BEFORE THE PLANNING COMMISSION
June 14, 2005

IN THE MATTER OF PLANNING ACTION #2004-141, REQUEST FOR OUTLINE) FINDINGS,
PLAN AND SITE REVIEW FOR A 117-UNIT DEVELOPMENT UNDER THE) CONCLUSIONS
PERFORMANCE STANDARDS OPTION FOR THE PROPERTY LOCATED 380) AND ORDERS
CLAY STREET. AN EXCEPTION TO CITY OF ASHLAND STREET)
STANDARDS IS REQUESTED TO MEANDER A PROPOSED SIDEWALK)
ALONG CLAY STREET AROUND A CEDAR TREE LOCATED AT THE)
SOUTHWEST CORNER OF THE PROPERTY. A TREE REMOVAL PERMIT IS)
REQUESTED TO REMOVE FOUR TREES ON THE SITE.)
)
APPLICANT: D and A Enterprise)

RECITALS:

- 1) Tax lot 2500 of 391E 11C is located at 380 Clay Street. The Comprehensive Plan designation is Multi-Family Residential with a proposed zoning of R-2.
- 2) The applicant is requesting Outline Plan and Site Review approval for a 117-unit development under the Performance Standards Options. The application includes an exception to City of Ashland Local Street Standards to meander a short section of sidewalk proposed for installation along Clay Street, as well as a Tree Removal Permit to remove approximately four trees.
- 3) **The criteria for Outline Plan approval are described in section 18.88.040 A. 4 of the Ashland Land Use Ordinance as follows:**

The Planning Commission shall approve the outline plan when it finds the following criteria have been met:

- a. That the development meets all applicable ordinance requirements of the City of Ashland.
- b. That adequate key City facilities can be provided including water, sewer, paved access to and through the development, electricity, urban storm drainage, police and fire protection and adequate transportation; and that the development will not cause a City facility to operate beyond capacity.
- c. That the existing and natural features of the land; such as wetlands, floodplain corridors, ponds, large trees, rock outcroppings, etc., have been identified in the plan of the development and significant features have been included in the open space, common areas, and unbuildable areas.
- d. That the development of the land will not prevent adjacent land from being developed for the uses shown in the Comprehensive Plan.
- e. That there are adequate provisions for the maintenance of open space and common areas, if required or provided, and that if developments are done in phases that the early phases have the same or higher ratio of amenities as proposed in the entire project.
- f. That the proposed density meets the base and bonus density standards established under this Chapter.
- g. The development complies with the Street Standards. (Ord 2836, S2 1999).

The criteria for Site Plan approval are described in section 18.72.070 of the Ashland Land Use Ordinance as follows:

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

- A. All applicable City ordinances have been met or will be met by the proposed development.
- B. All requirements of the Site Review Chapter have been met or will be met.
- C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.
- D. That adequate capacity of City facilities for water, sewer, paved access to and through the development, electricity, urban storm drainage, and adequate transportation can and will be provided to and through the subject property. All improvements in the street right-of-way shall comply with the Street Standards in Chapter 18.88, Performance Standards Options. (Ord. 2655, 1991; Ord 2836 S6, 1999)

The criteria for a Tree Removal Permit are described in section 18.61.080 of the Ashland Land Use Ordinance as follows:

An applicant for a Tree Removal-Staff Permit shall demonstrate that the following criteria are satisfied. The Staff Advisor may require an arborist's report to substantiate the criteria for a permit.

- A. **Hazard Tree:** The Staff Advisor shall issue a tree removal permit for a hazard tree if the applicant demonstrates that a tree is a hazard and warrants removal.
 - 1. A hazard tree is a tree that is physically damaged to the degree that it is clear that it is likely to fall and injure persons or property. A hazard tree may also include a tree that is located within public rights of way and is causing damage to existing public or private facilities or services and such facilities or services cannot be relocated or the damage alleviated. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard or a foreseeable danger of property damage to an existing structure and such hazard or danger cannot reasonably be alleviated by treatment or pruning.
 - 2. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.
- B. **Tree that is Not a Hazard:** The City shall issue a tree removal permit for a tree that is not a hazard if the applicant demonstrates all of the following:
 - 1. The tree is proposed for removal in order to permit the application to be consistent with other applicable Ashland Land Use Ordinance requirements and standards. (e.g. other applicable Site Design and Use Standards). The Staff Advisor may require the building footprint of the development to be staked to allow for accurate verification of the permit application; and
 - 2. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of

surface waters, protection of adjacent trees, or existing windbreaks; and

3. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property.

The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone. Nothing in this section shall require that the residential density 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 or alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with other provisions of the Ashland Land Use Ordinance.

4. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to AMC 18.61.084. Such mitigation requirements shall be a condition of approval of the permit.

An exception to the Street Standards is not subject to the Variance requirements of section 18.100 and may be granted with respect to the Street Standards in 18.88.050 if all of the following circumstances are found to exist:

- A. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.
- B. The variance will result in equal or superior transportation facilities and connectivity;
- C. The variance is the minimum necessary to alleviate the difficulty; and
- D. The variance is consistent with the stated Purpose and Intent of the Performance Standards Options Chapter.(Ord 2836, Amended, 02/02/1999)

4) The Planning Commission, following proper public notice, held a Public Hearing on February 8, 2005 and June 14, 2005, at which time testimony was received and exhibits were presented. The Planning Commission approved the application for Outline Plan, Site Review, Tree Removal and an Exception to City of Ashland Local Street Standards subject to conditions pertaining to the appropriate development of the site. In addition, the Planning Commission forwarded a recommendation for approval of the Annexation to the Ashland City Council.

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 application complies with the applicable approval criteria described in 18.88.030 A 4. for Outline Plan approval and 18.72 for Site Review approval. Clay Street will be upgraded, new streets will be installed and public utilities will be extended to serve the project. The application identifies the construction of a half street improvement along the frontage of the property. This includes a pavement overlay, installation of storm drains, curb and gutter, bicycle lane, planting strips, street trees and a public sidewalk. In addition, other sections of Clay Street will be improved, both north and south of the property, in order to provide safe vehicular, pedestrian and bicycle access to and from the site, as well as to East Main Street and Ashland Street.

Public water, sewer and storm sewer lines are located in Clay Street and available, or can be extended, to serve the project. Run-off from the site will be directed into storm water facilities constructed within the new streets and distributed to Clay Street and an on-site wetland /detention system located along the northwesterly portion of the development. Multi-use pathways are proposed for installation throughout the project in order to provide convenient, direct routes to and through neighboring properties.

2.3 The Planning Commission finds that the existing and natural features of the land; such as wetlands and large trees have been identified in the plan of the development and included in the open space and common areas. While the project design slightly encroaches upon the preliminarily delineated boundary of the wetland, the revised plan addresses disturbance to the wetland by providing a mitigation area that is substantially larger than the impacted area. The applicant's consultant notes that the wetland mitigation area and the creation of wetlands for storm water detention and treatment will provide better overall water quality in the Bear Creek Basin, as well as providing wildlife habitat, recreation and aesthetic beauty for the site.

The project's neighborhood street design has been substantially modified in order to account for not only the location of wetland, but also the large cottonwood trees at the southwest corner of the site, as well as the existing farmhouse. Although the Poplar species is thought to be undesirable within developing residential neighborhoods due to the potential for the breaking and dropping of limbs, the applicant has chosen to retain these large majestic trees within an open space area. Specifically, the wetland, wetland mitigation area and all three large poplar trees have been incorporated within a large common areas throughout the project.

2.4 The Commission finds that the application complies with the base density requirements of the underlying zoning (i.e. R-2 zoning district) and will not prevent adjacent land from being developed for uses shown in the Comprehensive Plan. The application proposes to construct approximately 117 housing units on an approximately 10-acre parcel. The housing mix will include the existing single-family home, 36 duplexes (72 units) and 11 fourplexes (44 units). The project density conforms to permitted density requirements of the R-2 Zoning District, allowing for a base density of 13.5 units/acre or approximately 127 units (.6 acres of wetland subtracted from calculations as per 18.106.030 F.). This does not take into account the possible additional density bonus permitted due to the provision of affordable housing.

A system of new public streets and multi-use pathways will be constructed to serve and provide circulation throughout the entire project. The adjoining 5-acre parcel to the north is located within Ashland's Urban Growth Boundary and has a Plan designation that accommodates future residential uses. The new neighborhood street system integrates two public streets that will terminate at the north property line, but would eventually extend into the adjoining undeveloped property. In addition, a new east-west oriented street will straddle a portion of the project's northerly boundary. This street provides a second access to the project from Clay Street, as well as providing future access to the abutting property to the north. The public alley system has been designed throughout the project and allows rear as well as side access to individual garages and surface-parking areas, including connections to existing and planned alley connections north and south of the development.

2.5 The Commission finds that the proposed development plan with attached conditions of approval ensures that existing and proposed public streets are designed and installed consistent with the City of Ashland's Local Street Standards. New streets are designed with planting strips and public sidewalks at widths that, in most cases, will provided for additional on-street parking. In order to retain an existing, 18-inch in diameter cedar tree, a relatively minor exception to City Street Standards is requested to permit the installation of a small segment of curbside sidewalk along Clay Street. The Commission finds that the location, size and health of the tree present a clear difficulty to complying with City street standards. The design and use of the public sidewalk will not be compromised, given the relatively small adjustment in sidewalk configuration. Accordingly, the Commission supports this deviation and believes it complies with the approval criteria for an exception.

2.6 The Commission finds that the site plan and residential unit design complies with the requirements of Ashland's Site Design and Use chapter, as well as with applicable multi-family design standards. The project's neighborhood street design has been substantially modified in order to account for the location of wetlands, the large cottonwood trees at the southwest corner of the site, as well as the existing farmhouse.

Each residential structure is oriented toward the public street, with required parking located to the rear or side of the structure. Public alleys provide access to individual garages and surface parking areas, thereby leaving the vast majority of newly constructed streets free of driveway aprons and available for resident and guest parking.

Five percent of the total project area is required to be included within commonly owned open space. About 10% of the total project area is included within common areas and open spaces. This includes a picnic area adjacent to the YMCA soccer fields, a children's active play area and the passive wetland area. It should be noted that the total lot coverage for the entire project is approximately 50%. This is considerably lower than the 65% lot coverage standard permitted within the R-2 Zoning District. Also, street trees will be installed along all street frontages, while individual yard spaces will be planted with lawn, ground covers and a variety of shrubs and trees. Consequently, the Commission finds that the landscaping plan is consistent with the requirements and standards for Site Review approval.

SECTION 3. DECISION

3.1 Based on the record of the Public Hearing on this matter, the Planning Commission concludes that the proposal for Outline Plan and Site Review approval for a 117-unit development, with a Tree Removal Permit and exception to Ashland's Local Street Standards is supported by evidence in 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 #2004-141. Further, if any one or more of the conditions below are found to be invalid, for any reason whatsoever, then Planning Action # 2004-141 is denied. The following are the conditions and they are attached to the approval:

- 1) That all proposals of the applicant are conditions of approval unless otherwise modified here.
- 2) That a consent to annexation form be completed, which is non-revocable for a period of one year from its date.
- 3) That a boundary description and map be prepared in accordance with ORS 308.225. A registered land surveyor shall prepare the description and map. The boundaries shall be surveyed and monuments established as required by statute subsequent to Council approval of the proposed annexation.
- 4) That the applicant submit an electric distribution plan including load calculations and locations of all primary and secondary services including transformers, cabinets and all other necessary equipment. This plan must be reviewed and approved by the Electric Department prior to Final Plan approval. Transformers and cabinets shall be located in areas least visible from streets, while considering the access needs of the Electric Department.
- 5) That a final utility plan for the project shall be reviewed and approved by the Engineering Division and Building Divisions at the time of Final Plan. 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.

TECH MEMO

TO: Michael Wang PE
Oregon Departments of Transportation

FROM: Kelly Sandow P.E.
Sandow Engineering

DATE: February 3, 2020

RE: Grand Terrace Residential Development TIA-Response to ODOT Comments



The following provides a response to the October 25, 2019 ODOT comments provided as part of the review of the Grand Terrace TIA.

Comment #1: ODOT private approach permit and access reservation indenture applications will be required for the proposed easterly access. Please contact ODOT permit specialist for these applications.

Response to Comment #1: The applicant will provide applications for the approach permits as required by ODOT once the development proposal has been approved.

