

**CITY OF
ASHLAND**
ASHLAND PLANNING COMMISSION
REGULAR MEETING
MINUTES
OCTOBER 13, 2015

CALL TO ORDER

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

Commissioners Present:

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

Staff Present:

Maria Harris, Planning Manager
Derek Severson, Associate Planner

Absent Members:

None

Council Liaison:

Greg Lemhouse

ANNOUNCEMENTS

Planning Manager Maria Harris announced two upcoming workshops on small scale industrial developments on October 26 in Talent and October 27 in Phoenix.

Council Liaison Greg Lemhouse commented on the proposed clean-up of the railroad site and encouraged the commission to watch the video of the council's study session. He also announced the council's discussions of the Normal Neighborhood are ongoing and stated the first reading of the ordinances has been continued to Tuesday, November 3.

CONSENT AGENDA

A. Approval of Minutes

1. September 22, 2015 Special Meeting.

Commissioners Miller/Brown m/s to approve the Consent Agenda. Voice Vote: all AYES. Motion passed unanimously.

UNFINISHED BUSINESS

A. Adoption of Findings for PA-2015-01370, 210-220 Hersey Street.

No ex parte contact was reported.

Commissioners Dawkins/Thompson m/s to approve the Findings for PA-2015-01370. Voice Vote: all AYES. Motion passed unanimously.

B. Adoption of Findings for PA-2015-01496, 35 South Second Street.

No ex parte contact was reported.

Commissioners Miller/Brown m/s to approve the Findings for PA-2015-01496. Voice Vote: all AYES. Motion passed unanimously. *[Commissioner Pearce abstained]*

Councilor Lemhouse left the meeting at 7:10 p.m.

TYPE II PUBLIC HEARING

A. PLANNING ACTION: PA-2015-00797

SUBJECT PROPERTY: 266 Third Street

OWNER/APPLICANT: Tanima Bhadra & Brandon Mathew

DESCRIPTION: A *continued* hearing on the appeal of staff's approval of a Conditional Use Permit allowing a four-unit Traveler's Accommodation consisting of three guest units and an owner's unit for the property located at 266-268 Third Street. The application also includes an Exception to the Site Development and Design Standards with regard to the Parking Lot Landscaping and Screening standards in AMC 18.4.4.030.F, which require a five-foot landscape buffer between parking and property lines. No buffer is proposed here. The September 22nd hearing was continued to October 13th to allow noticing of the requested Exception, and testimony at the continued hearing on October 13th will be limited to the Exception to the Parking Lot Landscaping and Screening standards. COMPREHENSIVE PLAN DESIGNATION: Low Density, Multi-Family Residential; ZONING: R-2; ASSESSOR'S MAP: 39 1E 09AB; TAX LOT: 9500.

Ex Parte Contact

Commissioners Dawkins and Mindlin declared site visits. No ex parte communication was reported.

Staff Report

Associate Planner Derek Severson noted this action was heard at the commission's October 13 meeting and it is an appeal of staff's approval to operate a traveler's accommodation with three guest units and one owner's unit at 266 Third Street. Mr. Severson explained at the last hearing an issue arose and it was determined that an exception to the landscaping and screening standards in 18.4.030.F was necessary, which requires a 5-foot landscape buffer between parking and property lines. This hearing was continued to tonight so that the application could be re-noticed with the addition of the exception request.

Mr. Severson reviewed the criteria to grant to exception:

E.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 the site; and approval or 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 Standards; and the exception requested is the minimum which would alleviate the difficulty; or
E.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 Design Standards.

Mr. Severson stated staff is supportive of the exception and recommended approval of the application with the revised conditions as outlined in the staff report.

Questions of Staff

Mr. Severson clarified if the applicant's survey shows there is insufficient space to accommodate the required parking space, approval will only be granted for two traveler's accommodation units instead of three. He verified another option would be for the applicant to reach an agreement with the adjacent property owner for the needed space.

Applicant's Presentation

Teresa Safay/120 High St/Stated she is speaking on behalf of the applicants and assured the commission the applicants will have a survey done and they are confident they have the space needed to meet the parking requirements. Ms. Safay stated the applicant's were told by staff that the screening and buffer requirements would not be an issue, and stated the adjacent parking that serves the neighboring property does not have a 5-foot buffer either.

Commissioner Mindlin closed the record and the public hearing.

Deliberations & Decision

Mr. Severson clarified review of the applicant's survey will be completed at staff level and, if approved, this action would not need to return to the commission. Commissioner Pearce suggested they approve this action under the exception criteria E.2

as well, and stated even if there were no demonstrable difficulty, the proposal clearly meets the intent of the design standards.

Commissioners Pearce/Brown m/s to approve the application and the exception under 18.4.050.E.1 and 18.4.050.E.2. Roll Call Vote: Commissioners Miller, Pearce, Norton, Brown, Dawkins, Thompson, and Mindlin, YES. Motion passed unanimously.

