

**TYPE II
PUBLIC HEARING
SUBMITTALS**

**PA-T2-2021-00028
364 Walker Avenue
(Walker Elementary School)**

ASHLAND TREE COMMISSION
PLANNING APPLICATION REVIEW COMMENT SHEET
July 8, 2021



PLANNING ACTION: PA-T2-2021-00028
SUBJECT PROPERTIES: 364 Walker Avenue (Walker Elementary School)
1751 Homes Avenue (Hunter Park)
APPLICANT: HMK Company
OWNERS: Ashland School District
City of Ashland/Ashland Parks & Recreation Commission
DESCRIPTION: A request for Site Design Review approval for a 22,450 square foot, single-story addition to Walker Elementary School at 364 Walker Avenue. As part of the proposal, the parking lot and drop-off lane would be relocated and expanded, with access to be taken via Hunter Court (the driveway serving Hunter Park) and a new courtyard would be created. The application also includes requests for a Conditional Use Permit to modify the School District's Master Sign Permit Program (PA#2012-00899) to allow new signage for Walker Elementary School in conjunction with the proposed addition, and Tree Removal Permits to remove 14 significant trees. An existing 9,700 square foot classroom will be demolished in conjunction with the proposal.
COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; **ZONING:** R-1-5; **MAP:** 39 1E 10; **TAX LOT #:** 3500 (*Hunter Park*) & 3600 (*Walker Elementary School*)

The Tree Commission recommends **approving** the application subject to the following:

1. That the applicant's Planting Plan be modified to include three to four large-stature-at-maturity native (or "native-like") conifers to mitigate the conifers being removed (i.e. Trees #20-#25). The Tree Commission specifically recommended Incense Cedar (*calocedrus decurrens*) or Giant Sequoia (*sequoiadendron giganteum*) as mitigation trees, noting that with the new fire regulations, a site of this size is one of the few that will allow removed conifers to be mitigated.

**MINUTES FOR REGULAR BUSINESS MEETING
ASHLAND PARKS & RECREATION COMMISSION
June 9, 2021
Electronic Meeting – 6:00 p.m.**

Present: Commissioners Gardiner (Chair), Landt (Vice-Chair), Bell, Eldridge, Lewis; Director Black; Recreation Superintendent Dials; Senior Services Superintendent Glatt, Analyst Kiewel; Assistant Sullivan.

Absent: None

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m.

II. APPROVAL OF MINUTES

APRC Regular Business Meeting – May 12, 2021

Motion: Landt moved to approve the minutes from May 12, 2021. Seconded by Lewis.

View: The vote was all yes.

III. ADDITIONS OR DELETIONS TO THE AGENDA

None

IV. PUBLIC FORUM

Marc Heller of Ashland provided the following written comments: "I hope, after all of these years, and all of the hard work that has happened for the pool project, that it can go ahead. The original larger pool plan is much more likely to produce a decent revenue stream, as it can be used for two events at once. Thanks, to all of the Commissioners and APRC staff, for all the time you put in, all of your efforts."

V. CONSENT AGENDA

None

VI. DIRECTORS REPORT

Director Black reported on the following topics:

East Main Park

- The East Main Park Design working group held their first meeting earlier in the week
- A public meeting will be held in the future to take comments on the design concept of the park

Senior Services Division

- In Senior Services, once the vaccine access work is wrapped in early May, staff have focused on behind the scenes work including facility improvements and expansion of the Ashland Senior Phone Buddy program with a new volunteer model
- Staff are also planning for reopening in stages over the coming months

Daniel Meyer Pool

- Daniel Meyer Pool is Open as of Tuesday June 1. Lifeguard training and recertification is complete
- The full schedule is on the website for June. Session #1 of Swim lessons filled up in 2 days and Session #2 swim lesson registration will open on June 18.
- Because of decreased office staff we went to an online only registration system for Swim Lessons. It has been working well.