Comment #2: ODOT reviewed the sight distance in the field and measured a distance of 307 feet. Therefore, the recommendation was a restricted access to right in, right out, left-in movements.

Response to Comment #2: ODOT revised the sight distance measurement based on a more accurate location of the site access onto Highway 99. With the revision then found that the sight distance is met and that the access can be a full movement.

Comment #3: ODOT staff observed existing queuing issue at OR 99 & Valley View intersection at least 700 feet and the queuing issue at the Main & Maple intersection of over 3500 feet. The TIA only shows 95th percentile queuing of 250 feet at the OR 99 & Valley View and 350 feet at the Main & Maple.

Response to Comment #3:

The Synchro and Simtraffic models were built according to ODOT standards as per the Analysis Procedures Manual. The input variables are as follows:

- 1) Saturation Flow Rate: 1750 as per ODOT standards for this area
- 2) Peak Hour Factor: Taken from the traffic counts

Tech Memo

From: Kelly Sandow PE Sandow Engineering

RE: Response to Comments

Date: 2.3.2020

Page 2

- 3) Traffic Counts: taken by Southern Oregon Transportation Engineering as part of the road diet project and the additional as needed for this project. The counts were performed to standard methodologies
- 4) Signal timing parameters: According to the Analysis Procedures Manual.

The Synchro model was completed following all standards and methodology typically required for this type of project. As Sandow Engineering understands it, the road diet has created an unstable traffic flow. What this means is that the traffic flow can be moving as normal and something within the system will cause a delay in travel that will cause backups for the remainder of the peak travel time. This delay is commonly caused by buses stopping to pick up/drop off riders, garbage trucks stopping, vehicles stopping for pedestrians not crossing at signalized intersections, and other factors within the roadway. Unfortunately, this type of instability within the system is not able to be modeled within Synchro. Synchro does not model a bus or garbage truck stopping within the roadway midblock. The only way to model the levels of queuing that ODOT is referencing is to make modifications to the input parameters at the intersections. The modifications made were:

- 1) Increase pedestrian calls to provide more delay on the main line
- 2) Reduce the peak hour factor to 0.50 for all movements at all intersections
- 3) Reduce the signal cycle length
- 4) Reduce the green time to the major movements at the traffic signals
- 5) Reduced the saturation flow rate from 1750 to 1600.

The queueing results from the modifications to the Synchro model are illustrated in Table 1. The outputs are included as an attachment.

TABLE 1: INTERSECTION QUEUING: PM PEAK HOUR

Movement	Available Storage	2021 No-Build		2021 Build		2034 No-Build		2034 Build	
		Avg	95th Percentile	Avg	95th Percentile	Avg	95th Percentile	Avg	95th Percentile
S. Valley View at Rogue Valley Highway (S Jackson/Valley View & 99)									
SEB Left-Highway	225	25	75	25	50	25	50	75	225
SEB Thru	>500	100	200	100	200	100	200	250	600
SEB Thru- Right	>500	50	125	50	150	50	150	200	550
NWB Left-Highway	475	25	50	25	50	25	50	25	50
NWB-Thru	>500	75	100	75	125	75	125	75	125
NWB-Thru	>500	75	125	75	125	75	150	100	175
NWB-Right	100	75	125	50	125	50	125	75	150
NB-Left-Thru-	75	25	50	25	50	25	50	25	75
NB-Right	100	25	50	25	50	25	50	25	50
SB-LTR-Valley View	>500	600	1000	925	1475	700	1425	1100	2325
Jackson Road at Rogue Valley Highway (99 & Jackson)									
SEB Left	100	25	50	25	75	25	50	25	100
NWB Left	100	25	25	25	25	25	25	25	25
NEB Left-Thru-Right	100	50	150	75	175	75	225	150	300
SWB Left-Thru-	200	100	225	125	275	150	300	175	350
Jackson Road at Main Street									
SW Left- Right	175	25	25	25	25	25	25	25	100
SB Left	50	25	25	25	25	25	25	25	50
Maple Street at Main Street									
EB Left-Thru-Right	400	75	150	75	150	75	175	150	300
WB Left-Thru-Right	175	25	50	25	50	25	50	25	50
NB Left	150	225	600	250	600	250	600	275	625
NB Thru	>500	1000	1300	100	1275	1050	1275	1025	1300
NB Right	160	50	200	50	200	25	150	50	200
SB Left	75	25	100	25	125	50	125	25	100
SB Thru	>500	1150	2750	1475	3250	1775	3550	2075	4275
SB Right	195	150	400	175	400	225	425	175	400

As illustrated, the queuing is shown to be more in line with what ODOT observed in the field. The queuing lengths along Highway 99 are a result of the recent reduction in through lanes as part of the City of Ashland’s road diet. There is no recommended mitigation for reducing the queue lengths.

Please feel free to contact me if you have any questions or need any additional information
 541.513.3376

Intersection: 3: Main Street & Jackson Road, Interval #1

Movement	SB	SW
Directions Served	L	LR
Maximum Queue (ft)	16	11
Average Queue (ft)	4	2
95th Queue (ft)	20	12
Link Distance (ft)		303
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: Main Street & Jackson Road, Interval #2

Movement	SB	SW
Directions Served	L	LR
Maximum Queue (ft)	23	24
Average Queue (ft)	1	4
95th Queue (ft)	10	20
Link Distance (ft)		303
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: Main Street & Jackson Road, All Intervals

Movement	SB	SW
Directions Served	L	LR
Maximum Queue (ft)	28	29
Average Queue (ft)	2	3
95th Queue (ft)	13	19
Link Distance (ft)		303
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Queuing and Blocking Report
2019 PM Existing

02/05/2020

Intersection: 4: 99 & Jackson Rd., Interval #1

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	27	11	56	44
Average Queue (ft)	8	2	24	17
95th Queue (ft)	31	15	60	43
Link Distance (ft)			219	234
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., Interval #2

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	34	29	74	86
Average Queue (ft)	9	4	24	37
95th Queue (ft)	31	19	57	80
Link Distance (ft)			219	234
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., All Intervals

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	38	30	78	86
Average Queue (ft)	9	4	24	32
95th Queue (ft)	31	19	58	74
Link Distance (ft)			219	234
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: S Jackson/Valley View & 99, Interval #1

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	24	29	339	43	108	27	35	90	96	98
Average Queue (ft)	7	11	207	16	57	8	10	57	55	42
95th Queue (ft)	27	33	372	44	112	27	34	96	99	98
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)									1	0
Queuing Penalty (veh)									6	0

Intersection: 7: S Jackson/Valley View & 99, Interval #2

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW	
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R	
Maximum Queue (ft)	47	29	696	61	150	72	42	103	144	119	
Average Queue (ft)	12	12	366	17	75	15	11	57	59	45	
95th Queue (ft)	40	35	719	48	129	49	32	100	113	98	
Link Distance (ft)	228		2142		895	895		696	696		
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)		65		225			475			100	
Storage Blk Time (%)	0									0	1
Queuing Penalty (veh)	0									3	1

Intersection: 7: S Jackson/Valley View & 99, All Intervals

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW	
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R	
Maximum Queue (ft)	47	29	696	61	154	72	51	103	144	122	
Average Queue (ft)	10	12	328	17	71	13	10	57	58	45	
95th Queue (ft)	37	35	665	47	126	44	32	99	110	98	
Link Distance (ft)	228		2142		895	895		696	696		
Upstream Blk Time (%)											
Queuing Penalty (veh)											
Storage Bay Dist (ft)		65		225			475			100	
Storage Blk Time (%)	0									1	0
Queuing Penalty (veh)	0									3	1

Intersection: 9: Main St/Main Street & Maple St, Interval #1

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	71	22	289	560	115	50	266	89
Average Queue (ft)	39	9	59	304	17	12	150	23
95th Queue (ft)	75	27	256	652	117	54	267	102
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)								
Queuing Penalty (veh)								
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				18			19	
Queuing Penalty (veh)				8			11	

Intersection: 9: Main St/Main Street & Maple St, Interval #2

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	114	32	450	1039	260	123	494	295
Average Queue (ft)	52	8	235	700	29	16	246	78
95th Queue (ft)	99	27	588	1120	156	83	503	267
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				0				
Queuing Penalty (veh)				3				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				41			29	
Queuing Penalty (veh)				27			26	

Intersection: 9: Main St/Main Street & Maple St, All Intervals

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	114	32	450	1039	260	123	494	295
Average Queue (ft)	49	8	192	605	26	15	222	65
95th Queue (ft)	94	27	538	1096	148	77	464	238
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				0				
Queuing Penalty (veh)				3				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				35			27	
Queuing Penalty (veh)				22			22	

Intersection: 3: Main Street & Jackson Road, Interval #1

Movement	SB	SW
Directions Served	L	LR
Maximum Queue (ft)	17	24
Average Queue (ft)	3	6
95th Queue (ft)	17	25
Link Distance (ft)		303
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: Main Street & Jackson Road, Interval #2

Movement	SB	SB	SW
Directions Served	L	T	LR
Maximum Queue (ft)	28	14	24
Average Queue (ft)	2	1	4
95th Queue (ft)	16	12	21
Link Distance (ft)		336	303
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	50		
Storage Blk Time (%)		0	
Queuing Penalty (veh)		0	

Intersection: 3: Main Street & Jackson Road, All Intervals

Movement	SB	SB	SW
Directions Served	L	T	LR
Maximum Queue (ft)	29	14	30
Average Queue (ft)	3	0	5
95th Queue (ft)	16	10	22
Link Distance (ft)		336	303
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	50		
Storage Blk Time (%)		0	
Queuing Penalty (veh)		0	

Intersection: 4: 99 & Jackson Rd., Interval #1

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	29	32	154	243
Average Queue (ft)	12	9	94	146
95th Queue (ft)	35	33	174	262
Link Distance (ft)			219	234
Upstream Blk Time (%)			0	15
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., Interval #2

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	34	28	156	240
Average Queue (ft)	9	3	33	56
95th Queue (ft)	31	17	102	170
Link Distance (ft)			219	234
Upstream Blk Time (%)				5
Queuing Penalty (veh)				0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., All Intervals

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	34	33	166	249
Average Queue (ft)	10	4	48	78
95th Queue (ft)	32	22	131	208
Link Distance (ft)			219	234
Upstream Blk Time (%)			0	7
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: S Jackson/Valley View & 99, Interval #1

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	50	37	684	64	233	206	41	110	152	114
Average Queue (ft)	19	22	447	36	157	90	16	62	78	64
95th Queue (ft)	53	46	799	65	251	216	45	106	154	120
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0	0			1				2	1
Queuing Penalty (veh)	0	0			1				24	5

Intersection: 7: S Jackson/Valley View & 99, Interval #2

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	47	29	862	52	126	43	37	103	118	116
Average Queue (ft)	9	9	628	16	55	7	14	57	52	46
95th Queue (ft)	33	31	1007	43	107	28	34	95	95	97
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0	0							0	0
Queuing Penalty (veh)	0								2	0

Intersection: 7: S Jackson/Valley View & 99, All Intervals

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	55	38	862	67	233	206	46	112	162	117
Average Queue (ft)	12	12	584	21	80	27	14	59	58	50
95th Queue (ft)	39	36	978	52	176	114	37	98	114	104
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0	0			0				1	0
Queuing Penalty (veh)	0	0			0				7	2

Intersection: 9: Main St/Main Street & Maple St, Interval #1

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	199	33	449	1093	162	92	2410	295
Average Queue (ft)	122	12	247	1059	34	24	1113	191
95th Queue (ft)	219	35	610	1213	168	106	2353	412
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				11				
Queuing Penalty (veh)				221				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				54			52	
Queuing Penalty (veh)				75			97	

Intersection: 9: Main St/Main Street & Maple St, Interval #2

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	134	36	449	1097	260	123	2889	295
Average Queue (ft)	41	8	216	926	39	18	1134	132
95th Queue (ft)	93	28	567	1268	189	90	2856	359
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				3				
Queuing Penalty (veh)				21				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				40		0	35	
Queuing Penalty (veh)				18		0	22	

Intersection: 9: Main St/Main Street & Maple St, All Intervals

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	212	42	450	1098	260	123	2889	295
Average Queue (ft)	61	9	224	958	38	20	1129	146
95th Queue (ft)	148	30	578	1279	184	94	2748	375
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				5				
Queuing Penalty (veh)				71				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				43		0	39	
Queuing Penalty (veh)				32		0	40	

