

# CITY OF ASHLAND

## HISTORIC COMMISSION MEETING

### AGENDA

August 6, 2014 at 6:00 P.M.

- I. **REGULAR MEETING - CALL TO ORDER:** 6:00 p.m. – SISKIYOU ROOM in the Community Development/Engineering Services Building, located at 51 Winburn Way.
- II. **APPROVAL OF MINUTES:** Historic Commission regular meeting of July 2, 2014.
- III. **PUBLIC FORUM:** Business from the audience not included on the agenda. (Total time allowed for Public Forum is 15 minutes. Speakers are limited to 5 minutes or less, depending on the number of individuals wishing to speak.)
- IV. **COUNCIL LIAISON REPORT:** Mike Morris

#### **PLANNING ACTION REVIEW:**

**PLANNING ACTION:** 2014-00710

**SUBJECT PROPERTY:** 143 Nutley Street

**APPLICANT/OWNER:** Robert Baldwin

**DESCRIPTION:** A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Skidmore Academy Historic District for the addition of 1,695 square feet on to the existing 896 square foot residence on the property at 143 Nutley Street. The request is to exceed the allowed MPFA of 2,591 square feet by 13.29 percent or 306 square feet. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 08AD **TAX LOTS:** 2300.

**PLANNING ACTION:** 2014-00711

**SUBJECT PROPERTY:** 135 Nutley Street

**APPLICANT/OWNER:** Robert Baldwin

**DESCRIPTION:** A request for a Conditional Use Permit (CUP) approval to exceed maximum permitted floor area (MPFA) in the Skidmore Academy Historic District for the addition of 1,220 square feet on to the existing 856 square foot residence on the property at 135 Nutley Street. The request is to exceed the allowed MPFA of 1,821 square feet by 14.5 percent or 264 square feet. **COMPREHENSIVE PLAN DESIGNATION:** Single Family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 08AD **TAX LOTS:** 2300.

**PLANNING ACTION:** 2014-01283

**SUBJECT PROPERTY:** 172 Skidmore

**APPLICANT/OWNER:** Val Backmayer

**DESCRIPTION:** A request for a Conditional Use Permit to operate a five-unit (four guest units and one owner's unit) Travelers Accommodation, and a Site Review Permit request for 343 square feet of additional space added to the main structure for the property located at 172 Skidmore. A 301 square foot first floor addition to the owner's residence is proposed as a common dining room, while a 42 square foot second floor addition would expand an existing dormer on the south elevation.

**COMPREHENSIVE PLAN DESIGNATION:** Low-Density Multi-family; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 05DD; **TAX LOT:** 1000;

V. OLD BUSINESS:

VI. NEW ITEMS:

- A. Election rules for public office
- B. CLG Training
- C. Info kiosk in the plaza.
- D. Review Board Schedule
- E. Project Assignments for Planning Actions – Review update

VII. DISCUSSION ITEMS:

VIII. COMMISSION ITEMS NOT ON AGENDA:

IX. ADJOURNMENT:

**ASHLAND HISTORIC COMMISSION**  
**Meeting Minutes**

July 2, 2014

**Community Development/Engineering Services Building Siskiyou Room, 51 Winburn Way**  
**Call to Order:** 6:00 p.m.

**Historic Commissioners Present:** Mr. Skibby, Mr. Swink, Mr. Giordano, Ms. Renwick,  
Mr. Shostrom

**Commission Members Absent:** Mr. Whitford (E), Ms. Law, Ms. KenCairn

**Council Liaison:** Mike Morris, absent

**Staff Present:** Staff Liaison: Amy Gunter, Clerk: Regan Trapp

**APPROVAL OF MINUTES:** Historic Commission regular meeting of June 4, 2014. Mr. Giordano motioned that minutes be approved and Ms. Renwick seconded. Motion passed unanimously.

**PUBLIC FORUM:** There was no one wishing to speak.

**COUNCIL LIAISON REPORT:** No council liaison was present to give the report.

**PLANNING ACTION REVIEW/PUBLIC HEARING:** Mr. Skibby read aloud the requirements for public hearings.

**PLANNING ACTION: (CONTINUANCE) 2014-00753**

**SUBJECT PROPERTY:** 469 Allison Street

**APPLICANT:** Ben Treiger

**OWNERS:** Kirt VanDerZee and Lene Price

**DESCRIPTION:** A request for a Conditional Use Permit to expand / enlarge an existing non-conforming residence. The applicant is requesting approval to add approximately 280 square feet at the rear of the residence for the property located at 469 Allison Street. **COMPREHENSIVE PLAN DESIGNATION:** Low-Density Multi-Family; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 09 BD **TAX LOT:** 8300

Ms. Gunter reported that the previously submitted plans did not reflect the existing residence correctly. She stated that the applicants had submitted revised drawings. Ms. Gunter said the previously submitted elevations, the windows and the rooflines appeared out of scale and there were concerns that the building was not stepping down with the grade. She read the motion from the previous month's meeting as to what the applicants needed to amend. Mr. Skibby opened the public hearing.

Ben Treiger, of 237 Talent Ave, Talent OR. Mr. Treiger reported that the egress windows have been removed and they switched out the siding to comply with the historic standards. The ridgeline is still stepped up to match the ceiling heights inside. It was suggested by the Commission that the applicants get the larger bevel to match the existing siding. Mr. Treiger stated that the windows on the first floor are the original ones. It was asked how the applicants are strengthening the structure from racking or from any sort of seismic issues and Mr. Treiger responded that it would require a Simpson strong wall with a concrete seal. The stairway is in line with the existing window and the dimension of the window from the stairwell is 36 inches.

Ms. Lene Price, 469 Allison St, Ashland, OR. Ms. Price said that access is crucial from the studio to the backyard because she is an artist and has to have quick access to water. She also said that the new staircase will be bumped closer to the property line because the existing one is steep and dangerous. Mr. Shostrom asked about the deck detailing and Mr. Treiger stated that changing out the deck will be a future project, but no other details were provided

Kirt Van Der Zee, 469 Allison St. Ashland OR. Mr. Van Der Zee explained the detailing on the railing and said it's about 25 years old. Mr. Giordano asked if the new railing would match the existing one and Mr. Treiger replied that they were unsure of the design. There was much discussion between Mr. Van Der Zee and the Historic Commission on how the roofline should be. Mr. Shostrom found that continuing the ridgeline was consistent with standards because the ridgeline is from the 1988 addition and is not the historic ridgeline.

Colin Swales, 95 Coolidge St, Ashland, OR. Mr. Swales owns the property next door and stated the 1988 addition is really close to his boundary and severely impacts his privacy, being only 3 feet from his property line. Mr. Swales would like to see the addition built in the rear yard. Mr. Shostrom asked about the existing deck and the privacy issue and Mr. Swales said that some trees were planted but said the scale of the design is just too big. Any future developing could not happen if Mr. Van Der Zee and Ms. Price built their addition. Mr. Swales believes there are other options instead of building on a second story addition. Mr. Giordano asked the applicants about the possibility of them adding on in the back and Ms. Price said they would end up with a caboose style addition, not to mention already having lots of water issues in the backyard. Mr. Skibby asked about the stairs being moved into the setback area and Mr. Van Der Zee said that the stairs would go 18 inches into the setback area. Mr. Van Der Zee presented the Commission copies of aerial photos of the property for review. Mr. Skibby closed the public hearing and opened for staff comments.

Mr. Shostrom asked Ms. Gunter about the details of the conditional use permit. Ms. Gunter said that it was looked at as a continuation of a non conforming setback. Ms. Gunter stated that there is nothing in the code that would give them direction in whether to call it a variance or a conditional use permit. Ms. Gunter explained the 1988 variance findings for this address and explained what the findings were at that time. Additionally, the historic district design standards were different at the time. Mr. Skibby asked Ms. Gunter to review the standards for additions in the historic district. Mr. Giordano stated that he is not concerned about the setbacks but is concerned about the design. After much discussion about the rooflines, Mr. Shostrom motioned to continue the original roofline over the new addition at the same level, matching the siding to blend with the front. Ms. Renwick seconded the motion. Motion passed unanimously. Ms. Gunter then explained what the next steps in the planning action process were to the applicants.

**OLD BUSINESS:** There was no old business to discuss.

**NEW ITEMS:** Ms. Gunter reported that she has not heard back from Travel Oregon about the application for the \$8000.00 matching funds grant.

**DISCUSSION ITEMS:** Mr. Shostrom asked about any new demolition permits. He stated that it's too easy to get a demolition permit and says we need to develop an ordinance. Mr. Giordano stated that there is intrinsic value in keeping these homes from being torn down. Ms. Gunter said that she is looking into getting the demo ordinance rewritten. She will be looking at other cities to see what they do in reference to the demolition process. She stated examples of houses in the area that have not been kept. Mr. Shostrom asked if the Travel Oregon grant would cover looking into changing the demolition ordinance. Ms. Gunter said we could add a demolition layer to the grant.

Ms. Gunter reported that there will be an audit of the City's CLG program on September 10th by representatives from SHPO at the Carnegie Building in Medford. The training, on Sept 9<sup>th</sup> regarding the CLG program is for all Historic Commissioners from local areas. Ms. Gunter will keep the Commission informed of the details as the dates get closer.

**COMMISSION ITEMS NOT ON AGENDA:** Mr. Skibby showed the Commission a picture of the Oak Street Tank and Steel building from the early 1960's in response to a development proposal earlier this year.