B. PLANNING ACTION: PA-2015-01517

SUBJECT PROPERTIES: 209 Oak St., 221 Oak St., 225 Oak St. and 11 B St. (*And shared driveway partially on 237-239 Oak St.*)

OWNER/APPLICANT: Spartan Ashland Natalie Real Estate, LLC

AGENTS: Kistler, Small & White, Architects

DESCRIPTION: A request for Outline Plan, Final Plan and Site Design Review approvals for the properties at 209 Oak Street, 221 Oak Street, 225 Oak Street and 11 B Street. The proposal includes the renovation of two existing, historic homes; the construction of six townhouses along B Street; and the construction a new, detached residential cottage. Also included are requests for a Variance to allow a 15-foot wide, one-way driveway where a 20-foot driveway width would typically be required; two Conditional Use Permits to allow a 25 percent increase in the Maximum Permitted Floor Area, and to allow a commercial use within an existing, historic residential building; an Exception to the Street Standards to allow a curbside sidewalk along B Street where a planting strip would typically be required between the curb and the sidewalk; an Exception to the Site Development and Design Standards to allow the placement of a new residence on proposed Lot #9 to be placed behind the setback line of adjacent historic buildings; and a Tree Removal Permit to remove two trees which are within the footprints of proposed buildings. (*The proposal involves use of the existing driveway which is partially located on the adjacent property to the north at 237-239 Oak Street; this property's owner has signed to allow the application to move forward using the shared driveway.*) **COMPREHENSIVE PLAN DESIGNATION:** Low Density Multi-Family Residential; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09BB; **TAX LOTS:** 15600, 15700, 15900 and 16000.

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

Ex Parte Contact

Commissioners Pearce, Miller, Norton, Thompson, Mindlin, Brown, and Dawkins declared site visits. Commissioner Dawkins explained that his niece is married to the nephew of the contractor who may benefit from this action, however this matter has no potential financial benefit or detriment to himself or any family member. He stated he is able to exercise independent judgment and the public interest in his primary concern.

Staff Report

Associate Planner Derek Severson explained the subject property is located on four tax lots at Oak and B Streets and the application involves a number of components, including:

- Outline Plan, Final Plan, and Site Design Review approvals to renovate two existing historic homes and demolish one;
- Construct six townhomes along B Street;
- Construct a new detached residential cottage;
- A variance to allow a 15 ft., one-way driveway where a 20 ft. driveway would typically be required;
- A conditional use permit to allow a 25% increase in the maximum permitted floor area;
- A conditional use permit to allow a commercial use in an existing historic residential building;
- An exception to the Street Standards to allow a curbside sidewalk along B Street where a planting strip would typically be required between the curb and the sidewalk;
- An exception to the Site Development and Design Standards to allow the placement of a new residence on proposed Lot #9 to be placed behind the setback line of adjacent historic buildings; and
- A tree removal permit to remove two trees which are within the footprints of the proposed buildings.

Mr. Severson stated this proposal went before the Historic Commission for review however they postponed this action until their November meeting; requested the applicant's submit additional information; and requested the Planning Commission

postpone their decision as well. During their review the Historic Commission indicated the cottage setback was a good use of space and preserves the character of the property, and the exclusion of a parkrow along B Street was appropriate. However, they stated the slanted partitions separating the condominiums were not desirable, the metal roofing was not appropriate, and recommended denial of the conditional use permit for the commercial use. Mr. Severson noted the Tree Commission had a similar request and asked for more information from the applicant, and that documentation has been received and is included in the packet materials for tonight. Mr. Severson stated staff concurs with both advisory bodies and recommended the Planning Commission hear from staff and the applicant tonight, identify any issues or additional information they need, leave the record open, and continue the hearing to their November meeting.

Mr. Severson reviewed the current site and the surrounding structure; presented several photos; and displayed the outline and final plan, site plan, tree protection plan, landscape plan, and elevation drawings. He noted staff would prefer for the city's parkrow and sidewalk standards to be met, but if the commission feels that an exception is merited staff suggests a minimum 6 ft. sidewalk width. He added the commission should consider whether the trees would survive construction and if this is unlikely, staff would recommend the trees be removed and new trees planted to establish a canopy along this corridor. Comment was made that one of the trees looks like it is right in the middle of where steps are proposed, and another has its dripline impacted by a patio. Mr. Severson acknowledged this concern and stated this is why staff asked that an arborist evaluate the proposal and weigh in on whether the trees could accommodate the development.

Mr. Severson clarified the Historic Commission did not focus on the sidewalk width, but rather supported the wider porch area and did not want the sidewalk and parkrow requirement to impact the applicant's ability to do this. He added the minutes from the Historic Commission meeting will be ready by the commission's November meeting and can be included in the packet materials.

Staff was asked why the new commercial building on the corner of Water and B Street was granted 5.5 ft. sidewalks. Mr. Severson explained an exception was approved at the time because the development transitioned to an established corridor that was narrower and was deemed unlikely to redevelop. However the commission now has the full block before them and has the opportunity to bring this area closer into conformance with the current sidewalk standards.