Queuing and Blocking Report
2034 PM background

02/05/2020

Intersection: 3: Main Street & Jackson Road, Interval #1

Movement	SB	SB	SW
Directions Served	L	T	LR
Maximum Queue (ft)	18	36	24
Average Queue (ft)	4	0	5
95th Queue (ft)	19	0	22
Link Distance (ft)		336	303
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)	50		
Storage Blk Time (%)		1	
Queuing Penalty (veh)		0	

Intersection: 3: Main Street & Jackson Road, Interval #2

Movement	SB	SB	B1	SW
Directions Served	L	T	T	LR
Maximum Queue (ft)	29	106	42	29
Average Queue (ft)	2	15	4	4
95th Queue (ft)	13	128	49	20
Link Distance (ft)		336	464	303
Upstream Blk Time (%)		1		
Queuing Penalty (veh)		7		
Storage Bay Dist (ft)	50			
Storage Blk Time (%)	0	3		
Queuing Penalty (veh)	0	0		

Intersection: 3: Main Street & Jackson Road, All Intervals

Movement	SB	SB	B1	SW
Directions Served	L	T	T	LR
Maximum Queue (ft)	30	106	42	29
Average Queue (ft)	2	12	3	4
95th Queue (ft)	15	110	42	20
Link Distance (ft)		336	464	303
Upstream Blk Time (%)		1		
Queuing Penalty (veh)		5		
Storage Bay Dist (ft)	50			
Storage Blk Time (%)	0	3		
Queuing Penalty (veh)	0	0		

Queuing and Blocking Report
2034 PM background

02/05/2020

Intersection: 4: 99 & Jackson Rd., Interval #1

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	50	33	188	249
Average Queue (ft)	26	5	114	172
95th Queue (ft)	57	25	208	309
Link Distance (ft)			219	234
Upstream Blk Time (%)			1	44
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., Interval #2

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	54	30	180	249
Average Queue (ft)	23	5	36	77
95th Queue (ft)	50	21	122	219
Link Distance (ft)			219	234
Upstream Blk Time (%)			1	15
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., All Intervals

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	55	33	195	249
Average Queue (ft)	24	5	55	100
95th Queue (ft)	52	22	159	256
Link Distance (ft)			219	234
Upstream Blk Time (%)			1	23
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: S Jackson/Valley View & 99, Interval #1

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	38	29	934	58	241	216	36	117	128	118
Average Queue (ft)	20	18	602	33	163	110	14	75	74	69
95th Queue (ft)	47	41	1000	60	270	244	38	131	150	131
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0				2				2	2
Queuing Penalty (veh)	0				1				26	9

Intersection: 7: S Jackson/Valley View & 99, Interval #2

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	34	29	1224	50	129	53	45	111	109	113
Average Queue (ft)	9	9	995	13	59	10	15	52	50	41
95th Queue (ft)	31	31	1494	37	112	38	38	90	95	94
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0								0	0
Queuing Penalty (veh)	0								1	1

Intersection: 7: S Jackson/Valley View & 99, All Intervals

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	43	29	1224	58	241	216	50	124	145	123
Average Queue (ft)	11	11	900	18	84	34	15	57	56	48
95th Queue (ft)	36	34	1452	47	185	134	38	103	113	106
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0				1				1	1
Queuing Penalty (veh)	0				0				8	3

Intersection: 9: Main St/Main Street & Maple St, Interval #1

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	170	36	449	1092	162	100	2564	295
Average Queue (ft)	103	16	263	1065	40	21	1163	178
95th Queue (ft)	170	39	617	1200	188	98	2627	400
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				12				
Queuing Penalty (veh)				238				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				54			51	
Queuing Penalty (veh)				75			99	

Intersection: 9: Main St/Main Street & Maple St, Interval #2

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	109	24	450	1095	260	127	3038	295
Average Queue (ft)	44	8	236	961	35	25	1556	169
95th Queue (ft)	91	25	588	1260	177	107	3393	396
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				4			0	
Queuing Penalty (veh)				28			0	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				43			41	
Queuing Penalty (veh)				20			27	

Intersection: 9: Main St/Main Street & Maple St, All Intervals

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	171	36	450	1095	260	127	3038	295
Average Queue (ft)	58	10	242	986	36	24	1461	171
95th Queue (ft)	125	29	595	1265	180	105	3237	397
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				6			0	
Queuing Penalty (veh)				81			0	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				45			44	
Queuing Penalty (veh)				33			45	

Intersection: 3: Main Street & Jackson Road, Interval #1

Movement	SB	SB	B1	SW
Directions Served	L	T	T	LR
Maximum Queue (ft)	17	100	84	28
Average Queue (ft)	4	11	2	7
95th Queue (ft)	20	122	19	29
Link Distance (ft)		336	464	303
Upstream Blk Time (%)		3		
Queuing Penalty (veh)		53		
Storage Bay Dist (ft)	50			
Storage Blk Time (%)		4		
Queuing Penalty (veh)		0		

Intersection: 3: Main Street & Jackson Road, Interval #2

Movement	SB	SB	B1	B26	B2	SW
Directions Served	L	T	T	T	T	LR
Maximum Queue (ft)	42	350	227	143	27	30
Average Queue (ft)	3	67	47	23	3	4
95th Queue (ft)	22	300	282	205	30	20
Link Distance (ft)		336	464	551	1437	303
Upstream Blk Time (%)		8	5	2		
Queuing Penalty (veh)		55	33	13		
Storage Bay Dist (ft)	50					
Storage Blk Time (%)		11				
Queuing Penalty (veh)		0				

Intersection: 3: Main Street & Jackson Road, All Intervals

Movement	SB	SB	B1	B26	B2	SW
Directions Served	L	T	T	T	T	LR
Maximum Queue (ft)	43	350	227	143	27	34
Average Queue (ft)	3	53	36	17	2	5
95th Queue (ft)	22	267	244	177	26	22
Link Distance (ft)		336	464	551	1437	303
Upstream Blk Time (%)		7	4	1		
Queuing Penalty (veh)		55	25	10		
Storage Bay Dist (ft)	50					
Storage Blk Time (%)		9				
Queuing Penalty (veh)		0				

Intersection: 4: 99 & Jackson Rd., Interval #1

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	29	22	213	249
Average Queue (ft)	13	7	120	196
95th Queue (ft)	35	27	232	314
Link Distance (ft)			219	234
Upstream Blk Time (%)			13	57
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., Interval #2

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	34	23	211	249
Average Queue (ft)	11	4	55	111
95th Queue (ft)	33	20	179	276
Link Distance (ft)			219	234
Upstream Blk Time (%)			9	28
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., All Intervals

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	34	23	218	249
Average Queue (ft)	11	5	71	131
95th Queue (ft)	34	22	201	298
Link Distance (ft)			219	234
Upstream Blk Time (%)			10	35
Queuing Penalty (veh)			0	0
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 7: S Jackson/Valley View & 99, Interval #1

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	56	46	824	59	254	227	31	120	130	103
Average Queue (ft)	19	22	545	27	178	100	16	68	69	54
95th Queue (ft)	54	52	914	60	256	227	37	118	151	110
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	1	0			2				1	1
Queuing Penalty (veh)	0	0			1				22	4

Intersection: 7: S Jackson/Valley View & 99, Interval #2

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	38	34	1082	46	168	104	50	104	156	123
Average Queue (ft)	9	7	738	15	62	13	15	59	59	46
95th Queue (ft)	33	28	1517	40	118	55	40	99	116	109
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0	0			0				1	1
Queuing Penalty (veh)	0	0			0				3	1

Intersection: 7: S Jackson/Valley View & 99, All Intervals

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	56	50	1089	60	254	227	50	127	179	124
Average Queue (ft)	11	11	691	18	90	34	15	62	61	48
95th Queue (ft)	39	37	1407	47	193	129	39	104	126	110
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	0	0			0				1	1
Queuing Penalty (veh)	0	0			0				8	2

Intersection: 9: Main St/Main Street & Maple St, Interval #1

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	230	41	449	1093	214	149	2945	295
Average Queue (ft)	137	18	324	1085	40	38	1445	186
95th Queue (ft)	237	42	650	1096	188	139	3073	406
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				12			0	
Queuing Penalty (veh)				291			1	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				55			53	
Queuing Penalty (veh)				89			116	

Intersection: 9: Main St/Main Street & Maple St, Interval #2

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	132	32	450	1094	168	123	3258	295
Average Queue (ft)	44	7	215	1027	15	24	1853	204
95th Queue (ft)	94	26	567	1273	104	103	3654	419
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				4			0	
Queuing Penalty (veh)				34			1	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				41			41	
Queuing Penalty (veh)				22			30	

Intersection: 9: Main St/Main Street & Maple St, All Intervals

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	232	41	450	1095	260	150	3258	295
Average Queue (ft)	66	10	241	1041	21	27	1754	200
95th Queue (ft)	159	31	596	1259	129	113	3539	416
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				6			0	
Queuing Penalty (veh)				98			1	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				44			44	
Queuing Penalty (veh)				39			52	

Intersection: 3: Main Street & Jackson Road, Interval #1

Movement	SB	SW
Directions Served	L	LR
Maximum Queue (ft)	16	18
Average Queue (ft)	3	4
95th Queue (ft)	17	20
Link Distance (ft)		303
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)	50	
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 3: Main Street & Jackson Road, Interval #2

Movement	SB	SB	B1	B26	B2	SW
Directions Served	L	T	T	T	T	LR
Maximum Queue (ft)	72	436	551	640	1438	72
Average Queue (ft)	9	239	286	299	586	26
95th Queue (ft)	53	563	716	796	1701	103
Link Distance (ft)		336	464	551	1437	303
Upstream Blk Time (%)		55	50	45	3	
Queuing Penalty (veh)		1196	1093	988	56	
Storage Bay Dist (ft)	50					
Storage Blk Time (%)	0	56				
Queuing Penalty (veh)	0	6				

Intersection: 3: Main Street & Jackson Road, All Intervals

Movement	SB	SB	B1	B26	B2	SW
Directions Served	L	T	T	T	T	LR
Maximum Queue (ft)	72	436	551	640	1438	72
Average Queue (ft)	8	182	217	227	445	21
95th Queue (ft)	47	511	642	709	1500	90
Link Distance (ft)		336	464	551	1437	303
Upstream Blk Time (%)		41	37	34	2	
Queuing Penalty (veh)		897	820	741	42	
Storage Bay Dist (ft)	50					
Storage Blk Time (%)	0	42				
Queuing Penalty (veh)	0	4				

Intersection: 4: 99 & Jackson Rd., Interval #1

Movement	SE	NW	NE	SW
Directions Served	L	L	LTR	LTR
Maximum Queue (ft)	28	11	48	47
Average Queue (ft)	7	3	23	26
95th Queue (ft)	27	17	55	54
Link Distance (ft)			219	234
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)	100	100		
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 4: 99 & Jackson Rd., Interval #2

Movement	SE	SE	B8	B8	NW	NE	SW
Directions Served	L	TR	T		L	LTR	LTR
Maximum Queue (ft)	124	430	736	730	28	234	249
Average Queue (ft)	28	139	216	152	5	170	214
95th Queue (ft)	97	456	751	626	22	287	319
Link Distance (ft)		347	696	696		219	234
Upstream Blk Time (%)		30	10	2		52	78
Queuing Penalty (veh)		661	106	23		0	0
Storage Bay Dist (ft)	100				100		
Storage Blk Time (%)			32				
Queuing Penalty (veh)			11				

Intersection: 4: 99 & Jackson Rd., All Intervals

Movement	SE	SE	B8	B8	NW	NE	SW
Directions Served	L	TR	T		L	LTR	LTR
Maximum Queue (ft)	124	430	736	730	28	234	249
Average Queue (ft)	23	105	164	115	5	135	169
95th Queue (ft)	86	398	654	542	21	281	331
Link Distance (ft)		347	696	696		219	234
Upstream Blk Time (%)		23	7	2		39	58
Queuing Penalty (veh)		496	79	18		0	0
Storage Bay Dist (ft)	100				100		
Storage Blk Time (%)			24				
Queuing Penalty (veh)			9				