**REVIEW BOARD SCHEDULE:**

July 3rd	Allison, Tom, Sam
July 10th	Keith, Dale
July 17th	Allison, Kerry
July 24th	Terry, Sam
July 31st	Terry, Tom, Victoria
Aug 7th	Keith, Allison

**PROJECT ASSIGNMENTS FOR PLANNING ACTIONS:**

**PLANNING ACTION:** PA-2014-00725  
**SUBJECT PROPERTY:** 121 Manzanita  
**COMMISSION MEMBER ASSIGNED:** Mr. Whitford

**PLANNING ACTION:** PA-2014-00753  
**SUBJECT PROPERTY:** 469 Allison  
**COMMISSION MEMBER ASSIGNED:** Mr. Swink

**ANNOUNCEMENTS & INFORMATIONAL ITEMS:**

Next meeting is scheduled for August 6, 2014, 6:00 pm.

*There being no other items to discuss, the meeting adjourned at 7:15 pm.*

Respectfully submitted by Regan Trapp



**PLANNING ACTION: PA-2014-00710**

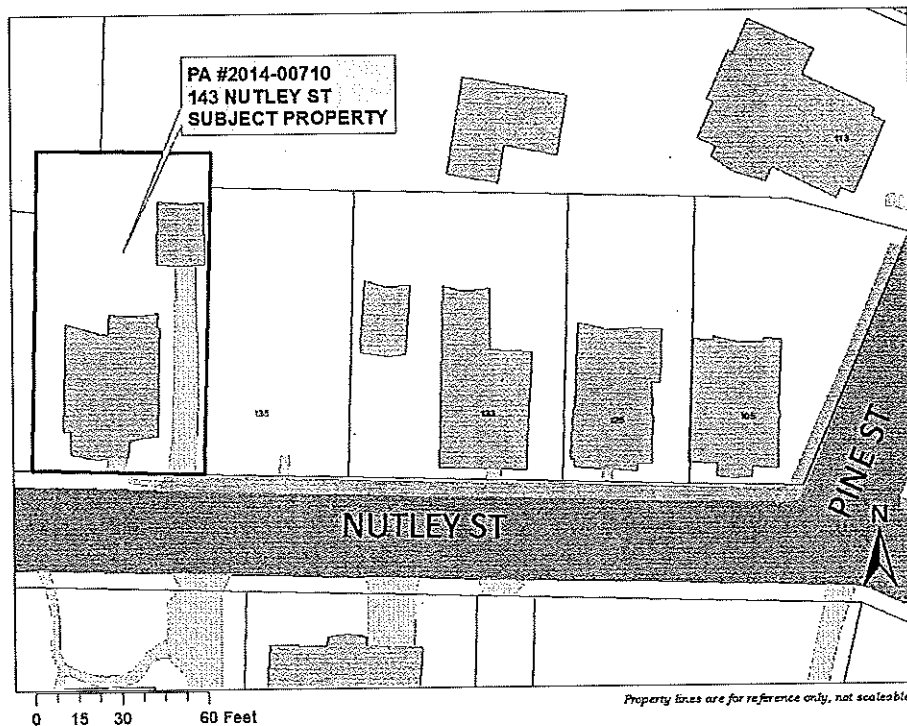
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**NOTE: The Ashland Historic Commission will also review this Planning Action on Wednesday, August 6, 2014 at 6:00 PM in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.**

**ASHLAND PLANNING COMMISSION MEETING: August 12, 2014 at 7:00 PM, Ashland Civic Center**



Notice is hereby given that a PUBLIC HEARING on the following request with respect to the ASHLAND LAND USE ORDINANCE will be held before the ASHLAND PLANNING COMMISSION on meeting date shown above. The meeting will be at the ASHLAND CIVIC CENTER, 1175 East Main Street, Ashland, Oregon.

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, either in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Commission to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. A copy of the Staff Report will be available for inspection seven days prior to the hearing and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Department, Community Development and Engineering Services, 51 Winburn Way, Ashland, Oregon 97520.

During the Public Hearing, the Chair shall allow testimony from the applicant and those in attendance concerning this request. The Chair shall have the right to limit the length of testimony and require that comments be restricted to the applicable criteria. Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Administrator's office at 541-488-6002 (TTY phone number 1-800-735-2900). Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting. (28 CFR 35.102.-35.104 ADA Title I).

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division, 541-488-5305.

## CONDITIONAL USE PERMITS

### 18.104.050 Approval Criteria

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- B. 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.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:
  1. Similarity in scale, bulk, and coverage.
  2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  3. Architectural compatibility with the impact area.
  4. Air quality, including the generation of dust, odors, or other environmental pollutants.
  5. Generation of noise, light, and glare.
  6. The development of adjacent properties as envisioned in the Comprehensive Plan.
  7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.



**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2014-00711

**SUBJECT PROPERTY:** 135 Nutley Street

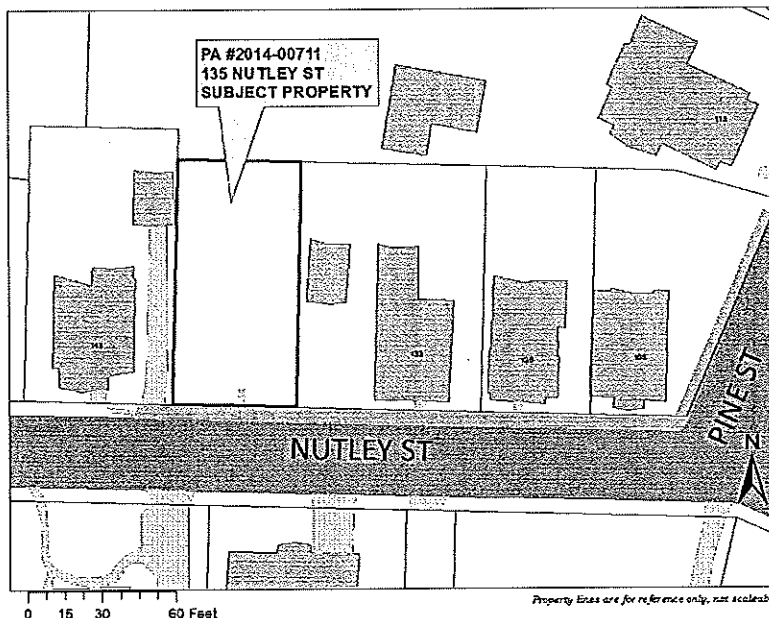
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**NOTE:** The Ashland Historic Commission will also review this Planning Action on **Wednesday, August 6, 2014 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** July 24, 2014

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** August 7, 2014



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, 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 Department 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. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.



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- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- B. 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.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:
  1. Similarity in scale, bulk, and coverage.
  2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  3. Architectural compatibility with the impact area.
  4. Air quality, including the generation of dust, odors, or other environmental pollutants.
  5. Generation of noise, light, and glare.
  6. The development of adjacent properties as envisioned in the Comprehensive Plan.
  7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

Gary Caperna, Architect

2908 Hillcrest Road  
Medford, Oregon, 97504

AIR RECEIVED

541.840.4123  
JUL 23 2014

City of Ashland

Site Plan Application Written Findings and request for Conditional Use Permit

### PROJECT OVERVIEW

This application is a request to modify and construct two adjacent residences located mid block on the North side of Nutley Street between Scenic Drive and Pine Street.

The proposed residence at 135 Nutley is a new two story 2,076 square foot single family residence with a detached garage placed at the rear of the lot. Until recently an 856 square foot cottage stood in extreme disrepair and structurally unsound condition. The cottage has since been demolished leaving a bare lot served by the various utilities existing in the neighborhood.

On the parcel at 143 Nutley Street there is an existing 896 square foot single family residence which is in the craftsman bungalow style and appears to have been constructed between 1910 and 1925. This application proposes to make an extensive addition to the bungalow which will result in a two story 2,591 square foot home with a garage at the rear of the lot and attached to the residence. Both of the proposed homes are based on designs that conceal the garage at the back of the lot. The limited lot areas and the existence of unbuildable sloping terrain at the rear of the lots, mandate single car garages and a shared drive way to achieve the coverage goals set forth in the Ashland Municipal Code.

### CONDITIONAL USE PERMIT

This application is also requesting that the MPFA (maximum permitted floor area) for both parcels be increased under a Conditional Use Permit as allowed by the City of Ashland Municipal Code. This request seeks a 13.29% increase for 143 Nutley and a 14.5% increase for 135 Nutley. The granting of the Conditional Use Permit is important to qualify the proposed residences as viable projects. More importantly, the increased square footage allowed by the Conditional Use Permit allows the projects to consider locating the garages at the rear of the project. Locating a detached garage at the rear of the project adds considerable cost to the project, but the additional square footage gained by the CUP helps mitigate the cost of this layout type. Without the CUP the economics of the project will force the design to incorporate a more contemporary layout with the garage located in close proximity to the street. The developer believes that the aesthetic advantages that the neighborhood will enjoy from the concealed garages far outweigh any negative impacts that might be imparted by the increased floor area of the structures.