VII. UNFINISHED BUSINESS

- a) **Hunter Court Access – Walker School Parking Lot (Action)** ([Item begins at 11:10 in the video recording](#))

Black referenced the [staff report included in the packet](#) and displayed [presentation slides](#). The Ashland School District (ASD) has made a request to access Hunter Ct, which is a private road owned by Ashland Parks and Recreation Commission (APRC), to accommodate a remodel of the site that includes shifting the existing parking lot adjacent to Hunter Ct. Black outlined the concerns APRC raised and how the concerns have been addressed by ASD.

- Misaligned intersection of driveways
 - ASD complied with this request, as shown in the attached plans
- Extension of a bike/ped path from the school to the Central Bike Path on the west side of Hunter Court
 - ASD has complied with this request and will be installing an ADA accessible granite path on their property
- Traffic mitigation on Hunter Court
 - ASD has modified their plans to widen Hunter Court at their expense, and on their property, to mitigate any traffic conflicts on Hunter Court
- Cross Parking Agreement
 - ASD has agreed to this and will grant the request at no expense to APRC now or in the future for maintenance costs
- Cross Access Agreement
 - APRC staff is proposing that APRC grant the access agreement to ASD on Hunter Court in return for:
 - *“further widen[ing of] Hunter Ct by installing a turn lane that extends from Homes Avenue to beyond the current senior center street parking, as designated on attached Exhibit D. Further, the School District will at its expense replace the existing asphalt from curb to curb for the entirety of the length of the aforementioned turn lane”*
 - Granting the Cross-Parking Agreement to APRC for the school parking lot.
- Storm Drain Access
 - ASD has withdrawn this request

Staff recommended approval of the request with the following conditions created in conjunction with both APRC and ASD staff:

1. The School District will permit patrons of City parks facilities to use for vehicular parking purposes, the parking area associated with Walker Elementary, as designated on attached Ex. A. Such parks-related use may occur during hours when school is not in session (before 7:00 am and after 4:30 pm, Monday through Friday and all day Saturday and Sunday) and when there is not an organized Walker Elementary activity, such as Back- to-School Night or school events. The School District shall provide its normal maintenance to this parking area at District expense.
2. APRC shall permit School District bicycle and vehicular and equipment-related use of Hunter Ct. in the locale designated on attached Ex. B, for District-related purposes. Such uses shall be in coordination with other users of Hunter Ct. APRC shall provide its normal maintenance to this area of Hunter Ct. at Commission expense.
3. The School District shall install at its expense, a 5-foot-wide minimum, granite pedestrian and bicycle pathway, adjacent to Hunter Ct. in the location and according to the design shown on attached Ex. C. Such pathway shall be completed not later than 18 months after final approval of the pending Walker Elementary School land use application (City File No. PA-T2-2021-00028) is granted.
4. The School District will at its expense, further widen Hunter Ct. by installing a turn lane that extends from Homes Avenue to beyond the current senior center street parking, as designated on attached Exhibit D. Further, the School District will at its expense replace the existing asphalt from curb to curb for the entirety of the length of the aforementioned turn lane. APRC will support the required removal of trees on the School District property for the purpose of installing the aforementioned turn lane.
5. The parties agree to implement and support any other actions necessary to carry out the above agreements.

Discussion:

- Black clarified that the traffic engineer discovered that if the tree to be removed as referenced in item 4 above were to be maintained it would require the removal of the ADA parking spaces adjacent to the Senior Center, which are also used by the *Food & Friends* program
- Steve Mitzel, from ASD, stated the conditions worked out by staff are beneficial to both parties and supports the proposal moving forward

Motion: Landt moved to approve the agreement as presented by staff and supported by Ashland School District with the following changes:

Condition #1:

The School District will permit patrons of City parks facilities to use for vehicular parking purposes, the parking area associated with Walker Elementary, as designated on attached Ex. A. Such parks-related use may occur during hours when school is not in session (before 7:00 am and after 4:30 pm, Monday through Friday and all day Saturday and Sunday) and at other times like school vacations. Permission would not be granted when any there is not an organized Walker Elementary activity, such as Back- to-School Night or school events are occurring. The School District shall provide its normal maintenance to this parking area at District expense.