Intersection: 7: S Jackson/Valley View & 99, Interval #1

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	17	29	414	35	117	50	24	93	112	114
Average Queue (ft)	4	11	280	13	65	17	10	58	55	48
95th Queue (ft)	21	34	475	39	117	52	28	100	117	115
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)										
Queuing Penalty (veh)										
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)									1	0
Queuing Penalty (veh)									7	0

Intersection: 7: S Jackson/Valley View & 99, Interval #2

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	65	54	2198	434	779	758	54	144	216	125
Average Queue (ft)	25	21	1339	62	295	254	19	78	86	68
95th Queue (ft)	59	49	2459	249	654	604	46	127	165	134
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)			20		3	1				
Queuing Penalty (veh)			427		0	0				
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	1	0			27				3	1
Queuing Penalty (veh)	0	0			19				40	6

Intersection: 7: S Jackson/Valley View & 99, All Intervals

Movement	NB	NB	SB	SE	SE	SE	NW	NW	NW	NW
Directions Served	LT	R	LTR	L	T	TR	L	T	T	R
Maximum Queue (ft)	65	54	2198	434	779	758	54	145	216	125
Average Queue (ft)	20	19	1083	50	240	197	17	73	78	63
95th Queue (ft)	55	46	2316	217	593	545	43	123	157	131
Link Distance (ft)	228		2142		895	895		696	696	
Upstream Blk Time (%)			15		2	1				
Queuing Penalty (veh)			320		0	0				
Storage Bay Dist (ft)		65		225			475			100
Storage Blk Time (%)	1	0			20				2	1
Queuing Penalty (veh)	0	0			14				32	4

Intersection: 9: Main St/Main Street & Maple St, Interval #1

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	93	24	449	1048	211	42	437	192
Average Queue (ft)	46	8	227	766	40	10	268	66
95th Queue (ft)	89	26	582	1081	189	51	550	239
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				1				
Queuing Penalty (veh)				6				
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				45			33	
Queuing Penalty (veh)				24			25	

Intersection: 9: Main St/Main Street & Maple St, Interval #2

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	343	49	450	1097	260	127	3264	295
Average Queue (ft)	157	19	277	1075	38	23	2631	205
95th Queue (ft)	305	44	631	1180	182	106	4283	416
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				14			1	
Queuing Penalty (veh)				342			25	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				57			56	
Queuing Penalty (veh)				92			125	

Intersection: 9: Main St/Main Street & Maple St, All Intervals

Movement	EB	WB	NB	NB	NB	SB	SB	SB
Directions Served	LTR	LTR	L	T	R	L	T	R
Maximum Queue (ft)	343	49	450	1097	260	127	3264	295
Average Queue (ft)	130	16	265	1001	38	20	2061	171
95th Queue (ft)	282	41	621	1283	184	95	4268	396
Link Distance (ft)	1363	235		1080			3264	
Upstream Blk Time (%)				11			1	
Queuing Penalty (veh)				258			19	
Storage Bay Dist (ft)			150		160	70		195
Storage Blk Time (%)				54			50	
Queuing Penalty (veh)				75			100	

Original File No. 22984

RR 445^B

File closed _____

Map: 7B-22-2

Grantors Southern Pacific Co.

Documents Indenture dated 4-6-55
_____ acres
_____ sq. ft. plus _____, on the Ashland

Undercrossing Section of the Pacific Hwy.,

in Jackson Co., in the NE 1/4, NW 1/4

of Section 5, Twp. 39S R. 1E

385720

Vol. 410 Page 42

THIS INDENTURE, made this 6th day of April, 1955, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein called "Railroad," and STATE OF OREGON, acting by and through its State Highway Commission, herein called "State";

WITNESSETH:

1. Railroad hereby grants to State (subject to the reservations, covenants and conditions herein contained) the right to construct, reconstruct, maintain and use a highway beneath the track and across the property of Railroad by means of an underpass crossing, upon that certain piece or parcel of land situate, lying and being in the northeast quarter of the northwest quarter of Section 5, Township 39 South, Range 1 East, Willamette Meridian, County of Jackson, State of Oregon, and being a portion of Southern Pacific Company's land (200 feet wide), more particularly described as follows:

BEGINNING at the most northerly corner of the parcel of land described in that certain agreement dated April 20, 1934, between Southern Pacific Company and State of Oregon, in the northeasterly line of said Company's land, distant South 73° 23' West 846.9 feet from the north quarter corner of said Section 5, being also distant northeasterly 100.00 feet, measured at right angles, from the original located center line of said Company's main track (Ashland to Medford) at or near Engineer Station 1098+47.19 (shown as Engineer Station 1098+49.2 in said agreement), said point of beginning being also distant southwesterly 5.80 feet measured at right angles, from Oregon State Highway's survey line "L_s" at Engineer Station "L_s" 29+48.54; thence South 29° 20' 20" East (shown as South 29° 09' East in said agreement) along the southwesterly line of the parcel of land described in said agreement, 334.79 feet; thence southeasterly, continuing along said southwesterly line, on a curve to the left, having a radius of 1482.50 feet, through a central angle of 5° 02' 38" (chord bears South 31° 51' 40" East, shown as South 31° 40' 20" East in said agreement, 130.46 feet), an arc distance of 130.51 feet to a point in the southwesterly line of said Company's land, distant southwesterly 100 feet, measured radially, from said original located center line of main track, at or near Engineer Station 1094+26.0; thence northwesterly, along last said southwesterly line, on a curve to the left, having a radius of 3337.78 feet, through a central angle of 3° 41' 05" (chord bears North 53° 48' 53" West 214.64 feet) an arc distance of 214.67 feet to a point distant southwesterly 100.00 feet, measured radially from said original located center line of main track, at or near Engineer Station 1096+47.10, last said

Recorded
Aug. 5, 1955
G.E. H.

checked

385720

Vol. 410 Page 43

point also being in a line concentric with and distant southwesterly 80.00 feet, measured radially, from said Oregon State Highway's survey line at Engineer Station "L₃" 26+74.48; thence northwesterly along said concentric line, on a curve to the right, having a radius of 1353.24 feet, through a central angle of 2° 07' 26" (chord bears North 28° 18' 03" West 50.16 feet) an arc distance of 50.16 feet to a point distant southwesterly 80.00 feet, measured at right angles, from said Oregon State Highway's survey line at Engineer Station "L₃" 27+21.68 E.C. = "L₃" 27+26.06 P.O.T.; thence North 27° 14' 20" West parallel with and distant southwesterly 80.00 feet, measured at right angles, from said Oregon State Highway's survey line, 344.76 feet to a point in the northeasterly line of said Company's land, distant northeasterly 100.00 feet, measured at right angles, from said original located center line of main track at or near Engineer Station 1099+90.21; thence South 58° 29' 20" East along said northeasterly line, 143.02 feet to the point of beginning, containing an area of 0.770 of an acre, more or less.

2. This grant is subject and subordinate to the prior and continuing right and obligation of Railroad, its successors and assigns, to use and maintain the entire parcel of land described above as a railroad right of way in performance of its public duty as a common carrier, and for that purpose, Railroad, its successors and assigns, expressly reserve the right to construct, reconstruct, maintain and operate existing and any additional railroad tracks, facilities and appurtenances thereto, upon, along and across the land described herein in such manner as may be consistent with the enjoyment of the easement for the purposes herein granted to State.

3. This grant is also subject to all valid and existing contracts, leases, liens, encumbrances or claims of title which may affect the said property herein described, and to the valid orders and regulations of any governmental body or bodies having jurisdiction thereover.

4. This grant is made upon the express condition that the rights and privileges herein given State shall lapse and become void if the construction of said highway underpass upon the land described herein is not commenced within one (1) year from the date first herein written.

5. This indenture shall not be construed as conveying or

385720

Vol. 410 Page 44

otherwise vesting in State the right or power to authorize the location or installation, or to issue permits, licenses or franchises for the location or installation, of any structures, fixtures or other facilities of any telegraph, telephone or electric power lines or of any ditches, pipes, drains, sewer or underground structures, under, along and over the land herein described, subject, however, to any applicable legislative enactments concerning the same.

6. Should State or its assigns at any time abandon the use of the land herein described or any part thereof, or fail at any time to use the same for highway purposes for a continuous period of one (1) year, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of the land, or the part thereof, the use of which is so discontinued or abandoned, and/or remove, at the expense of State, all highway structures, the use of which is so discontinued or abandoned.

7. State shall record this indenture in the office of the Recorder of Jackson County, Oregon.

8. This grant of easement is made subject and subordinate to that certain agreement of even date herewith between Railroad and State covering the construction and maintenance of said highway underpass.

9. This indenture shall inure to the benefit of and be binding upon the successors and assigns of Railroad, and upon the assigns of State.

IN WITNESS WHEREOF, the parties hereto have caused these

385720

Vol. 410 Page 45

presents to be executed in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By J. W. Corbett
Vice President

Attest: T. F. Ryan
Assistant Secretary



APPROVED: [Signature]
Asst. State Highway Engineer

APPROVED AS TO FORM: [Signature]
Chief Counsel

[Signature]
Assistant Counsel

ATTEST: [Signature]
Secretary

STATE OF OREGON, acting by and through its State Highway Commission,
By _____ Chairman

By [Signature]
Commissioner

By [Signature]
Commissioner



Form Approved:

Contract Attorney

385720

STATE OF CALIFORNIA, } ss.
City and County of San Francisco

On this 25th day of April in the year One Thousand Nine Hundred and Fifty Five
before me, NORMAN T. STONE, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

J. W. Corbett + T. F. Ryan
known to me to be the Vice Pres. + Asst Secretary

of the corporation described in and that executed the within instrument, and also known to me to be the person who executed it on behalf of the corporation therein named and he acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Norman T. Stone
Notary Public in and for the City and County of San Francisco, State of California.



STATE OF OREGON)
 Marion)
County of Multnomah) ss.

On this 6th day of April, 1955, before me, a Notary Public, appeared ~~BEN R. CHANDLER~~, CHAS. H. REYNOLDS and M. K. McIVER, to me personally known, who, each being duly sworn, did say that he, the said ~~Ben R. Chandler, is Chairman of the State Highway Commission of the State of Oregon, and that he, the said~~ Chas. H. Reynolds, and he, the said M. K. McIver, is State Highway Commissioner of the State of Oregon; that the seal affixed to said instrument is the seal of the State Highway Commission, and that the said instrument is signed and sealed in behalf of said State by said Commission, and that the said ~~Chairman and the said~~ Commissioners acknowledge the said instrument to be the free act and deed of said State, by said State Highway Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Fred A. Quinn
Notary Public for Oregon

My Commission expires: *April 19, 1957*



State of Oregon)
County of Jackson) ss.

I hereby certify that the within instrument of writing was received and filed at *12:30* o'clock *P.* M. the *13* day of *May*, 1955 and is recorded in

Book _____ Records for Jackson County Oregon
Bertha P. Hopkins County Clerk By *John Carter* Deputy

THIS AGREEMENT, made this 6th day of April, 1955, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein called "Railroad," and STATE OF OREGON, acting by and through its State Highway Commission, herein called "State";

RECITALS:

By indenture of even date herewith Railroad granted to State an easement for the construction, reconstruction, maintenance and use of a highway by means of an underpass, hereinafter called "structure," across Railroad's property near Ashland, in Jackson County, Oregon, in the location shown within red lines on the attached print of Railroad's Shasta Division Drawing SH-74 Sheet No.A, dated October 29, 1954, hereto attached and made a part hereof.

The parties hereto desire to set forth in this instrument their understandings and agreements relating to the construction and maintenance of said structure and the changes made necessary during the construction thereof.

AGREEMENT:

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. State shall secure any necessary permission and authority for the construction, reconstruction, maintenance and use of said structure from the Public Utilities Commissioner of Oregon.
2. State, at its expense, shall furnish, or cause to be furnished, all labor, materials, tools and implements and perform all work of constructing said structure, except as herein otherwise provided. Said structure shall be constructed in a manner so as to accommodate Railroad's tracks in accordance with plans and specifications which shall be subject to the approval of the parties hereto.
3. State, at its own expense, shall construct a trestle, including substructure and stringers with necessary bracing over said highway and perform the necessary grading for a shoofly track in the locations shown by red lines on the print of Railroad's Shasta Division Drawing 9257, Sheet 2 C, Revised November 2, 1954, hereto attached and made a part hereof.