The lots are located in the historic district and this proposal intends to conform to the requirements of this district. The zoning designation for the subject parcels is R-1-7.5. The properties of the lots are as follows:

**135 Nutley (39-1E-08ED-LOT 2200)**

Width: 50.00'

Depth: 98.34'

Area: 4,791 square feet (.11 acres)

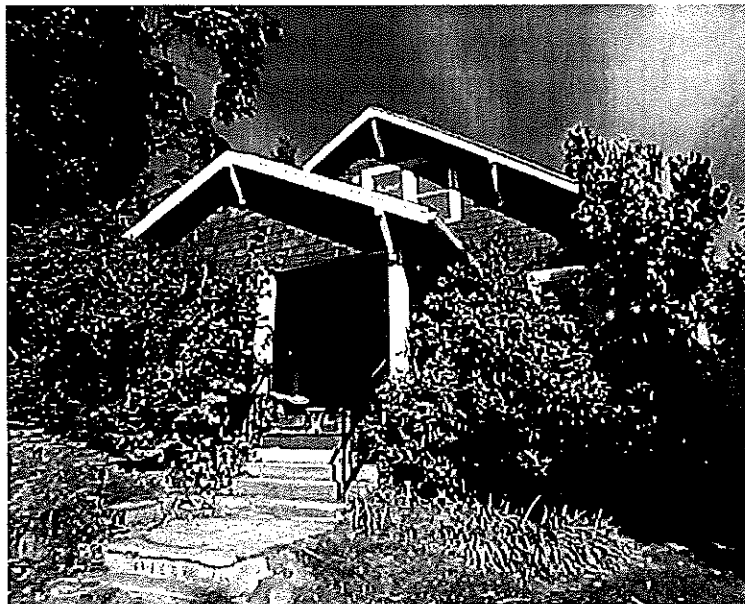


**143 Nutley (39-1E-08ED-LOT- 2300)**

Width: 60.00'

Depth: 106.00'

Area: 6,534 square feet (.15 acres)



These dimensions and areas exceed the minimum requirements described in paragraphs A, B, and C, of Section 18.20.040 of the City of Ashland Oregon Municipal Code. As stated above, the development is located within the Historic District which limits the maximum building to 30'-0'. the proposed structures and additions do not exceed this maximum height.

The MPFA (maximum permitted floor area) allowed per paragraph G of Section 18.20.040 of the City of Ashland Oregon Municipal Code are calculated and adjusted, as required by Table 1, for the lots as follows:

**135 Nutley (39-1E-08ED-LOT 2200)**

1ST Floor area (proposed):	1231 sf
2ND Floor area (proposed):	854 sf
TOTAL SF:	2085 sf
Basic max. allowed area:	$1821 \text{ sf} = (4,791 \times 1)(.38) = 1,821 \text{ square feet.}$
Proposed area increase:	264 sf (14.5%)
Lot area:	4791 sf
Max allowed coverage:	$2156 \text{ sf} = (4,791)(.45) = 2,156 \text{ square feet.}$
Proposed coverage:	2124 sf
Max. building height:	30 feet
Proposed height:	Less than 30'

**143 Nutley (39-1E-08ED-LOT- 2300)**

1ST Floor area (proposed):	1777 sf
2ND Floor area (proposed):	814 sf
TOTAL SF:	2591 sf
Basic max. allowed area:	2285 sf = (6,609 X .91)(.38) = 2,285 square feet.
Proposed area increase:	306 sf (13.29%)
Lot area:	6609 sf = (6,609)(.45) = 2,974 square feet.
Max allowed coverage:	2974 sf
Proposed coverage:	2973 sf
Max. building height:	30 feet
Proposed height:	Less than 30'

Paragraph H of Section 18.20.040 of the City of Ashland Oregon Municipal Code allows a 25% maximum increase of the MPFA (maximum permitted floor area) for single family residences located within the Historic District through a Conditional Use Permit granted in accordance with the standards noted in Section IV of the Site Design and Use Standards.

**18.104.050 Approval Criteria**

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

*A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.*

The proposed single family residential, as well as the architectural style and massing is in keeping with standards and goals of the "R" zoning designation and the relevant standards that pertain in the Historic District.

*B. 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.*

The proposed single family residential uses and the requested increase in the MPFA will have no negative impacts on the designed capacity of City infrastructure that serves the properties or the adjacent development.

The Approval Criteria continues:

*C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:*

*1. Similarity in scale, bulk, and coverage.*

The existing single family residences adjacent to the West and immediately across the street to the South have significantly larger living areas than those being requested in this application. The existing residence located on the parcel immediately to the West at 147 Nutley Street is listed in the Jackson County Assessor's office records as having 3209 square feet of living area.



The residence across the street at the corner of Scenic Dr. and Nutley St (158 Nutley St.) is listed in the county records at 2496 square feet.



The existing residence directly across the street at 134 Nutley St. is listed at 2704 square feet.



All of these referenced properties share similar lot sizes, coverage ratios, and architectural presence as the proposed residences in this request.

*2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.*

The requested increase in MPFA will have little or no effect negative effect on the character of Nutley Street, or the various forms of traffic that occur on the thoroughfare. In fact, the planning of the garages at the rear of the lot will eliminate any potential conflict cause by vehicles backing into traffic. As well, the concealed garages allow for a pedestrian experience that relates more closely to the human scale.

*3. Architectural compatibility with the impact area.*

As stated in items 1 and 2 above, the proposed structures are compatible with the surrounding development in term of scale, mass, and lot coverage. The architectural treatment of the proposed residences respect and compliment the underlying historic character of the neighborhood. Additionally, the de-emphasis of the garage serves to strengthen the continuity of residential streetscape.

*4. Air quality, including the generation of dust, odors, or other environmental pollutants.*

The proposed residences combined with the requested increase in the MPFA will not be a significant source of dust or pollution. In fact, the remodeling of the 145 Nutley St. property and the reconstruction on the 135 Nutley Street property will result in residences that more efficiently consume energy resources which will ultimately result in a reduced overall carbon footprint.

*5. Generation of noise, light, and glare.*

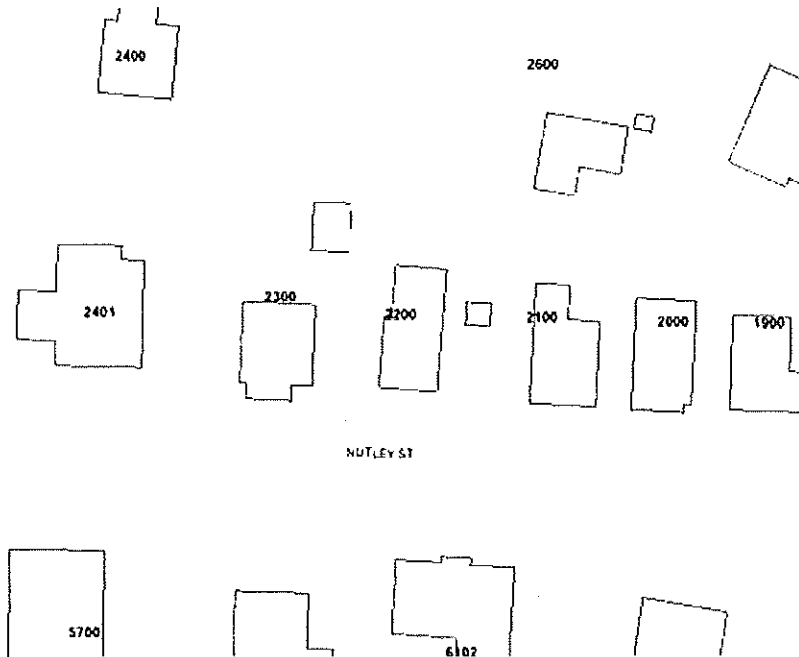
The proposed residences combined with the requested increase in the MPFA will not be a significant source of noise, light, or glare.

*6. The development of adjacent properties as envisioned in the Comprehensive Plan.*

The Comprehensive Plan envisions this neighborhood as a mid density residential zone with a clear historic undertone maintained by the existing historic residences complimented by an historically appropriate architectural density and massing of the new construction and the modifications of the existing. The work proposed in this application respects and maintains that vision.

*7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.*

The figure below (obtain from the records of the Jackson County Assessors records) shows a consistent pattern amongst the existing residences that establishes a consistent 10'-0" setback from the back of sidewalk. Note: the structure on lot 2200 (135 Nutley) has been demolished.



It appears that the back of sidewalk was assumed to be the property line. Direct measurements indicate that the property line is in fact 7'-1" from the back of the existing curb line which places the existing residence at 143 Nutley at 9'-4" from the property line. The properties on tax lots 1900, 2000, and 2100 are all set back 10'-0" (or less) from the actual property line (see image below).





Consequently, the applicant would like place the proposed residence at a distance that is consistent with the existing homes on the lot as shown on the site plan. The applicant believes that this helps reinforce the historic context.

Finally, the Hearing Authority may note and make comment on the sloping topography that exists along Nutley Street. The design of the proposed development depicted in this application has endeavored to respond to the slope in a manner that mitigates transition from parcel to parcel and maintains the character of the remaining historic development.

**Determination of the required solar setback 18.70.**

***STEP 1 – Determine the Northern Lot Line***

In that the north property line of both the subject parcels runs almost exactly east west, the existing north property lines are used without modification in the calculations below.

***STEP 2 – Determine the North/South Lot Dimension***

For the purposes of these calculation, the average midpoint of the east and west property lines will be used. In that the east and west property lines run almost exactly north and south, no averaging will be necessary for these calculations.

***STEP 3 - Calculating Average Slope***

**143 Nutley**

The point 150.00' to the north on the midpoint of the west property line (42d11'43.04"N, 122d43'13.75"W) is 2047' above sea level.