Add Condition #6

This agreement will be in effect for 50 years and may be renewed by the agreement of Ashland School District and APRC.

Seconded by Bell.

Discussion:

- Landt stated the reasons for modifying the conditions:
 - Modifications to condition #1 is being made because it could be interpreted to exclude summer vacations and other vacation times
 - Condition # 6 is being added because there is no end date as currently written. Including an end date will allow both organizations to review and make changes if necessary
- Mitzel confirmed that the conditions presented are acceptable to ASD and stated the following:
 - The omission of summer vacation was discovered by ASD as well and they were planning on adding the language that would allow parking “during school breaks and holidays” with the intention of allowing parking at any time when school is not in session or when events are not occurring
 - The addition of condition #6 is acceptable and that 50 years is the minimum life cycle of the building

Vote: The vote was all yes.

VIII. NEW BUSINESS

a) Say Their Names Collective Public Art Presentation (Information) – [\(Item begins at 43:45 in the video recording\)](#)

Black stated the Say Their Names Collective (the Collective) have been invited to give a presentation because the existing art exhibit put up by the community is located in Railroad Park. The Collective is now working with the Public Arts Commission on establishing a permanent art installation that could potentially be located on APRC property. Members of the Collective who are participating in the meeting are Jessica Freedman, Tía Laída Fé, Cassie Preskenis, and Precious Edmonds. Black stated that APRC staff has been supportive of the Collective’s efforts.

- Freedman stated that the Collective is working with APRC to schedule a work party to cut back weeds that are creeping through the fence at Railroad Park
- Freedman [displayed slides](#) and gave a presentation that included the following points:
 - The Collective is seeking a permanent art installation, which would show a commitment to the Social Equity and Racial Justice resolution recently adopted by the City of Ashland
 - The Collective is establishing a collaborative, community process and is looking for support from APRC to move the process forward by allowing the installation within Railroad Park
 - Freedman displayed four artists proposals that are being considered that includes desired locations within Railroad Park (beginning on [page 17 of the slides](#))
 - Freedman stated that all of the artists would like to create art that works in harmony with the park and willing to be flexible
 - The cost for a permanent installation is estimated at \$100,000 and the Collective is envisioning crowdsourcing, grants, and financial support from the City of Ashland and APRC

Discussion:

- In response to the questions asked of if locations other than Railroad Park have been considered, Freedman stated the park holds significance for this movement and this location is a priority
- Freedman clarified that the Collective is not requesting APRC to weigh in on the various art proposals, but they are open to hearing concerns from Commissioners that can be taken into consideration