Railroad, at its expense, shall perform the following work in connection with said shoofly track and said structure:

- (a) Furnish, lay and later remove necessary track material, including ties and deck for trestle for the temporary shoofly track in the location shown by red line on the attached print of said drawing No.9257;
- (b) install and later remove temporary track connections between Railroad's main line and said shoofly track;
- (c) remove and later replace Railroad's main line track at said location;
- (d) place the deck on the extended highway underpass;
- (e) provide necessary changes and protection for Railroad's signal line; and
- (f) furnish such representatives, watchmen, flagmen and engineer-inspectors as Railroad deems necessary to protect and safeguard property, engines, trains and cars at said location during the period of construction of said structure.

State agrees to reimburse Railroad for all cost and expense incurred by Railroad in connection with the construction of said structure, including, but not limited to Items (a) to (f), inclusive, as set forth herein.

All work to be done hereunder by Railroad shall be done only by its employees working under railroad labor agreements and shall be done on a force account basis, the cost thereof to be paid to Railroad by State in the manner hereinafter set forth.

All expenses incurred by Railroad for which State is obligated to reimburse Railroad hereunder, including all work incidental to such work but not specifically mentioned herein, shall be subject to the provisions of General Administrative Memorandum No. 299 of the Bureau of Public Roads, Department of Commerce, and any amendments of or supplements to said order.

The parties hereto agree that no benefits will accrue to Railroad pursuant to the provisions of the Federal Aid to Highways Act of 1944 and General Administrative Memorandum No. 325 of the Bureau of Public Roads, Department of Commerce, due to the construction

or use of said structure inasmuch as no existing important grade crossing is closed.

4. The estimated cost of the work to be performed by Railroad, at the expense of State, is herein set forth and summarized as follows:

(1)	Place deck on 155' structure	\$ 6,250
(2)	Construct shoofly	5,100
(3)	Signal work	1,350
(4)	Place deck on extended highway underpass	4,000
(5)	Restore main track	1,340
(6)	Remove deck from shoofly structure	1,500
(7)	Engineer-inspector	7,400
(8)	Flagging	300
(9)	Vacation allowance	480
(10)	Railroad retirement & Unemployment Tax	1,000
(11)	Public Liability & Property Damage Insurance	650
(12)	Material handling	250
(13)	Accounting (billing)	1,480
	Total	<hr/> \$31,100
(14)	Less Salvage	3,660
	Net Total	<hr/> \$27,440

Railroad shall submit all bills to State for payment of work performed by Railroad on the basis of items set forth in the above estimate and shall submit its final bill on the same basis to cover the actual cost of items of work performed by Railroad; provided, however, that the cost of flagmen, watchmen and representatives to protect railroad property and trains due to the operations of State's contractor shall be segregated in Railroad's billing to State from all other costs billed to State under this agreement. Subject to the next succeeding paragraph of this section, State agrees to pay Railroad the cost of such work within thirty (30) days of receipt of such bills from Railroad.

In the event the total amount of the estimate is exceeded, State shall not be obligated to reimburse Railroad for such excess unless and until such excess expenditure shall have been approved by State in writing. Railroad shall not be obligated to incur any expenditures in excess of the above estimate until the receipt of

such written approval of State.

5. All work contemplated in this agreement shall be performed in a good and workmanlike manner to the satisfaction of the parties hereto and each portion shall be promptly commenced by the party hereto obligated to do the same and thereafter diligently prosecuted to conclusion in its logical order and sequence.

The books, papers, records and accounts of the parties hereto, so far as they relate to the items of expense for labor and materials or are in any way connected with the work herein contemplated, shall at all reasonable times be open to inspection and audit by the agents and authorized representatives of the parties hereto.

6. After the completion of the work herein contemplated the cost of maintenance of the grade separation shall be borne as follows: (1) Railroad shall bear the cost of maintenance of the structure, which includes the girders, deck, and track structure, and the abutments thereto; (2) State shall bear the cost of the maintenance of the highway roadbed, slopes, pavement, surfacing, shoulders and drainage.

7. In the event any of the work herein contemplated to be done upon or adjacent to the right of way and property of Railroad should be let to contractors by State, such contractors shall be satisfactory to Railroad as to their responsibility and ability to perform the work under and across the property and tracks of Railroad and no such work shall be begun until such contractors shall have first entered into a written agreement with Railroad, substantially in the form of draft hereto attached and marked "Exhibit A."

State shall furnish, or require its contractor to furnish, to Railroad the original of each policy covering Protective Public Liability Insurance and Protective Property Damage Liability Insurance in the amount specified in said "Exhibit A," and conforming to the requirements of Works Program General Memorandum No. 32, which

contractor is required to furnish for and in behalf of Railroad.

State shall also furnish, or require its contractors to furnish, to Railroad a certified copy of each of the policies of insurance, showing that its contractor has provided for Contractor's Public Liability and Property Damage Liability Insurance, as provided for in Works Program General Memorandum No. 32, which insurance shall provide for the same limits as specified for Protective Public Liability and Property Damage Liability Insurance to be furnished for and in behalf of Railroad.

8. This agreement shall inure to the benefit of and be binding upon the successors and assigns of Railroad and upon the assigns of State.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their officers thereunto duly authorized and their respective seals to be hereunto affixed, as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By *J. W. ...*
also President

Attest: *J. T. ...*
Assistant Secretary

STATE OF OREGON, acting by and through its State Highway Commission,

By _____
Chairman

By *Charles ...*
Commissioner

By *M. M. ...*
Commissioner

APPROVED: *[Signature]*
Asst. State Highway Engineer

APPROVED AS TO FORM: *[Signature]*
Chief Counsel

[Signature]
Assistant Counsel

ATTEST: *[Signature]*
Secretary

Form Approved:

Contract Attorney

EXHIBIT "A"

THIS AGREEMENT, made this _____ day of _____, 195____,
 between SOUTHERN PACIFIC COMPANY, a corporation, hereinafter called
 "Railroad," and _____
 _____,
 hereinafter called "Contractor";

WITNESSETH:

WHEREAS, Railroad and State of Oregon, acting by and through
 its State Highway Commission, hereinafter called "State," have en-
 tered into or will enter into an agreement providing that State shall
 undertake the construction of an ^{underpass} ~~overhead~~ highway crossing structure
~~overhead~~ ^{beneath} and across the tracks and property of Railroad at Ashland ,

Jackson County, Oregon, said agreement pro-
 viding that State shall cause its contractor to enter into an agree-
 ment with Railroad substantially in the form of an exhibit attached
 thereto; and

WHEREAS, on the _____ day of _____, 195____,
 State entered into a contract with Contractor covering the construct-
 ion of said overhead structure, which contract provides that Con-
 tractor shall enter into an agreement with Railroad.

NOW, THEREFORE, it is understood and agreed as follows:

Contractor, in advance of performing any work under said
 contract between State and Contractor, shall furnish evidence to
 State that, with respect to the operations Contractor or any of
 Contractor's subcontractors perform, Contractor has provided for and
 in behalf of Railroad regular Protective Public Liability Insurance
 providing for a limit of not less than \$200,000 for all damages
 arising out of bodily injuries to or death of one person, and, sub-
 ject to that limit for each person, a total limit of \$400,000 for all
 damages arising out of bodily injuries to or deaths of two or more
 persons in any one occurrence caused or arising out of the operations
 of the Contractor or Contractor's subcontractor or subcontractors

on the project, and regular Protective Property Damage Liability Insurance providing for a limit of not less than \$50,000 for all damages arising out of injury to or destruction of property in any one occurrence caused or arising out of the operations of the Contractor or Contractor's subcontractor or subcontractors on the project, and, subject to that limit per occurrence, a total (or aggregate) limit of \$100,000 for all damages arising out of injury to or destruction of property during the policy period. The policy evidencing the Public Liability Insurance above provided shall not contain any exclusion of or otherwise limit the coverage of said policy with respect to Railroad's liability for deaths of or injuries to its own employees as a result of any act or omission of the State, its contractors or subcontractors in connection with work performed under said contract between State and Contractor. The policy evidencing the Property Damage Insurance shall not contain any exclusion or otherwise limit the coverage of Railroad's liability for loss of or destruction of property in its care, custody or control as a result of any act or omission of State, its contractors or subcontractors in connection with work performed under said contract between State and Contractor.

Contractor shall furnish to Railroad the original policies of insurance, for and in behalf of Railroad, providing, with respect to operations Contractor or any of Contractor's subcontractors perform, insurance in the amounts as aforesaid, and certified copies of policies of insurance showing that Contractor has, with respect to operations Contractor or any of Contractor's subcontractors perform, provided for Contractors' Public Liability and Property Damage Liability Insurance, which insurance shall provide for the same limits as specified for Protective Public Liability and Property Damage Insurance to be furnished for and in behalf of Railroad, as hereinabove provided for; which Policies shall be subject to the approval of Railroad.

The insurance hereinabove specified shall be carried by Contractor until all work required to be performed upon or adjacent to the right of way and property of Railroad, under the terms of said contract between the State and Contractor, is satisfactorily completed, as evidenced by the formal acceptance by State. Such insurance shall be non-cancellable and non-alterable for any cause whatsoever (including failure to pay premiums), either by the Contractor or by the insurance company, without 30 days' written notice to State and to Railroad as to the cancellation and without prior written approval of the Railroad as to alteration. In the event the said insurance is cancelled as herein provided, the Contractor shall provide other insurance of the same class and for the same purposes and subject to the same conditions as provided herein. Said other insurance shall become effective not later than the time of cancellation of the prior insurance and shall cover the unexpired period of the term herein required.

Contractor shall comply with the rules and regulations of Railroad or the instructions of its representatives in relation to the proper manner of protecting the tracks and property of Railroad and the traffic moving on such tracks, as well as the wires, signals and other property of Railroad, its tenants or licensees at and in the vicinity of the work during the period of construction, including the removal of tools, implements, equipment and other materials as herein provided. Contractor, subject to the supervision and control of Railroad's Chief Engineer, or other designated officer, shall perform Contractor's work in such manner and at such times as that said work shall not endanger or interfere with the safe operation of the tracks and property of Railroad and the traffic moving on such tracks, as well as wires, signals and other property of Railroad, its tenants or licensees at or in the vicinity of the work.

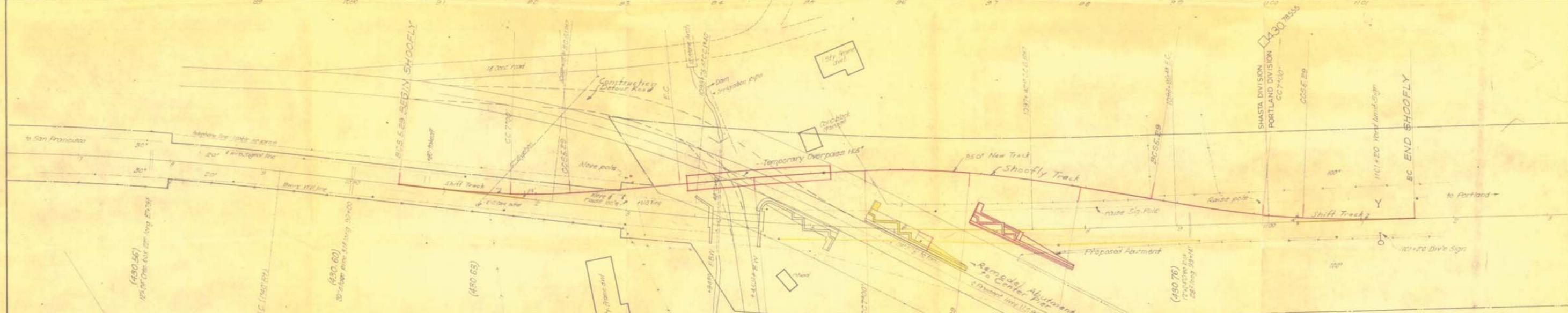
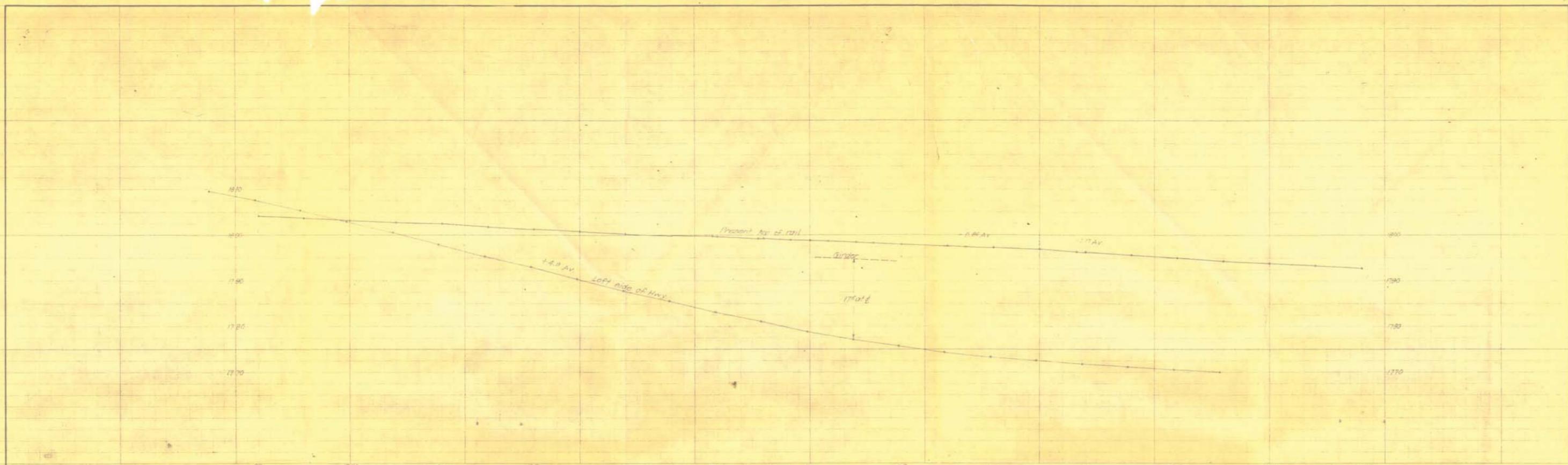
Contractor further agrees that upon completion of the work