The point at the midpoint of the west property line (42d11'41.55"N, 122d43'13.73W) is 2042' above sea level.

The slope value for the west property line is calculated as follows:

$$\text{West } 2047 - 2042 = 5/150 = .033$$

The point 150.00' to the north on the midpoint of the east property line (42d11'43.04"N, 122d43'13.05"W) is 2037' above sea level.

The point at the midpoint of the west property line (42d11'41.57"N, 122d43'13.00W) is 2032' above sea level.

The slope value for the east property line is calculated as follows:

$$\text{East } 2039 - 2034 = 5/150 = .033$$

The average slope (S) for 135 Nutley is .033

**135 Nutley**

The point 150.00' to the north on the midpoint of the west property line (42d11'42.98"N, 122d43'13.00"W) is 2037' above sea level.

The point at the midpoint of the west property line (42d11'41.50"N, 122d43'12.97W) is 2032' above sea level.

The slope value for the west property line is calculated as follows:

$$\text{West } 2037 - 2032 = 5/150 = .033$$

The point 150.00' to the north on the midpoint of the east property line (42d11'42.98"N, 122d43'12.38"W) is 2029' above sea level.

The point at the midpoint of the west property line (42d11'41.50"N, 122d43'12.38W) is 2024' above sea level.

The slope value for the east property line is calculated as follows:

$$\text{East } 2029 - 2024 = 5/150 = .033$$

The average slope (S) for 135 Nutley is .033=

**STEP 4 – Determine Lot Classification**

Lots are classified according to the following formulas:

Formula I:  $30'/.445 + S$

Formula II:  $10'/.445 + S$

Lots whose N/S lot dimension exceeds that calculated by Formula I shall be required to meet Solar Setback Standard A.

Lots whose N/S lot dimension is less than that calculated by Formula I, but greater than that calculated by Formula II, shall be required to meet Solar Setback Standard B.

143 Nutley Lot Classification:

**STEP 5 – Determination of Shade Producing Point**

- o The angle or the pitch of the roof determines where the Height of the highest shade producing point (H) is located and has a direct effect on the length of the shadow.
- o A roof with a pitch of 5 ½ in 12 has an angle of approximately 25 degrees. If the roof pitch is less than 25 degrees the longest shade producing point will be the north wall or eave. If the roof pitch is greater than 25 degrees the shade producing point will be the roof peak.

The roof pitch is more than 5.5:12 for both homes. For the purposes of these calculations the northerly most highest point of the roof is used.

**143 Nutley:**

The highest shade producing point is the north end of the ridge where it meets the hip above the upstairs master bedroom. The point is 27.10' (27.83') high (measured from the average grade).

$$H = 27.83'$$

$$S = .445 + .033 = .478$$

$$27.83' - 6' = 21.83'$$

$$.445 + .033 = .478$$

$$21.83'/.478 = 45.67' \text{ setback from north property line.}$$

OK. Highest point is 51'-1" from north property line.

# Gary Caperna, Architect



2908 Hillcrest Road  
Medford, Oregon, 97504

541.840.4123

## 135 Nutley:

The highest shade producing point is the north end of the ridge where it meets the hip above the upstairs master bedroom. The point is 26.5' high (measured from the average grade).

$$H = 26.5'$$

$$S = .445 + .033 = .478$$

$$26.5' - 6' = 20.5'$$

$$.445 + .033 = .478$$

$$20.5' / .478 = 42.89' \text{ setback from north property line.}$$

OK. Highest point is 56'-1" from north property line.

Thank you,

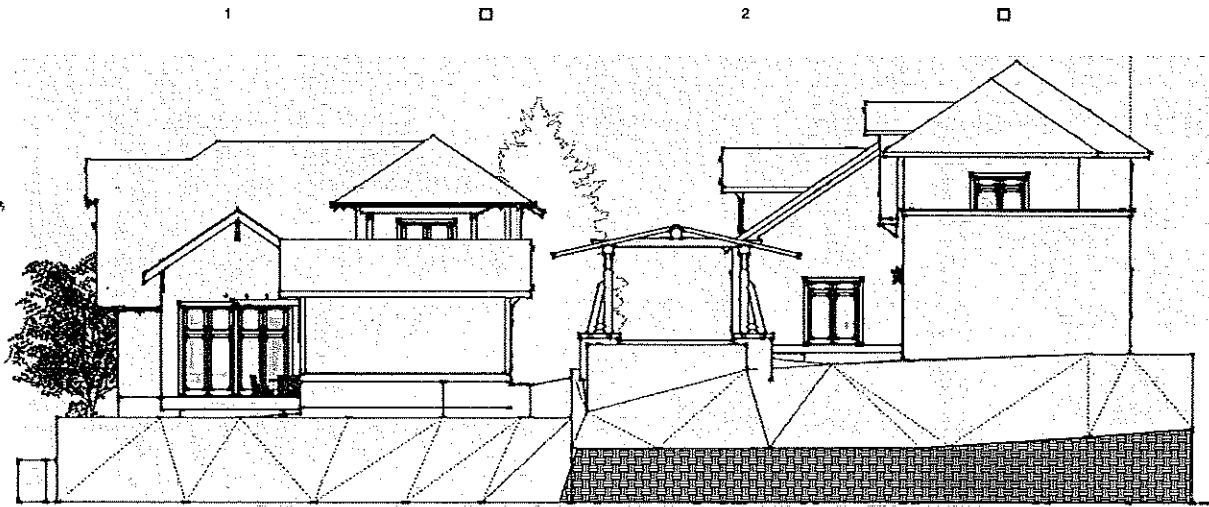
Gary Caperna AIA



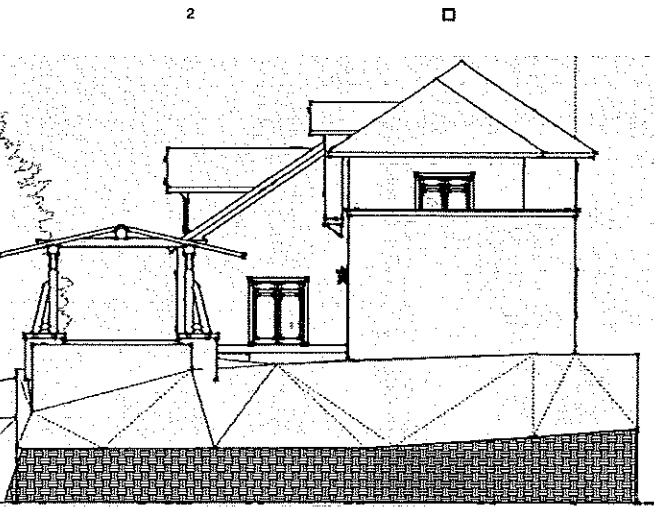
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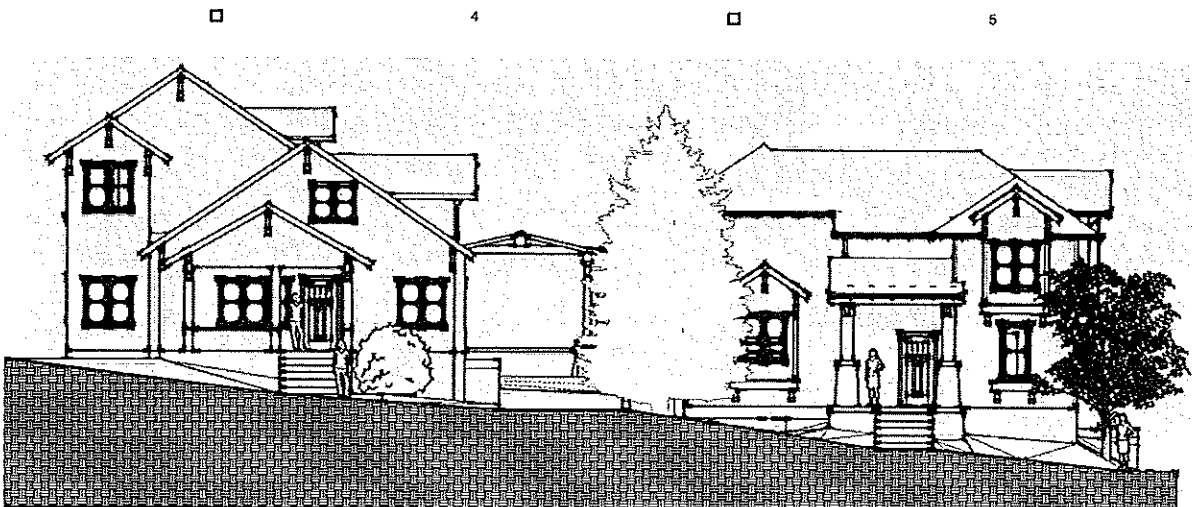
CITY OF ASHLAND



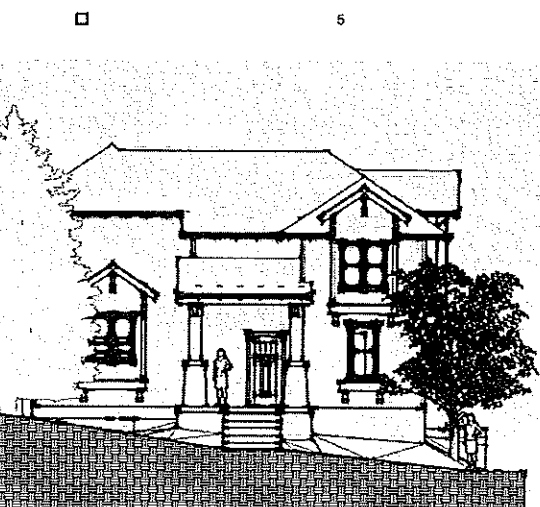
143 NORTH ELEVATION  
SCALE: 1/8"=1'-0"