- Black stated the value in the presentation today is to provide general information to Commissioners and allow questions to be asked or concerns to be raised that can then be taken into consideration as the Collective moves through the process of establishing a permanent installation
- Landt stated the following:
 - Concern with locating art installations in the middle of the lawn because it would impact the use of lawn as a play area and suggested locating the installation along the edges of park areas to better accommodate maintenance
 - Some of the proposals displayed were so grand that they may be cramped if located in the park and that there may be other locations, such as Ashland Creek Park, that would be better suited as a location
 - A mural on the bike path would be a good fit in Railroad Park
- Eldridge stated the following:
 - Support for the efforts of the Collective
 - Shared concerns raised by Landt and had been thinking about other parks an installation could be located, including Lithia Park
 - Suggested removing the fence, replacing it with a wall and create a mural on the wall
- Bell Stated the following:
 - Spoke favorably about various aspects of installing a mural on the bike path, but raised the question about what type of medium could be used that would be durable enough for the amount of traffic on the bike path
- In response to an inquiry if the installation on the fence would come down once a permanent installation is in place, Laída Fé stated that they would like to see the installation on the fence remain in place in addition to a permanent installation
- Black stated the following:
 - The fence is not in good shape and acts as a trellis for the blackberries
 - Installing a wall could solve maintenance issues and serve as a canvas for an art installation and could also facilitate some level of continuation of the existing installation on the fence
 - Stated that murals on pedestrian/bike paths have a tendency for the surface to become slippery and would require some sort of non-slip substance to be added that could impact the visual presentation of a mural
- Bell stated that having the current installation carry on would require a significant commitment to maintenance from the community and could end up becoming damaged from being out in the elements and not look the way that it does now
 - Edmonds stated that the t-shirts speak specifically to lives lost and there are considerations that need to be made when creating something that is more long lasting that celebrates the value and beauty of black people as living beings rather than continuing to only memorialize lives lost
- Bell stated that if the main goal is to see if there is support from APRC for the project, the answer is yes as a general principle with the need to get into details down the road
- Eldridge acknowledged that this is a community process and would like to honor the process and hear how the Collective engages with the community and what the process results in
- Laída Fé inquired if others in the meeting shared Landt's concern about placing art in the middle of the lawn and if that would be a deal breaker or something individuals would consider
 - Black clarified that nothing is a deal breaker at this point, but staff has concerns about locating any structure in the middle of open lawn areas for maintenance reasons as well as breaking up the space, which would impact current use
 - Black stated that there are other options that may not have been considered, including altering the location of the path so it could act as a frame for an installation
 - Gardiner stated concern for locating art in the middle of the lawn, which is why he inquired about locating the installation in other parks and sees the location issue being one of the considerations taken up during the Public Arts Commission process
 - Bell stated there has been a long history of prioritizing open spaces and protecting those is important to the community
 - Lewis referenced the peace flag installation, also undertaken by the community, that occurred on the same fence years back and how that project was made permanent by transferring photos of the installation onto tile and hopes that this installation can also be made permanent in some way

Gardiner stated appreciation and the Commissioners look forward to future discussion.

b) Southern Oregon Aquatic Community (SOAC) Swimming Survey Presentation (Information) ([Item begins at 1:32:10 in the video recording](#))

Black introduced Rebecca Kay of SOAC. Kay referenced a [document provided to Commissioners](#) prior to the meeting that outlines the SOCA 3 Domino Strategy (see the summary below)

- Ashland School District
 - Approach the Ashland School District (ASD) to share the results of a recent Red Cross Basic Skills survey SOAC sent out to parents of ASD students and encourage parents to register their children for swim lessons
 - Advocate for ASD to include swimming in the physical education curriculum
 - Advocate for knowing how to swim be a middle school graduation requirement
- Southern Oregon University
 - Seek confirmation that there is still strong student interest in swim for fitness classes as well as recreational swim at the Daniel Meyer Pool
 - Share the ASD survey results
 - Seek a commitment from SOU to enhance usage of the Daniel Meyer Pool
- Grants
 - SOAC hopes to apply for grants and sees the work done with ASD and SOU as supporting grant writing efforts for pool construction including energy conservation infrastructure
 - SOAC is looking for assistance with grant writing

Discussion:

- Kay is getting clarification on the ASD process of adding new curriculum
- Gardiner restated the importance of securing grant funds to install a state-of-the-art energy efficient heating system
- Dials will contact Oregon Recreation and Parks Association to get information on collaboration between Parks Departments and School Districts. Black stated it would also be valuable for SOAC to contact School Districts directly to gather information
- Commissioners expressed support for the work SOAC is undertaking within the community

c) Food & Beverage (F&B) Tax Discussion and Recommendation (Action) [\(Item begins at 1:52:20 in the video recording\)](#)

Black referenced the [staff report included in the packet](#) and displayed [presentation slides](#). The presentation included the following items:

- The approved budget for the upcoming biennium includes an increase in Food & Beverage Tax funds coming to APRC in the second fiscal year. There are steps that need to be taken before the funds can be released and the City of Ashland is starting down that path in August
- Staff is seeking a recommendation from the Commissioners to provide to the City Council when they take this item up for the first time
- Commissioners adopted the goal to “Investigate, develop and implement a dedicated permanent funding source to ensure the long-term financial sustainability of the Ashland Parks and Recreation Commission”
 - One of the objectives under this goal states, “With the City of Ashland, investigate and implement dedicated funding sources directed to APRC, such as F&B Tax and Transient Occupancy Tax”
- Securing dedicated funding sources is supported by the City of Ashland Charter, which states a Parks Commission will be formed and “Have **control and management of all the lands** here dedicated for park purposes and of all other lands that may hereafter be acquired by the City for such purposes. They shall **have control and management of all park funds**, whether the same is obtained by taxation, donation or otherwise, and shall expend the same judiciously for beautifying and improving the City's parks.”
- This change would decrease the amount received under the Charges for Services income category, which includes Recreation Division income and property taxes, and would increase the amount of funds received from the F&B
- Black displayed the table below identifying APRC Funding Sources included in the upcoming biennium budget:

	2017-18 Actual	2018-19 Actual	2019-20 Actual	2020-21 Adopted Budget	2021-22 Proposed Budget	2022-23 Proposed Budget
Charges for Services	\$ 6,078,063	\$ 6,308,536	\$ 6,211,435	\$ 6,573,375	\$ 6,407,662	\$ 4,495,978
Taxes	-	-	-	-	-	2,005,942
Operating Transfers In	85,000	85,000	185,000	185,000	435,000	-435,000
Intergovernmental Revenue	750	500	190,356	15,000	90,000	90,000
Miscellaneous Revenues	19,883	25,700	33,425	31,000	25,000	25,000
Interest on Pooled Investments	9,692	20,599	19,232	23,543	15,000	15,000
Total	\$ 6,193,388	\$ 6,440,335	\$ 6,639,448	\$ 6,827,918	\$ 6,972,662	\$ 7,066,920

- Staff has presented the following conditions to City of Ashland staff based on previous direction from Commissioners:
 1. 25% of Food and Beverage Tax Remains for Major Maintenance and New Projects at the Commissioners' Discretion (CIP Budget)
 2. 73% of Food and Beverage Tax to be Used for Operation at the Commissioners' Discretion
 3. Food and Beverage Tax Must be Extended 10 Years (at least until 2040)
 4. Adopt an Ordinance Dedicating a Specific Percentage of Property Tax to APRC
 5. Evaluate and if possible, designate APRC as a Contracting Review Board

Staff is requesting a motion from Commissioner to send conditions to City Council for consideration on increasing the F&B allocation to APRC.

Discussion:

- Black clarified that this proposal is not associated with investigating the feasibility of creating an independent taxing district, which can still happen if this proposal is adopted and that securing and increase in F&B funding would likely stay with APRC if an independent taxing district is formed
- Black clarified that the conditions would be presented to Council upon approval from Commissioners and the Council would then determine if they amend the F&B ordinance directly or if the ordinance amendment would be forwarded to the voters to decide. The City Council has authority to determine the language within an ordinance amendment
- The property tax allocation and contract review board conditions would be codified through the passage of separate ordinances
 - Black clarified that legal due diligence still needs to be completed to verify that state law would allow APRC to act as a Contract Review Board
- Lewis made a statement on the importance of condition #4 so property tax allocations are known and not subject to changing every budget cycle

Motion: Landt moved that APRC Commissioners support the recommended stipulations for the changes to the Food and Beverage Tax allocation presented by staff with the following changes:

- 3) Food and Beverage Tax Must be Extended *a minimum of 10 Years* (at least until 2040).
- 5) Designate APRC as a contracting review board if legally possible.