covered by said contract between said State and said Contractor, Contractor will promptly remove from the premises of said Railroad all of Contractor's tools, implements, equipment and other materials, whether brought upon said premises by Contractor, or any subcontractor, employee or agent of Contractor or any subcontractor, and cause said premises to be left in a clean and presentable condition.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement in duplicate as of the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By _____



LEGEND
 — RAILROAD RIGHT OF WAY LINES
 — RED: NEW WORK
 — YELLOW: TO BE MOVED OR REMOVED

Proposed Speed on Shoofly: 30/20
 Superelevation: $2\frac{3}{4}$ " - 7" C/c.
 Length Spirals: 121'
 Minimum Reversing Tangent: 80'

(430.66) 50' through plate girder
 Over about Underpass
 Built 1911
 Public Crating W.C. 48785-B
 (County Road)
 B.C.S. 5-29

(430.69) 63' through plate girder
 Over about Underpass
 Built 1915
 Public Crating (48827-B)
 B.C.S. 5-29

SOUTHERN PACIFIC COMPANY
 PACIFIC LINES
ASHLAND
 Shoofly for Construction of Additional
 Subway Span - Highway US 99
 LINE "C"
 (From C.E. Drg. 30927, Sh. 1, Rev. 9-1-54)
 Scale 1" = 50' June 25, 1954
 Rev. 11-2-54
 SHASTA DIV'N
 DRYNG 3257
 SHEET 2 C

RAILROAD COMPANIES
FILE No. _____

A G R E E M E N T

THIS AGREEMENT, made and entered into this 30th day of April, 1934, by and between SOUTHERN PACIFIC COMPANY, a corporation, first party, herein called "Railroad", and STATE OF OREGON, by and through its State Highway Commission, second party, herein called "State";

WITNESSETH THAT:

1. Railroad hereby grants to the State, subject to the conditions and limitations hereinafter contained, the right to construct, maintain, and use a highway over and across Railroad's right of way and beneath its tracks and appurtenances now or hereafter existing thereon by means of a concrete and steel subway upon that certain piece or parcel of land lying and being in the County of Jackson, State of Oregon, which said parcel of land is more particularly described as follows, to-wit:

A parcel of land lying and being in the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 5, Twp. 39 South, Range 1 East, W. M., Jackson County, Oregon, said parcel being described as follows:

Beginning at a point in the northeasterly line of the right of way of the Southern Pacific Company that bears South 75° 23' West 846.9 feet from the north quarter corner of said Section 5, said point being also 100 feet northeasterly at right angles from the center line of main track of said Southern Pacific Company at Survey Station 1098+49.2, and also 50 feet southwesterly at right angles from the newly located center line of the Oregon State Highway, Ashland to Talent, at Survey Station 13+45.6; thence South 29° 09' East parallel with said center line of highway 334.73 feet; thence southeasterly concentric with said center line of highway on a curve to the left of radius of 1482.5 feet (long chord of said curve bears South 31° 40' 20" East 130.46 feet) to a point in the southwesterly line of the right of way of the Southern Pacific Company; thence along said line of right of way on a curve to the right of radius of 3337.73 feet (long chord of said curve bears South

[Handwritten signatures and notes]

50° 44' 30" East 121.39 feet) to a point; thence South 49° 42' East along said southwesterly line of right of way 34.66 feet to a point in the West line of Donation Land Claim No. 38 distant thereon North 0° 01' West 1162.56 feet from the southwest corner of said Land Claim; thence North 0° 01' West along said west line of Land Claim 102.72 feet to a point distant 50 feet northeasterly at right angles from said located center line of highway; thence northwesterly concentric with said located center line on a curve to the right of radius of 1382.50 feet (long chord of said curve bears North 33° 00' 50" West 186.35 feet) to a point; thence parallel with said located center line North 29° 09' West 145.74 feet to a point in said northeasterly line of right of way of Southern Pacific Company; thence along said northeasterly line of right of way on a curve to the left of radius of 3537.78 feet (long chord of said curve bears North 56° 48' 45" West 183.67 feet) to a point; thence North 58° 18' West along said northeasterly line of right of way 30.22 feet to the point of beginning, containing 1.060 acres, more or less.

The location of said piece or parcel of land is shown tinted blue on the photostat hereto attached, marked Exhibit "A", and made a part hereof.

2. Said subway upon and across said right of way shall be constructed in accordance with plans and designs which shall be prepared by Railroad and shall be subject to the approval of State, the Public Utilities Commissioner of the State of Oregon, and the United States Bureau of Public Roads.

3. State shall at its own cost and expense

- (a) excavate the section of the highway across the railroad right of way and immediately adjacent thereto not heretofore excavated, which excavation shall be done to the standard highway roadbed width, grade, alignment, and excavation slopes, except as modified by the necessity for conforming to the abutments for the subway structure;
- (b) do all excavation work necessary for the abutments to the subway structure and construct the concrete abutments for the said subway structure.

The work herein provided to be done by the State shall be done either by contract or by state forces in whole or in part, as the State may elect.

4. Railroad shall furnish all labor, materials, tools, and imple-
ments, and perform, on a force account basis, the following work:

- (a) Construct and install shoofly track necessary and required for the maintenance of traffic during the period of construction of the subway and shall remove said shoofly track upon the completion of the said subway; provided, however, that the trestle for the said shoofly track shall be subject to approval by the State as to vertical clearance, length of trestle spans, and location of trestle bents, and factors and elements of public safety upon the highway shall be subject to approval by the State where the said trestle crosses the existing highway approaching to and passing under the existing undercrossing structure;
- (b) Construct the said subway, including the deck thereof and such necessary removal and replacement of the railroad main line tracks, ties, and ballast as may be required for the construction of the subway structure;
- (c) Reconstruct, relocate, and rearrange any signal, telephone, telegraph, or other pole or wire lines on Railroad's right of way required to provide necessary clearances for said subway;
- (d) Make such repairs and restoration of tracks during construction and furnish such inspectors, engineers, and superintendents as may be deemed necessary to supervise the prosecution of the work required in this agreement to be done by Railroad.

5. All expenses incurred by Railroad in connection with the construction of said subway and which are herein defined as being chargeable to the cost of the subway shall be the amounts actually and necessarily expended or incurred by Railroad in connection with labor, equipment, and materials used, furnished, or expended in the performance of said work to be done in fulfillment of its obligations hereunder, plus commercial tariff freight charges in accordance with rates published and in effect on all materials in the job from the most reasonable and economical point of securing said materials and hauled over the most economical routes, class and quality of

of materials considered. Ten (10) per centum of all labor charges incurred by Railroad for work done by its own forces shall be added to provide for compensation for supervision and overhead. It is understood and agreed, however, that all bills for expenses incurred by Railroad shall be subject to approval by the State as to accuracy and propriety and as to being in accordance with the regulations of the Bureau of Public Roads pertaining to cooperation in the construction of subway undercrossing structures of the nature covered by this agreement. It is understood and agreed that State shall apply to the United States Bureau of Public Roads for Federal cooperation under the National Industrial Recovery Act, and that the work shall be carried on by Railroad under the Bureau of Public Roads' regulations as to Federal cooperation. It is further understood and agreed that Railroad will submit detailed estimates of cost of the various items of work to be done, including supporting cost analysis data, and will submit bills supporting the expenditures on the work in such form as may be required by the State in order to secure reimbursement from the Federal Government. It is the intention that in general and in so far as the method is applicable the estimates of cost and submission of bills shall be handled upon the same basis as was followed by Railroad in the construction of the Lakeside undercrossing on the Coast Highway in Coos County during the year 1929, and it is the further intention and understanding that Railroad shall limit its expenditures on the work to items covered by the detailed estimate of cost hereinabove referred to. This agreement is predicated upon the Federal Government participating to the extent of 100% in the cost of the work herein provided to be done by Railroad under the terms of the National Industrial Recovery Act and regulations issued thereunder, and in the event that the said work and this agreement are

not approved by the Bureau of Public Roads as satisfactory for such cooperation then and in that event this agreement shall be of no force and effect.

6. At the close of each month during progress of construction work settlement shall be made between State and Railroad whereby all expenses incurred by Railroad for items (a) to (d), inclusive, set forth in Section 4 hereof shall be paid by State to Railroad, subject to the conditions and limitations of Paragraph 5; the intent being that the entire cost of constructing said subway shall be borne by the State, except the ordinary track maintenance of the shoofly track and the cost of such watchmen as may be deemed necessary by the Railroad to safeguard property and the movement of trains, which said expense shall be borne by Railroad. It is further understood that in no event whatsoever shall the total cost to be borne by State for the work herein provided to be done by Railroad exceed the sum of \$22,800.00.

7. After the completion of the work herein contemplated the cost of maintenance of the grade separation shall be borne as follows: (1) Railroad shall bear the cost of maintenance of the structure, which includes the girders, deck, and track structure, and the abutments thereto; (2) State shall bear the cost of the maintenance of the highway roadbed, slopes, pavement, surfacing, shoulders and drainage.

8. The books, papers, records, and accounts of Railroad and State, in so far as they relate to the items of expense for labor or materials, or are in any way connected with the work herein contemplated by this agreement to be paid for by the parties hereto, shall at all reasonable times be mutually open to the inspection of the agents and representatives of Railroad and State.

9. In the event that any work upon or in connection with the excavation work herein provided to be done by State shall be let to contractors by State, such contractors before beginning work shall enter into a written agreement with Railroad satisfactory to it and indemnifying Railroad from any and all claims, demands, loss, and liability growing out of the performance of the work to be done by such contractors, and such contractors shall furnish at no expense to Railroad a good and sufficient bond in the amount of \$10,000.00, of a reliable surety company, in form and conditions satisfactory to Railroad, guaranteeing the true and full performance of all the terms, conditions, and stipulations contained in said agreement to be entered into with Railroad by said contractors, as in this paragraph provided. Should State at any time abandon said highway, Railroad shall have the right to resume and retake exclusive possession of its said right of way hereinabove described, and thereafter in the event that Railroad should desire to vacate said crossing as a public highway crossing the same shall be done upon petition to and order of the Public Utilities Commissioner of the State of Oregon, or such other board or commission as may have jurisdiction thereof, and in compliance with the terms and conditions of such order or orders as may be issued.

10. Nothing herein contained shall impair or restrict the right of first party to at any time or times construct, maintain, use and operate on the present or other grade existing or additional railroad tracks and appurtenances thereto, including water and fuel pipe lines and conduits and telephones and telephone, telegraph, signal, power, and other electric lines and other facilities upon, along, or across any and all parts of said land herein described, all or any of which may be freely done at any time or times by Railroad, or its successors, without liability to State or any one else for

compensation or damage, provided, however, that in no event shall such work be done so as to obstruct or prevent the full and free flow of highway traffic upon the highway, nor shall any such work be allowed or permitted to introduce danger or hazard to the said highway traffic.