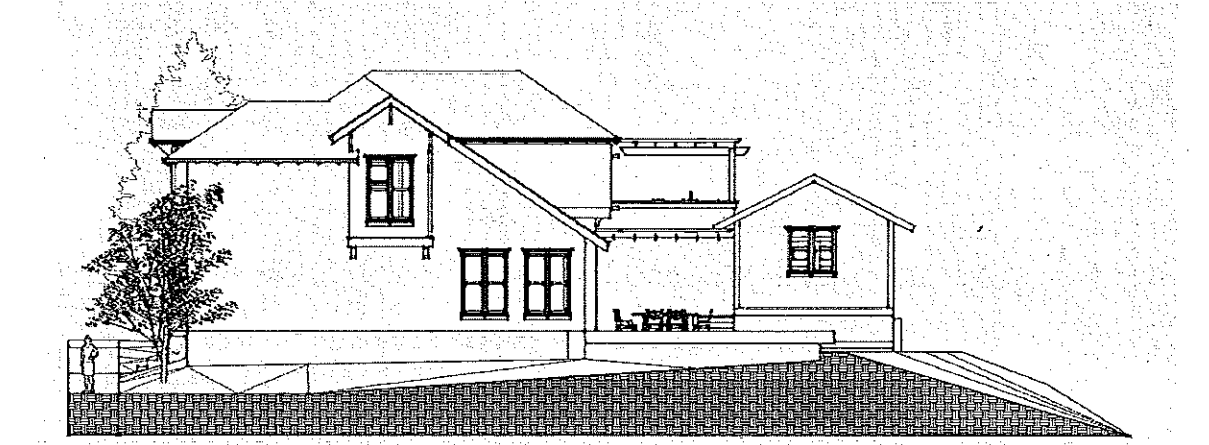
135 NORTH ELEVATION  
SCALE: 1/8"=1'-0"



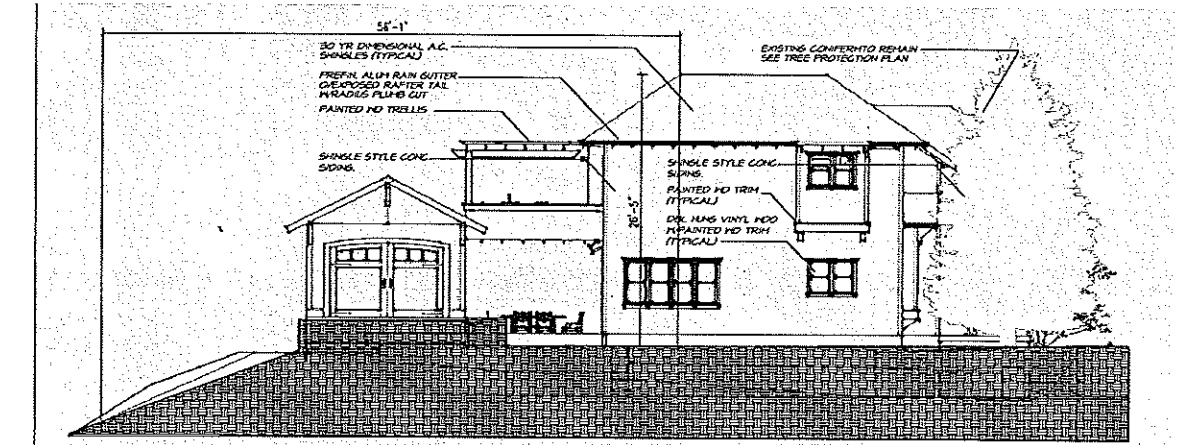
143 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"



135 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"



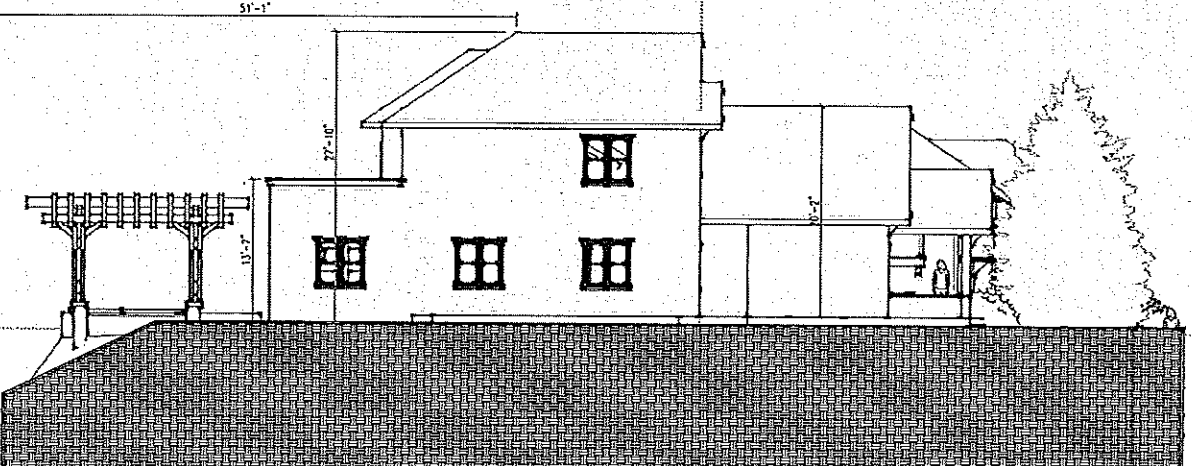
135 EAST ELEVATION  
SCALE: 1/8"=1'-0"



135 WEST ELEVATION  
SCALE: 1/8"=1'-0"



143 EAST ELEVATION  
SCALE: 1/8"=1'-0"



143 WEST ELEVATION  
SCALE: 1/8"=1'-0"



GARY R. CAPERNA  
ARCHITECT

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Arizona Architect License  
Member American Institute Of Architects



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PROJECT: A NEW RESIDENCE AND A REMODELED RESIDENCE:  
143 NUTLEY STREET  
301' EMBAD. LOT 2203 .15 ACRES 4,791 SF  
LOT AREA: .15 ACRES 6,534 SF  
ZONE: R-1-7.5 EXIST'G BLD'G 890 SF  
EXIST'G BLD'G 890 SF  
NEW BLD'G 1,100 SF  
TOTAL COVERAGE (R-1-7.5) = 1990 SF

BUILDING DEPARTMENT APPROVAL STAMP

DATE	DESCRIPTION

PRINT DATE: 7/23/2014 4:21 AM

A1.2

8-28-14

143 North Elevation, July 23, 2014, 4:21 PM  
135 North Elevation, July 23, 2014, 4:21 PM  
143 South Elevation, July 23, 2014, 4:21 PM  
135 South Elevation, July 23, 2014, 4:21 PM  
135 East Elevation, July 23, 2014, 4:21 PM  
135 West Elevation, July 23, 2014, 4:21 PM  
143 East Elevation, July 23, 2014, 4:21 PM  
143 West Elevation, July 23, 2014, 4:21 PM