Comment was made that it is not clear where the studios will be located and the applicant's were asked to provide additional detail on the proposed floorplans. Additional requests were made for the applicant's to clearly label the parking and circulation diagrams, and for the Historic Commission to clarify whether they felt the metal roofs were inappropriate on all the structures or just the two historic homes.

Applicant's Presentation

Ray Kistler and Leslie Gore/Kistler, Small & White Architects/Applicant's representatives/Mr. Kistler commented on the roofing materials. He stated asphalt shingles are not a supported material in the building and architectural community and does not want to put this on any building he is involved with. He commented on the density of the project and stated this area is zoned R-2 but the density will be similar to some R-1 neighborhoods. Regarding the sidewalks, Mr. Kistler stated the Historic Commission felt the proposed width worked better because it benefited the front porch design. He added parkrows are intended to protect pedestrians from moving traffic, however in this location the on-street parking is heavily used and the parked vehicles provide this protection. Mr. Kistler commented on the overall design of the project and stated the urban look was specifically selected for this unique area that is half a block off the plaza. He clarified two studio units were originally planned for the Mickelson house on the corner; however, if the commercial use is approved the two studios would go away and this would be office space only. He added there are commercial buildings on all three of the other corners on this block. Mr. Kistler responded to the question raised about the tree in the middle of the staircase and clarified the steps would go around the tree.

Ms. Gore reviewed the project site and the design of the proposed buildings. She noted the bay windows and recessed doorways and cited the one-way traffic. Ms. Gore stated inspiration for the project was taken from the Old Mill District in Bend and they believe this is a good transition between the Railroad District and downtown. She stated the neighborhood is unique within the city and this project was specifically designed for this block.

Mr. Kistler clarified a few of the Historic Commissioners were uncomfortable with the 4 ft. firewall partition between the townhouse units, but noted these do not extend out past the bay windows and stated they match the frontage on the Winston Building.

Questions of the Applicant

Trees

Comment was made that any extension of the sidewalk would encroach into the root system of the trees, and the removal of the cement retaining wall would likely expose roots. Mr. Kistler agreed and stated if the sidewalk is widened the trees would have to be removed. Ms. Gore clarified if the trees were removed a 6 ft. sidewalk could be installed and they could still maintain the larger porch design preferred by the Historic Commission. She added this would allow quite a bit of landscape area in front of the porches. The applicant was asked whether trees could be planted with this design. Mr. Kistler stated Yes, and clarified they are planning on planting additional trees regardless of whether the three Ash trees remain. Comment was made expressing concern with the arborist's statement that these trees would survive and request was made for the applicant to provide something more substantive on this determination.

Roofing Material

Mr. Kistler clarified that asphalt shingles are outlawed in most countries in Europe due to their toxicity and recommended against their use. Ms. Gore added a number of historic buildings have metal roofs and stated the proposed roof would not be bright but rather would be a darker shade compatible with the Historic District. Comment was made that a pitched roof design would be more compatible for the residential units. Additional comment was made that the applicant's design along the Oak Street frontage keeps with the historic neighborhood, but once on B Street the units are more urban. Mr. Kistler commented on the angle of the fire partition wall and stated this design element mirrors what was done next door and their intent was to tie the block together. He clarified if the doors were moved to the outside of the units the firewall would not be necessary; however, this would require the stairs to be moved and would necessitate the removal of some of the windows.

Traffic Circulation & Parking

Comment was made expressing concern with the internal circulation and how people would access the recreation area. Mr. Kistler stated the recreational space will require a retaining wall on one side to make it the same grade as the carport. Concern was expressed with the proposed driveway width and the applicant's were asked if the driveway onto B Street could be widened. It was noted that with the additional vehicle trips this development will generate, it would be nice to have another access into the site. Request was made for the applicant's to provide clear information on the number of units requested so that staff can conduct their parking analysis. Comment was made that the handicap space for the commercial use is a long way from the office and disabled persons would have to pass behind the other parking spaces. The applicants were encouraged to check with the Building Division to ensure this meets the requirements. Mr. Kistler noted that if the commercial use is not approved, the ADA parking space would not be needed. Comment was made voicing support for the suggestion to widen the driveway onto B Street and provide an alternative access point.

Studio Units

The applicant was asked to clarify where the studio units would be located. Ms. Gore stated the smaller historic house would be studios and the Mickelson house on the corner would be the commercial space. Mr. Kistler clarified to meet the minimum density requirement they need two offices and two studios. Ms. Harris corrected the applicant and stated minimum density does not apply to this project because it is in the Historic District. She added the base density is 11 units and while there are limitations on mass and scale the applicants could have chosen to do more, smaller units.

No other questions were raised and Commissioner Mindlin announced the hearing will be continued to the November 10, 2015 Planning Commission meeting.

ADJOURNMENT

Meeting adjourned at 9:30 p.m.

*Submitted by,
April Lucas, Administrative Supervisor*