11. State shall not grant or consent to any franchise, right, privilege, or easement upon, over, or under Railroad's right of way of a private and non-public purpose. It is not the intention hereby to limit the right and privilege granted by the statutes of the State of Oregon to telegraph, telephone, and power companies to erect, operate, and maintain lines, poles, and wires along the public highways of the State of Oregon, and the said rights and privileges shall apply to the parcel of land hereinabove described, provided, however, that any such telephone, telegraph or power lines shall be constructed in accordance with the requirements of Railroad as to standards of construction and workmanship and quality of materials.

12. State or Railroad at the expense of the State shall record this agreement in the office of the Recording Officer of the County of Jackson, State of Oregon.

13. This instrument is subject to all valid and existing contracts, leases, liens, or encumbrances which may affect the said property hereinabove described, and the word "grant" as used herein shall not be construed as a covenant against the existence of any thereof.

14. This agreement shall inure to the benefit of and be binding upon the successors and assigns of the Railroad and upon the successors in interest of the State.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in triplicate by their officers thereunto duly authorized,

STATE OF CALIFORNIA,)
)
) SS.
CITY AND COUNTY OF SAN FRANCISCO.)

On this 25th day of April, 1934,
before me, Anna F. Hartley, a Notary Public in and for the
City and County of San Francisco, State of California,
personally appeared J. H. DYER - - - - - and D. P.
EWING, known to me to be the Vice President and Assistant
Secretary, respectively, of SOUTHERN PACIFIC COMPANY, the
corporation that executed the within instrument, and known
to me to be the persons who executed the within instru-
ment on behalf of Southern Pacific Company; and each of
them acknowledged to me that such corporation executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, at my office, in the said
City and County of San Francisco, State of California, on
the day and year in this certificate first above written.

Anna F. Hartley
Notary Public in and for the City
and County of San Francisco, State
of California.

STATE OF OREGON,)
) ss.
COUNTY OF MARION.)

On this 4th day of May, 1934, before me appeared L. M. Scott,
_____ and Carl J. Washburne,
to me personally known, who being each duly sworn did say:
that he, the said L. M. Scott is
Chairman of the State Highway Commission of the State of
Oregon, and that he, the said Carl J. Washburne
is State Highway Commissioner of the State of Oregon, and
that he, the said _____ is State
~~Highway Commissioner of the State of Oregon,~~ and that the
seal affixed to the within instrument is the seal of the
State Highway Commission, and that the said instrument was
signed and sealed in behalf of the State of Oregon by au-
thority of the State Highway Commission, and the said Chair-
man and the said Commissioners each acknowledged said instru-
ment to be the free act and deed of said State of Oregon
by said State Highway Commission.

IN TESTIMONY WHEREOF, I have hereunto set my hand
and affixed my official seal the day and year first above
written.

J. W. De Souza
Notary Public for Oregon

My Commission Expires:

Aug 9, 1936

December 12, 1934

Mr. G. R. Carter
County Clerk
Medford, Oregon

Dear Sir:

We hand you herewith for recording an agreement dated April 20, 1934 by and between the State of Oregon and the Southern Pacific Company. When placed of record, kindly return to this office.

Enclosed you will find a photostat copy of the map attached to the agreement which you may retain for your files.

Very truly yours

R. H. BALDOCK
State Highway Engineer

By

S. H. Probert
Office Engineer

Dict. by W. C. Crews/GS

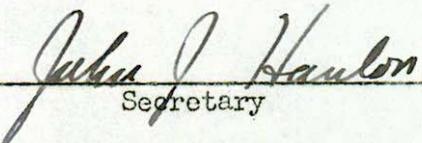
Encl.

OFFICE OF THE
PUBLIC UTILITIES COMMISSIONER OF OREGON

STATE OF OREGON)
) SS
COUNTY OF MARION)

I, JOHN J. HANLON, Secretary to the Public Utilities Commissioner of Oregon, and custodian of his seal, do hereby certify that I have carefully compared the annexed copy of ORDER with the original thereof, filed in the office of the said Public Utilities Commissioner of Oregon and that it is a full, true and correct transcript therefrom and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Public Utilities Commissioner of Oregon in his office at Salem, Oregon, this 21st day of May, 1934.


Secretary

PUBLIC UTILITIES COMMISSIONER OF OREGON



BEFORE THE PUBLIC UTILITIES COMMISSIONER OF OREGON

In the matter of the application of
the STATE OF OREGON through its STATE
HIGHWAY COMMISSION for an order permit-
ting and authorizing a crossing of the
Pacific Highway under the tracks of
Southern Pacific Company at a point
near the north city limits of the City
of Ashland.

F-1694

On October 5, 1933 Order No. 2154 was entered, authorizing the alteration and construction of the undergrade crossing herein proposed in accordance with the plans advanced by the railroad company and ordered an allocation of the costs of said improvement to be made on a basis of fifty per cent (50%) to the petitioner, the Oregon State Highway Commission, and fifty per cent (50%) to the Southern Pacific Company.

Due to the receipt of numerous protests against the plans adopted by said order and subsequent negotiations between and studies made by the Highway Commission and railroad company of revised plans of the said proposed improvement and the allocation of the costs thereof, the commission on January 2, 1934 entered Supplemental Order No. 2205, withdrawing and revoking Order No. 2154 originally entered herein, and the proceeding was reopened for further investigation and determination.

Agreement having been reached between the Oregon State Highway Commission and the Southern Pacific Company and joint motion and stipulation in accordance therewith having been made, the commissioner now makes and enters its findings and order as follows:

FINDINGS

That jurisdiction in this matter is conferred upon the commissioner by Section 62-703, Oregon Code, 1930;

That in the interest of the public necessity, safety and convenience the construction of the said undergrade crossing at the site and on the location proposed by the original petition of the Oregon State Highway Commission, as shown in this record and made a part of said Agreement (marked "Exhibit A"), is desirable and necessary;

That the design, preparation of plans, work, construction, maintenance, operation and all other details in connection with the said undergrade crossing, highway and structures appertaining thereto, also, the allocation of the costs thereof, shall be in accordance with the terms and conditions of the Agreement between the parties hereinbefore referred to, a true copy of which said Agreement being appended hereto and made a part hereof.

ORDERED, THEREFORE, that the undergrade crossing as aforesaid shall be constructed and the costs thereof be allocated as in the findings hereinbefore set out, which said findings by this reference are made a part hereof.

Dated at Salem, Oregon, this 15th day of May, 1934.

CHARLES M. THOMAS

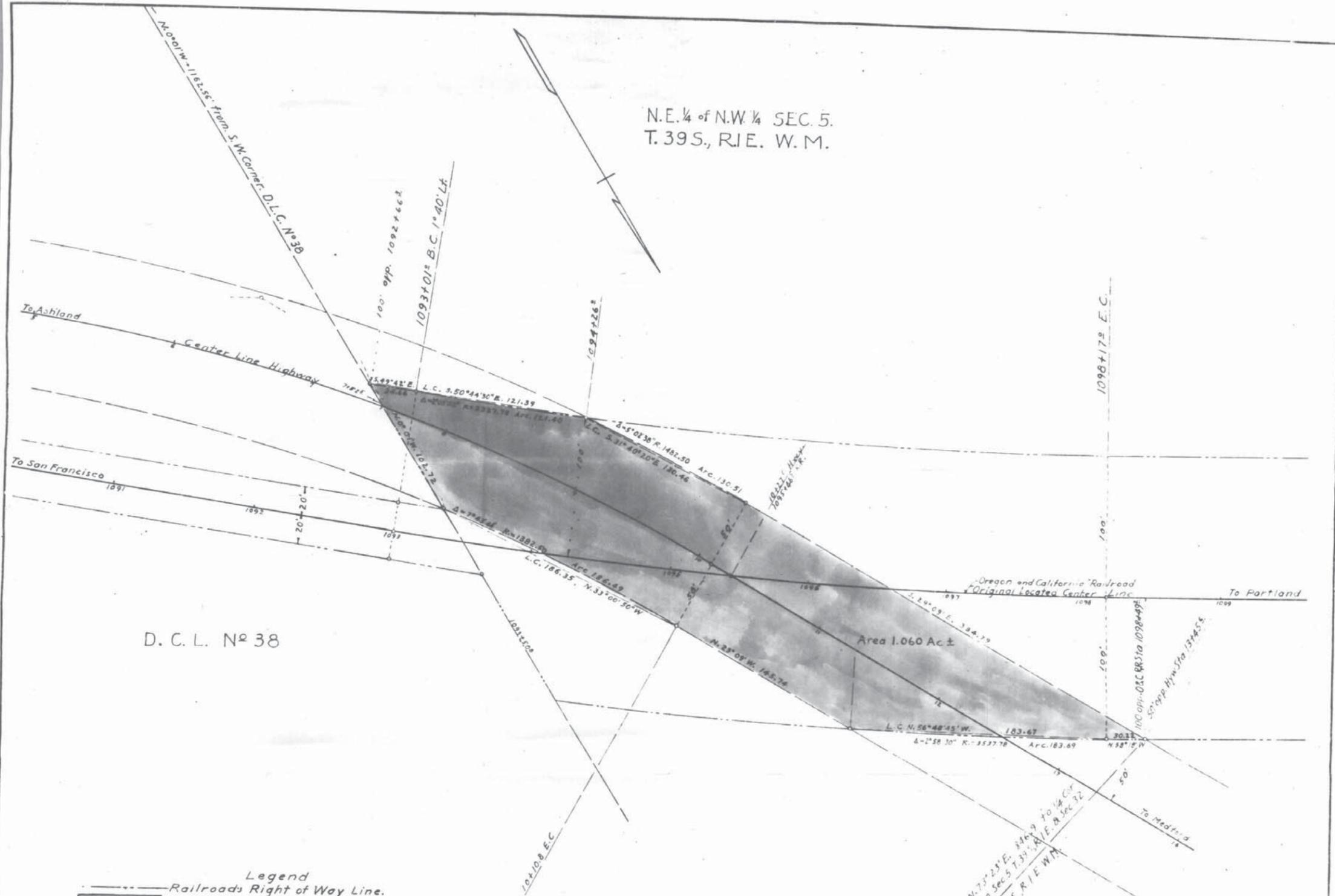
Commissioner of Public Utilities
of Oregon

ATTEST:

JOHN J. HANLON

Secretary.

N.E. 1/4 of N.W. 1/4 SEC. 5.
T. 39 S., R. 1 E. W. M.



D. C. L. N^o 38

Legend
 --- Railroads Right of Way Line.
 Tint: Proposed Easement.

EXHIBIT A
 SOUTHERN PACIFIC COMPANY
 PACIFIC LINES
ASHLAND
 Easement for Proposed Grade Separation
 for Oregon State Highway

Shasta Dist.
 Sacramento Div. N.
 A. G. M.
 DRAWING E 544
 SHEET NO. E

Scale 1"=50' Jan. 1933
 Rev 1/26/33

DRAWER

See 7B-28-7

Creek EQUATION
Ditch EQUATION

16404
OF OREGON
Vol. 341 P. 33 Deed RW 11151
Vol. 194 P. 171 Deed RW 1231
N. 29°10'W.
Deed RW 13223
N. 27°14'20"W.
22984
SEE RR 445
Deed RW 15635 B. 407 P. 125

L^S 27+26.06 / R.O.T. Ah.
L^S 27+21.75 / P.T. Bk.

LN 25+78.46 / R.O.T. Ah.
LN 25+78.88 / P.T. Bk. Irr. Ditch

LN 7° C.R.
A = 23°37'10"
T = 171.14'
L^S 4+30' C.R.
A = 30°08'
T = 342.75'

L^S 20+52.12 / P.C.
L^C 0+22.00 / R.C. 12' LA
L^S 20+38.00 / R.O.T.

LN 18+29.65 / P.T.

RR R/W
100'
100'
RR R/W
100'
100'
city Limits
20681 (RA)
R.E. & E.C. Canfield
Vol. 340 P. 283
22506
Deed RW 15663 B. 407 P. 10
J.W. & L.L. Amberg
Vol. 274 P. 545-6
N. MAIN ST.

Deed RW 14688 P. 1
20680
Deed RW 15616 B. 387 P. 176
City of Ashland
Deed 1231
20679
Deed RW 1304
N. 78°3' P.T.