**NOTICE OF APPLICATION**

**PLANNING ACTION:** 2014-01283

**SUBJECT PROPERTY:** 172 Skidmore

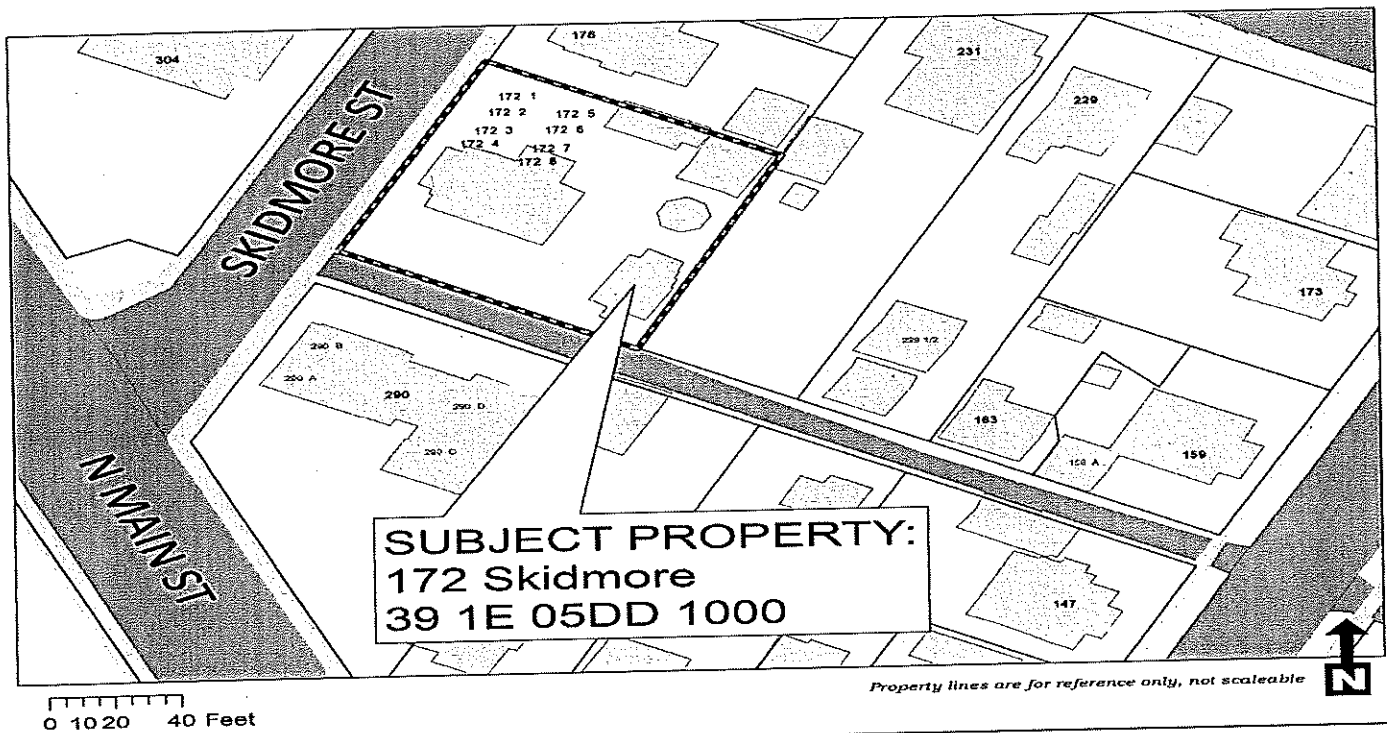
**OWNER/APPLICANT:** Val Bachmayer

**DESCRIPTION:** A request for a Conditional Use Permit to operate a five-unit (four guest units and one owner's unit) Travelers Accommodation, and a Site Review Permit request for an addition to the main structure of 343 square feet for the property located at 172 Skidmore. A 301 square foot first floor addition to the owner's residence is proposed as a common dining room, while a 42 square foot second floor addition would expand an existing dormer on the south elevation.

**COMPREHENSIVE PLAN DESIGNATION:** Low-Density Multi-family; **ZONING:** R-2; **ASSESSOR'S MAP:** 39 1E 05DD; **TAX LOT:** 1000.

**NOTE:** The Ashland Historic Commission will also review this Planning Action on **Wednesday, August 6, 2014 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** July 29, 2014  
**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** August 12, 2014



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, 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 Department 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. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

Comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## CONDITIONAL USE PERMITS

### 18.104.050 Approval Criteria

A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.

- A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive plan policies that are not implemented by any City, State, or Federal law or program.
- B. 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.
- C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:
  1. Similarity in scale, bulk, and coverage.
  2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.
  3. Architectural compatibility with the impact area.
  4. Air quality, including the generation of dust, odors, or other environmental pollutants.
  5. Generation of noise, light, and glare.
  6. The development of adjacent properties as envisioned in the Comprehensive Plan.
  7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.

## TRAVELER'S ACCOMMODATIONS

### 18.24.030.K Approval Criteria

K. Traveler's accommodations, subject to the following:

1. That all residences used for travelers accommodation be business-owner occupied. The business-owner shall be required to reside on the property occupied by the accommodation, and occupancy shall be determined as the traveler's accommodation location being the primary residence of the owner during operation of the accommodation. "Business-owner" shall be defined as a person or persons who own the property and accommodation outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement to specifically state that the property owner is not involved in the day to day operation or financial management of the accommodation, and that the business-owner is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business. (ORD 2806, 1997)
2. That each accommodation unit shall have 1 off-street parking space, and the owners shall have 2 parking spaces. All spaces shall be in conformance with the requirements of the Off-Street Parking section of this Title.
3. That only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 6 sq. ft. maximum size be allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the traveler's accommodation in violation of 18.72.110.
4. That the number of accommodation units allowed shall be determined by the following criteria:
  - a. That the total number of units, including the owner's unit, shall be determined by dividing the total square footage of the lot by 1800 sq. ft. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed 9 per approved traveler's accommodation with primary lot frontage on arterial streets. The maximum number of units shall be 7 per approved traveler's accommodation with primary lot frontage on designated collector streets; or for traveler's accommodations not having primary frontage on an arterial and within 200 feet of an arterial. Street designations shall be as determined by the Ashland Comprehensive Plan. Distances shall be measured via Public Street or alley access to the site from the collector or arterial.
  - b. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.
5. That the primary residence on the site be at least 20 years old. The primary residence may be altered and adapted for traveler's accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setbacks and lot coverage's of the underlying zone.
6. Transfer of business-ownership of a traveler's accommodation shall be subject to all requirements of this section and conformance with the criteria of this section. All traveler's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications approvals shall be in conformance with all requirements of this section.
7. An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.
8. That the property on which the traveler's accommodation is operated is located within 200 feet of a collector or arterial street as designated in the City's Comprehensive Plan. Distances shall be measured via public street or alley access to the site from the collector or arterial.

## SITE DESIGN AND USE STANDARDS

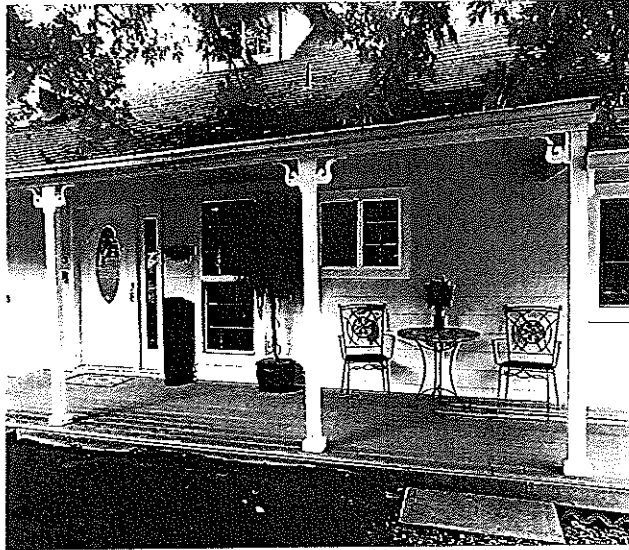
### 18.72.070 Criteria for Approval

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.



**PROJECT DESCRIPTION AND FINDINGS OF FACT  
FOR  
ASHLAND GUEST COTTAGES  
172 SKIDMORE STREET  
ASHLAND, OREGON**



**SUBMITTED TO**

**CITY OF ASHLAND PLANNING DEPARTMENT  
ASHLAND, OREGON**

**SUBMITTED BY**

**BACHMAYER PROPERTIES, LLC  
VAL BACHMAYER, OWNER  
172 SKIDMORE ST, ASHLAND, OR 97520  
206-650-3000**

**PROJECT INFORMATION:**

**PROJECT NAME: ASHLAND GUEST COTTAGES**

**ADDRESS & LEGAL DESCRIPTION: 172 Skidmore Street; 391E 05DD 1000**

**COMPREHENSIVE PLAN DESIGNATION: Multi-Family Residential**

**ZONING DESIGNATION: R-3 High-Density, Multi-Family Residential**

**ADDITIONAL INFORMATION:**

**LOT STATISTICS:**

Total Area:	.23 acres (10,000 sq. ft.)
Total Lot Coverage:	48% (75% permitted)
Lot Slope:	4%
North Slope:	4%

**APPLICABLE ORDINANCES:**

High Density Multiple-Family Residential, Chapter 18.28  
Conditional Use Permits, Chapter 18.104

**SUBJECT SITE: R-3 High-Density, Multi-Family Residential**

**ADJACENT ZONING/USE:**

WEST:	R-2 Low-Density, Multi-Family Residential (Mini-Market)
EAST:	R-3 High-Density, Multi-Family Residential
SOUTH:	R-2 Low-Density, Multi-Family Residential (Business Offices)
NORTH:	R-3 High-Density, Multi-Family Residential

**PROPOSAL AND PROJECT DESCRIPTION:**

The applicant, business owner, Val Bachmayer, resides on the property. She desires to convert four of the site's seven units into Traveler's Accommodation units. The applicant would continue to reside in Unit #3 and four Travelers Accommodations; and one unit along with the laundry room will be used as aggregate square footage to compensate for the units that are under 400 sq. ft., similar to how square footage requirements work for B&B'S. This situation will be in place until such time as the dining room addition to the owners unit is complete. The applicant plans to capture some income from remainder of season rentals, and then complete the dining addition in the fall after the season ends.

Because it is extremely difficult to combine renting a long term over a short term the applicant plans to merge Unit 1 and 2; and Unit #4 and Unit #5. They will be advertised as, "sleeps 3 - 6" which would again allow for families, which is a typical flexibility for the times. And if only one of the merged units is chosen to be rented, then the other unit will not be rented. You can check this status at any time to check; actually you can do that for any unit at any time. It would **not** be worth it to me to jeopardize my business and livelihood.

**RESPONSE TO APPLICABLE CRITERIA:**

As shown in the graph below, Units #6 and #7 of the proposed Travelers Accommodation Units are below the 400 sq. ft. requirement of Ashland Municipal Code, Section 18.28.030 .4.b, which reads as follows: *b. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.* Because of this, the applicant proposes utilizing Unit #5 and the Laundry common area as aggregate square footage to compensate for the shortage, until such time as the dining/laundry room expansion of the owners Unit #3 is complete.