Seconded by Lewis

Discussion: Landt stated this is not a panacea but is a step in the right direction.

Vote: The vote was all yes.

d) APRC Cost Recover Presentation (Information) – [\(Item begins at 2:24:39 in the video recording\)](#)

Dials referenced the [staff report](#) and gave a presentation on the Cost Recovery process and [displayed slides](#). The presentation and discussion included the following points.

- Ashland Parks and Recreation Commission for many years has used inadequate procedures to set fees and charges for programs and services
- The current structure was created through mostly arbitrary methods and has not provided a clear approach to cost recovery, priority of service delivery, or equitable access
- Programs and services are typically supported by a combination of participant fees and taxpayer funding
- In October of 2020, APRC contracted with Amilia Consulting USA to help in a department-wide cost recovery analysis and methodology creation
- All programs have been put into draft Service Categories (as outlined in the [staff report](#)) that will determine the level of subsidy the program receives (based on the Service Category subsidization goal). Service Categories that provide a benefit to the community are subsidized at a higher rate than programs that benefit individuals
- Next steps in this process include getting feedback from Commissioners, staff continuing to analyze data and bringing another progress report to Commissioners at a future meeting

- Landt stated that most APRC programs do not make a profit and that the recovery rate for programs that do make money should not top out at 110% as displayed in the [graphic on page 7 of the slides](#). Bell later supported this statement
 - Dials clarified that the subsidy or recovery rate for each Service Category is on a scale and that the average of all programs included in each Service Category are taken into consideration when determining the cost recovery rate
- Kiewel clarified that income for programs includes user fees, grants, advertisement, and sponsorships
- Black clarified that the subsidy/recovery goal for each Service Category will be adopted by Commissioners. The levels set by staff are in draft form
- Dials clarified that there are a number of programs that are not meeting the draft subsidy/recovery goals and there will be changes that need to be made that may include increasing fees or making changes to the programs offered
- Eldridge stated this process has the potential to make APRC offerings more equitable in line with the DEI (Diversity, Equity and Inclusion) goal
- Lewis added this process will provide clarity to the Commissioners and public on decisions made regarding offerings and fees
- Multiple Commissioners requested specific examples of Service Categories performance be brought back to Commissioners
- Dials clarified that this process will also inform decisions about cancelling and divesting programs
- There is potential for a representative from the contractor to present to the Commissioners at a Study Session

Staff will report back to Commissioners as the process continues.

IX. ITEMS FROM COMMISSIONERS/STAFF

It was determined that the Parks View column for June will be written by Black and Gardiner and will discuss Commissioner Goals for the upcoming biennium.

Landt stated that “Commissioners” refers to the publicly elected body and “Commission” refers to the organization as a whole and encouraged staff and Commissioners refer to each body appropriately.

Eldridge stated the Forest Lands Commission (FLC) continues to discuss clarifying trail oversight roles and responsibilities between FLC and APRC. Black stated that there is a meeting set to discuss the Rogue Valley Mountain Bike Association trail proposals and can include this item for discussion as well. This meeting includes staff, Gardiner and Eldridge.

X. UPCOMING MEETING DATES

- a) Recreation Division Advisory Committee — June 17, 2021
 - Electronic Meeting—4:00 p.m.
- b) Bee City USA — June 30, 2021
 - Electronic Meeting—3:00 p.m.
- c) APRC Study Session — July 7, 2021(tentative)
 - Electronic Meeting—6:00 p.m.
- d) APRC Regular Business Meeting — July 14, 2021
 - Electronic Meeting—6:00 p.m.
- e) Ashland Senior Advisory Committee — July 12, 2021
 - Electronic Meeting—3:00 p.m.

XI. ADJOURNMENT

The meeting adjourned at 9:12 p.m.

Respectfully Submitted
Sean Sullivan, Executive Assistant