Deed RW 14616 B. 387 P. 176
City of Ashland
20679 (1)
20679 (2)
Vol. 115 P. 35
LN LINE N. 52°47'10"W.
LN LINE N. 57°22'20"W.

Deed RW 15712 P. 13
20678
J.S. Billings
Vol. 206 P. 390
Vol. 229 P. 278
"C" LINE
Deed RW 15712 P. 13
B. 408 P. 13
"C"
12° C.L.
A = 29°45'
T = 126.82'
"C" A + 29.75 P.T.
"C" 1 + 81.83 P.C.
+ 7 of Sec. 5

Deed RW 12445
20679
Deed RW 12445
Conc. Wall
R.D. M.H. Billings
Vol. 142 P. 595
"C"
60° C.L.
A = 93°30'
T = 101.57'

Shed
A.T. & I.J. Hansen
Vol. 288 P. 512
2

NOTE: For Right-of-Way prior to line revision (Lⁿ, L^s, L^c) See 2B-21-20

FOX ST.

SCHOFIELD

W. C. ME
D. R. Vo

Dana Smith

From: City of Ashland, Oregon <administration@ashland.or.us>
Sent: Monday, January 06, 2020 2:55 PM
To: planning
Subject: Planning Commission Contact Form Submitted

[EXTERNAL SENDER]

*** FORM FIELD DATA ***

Full Name: **Barbara A Allen**
Phone: **541-326-7707**
Email: **barbaraallenashland@gmail.com**
Subject: **PA T3-2019-00001**

Message: **Dear Planning Commissioners, As a long time resident, Realtor and someone who cares about affordable housing in Ashland I am writing you to ask for your complete support in the annexation of the property presented by Robert Kendrick. Smaller households and especially moderate or lower income families are priced out of the housing market. Many of our teachers cannot live in the City limits as well as many others who commute from outside Ashland. It hurts our schools, our tax base and isn't fair to the many employees of our local businesses. This is a win win for the City of Ashland and for those citizens you represent. Please approve the annexation and move it on to the City Council. Thank you!**

Barbara Allen

Attachment 1 file:
Attachment 2 file:
Attachment 3 file:

*** USER INFORMATION ***

SubscriberID: **-1**
SubscriberUserName:
SubscriberEmail:
SessionID: **434855866**
RemoteAddress: **66.241.70.76**
RemoteHost: **66.241.70.76**
RemoteUser:



November 12, 2019

To: Ashland Planning Commission

Fr: Scott Knox

I own property located at 1525 Hwy 99 and 1515 Hwy 99, adjacent to the subject property. While I generally support increased density in the City of Ashland, I have some concerns about the proposal in this particular location.

NOTICE:

First, I am concerned I did not receive notice of this hearing, and only learned of it over the weekend. As a result I have not had an opportunity to fully analyze these materials.

INADEQUATE TRANSPORTATION:

Second, there are inadequate transportation facilities which can and will be provided to the site. In particular:

AMC 18.5.8.050(E) requires that adequate transportation can and will be provided to and through the subject property.

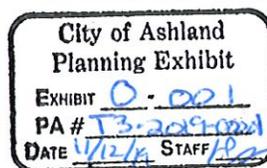
Similarly, AMC 18.5.2.050 Site Design and Use Standards, provides that the proposal shows there is adequate capacity of city facilities for paved access to and throughout the property and adequate transportation can and will be provided to the subject property.

In reviewing the subject application, it appears there are only two proposed accesses to the site, one of which is along an easement through private property. Due to last minute discovery of this hearing, I was unable to review the easement to determine whether it would allow access to a 196-unit apartment complex, but I have concerns that the easement does not legally allow such a broad expansion of its use.

Second, the physical easement access is steep and consists of only approximately 10-feet of paved travel lane width. In the event of snow and inclement weather, it is unlikely vehicles could traverse that steep access creating safety issues, and potential traffic issues that would affect my business, should vehicles be forced to park in my private parking lot. This also create a safety hazard in the event of wildfires or other emergencies in which a large number of vehicles would attempt to use this access.

EXCEPTIONS:

Additionally, it appears that the applicant seeks a number of exceptions to the site development and design standards in order to develop this property with 196 units. To approve such exceptions, the applicant must show that it will not substantially negatively impact adjacent properties (AMC

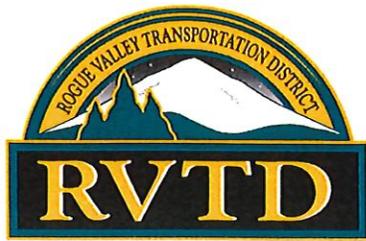


18.5.2.050E). In this case, such significant densification of the adjacent property is likely to have significant negative impacts to neighboring property in that: a) the traffic study shows a significant increase in traffic along an already busy road; b) there is a legitimate question as to traffic queuing as a result of this development. Although the TIA does not indicate significant increases in queuing, ODOT's report seems to question this finding. On page 10 of the staff report, it notes that "ODOT noted existing queuing issues at OR99 & Valley View and Main & Maple intersections which were in excess of the TIA's observations"; c) one of only two major accesses to the site would take access along an easement on private property, for which such easement was not designed; and d) the slopes in this area are steep making it likely that in inclement weather vehicles would have trouble accessing the subject property via the easement thereby causing further impact to my property.

I urge you to this postpone consideration, or deny, this application until the applicant can show that these transportation issues can be resolved, that the easement will be legally and physically sufficient to support such a high density development, and that the project will not negatively impact neighboring properties.

Sincerely,

Scott Knox



Rogue Valley Transportation District

From the Desk of Paige West, Senior Planner

3200 Crater Lake Avenue • Medford, Oregon 97504-9075

Phone (541) 608-2429 • Fax (541) 773-2877

Visit our website at: www.rvtd.org

Date: 11/12/2019
To: City of Ashland
CC: Jennifer Boardman
From: Paige West
RE: Grand Terrace

The proposed Grand Terrace development provides a unique opportunity to accommodate a bus stop with the steep hill heading south on Hwy 99. However, RVT D believes it can site a bus stop just to the north of the railroad trestle adjacent to the southbound lane if the following accommodations can be met.

There are safety considerations for how the bus will accelerate in the travel lane itself. In our internal staff report we found we can reach 20 mph in the travel lane once we reach the trestle. To site a stop at this location we believe a bus merge lane adjacent to the travel lane will be necessary for approximately 60 feet but perhaps longer to gain enough speed to safely enter the travel lane at 25 or 30 mph prior to the trestle. There are portions of the steep hill that may require removal, but, with a merging lane, a bus stop is possible and RVT D is willing to facilitate bus service to the property. RVT D would prefer to further examine this location with assistance from City and ODOT engineers to see if this is can be accommodated. The bus stop itself would be approximately 150-200 feet north of the trestle. RVT D also requests that in addition to the planned sidewalk a concrete pad for a shelter of 10 feet wide by 8 feet deep is provided.

Additional considerations are the provision of a pedestrian ramp nearby but connected to the sidewalk leading to the bus stop to meet ADA compliance and a staircase to or nearby the bus stop for ambulatory passengers to reach the transit stop.

Thank you,

Paige West
RVT D Strategic Programs and Planning Manager

City of Ashland Planning Exhibit

Exhibit # P-001
PA # PA-T3-2019-00001
Date 11/12/19
Staff JW



Good Evening Commissioners
November 11, 2019

Robert Kendrick 153 Will Dodge, Casita Developments LLC partner, and Kendrick Enterprise LLC developer.

There are people in our town tonight in fear of rising rents and having to relocate because they can't afford to live in Ashland anymore.

Starting six years ago our goal was to provide housing to these community members that are rent burdened because of escalating rents.

Now we are proposing 196 rental units that are all workforce affordable, that include Thirty 30 units which will be dedicated as affordable housing units and rent at \$554 per month. Our development offsite work consists of 3100 lineal feet of sidewalk, curb and parkway with landscaping beginning south of the animal clinic and terminating onto Schofield St which will connect the development to the city. The highway will come under the authority of the city after annexation and we would like to see the reduced speed limit sign moved north of our development. With that and our offsite improvements the traffic will calm considerably.

As far as I can determine there is no place in the city that can provide this type of development at these rental levels.

The Buildable Lands Inventory includes 312 units of R-2 to R-3 land in the city and 180 units of R-2 in the UGB, which is our land. The R-3 & R-2 land in the city would likely be developed to for sale units due to the high cost of land. The Ashland Triangle is intended to encourage hundreds of housing units but the development methodology of the Triangle is based on mixed use, and residential high density overlays with tax and building incentives. This development type will require a predominant amount of platform buildings which increase the cost 20-30%. The cost of land will likely experience a speculative increase too, and with the higher construction cost added those developments will not generate any workforce housing. To recover the investment a developer would have to look at higher rents or higher sales cost.

Our present workforce members and those rent burdened can't afford this. We have to protect these community assets who are the people who hold the history and knowledge of our town, those who provide services, teach your children, work in your offices, and stores, schools, and, the retired on fixed income.

Many live doubled up with others, some of these units are in reconstructed garages, and substandard dwellings. Many are scared of rent increases that will force them to leave town. If your supportive of retaining our community assets, then you will support this project. There are very little resources of development land that can accommodate this type of project.

Supporting the project is to support the workforce, the rent burdened and our town members. I encourage a unanimous vote for annexation that will be sent to the city council with your recommendation.

Also, if you have any remarkable ideas or questions I hope you bring them up before the meeting is closed and allow us the opportunity to comment on the ideas, and or questions. I will now defer the remainder of our time to my process representative Amy Gunter. And Kelly Sandow our traffic engineer for your questions.

Thank you
Robert Kendrick

City of Ashland Planning Exhibit

Exhibit # P-002
PA # PA-T3-2019-00001
Date 11/12/19
Staff RJK

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	Scott Knox		
	(please print)		
Address (no P.O. Box)	1525 Hwy 99 N	Ashland	
Phone	541-601-3331	Email	sqk@mind.net
Tonight's Meeting Date	11-12-19		

Regular Meeting

Agenda item number VI OR Topic for public forum (non agenda item) _____

Land Use Public Hearing	
For: _____	Against: <u>✓</u>
Challenge for Conflict of Interest or Bias	
<p>If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.</p>	
Written Comments/Challenge: _____	

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council,
City Officers or employees or the City of Ashland.

**Planning Commission
Speaker Request Form**

- 1) Complete this form and return it to the Secretary prior to the discussion of the item you wish to speak about.
- 2) Speak to the Planning Commission from the table podium microphone.
- 3) State your name and address for the record.
- 4) Limit your comments to the amount of time given to you by the Chair, usually 5 minutes.
- 5) If you present written materials, please give a copy to the Secretary for the record.
- 6) You may give written comments to the Secretary for the record if you do not wish to speak.
- 7) Speakers are solely responsible for the content of their public statement.

Name	<u>LeAnn Ahlbrecht</u>		
	(please print)		
Address (no P.O. Box)	<u>1190 S 1525 Hwy 99 N Ashland</u>		
Phone	<u>541-482-2786</u>	Email	<u>info @ animal medical hospital ashland.com</u>
Tonight's Meeting Date	<u>11/12/19</u>		

Regular Meeting

Agenda item number 6 **OR** **Topic for public forum (non agenda item)** _____

Land Use Public Hearing

For: _____ **Against:** X

Challenge for Conflict of Interest or Bias

If you are challenging a member (planning commissioner) with a conflict of interest or bias, please write your allegation complete with supporting facts on this form and deliver it to the clerk immediately. The Chair will address the written challenge with the member. Please be respectful of the proceeding and do not interrupt. You may also provide testimony about the challenge when you testify during the normal order of proceedings.

Written Comments/Challenge: _____

The Public Meeting Law requires that all city meetings are open to the public. Oregon law does not always require that the public be permitted to speak. The Ashland Planning Commission generally invites the public to speak on agenda items and during public forum on non-agenda items unless time constraints limit public testimony. No person has an absolute right to speak or participate in every phase of a proceeding. Please respect the order of proceedings for public hearings and strictly follow the directions of the presiding officer. Behavior or actions which are unreasonably loud or disruptive are disrespectful, and may constitute disorderly conduct. Offenders will be requested to leave the room.

Comments and statements by speakers do not represent the opinion of the City Council,
City Officers or employees or the City of Ashland.