**Interior unit calculation for Travelers Accommodations:**

<b>Owners Unit:</b>	
Unit 3	462 sq. ft.
*Proposed Addition	279 sq. ft.
*Laundry Rm	55

<b>Travelers Accommodation Units:</b>	
Unit 1 & 2	867 sq. ft.
Unit 4 & 5	703 sq. ft.
Unit 6	336 sq. ft.
Unit 7	<u>263 sq. ft.</u>
<b>Total</b>	<b>2,965 sq. ft.</b>

The applicant proposes the following to run concurrently:

1. Apply for a building permit to expand the dining/laundry room of the applicant/owners unit by approximately 279 sq. ft. The proposed addition will be added on to the existing Unit #3 dining area (55 sq. ft. + 279 sq. ft. + 55 sq. ft. common laundry = 385 sq. ft.) which once constructed, will be used as a common area for the guest laundry, dining, library, TV, computer room and will provide more than enough square footage to compensate for the 224 sq. ft. needed as aggregate square footage for two of the Travelers Accommodation Units. The building permit also includes widening an existing dormer in Unit #2 by 84 inches. This will create better head room in the bedroom. It is below 7 feet so the applicant did not include in the sq. ft. calculations.
2. Until such time as the proposed owners' unit expansion is complete, the owner will not rent Unit #5, but utilize it as the aggregate common area; ie, Computer/TV/Game Room. All guests will be able to use the area.

**MPFA**

The Maximum Permitted Floor Area for multiple dwellings on a single lot within the Historic District shall be determined by the criteria in Ashland Land Use Code: 18.20.040 J.1.

Calculations for the Primary dwelling below:

*Existing Floor Area*

UNIT 1 311 SF  
UNIT 2 300 SF (REDUCED DUE TO CEILING SLOPE)  
UNIT 3 500 SF  
TOTAL EXISTING FLOOR AREA 1,111 SF

\*PROPOSED FIRST FLOOR ADDITION 301 SF  
\*PROPOSED 2<sup>ND</sup> FLOOR ADDITION 42 SF (DECREASED SLOPED CEILING AREA)  
TOTAL NEW FLOOR AREA 343 SF

***TOTAL FLOOR AREA OF MAIN RESIDENCE 1,454 SF***

**Conditional Use Permit:** As the owner of the property, the Owner/applicant/resident/business owner is very enthused to operate a Traveler's Accommodation business at 172 Skidmore St. Traveler Accommodation uses within the R-3 (Multi-Family) zoning district are subject to a number of standards as noted in 18.28, as well as the Conditional Use Permit criteria which are noted below in "bold" font and followed by the applicant's findings in "standard" font:

**Standards - Ashland Municipal Code, Section 18.28.030 I: Travelers Accommodations Subject To The Following:**

- 1. During the operation of a traveler's accommodation, the property on which the traveler's accommodation is sited must be the primary residence of the business-owner. "Business-Owner" shall be defined as a person or person who own the property and accommodations outright; or who have entered into a lease agreement with the property owner(s) allowing for the operation of the accommodation. Such lease agreement to specifically state that the property owner is not involved in the day to day operation or financial management of the accommodation, and that the business-owner is wholly responsible for all operations associated with the accommodation, and has actual ownership of the business.**

The Property Owner and Business owner are one in the same. Bachmayer Properties, LLC is owned by Val Bachmayer, who resides on the property and will be the responsible party for operation, collection and management of the property. Ms. Bachmayer has been the owner & operator of Bachmayer Properties, LLC for over 11 years; services of her company include, but are not limited to property management of long and short term rentals. Thus she has strong knowledge and work experience to adequately handle the day to day operations of the units. Living on site she can respond and handle any issues that arise. Her company in Washington was a live work situation.

- 2. The property is located within 200 feet of a boulevard, avenue, and neighborhood collector as identified on the official Street Dedication Map on the City's Comprehensive Plan. Distances to the property from a boulevard, avenue or neighborhood collector shall be measured via a public street or public alley to a lot line.**

The lot is 100' from North Main Street.

**3 That the number of accommodation units allowed shall be determined by the following criteria:**

**a. That the total number of units, including the owner's unit, shall be determined by dividing the total square footage of the lot by 1800 sq. ft. Contiguous lots under the same ownership may be combined to increase lot area and the number of units, but not in excess of the maximum established by this ordinance. The maximum number of accommodation units shall not exceed (9) nine per approved travelers accommodation with primary lot frontage on arterial streets. For travelers accommodations without primary lot frontage on a designated boulevard, but within 200 feet of a boulevard, avenue, or neighborhood collector street, the maximum number of units shall be (7) seven. Street designations shall be as determined by the Ashland Comprehensive Plan. Distances to the property from a boulevard, avenue or neighborhood collector shall be measured via public street or public alley to a lot line.**

The total number of traveler accommodation units being applied for, including the Owners Unit is 5 Units.

**b. Excluding the business-owner's unit and the area of the structure it will occupy, there must be at least 400 sq. ft. of gross interior floor space remaining per unit.**

Due to the historic nature of the property, the size and placement of the unit occurred from 1883 to 1948. (details below in 4) The applicant is asking to utilize the combined square footage of unit #5 and the common area laundry room as aggregate square footage necessary offset units #1, #6 and #7, which are below 400sq. ft. Additionally, when the dining room expansion of the owners unit occurs there will be enough common area to be used in the same manner as above, then Unit #5 will be merged with Unit #4 to create a larger 2 bedroom unit, as mentioned in detail in the second paragraph of the Proposal and Project Description above.

**4. That the primary residence on the site be at least 20 years old. The primary residence may be altered and adapted for travelers's accommodation use, including expansion of floor area. Additional structures may be allowed to accommodate additional units, but must be in conformance with all setbacks and lot coverage's of the underlying zone.**

The property has four detached structures including the primary structure; which was constructed in 1883c as a single family house and the other units were all constructed or moved to the property prior to 1948.

Due to the historic nature of the property, the size and placement of the units occurred from 1883 to 1948. The zones setbacks would be grandfathered for all of the proposed accommodation units.

**5. That each accommodation unit shall have 1 off-street parking space and the owners shall have 2 parking spaces. All spaces shall be in conformance with the requirements of the Off-Street Parking section of this Title.**

A total of six parking spaces are located on site and there are three along the Skidmore Street frontage (9 spaces). As recognized in the 2007 application (PA-2007-01940), the number of parking spaces were "grandfathered" as the site is a historic site and does not have total off street

the parking spaces required by today's standards. However, because there are three on-street parking spaces directly in front of the property, it was understood a "historic" pattern was established and that these on-street spaces were applied to the property and therefore meet the required eight space minimum. In addition, the application included a parking variance in order to "not" pave the historic spaces as it would affect the integrity of the streetscape.

**6. That only one ground or wall sign, constructed of a non-plastic material, non-interior illuminated of 6 sq. ft. maximum size be allowed. Any exterior illumination of signage shall be installed such that it does not directly illuminate any residential structures adjacent or nearby the travelers' accommodation in violation of 18.72.110.**

At this time, no signs are proposed, but if a sign is proposed in the future, it will comply with these standards and be reviewed by the Ashland Historic Commission for compatibility.

**7. Transfer of business-ownership of a traveler's accommodation shall be subject to all requirements of this section, and conformance with the criteria of this section. All travelers's accommodations receiving their initial approvals prior to the effective date of this ordinance shall be considered as approved, conforming uses, with all previous approvals, conditions and requirements remaining in effect upon change of business-ownership. Any further modifications beyond the existing approvals shall be in conformance with all requirements of this section.**

The applicant/property owner is aware of this provision.

**8. An annual inspection by the Jackson County Health Department shall be conducted as required by the laws of Jackson County or the State of Oregon.**

The applicant/property owner is aware of this provision.

**9. Traveler's accommodations must meet all applicable building, fire and related safety codes at all times and must be inspected by the fire department before occupancy following the approval of a conditional use permit and periodically thereafter pursuant to Chapter 15.28.**

The applicant/property owner is aware of this provision.

**10. The Business-owner must maintain a city business license and pay all transient occupancy tax in accordance with Chapter 4.24 and 6.04 of this code as required.**

The property is registered with the City of Ashland. Ashland Guest Cottages has a Business License and Tax Registration No. BL-008551.

**11. Advertising for any traveler's accommodation must include the City of Ashland Planning Action number assigned to the land use approval.**

The applicant/property owner is aware of this provision.

**12. Offering the availability of residential property for use as traveler's accommodation without a valid Conditional Use Permit approval, current business license, and Transient Occupancy Tax registration is prohibited and shall be subject to enforcement procedures.**

The applicant/property owner is aware of this provision.

**Conditional Use Criteria - Ashland Municipal Code, Section 18.104.050:**

**A conditional use permit shall be granted if the approval authority finds that the proposed use conforms, or can be made to conform through the imposition of conditions, with the following approval criteria.**

**A. That the use would be in conformance with all standards within the zoning district in which the use is proposed to be located, and in conformance with relevant Comprehensive Plan policies that are not implemented by any City, State, or Federal law or program.**

The use of this property will essentially remain residential and all standards of the R-3 zoning district and Comprehensive plan will continue to be complied with. The applicant also contends all City, State and Federal laws are being complied with.

**B. 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.**

Adequate capacity of City facilities for water, sewer, and paved access to and through the development, electricity, urban storm drainage, and adequate transportation is and will continue be provided to and through the subject property. In fact, the demand on such facilities is less as accommodation units than standard apartment units.

**C. That the conditional use will have no greater adverse material effect on the livability of the impact area when compared to the development of the subject lot with the target use of the zone. When evaluating the effect of the proposed use on the impact area, the following factors of livability of the impact area shall be considered in relation to the target use of the zone:**

**1. Similarity in scale, bulk, and coverage.**

The applicant/property owner is proposing to expand the existing dining room of the principle residence/owner unit, to provide a common area Dining/Computer/TV/Game Room for all occupants to utilize. This will be great for groups of multiples to dine together, etc. The proposed changes are at the rear of the main house, the site's structures will continue to retain their historic streetscape appearance, and would enhance the operation of the proposed Traveler Accommodation units.

**2. Generation of traffic and effects on surrounding streets. Increases in pedestrian, bicycle, and mass transit use are considered beneficial regardless of capacity of facilities.**

Traveler Accommodation units typically generate less vehicle trips than standard residential apartments, especially when located in close proximity to the downtown as tenants typically arrive by vehicle and walk to their destinations. As in the case of the proposed property which is 4 blocks from downtown. So, no additional traffic generation is expected. Actually, considering the central location of the property and its close proximity to downtown Ashland and surrounding services (Minute Market, Food Co-Op, RVTD bus shelter, OSF, etc.), the likeliness of the site visitors walking or using alternative modes of transportation remains high, *so in all likelihood would reduce vehicle trips.*

**3. Architectural compatibility with the impact area.**

The proposed expansion of the owners dining area will create minimal exterior changes that will be minimally noticeable from the street and the site's structures will continue to retain their historic streetscape appearance.

**4. Air quality, including the generation of dust, odors, or other environmental pollutants.**

Traveler Accommodation units operate similar to standard apartment units and do not generate an impact on the air quality or increase dust, odors, or other environmental pollutants.

**5. Generation of noise, light, and glare.**

Traveler Accommodation units operate similar to standard apartment units and do not generate additional noise, light and glare.

**6. The development of adjacent properties as envisioned in the Comprehensive Plan.**

Traveler Accommodation units operate similar to standard apartment units and will not have an impact on the adjacent properties anymore than standard apartments. In this case, there is a mix of uses adjacent to the site, ranging from residential to commercial, all of which are compatible to the proposed use.

**7. Other factors found to be relevant by the Hearing Authority for review of the proposed use.**

The applicant is not aware of any other factors the Hearing Authority may have as it relates the proposed use's impact with the uses permitted outright in the zone. As stated previously, traveler accommodation units do not have any tangible impacts that are greater than a typical rental unit. However, if for any reason the Hearing Authority believes the proposed traveler's accommodation will cause some tangible concerns, the applicant would like to have the opportunity to address such concerns.

**Site Review Ashland Municipal Code, Section 18.72 Subject To The Following;**

**A. All applicable City ordinances have been met or will be met by the proposed development.**

The use of this property will essentially remain residential and all standards of the R-3 zoning district and Comprehensive plan will continue to be complied with. The applicant also contends all City, State and Federal laws are being complied with.

**B. All requirements of the Site Review Chapter have been met or will be met.**

To applicants knowledge the property is consistent with all requirements of the Site Review Chapter have and will be met.. Consistant with the design chapter, meeting

**C. The development complies with the Site Design Standards adopted by the City Council for implementation of this Chapter.**



**Residential Site Review & Historic District Design Standards:** The property is within the Skidmore-Academy Historic District and the site's primary structure (Stone-Casebeer House) is listed as a Historic Contributing Resource on the district's National Register of Historic Places nomination document.

To be consistent with the City of Ashland's, Site Design and Use Standards, Section IV; Historic District Development, Rehabilitation Standards; IV-B1 thru B12 the dining room addition is consistent with the Height, Scale, Massing, Setback, Roof design and Form. It is oriented in the back of the house and will not extend past the existing covered porch area. It is not obvious from Skidmore St. and is designed to be consistent with the Historic Architectural style associated with and will be matched to the features of the original house built in the late 1800's. There are existing windows with Mutins in the dining room which will be reused and any new window and doors will be made of fiberglass and with Mutins. The windows for the dormers will be casement windows with Mutins.

**Landscaping & Screening Standards:** Parking screening from the street will be facilitated by landscaping and a future fence. One large tree 30" diameter at breast height, sits between the principal house and the alley, somewhat screening the four on-site parking spaces behind the tree. In case anyone is wondering about the 46' Maple tree which screened most of the parking; it was diseased /hollow up to 33" at the base of the trunk. The tree posed a hazard to main house. A permit was issued and the tree removed. The owner has significantly upgraded the landscaping; adding several trees and shrubs that will provide additional screening of the parking along with a fence.

**Street Tree Standards:** No parklane in front between the sidewalk and Skidmore St, thus no room for street trees. Several trees have been planted on site in close proximity to the street. See above under Landscaping and Screening Standards.

**Water Conserving Landscaping Guidelines & Policies:** The applicant has designed the landscape by giving great consideration and utilizing the Water Conserving Landscaping Guideline & Policies.

**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.**

Adequate capacity of City facilities for water, sewer, and paved access to and through the development, electricity, urban storm drainage, and adequate transportation is and will continue be provided to and through the subject property. In fact, the demand on such facilities is less as accommodation units than standard apartment units.

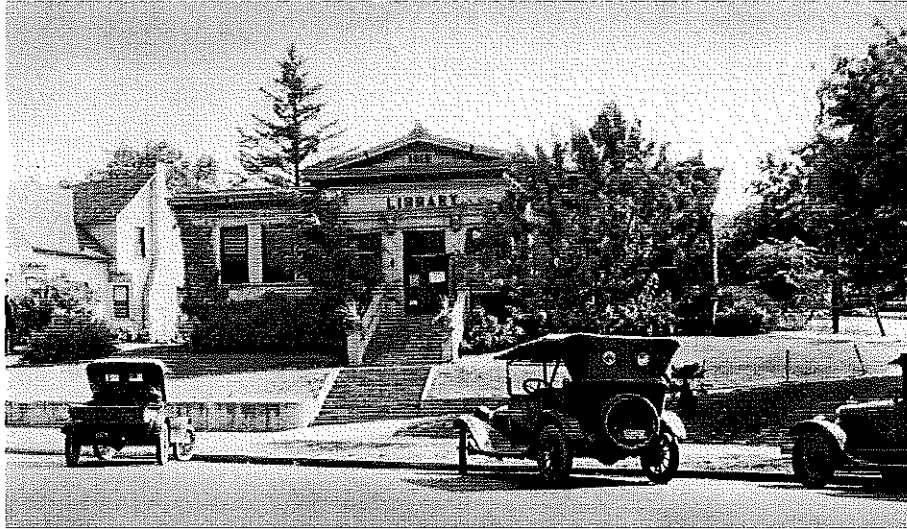
**CONCLUSSION:**

The approval of this application allows for four Travelers Accommodation units, one to be an owners unit, and one to be common area until the expansion of the applicant/owners unit is complete. The owner encourages the City Staff to check unit # 5's status randomly and at any time. The owner/applicant is excited be have the opportunity to own her own business that will provide a live work situation, which she has had for years. Also, because of the close proximity to the downtown area it will also provide accommodations for travelers who visit Ashland from outside of the area to park and walk, providing reduced the traffic impacts to the downtown during the Shakespeare Festival Season.

Finally, Travelers Accommodations are permitted uses as a Conditional Use within established residential neighborhoods primarily as a means to provide owners an option to financially support renovations to older historic homes. This is a correct statement and was very much part of the dialogue when the City adopted such regulations in the early 1980's. By providing some flexibility and at the same time having standards such as owner-occupancy, the City's historic resources could "renovate" and infuse capital into these structures with limited impact on surrounding properties. The applicant has infused over \$100,000.00 in Restorations, Rehabilitation and Remodeling since the purchase of the property less than a year ago.

Thank you for your consideration.

# August 2014



## Ashland Historic Review Board Schedule Meet at 3:00pm, Lithia Room\*

**Aug 7<sup>th</sup> Keith, Allison**

**Aug 14<sup>th</sup>**

**Aug 21<sup>st</sup>**

**Aug 28<sup>th</sup>**

**Sept 4<sup>th</sup>**

**ASHLAND HISTORIC COMMISSION  
Membership List**

Commissioner's Name	Term Expiration	Mailing Address	Home Phone	Work Phone	E-Mail Address
Allison Renwick	4-30-2015	157 Sixth Street	482-6788		allison@mind.net
Dale Shostrom	4-30-2015	309 N Pioneer Street	482-8737	482-9761 Fax 488-2767	shobro@jeffnet.org (Cell - 621-9761)
Keith Swink	4-30-2016	1655 Peachey Road	482-8802	821-4375	kswink@mind.net
Kerry Kencairn	4-30-2016	545 A Street		488-3194	kerry@kencairnlandscape.com
Sam Whitford	4-30-2015	355 Scenic Drive	482-3450	821-0474	skwhippet@mind.net
Terry Skibby Chairman	4-30-2016	611 Beach Street	482-2805		terryskibby321@msn.com
Tom Giordano	4-30-2014	105 Lincoln St #A		482-9193 (Call to fax)	tomarch@charter.net
Victoria Law	4-30-2014	406 Iowa Street	261-6605		
Council Liaison Mike Morris					mike@council.ashland.or.us
Amy Gunter Assistant Planner		City of Ashland Planning Dept.		552-2044	guntera@ashland.or.us
Regan Trapp Admin. Staff		City of Ashland Planning Dept.		552-2233	regan.trapp@ashland.or.us